

**GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA**

UNSTARRED QUESTION NO:3067
ANSWERED ON:16.03.2010
UNDERWEIGHING OF ITEMS
Singh Shri Uma Shanaker

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether the consumers are being cheated by the traders by underweighing and packing lower quantity than that printed on the packet;
- (b) if so, the details thereof and the steps taken by the Government to punish the guilty persons; and
- (c) the medium through which the Government is receiving information in this regard alongwith the mechanism to monitor such violations?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K. V. THOMAS)

(a) to (c): In order to prevent the consumers from being cheated there are provisions in the Standards of Weights and Measures Act, 1976 and the Standards of Weights and Measures (Enforcement) Act, 1985 to check underweighing and packing lesser quantity than that printed on the packets.

Section 51(2) of the Standards of Weights and Measures (Enforcement) Act, 1985 states as follows:

‘Whoever manufactures, packs, distributes or sells or causes to manufactured, packed distributed or sold any commodities in packaged form, knowing or having reasons to believe that commodities contained in such package is lesser in weight, measure or number than the weight, measure or number, as the case may be, stated on the package or label thereon, shall be punished with imprisonment for a term which may extend to two years or with fine keeps which may be extend to three thousands rupees, or with both, and for the second and subsequent offence, with imprisonment for a term which may extend to five years and also with fine.’

The Standards of Weights and Measures (Packaged Commodities) Rules, 1977 has provisions to ensure the compliance of net quantity in terms of standard units of weight or measure of the commodity contained in the package or where the quantity is packed or sold by number, the number of units of the commodity contained in the package.

Further rule 23(A) the Standards of Weights and Measures (Packaged Commodities) Rules, 1977 state that (1) All retailers who are covered under the value added tax[VAT] or turn over tax(TOT) and dealing in packaged commodities whose net content declaration is by weight or volume or a combination thereof shall maintain a electronic weighing machine of at least accuracy class III, with smallest division of at least 1 g, with facilities to issue a printed receipt indicating among other things , the grass quantity , price and the like at a prominent place in their retail premises , free of cost for benefit of consumers. (2) The Consumers may check the weight of their packaged commodities purchased from the shop on such balances as referred in sub-rule(I).

The State Governments/ UT's are implementing the provisions of the Standards of Weights and Measures Act, 1976 and the Standards of Weights and Measures (Enforcement) Act, 1985 through their Legal Metrology Departments. Consumers can give complaints to the officers of Departments of Legal Metrology of the States/UTs. These officers also conduct checks suo motto and take action under the provisions of the Acts & Rules indicated above.