

The Indian Institute of Legal Metrology Rules, 2011

Notification

New Delhi, the, 2010

G.S.R. (E) - In exercise of the powers conferred by sub-section (1) read with clause (l) of sub-section (2) of section 52 of the Legal Metrology Act, 2009 (1 of 2010), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement - (1) These rules may be called the Indian Institute of Legal Metrology Rules, 2011.

(2) They shall come into force on the 1st day of March, 2011.

2. Definitions- In these rules, unless the context otherwise required:-

(a) "Act" means the Legal Metrology Act, 2009 (1 of 2010).

(b) "Committee" means the Advisory Committee constituted under rule 7;

(c) "Course" means a course of study in relation to such subjects as may be specified in the regulations;

(d) "Institute" means the Indian Institute of Legal Metrology;

(e) "Director (Indian Institute of Legal Metrology)" means head of the Institute;

(f) "Regulation" means the regulations made by the Central Government under the Act.

3. Courses to be imparted at the Institute- (1) There shall be imparted at the Institute long-term and short-term training courses in legal metrology and other allied subjects including consumer protection activities.

(2) There shall be such refresher course for specific purpose and for such duration as the Committee may recommend.

4. Obligatory functions of the Institute- With a view to facilitation training, the Institute shall- (a) prepare, print or publish such books, manuals, handbooks, periodicals, instruction sheets, notes, papers or other documents on legal metrology and other branches of knowledge as may be recommended by the Committee;

(b) install in its premises such equipment and maintain such laboratories as may, in the opinion of the Director, be necessary for the proper discharge of its functions;

(c) prepare and implement schemes to stimulate universities, engineering and technical colleges to impart basic education in legal metrology and allied branches of knowledge to under-graduate or post graduate students or both;

(d) prepare schemes for studies with regard to the Institutional legal and administrative framework most conducive to the proper implementation of the law relating to legal metrology;

(e) establish relations and co-operation with any other agency or organisation, whether in India or outside, which may have a useful function in relation to training in legal metrology;

(f) establish and maintain a library to encourage study of and research in legal metrology and allied branches of knowledge.

5. Qualification of persons to be eligible for admission in the Institute.- No person shall be admitted to the Institute unless he satisfies the requirements of any one of the following clauses, namely:-

(a) that he is employed by the Central Government or any State Government in any Department dealing with Legal Metrology and either holds-

(i) a degree in Science (with Physics as one of the subjects), technology or engineering, or

(ii) a diploma in engineering; and has been sponsored for training at the Institute by the Government by which he is so employed:

Provided that the educational qualification is not required in respect of persons who are already employed as legal metrology officers or eligible for promotion to legal metrology officer on the date of commencement of these rules:

Provided further that a person so employed holding a degree of a recognised university or equivalent may also be sponsored by the Government by which he is so employed, if such person having been employed by that Government before the commencement of these rules, has acquired experience in legal metrology for a period of not less than two years:

Provided that where any other person employed by the State Government is sponsored by that Government, the Central Government may relax the educational qualifications if the person so sponsored has field experience in legal metrology for a period of not less than two years and he is considered by the Central Government to be otherwise suitable for undergoing the course of training.

(b) that he is employed in a country outside India in any department dealing with legal metrology and holds degree or diploma which is equivalent to a degree or diploma specified in clause (a) and has been sponsored by the Government of that Country in which he is so employed:

Provided that in the case of a person employed in a country outside India, who is sponsored by the Government of that country, the Central Government may relax the educational qualification if the person so sponsored is considered by the Central Government to be otherwise suitable for undergoing the course of training.

(c) that he is employed in an industrial unit and has passed the examination conducted by the Industrial Training Institute or an equivalent examination or holds a degree or diploma specified in clause (a) and has been sponsored by the industrial unit in which he is so employed.

(d) that he is connected with consumer protection activities.

6. Regulation of admission to the Institute - The admission to the various courses, run by the Institute shall be made by the Director, from amongst the eligible candidates on the basis of the length of experience in the field of legal metrology.

7. Advisory Committee- (1) The Central Government shall constitute an advisory Committee for advising it in relation to the functions and development of the Institute or in relation to such other matters concerning the Institute as that Government may consider necessary to refer to the Committee.

(2) The Central Government may constitute an advisory committee which shall consist of not less than 13 and not more than 15 members having experience in metrology, law or public administration.

(3) The traveling and other expenses of the members of the committee for attending any meeting thereof shall be regulated in accordance with such rules, made by the central Government or, as the case may be, the State Government which are in force for the time being, in relation to such matters and shall be borne by the authority on whose behalf or at whose instance, the members concerned is attending the meeting.

(4) Save as otherwise provide in sub-rule (2), the term of the office of the members of the Committee shall be three years:

Provided that a member may be re-nominated for a like period by the authority competent to nominate him under this rule:

Provided further that if the Committee is not reconstituted after the expiry of the term of office, the term of office of its members shall stand extended for one year or until the Committee is duly reconstituted under this rule, whichever is earlier.

(5) The Committee may constitute such working groups, as it may think fit to consider such matters as may be entrusted to such working groups.

(6) The Director shall be the convener of each working group and shall be an ex-office member of each such working groups.

(7) The Director shall provide secretarial assistance to the Committee and also to any working group constituted by the Committee.

8. Power of Institute to grant certificate, diplomas - The Institute may award such certificate of proficiency or diploma to the person who has successfully completed the training at the Institute, as the Committee may recommend.

9. Fees - The Institute may charge such fees, as may be approved, by an order by the Central Government in this regard, for the services rendered by it in imparting various courses.

10. Repeal and savings:- (1) The Indian Institute of Legal Metrology Rules, 1980 (herein under referred to as the said rules) are hereby repealed.

Provided that such repeal shall not affect:

(a) the previous operations of the said rules or anything done or omitted to be done or suffered therein; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the said rules; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said rules; or

(d) any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid.

And any such investigation, legal proceedings or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said rules had not been rescinded.

(2) Notwithstanding such repeal anything done or any action taken or purported to have been done or taken including approval of letter, exemption granted, fees collected, any adjudication, enquiry or investigation commenced, or show cause notice, decision, determination, approval, authorisation issued, given or done under the said rules shall if in force at the commencement of the said rules continue to be in force and have effect as if issued, given or done under the corresponding provisions of these rules.

(3) The provisions of these rules shall apply to any application made to the Central Government or as the case may be the State Government under the said rules for training and relaxation pending at the commencement of these rules and to any proceedings consequent thereon and to any approval granted in pursuance thereof.

(4) Any legal proceeding pending in any court under the said rules at the commencement of these rules may be continued in that court as if these rules had not been framed.

(5) Any appeal preferred to the Central Government or as the case may be the State Government under the said rules and pending shall be deemed to have been made under the corresponding provisions of these rules.

[F No WM 9 (6) / 2010-Pt-III]

Rakesh Kacker

Additional Secretary to the Government of India
