

THE INDIAN WEIGHTS AND MEASURES OF
CAPACITY ACT, 1871.

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ACT No. XXXI OF 1871.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 30th October 1871).

An Act to regulate the Weights and Measures of Capacity of British India.

WHEREAS it is expedient to provide for the ultimate adoption of an uniform system of Weights and Measures of Capacity throughout British India; It is hereby enacted as follows:—

Preamble.

I.—Preliminary.

1. This Act may be called "The Indian Weights and Measures of Capacity Act, 1871," and extends to the whole of British India.

Short title.
Local extent.

II.—Standards.

2. The primary Standard of Weight shall be called a Ser, and shall be a Weight of metal in the possession of the Government of India, equal, when weighed in a vacuum, to the weight known in France as the Kilogramme des Archives.

Standard of Weight.

3. The Units of Weight and of Measures of Capacity shall be—
for Weights, the said Ser;
for Measures of Capacity, a measure containing one such Ser of water at its maximum density, weighed in a vacuum.

Units of Weights and Measures of Capacity.

4. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, declare the magnitude and denominations of the Weights and Measures of Capacity, other than the said units, to be authorized under this Act:

Special Weights and Measures of Capacity may be authorized.

Provided

Provided that every such Weight or Measure of Capacity shall be an integral multiple or integral sub-multiple of one of the units aforesaid.

The Governor General in Council may, in like manner, revoke such notification.

Unless it be otherwise ordered in any such notification, the sub-divisions of all such Weights and Measures of Capacity shall be expressed in decimal parts.

Districts how defined.

5. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, define the limits of districts for the purposes of this Act.

Sub-districts how defined.

The Local Government may, from time to time, by notification in the official Gazette, define the limits of sub-districts for the purposes of this Act.

Primary standards to be provided.

6. The Governor General in Council may provide, for such districts as he thinks fit, proper primary standards and sets of the said authorized Weights and Measures of Capacity.

Such standards shall, for the purposes of this Act, be deemed the standards for such districts.

Local standards to be provided.

7. The Local Government may provide, for such sub-districts as it thinks fit, copies of such of the said authorized Weights and Measures of Capacity as shall be necessary to serve as local standards in such sub-districts.

Such local standards shall be deemed correct, until they are proved to be otherwise.

III.—Use of new Weights and Measures of Capacity.

Use of new Weights and Measures of Capacity in Government Offices, &c.

8. Whenever the Governor General in Council considers that proper standard Weights and Measures of Capacity have been made available for the verification of the Weights and Measures of Capacity to be used by any Government Office or Municipal Body or Railway Company, the Governor General in Council may, by notification in the *Gazette of India*, direct that, after a date to be fixed therein, all or any of the Weights and Measures of Capacity authorized

as

as aforesaid shall be used in dealings and contracts by such Office, Body or Company; and may, in like manner, from time to time, alter or revoke such direction.

9. After the date fixed in any notification under section eight, all dealings and contracts had and made by the Officers, Bodies or Companies, mentioned in such notification, for any work to be done or goods to be sold or delivered by Weight or Measure of Capacity shall, in the absence of a special agreement to the contrary, be deemed to be had and made according to the Weights or Measures of Capacity directed in such notification to be used by such Officers, Bodies or Companies.

Contracts by Weight or Measure of Capacity.

IV.—Wardens.

10. The Governor General in Council and the Local Government, respectively, shall appoint Wardens for the custody of the primary and local standards and sets of authorized Weights and Measures of Capacity hereinbefore mentioned.

Appointment of Wardens.

The Governor General in Council, or the Local Government, respectively, may, at any time, suspend or remove any such Warden and appoint another.

11. The Governor General in Council may, from time to time, make rules consistent with this Act for regulating the following matters:—

Power to make rules.

(a)—The appointment of Wardens;

(b)—The guidance of Wardens in all matters connected with the performance of their duties;

(c)—The provision, replacement, custody and use of the standards;

(d)—The method of verifying local standards and Weights, Weighing Machines and Measures of Capacity authorized under this Act, and Balances, and of certifying such verification; provided that such verification shall not be required to be made oftener than once in two years;

(e)—The errors which may be tolerated in Weights, Weighing Machines and Measures of Capacity authorized under this Act, and in Balances;

(f)—The

(*f*)—The shapes, proportions and dimensions to be given to Weights, Weighing Machines and Measures of Capacity authorized under this Act, and to Balances, and the materials of which they may be made;

(*g*)—Marking Weights and Measures of Capacity authorized under this Act with their several denominations;

(*h*)—The conditions under which Government Offices, Municipal Bodies and Railway Companies, shall be subject to inspection and verification of the Weights, Weighing Machines and Measures of Capacity authorized under this Act, and of the Balances used by them;

(*i*)—The fees to be paid for verifying, correcting and certifying the verification of Weights, Weighing Machines and Measures of Capacity authorized under this Act, and of Balances.

Publication of rules.

12. Such rules shall be published in the *Gazette of India*.

Rules, when specially applied, to have force of law.

And the Governor General in Council may, by notification in the *Gazette of India*, declare that, from and after a day to be named therein, all or any of the said rules shall come into force in respect of any Government Office, Municipal Body or Railway Company, and thereupon, to the extent specified in such notification, such rules or rule shall have the force of law.

Officers of Government and others to comply with rules.

13. All officers of Government, municipal officers, and officers and servants of Railway Companies, shall comply with such rules so far as they concern them, and pay such fees as the said rules shall prescribe.

Warden may refuse to verify or correct things unfit.

14. The Warden may deface, or render incapable of use, or refuse to verify, correct, or mark, anything brought to him for verification or correction, which appears to him unfit for verification or correction.

Exercise of any of Warden's powers.

15. Any of the powers and duties conferred and imposed by this Act on a Warden may be exercised and performed by any other officer whom the Local Government may, from time to time, appoint.

16. Whoever

16. Whoever knowingly counterfeits any mark used by a Warden under section eleven, shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.

Counter-
feiting War-
den's marks.

17. The Local Government may from time to time, prepare tables of the equivalents of Weights and Measures of Capacity, other than those authorized under this Act, in terms of the Weights and Measures of Capacity so authorized, and the equivalents so stated, after notification in the local official Gazette, shall be deemed the true equivalents.

Tables of
equivalents.