

THE STANDARDS OF WEIGHTS AND MEASURES
(ENFORCEMENT) AMENDMENT ACT, 1986

No. 72 OF 1986

[24th December, 1986.]

An Act to amend the Standards of Weights and Measures
(Enforcement) Act, 1985.

BE it enacted by Parliament in the Thirty-seventh Year of the
Republic of India as follows:—

Short
title and
commence-
ment.

1. (1) This Act may be called the Standards of Weights and Measures
(Enforcement) Amendment Act, 1986.

(2) It shall come into force on such date¹ as the Central Government
may, by notification in the Official Gazette, appoint.

Amend-
ment of
section 36.

2. In section 36 of the Standards of Weights and Measures (Enforce-
ment) Act, 1985 (hereinafter referred to as the principal Act), for the
words "shall be punished with imprisonment for a term which may ex-
tend to one year, and, for the second or subsequent offence, with im-
prisonment for a term which may extend to three years and also with
fine", the following shall be substituted, namely:—

54 of 1985.

"shall be punished with imprisonment for a term which shall not
be less than three months but which may extend to one year, and,
for the second or subsequent offence, with imprisonment for a term
which shall not be less than six months, but which may extend to
three years, and also with fine".

Amend-
ment of
section 37.

3. In section 37 of the principal Act, for the words "shall be punished
with imprisonment for a term which may extend to two years, and, for
the second or subsequent offence, with imprisonment for a term which
may extend to five years and also with fine"; wherever they occur, the
following shall be substituted, namely:—

"shall be punished with imprisonment for a term which shall not
be less than six months but which may extend to two years, and, for
the second or subsequent offence, with imprisonment for a term
which shall not be less than one year but which may extend to five
years and also with fine".

¹1-7-1987; vide Notification No. G.S.R. 618(E), dated 1-7-1987, Gazette of India, Extra-
ordinary, 1987, Part II, Section 3(i).

4. In section 38 of the principal Act, for the words "shall be punished with fine which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine", at both the places where they occur, the following shall be substituted, namely:—

Amend.
ment of
section 38.

"shall be punished with fine which shall not be less than five hundred rupees but which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which shall not be less than three months but which may extend to one year and also with fine".

5. In section 63 of the principal Act, for clause (a), the following clause shall be substituted, namely:—

Amend.
ment of
section 63.

(a) no court shall take cognizance of an offence punishable under this Act except upon a complaint, in writing, made by—

(i) the Controller;

(ii) any other officer authorised in this behalf by the Controller by general or special order;

(iii) any person aggrieved; or

(iv) a recognised consumer association whether the person aggrieved is a member of such association or not.

Explanation.—For the purposes of this clause "recognised consumer association" means a voluntary consumer association registered under the Companies Act, 1956 or any other law for the time being in force.