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**National Workshop on Legal Metrology Act, 2009
Balance between ease of doing business
and interest of the consumers should be maintained – Minister Sri Swain.**

Bhubaneswar, 09/05/2022

The proposal for decriminalisation of certain provisions of the Legal Metrology Act, 2009 needs thorough examination before going for amendment of the statute and there must be a balance between ease of doing business and interest of the consumers said Sri Ranendra Pratap Swain, Minister of Food Supplies and Consumer Welfare of Odisha.

Deliberating at the National Workshop of Ministers of Consumer Affairs of States and Union Territories, Principal Secretaries of Consumer Affairs, Controllers of Legal Metrology of different States/UTs and Industry/ Association, chaired by Sri Piyush Goyal, Union Minister of Consumer Affairs, Food & Public Distribution on the matters pertaining to decriminalisation of the Legal Metrology Act, 2009 at Vigyan Bhawan, New Delhi, today, Minister Sri Swain said offence which attracts minor penalty may be decriminalised. This is a welcome step keeping in the mind the changing business ecology and for creating a conducive business environment. But in case of major penalties, one must think seriously since decriminalisation of such offences will encourage the offenders to commit such offences in the second and subsequent events. With no provision for imprisonment, the offenders may be encouraged to commit such offences again and again. In order to protect the interest of consumers, some sort of deterrent law should be there.

In order to maintain the balance, the Government of Odisha agrees to most of the proposed amendments excepting a few, namely Section-30, which deals with penalty for transactions in contravention of standard weight or measures; Section 34, which deals with penalty for sale or delivery of commodities etc. by non-standard weight or measures, Section 37(2) penalty for contravention by the Government approved test centre and Section 41(1) which deals with penalty for giving false information, said the Minister Sri Swain.

In all the aforesaid provisions there must be prescribed punishment for the second and subsequent offence which is more deterrent than the first offence. The existing provisions bring fear in the minds of the offenders and prevent them from committing the second and subsequent offence because there are provisions for undergoing imprisonment for the second and subsequent offences said Sri Swain. So in the larger interest of the consumers, some amount of deterrence must be maintained. This is important keeping in view the continuous growth of business and the commensurate chances of cheating and wilful fraud on the parts of the goods and service providers. However, for minor offences, time has come for decriminalisation such offences, opined Sri Swain.

In the afternoon session, Minister Sri Swain also chaired the panel discussion on provisions of Legal Metrology Act, 2009 on food & non-alcoholic beverages industries, drugs and cosmetic industries and suggested that statutory provisions of mandatory labelling requirements such as net quantity, date and year of manufacture, expiry date and MRP should be complied with. Existing provisions of safety standards and appropriate weights and measures must be strictly adhered to said Sri Swain.

The Workshop was attended by Union Minister of States, Sadhi Niranjana Jyoti and Sri Ashwini Kumar Choubey, Rohit Kumar Singh, Secretary, Department of Consumer Affairs, Govt. of India,

Ministers of Consumer Affairs, Food & Civil Supplies of Andhra Pradesh, Uttar Pradesh, Delhi, Manipur, Sikkim, Bihar, Hariyana and Principal Secretaries and Controllers of Legal Metrology of various States, representatives of Industry and Trade Associations and various stake holders.

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