

THE ODISHA WEIGHTS AND MEASURES ACT, 1943

(6th May 1943)

AN ACT TO FIX A SCALE OF STANDARD
MEASURES WITH REFERENCE TO THE STANDRAD
WEIGHTS FOR THE PROVINCE OF ODISHA

Preamble.

WHEREAS it is expedient to establish standards of measure for the Province of Orissa and to provide for the ultimate adoption of a uniform system of weights and measures throughout the Province ;
It is hereby enacted as follows :—

PART I.

PRELIMINARY.

Short title.

1. This Act may be called the Orissa Weights and Measures Act, 1943.

Extent and commencement.

2. (1) It extends to the whole of the Province of Orissa.

(2) Part I of this Act shall come into force at once.

(3) Part II of this Act shall come into force throughout the whole or any part of the Province of Orissa on such date or dates as the Provincial Government may, by notification, appoint.

(4) Any notification, order, rule and any appointment to an office may be made under this Act after it shall have received the assent of the Governor but such notification, order, rule or appointment shall take effect in any area only on Part II of this Act coming into force in such area.

Definitions.

3. In this Act unless there is anything repugnant in the subject or context,—

(1) "Inspector" means an Inspector appointed under section 15 and includes any person appointed under section 16 to exercise any of the functions of an Inspector;

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- (2) "measuring instrument" includes any instrument for measurement of length, area, capacity or volume;
- (3) "prescribed" with its grammatical variations means prescribed by rules under this Act;
- (4) "primary standards" mean the weights and measures mentioned in section 5;
- (5) "rules" mean the rules made under section 35;
- (6) "secondary standards" mean weights and measures prepared under sub-section (2) of section 7;
- (7) "working standards" mean weights and measures prepared under sub-section (1) of section 7;
- (8) The expression "verification" or "reverification" with its grammatical variations used with reference to a weight or measure or weighing or measuring instrument, includes the process of comparing, checking or testing such weight or measure or weighing or measuring instrument; and
- (9) "weighing instrument" includes scales, with the weights belonging thereto, scale beams, balances, spring balances, steelyards, weighing machines and other instruments for weighing.

PART II.

CHAPTER I.

STANDARDS OF WEIGHTS AND MEASURES.

Standard measures. 4. (1) The measures including the multiples and sub-multiples thereof described in the First Schedule shall be the

measures authorised to be used in every place in which this Part has come into force. These measures are called standard measures for the purposes of this Act.

(2) Notwithstanding anything contained in sub-section (1), the Provincial Government may, after previous publication by notification in the Gazette, declare, either generally or for any trade or class of trades, any other multiple or sub-multiple of a measure specified in the First Schedule to be a measure authorised to be used in any place in which this Part has come into force.

The multiples or sub-multiples shall, to the extent so declared, be deemed to be standard measures for the purposes of this Act.

Primary standards.

5. (1) Such standard weights as are prepared and supplied to the Provincial Government under sub-section (2) of section 4 of the Standards of Weight Act, 1939, shall be called primary standard weights for the purposes of this Act. IX of 1939.

(2) The Provincial Government shall cause to be prepared one set of such of the standard measures specified in the First Schedule as the Provincial Government may consider expedient and shall cause each measure of such set to be authenticated as having been ascertained from the standard grain. The sets of standard measures so prepared shall be called primary standard measures for the purposes of this Act. They shall be made of such material, length, form and specifications and in such manner as may be prescribed and by such person as the Provincial Government may direct.

Custody, etc., of primary standards.

6. The primary standard weights and measures shall be kept in the custody of such officer as the Provincial Government may direct. The primary standard measures shall be stamped, verified or reverified and if necessary, adjusted or

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renewed, in such manner and by such officer as the Provincial Government may direct.

Working standards
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standards.

7. (1) For the purpose of verifying weights and measures in use in any area, the Provincial Government may cause to be prepared such copies of the primary standard weights and measures as they deem fit. The copies so prepared shall be called working standards.

(2) For the purpose of verifying the working standards the Provincial Government shall cause to be prepared such copies of the primary standard weights and measures as they deem fit. The copies so prepared shall be called secondary standards.

(3) (a) The secondary standards and the working standards shall be made of such material, weight, length, form and according to such specifications, and shall be prepared by such agency and shall be stamped by such person and in such manner as may be prescribed.

(b) The secondary standards shall be verified with the primary standards and the working standards with the secondary standards before being stamped.

(c) They shall be kept by such officers as the Provincial Government may direct, at such places, in such custody and in such manner as may be prescribed.

(d) They shall be verified or reverified and marked by such person, at such place and in such manner as may be prescribed.

(4) A working standard shall not be deemed legal or be used for the purposes of this Act unless it has been verified or reverified and marked in the prescribed manner and within such period as may be prescribed before the time at which it is used.

Weighting and
measuring in
units

Prohibition
weights and
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weights and
measures.