SCAN TO VERIFY
LAW DEPARTMENT
GOVERNMENT OF SINDH
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Repealed by W.P. Ordinance no. 33 of 1965

SIND ACT No. XV OF 1932.[1]

[THE SIND WEIGHTS AND MEASURES ACT, 1932.]

[1st December, 1932]

An Act to fix a scale of standard weights and measures for ~~the~~ [2][~~Provincial of~~ Sind].

WHEREAS it is expedient to fix a scale of standard weights and measures for the [2][~~Province of~~ Sind] and to provide for the adoption of the same * * * * in the said [4][~~Province~~]; And whereas the previous sanction of the Governor General required by sub-section (3) of section 80A of the Government of India Act and the previous sanction of the Governor required by section 80C of the said Act have been obtained for the passing of this Act; It is hereby enacted as follows :— 5 & 6 Geo. V, c. 61.

PART I.

PRELIMINARY.

Short title.

1. This Act may be called the [5][Sind] Weights and Measures Act, 1932.

Extent and commencement.

2. (1) This Act shall apply to the whole of ~~the~~ [2][Province of Sind].

[6](2) * * * * * * * * *

[6](3) * * * * * * * * *

Definitions.

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

(1) "Inspector" means an inspector of weights and measures and weighing or measuring instruments appointed under section 19;

(2) "Measuring instrument" includes any instrument for the measurement of length, area, capacity or volume;

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1 For Statement of Objects and Reasons, *see* B. G. G., 1932, Pt. V, pp. 126-130; for Report of the Select Committee, *see ibid*, 1932, Pt. V, pp. 126-130 and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1932, Vol. XXXV.

2 Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 3(ii)(a) (w. e. f. 30th May 1951), for "Presidency of Bombay".

3 The words "in specified areas" rep., *ibid* s. 6, Sch. II.

4 Subs. *ibid*, s. 3(i)(e) (w. e. f. 30th May 1951), for "Presidency".

5 Subs. *ibid*, s. 3(i) (w. e. f. 30th May 1951), for "Bombay".

6 Sub-sections (2) and (3) rep., *ibid*, s. 6, Sch. II.

7. Subs. by W.P. Ordinance No. 33 of 1965.

[1][(3) "Mint" means the Central Government Mint, Lahore;]

(4) "Mint Master" means the officer appointed for the time being to be the Master of the Mint, [2][Lahore];

(5) "Prescribed" with its grammatical variations means prescribed by rules or regulations made under this Act;

(6) "Primary standards" mean the weights and measures prepared and stamped under section 5;

(7) "Rules" and "regulations" mean the rules and regulations made under section 41 and section 42, respectively;

(8) "Secondary standards" mean the weights and measures prepared and stamped under section 7;

(9) 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;

(10) "Weighing instrument" includes scales, with the weights belonging thereto, scale beams, balances, spring balances, steelyards, weighing machines, and other instruments for weighing; and

(11) "Working standards" mean the weights and measures provided under section 9;

[3][(12) "Government" means, in relation to the establishment of standards of weight, [the Central Government, and save as aforesaid means, the Provincial Government.]

PART II.

STANDARDS OF WEIGHTS AND MEASURES.

Standard weights and measures.

[4]4. (1) The weights and measures including the multiples and sub-multiples thereof described in the first schedule shall be the [5][authorised weights and measures]. These weights and measures are called standard weights and measures for the purposes of this Act.

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1 Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for the original cl. (3).

2 Subs. *ibid*, s. 3 (i), for "Bombay".

3 Sub-section (12) ins. by the A. O., 1937.

4 S. 4 renumbered as sub-section (1) of that section by Sind 33 of 1935, s. 2.

5 Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 Sind 5 of 1955), s. 7, Sch. III, for "weights and measures authorised to be used in every place in which this Part has come into force".

[1][(2) Notwithstanding anything contained in sub-section (1), Government may, after previous publication by notification in the [2][*Official Gazette*], declare, either generally or for any trade or class of trades—

(*a*) any other multiple or sub-multiple of a weight or measure specified in the First Schedule, or

(*b*) any other weight or measure, or any multiple or sub-multiple thereof,

to be [3][an authorised weight or measure].

The weight, measure, multiple or sub-multiple shall, to the extent so declared, be deemed to be a standard weight or measure for the purposes of this Act.]

Primary standards.

5. For the purpose of verifying the secondary standards, such standard weights and measures as Government may direct shall be prepared [4]* * * by the Mint Master [5][or by such other person as may be approved by Government]. They shall be made of such material, weight, length, form and specifications and in such manner as may be determined by Government by notification in the [2][*Official Gazette*]. They shall be stamped with the stamp of the Mint [6][or in such other manner as Government may approve]. The standard weights and measures so prepared and stamped shall be called primary standards.

Custody of primary standards.

6. The primary standards shall be kept in the custody of such officer [7]* * * as Government may direct. They shall, once at least in every period of five years, be verified, and if necessary, adjusted or renewed, at the Mint in such manner and by such officer as Government may direct.

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1 Sub-section (2) added by Sind 33 of 1935, s. 2.

2 Subs. by the A. O., 1937, for "B. G. G.".

3 Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "a weight or measure authorised to be used in any place in which this Part has come into force".

4 The words "at the Mint" omitted by Sind 9 of 1935, s. 2(1).

5 Ins., *ibid.*

6 Ins. *ibid* s. 2 (2).

7 The words "in the City of Bombay" rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

Secondary standards.

7. For the purpose of verifying the working standards and weights and measures in use [1]* *, such standard weights and measures as Government may direct, shall be prepared [2]* * * by the Mint Master [3][or by such other person as may be approved by Government]. They shall be made of such material, weight, length, form and specifications and in such manner as may be prescribed and shall be stamped with the stamp of the Mint [4][or in such other manner as Government may approve]. The standard weights and measures so prepared and stamped shall be called secondary standards.

Custody and verification of secondary standards.

8. (*1*) The secondary standards shall be kept [5]* * * by the Collectors in the Government treasuries at the headquarter towns of their respective districts and at such other town or place within their respective districts as Government may direct.

[6](*2*)* * * * * * * *

(*3*) Once at least in every period of five years such secondary standards shall be verified with the primary standards and shall be adjusted or renewed, if necessary, and shall be marked with the date of verification, in the prescribed manner by such officer as Government may direct.

(*4*) A secondary standard which is not so verified, adjusted or renewed and marked within the aforesaid period shall not be deemed legal and shall not be used for the purposes of this Act.

Working standards.

9. (*1*) For the purpose of verifying weights and measures in use [1]* *, Government may provide such standard weights and measures as it thinks fit, to be working standards. They 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. When they are not prepared at the Mint, they shall be verified with the secondary standards before being stamped.

(*2*) The working standards shall be kept by such officers [7]* * * as Government may direct, at such places, in such custody and in such manner as may be prescribed.

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1 The words "in any area" rep., by the Sind Laws (Adaptation Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

2 The words "at the Mint" omitted by Sind 9 of 1935, s. 3(1).

3 Ins. *ibid.*

4 Ins. *ibid*, s. 3(2).

5 The dash, cl. (i) and the brackets and words "(ii) elsewhere" rep. by the Sind Laws Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

6 Sub-section (2) rep. *ibid.*

7 The words "and such municipalities and local boards" rep. *ibid.*

(*3*) A working standard shall be verified or re-verified 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 re-verified and marked in the prescribed manner within such period as may be prescribed before the time at which it is used.

A working standard which has become defective shall not be legal, or be used for the purposes of this Act, until it has been re-verified and marked in the prescribed manner.

Weighing and measuring instruments.

10. Weighing and measuring instruments stamped in the manner prescribed by such officer as Government may direct shall be kept at all places where secondary standards or working standards are kept. Such instruments shall be of such kind, kept in such number and shall be verified, adjusted or renewed in such manner as may be prescribed.

11. [*Duty of certain municipalities and local boards to provide and maintain secondary standards, etc.*] *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance,* 1955 (*Sind* 5 *of* 1955), *s.* 6, *Sch. II.*

Prohibition of weights and measures other than standard weights and measures.

12. (*1*) Subject to the provisions of section 46, and notwithstanding anything contained in any law for the time being in force[1] all dealings or contracts, had or made [1]* * * * * for any work to be done or goods to be sold or delivered by weight or measure, shall be deemed to be had or made according to one of the standard weights or measures or to multiples [2][or sub-multiples] thereof and it shall not be lawful to use any other weight or measure in relation to any such dealing or contract.

(*2*) Any dealing or contract had or made in contravention of the provisions of sub-section (*1*) so far as it contravenes the said provisions shall be void unless it is proved that such dealing or contract was had or made without intention to contravene the said provisions.

Explanation.—Unless there is anything repugnant in the subject or context, a dealing or contract is hereinafter called "trade".

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1 The words "in any area after this Part shall have come into force in the said area" rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

2 Ins. by Sind 33 of 1935, s. 3.

[1][PART II-A.

REGISTRATION OF MANUFACTURERS OR REPAIRERS OF, OR DEALERS IN, WEIGHTS, MEASURES, OR WEIGHING AN MEASURING INSTRUMENTS.

Registration.

12A. (*1*) For the purpose of verification, reverification, adjustment and stamping of weights, measures or weighing and measuring instruments, every manufacturer or repairer of, or dealer in, weights, measures or weighing and measuring instruments shall register himself with such Officer as Government may direct.

(*2*) The Officer authorised by the Government to register the manufacturers or repairers of, or dealers in, weights, measures or weighing and measuring instruments, may refuse, revoke, suspend or cancel the registration of any manufacturer, repairer or dealer on the ground of want of proper and adequate workshop facilities or staff or incompetency or failure to observe any of the provisions of this Act or the Rules made under section 41.]

PART III.

VERIFICATION AND STAMPING OF WEIGHTS AND MEASURES.

Stamping.

13. Every weight which conforms to the provisions of this Act and the rulesand regulations except where the small size of the weight renders it impracticable, shall have the denomination thereof stamped on the top or side thereof in legible figures and letters. Every measure of length, area, capacity or volume, which conforms to the provisions of this Act and the rules and regulations shall have the denomination thereof stamped on the outside of such measure in legible figures and letters. A weight or measure which does not conform to the provisions of this section shall not be stamped in accordance with the provisions of this Act and the rules and regulations.

Stamping and verification of weights and measures.

14. (*1*) No weight or measure shall be used for trade unless it has been verified or re-verified in the prescribed manner and stamped by an inspector with a stamp of verification under this Act.

(*2*) Government may prescribe the amount of error to be tolerated in weights or measures or weighing or measuring instruments used for trade.

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1 Part II-A ins. by Sind 12 of 1950, s. 2.

Use of weighing or measuring instrument not verified and stamped prohibited.

15. No weighing or measuring instrument shall be used for trade unless it has been verified or re-verified within the period fixed and stamped in the prescribed meanner by an inspector with a stamp of verification.

Sale or delivery of weight, measure, weighing or measuring instrument not verified and stamped prohibited.

16. No weight or measure or weighing or measuring instrument shall be sold or delivered unless it has been verified or re-verified and stamped in the prescribed manner by an inspector with a stamp of verification.

17. [*Empowering municipalities and district local boards to stamp weights, etc.*] *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance*, 1955 (*Sind* 5 *of* 1955), *s.* 6, *Sch.* II.

Provision of means of verification and stamping.

18. Government shall provide proper and sufficient means for verifying, adjusting and stamping weights and measures and weighing or measuring instruments [1] * * *, in all head-quarter towns in the districts and at such other places as Government may determine :

[2] * * * * * *.

Appointment of inspectors of weights and measures.

19. (*1*) Government shall appoint a sufficient number of persons with prescribed qualifications as inspectors for keeping the secondary and working standards in safe and proper custody and for the discharge of the other duties of inspectors under this Act and the rules and regulations.

[3](*2*) * * * * * * * *.

[3](*3*) * * * * * * * *.

Inspectors to enter into recognizance.

20. Every inspector shall forthwith on his appointment enter into a recognizance with Government [4] * * * in such sum as may be prescribed for the due performance of the duties of his office, for the due payment, at the time and in the manner required by the authority appointing him, of all moneys received by him under this Act and for the safety of the secondary and working standards and the stamps and appliances for verification committed to his charge and for their due surrender immediately on ceasing to hold office.

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1 The words " in the City of Bombay " rep. by the Sind Laws (Adaptation, Revision Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.
2 The proviso rep. *ibid.*
3 Sub-sections (*2*) and (*3*) rep. *ibid.*
4 The words " or the municipalty or district local board, as the case may be," rep. *ibid.*

Verification and stamping by inspectors.

21. (1) Every inspector shall, for the purposes of the verification of weights and measures and weighing or measuring instruments, attend at such time and place within his jurisdiction as may be appointed in this behalf by the authority appointing him.

(2) He shall verify every weight or measure or weighing or measuring instrument which is brought to him for the purpose of verification or re-verification [1][except that of a manufacturer or repairer of, or dealer in, weights and measures or weighing and measuring instruments whose name has not been registered or whose registration is revoked, suspended or cancelled under section 12A]. If he finds such weight or measure or weighing or measuring instrument correct, he shall [2]* * * * stamp the same with a stamp of verification in the prescribed manner. [3]* * *

[4](3) * * * * * * *.

Power to inspect weights, etc., and to enter shops, etc., for that purpose.

22. (1) Every inspector authorised in writing in this behalf by the [5][Government] may, at all reasonable times, inspect all weights and measures and weighing or measuring instruments, within the area under his charge, which are used or are in the possession of any person or are on any premises for use for trade and may verify every such weight or measure or weighing or measuring instrument with a secondary or working standard or a weighing or measuring instrument prescribed for this purpose.

(2) Such inspector may seize and detain any weight or measure or weighing or measuring instrument regarding which an offence under this Act appears to have been committed or which appears to have been or which may be used for the commission of such offence.

(3) For the purpose of such inspection, the inspector may at all reasonable times enter into any place where weights and measures and weighing or measuring instruments are used or kept for purpose of trade and inspect such weights and measures and weighing or measuring instruments.

Inspector not to be maker, seller or adjuster of weights and measures or weighing or measuring instruments.

23. An inspector shall not, during the time he holds office, derive any profit from or be employed in the making, adjusting, or selling of weights or measures or weighing or measuring instruments [6][but in case] it appears to Government desirable that an inspector should be allowed to adjust weights or measures or weighing or measuring instruments, Government may, if it thinks fit, authorise such inspector to adjust weights, measures or such instruments accordingly.

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1 Ins. by Sind 12 of 1950, s. 3.

2 The words "if he is an inspector appointed by Government or by a municipality or district local board, empowered under section 17," rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

3 The words beginning with "If such inspector is one appointed" and ending with "for such action as he deems fit." rep., *ibid.*

4 Sub-section (3) rep. *ibid.*

5 Subs. *ibid*, s. 7, Sch. III, for "authority appointing him".

6 Subs. *ibid*, for "; Provided that in any area in which".

24. [*Inspectors to be public servants.*] *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance,* 1955 (*Sind 5 of* 1955), *s. 6, Sch. II.*

Government determine difference.

25. (*1*) If any difference arises between an inspector and any person interested as to the meaning, or construction of any rule or regulation or as to the method of verifying, adjusting or stamping any weight or measure or weighing or measuring instrument, such difference may, at the request of the party interested or by the inspector of his own accord be referred to such officer as Government may direct [1] * * * and the decision of such officer [2] * * * shall subject to the provisions of sub-section (*2*) be final.

(*2*) An appeal shall lie within the time prescribed from the decision under sub-section (*1*) to Government or such officer as Government may appoint in this behalf. The decision of Government or such officer under this sub-section shall be final.

26. [*Expenses of municipality and district local boards.*] *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance,* 1955 (*Sind 5 of* 1955), *s. 6, Sch. II.*

Levy of fees.

27. (*1*) Government [3] * * * * * shall charge such fees for the verification, re-verification, marking, adjustment and stamping of weights or measures or weighing or measuring instruments as may be prescribed.

'(*2*) * * * * * * *.

'(*3*) * * * * * * *.

28. [*Power of municipalities and district local boards to combine for the purposes of the Act.*] *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance,* 1955 (*Sind 5 of* 1955), *s. 6, Sch. II.*

Validity of weights and measures, etc., duly stamped.

29. A weight or measure duly stamped by an inspector under this Act shall be a legal weight or measure in all places in which this part has come into force, unless false or defective, and shall not be liable to be re-stamped because used in any place other than that in which it was originally stamped.

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1 The words "or to the municipality or district local board, as the case may be," rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955) s. 6, Sch. II.

2 The words " or the municipality or district local board " rep. *ibid.*

3 The words " and with the previous sanction of Government a municipality or district local board [directed under sub-section (2) of section 8 or section 9 to keep secondary or working standards]," rep. *ibid.* The words in brackets were previously subs. by Sind 9 of 1938, s. 2 (*1*) (*a*), for " authorised under section 17 or 18".

4 Sub-sections (*2*) and (*3*), rep. *ibid.*

Stamped weights, etc. to be *prima facie* deemed correct in any court.

30. A weight or measure or weighing or measuring instrument duly stamped under the provisions of this Act or the rules or regulations shall be deemed to be correct until its inaccuracy is proved, if it is produced in any court by any public servant having charge thereof under the direction of Government [1]* * * or by any person acting under the general or special authority of such public servant.

PART IV.

PENALTIES.

Penalty for fraudulent use of weight measure, etc.

31. Whoever fraudulently uses any weight or measure or weighing or measuring instrument, shall, on conviction, be punished with imprisonment of either description which may extend to three months or with fine extending up to rupees five hundred or with both.

Penalty for making, selling, disposing of false or defective weight, measure, etc.

32. Whoever wilfully or knowingly makes, sells or disposes of or causes to be made, sold or disposed of any weight or measure or weighing or measuring instrument which is false or defective shall, on conviction, be punished with rigorous imprisonment for a period which may extend to three months or with fine which may extend to rupees five hundred or with both.

Penalty for sale by weight or measure other than standard weight or measure.

33. Whoever sells any article by any denomination of weight or measure other than one of the standard weights or measures shall, on conviction, be punishable with fine which may extend to rupees five hundred.

Penalty for use and possession of weight, measure, etc., not authorised.

34. Whoever uses or has in his possession for use for trade any weight or measure or weighing or measuring instrument which is not authorised, verified [2][or reverified] or stamped under or in accordance with the provisions of this Act and the rules and regulations shall, on conviction, be punishable with fine which may extend to rupees five hundred and any trade had or made by such weight or measure or weighing or measuring instrument shall be void.

[3][*Explanation.*—Where any such weight or measure or weighing or measuring instrument is found on any premises which are used by a trader for trade, such trader shall be presumed, until the contrary is proved, to have had such weight or measure or weighing or measuring instrument in his possession for use for trade.]

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1 The words " or the municipality or district local board, as the case may be, " rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

2 Ins. by Sind 5 of 1943, s. 2 (i).

3 Subs. by Sind 23 of 1943, s. 2, for the Explanation which was added by Sind 5 of 1943, s. 2 (ii).

Penalty for giving short weight or measure.

35. Whoever in selling any article by weight or measure delivers or causes to be delivered to the purchaser a [1][weight or measure less than what is purported to be sold shall, if the less weight or measure exceeds the amount of error prescribed under section 46A], on conviction, be punishable with fine which may extend to rupees three hundred.

36. [*Penalty for possessing for use weight, etc., not verified or stamped.*] *Deleted by Sind V of* 1943, *s.* 3.

Penalty for sale or delivery of weight or measure, etc., not verified or stamped.

37. Whoever sells or delivers any weight or measure or weighing or measuring instrument not verified or re-verified and stamped under this Act shall, on conviction, be punishable with fine which may extend to rupees one thousand.

Penalty for forging, etc. of weights, measures, etc.

38. (*1*) Whoever forges or counterfeits any stamp used under this Act for the stamping of any weight or measure or weighing or measuring instrument or removes a stamp from any weight or measure or weighing or measuring instrument and inserts the same into another weight or measure or weighing or measuring instrument or wilfully increases or diminishes a weight or measure so stamped shall, on conviction, be punished with rigorous imprisonment for a period which may extend to six months or with fine or with both.

(*2*) Whoever knowingly uses, sells, utters, disposes of or exposes for sale any weight or measure or weighing or measuring instrument with such forged or counterfeit stamp thereon, or a weight or measure so increased or diminished shall, on conviction, be punished with rigorous imprisonment for a period which may extend to six months or with fine or with both.

Penalty for neglect or refusal to produce weight for inspection.

39. Whoever neglects or refuses to produce for inspection all weights or measures or weighing or measuring instruments in his possession or on his premises or refuses to permit an inspector authorised to examine the same or any of them or obstructs the entry of the inspector under section 22 or otherwise obstructs or hinders him in the performance of his duties shall, on conviction, be punishable with fine which may extend to rupees five hundred.

Penalty for breach of duty by inspector.

40. If an inspector knowingly stamps a weight or measure or weighing or measuring instrument in contravention of the provisions of this Act or of the rules or regulations or is guilty of a breach of any duty imposed on him by this Act or by the rules or regulations, he shall, on conviction, be punished with imprisonment of either description for a period which may extend to one year or with fine or with both.

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1 Subs. by Sind 9 of 1938, for " less weight or measure than is purported to be sold shall",

PART V.

RULES AND REGULATIONS.

Power of Government to make rules.

41. (*1*) Government may make rules[1] for carrying into effect the purposes of this Act.

(*2*) Without prejudice to the generality of the foregoing provision, such rules may prescribe—

(*a*) the composition, weight, length, form and specifications of secondary standards and the manner in which they shall be made ;

[2](*b*)* * * * * * *

(*c*) the procedure for the verification, re-verification, adjustment or renewal of primary and secondary standards and marking of secondary standards ;

(*d*) the composition, weight, length, form and specifications and use of working standards, the authority by whom and the manner in which such standards shall be provided, the agency by whom such standards shall be made, the person by whom and the manner in which such standards shall be stamped, and the places at which and the custody and manner in which such standards shall be kept ;

(*e*) the procedure for the verification or re-verification and marking of working standards and the person by whom and the place where they shall be verified or re-verified ;

(*f*) the number of weighing and measuring instrument to be kept and necessary particulars regarding the same ;

(*g*) the authority by whom certified scales shall be provided for the purposes of this Act and the rules and regulations and the manner in which they shall be verified or re-verified ;

(*h*) the composition, weight, length, form, specifications and manufacture of weights and measures in use [3]* * ;

(*i*) the inspection, verification, re-verification, adjustment and stamping of weights and measures and weighing or measuring instruments in use [3]* *, including the prohibition of stamping in cases where the nature, denomination, material or mode of construction of the weight or measure or weighing or measuring instrument appears likely to facilitate the commission of fraud and the period within which such weights and measures and weighing or measuring instruments shall be verified or re-verified ;

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1 For Rules *see* S. L. R. and O.

2 Cl. (b), rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

3 The words " in any area " rep., *ibid.*

(*j*) the circumstances and conditions under which and the manner in which stamps may be obliterated or defaced ;

(*k*) the tests to be applied for the purpose of ascertaining the accuracy and efficiency of weights and measures and weighing or measuring instruments ;

(*l*) the limits of error to be allowed on verification and to be tolerated on inspection either generally or as regards any trade ;

(*m*) the amount of error to be tolerated in weights and measures and weighing or measuring instruments used or intended to be used for trade ;

[1][(*mm*) the amount of error to be tolerated in selling articles by weight or measure generally or as regards any trade or class of trades ;]

(*n*) the fees to be charged for the verification, re-verification, adjustment and stamping of weights and measures and weighing or measuring instruments and the collection and levy of the same ;

(*o*) the seizure, detention and destruction of weights and measures and weighing or measuring instruments which are not authorised by this Act [2]* * * * * ;

[3](*p*)* * * * * * * ;

(*q*) the qualifications, functions and duties generally of inspectors under this Act and the rules and regulations ;

(*r*) any other matters for which no provision or insufficient provision is made in this Act and for which provision, is in the opinion of Government, necessary.

(3) [4](*a*) The power to make rules under this section shall be subject to the condition of previous publication in the [5][*Official Gazette*].

[6][(*b*) Any rules made by the Provincial Government under this section shall be laid upon the table of the Sind Legislative Assembly for not less than one month previous to the next session thereof. The Assembly may, at any time, by a resolution rescind, modify or add to the rules.]

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1 Cl. (mm) ins. by Sind 9 of 1938, s. 4.
2 The words " and in regard to which no regulations have been made under section 42 " rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.
3 Cl. (p), rep., *ibid.*
4 The first paragraph of sub-section (3) numbered as clause (a) by *ibid*, s. 7, Sch. III.
5 Subs. by the A. O., 1937, for " B. G. G.".
6 Subs. by Sind 1 of 1941, s. 3, for the original paragraph as amended by the A. O., 1937.

42. [*Power of municipality and district local board to make regulations.*] *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.*

PART VI.

MISCELLANEOUS.

Protection to persons acting in good faith.

43. No suit, prosecution or other legal proceeding shall be instituted against any person for anything which is in good faith done or intended to be done under this Act or the rules or regulations.

Cognizance of offences.

44. No prosecution under this Act shall be instituted except by or with the previous sanction of the Collector or any officer specially empowered by him or by Government in this behalf.

Delegation of powers by Government.

45. Any of the powers and duties conferred and imposed upon Government by this Act may be exercised and performed, subject to such conditions as Government may think fit, by any person whom Government may, by general or special order, empower in this behalf.

Power to exempt specified persons, articles or trades from provisions of the Act.

46. Government may, after previous publication by notification in the [1][*Official Gazette*], and subject to such conditions and restrictions as it may think fit to impose, exempt any class of persons, any commodity, trade, [2]***any class of trades [3][or any class of weights or measures or of weighing or measuring instruments used or intended to be used for any purpose other than trade] specified in the notification from all or any of the provisions of this Act.

Power to prescribe the amount of error to be tolerated in selling articles by weight or measure.

[4][46A. Government may prescribe the amount of error to be tolerated in selling articles by weight or measure generally or as regards any trade or class of trades.]

47. [*Repeal and amendments.*] *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.*

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1 Subs. by the A. O., 1937, for " B. G. G.".
2 The word " or " omitted by Sind 33 of 1935, s. 4 (i).
3 Ins., *ibid*, s. 4 (ii).
4 S. 46A ins. by Sind 9 of 1938, s. 5.

THE FIRST SCHEDULE.

(*See* section 4.)

Standard Weights and Measures.

Weights—

The [1][Sind] Tola of 180 grains.

The [1][Sind] Seer of 80 tolas.

The [1][Sind] Maund of 40 seers.

The sub-multiples $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{8}$, $\frac{1}{16}$ and $\frac{1}{32}$ and the multiples 2, 4 and 8 of the tola, seer and maund.

The pound avoirdupois equal to 7,000 grains and the sub-multiples $\frac{1}{8}$, $\frac{1}{4}$, $\frac{1}{2}$, 1, 2, 4 and 8 ounces, the multiples 1, 2, 4, 7, 14, 28 lbs. (a quarter), 56 lbs., 112 lbs. (1 cwt.) and 2,240 lbs. (1 ton).

The grain is that unit of weight in vacuo which when multiplied by 1799·84585 is the weight of the iridio-platinum cylinder in the custody of the [2][Mint Master, Lahore], the value of which is certified by the Standard Department of the British Board of Trade as 1799·84585 grains in vacuo.

Explanation 1.—The equivalent value of the abovementioned iridio-platinum cylinder when weighed in Standard Indian Air against Brass Weights having a specific gravity of 8·143 is 1800·00394 grains, *i.e.*, a brass weight whose value in vacuo is 1800·00394 grains will exactly equilibrate the abovementioned iridio-platinum cylinder in Standard Indian Air.

Explanation 2.—Since the [1][Sind] tola equals 180 grains in vacuo, its absolute value is equivalent to ·10000856 of the absolute value of the abovementioned iridio-platinum cylinder. But in practice, all verifications against the abovementioned iridio-platinum cylinder are carried out by weighments in air, and therefore the value 1800·00394 grains is always used for verifying weights.

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1 Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "Bombay".

2 Subs. *ibid*, for "Mint Master, Bombay".

Explanation 3.—Standard Indian Air is defined as follows :—

Temperature : 85 deg. Fahr.—29·44 deg. Cent. Pressure : A column of mercury at 0 deg. C. 29·8 inches or 756·919 mm. in height. Carbon diox. gas : 0·0006 of the volume of air. Vapour tension : 0·75 inches = 19·05 mm. Latitude at Calcutta 22° 35' 6·6". Height above M. S. L. = 22·6 feet. 1 litre of Standard Indian Air at Calcutta weighs 1·14917 grm.

Dry measures—

The [1][Sind] seer.

The sub-multiples $\frac{1}{2}$, $\frac{1}{4}$ and $\frac{1}{8}$ seer.

The [2][Sind] Chatak = $\frac{1}{16}$ seer.

The Adpao = $\frac{1}{80}$ seer.

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The [1][Sind] Map of 2 maunds.

Liquid measure—

The [1][Sind] seer.

The sub-multiples $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{8}$ and $\frac{1}{16}$ seer.

The multiples 2, 4 and 8 seers.

The Imperial gallon.

The Pint = $\frac{1}{8}$ gallon.

Dry and Liquid measures—Explanations—

Explanation 1.—The unit of capacity called the [1][Sind] seer is equivalent to the volume occupied by 80 tolas of air-free distilled water weighed in Standard Indian Air against brass weights having a specific gravity of 8·143.

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1 Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance 1955 (Sind 5 of 1955), s. 7, Sch. III, for "Bombay".

2 The entries "The Adholi = 2 seers.", "the Bombay payali of 4 seers." and "The Bombay maund of 16 payalis." rep. *ibid*, s. 6, Sch. II.

Explanation 2.—The unit of capacity called the Imperial gallon contains ten British Standard pounds of water at 62° F. being in volume 277·274 cub. in., which contains each 252·724 grains of water in a vacuum at 62° or 252·458 grains of water weighed with the brass weights in air of 62° with the barometer at 30 in.

Length—

The Yard—

The Inch=$\frac{1}{36}$th yard, and

The Foot=$\frac{1}{3}$rd yard.

The Furlong of 220 yards.

The Mile of 1,760 yards.

The yard is that unit of length which is exactly equal to the certified yard kept in the custody of the [1][Mint Master, Lahore].

Area and volume—

The Square Yard, Square Foot and Square inch.

The Cubic Yard, Cubic Foot and Cubic Inch and sub-multiples of a Cubic Inch.

The anna of $\frac{1}{8}$ of the guntha.

The Guntha of 121 square yards and the acre of 4,840 square yards for land measurement.

The Square of 100 square feet.

The Brass of 100 cubic feet.

[THE SECOND SCHEDULE.] *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.*

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1 Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "Mint Master, Bombay".