April 27, 2026

LEGAL METROLOGY

Improvement notices for first Legal Metrology offenses from May 1

S.O. 2103(E) brings the 2026 Jan Vishwas changes to the Legal Metrology Act, 2009 into force on May 1, 2026: improvement notices, penalties and compounding.

THE DEPARTMENT OF Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, issued notification S.O. 2103(E), dated April 27, 2026. It was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), No. 2030, the same day. The notification is one paragraph. Under section 1(2) of the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), it brings serial number 66 of that Act's Schedule and its entries, relating to the Legal Metrology Act, 2009, into force on May 1, 2026. Anupam Mishra, Additional Secretary, signed it under F. No. I-11/36/2025-W&M. The changes themselves are items (A) to (Z) of serial number 66.

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Item (A) adds a definition to section 2, as clause (ea): "'improvement notice' means an improvement notice issued under this Act". Item (B) adds three sub-sections to section 15. Under section 15(5), an inspection, search or seizure by a legal metrology officer, under a general or special order, instruction or written authorization of the Director or Controller of Legal Metrology, is deemed made under a lawful warrant. Under section 15(6), the Director, Controller or a legal metrology officer who has reasonable ground to believe that a person has failed to comply with the Act, rules or directions may serve an improvement notice. The notice states the grounds and the failures, specifies the measures needed, and requires the person to take them within a reasonable period it states. Under section 15(7), if the person fails to comply, "his registration or approval, as the case may be, shall be suspended or revoked". The authorized officer may do so after giving the person a hearing, for reasons recorded in writing. "Licence" becomes "registration certificate" in sections 23, 47 and 53(2)(c), and "registration" in sections 45 and 46.

In sixteen provisions, a first offense now "shall be warned with an improvement notice". They are sections 25, 27, 28, 29, 31, 32, 34, 35, 36(1), 38, 39, 41(1), 41(2), 45, 46 and 47. A second offense "shall be liable to penalty" up to a set amount, and later offenses draw a fine within a set range, as the table shows. Except in section 36(1), which is substituted whole, the words replaced provided for fines. Sections 32, 38, 39, 41, 45 and 46 also allowed imprisonment for a second or subsequent offense, and section 47 for any offense. For section 31, the Act prints "the fine shall not be fifty thousand rupees but may extend to one lakh rupees", without the "less than" that sections 34 and 35 carry. In section 26, "second and subsequent offence" becomes "second offence with fine which may extend to one lakh rupees and for the third or subsequent offence". Section 30 makes the same change to "second or subsequent offence", with twenty thousand rupees. Section 37(1) now sets a penalty of up to one lakh rupees in place of a fine. In section 40, the words on imprisonment of up to two years, and up to five years for a second or subsequent offense, give way to "in accordance with the provisions of the Bharatiya Nyaya Sanhita, 2023".

Section 36(1) now covers anyone who manufactures, packs, imports, sells, distributes, delivers, offers or exposes for sale a pre-packaged commodity that "does not conform to the declarations

on the package as provided in this Act". It adds "including through digital modes of sale such as e-commerce platforms, online market places or any other digital or electronic means including electronic service providers facilitating such sales". A first offense draws an improvement notice. A second draws a penalty of up to five lakh rupees, and later offenses a fine of twenty-five lakh to fifty lakh rupees. "E-commerce" and "electronic service provider" take their meanings from section 2(16) and (17) of the Consumer Protection Act, 2019. Under section 36(2), a first offense now draws a fine of ten thousand rupees to one lakh rupees, and a second a fine of up to five lakh rupees. A third or subsequent offense draws a fine of up to fifty lakh rupees, imprisonment of up to one year, or both. In section 52(3), "shall be punishable with fine which may extend to five thousand rupees" becomes "shall liable to penalty which may extend to five lakh rupees and suspension, or as the case may be, revocation". Section 53(3) gets the same change, with a penalty of up to one lakh rupees.

Item (W) replaces section 48. The new text allows compounding of offenses under sections 25 to 39, section 41 and sections 45 to 47, and under rules made under sections 52(3) and 53(3). An offense may be compounded before or after prosecution begins, on payment to the Government of a sum to be prescribed, never above the maximum fine for it. The Director, or a legal metrology officer he specially authorizes, may compound offenses under sections 25 to 39, section 41 and rules under section 52(3). The Controller, or a legal metrology officer he specially authorizes, may compound offenses under sections 25 to 31, 33 to 37, 41 and 45 to 47, and rules under section 53(3). Once an offense is compounded, no further proceeding is taken for it, and no offense may be compounded except under section 48. A court takes cognizance of an offense only on a written complaint by the Director, the Controller or an officer they authorize. An offender who does not compound is tried by a Magistrate under the Bharatiya Nagarik Suraksha Sanhita, 2023, and an unpaid fine is recovered under that law. Serial number 66 does not say who imposes the new penalties, or what follows when a person with no registration or approval fails to comply with an improvement notice.

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Document	Notification S.O. 2103(E)
Dated	April 27, 2026
Published	Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), No. 2030, April 27, 2026
Takes effect	May 1, 2026
Brings into force	Serial number 66 of the Schedule to the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), items (A) to (Z), amending the Legal Metrology Act, 2009 (Gazette ID CG-DL-E-08042026-271642, pages 145 to 151)

Applies to	Anyone subject to the Legal Metrology Act, 2009; under section 36(1), whoever manufactures, packs, imports or sells pre-packaged commodities, including through e-commerce platforms
Improvement notice for a first offense	Sections 25, 27, 28, 29, 31, 32, 34, 35, 36(1), 38, 39, 41(1), 41(2), 45, 46 and 47
Section 36(1)	First offense: improvement notice; second: penalty up to five lakh rupees; later: fine of not less than twenty-five lakh rupees, up to fifty lakh rupees
Improvement notice not complied with	Registration or approval suspended or revoked, after a hearing, for reasons recorded in writing (section 15(7))
Section 52(3)	Penalty up to five lakh rupees and suspension or revocation, in place of a fine up to five thousand rupees
Compounding	Section 48 substituted: offenses under sections 25 to 39, 41 and 45 to 47 and rules under sections 52(3) and 53(3), before or after prosecution, for a sum to be prescribed, not above the maximum fine
Section 50(1)(c)	"or any officer not below the rank of Joint Secretary specially authorised in this behalf by that Government" inserted after "the Central Government"
"Licence"	Becomes "registration certificate" (sections 23, 47 and 53(2)(c)) or "registration" (sections 45 and 46)
Related	Department of Consumer Affairs, Weights and Measures Unit, letter I-9/5/2026-W&M (E-39017), April 24, 2026, to the Controllers of Legal Metrology of all States and UTs: amend the State Enforcement Rules under the Act to prescribe compounding fees for the offenses as per the new provisions, to provide for registration of manufacturers, dealers and repairers of weights and measures in place of licences, and for other provisions the States deem fit, such as improvement notices; signed by Ashutosh Agarwal, Director (Legal Metrology)
Signed by	Anupam Mishra, Additional Secretary
File number	F. No. I-11/36/2025-W&M

What each offense draws under the amended sections

Section	First offense	Second offense	Later offenses
25	Improvement notice	Penalty up to ₹1 lakh	Fine not less than ₹2 lakh, up to ₹5 lakh

27	Improvement notice	Penalty up to ₹1 lakh	Fine not less than ₹2 lakh, up to ₹4 lakh
28	Improvement notice	Penalty up to ₹50,000	Fine not less than ₹1 lakh, up to ₹2 lakh
29	Improvement notice	Penalty up to ₹50,000	Fine not less than ₹1 lakh, up to ₹2 lakh
31	Improvement notice	Penalty up to ₹25,000	Fine "shall not be fifty thousand rupees but may extend to one lakh rupees" (as printed)
32	Improvement notice	Penalty up to ₹5 lakh	Fine not less than ₹10 lakh, up to ₹20 lakh
34	Improvement notice	Penalty up to ₹25,000	Fine not less than ₹50,000, up to ₹1 lakh
35	Improvement notice	Penalty up to ₹25,000	Fine not less than ₹50,000, up to ₹1 lakh
36(1)	Improvement notice	Penalty up to ₹5 lakh	Fine not less than ₹25 lakh, up to ₹50 lakh
36(2)	Fine not less than ₹10,000, up to ₹1 lakh	Fine up to ₹5 lakh	Third or subsequent offense: fine up to ₹50 lakh, or imprisonment up to one year, or both
38	Improvement notice	Penalty up to ₹25,000	Fine not less than ₹2 lakh, up to ₹5 lakh
39	Improvement notice	Penalty up to ₹50,000	Fine not less than ₹2 lakh, up to ₹5 lakh
41(1) and 41(2)	Improvement notice	Penalty up to ₹5,000	Fine not less than ₹2 lakh, up to ₹5 lakh
45	Improvement notice	Penalty up to ₹20,000	Fine not less than ₹2 lakh, up to ₹5 lakh
46	Improvement notice	Penalty up to ₹5,000	Fine not less than ₹2 lakh, up to ₹5 lakh
47	Improvement notice	Penalty up to ₹20,000	Fine not less than ₹2 lakh, up to ₹5 lakh

The notification (PDF, 485 KB)

Source: Gazette of India, CG-DL-E-27042026-272104.

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