



Amendments to the Legal Metrology Act, 2009

Introduced via

Jan Vishwas (Amendment of Provisions) Act, 2026

April 21, 2026

Background

The Jan Vishwas (Amendment of Provisions) Act, 2026 ('JV Act 2026') was introduced in the Lok Sabha on March 27, 2026, and has since been enacted into law. The Act amends approximately 80 central legislations with the twin objectives of decriminalizing offences and promoting ease of doing business. It supersedes the earlier Jan Vishwas Bill, 2025, incorporating, to a substantial extent, the recommendations of the Select Committee that examined the earlier Bill.

The Legal Metrology Act, 2009 ('LM Act') is one of the key legislations covered under the Bill. Businesses engaged in the manufacturing, importing, trading, packing, labelling, and sale of goods particularly those dealing with weights, measures, and packaged commodities are directly impacted (including the E-Commerce Operators) by the proposed amendments.

 *This update provides a structured summary of the key changes and their practical implications.*

Key Policy Direction

The overarching philosophy of JV Act 2026, as applicable to the LM Act, can be summarised as follows:

Shift from Criminalisation to Compliance

*First-time or minor violations will be addressed through **improvement notices** rather than immediate penalty.*

Graded Penalty Structure

Penalties escalate progressively with repeated violations, ensuring proportionality.

Procedural Modernisation

Alignment with the Bharatiya Nyaya Sanhita, 2023, and the Bharatiya Nagarik Suraksha Sanhita, 2023, replacing references to the erstwhile CrPC and IPC.

Periodic Revision of Penalties

*Fines are subject to a **10% upward revision every three years** to retain deterrent value.*

Licensing to Registration

*A shift from a licensing-based framework to a simplified **registration-based framework** for manufacturers, repairers, and sellers of weights and measures.*

Amendment – Section 2

(New Definition)-Introduction of ‘Improvement Notice’

A new definition of ‘improvement notice’ is being inserted in Section 2 of the LM Act. An improvement notice is a formal direction issued by a legal metrology officer, identifying:

01

The specific non-compliance

02

The corrective measures required

03

A prescribed time limit for compliance

This is a foundational change. The improvement notice mechanism underpins the compliance-first approach across multiple offence provisions under the LM Act.

Implication

Businesses receiving an improvement notice will have a structured opportunity to rectify the default before penal action is initiated. This reduces the risk of immediate prosecution for first-time or minor non-compliances.

Amendment – Section 36

Penalty for non-compliance with mandatory declarations on pre-packaged commodities

Section	Offence	Existing Penalty Structure	Proposed Penalty Structure
Section 36(1)	Pre-packaged commodity not conforming to required declarations	1st: Fine up to ₹25,000; 2nd: Fine up to ₹50,000; 3rd+: Minimum ₹50,000 up to ₹1 lakh or imprisonment up to 1 year or both	1st: Improvement Notice; 2nd: Penalty up to ₹5 lakh; Subsequent: Minimum fine of ₹25 lakh up to ₹50 lakh
Section 36(2)	Pre-packaged commodities with error in net quantity	1st: Minimum ₹10,000 up to ₹50,000; Subsequent: Fine up to ₹1 lakh or imprisonment up to 1 year or both	1st: Minimum fine of ₹10,000 up to ₹1 lakh; 2nd: Fine up to ₹5 lakh; Subsequent: Fine up to ₹50 lakh or imprisonment up to 1 year or both



Our Comment: Under the amended Section 36(1), the scope of regulated persons is expanded to expressly include e-commerce platforms, online marketplaces and electronic service providers platforms such as Amazon, Flipkart, etc. alongside traditional supply chain participants such as manufacturers, packers, importers, sellers, and distributors.

The Select Committee observed that a lenient penalty framework may enable repeated non-compliance, as offenders could treat monetary penalties as a cost of doing business, thereby undermining the objective of decriminalisation. Accordingly, while adopting a compliance-first approach through Improvement Notice, significantly higher penalties for subsequent offences have been prescribed to ensure effective deterrence and prevent habitual violations.

Further, in view of the exponential growth of e-commerce and digital marketplaces, the scope has been expanded to explicitly include online platforms and electronic modes of sale, recognizing that non-compliance in such channels can have wider and rapid impact on consumers at scale, thereby necessitating stricter enforcement.

Amendment – Section 25 to 47

Proposed Penalty Structure for Other Offences

Section	Offence	Existing Penalty Structure	Proposed Penalty Structure
Section 25	Use of non-standard weights/measures or non-standard numeration	1st: Fine up to ₹1 lakh; 2nd: Fine up to ₹2 lakh; 3rd+: Fine up to ₹5 lakh	1st: Improvement Notice; 2nd: Penalty up to ₹1 lakh; Subsequent: Min. fine ₹2 lakh up to ₹5 lakh
Section 26	Tampers with or alters any standard weight or measure	1st: Fine up to ₹50,000; Subsequent: Imprisonment from 6 months to 1 year, or with fine, or with both	1st: Fine up to ₹50,000; 2nd: Fine up to ₹1 lakh; Subsequent: Imprisonment from 6 months to 1 year, or with fine, or with both
Section 27	Manufacture, sale or possession of non-standard weight or measure	1st: Fine up to ₹1 lakh; 2nd: Fine up to ₹2 lakh; 3rd+: Fine up to ₹4 lakh	1st: Improvement Notice; 2nd: Penalty up to ₹1 lakh; Subsequent: Min. fine ₹2 lakh up to ₹4 lakh
Section 28	Transactions in contravention of prescribed standards	1st: Fine up to ₹50,000; 2nd: Fine up to ₹1 lakh; 3rd+: Fine up to ₹2 lakh	1st: Improvement Notice; 2nd: Penalty up to ₹50,000; Subsequent: Min. fine ₹1 lakh up to ₹2 lakh
Section 29	Quoting prices or expressing transactions in non-standard units	1st: Fine up to ₹50,000; 2nd: Fine up to ₹1 lakh; 3rd+: Fine up to ₹2 lakh	1st: Improvement Notice; 2nd: Penalty up to ₹50,000; Subsequent: Min. fine ₹1 lakh up to ₹2 lakh
Section 30	Short Delivery or Excess Receipt	1st: Fine up to ₹10,000; Subsequent: Imprisonment up to to 1 year, or with fine, or with both	1st: Fine up to ₹10,000; 2nd: Fine up to ₹20,000; Subsequent: Imprisonment up to 1 year, or with fine, or with both

Amendment – Section 25 to 47 (Cont.)

Proposed Penalty Structure for Other Offences

Section	Offence	Existing Penalty Structure	Proposed Penalty Structure
Section 31	Failure to Submit Returns/Records	1st: Fine up to ₹25,000; 2nd: Fine up to ₹50,000; 3rd+: Fine up to ₹1 lakh	1st: Improvement Notice; 2nd: Penalty up to ₹25,000; Subsequent: Min. fine ₹50,000 up to ₹1 lakh
Section 32	Failure to submit a weight or measure model for approval	1st: Fine up to ₹20,000; Subsequent: Imprisonment up to 1 year along with fine	1st: Improvement Notice; 2nd: Penalty up to ₹5 lakh; Subsequent: Min. fine ₹10 lakh up to ₹20 lakh
Section 34	Sale or delivery of any commodity by means other than standard weight, measure, or number	1st: Fine up to ₹25,000; 2nd: Fine up to ₹50,000; 3rd+: Fine up to ₹1 lakh	1st: Improvement Notice; 2nd: Penalty up to ₹25,000; Subsequent: Min. fine ₹50,000 up to ₹1 lakh
Section 35	Rendering any service using non-standard weight, measure, or numeration	1st: Fine up to ₹25,000; 2nd: Fine up to ₹50,000; 3rd+: Fine up to ₹1 lakh	1st: Improvement Notice; 2nd: Penalty up to ₹25,000; Subsequent: Min. fine ₹50,000 up to ₹1 lakh



Our Comment: The most striking feature of the Section 32 amendments is the quantum leap in subsequent-offence penalties, from imprisonment for second offences under the existing provision to monetary penalties of up to ₹20 lakh with a minimum floor of ₹10 lakh. This substitution reflects the Select Committee's finding that high monetary penalties, rather than the theoretical threat of imprisonment, constitute a more effective and proportionate deterrent for procedural non-compliances that do not involve fraud or consumer harm.

Amendment – Section 25 to 47 (Cont.)

Proposed Penalty Structure for Other Offences

Section	Offence	Existing Penalty Structure	Proposed Penalty Structure
Section 38	Any person who imports any weight or measure without being registered	1st: Fine up to ₹25,000; Subsequent: Imprisonment up to 6 months, or with fine, or with both	1st: Improvement Notice; 2nd: Penalty up to ₹25,000; Subsequent: Min. fine ₹2 lakh up to ₹5 lakh
Section 39	Import of any non-standard weight or measure	1st: Fine up to ₹50,000; Subsequent: Imprisonment up to 1 year along with fine	1st: Improvement Notice; 2nd: Penalty up to ₹50,000; Subsequent: Min. fine ₹2 lakh up to ₹5 lakh
Section 41	Giving false information	1st: Fine up to ₹50,000; Subsequent: Imprisonment up to 6 months along with fine	1st: Improvement Notice; 2nd: Penalty up to ₹5,000; Subsequent: Min. fine ₹2 lakh up to ₹5 lakh
Section 45	Manufacture of any weight or measure without holding a valid license	1st: Fine up to ₹20,000; Subsequent: Imprisonment up to 1 year, or with fine, or with both	1st: Improvement Notice; 2nd: Penalty up to ₹20,000; Subsequent: Min. fine ₹2 lakh up to ₹5 lakh
Section 46	Repair, sale or possession for repair or sale of any weight or measure without a valid license	1st: Fine up to ₹5,000; Subsequent: Imprisonment up to 1 year, or with fine, or with both	1st: Improvement Notice; 2nd: Penalty up to ₹5,000; Subsequent: Min. fine ₹2 lakh up to ₹5 lakh
Section 47	Tampering with or altering any license issued or renewed	1st: Fine up to ₹20,000; Subsequent: Imprisonment up to 1 year, or with fine, or with both	1st: Improvement Notice; 2nd: Penalty up to ₹20,000; Subsequent: Min. fine ₹2 lakh up to ₹5 lakh

Amendment – Section 48

Rationalised Compounding of Offences

The compounding framework under Section 48 is being significantly reformed:

→ **Section 26 (Tampering) Now Compoundable**

Section 26 (tampering) is now included within the scope of compounding, enabling parties to compound such offences and avoid prolonged litigation.

→ **Expanded Scope**

The scope of offences eligible for compounding is expanded to cover Sections 25 to 39 and Section 41, compared to the current selective coverage.

→ **Removal of the 3-Year Reset Clause**

*Currently, a similar offence committed after 3 years from the date of earlier compounding is treated as a first offence. This reset mechanism is being **abolished**. Once an offence is compounded, no further proceedings can be taken for that offence, but any subsequent similar offence will continue to be treated as a **repeat offence regardless of the time gap**.*

→ **Trial and Cognizance**

*Offences that are not compounded shall be tried by a Magistrate as per the Bharatiya Nagarik Suraksha Sanhita, 2023. Courts can take cognizance only on a **written complaint by the Director, Controller, or an authorised officer**.*

→ **Recovery of Uncollected Fines**

*Uncollected fines shall be recovered as a **decree for recovery of money** under the Bharatiya Nagarik Suraksha Sanhita, 2023.*



***Implication:** The removal of the 3-year reset clause is a significant tightening of the compounding framework. Businesses that have previously compounded an offence must ensure continued compliance, as any future similar violation will be treated as a **repeat offence** and attract higher penalties.*

Amendment – Section 15

Enhanced Search, Inspection and Improvement Notice Powers

The existing power of the Director, Controller, or legal metrology officer to enter, search, inspect, and seize is being expanded and procedurally reinforced:

Procedural Alignment

*All search and seizure actions must now be conducted in accordance with the **Bharatiya Nagarik Suraksha Sanhita, 2023** (replacing CrPC).*

Deemed Warrant

*Inspections and seizures carried out under authorisation of the Director/Controller shall be **deemed to be conducted under a lawful warrant**.*

Improvement Notice Powers

*Officers are now empowered to issue an improvement notice **during or after an inspection**, specifying the failure, corrective measures, and a compliance timeline.*

Consequences of Non-Compliance

*Non-compliance with an improvement notice may lead to **suspension or revocation of registration/approval**, after affording an opportunity of being heard.*

- Implication:** Businesses must ensure that inspection-related obligations maintaining records, producing documents, cooperating with officers are strictly followed. Non-compliance with an improvement notice post-inspection may now result in **suspension of registration**, which can severely disrupt business operations.*

Amendment – Section 23, 45, 46 and 47

Licence Replaced with Registration Certificate

One of the most significant structural changes is the replacement of the licensing framework with a registration-based mechanism for persons engaged in the manufacture, repair, or sale of weights and measures:

<i>Aspect</i>	<i>Current Position</i>	<i>Proposed Change</i>
<i>Framework</i>	<i>Licence issued by the Controller</i>	<i>Registration Certificate issued by the Controller</i>
<i>Scope</i>	<i>Manufacture, repair, sale of weights/measures</i>	<i>Same</i>
<i>Sections Impacted</i>	<i>Section 23, 45, 46, 47</i>	<i>Section 23, 45, 46, 47 (terminology substituted throughout)</i>

Implication: *Businesses currently holding licences will need to transition to registration certificates. While this is intended to reduce procedural burden, businesses must track the transition timeline once the Bill is enacted.*

Amendment – Section 40 and 50

Section 40

Obstruction of Officers

The specific imprisonment provisions under Section 40 (obstruction of the Director, Controller, or legal metrology officer) are being replaced with a general reference to the Bharatiya Nyaya Sanhita, 2023, which comprehensively covers obstruction of public servants. The standalone penal provision is being removed as redundant.

Section 50

Appellate Authority

*An amendment is proposed to Section 50(1)(c) to allow appeals to lie not only before the Central Government but also before **any officer not below the rank of Joint Secretary** specially authorised by the Government.*

This enables delegation of appellate powers for administrative efficiency while maintaining independence, since the Joint Secretary-level officer would be senior to the Controller and not directly involved in enforcement.



What This Means for Your Business

The JV Act, 2026 amendments create a more structured compliance framework under the LM Act. While the introduction of improvement notices provides initial relief for first-time violations, businesses must not misread this as a dilution of enforcement.

The key takeaways are as follows:

Key Takeaways for Businesses

1

First-Time Non-Compliances

In most cases, businesses will receive an improvement notice before penal proceedings.

2

Repeat Violations Attract Significantly Higher Penalties

The graded structure ensures escalating financial consequences for non-compliance.

3

Tampering Remains a Serious Offence

*Tampering with weights and measures remains a serious offence with **imprisonment provisions retained** for repeat offenders.*

4

Registration Framework Replaces Licensing

*Existing license holders (manufacturers, repairers and sellers) **must plan for the transition.***

5

No Benefit of the 3-Year Reset in Compounding

*Past compounding will **not reset your compliance history** for future offences.*

6

Inspection and Improvement Notice Proceedings

*These can lead to **suspension or revocation of registration** ensuring cooperation with officers and timely compliance is critical.*



Recommended Actions

We recommend that businesses undertake the following steps proactively:



Compliance Audit

Review existing practices related to weights, measures, packaged commodities, labelling, and records maintenance against the LM Act and Rules to identify gaps.



License / Registration Transition

Identify all currently held licences under Section 23 of the LM Act and plan for conversion to registration certificates upon enactment.



Training

Brief relevant personnel (factory managers, packaging teams, quality teams) on the improvement notice mechanism, cooperation with inspection, and documentation requirements.



Review Compounding History

If any offence has been compounded previously, ensure robust compliance going forward as the 3-year reset benefit will no longer be available.



Disclaimer

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Taxient will continue to monitor the implementation of the Act and issue further updates, as appropriate. The amendments shall come into force in accordance with the provisions of the Act and the corresponding notifications issued in the Official Gazette.

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