	Government of West Bengal Directorate of Legal Metrology, West Bengal 45, Ganesh Chandra Avenue, 3rd Floor, Kolkata – 700013	Control Copy Copy no. 1	
Document no./ Title	Standard Operating Procedure (SoP) for disposing application for issuance of Manufacturers / Importers/ Packers of Registration Certificate under Legal Metrology (Packaged Commodities) Rules, 2011.		
Section Title	Procedure for disposing application for issuance of new Registration Certificate for Manufacturers / Importers/ Packers		
Section No.	Revision Date	Page	Issue Date
	18.04.2016	10	14.07.2015

- 1:0: Purpose:** The purpose of this SoP is to establish the procedure for processing and disposing application for issuance of Registration Certificate for Manufacturers / Importers/ Packers under Legal Metrology (Packaged Commodities) Rules, 2011. This SoP is prepared under rule 19(iii) of West Bengal Right to Public Services Rules, 2013.
- 2:0: Scope:** This SoP envisages for processing and disposal of application for issuance of Registration Certificate for Manufacturers / Importers/ Packers under Legal Metrology (Packaged Commodities) Rules, 2011 within the stipulated time as notified/ or may be notified time to time under sec. 3(2) of the West Bengal Right to Public Services Act, 2013. This SoP specifies documents to be submitted along with application and specifies offices for submission of application. It also envisages the legal requirements i.e. maintenance register, submission of report under Legal Metrology (Packaged Commodities) Rules, 2011 and West Bengal Right to Public Services Rules, 2013. This SoP only partially modifies memo. No. Kg-L/72 dt. 25.04.2013 and memo. no. CLM/Lic/329 dt. 14/07/2015 of CLM, West Bengal.
- 3:0: Definition:** This SoP for disposing application for obtaining fresh Registration Certificate adopts the following definition in its framework
- (i) **Application:** means (in) appropriate form as developed and freely distributed by this Directorate. The application form is available and downloadable at http://wbconsumers.gov.in/HtmlPages/lmo_forms.aspx . The application shall contain all information as mentioned under rule 27(2) of Legal Metrology (Packaged Commodities) Rules, 2011.

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- (ii) **Electronic Record (ER):** is defined under section 2(t) of Information Technology Act, 2000 as ‘data, record or data generated, image or sound stored, received or sent in an electronic form or micro film or computer generated micro fiche.
- (iii) **Information:** includes all data, message, text, image which require(s) to be subscribed by the applicant(s) to best of his/her/their knowledge for factual correctness and/or the applicant(s) want(s) the inquiry/recommending or licensing authority to believe to be true to act upon, under certification in the applications as mentioned in terms of rule 27(2) of Legal Metrology (Packaged Commodities) Rules, 2011;
- (iv) **Registration Certificate:** means (in) appropriate form containing name, complete address and commodity(ies) pre-packed or imported by applicant, issued by the Controller of Legal Metrology under rule 27(1) of Legal Metrology (Packaged Commodities) Rules, 2011;
- (v) **Registration fees:** means fee of Rupees Five hundred (Rs.500.00) only as per rule 27(1) of Legal Metrology (Packaged Commodities) Rules, 2011. Such fees to be remitted under head of account 1475-00-106-001-12 through GRIPS
- (vi) **Requisite Documents:** means and includes authenticated copy of enclosures as mentioned against Packers Registration in ‘SoP in respect of services provided by the Legal Metrology Directorate under West Bengal Right to Public Services Act, 2013’ issued vide no. CLM/Lic/329 dated 14.07.2015. The requirements of documents for issuance of manufacturers/ dealers/ repairers licenses are mentioned below.

Sl. No.	Documents	Registration Certificate
1	Trade License	Required
2	Rent/Ownership	Required
3	VAT	Required
4	Partnership deed/EM-1/Form-32	Required
5	Monogram/ Trade mark (i.e. photocopy/ photo of Label)	Required
6	Land conversion Certificate	Required
7	NoC from PCB, WB, if relevant	Required
8	Certificate under seed act, if any	Required
9	Food license for food item, if relevant	Required
10	Liquor license, if relevant	Required
11	Explosive License, if relevant	Required
12	Certificate from SWID, if any	Required
13	GRIPS Challan	Required

4:0: Responsibilities: The issuance of Registration Certificate for Manufacturers / Importers/ Packers under Legal Metrology (Packaged Commodities) Rules, 2011 viz-a-viz West Bengal Right to Public Services Act, 2013 requires general and specific responsibilities which are mentioned herein under:

- (i) All application and necessary documents for license shall be received in the Licence Section of Directorate of Legal Metrology, West Bengal against issuance of Form I and entry in Register in Form IV under West Bengal Right to Public Services Rules, 2013. If

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the application is incomplete it should be returned immediately or as per rule 27(4)(a) of Legal Metrology (Packaged Commodities) Rules, 2011 within seven (7) working days from the date submission of application, to the applicant(s). The Licensing Section describing summary of deficiency in Form I and Register in Form IV shall be updated accordingly.

(ii) If the application and necessary documents is deficient in any information or requires further clarification, the DCLM in charge of Licence Section of this Directorate shall obtain such clarification in concurrence with CLM. Upon the receipt of clarification, DCLM in charge of Licence Section of this Directorate shall put up for disposal of application of issuance of registration certificate as per rule.

(iii) The CLM, WB shall dispose the application for issuance of registration certificate and as per rule 29(1) of Legal Metrology (Packaged Commodities) Act, 2011, shall cause to maintain records of issued Registration Certificate, which is open for public inspection free of cost. He shall also cause to update Register in Form IV under Right to Public Services Rules, 2013. In terms of rule 30 of Legal Metrology (Packaged Commodities) Act, 2011 a compiled list of the manufacturers and packers registered under rule 29 shall be circulated among the Controllers of concerned States and shall be uploaded quarterly in the website http://wbconsumers.gov.in/HtmlPages/lmo_forms.aspx as valid publication.

5:0: Abbreviations:

CLM: Controller of Legal Metrology; GRN: GRIPS Receipt Number;
 DCLM: Deputy Controller of Legal Metrology; PCB: Pollution Control Board;
 Metrology; SoP: Standard Operating Procedure;
 EM-1: Entrepreneurs' Memorandum; SWID: State Water Investigation Directorate;

6:0: Reference:

- (i) Legal Metrology Act, 2009;
- (ii) Legal Metrology (Packaged Commodities) Rules, 2011;
- (iii) West Bengal Right to Public Services Act, 2013;
- (iv) West Bengal Right to Public Services Rules, 2013;
- (v) Bengal Records Manual, 1943;
- (vi) Kolkata Gazette, Extraordinary, notification no. 2931-CA/RTPS/O/2C-1/14 dt. 17.12.2014;
- (vii) Memo. No. Kg-L/72 dt. 25.04.2013 of CLM, West Bengal;
- (viii) Memo. No. CLM/Lic/329 dt. 14/07/2015 of CLM, West Bengal
- (ix) Memo. No. CLM/C.Lab/582 dt. 07.12.2015 of DCLM,(CL), Directorate of Legal Metrology, West Bengal;
- (x) Memo. No. 3152-CA/LM/O/1M-1/14 dt. 18.11.2015 of Joint Secretary, CA Deptt., West Bengal;

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- (xi) No. 4168-F(Y) dt. 28.05.2015 of Finance Deptt., Audit Branch, Govt. Of West Bengal;
 (xii) Relevant sections of Information Technology Act, 2000;

7:0: Presumptions:

- (i) It is presumed that Licensing Section of Directorate of Legal Metrology, West Bengal maintains sufficient stock of pre-printed stationeries for implementing provisions of West Bengal Right to Public Service Rules, 2013 and training thereof;
 (ii) Both the ACLM and Licensing Section of Directorate of Legal Metrology, West Bengal has access to GRIPS portal through internet.

8:0: Procedure:

- (i) All application and necessary documents for registration certificate shall be received in the Licence Section of Directorate of Legal Metrology, West Bengal against issuance of Form I and entry in Register in Form IV under West Bengal Right to Public Services Rules, 2013. The GRIPS paid Challan shall be verified in website¹. If the application is incomplete, it should be returned immediately or as per rule 27(4)(a) of Legal Metrology (Packaged Commodities) Rules, 2011 within seven (7) working days from the date submission of application, to the applicant(s) describing summery of deficiency in Form I and Register IV shall be updated accordingly.
- (ii) If the application and necessary documents is deficient in any information or requires further clarification, the DCLM in charge of Licence Section of this Directorate shall obtain such clarification in concurrence with CLM. Upon the receipt of clarification, DCLM in charge of Licence Section of this Directorate shall put up for disposal of application of issuance of registration certificate as per rule.
- (iii) The CLM shall dispose the application either by registering the applicant and issuance of Registration Certificate under rule 27(4)(b) of Legal Metrology (Packaged Commodities) Rules, 2011 or reject the application by passing reasoned order. As per rule 29(1) of Legal Metrology (Packaged Commodities) Rules, 2011, records of issued Registration Certificate shall be maintained by the Licensing Section of this Directorate, which is open for public inspection free of cost under rule 29(2) of Legal Metrology (Packaged Commodities) Rules, 2011. Register in Form IV under Right to Public Services Rules, 2013 shall be updated accordingly. In terms of rule 30 of Legal Metrology

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(Packaged Commodities) Rules, 2011 a compiled list of the manufacturers and packers registered under rule 29 shall be circulated among the Controllers of concerned States and shall be uploaded quarterly in the website http://wbconsumers.gov.in/HtmlPages/lmo_forms.aspx as valid publication.

(iv) Two (2) copies of Registration Certificate shall be prepared. One copy shall be sent to the Applicant by registered post. Second copy of Registration Certificate shall be kept for record in the Directorate. All the associated documents of the Registration Certificate shall be considered as A (i.e. Permanent Record) as per Rule 90 of Bengal Record Manual, 1943. Electronic records (ER) as generated for preparation of the Registration Certificate shall also be retained securely.

(v) The maximum time limit for disposal of application is fixed at Seventy five (75) working days from the date of receipt of application in the Licensing Section².

(vi) All the application along with documents received by the Directorate of Legal Metrology shall be processed the application following the note sheet as shown in Appendix I. Individual leaver file (i.e. preferably Cobra File or similar brand) shall be maintained to process each application. For processing of Registration Certificate blue coloured file shall be maintained. Such colour coding shall help to identify the file at ease.

(xi) Maintenance of unique identity number of Registration Certificate is required. Each Registration Certificate shall bear following numeric number. Following NIC Coding system (i.e. NIC-LRISD-001(NICSI/70182, August 2008), the following coding pattern shall be maintained. Each license shall bear 14 digit numbers. First two digits shall identify the state and presently it

1	2	3	4	5	6	7	8	9	10	11	12	13	14
State Code	District Code	Place of Issue	Inspectoral Unit				License Type	Serial No. of Registration Certificate					

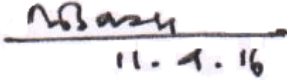
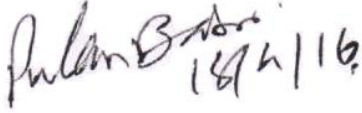


will be 19. Next two digits shall identify districts. District code (dcode) as use by revenue administration is as follows, which can be adopted here. Place of issue of Registration Certificate shall be of one digit (i.e. 1 for Kankurgachi). Inspectoral unit shall be of four digit alpha numeric number i.e. first three digits shall be of numeric number and fourth digit shall be of alpha type. License type shall bear one digit, i.e. 4 for registration certificate. All the Registration Certificate issued previously shall be re-numbered based on the procedure above and the applicant shall be intimated accordingly.

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Sl. No.	dcode	Name of District	Sl. No.	dcode	Name of District	Sl. No.	dcode	Name of District
1	01	Bankura	8	08	Koochbihar	15	15	North 24 Parganas
2	02	Bardhaman	9	09	Malda	16	16	South 24 Parganas
3	03	Birbhum	10	10	Paschim Medinipur	17	17	Dakshin Dinajpur
4	04	Darjiling	11	11	Purba Medinipur	18	18	Uttar Dinajpur
5	05	Hawrah	12	12	Murshidabad	19	19	Kolkata (South)
6	06	Hugly	13	13	Nadia	20	20	Alipurduar
7	07	Jalpaiguri	14	14	Purulia	21	21	Kolkata (North)

9:0: Endnotes:

1. Memo. No. 3152-CA/LM/O/1M-1/14 dt. 18.11.2015 of Joint Secretary, CA Deptt., West Bengal and No. 4168-F(Y) dt. 28.05.2015 of Finance Deptt., Audit Branch, Govt. Of West Bengal
2. Kolkata Gazette, Extraordinary, notification no. 2931-CA/RTPS/O/2C-1/14 dt. 17.12.2014;

Prepared by	Approved by
<p> 11.4.16 (Ajoy Kr Basu) Law Officer, Directorate of Legal Metrology, West Bengal</p> <p> 18/4/16 (Pulak Basu) Deputy Controller of Legal Metrology, (C.L) Directorate of Legal Metrology, West Bengal</p> <p> 15/04/16. (M. C. Majhi) Deputy Controller of Legal Metrology, (Enforcement) Directorate of Legal Metrology, West Bengal</p>	<p>Approved under rule 14(4) of Legal Metrology Act, 2009</p> <p> (Dr. Dipankar Mandal) Controller of Legal Metrology, West Bengal</p>

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APPENDIX-I

NOTE

File No: _____

Date: _____

Received application from _____
 _____ in LM-1 /LD-1/LR-1/
 Registration of Packers form (strike out whichever is not applicable) for obtaining New
 License or Registration Certificate/ Alternation of entry in existing License or
 Registration Certificate/ Inclusion of entry in existing License or Registration Certificate
 along with copy of valid below noted documents(strike out whichever is not applicable):

Sl. No.	Documents	Manufacturer		Dealership		Repairer		Registration Certificate	
1	Trade License	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No
2	Rent/Ownership	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No
3	Import/ Export Registration	x	x	x	x	x	x	Submitted	Yes/No
4	VAT	Submitted	Yes/No	Submitted	Yes/No	x	x	Submitted	Yes/No
5	CST	Submitted	Yes/No	Submitted	Yes/No	x	x	x	x
6	Income Tax	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	x	x
7	PAN/ EPIC	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	x	x
8	Certificate of enlistment	Submitted	Yes/No	x	x	x	x	x	x
9	Professional Tax Receipt	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	x	x
10	Experience Certificate	Submitted	Yes/No	x	x	Submitted	Yes/No	x	x
11	Partnership deed/ EM-1/Form-32	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No
12	Space Suitability Certificate	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	x	x
13	Monogram/ Trade mark	Submitted	Yes/No	x	x	x		Submitted	Yes/No
14	List of tools/ equipments	Submitted	Yes/No	x	x	Submitted	Yes/No	x	x
15	Test Weights	x	x	x	x	Submitted	Yes/No		
16	Model Approval Certificate	Submitted	Yes/No	Submitted	Yes/No	x	x	x	x
17	Agreement with suppliers	x	x	Submitted	Yes/No	x	x	x	x
18	Land conversion Certificate	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No
19	Commercial electricity	Submitted	Yes/No	Submitted	Yes/No	Submitted	Yes/No	x	x
20	NoC from PCB, WB	Submitted	Yes/No	x	x	x		Submitted	Yes/No
21	Certificate under seed act, if any	x	x	x	x	x	x	Submitted	Yes/No
22	Food license for food item	x	x	x	x	x	x	Submitted	Yes/No
23	Liquor license	x	x	x	x	x	x	Submitted	Yes/No
24	Explosive License	x	x	x	x	x	x	Submitted	Yes/No
25	Certificate from SWID, if any	x	x	x	x	x	x	Submitted	Yes/No
26	Fire License	Submitted	Yes/No	x	x	x	x	x	x
27	Demand Draft/GRIPS Challan	Submitted*	Yes/No	Submitted*	Yes/No	Submitted*	Yes/No	Submitted	Yes/No
28	Original License/ Registm. Certificate	Submitted*	Yes/No	Submitted*	Yes/No	Submitted*	Yes/No	Submitted*	Yes/No

*: Required for alternation/ inclusion of entry

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In continuation of page 1:

Upon the scrutiny of the application and enclosed documents it appears that (*strike off whichever not applicable*):-

- *the application is completed in all forms and Form-I is issued vide no. _____ dated _____*under the provision of WBRTPS Rules, 2013 and submitted for further process; or*
- *the application is incomplete as it does not contain the document(s) mentioned in page 1 or document(s) submitted is incomplete as per SoP hence the application is rejected and returned along with Form-I vide no. _____ dated _____*under the provision of WBRTPS Rules, 2013 with the request to resubmit rectifying the anomaly(ies), such as _____ and the present application stands rejected and Register-IV is updated accordingly; or*
- *the application is not recommended by ACLM or contains adverse comment of ILM, hence the application is rejected and returned along with Form-I vide no. _____ dated _____*under the provision of WBRTPS Rules, 2013 and Register-IV is updated accordingly;*

*As per notification no. 2931-CA/RTPS/O/2C-1/14 dated 17.12.2015, the service shall be provided within 75 days from the Issue of Form-I

Receiving Officer

Date: _____

DA/ILM/ ACLM or DCLM

Perused the note above it appears:

Hence, the application for issuance of new license/ alternation / inclusion of entry for Manufacturer / Dealership/ Repairer / Registration Certificate for Packers' or Importers' is recommended / not recommended (*strike off whichever not applicable*) therefore:

- *the applicant for new Manufacturer / Dealership license or alternation/ inclusion of entry of Manufacturer / Dealership/ Repairer, may be allowed to deposit the requisite fee; or*

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NOTE

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- the applicant for Repairer license may be requested to appear before the test as prescribed; or
- the applicant/ Recommending Authority is being/ may be requested to clarify the following: _____
_____ ; or
- the application stands rejected due to _____ and informed the applicant vide no. _____ dated _____ and disposed

Submitted to CLM, WB for perusal and approval.

DA/ILM/ ACLM or DCLM

Date:

DCLM***/CLM

Perused the application, documents submitted, comments, recommendation and note above. Now, (Strike off whichever is not applicable):

- clarification on _____ please be obtained from _____ for ascertaining _____ and put up; or
- the application for issuance/ alternation/ inclusion of entry of Manufacture License/ Dealership License / Repairer License/ Registration Certificate stands rejected due to _____ and the applicant is required to be intimated accordingly and Register IV shall be updated accordingly; or
- the application for issuance of Manufacture License/ Dealership License / Registration Certificate stands approved and the applicant is allowed to deposit fees through GRIPS and submit the challen for issuance of new license/ registration certificate (if not already paid); or
- the application for issuance of Repairer License stands processed and the applicant is allowed to appear before the test and put up with result of test;
- the application for alternation/ inclusion of entry in Manufacture License/ Dealership License/ Repairer License/ Registration Certificate stands approved in existing license/ registration certificate, if requisite fees already paid;

CLM/DCLM***

DA/ILM/ ACLM or DCLM

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Date: In continuation of page 3:
In compliance to the instruction above, it appears that *(Strike Off whichever is not applicable)*

- the applicant was intimated about the cause of rejection of his/ her application vide no. _____ dated _____ and the application thus disposed accordingly; or
- clarification on _____ was obtained and it appears from the memo no. _____ dated _____ that _____ and put up for approval/ rejection; or
- the applicant deposited the requisite fees vide GRIPS Challan No. _____ dated _____ or through Demand Draft no. _____ dated _____ against the requisition issued vide no. _____ dated _____ [and result of test held on _____ (for repairer only)], which are duly verified and found correct. Now, the new License/ Registration Certificate or for alternation/ inclusion of entry in License/ Registration Certificate is placed here for signature;
- _____

DA/ILM/ ACLM or DCLM

Date: DCLM***/ CLM
Note above is perused. *Seen/ Rejected/Approved*, signed and disposed*. Register in Schedule V under rule 11(6) of West Bengal Legal Metrology Enforcement Rules, 2011 or Register under rule 29(1) of Legal Metrology (Packaged Commodities) Rules, 2011 and/or Register IV** of West Bengal Right to Public Services Rules, 2013 be updated accordingly. _____

CLM/ DCLM***

*As per notification no. 2931-CA/RTPS/O/2C-1/14 dated 17.12.2015, the service shall be provided within 75 days from the Issue of Form-I

**Decisions of CLM, WB to be replicated in LM-1/LD-1/LR-1

***No. 968-CA/LM/O/11-1/16 dated 28.03.2016 of Deptt. of Consumer Affairs, Govt. Of West Bengal

+ Strike off whichever is not applicable

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