

**THE BALOCHISTAN WEIGHTS AND MEASURES
(INTERNATIONAL SYSTEM) ENFORCEMENT
ORDINANCE, 1977**

(Baln. Ordinance XII of 1977)

CONTENTS

SECTIONS

Preamble.

CHAPTER – I
PRELIMINARY

1. Short title, extent and commencement.
2. Definitions.

CHAPTER – II
STANDARD WEIGHTS AND MEASURES

3. Working Standards.
4. Secondary Standards.
5. Standard weighing and measuring Instruments.
6. Prohibition of use of weights & measures other than standard weights and measures.
7. Power to prescribe use of weights only or measures only, in certain cases.

CHAPTER – III
VERIFICATION AND STAMPING OF
WEIGHTS AND MEASURES

8. Marking of denominations on commercial weights and measures.
9. Prohibition of sale of unstamped commercial weights and measures.
10. Prohibition & use of unstamped commercial weights or measures.
11. Power of Government to exempt.
12. Marking of weights or measures in sealed containers.
13. Limits of error to be tolerated in weights and measures.
14. Prohibition of the manufacture etc; of weights and measures without

15. Security.
16. Manufacturers etc; to maintain records and documents.
17. Levy of fees.
18. Appointment of Controller, Deputy Controller, Assistant Controller, Inspectors and Sub Inspectors.
19. Jurisdiction of Inspectors and recognizance with Government.
20. Verification and stamping by Inspectors.
21. Power of Inspectors to adjust weight or measure.
22. Validity of weights and measures duly stamped.
23. Appeals.
24. Revision.

CHAPTER – IV PENALTIES

25. Penalty for sale or delivery by weights or measures other than standard weights and measures.
26. Penalty for sale of unstamped commercial weights and measures.
27. Penalty for use or possession of unstamped commercial weights & measures.
28. Penalty for use of weight or measure in contravention of Sec. 8.
29. Penalty for manufacture, repair or sale of weights, etc; without licence.
30. Penalty for failure to mark weight or measure on sealed containers.
31. Penalty for fraudulently use of weights and measures, etc.
32. Penalty for being in possession of false weights, or measures, etc.
33. Penalty for giving short weight or measure, etc.
34. Penalty for forging etc; of weights measures, etc.
35. Penalty for neglect or refusal to produce weight or measure, etc for inspection.

36. Penalty for making or selling false weights or measures, etc.
37. Penalty for breach of duty.
38. Offences by Companies and Corporations.
39. Forfeiture.

CHAPTER – V
MISCELLANEOUS

40. Stamped weight etc; to be presumed to be correct.
41. Delegation of powers.
42. Special Provisions during the period for which other weights and measures permitted to be used under section 22 (2) of Act V of 1967.
43. Indemnity.
44. Cognizance of offences.
45. Power to make rules.
46. Power to exempt.
47. Repeal and saving.

**¹THE ²BALUCHISTAN WEIGHTS AND MEASURES
(INTERNATIONAL SYSTEM) ENFORCEMENT
ORDINANCE, 1977**

(Balochistan Ordinance XII of 1977)

[6th December, 1977]

An Ordinance to provide for the enforcement of standard weights and measures in the Province of Balochistan and matters connected therewith.

Preamble.

WHEREAS it is expedient to provide for the enforcement of standard of weights and measures in the Province of Balochistan based on the International System of Weights & Measures and for matters connected therewith;

AND WHEREAS the Governor is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977³, read with the Law (Continuance in Force) Order, 1977 (CMLA Order No. 1 of 1977)⁴ and in exercise of all powers enabling him in that behalf the Governor of Balochistan is pleased to make and promulgate the following Ordinance: —

**CHAPTER – I
PRELIMINARY**

Short title, extent and commencement.

1. (1) This Ordinance may be called the Balochistan Weights and Measures (International System) Enforcement Ordinance, 1977.

(2) It extend to whole of the Province of Balochistan except Tribal Areas⁵

(3) It shall come into force on such date as the Provincial Government, may by notification in the official gazette appoint; and different dates may be appointed in respect

¹ This Ordinance was promulgated by the Governor of Balochistan on 30th November, 1977; published in the Balochistan Gazette (Extraordinary) No. 86, dated 6th December, 1977. Saved and validated by Article 270-A of the Constitution of the Islamic Republic of Pakistan (1973).

² Spelling of the word “Baluchistan”, wherever it appears in this ordinance, is corrected by insertion of letter “o” instead of “u”; as per Government of Balochistan, S&GAD’s Notification No. SORI (4) 6/ S&GAD-89, dated 18th June, 1989.

³ Proclamation of Martial Law, published in the Gazette of Pakistan, Extraordinary, Part I, dated 5th July, 1977.

⁴ Chief Martial Law Administrator Order I of 1977, published in the Gazette of Pakistan, Extraordinary, Part I, dated 5th July, 1977.

⁵ Extended to Tribal Areas of Balochistan by Balochistan Gazette (Extraordinary) No. 13, dated 14th February, 1979.

of different provisions of the Ordinance, or for different areas or for different classes of goods or classes of undertaking of trades.

Definitions.

2. (1) In this Ordinance unless there is anything repugnant in the subject or context: —

- (a) "Commercial Weights or Measures" means a weight or measure used or intend to be used in any transactions of trade or commerce;
- (b) "Controller" means the Controller of Weights and Measures appointed under section 18 (1) and includes Deputy Controllers of Weights and Measures, and Assistant Controllers of Weights and Measures;
- (c) "Government" means the Government of Balochistan;
- (d) "Inspector" means an Inspector of Weights & Measures appointed under Sub-section (1) of section 18 and includes a Sub Inspector of Weights & Measures;
- (e) "Measuring Instrument" includes any instrument for measuring length, area, volume or capacity but does not include a weighing instrument;
- (f) "Prescribed" means prescribed by rules;
- (g) "Reference standards" means the sets of weights and measures prepared under section 10 of the Weights and Measures (International System) Act, 1967¹;
- (h) "Rules" means rules made under this Ordinance;
- (i) "Secondary Standards" means the sets of Weights and Measures prepared under section 4;
- (j) "Trade" with its grammatical variations means any sale, bargain transaction,

¹ That is Act V of 1967 assented by the President of Pakistan on 10th June, 1967; and published in the Gazette of Pakistan, Extraordinary, dated 12th June, 1967.

dealing or contract and includes collections of tools and duties;

- (k) "Verify" with its grammatical variations means verify or reverify in accordance with the provisions of this Ordinance and the rules;
- (l) "Weighing Instrument" means any instrument for measuring weight and includes scales, with the weights belonging thereto, scale beams, balances, spring balances, steel yards and other weighing machines;
- (m) "Working Standards" means the sets of weight and measures prepared under section 3.

(2) Save as otherwise provided in this Ordinance or where the context otherwise required the words and expressions used but not defined in this Ordinance shall bear the same meaning as they bear in the Weights & Measures (International System) Act, 1967¹.

CHAPTER – II

STANDARD WEIGHTS AND MEASURES

Working Standards. 3. (1) For the purpose of verifying the correctness of commercial weights & measures and measuring and weighing instruments used in transaction of trade or commerce, Government may cause to be prepared as many sets of standards weights & measures including special sets of standards weights & measures for bullion and other precious stones, as it may deem necessary, and such sets shall be called the working standards.

(2) The working standards shall be made of such material, and of such design and specification, and authenticated in such manner and by such persons, agency & authority, as may be prescribed.

(3) The working standards shall be kept at such places, in such custody and in such manner, as may be prescribed.

(4) A working standard shall be verified with the secondary standard and verification shall be marked by such

persons in such manner and at such places, and after such intervals, as may be prescribed:

Provided that working standard for bullion and precious stories shall be verified with the reference standard.

(5) A working standard which is not verified Standard and marked under sub-section (4) shall not be used for the purpose of this Ordinance.

(6) A working standard which has become defective shall cease to have legal force and shall not be used for the purpose of this Ordinance, until it has been verified and marked under Sub-Section (4).

Secondary
Standards.

4. (1) For the purpose of verifying the correctness of the working standards, Government may cause to be prepared as many sets of secondary standards as it may deem necessary.

(2) The secondary standards shall be made of such material, and of such designs and specification, as may be prescribed, and shall be stamped and authenticated by such person or authority, as the Government may direct.

(3) The secondary standards shall be kept at such places, in such custody and in such manner, as may be prescribed.

(4) A secondary standard shall be verified with the reference standard at least once in every five years, and the verification shall be done and marked by such person or authority and in such manner and at such places as may be prescribed.

(5) A secondary standard which is not verified and marked under sub section (4) shall not be used for the purposes of this Ordinance.

Standard weighing
and measuring
Instruments.

5. (1) For the purpose of verifying the correctness of commercial weights and measures and weighing and measuring instruments used in transactions of trade or commerce, Govt, may cause to be prepared as many sets of weighing and measuring instruments as it may deem necessary and such sets shall be called working instruments.

(2) The working instruments shall be of such kind, and shall be verified and stamped in such manner, as may be prescribed.

(3) The working instruments shall be kept at all such places where secondary standards or working standards are kept.

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

6. (1) Notwithstanding any thing contained in any law, no unit of mass or measure other than the standard weight or measure shall be used in any transaction of trade or commerce, or in any dealing or contract, or for doing any work or selling or delivering any goods, or in other undertakings.

(2) No person shall demand or receive, cause to be demanded or received, any quantity of goods or commodity in excess of, or less than, the quantity fixed by the contract or dealing in respect of such goods or commodity and determined in terms of a standard weight or measure.

(3) Any transaction, dealing or contract made or had shall, after the expiry of three months from the commencement of this section be void, in so far it contravenes the provision of sub-section (1) and (2).

Power to prescribe use of weights only or measures only, in certain cases.

7. (1) Notwithstanding any thing contained in this Ordinance, the Government may by notification direct that in any specified trade or class of trades, no transaction, dealing or contract shall be made or had, except only by weight or by measures.

(2) A notification issued under this section shall take effect in such area and from such date and subject to such condition, if any, as may be specified in such notification.

CHAPTER – III

VERIFICATION AND STAMPING OF WEIGHTS AND MEASURES

Marking of denominations on commercial weights and measures.

8. Every weight or measure manufactured for use as a commercial weight or measure shall bear the denomination of the weight or measure which it purports to be marked legibly on it, in such manner as may be prescribed.

Prohibition of sale of unstamped commercial weights and measures.

9. No commercial 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.

Prohibition & use

10. No weight or measure or weighing or measuring

of unstamped commercial weights or measures.	instrument shall be used in any transaction of trade or commerce, unless it has been verified or re-verified and stamped in the prescribed manner.
Power of Government to exempt.	11. Where the size of a commercial weight or measure renders it impracticable to have any denomination marked on it or to be stamped under the provisions of this Ordinance, Government may, by notification exempt such weight or measure from being so marked or stamped.
Marking of weights or measures in sealed containers.	12. No person shall sell, offer for sale, expose for sale, or have in his possession for sale, any article contained in a sealed package or container unless such package or container bears thereon or on a label securely attached there to, a description of the net weight or measure of the article contained therein: Provided that the provisions of this section shall not apply to an article sold, offered for sale, exposed for sale, or in possession for sale which is not in the opinion of Government ordinarily sold in transactions of trade or commerce by weight or measure.
Limits of error to be tolerated in weights and measures.	13. Subject to the Weights and Measures (International System) Act, 1967 ¹ and the rules thereunder, Government may prescribe the limits up to which error may be tolerated in working standards, working instruments, commercial weights and measures or weighing or measuring instruments, or selling articles by weight or measure generally, or any trade or class of trades.
Prohibition of the manufacture etc; of weights and measures without licence.	14. (1) No person shall, in the course of trade, manufacture, repair or sell any commercial weight or measure or any weighing or measuring instrument unless he has obtained a licence in the prescribed manner. (2) The Controller or any officer authorised by him in this behalf, shall, subject to such conditions as may be prescribed, be competent to grant licence under sub-section (1).
Security.	15. (1) A person who has been granted licence under section 14 shall, if so required by Government or an authority nominated by Govt. in this behalf furnish security in the prescribed manner. (2) The Controller or any officer authorised by him

¹ That is Act V of 1967, for detail see footnote under section 2(g).

may, in case of non-compliance of any of the provisions of this Ordinance or any instructions issued by the Controller, Deputy Controller, Assistant Controller or Inspector, order forfeiture of the security or part thereof in such manner as may be prescribed.

Manufacturers etc;
to maintain
records and
documents.

16. A person who manufactures repairs or deals in weights and measures or weighing or measuring instruments, or uses such weights or measures or instruments in transactions of trade or commerce, shall maintain such record and account and shall, if so required by an Inspector produce such record and accounts before him for inspection in such manner as may be prescribed:

Provided that Government may, by order in writing to exempt any such person or class of such persons from the operation of this section.

Levy of fees.

17. There shall be charged such fees as may be prescribed:

—

- (a) for the grant of licences under section 14;
- (b) for the verification or re-verification, marking, stamping and adjustment of commercial weights and measures and weighing or measuring instruments.

Appointment of
Controller,
Deputy
Controller,
Assistant
Controller,
Inspectors and
Sub Inspectors.

18. (1) Government may appoint a Controller and as many Deputy Controllers, Assistant Controllers, Inspectors and Sub-Inspectors as may be necessary, possessing such qualifications as may be prescribed.

(2) The Controller, Deputy Controllers, Assistant Controllers, Inspectors and Sub- Inspectors shall exercise the powers and discharge the duties conferred or imposed on them by or under this Ordinance:

Provided that the Controller, Deputy Controllers, Assistant Controllers, may, in addition to their own powers and duties, exercise powers and discharge duties conferred or imposed on the Inspectors.

(3) Subject to the provisions of this Ordinance, all Deputy Controllers, Assistant Controllers, Inspectors and Sub-Inspectors shall perform their functions under the general superintendence and control of the Controller.

(4) The Controller, Deputy Controllers, Assistant Controllers, Inspectors, Sub-Inspectors appointed under this Ordinance shall be deemed to be Public Servants within the meaning of section 21 of the Pakistan Penal Code (XLV of 1860).

Jurisdiction of
Inspectors and
recognizance
with
Government.

19. (1) The Controller or any officer nominated by him may, by general or special order, define the local limits within which each Inspector shall exercise the powers and discharge the duties conferred or imposed on Inspectors by or under this Ordinance.

(2) Every Inspector shall immediately after his appointment enter into a recognizance with Government, in such sum as may be prescribed, for: —

- (a) The due discharge of his duties;
- (b) The due payment of moneys received by him under this Ordinance at such time and in such manners as may be prescribed;
- (c) The safety of the working standards working instruments and the stamps and appliances for verification in his charge and their due surrender immediately on ceasing to hold office.

Verification and
stamping by
Inspectors.

20. (1) An Inspector shall: —

- (a) attend for the purpose of verification of weights and measures and weighing and measuring instruments, at such place and time, within his jurisdiction, as may be appointed by the Controller;
- (b) verify a weight or measure or weighing

or measuring instrument which is brought to him for the purpose of verification;

- (c) stamp in the prescribed manner a weight or measure or weighing or measuring instrument which, on verification as aforesaid he finds to be in conformity with this Ordinance and the rules thereunder;

(2) An Inspector may: —

- (a) inspect at all reasonable times, the weights or measures or weighing or measuring instruments, which are used in transaction of trade or commerce, or are in the possession of any person or are in any premises for such use, and verify every such weight or measure or weighing or measuring instrument with a secondary standard or working standard or weighing or measuring instrument prescribed for the purpose;
- (b) enter at reasonable time with or without assistance who are in the service or a local authority as he thinks fit, any place where weights or measures or weighing or measuring instruments are kept for use in transaction of trade or commerce, and inspect such weights or measures or weighing or measuring instruments;
- (c) verify the weight or measure of any article sold or delivered in the course of any transaction, for the purpose of verifying the correctness of any weight or measure used in such transactions;
- (d) require at reasonable times any trade or his employee or agent to produce before

him for inspection all weights and measures and weighing and measuring instrument which are used by or are in possession of, or are kept on any premises used for trade by, such trader or his employee or agent and all document and record relating thereto;

- (e) seize and detain any weight or measure or weighing or measuring instrument in respect of which an offence under this Ordinance has been committed, or which appears to have been used or is likely to be used in the commission of such an offence, and also seize and detain any article sold or delivered by means of such weight or measure or weighing or measuring instruments, together with any document or records relating thereto;
- (f) break open, the sealed package or container, if he has reason to believe that such package or container does not contain the net weight or measure of the article which it purports to contain and verify its contents and if, on such verification, the net weight or measure of the article found to be correct, the Inspector shall re-seal the package or container where it is possible to do so without causing injury to the contents thereof, and attach there to a certificate stating the correct weight or measure of the article; and if on such verification, the net weight or measure of the article is found to be incorrect, the Inspector may seize and detain the package or container and the article contained therein.

- Power of Inspectors to adjust weight or measure. 21. Where the controller is of the opinion that it is necessary to adjust the weight or measure or weighing or measuring instrument in any area, he may authorise the Inspector of that area to adjust such weights or measures or weighing or measuring instruments.
- Validity of weights and measures duly stamped. 22. Any weight or measure or weighing or measuring instrument manufactured, stamped or verified in the province in accordance with the provisions of this Ordinance or under the authority of the Federal Government or the Federating Provinces, shall be valid in such areas of the Province in which the relevant provisions of this Ordinance are enforced for such period as may be notified, and shall be restamped by reason of its being used in areas other than that in which it was originally manufactured, stamped or verified.
- Appeals. 23. (1) If any difference arises between any person and Inspector with regard to the methods of verifying, adjusting or stamping any weight or measure or weighing or measuring instrument or any other matter under this Ordinance or rules thereunder, the Inspector on request of such person shall, or at his own initiative may refer such difference to the Controller, whose decision shall, subject to the provision of sub section (2), be final.
- (2) An appeal shall lie: —
- (a) from a decision of an Inspector, Assistant Controller or Deputy Controller to the Controller, *and*
- (b) from a decision of the Controller not being a decision made in appeal under clause (a) to the Government or any other officer authorised by it in this behalf.
- (3) An appeal, under this section shall be preferred within sixty days from the date of the decision.
- (4) On receipt of the appeal, the appellate authority shall, after giving the appellant a reasonable opportunity of

being heard, and after making such enquiry as it deems fit make an appropriate order which shall be final.

Revision.

24. Any person aggrieved by an order made under section 23 not being the order of the Government may apply for revision of such order to such person or authority and within such period as may be prescribed and the order made by such person or authority shall be final.

CHAPTER – IV PENALTIES

Penalty for sale or delivery by weights or measures other than standard weights and measures.

25. (1) Whosoever, after the expiry of six months, from coming into force of this section, sells or causes to be sold, or delivers or caused to be delivered, in the course of any transaction of trade or commerce any article by any denomination of weight or measure other than one of standard weight or measure, shall, on conviction for a first offence be punished with fine which may extend to two thousand rupees, and on conviction for subsequent offence be punished with imprisonment of either description for a term which may extend to three months, or with fine or with both.

(2) Whosoever contravenes the provision of section 6 shall be punishable with fine which may extend to one thousand and five hundred rupees.

Penalty for sale of unstamped commercial weights and measures.

26. Whosoever sells or delivers or causes to be sold or delivered any commercial weight or measure, or any weighing or measuring instrument, which has not been verified, or stamped under this Ordinance and the rules thereunder, shall be punished with fine which may extend to two thousand rupees.

Penalty for use or possession of unstamped commercial weights & measures.

27. Whosoever uses in any transaction of trade or commerce, or has in his possession for such use, any commercial weight or measure or any weighing or measuring instrument, which has not been verified, or reverified, or stamped under this Ordinance and the rules thereunder, shall on conviction, for a first offence be punished with fine which may extend to two thousand rupees, and on conviction for a

subsequent offence be punished with imprisonment of either description for a term which may extend to three months or with fine or with both.

Explanation 1: — When any such weight or measure, or weighing or measuring instrument, is found in the possession of any trader, or his employee or agent such contrary is proved, be presumed to possess its use in transaction of trade or commerce.

Explanation 2: — Where any employee or agent or trader uses or has in possession for use, on behalf of such trader any weight or measure or weighing or measuring instrument mentioned in this section such trader shall, unless he proves that the offence is committed without his knowledge or consent, also be liable for such offence.

Penalty for use of weight or measure in contravention of Sec. 8.

28. Whosoever contravenes provisions of a notification issued under section 8, shall be punished with fine which may extend to two thousand rupees.

Penalty for manufacture, repair or sale of weights, etc; without licence.

29. Where any person manufactures, repairs or sells any commercial weight or measures or weighing or measuring instrument, without any licence under section 14, he shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to two thousand rupees, or with both.

Penalty for failure to mark weight or measure on sealed containers.

30. Whosoever contravenes the provisions of section 12 shall be punished with fine which may extend to two thousand rupees.

Penalty for fraudulently use of weights and measures, etc.

31. Whosoever fraudulently uses any weight or measure or weighing or measuring instrument, which he knows to be false shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Penalty for being in possession of false weights, or measures, etc.	32. Whosoever has in his possession a weight or measure or weighing or measuring instrument, which he knows to be false, intending that it may be fraudulently used, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine or with both.
Penalty for giving short weight or measure, etc.	33. Whosoever sells any article by weight or measures and delivers or causes to be delivered to the purchaser less than what is purported to be sold shall, if the deficiency exceeds the prescribed limit of error, be punished with imprisonment of either description which may extend to one year or with fine which may extend to two thousand rupees or with both.
Penalty for forging etc; of weights measures, etc.	34. (1) Whosoever forges or counterfeits any stamp used for stamping any standard weight or measure or weighing or measuring instrument or possesses any such counterfeits stamps or removes a stamp from any standard 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 diminished a weight or measure so stamped, shall be punished with imprisonment of either description for a term which may extend to one year or with fine, or with both. (2) Whosoever knowingly uses, or sells or offers for sale or disposes of, any weight or measure or weighing or measuring instrument with forged or counterfeit stamp thereon, or a weight or a measure increased or diminished as aforesaid shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extent to ten thousand rupees or with both.
Penalty for neglect or refusal to produce weight or measure, etc for inspection.	35. (a) Whosoever refuses or neglects to produce for inspection under section 20 any weight or measure or weighing or measuring instrument or any document, or record relating thereto, in his possession or on his premises; or obstructs or in any manner hinders any Inspector in the performance of his duties under this Ordinance;

or

- (b) Fails to maintain the records or accounts or to produce such record before an Inspector under section 16, shall be punishable with rigorous imprisonment for a term which may extend to six months or with fine, which may extend to two thousand and five hundred rupees, or with both.

Penalty for making or selling false weights or measures, etc.

36. Whosoever makes, sells or disposes of, or causes to be made, sold or disposed of, any weight or measure or weighing or measuring instrument which he knows or has reason to believe to be false in order that the same may be used as true or knowing that the same is likely to be used as true, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both.

Penalty for breach of duty.

37. Where an officer or official appointed under this Ordinance knowingly, acts or discharges his duties in contravention of this Ordinance or the rules made thereunder shall be punished with imprisonment of either description for a term which may extend to one year or with fine, which may extend to ten thousand rupees or with both.

Offences by Companies and Corporations.

38. If a person committing an offence under this Ordinance or rules thereunder is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent such commission of the offence be deemed to be guilty of such offence.

Forfeiture.

39. A weight or measure or weighing or measuring instrument in respect of which an offence has been committed under this Ordinance or rules there-under shall be forfeited to Government.

CHAPTER – V

MISCELLANEOUS

- Stamped weight etc; to be presumed to be correct. 40. If an Inspector or any person acting under general or special authority of the Controller produces in Court any weight or measure or weighing or measuring instrument which has been stamped under the provisions of this Ordinance and the rules thereunder, such weight or measure or weighing or measuring instrument shall be presumed to be correct until contrary proved the burden of which shall be on a person challenging its correctness.
- Delegation of powers. 41. Government may, by notification, direct that any power exercisable by it under this Ordinance shall, in relation to such matters and subject to such conditions as may be specified, be exercisable also by any officer or authority or subordinate to it.
- Special Provisions during the period for which other weights and measures permitted to be used under section 22 (2) of Act V of 1967. 42. Where the Federal Government has by notification issued under sub section (2) of section 22 of the Weights and Measures (International System) Act, 1967¹ permitted the use of such weights and measures in such area or in respect of such class of goods or undertakings for such period specified in the notification then the provisions of this Ordinance shall not apply, in that area or in relation to that class of goods or undertaking, but notwithstanding section 4, the provisions of the law in force immediately before coming into force of this Ordinance shall continue to have effect in such areas, or in relation to such class of goods or undertakings.
- Indemnity. 43. No suit, prosecution or other legal proceedings shall lie against any person in respect of anything which is in good faith done or intended to be done in pursuance of this Ordinance or the rules.
- Cognizance of offences. 44. No court inferior to that of a Magistrate of the first class shall take cognizance of any offence punishable under this Ordinance except upon a complaint in writing made by the Controller or any officer authorised by him in this behalf.
- Power to make rules. 45. (1) Government may make rules to carry out the purposes of this Ordinance.

¹ That is Act V of 1967, for detail see footnote 1 under section 2(g).

(2) Such rules may provide that a breach thereof shall be punished with fine which may extend to two thousand rupees.

Power to exempt. 46. Government may, by notification, exempt any person or class of persons, area, undertaking, goods or class of undertaking or goods from operation of all or any of the provisions of this Ordinance for such period and subject to such conditions as may be specified in the notification.

Repeal and saving. 47. (1) On the coming into force of this Ordinance in any area or regarding different classes of goods or classes of undertaking or establishments or commodities etc. as may be notified by Government, the provisions of West Pakistan Weights and Measures Ordinance, 1965¹ as adapted vide Balochistan (Adaptation) Order, 1975² shall stand repealed to that extent.

(2) Anything done or action taken including any appointment rules and orders made, notification or licences issued and appeals preferred under the Ordinance so repealed and under Ordinance IV of 1976³ shall be deemed to have been done or taken under this Ordinance as if this Ordinance was in force on the day on which such things were done or action was taken.

¹ That is West Pakistan Ordinance XXXIII of 1965, published in the West Pakistan Gazette, Extraordinary, dated 28th October, 1965.

² The Balochistan Laws (Adaptation) Order, 1975 was made by Governor of Balochistan under Article 268 of the Constitution of Pakistan, 1973; and published in the Balochistan Gazette (Extraordinary) No. 17, dated 9th May 1975.

³ This Ordinance was made by Governor Balochistan and published in the Balochistan Gazette (Extraordinary) No. 21, dated 1st July, 1976. Expired and substituted by Balochistan Ordinance IV of 1977; published in the Balochistan Gazette (Extraordinary) No. 9, dated 18th march, 1977, which Ordinance was also expired and substituted by the existing Ordinance XII of 1977.