

States	KMS 2016-17	KMS 2017-18	KMS 2018-19
Chandigarh	0.19	0.21	0.19
Chhattisgarh	60.03	47.87	58.40
Gujarat	0.01	0.01	0.14
Haryana	53.48	59.58	58.83
Jharkhand	2.07	2.14	2.28
Jammu and Kashmir	0.12	0.19	0.14
Karnataka	0.00	0.00	0.88
Kerala	4.53	4.84	6.94
Madhya Pradesh	19.61	16.35	20.82
Maharashtra	4.61	2.67	8.66
Odisha	54.18	49.06	65.41
Punjab	164.96	176.61	169.16
Nef (Tripura)	0.00	0.00	0.10
Tamil Nadu	2.11	14.87	19.03
Uttar Pradesh	35.14	42.90	48.25
Uttarakhand	10.54	0.57	6.89
West Bengal	28.28	24.60	29.11
TOTAL	568.23	568.54	660.06

**Selling of food items at malls, cinema halls and luxury  
hotels at exorbitant rates**

2953. SHRIMATI SHANTA CHHETRI: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Ministry is aware that mails, cinema halls and luxury hotels sell food items at exorbitant rates way above the MRP;

(b) whether the Ministry is also aware that pricing of food items sold in malls, cinema halls and luxury hotels is far more than that of the same products sold outside in markets; and

(c) if so, the details thereof and the reasons for different prices for the same product in malls, cinema halls and luxury hotels?

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI DANVE RAOSAHEB DADARAO): (a) to (c) To protect the interest of consumers, the Legal Metrology (Packaged Commodities) Rules, 2011 provide that commodities in packaged form cannot be sold at a price higher than MRP.

Under Rule 18(2) of the said rules provisions are made to prevent the sale of any pre-packaged commodities at a price higher than MRP. Section 36 of the Legal Metrology Act, 2009 provides for penalty provisions in case of violation of the provisions of the Act and the provisions of the Legal Metrology (Packaged Commodities) Rules, 2011.

The State Governments are taking action against selling of packaged commodities at the price higher than MRP in various States/ UTs, as the enforcement of weights and measures is done by the State Governments.

However, in the matter of Federation of Hotel and Restaurant Association of India (FHRAI) and Others in Civil Appeal No. 21791 of 2017 (Arising out of S.L.P (C) No. 27629/2015) the Hon'ble Supreme Court of India *vide* its judgment dated December 12, 2017 has allowed the appeals of FHRAI and stated that despite the constitutional amendment having been passed, the definition of "sale" contained both in the 1976 Act and now in the Legal Metrology Act, 2009 would go to show that composite indivisible agreements for supply of services and food and drinks would not come within the purview of either enactment, and that this is for the very good reason that the object for both these enactments is something quite different - the object being, as has been pointed out above, to standardize weights and measures for defined goods so that quantities that are supplied are thus mentioned on the package and that MRPs are mentioned so that there is one uniform price at which such goods are sold.

#### **Development of new system for measurement of weight**

2954. SHRI S. MUTHUKARUPPAN: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether it is a fact that Government would develop a prototype of one kilogram in next three years that will be in sync with the new definition of kilogram which is coming into effect from next May across the world;