

1. What is the fee for the registration of jewellers?
 - A) No fee is being charged from jewellers for grant of certificate or registration.
2. Is renewal of jeweller's registration needed?
 - A) Renewal of jeweller's registration is not needed as the certificate of registration is being granted as one-time registration that has a validity for lifetime.
3. What will happen to the registration of jewellers the renewal of which has become due?
 - A) With the certification of registration being granted as one-time registration, the validity of the existing jewellers' certificates will be extended upto lifetime.
4. Is it mandatory for the jewellers to send the jewellery to the AHC through the Hallmarking Portal?
 - A) Under the new hallmarking system developed for Assaying and Hallmarking activities, a provision has been enabled wherein the jewellers can send the jewellery to the AHC without using the portal and the AHC personnel will initiate the Hallmarking request instead of the Jeweller. Provision for jewellers to send the jewellery to the AHC

through the portal is also available, and it is advised that jewellers use it as the preferred option.

5. Is it necessary to re-hallmark the already hallmarked jewellery after the introduction of new Hallmark with six-digit code?

A) No; it is not necessary to re-hallmark the already hallmarked jewellery after the introduction of new hallmark with six-digit code.

6. Can the hallmarked jewellery be re-hallmarked if the hallmarked portion is damaged or erased?

A) The hallmarked jewellery can be re-hallmarked after being subjected to entire process of Assaying and only if it is found conforming to the relevant Indian Standard.

7. What happens to the validity of the hallmark on the jewellery hallmarked with six-digit code after it is returned by the customer after it was sold?

A) The hallmark on the jewellery remains valid even if it is returned by the customer after it was sold.

8. What happens to the unsold jewellery with six-digit hallmark after the jeweller decides to melt it to make a new jewellery?

A) The jeweller can melt the old jewellery to make a new jewellery and get it marked with a new six-digit code under the new hallmarking system developed for Assaying and Hallmarking before selling the jewellery. The old Hallmark with six-digit code will be disabled on receipt of the information from the jeweller.

9. Will the hallmark be valid for the entire life-time of the hallmarked jewellery?

A) Yes, the hallmark will be valid for the entire life-time of the hallmarked jewellery.

10. Jewellers can make alterations to the jewellery up to 2 grams or 50% of its weight, whichever is lower. How will it be reflected in the online system?

A) At present, there is no provision to reflect the alterations to the jewellery in the online system. At the time of Market Surveillance, however, the details of such jewellery may be cross-checked to see

that purity of the jewellery was not adversely affected after alteration.

11. Is white gold covered under mandatory hallmarking?

A) Yes, White gold alloy of 14, 18 and 22 carats is covered under mandatory hallmarking.

12. Is the jewellery with one or more metals mixed with gold covered under mandatory hallmarking?

A) If an alloy is made by mixing gold with one or more metals and if it is found conforming to the grades mentioned under the IS 1417, then the article will be covered under mandatory hallmarking.

13. When will the new grades of 20, 23 and 24 carats be permissible for hallmarking?

A) IS 1417:2016 is being amended to include 20, 23 and 24 carats of gold jewellery/artefacts in its scope. After the issue of amendment to IS 1417: 2016, the date of implementation of hallmarking on the above mentioned grades of jewellery will be notified to all the concerned stakeholders.

14.Can an AHC return the jewellery not found to be in accordance with the details of purity or weight declared by the jeweller?

A) Yes, AHC can return the jewellery not found to be in accordance with the details of purity or weight declared by the jeweller.

15.Is it permissible to hallmark the jewellery not found to be in accordance with the purity declared by the jeweller to the immediate lower grade of purity?

A) If the jewellery is not found to be in accordance with the purity as declared by the jeweller, the jewellery is rejected and sent back to the jeweller.

16.What is the information provided by the AHC in the delivery voucher?

A) The information provided by the AHC in the delivery voucher are as follows:

- Details of AHC(Name and address)
- Details of Jeweller(Name and address)
- Details of accepted items for hallmarking(Weight and Quantity of individual items
- Details of rejected items.

- Weight of Article returned, weight of cornet and weight of scrapping.

17. What information will be provided by the AHC if the entire lot of jewellery sent by a jeweller fails in the Fire Assaying?

A) On failure of the entire lot of jewellery, the details of the rejected items will be displayed in the delivery voucher.

18. When should the jeweller return the cornet? Please indicate if there is a timeframe prescribed.

A) The cornet left after assaying shall be returned to the jeweller along with hallmarked/rejected jewellery/artefacts.

19. Can a jeweller with annual turnover of less than Rs. 40 lakh sell hallmarked jewellery in the districts under mandatory hallmarking?

A) Yes, as per exemptions mentioned in the mandatory hallmarking order a jeweller with annual turnover of less than Rs. 40 lakh may sell hallmarked jewellery in the districts under mandatory hallmarking, provided he has a certificate of registration from BIS.

20. Can jewellers in the districts not under mandatory hallmarking sell the hallmarked jewellery?

A) Yes, jewellers in the districts not under mandatory hallmarking can sell the hallmarked jewellery, provided they have a certificate of registration from BIS.

21. Will the exemptions in the QCO be applicable even to the districts not covered under mandatory hallmarking?

A) The QCO shall apply only to 256 Districts mentioned in the Mandatory Hallmarking Order.

22. Since hallmarking is to be done at the first point of sale, what is the liability of the jeweller selling it, in case a deficiency is detected in the purity of the jewellery at the last point of sale (to customer)?

A) As per BIS hallmarking regulations

i) The registered jeweller getting the article hallmarked shall be responsible for purity and fineness of such article.

ii) The registered jeweller, who makes the sale shall be liable to pay compensation for any shortage in purity or fineness as per rules.

23. Can a manufacturer or jeweller or both of them put his/their mark on hallmarked jewellery?

A) Following marks on the hallmarked Jewellery are mandatory:

1. BIS Standard Mark (BIS Logo)
2. Purity in carat and fineness
3. Six digit UID number

Beside these, the manufacturer or jeweller may put his/their mark on hallmarked Jewellery/artefacts.

24. What are the responsibilities of a jeweller towards a BIS personnel visiting his/her outlet for surveillance?

A) The registered jeweller shall cooperate with the BIS representative to collect sample(s) of hallmarked gold/silver jewellery/artefacts as available for sale in the retail outlet. The sample(s) will be collected to verify its conformity to Indian Standard including the fineness marked.

25. Under what circumstances can the registration of a jeweller be cancelled?

A) Bureau may cancel Certificate of Registration if :

- (a) any declaration made by the jeweller is found to be false or incorrect;
- (b) registered jeweller has violated any of the terms and conditions of the certificate of registration;
- (c) registered jeweller has sold or offered for sale of hallmarked precious metal article of purity or fineness less than that claimed or marked on the article;
- (d) registered jeweller has failed to co-operate with the authorised representative of the Bureau to enable him to discharge his duties during the visit for surveillance or investigation of a complaint;
- (e) registered jeweller is found indulging in any unfair practices amounting to misuse of hallmark.

26. What is the procedure for the cancellation of registration

A) As per Cl. 7 of Hallmarking Regulation 2018

- (i) Before cancellation of certificate of registration, the Bureau shall give notice to the registered jeweller of its intention to cancel the certificate of registration citing reasons for the same.

- (ii) On receipt of notice the jeweller may submit an explanation to the Bureau within 14 days from the date of receipt of notice
- (iii) When an explanation is submitted, the Bureau may consider the explanation and give a personal hearing to the registered jeweller .
- (iv) In the case of compounding of the offence, the certificate shall not be processed for cancellation.
- (v) If no explanation is submitted, the Bureau may cancel the certificate of registration on the expiry of period of the notice

27. What are the provisions for appeal against an order of cancellation of registration?

A) As per section 34 of BIS Act 2016:

- (i) Any person aggrieved by an order made under section 13 or sub-section (4) of section 14 or section 17 of this Act may prefer an appeal to Director General of the Bureau within such period as prescribed.(Section 34(1) of BIS Act,2016).
- (ii) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor if the appellant satisfies the Director General that he had sufficient cause for not preferring the appeal within the prescribed period.

(iii) Every appeal made under this section shall be made in such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(iv) The procedure for disposing of an appeal shall be such as may be prescribed:

Provided that before disposing of an appeal, the appellant shall be given a reasonable opportunity of being heard.

(v) The Director General may suo motu or on an application made in the manner prescribed review the order passed by any officer to whom the power has been delegated by him.

(vi) Any person aggrieved by an order made under sub-section (1) or sub-section (vii) may prefer an appeal to the Central Government having administrative control of the Bureau within such period as may be prescribed.

28. Under what circumstances can a jeweller be fined?

A) As per Section 29 of BIS Act 2016:

(i) Any person who contravenes the provisions of sub-sections (6) or (8) of section 14 or section 15 shall be punishable with imprisonment for a term which may extend to one year or with fine which shall not be less than one lakh rupees, but may extend up to five times the value of goods or articles produced or sold or offered to be sold or affixed or applied with a Standard Mark including Hallmark, or with both:

Provided that where the value of goods or articles produced or sold or offered to be sold cannot be determined, it shall be presumed that one year's production was in such contravention and the annual turnover in the previous financial year shall be taken as the value of goods or articles for such contravention.

(ii) Further in case of retesting by customer if the purity is found to be less than the declared purity, as per Rule 49 of BIS Rules, 2018 compensation shall be paid to customer which shall be two times the amount of difference calculated on the basis of shortage of purity for the weight of such article sold and the testing charges.

29. What is the maximum fine under BIS Act, 2016?

A) As per section 29 of BIS Act 2016, Any person who contravenes the provisions of sub-sections (6) or (8) of section 14 or section 15 shall be punishable with imprisonment for a term which may extend to one year or with fine which shall not be less than one lakh rupees, but may extend up to five times the value of goods or articles produced or sold or offered to be sold or affixed or applied with a Standard Mark including Hallmark, or with both: Provided that where the value of goods or articles produced or sold or offered to be sold cannot be determined, it shall be presumed that one year's production was in such contravention and the annual turnover in the previous financial year shall be taken as the value of goods or articles for such contravention

30. What remedies are available to a jeweller against an order of fine?

A) (i) In case of decision made by honorable court the remedies as applicable in legal process are available to the jeweler.

(ii) In case of fine by BIS as per as per section 34 of BIS Act 2016, there is provision of appeal as mentioned below :

(a) Any person aggrieved by an order made under section 13 or subsection (4) of section 14 or section 17 of this Act may prefer an appeal to Director General of the Bureau within such period as prescribed.

(b) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor if the appellant satisfies the Director General that he had sufficient cause for not preferring the appeal within the prescribed period.

(c) Every appeal made under this section shall be made in such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(d) The procedure for disposing of an appeal shall be such as may be prescribed:

Provided that before disposing of an appeal, the appellant shall be given a reasonable opportunity of being heard.

(e) The Director General may suo motu or on an application made in the manner prescribed review the order passed by any officer to whom the power has been delegated by him.

(f) Any person aggrieved by an order made under sub-section (1) or sub-section (5) may prefer an appeal to the Central Government having administrative control of the Bureau within such period as may be prescribed.

31. Are the jeweller who got the Jewellery hallmarked and the AHC who hallmarked that, both of them jointly liable to be proceeded against in cases of deficient purity?

A) Yes

32. Can an AHC refuse to accept the jewellery for hallmarking due to excessive work-load or for any other reason?

A) No. However, depending on work load or any other reason the AHC can inform the jeweler that the testing will be delayed .

33. Is it necessary to re-hallmark a hallmarked imported jewellery?

A) Yes; it is necessary to re-hallmark a hallmarked imported jewellery.

34. What is an Off-Site Centre? How is it different from an AHC?

A) An Off-Site Centre is an extended arm of parent AHC and has all the facilities as required for AHC except the facilities for fire assay.

35. What will be the liability of an off-site centre in case of some malpractice?

A) The liability of an offsite centre shall be same as Assaying and Hallmarking Centre.

36. How many off-site centres can be set by an AHC in the districts not covered under mandatory hallmarking?

A) A maximum of 5 offsite centres are permitted for each parent A&H Centre having fire assay lab.

37. Can off-site centre be set up even in the districts covered under mandatory hallmarking?

A) Yes

38. What is the subsidy provided by BIS for setting up AHC or off-site centre in districts not covered under mandatory hallmarking?

A) A subsidy scheme is being proposed for providing subsidy to the tune of up to 75% of the cost of setup to open AHC or Off-site centres in the deficient areas.

39. What is the periodicity of the audit of an AHC?

A) At least two surveillance inspections have to be carried out in 3 years. A renewal audit is undertaken before each renewal.

40. What is compounding?

A) As per Section 33 of BIS Act 2016,(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence committed for the first time, punishable under this Act, not being an offence punishable with imprisonment only, or with imprisonment and also with fine, may, either before or after the institution of any prosecution, be compounded by an officer so authorized by the Director General, in such manner as may be prescribed: Provided that the sum so specified shall not in any case exceed the maximum amount of the fine which may be imposed under section 29 for the offence so compounded; and any second or subsequent offence committed after

the expiry of a period of three years from the date on which the offence was previously compounded shall be deemed to be an offence committed for the first time.

41. When can a jeweller or AHC apply for compounding?

A) A jeweler or AHC apply for compounding in case of the proposed cancellation of their registration/recognition and as per hallmarking regulations 7(6) and 13(6) in case of compounding their registration/recognition shall not be cancelled .

As per Section 33 of BIS Act 2016 (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence committed for the first time, punishable under this Act, not being an offence punishable with imprisonment only, or with imprisonment and also with fine, may, either before or after the institution of any prosecution, be compounded by an officer so authorized by the Director General, in such manner as may be prescribed:

Provided that the sum so specified shall not in any case exceed the maximum amount of the fine which may be imposed under section 29 for the offence so compounded; and any second or subsequent offence

committed after the expiry of a period of three years from the date on which the offence was previously compounded shall be deemed to be an offence committed for the first time.