

**GUIDELINES FOR GRANT, OPERATION,
RENEWAL & CANCELLATION OF CERTIFICATE
OF REGISTRATION OF JEWELLERS**

ISSUED BY

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GUIDELINES FOR GRANT, OPERATION, RENEWAL, AND CANCELLATION OF CERTIFICATE OF REGISTRATION OF JEWELLERS

1 These guidelines stipulate the procedure for Grant, Operation, Renewal, and Cancellation of Certificate of Registration. These are to be read in conjunction with BIS Act 2016, BIS Rules 2017 and BIS (Hallmarking) Regulations, 2018. In particular, the Grant, Operation, Renewal, and Cancellation of Certificate of Registration are addressed in Chapter I of BIS (Hallmarking) Regulations, 2018. Any situation, in general, not covered in these guidelines is to be dealt as per the provisions of Act, Rules and Regulations by the Regional Offices and Branch Offices.

2 GRANT OF CERTIFICATE

2.1 Any jeweller willing to obtain Certificate of Registration for Selling Hallmarked Jewellery/artefacts shall apply with self-certified copies of documents listed below from (a) to (e) with the on-line application or submit hard copies to the Branch office of BIS having jurisdiction of the area where the jeweller is located, with the application. Registration is granted to the applicant, if the application is found to be complete with all necessary documents and fees enclosed within **five working days**.

a) Proof of establishment of the firm or company (Any one of the document given below)

- i) Certificate of Registration issued by Registrar of companies along with memorandum of articles
- ii) Registered or Notarized Partnership Deed in case applicant is a Partnership Firm.
- iii) Certificate from a Chartered Accountant if applicant is a Proprietorship Firm or any other document like trade licence indicating firm as proprietorship, or
- iv) GST Registration Certificate indicating status of firm as proprietorship firm

b) Proof of address of firm's premises (Any one of the document given below)

- i) Registration with State Government Authority/ Trade Licences
- ii) GST registration certificate.
- iii) Income Tax Assessment Order
- iv) Latest Property tax receipt
- v) Rent agreement with last rent receipt
- vi) Sale/ Lease Deed agreement.

c) Proof of Identity of the signatory

i) Aadhar based verification/ e- signature

ii) Self-certified copy of any one of following documents as identity proof of signatory on the Application:

- Aadhar Card

- Driving Licence

- PAN card

- Voter Identity card

- Passport

- Identity Certificate with photo issued by Gazetted Officer on official letterhead.

d) Map indicating location of premises from nearest land mark

Location map of premises from some nearest prominent landmark for each outlet, as applicable (illustrative only).

e) Proof in regard to annual turnover

i) Self-certified copy of GST return of previous financial year, or

Certificate issued by a Chartered Accountant for Turnover, if firms/ Jewellers turnover is below 40 lakhs and he does not have GST Registration, or Balance sheet of Jeweller, dully certified by the Chartered Accountant. An undertaking may be obtained from the Jeweller that if his turnover exceeds threshold limit he will take GST Registration and will submit GST Return to BIS after completion of one financial year and difference as per actual turnover.

ii) if the firm is new, an undertaking from the firm with expected turnover and assurance to submit GST return after completion of current financial year and deposit the difference as per actual turnover.

iii) In case of corporate certificate of registration if the applicant has only one single GST return than the firm may be asked to submit certificate from Chartered Accountant mentioning the turnover of each outlet.

2.1.1 Non Acceptance of Application due to Antecedents

Under the following situations, the application made by the Applicant for obtaining certificate of registration may be rejected:

- i) Prosecution case is pending or in the process of initiating prosecution case in the trial court against the applicant or person under section 29 of the BIS Act, 2016.

- ii) Applicant has made the application immediately after the case of misuse of Hallmark or any violation under Section 14 or Section 15 of BIS Act, 2016 detected on the part of applicant.

- iii) Misuse of Hallmark or any violation under Section 14 or Section 15 of BIS Act, 2016 detected on the part of applicant after the application was made to BIS.

Note-The person(s) or firm who are falling under any one of the category mentioned at i),ii) and iii) above are **NOT** eligible to apply for certificate of registration until they are free from these charges. In case of conviction under Section 29 of the BIS Act, such person(s) or firm shall not be eligible to apply for grant of certificate of registration for a period of one year from the date of such conviction.

2.1.2 Applicant whose earlier licence/certificate of registration was cancelled or not renewed and submitting application before completion of specified cooling period.

2.1.3 Where a person(s) or firm who has been convicted under Section 29 of the BIS Act, 2016 makes an application for grant of certificate of registration, such person(s) or firm shall not be eligible to apply for grant of certificate of registration for a period of one year from the date of such conviction.

2.2 In case of Corporate Certificate of Registration, the Registered / Head Office of the jeweller firm shall apply to the nearest Branch Office (BO) of BIS for grant of Corporate Certificate of Registration along with a list of retail outlets to be covered in the Certificate with supporting documents. The BO shall grant Certificate of Registration if all outlets are falling under its jurisdiction.

2.2.1 If these outlets are falling beyond the jurisdiction of the BO as at **2.2** and may be covering several BOs, the application shall be forwarded by the BO to DDGR of the Region for grant of Certificate. This shall be irrespective of the locations of the sales outlets. The Registration will be maintained by the BO as at **2.2**. BOs having jurisdiction over such registration retail outlets shall be informed about grant of the Corporate Certificate in order to facilitate market surveillances.

2.2.1.1 Inclusion of additional outlets will be done in the same manner as above.

2.2.1.2 Every retail outlet, which has been covered under a Corporate Registration, shall be issued an independent Certificate document mentioning the address of the retail outlet.

2.3 The existing multi-chain Certificate shall be converted to Corporate Registration, if the organization so desires. Otherwise, individual Certificate shall be issued for each retail outlet covered under the multi-chain Registration. The existing Corporate Registration shall also be converted by this methodology at the earliest and certainly at the time of next renewal.

2.4 The following types of changes or in combinations thereof may occur during the operation of the Certificate of Registration:

- a) Change in address of the sales outlet (s);
- b) Change in the name of the firm;
- c) Change in the Management of the firm, with or without change in the name;and
- d) Change in the identification mark of registered jewellers.

2.4.1 In case of a),b) & c), suitable document(s) as indicated at 2.1 of this guidelines according to the type of change shall be obtained . An endorsement for change shall be given in the Certificate of registration.

2.4.2 In the case of (d), an undertaking signed by the Proprietor/Partner/Director in their letter head shall be obtained and a communication shall be sent to the registered jeweller stating that the change has been noted in our records.

3 DISPLAY REQUIREMENTS IN SALES OUTLET

3.1 On the outside of the sales outlet, the registered jeweller shall display the logo of BIS with the wording “Hallmarked Jewellery available for sale” as shown



Hallmarked Jewellery
Available for Sale

3.2 The certificate of registration issued by the BIS for sale of hallmarked articles shall be displayed prominently in the sales outlet.

3.3 Inside the sales outlet, the following information shall be displayed prominently:

3.3.1 Marking (components of hallmark) to be seen on Hallmarked article.

3.3.2 Magnifying glass of minimum 10X magnification is available for customers to verify the details of the Hallmark on the jewellery/artefact.

3.3.3 Weighing balance of 0.01 g accuracy available for verification of the weight of the jewellery/artefact;

3.3.4 Contact details of BIS office for any query or complaint; and

3.3.5 Hallmarking charges –Paid by the jeweller firm/ manufacturer

- Rs. 35 per article (or as decided by BIS from time to time) for gold jewellery / artefacts.

- Rs. 25 per article (or as decided by BIS from time to time) for silver jewellery/artefacts

NOTE- Each outlet shall have a magnifying glass of minimum 10 X magnification and a balance of accuracy 0.01 g capable of weighing the jewellery.

4 RENEWAL OF CERTIFICATE OF REGISTRATION

The registered jewellers shall submit renewal application along with fee as prescribed in Hallmarking Regulation, 2018. In case renewal application is not received before the expiry of validity of the certificate of registration, the certificate of registration shall stand expired.

5 MARKET SURVEILLANCE AND COLLECTION OF SAMPLE(S)

5.1 BO shall draw market samples of hallmarked jewellery/artefacts in a year from the registered jeweller under their jurisdiction. While drawing plan for drawl of market samples, it shall be ensured that maximum number of A&H centres are covered to avoid repetition as far as possible.

5.2 The registered jeweller shall assist 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. The registered jeweler shall provide the samples of hallmarked jewellery as and when demanded by BIS officials.

5.3 The samples shall be drawn either by cutting or drilling or scrapping. The samples shall be sent to a BIS referral labs. In case of non-acceptance by BIS labs, the samples may be sent to any other BIS approved referral lab. The lab after testing shall return the cornet and remnants, if any to the BO. The BO shall return the cornet and remnants, if any to the jeweller firm/manufacturer..

5.4 Sample of 3 g in case of gold jewellery/artefact and 20 g in case of silver jewellery/artefact, shall be drawn for testing, and divided into two equal parts. One part of sample shall be packed in a durable packing material, coded, duly sealed with official seal of BIS and signed by BIS officials and the representative of the registered jeweller. The second part of the sample containing the details of hallmark shall also be packed, coded, sealed and signed in the similar manner and labeled as counter sample. The counter sample shall be retained by the sales outlet till such time the test report is

received and the registered jeweler agrees with the test report and does not wish to dispute the same. In case of testing of sample of silver jewellery/artefact, there will be no remnant.

5.5 A credit note Doc. HM/JWLR/F 1.1 December 2019 as enclosed at **ANNEX A** will be issued by the Bureau against the value of sample drawn for the testing and not for the counter sample which is to be retained at the jewellers end. The value shall be determined after weighing the sample being taken for testing before it is sealed. The weight shall be multiplied with the rate of precious metal prevalent on that day as maintained by the jeweller in his sales outlet and the sum of money shall be recorded in the market surveillance report jointly signed by the jeweller and Bureau's representative. If the cornet of gold after testing is returned to the Jeweller by the Bureau, the debit shall be recorded in the credit/debit note proforma as enclosed at ANNEX A along with dispatch details.

5.6 The BIS official shall fill up the Market Surveillance Report, in the format Doc. HM/JWLR/F 1.2 December 2019, as enclosed at **ANNEX B**. The sample may be sent to the referral lab by insured parcel or in person by BIS officials. Under no circumstance, the registered jeweller shall be advised to submit/dispatch sample directly to a laboratory. A copy of test request shall be enclosed with the sample. Test shall be done according to the relevant Indian Standard.

5.7 On failure of sample in independent laboratory, if registered jeweller does not agree with the results obtained and provide proper justification, testing of counter sample may be permitted with the approval of DDGR for which double the testing charges shall be paid in advance by the registered jeweler. The test results of the counter sample shall be acceptable to the firm and no further testing will be allowed. This shall be made clear to the jeweller firm before undertaking the testing of the counter sample. However, Head BOs may allow testing of counter samples when the original sample is damaged or lost in transit due to bonafide reasons.

5.8 If the registered jeweller is not complying with one or more requirements given under 3 of this Guidelines, a warning letter will be issued on the first reported non-compliance and the jeweller shall be advised to submit their corrective action along with the evidence within thirty days.

5.8.1 In case, the jeweller has not complied with the instructions within the stipulated time, another warning may be issued by the Head BO with an advice to comply with the requirement within 14 days. In case no response even for this communication is received, further action towards cancellation/non-renewal may be initiated.

5.8.2 If the jeweller submits the corrective actions along with evidence then the same may be accepted and no further action required. Otherwise, at the discretion of Head BO, the corrective actions may be verified through visit, if required and the non-compliance repeats during such visit then further action towards cancellation/non-renewal may be initiated.

6 ACTION ON FAILURE OF MARKET SURVEILLANCE SAMPLES

6.1 All the test reports indicating failure shall be communicated to the registered jeweller with a copy of the test report within 7 days from receipt of test report and advising to explain reasons for failure to BIS within 30 days of its receipt.

6.2 When the sample fails by more than 40 ppt shortage in fineness, the case shall be put up to the DDGR for cancellation or non-renewal of the certificate after following due procedure. In case of Corporate Registration the case shall be put up to DDGR for withdrawing the certificate issued to that particular outlet after following due procedure.

6.3 When the sample fails in shortage in fineness of above 5 ppt upto and including 40 ppt on the marked fineness irrespective of the presence of prohibited elements, on receipt of explanation/corrective actions from the jeweller within 90 days from the date of intimation of failure, a random sample shall be drawn for independent testing from an improved hallmarked lot as declared by certified jeweller and sent for testing.

6.3.1 If the sample drawn is passing as per relevant standard, normal operation of certificate may be allowed to continue.

6.3.2 If the sample drawn is failing with shortage in purity/fineness, the certificate shall be processed for cancellation or non-renewal of certificate after following due procedure.

Note- In case, the improved sample drawn fails in fineness above 2 ppt upto and including 5 ppt and/or presence of prohibited elements(in case of silver, shortage in fineness is upto and including 5 ppt of the marked fineness and/or presence of prohibited elements), another chance shall be given to the jeweller to offer improved sample. In case the improved sample drawn fails the case shall be processed for cancellation or non-renewal of certificate after following due procedure.

6.4 Sample fails in shortage in fineness of above 2 ppt upto and including 5 ppt on the marked fineness and/or presence of prohibited elements(in case of silver, shortage in fineness is upto and including 5 ppt of the marked fineness and/or presence of prohibited elements)

- on receipt of explanation/corrective actions from the jeweller within 90 days from the date of intimation of failure, a random sample shall be drawn for independent testing from an improved hallmarked lot as declared by registered jeweller and sent for testing.

- If the sample drawn is passing as per relevant standard, normal operation of certificate may be allowed to continue.

- If the sample drawn is failing with shortage in fineness and/or presence of prohibited elements, the failure enclosing copy of the Test Report shall be communicated, to the registered jeweller, calling for explanation, giving 14 days' time and advising him to take suitable corrective actions under intimation to BIS.

- On receipt of explanation/corrective actions and within 90 days from the date of intimation of failure, a random sample shall be drawn for independent testing from an improved hallmarked lot as declared by registered jeweller and sent for testing.

- If the sample drawn is passing as per relevant standard, normal operation of certificate may be allowed to continue. If the sample drawn is failing with shortage in purity/fineness and/or presence of prohibited elements, the certificate shall be processed for cancellation or non-renewal of certificate after following due procedure.

Note- In case the improved sample drawn fails in fineness above 5 ppt, the case shall be processed for cancellation or non-renewal of certificate after following due procedure.

7 ACTION ON UNFAIR PRACTICES

7.1 The certificate of registration shall be processed towards cancellation for the situations stipulated in Hallmarking Regulations, 2018.

7.2 Hallmarking Regulation, 2018 stipulates unfair practices amounting to misuse of hallmark which may lead to cancellation of the certificate of registration. The unfair practices is not limited to, but may include one or more of the following situations:

- a) Hallmarking done from non-recognized A&H Centre;
- b) Counterfeiting of Hallmark on articles;
- c) Sale of articles with incomplete Hallmark; and

8 OTHER OBLIGATION TO REGISTERED JEWELLER

8.1 The registered jeweller may ensure that the jewellery/artefact which bears any marking including "KDM" or fineness/caratage are not sent to A & H centre for hallmarking. Similarly the medallions which resemble with currency of any country may not be sent to A & H centre for hallmarking.

8.2 The registered jeweller shall submit the precious metal articles to the A&H centre with a request for hallmarking in writing for each consignment as prescribed in Hallmarking Regulations, 2018. An indicative format Doc. HM/JWLR/F 1.3 December 2019 is enclosed at **ANNEX C**.

8.3 "In addition to the indication of separate description of each article, net weight of precious metal, purity in carat and fineness, and hallmarking charges in the bill or invoice of sale of hallmarked precious metal articles as specified in BIS (Hallmarking) Regulations, 2018, the bill or invoice of sale of hallmarked precious metal articles shall also mention that the consumer can get the purity of the hallmarked jewellery/artefacts

verified from any of the BIS recognized A&H centre. The list of BIS recognized A&H centre along with address and contact details is available on the website www.bis.gov.in

9 COMPENSATION FROM JEWELLER IN CASE OF FAILURE OF SAMPLE

9.1 The registered jeweller shall be fully responsible for the declared fineness of Hallmarked jewellery/artefacts sold by it and redress any complaint on sub-standard quality received on the sold item(s). The Jeweller shall liable to pay compensation for any shortage in purity or fineness to the buyer as per clause 49 of BIS Rules 2018 if a Hallmarked jewellery/artefact sold by him is found substandard on testing at a referral laboratory.

9.2 If the registered jeweller does not redress a complaint about sale of Hallmarked jewellery/artefact found substandard on test at a BIS referral laboratory, their case shall be put up to the DDGR for cancellation or non-renewal of the certificate after following due procedure.

10 PROVISION OF APPEAL

Any person aggrieved by an order made under sub-section (4) of section 14 of the BIS Act, 2016 may prefer an appeal as prescribed in BIS Rules, 2018.

BUREAU OF INDIAN STANDARDS

CREDIT/DEBIT NOTE FOR PURCHASE OF HALLMARKED SAMPLE

A) CREDIT DETAILS:

Sl.No.	Particulars	Observations
1	Registration No.	
2	Name of the Jeweller	
3	Date of visit	
5	Fineness	
6	Weight of the sample taken for testing	
7	Rate of the sample drawn	
8	Amount	

Signature of the firm representative	Signature of the BIS official
Name	Name
Designation	Designation
Date	Date

B) DEBIT DETAILS:

Signature of the firm representative	Signature of the BIS official
Name	Name
Designation	Designation
Date	Date

BUREAU OF INDIAN STANDARDS**REPORT OF SURVEILLANCE ON CERTIFIED JEWELLER**

Sl.No	Particulars	Observations during assessment
1	Certified Jeweller's name	
2	Certified Jeweller's address:	
3	Date of Visit	
4	Certificate No: IS 1417/ IS 2112	
5	Valid up to:Gold/Silver	
6	Person contacted	
7	Check whether address of sales outlet is the same as stated in the Certificate	YES/NO
8	Check whether following requirements are displayed:	Mark ✓
	a) BIS Standard Mark with necessary wording outside the sales outlet	
	b) Original Certificate issued by BIS	
	c) Components of Hallmark and correlation between fineness and corresponding caratage	
	d) Availability of Magnifying glass of 10X magnification (check physical availability also)	
	e) Availability of calibrated balance for verification of weight by Customer (check physical availability also)	
	f) Hallmarking charges per article as fixed by BIS	
	g) Maintenance of Records, as applicable.	
9.	Markings on hallmarked jewellery/artefacts: a) Completeness of four marks b) Legibility of the marking	
10	SAMPLE DETAILS	

	a) Description of the article & weight	
	b) Markings on the article i) BIS Standard mark ii) Marked purity in carat & fineness iii) Name of A&H Centre, iv) Jeweller's Identification Mark	
	c) Weight of sample	
	d) Weight of counter sample	
	e) Code as written on sample	
	f) Code as written on counter sample	
	g) Impression of seal applied on the sample	
11	Return of gold sample remnant /cornet after testing: a) To be collected by the representative of the Jeweller from BO : Yes/No b) if No, the cornet will be sent by insured parcel to the Jeweller	
The sample is sealed and being taken to BIS office by BIS Representative. Counter sample duly sealed is being retained with the sales outlet. The above article has been hallmarked by _____ (Name of A&H Centre & place shall be indicated).		
12	Discrepancy Observed, if any	
13	Remarks, if any	

Signature of the firm representative	Signature of the BIS official
Name	Name
Designation	Designation
Date	Date

REQUEST FOR HALLMARKING

a) Name & Address of the registered jeweller:

b) Registration No. :

c) Identification mark:

d)

Sl. No	Type of article (each consignment)	Nos	Weight*	Declared Purity	Remarks

* weight of each type of article or overall weight of consignment

Name & Signature of Authorized Representative of Jeweller with date