

**भारतीय मानक ब्यूरो**  
(हॉलमार्किंग विभाग)

हमारा रेफरी: एचएमडी (14:44)

04 अक्टूबर 2018

विषय: जेवेलर पंजीकरण, हॉलमार्किंग केंद्रों, की मान्यता और संचालन और रिफाइनरियों या मिंट के लाइसेंसिंग के लिए दिशानिर्देश।

सक्षम प्राधिकारी द्वारा अनुमोदित उपर्युक्त विषय पर दिशानिर्देश और परिपत्र सभी क्षेत्रीय कार्यालय/ शाखा कार्यालय के कार्यान्वयन के लिए संलग्न हैं।

इंद्रजीत सिंह  
वैज्ञानिक - सी/ एचएमडी

प्रमुख, हॉलमार्किंग

सभी क्षेत्रीय कार्यालय/ शाखा कार्यालय के लिए प्रसारित

प्रतिलिपि : आईटीएसडी इंटरनेट पर होस्टिंग के लिए

**Bureau of Indian Standards**  
(Hallmarking Department)

Our Ref: HMD(14:44)

04 October 2018

Subject: Guideline for Jeweller Registration, Recognition & Operation of Assaying & Hallmarking Centres and Licensing of Refineries or Mint.

The Circular and the guidelines on the above subject as approved by the Competent Authority are attached herewith for implementation by all ROs/BOs.

Inderjeet Singh  
Scientist C /HMD

**Head (HMD)**

**Circulated to all ROs/ BOs**

**Copy to : ITSD for hosting on the Intranet**

**BUREAU OF INDIAN STANDARDS**  
**(Hallmarking Department)**

**Our Ref: HMD/14:7**

**04-10-2018**

Subject: Guidelines for Jeweller Registration, Recognition & Operation of Assaying & Hallmarking Centres and Licensing of Refineries or Mint

BIS is operating hallmarking scheme for Certificate of Registration for use of hallmark on gold and silver jewellery, Recognition of Assaying and Hallmarking centres and Grant of Licence to Refineries or Mint as per BIS Hallmarking Regulations, 2018.

**2** To ensure uniformity in the operation of hallmarking scheme as per BIS Hallmarking Regulations, 2018, the following guidelines have been approved by Competent Authority:

Sl. No.	Title	Document No.& Date
a)	Guidelines for grant, operation, renewal & cancellation of certificate of registration of jewelers	HM / Jeweller / Guidelines / 1, September 2018
b)	Guidelines for recognition and operation of assaying and hallmarking centre	HM / A & H / Guidelines / 2, September 2018
c)	Guidelines for grant, operation, renewal and cancellation of Licence for refinery or mint	HM / Refinery or Mint / Guidelines/3, September 2018

**3** The above mentioned guidelines supersede the provisions of the following DGOs and accordingly these DGOs are withdrawn:

Sl. No.	Title	Document No.& Date
a)	Reorganization of supervision of Assaying & Hallmarking Centers and Jewellers and Revision of Forms and Formats	BIS/DGO(364)/2014, 03 April 2014
b)	Policy for Recognition and Operation of Assaying & Hallmarking Centres and Agreement between Assaying & Hallmarking Centres and BIS	BIS/DGO(376)/2014, 12 May 2014
c)	Policy for Licensing of Jewellers and Agreement between Jewellers and BIS	BIS/DGO(377)/2014, 12 May 2014

**4** Failures received after the issuance of BIS Hallmarking Regulations, 2018 may be dealt in accordance with these guidelines.

**5** Every attempt has been made to provide guidelines to the various situations, but may new situations may arise, which are not covered by the guidelines outlined here. In such cases the general principles of product certification shall be applied by Head BO with proper recording of justification and decision shall be taken with concurrence of DDGR. Such decisions with full background shall be informed to DDG(Hallmarking) for determining whether it requires any policy guideline for uniform application on all Indian basis.

**6** DDGRs and Head BOs are requested to bring these guidelines to the notice of all concerned for implementation with immediate effect.

**DDG(Hallmarking)**

To  
All ROs/BOs & DDGRs/Head(BO)

  
**(Manju Gupta)**  
Head(Hallmarking)

**GUIDELINES FOR RECOGNITION & OPERATION  
OF ASSAYING & HALLMARKING CENTRES**

**ISSUED BY**

**BUREAU OF INDIAN STANDARDS,  
9, BAHADUR SHAH ZAFAR MARG,  
MANAK BHAWAN,  
NEW DELHI**

## **GUIDELINES FOR RECOGNITION & OPERATION OF ASSAYING AND HALLMARKING CENTRES**

### **1 GENERAL**

These guidelines stipulate the procedure for Grant, Operation, Renewal, Suspension and Cancellation of Recognition of Assaying and Hallmarking (A&H) Centres. These are to be read in conjunction with BIS Act 2016, BIS Rules 2018 and BIS (Hallmarking) Regulations 2018. In particular, the Grant, Operation, Renewal, and Cancellation of Certificate of Recognition are addressed in Chapter II 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 RECOGNITION**

**2.1** Any assaying centre set up in accordance with requirements specified in IS 15820 :2009 for assaying and hallmarking of gold and /or silver jewellery / artefacts, shall apply with self-certified copies of documents listed below from (a) to (f) to the Regional office of BIS having jurisdiction of the area where the A&H centre, with the application.

#### **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 Partnership Deed in case applicant is a Partnership Firm.
- iii) Certificate from a Chartered Accountant if applicant is a 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) 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) Quality manual of the A&H Centre prepared based on the Generic Quality Manual provided by BIS**

**f) Affidavit cum undertaking as specified in regulations**

**2.1.1 Non Acceptance of Application due to Antecedents**

Under the following situations, the application made by the Applicant for obtaining recognition 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 Hall Mark 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 applicant 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 recognition until they are free from these Charges. In case of conviction under Section 29 of the BIS Act, such applicant or firm shall not be eligible to apply for grant of recognition for a period of one year from the date of such conviction.

**2.1.2** Applicant whose earlier recognition was cancelled or not renewed and submitting application before completion of cooling period specified.

**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 certificate of recognition, such person(s) or firm shall not be eligible to apply for grant of recognition for a period of one year from the date of such conviction.

**2.2** After recording the application, a Recognition Assessment of the A&H Centre (of 4 man-days duration i.e. by a team of two officers for two days either for gold or gold & silver) preferably within 15 days of recording the application to determine whether the A&H Centre has created the necessary infrastructure for assaying and hallmarking according to IS 15820:2009 shall be carried out.

**2.3** If the assessment report is found in order, HMO shall prepare the proposal for grant of recognition and put up to the DDGR as per Hallmarking Regulations 2018. Recognition will be granted by the DDGR in respect of gold and/or silver hallmarking.

**2.3.1.** In case the discrepancies are observed during the assessment a followup assessment may be made to verify the corrective actions made. In case the discrepancies can be ensured through documents only than the same may be made on desktop basis.

**2.4** Recognition shall be granted as per IS 15820:2009 with scope defined as:

**2.4.1** For Gold Jewellery / artefacts (as per IS 1417)

a) for yellow gold jewellery / artefacts only;

b)for white gold jewellery / artefacts only( Nickel based);

c) for white gold jewellery / artefacts only ( Palladium based); and

d) for combination of all above ( a to c)

**2.4.2** For Silver Jewellery / artefacts (as per IS 2112)

**2.5** Scope of recognition of an A&H centre may be considered for extension on request from the centre with relevant details of equipment and manpower. Scope may be extended through assessment by two man-days (one auditor for two days). If requested by an A&H centre, such assessment may be combined with renewal assessment. An endorsement for extension of scope shall be given in the Certificate of Recognition.

**2.6** The following types of changes or in combinations thereof may occur during the operation of the Certificate of recognition:

- a) Change in address of the premises;
- b) Change in the name of the Centre;
- c) Change in the Management of the Centre, with or without change in the name; and
- d) Change in the Logo of the Centre

For the above situations, the following type of actions shall be taken:

**2.6.1** In the case of (a) , the Centre shall inform the complete address of the new premises to which they intend to shift their centre and also intimate suspension of Hallmarking at the old premises to the Bureau. If they have not done so, suspension of Hallmarking at the old premises shall be imposed in accordance Hallmarking Regulations, 2018. Revocation of suspension shall be carried out in accordance Hallmarking Regulations, 2018. An endorsement for change in address shall be given in the Certificate of Recognition.

**2.6.2** In the case of (b), the relevant document(s) as indicated at 2.1 of this guidelines according to the type of change shall be obtained. An endorsement for change in name of the Centre shall be given in the Certificate of Recognition.

**2.6.3** In the case of (c), suitable documents establishing the name/ownership of the Centre premises by the new management are to be obtained and other required documents as indicated in at 2.1 of this guidelines according to the type of change shall be submitted by the new management. An endorsement for change in name of the Centre shall be given in the Certificate of Recognition.

**2.6.4** In the case of (d), an undertaking signed by the Proprietor/Partner/Director in their letter head along with the copy of revised quality manual incorporating the new logo shall be obtained. After the approval from DDGR for the change of logo, a communication shall be sent to the centre to this effect.

### 3 HALLMARKING FEE

Hallmarking fee to the BIS as specified Hallmarking Regulations, 2018 shall be payable by the centre by 10<sup>th</sup> of the following month, failing which necessary action shall be initiated as per Hallmarking Regulations, 2018.

### 4 RENEWAL OF RECOGNITION

**4.1** On receipt of renewal application from the A&H centre with fees and all enclosures, a renewal assessment in line with Hallmarking Regulations, 2018 shall be arranged of the A&H Centre of 2 man-days duration (i.e. one officer for two days) .

**4.2** If the renewal assessment report is found in order, HMO shall prepare the proposal for renewal of recognition subject to fulfillment of respective requirements and put up to the DDGR. Renewal will be done by the DDGR in respect of gold and/or silver hallmarking.

**4.3** In case discrepancies are observed in the renewal assessment, the A&H centre shall be advised to take necessary actions within stipulated time and submit the same to BIS verification. A follow up assessment may be planned by BIS for verification of the corrective actions if required.

**4.3.1** In case the compliance to the discrepancies observed during the renewal assessment could not be completed before the validity of the recognition either through follow-up visit or on desktop basis due to the delay from A&H Centre, action for deferment of renewal shall be taken immediately upto a period of six months from the date of validity as per Hallmarking Regulations, 2018. The renewal shall subsequently be considered after ensuring the compliance to the discrepancies observed.

**4.3.2** If renewal of recognition is pending with BIS due to any reasons which can not be assigned to the A&H centre, though renewal application along with requisite fee and documents have been received before the expiry of validity of recognition, the A&H centre will be allowed to function as recognized centre till a decision on the renewal is taken by BIS.

**4.4** The renewal of recognition may also be considered **without assessment** subject to the fulfillment of the following conditions in the operative period of three years:

- a) All surveillance inspections have been assessed as satisfactory (at least two surveillance inspections shall have been carried out) ; and
- b) No suspension of hallmarking have been imposed for the reasons stated at clause **5.3 & 5.5** of this guidelines.



## **5 ACTION ON FAILURE OF MARKET SURVEILLANCE SAMPLES**

**5.1** Suspension of Recognition granted by the BIS shall be done in accordance with provisions of Hallmarking Regulations, 2018 in situations given below:

“non-conformity of hallmarked precious metal articles established after in-house or independent testing”

**5.2** Cancellation or non-renewal of recognition of an assaying and hallmarking centre may be done in accordance with Hallmarking Regulations, 2018 in situations given below :

“articles marked with hallmark do not comply with the relevant Indian Standard;”

**5.3** To implement the provision of Hallmarking Regulations, 2018 specified at 5.1 and 5.2 above , guidelines given below shall be followed:

### **5.3.1 Shortage in fineness above 40 ppt**

If the failure of hallmarked article is observed with shortage in fineness of more than 40 ppt, the recognition shall be processed for cancellation with applicable cooling period as per Hallmarking Regulations, 2018.

### **5.3.2 Shortage in fineness above 5 ppt upto and including 40 ppt of the marked fineness**

If the failure of hallmarked article is observed with shortage in fineness above 5 ppt upto & including 40 ppt of the marked fineness irrespective of presence of prohibited elements or not, the recognition shall be put under suspension as per provision of the Hallmarking Regulations, 2018 on the first instance itself.

### **5.3.3 Shortage 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)**

**5.3.3.1** If it is the first failure, failure to be communicated to A&H Centre advising them to take corrective actions under intimation to BIS. In case more than one failure received and the samples are drawn on the same date, then these failures shall be considered as first failure.

**5.3.3.2** If it is the second failure, check number of pass samples & total samples drawn during last one year (one year previous to last sample drawl date) and calculate the pass percentage.

(a) If pass percentage is 60 % or above, failure to be communicated to A&H Centre advising them to take corrective actions under intimation to BIS.

(b) If pass percentage is less than 60 %, recognition shall be put under suspension as per provision of the Hallmarking) Regulations, 2018.

**5.3.3.3** If it is the third failure, check number of pass samples & total samples drawn during last one year (one year previous to last sample drawl date) and calculate the pass percentage.

(a) If pass percentage is 60 % or above, failure to be communicated to A&H Centre advising them to take corrective actions under intimation to BIS.

(b) If pass percentage is less than 60 %, recognition shall be put under suspension as per provision of the Hallmarking Regulations, 2018.

**5.3.3.4** If it is the fourth failure in shortage in fineness above 2 ppt & upto and including 5 ppt from the marked purity and/or presence of prohibited elements during last one year (one year previous to last sample drawl date) recognition shall be put under suspension as per provision of Hallmarking Regulations irrespective of number of pass samples.

**5.4** In case of situation where the Centre has been issued suspension for three times due to failure of hallmarked articles in an operative period of three years of recognition, the recognition shall be processed for cancellation as per provision of Hallmarking Regulations, 2018

## **5.5 Issues arising out of Surveillance Assessments**

**5.5.1** The recognition shall be put under suspension for the situations stipulated in Hallmarking Regulations, 2018.

**5.5.2** Hallmarking Regulation, 2018 stipulates non implementation of the provision of relevant standard which may lead to suspension of hallmarking. The non implementation of the provision of relevant standard is not limited to, but may include one or more of the following:

a) Non-functioning of test equipment, namely XRF machine, weighing balances, furnaces (cupellation, annealing);

b) Prima-facie evidence suggests that test results reported by A&H Centre are not genuine / valid; and

c) Non-availability of proper record for a particular lot(s) of hallmarked articles;

## **5.6 OTHER OBLIGATION TO A & H CENTRE**

**5.6.1** The A&H Centre shall also accept hallmarked jewellery from a consumer for verification of purity and issue report of assaying giving proper identification as marked on the article.

**5.6.2** The Assaying and Hallmarking Centre shall not accept such jewellery/artefact which bears any marking including “KDM” or fineness/caratage. No other mark shall be applied on Hallmarked jewellery / artefact. The A&H Centre shall not use hallmark on such medallions/coins which resemble with currency of any country.

**5.6.3** Jewellery / artefacts, which on analysis by XRF machine found to have a negative variance of more than 5 ppt from the declared value of fineness, shall not be accepted for further assaying. Such item(s) shall be returned to the jeweller without assaying and hallmarking.

**5.7** Since one single recognition is operated for gold and silver hallmarking, case warranting suspension of hallmarking only due to gold or silver, the same will be treated separately, for instance, in case of failures in silver only, suspension of marking shall be imposed only on silver hallmarking. Similarly, in case of failure of only gold, suspension of marking shall be imposed only on gold hallmarking. In case, the action is initiated as per clause 5.3.1 of this guidelines then the deletion of the particular variety from the scope of recognition may be considered based on the merit of the case.

## **6 RETENTION OF CORNETS / CLOSED CIRCUIT TV (CCTV) BACKUP**

The check assay gold cornets shall be retained with proper identification and traceability for last 30 Assaying. The cornet left after assaying along with hallmarked/rejected jewellery/artefacts shall be returned to the jeweller. The Centre shall ensure that the CCTV with back up facility is available for minimum 30 days storage.

## **7 TESTING OF COUNTER SAMPLE**

On communication to the A&H centre regarding the failure of sample in independent laboratory and if the A&H centre does not agree with the results obtained, the centre may contact the concerned registered jeweller from where the sample was drawn who in turn will make formal request to BO with proper justification for testing the counter sample at BIS referral lab. BO shall seek DDGR’s approval for testing the counter sample for which double the testing charges shall be paid in advance by the registered jeweller.

## **8 FORMATS OF VARIOUS ASSESSMENT REPORTS, TEST REPORTS AND DISCREPANCY REPORTS**

**8.1** The following formats are enclosed which may be used during the operation of the A&H centre:

a) Report on Recognition / Renewal Assessment of A & H Centre, Doc. HM/AHC/F 2.1 September 2018- **ANNEX A**;

b) Report on Surveillance Assessment, Doc.HM/AHC/F 2.2 September 2018-**ANNEX B**;

c) Report on Special Assessment, Doc. HM/AHC/F 2.3 September 2018-**ANNEX C**;

d) Discrepancy/Variation Report Issued During Assessment of A&H Centre, Doc. HM/AHC/F 2.4 September 2018 – **ANNEX D** ; and

e) Test Report as per IS 1418:2009 / IS 2113:2014, Doc. HM/AHC/F 2.5 September 2018 – **ANNEX E**.

## **9 PROVISION OF APPEAL**

**9.1** Any person aggrieved by an order made under section 13 of the Hallmarking regulations, 2018 may prefer an appeal to the Director General within ninety days from the date of the order:

Provided that if the appellant satisfies the Director General that he had sufficient cause for not preferring the appeal within the period so specified, the appeal may be admitted after the expiration of the said period of ninety days.

**9.2** Every appeal shall be filed in duplicate and shall be accompanied by a self attested copy of the order appealed against.

**9.3** Every appeal shall be accompanied by a fee of two thousand rupees in the form of a demand draft or pay order or E transfer, drawn in favour of the Bureau.

**9.4** The Director General may call for relevant documents from the appellant and may after such inquiry in the matter as he considers necessary and after giving an opportunity to the parties to be heard, pass such orders as he thinks fit:

Provided that the appeal shall be disposed of within a period of ninety days from the date of its filing.

**9.5** The Director General may, suo-moto, or on an application made in the form as specified by the Bureau from time to time, review and reconsider any order passed by an officer to whom the powers have been delegated by him and may confirm, modify or set aside the orders passed by such officer after the review.

**9.6** Any person aggrieved by an order passed by the Director General may prefer an appeal to the Central Government in the Ministry having administrative control of the Bureau within a period of sixty days from the date of such order.

**BUREAU OF INDIAN STANDARDS**

**Report on Recognition / Renewal Assessment of Assaying and Hallmarking Centre**

<b>1.</b>	<b>General Information</b>																									
	<b>Particulars</b>	<b>Observations during assessment</b>																								
i)	Name & address of the Assaying and Hallmarking Centre with PIN code & complete address including phone and e-mail																									
ii)	Application No.																									
iii)	Date(s) of Assessment																									
iv)	Persons present during assessment																									
<b>2.</b>	<b>Implementation of IS 15820:2009 (refer clauses of the Standard as mentioned below for auditing)</b>																									
i)	Verification of Centre's Layout: (5.3 of IS 15820) ( to be verified with documents submitted by the applicant along with the application)																									
ii)	Details of Management Review meeting/Internal Quality Audit ( for Renewal)																									
ii)	<p>Verification of availability of trained &amp; competent manpower resources: (4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.1.11, 4.1.12, 4.1.13, 5.2.2, 5.2.3, 5.2.4 &amp; 5.2.5) (competency shall be assessed through observations of practical work, namely sample collection, weighing, XRF machine operation, fire assay)</p> <p><u>Append details as Annexure A in format as below:</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Sl. No.</th> <th style="width: 20%;">Name &amp; Designation</th> <th style="width: 20%;">Qualification, Academic &amp; Professional</th> <th style="width: 15%;">Experience &amp; Training</th> <th style="width: 10%;">Competent Yes /No</th> <th style="width: 25%;">Remarks</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p style="text-align: right;">Signature of Auditor(s)</p>		Sl. No.	Name & Designation	Qualification, Academic & Professional	Experience & Training	Competent Yes /No	Remarks																		
Sl. No.	Name & Designation	Qualification, Academic & Professional	Experience & Training	Competent Yes /No	Remarks																					
iii)	Availability of latest versions* of IS 15820, 1417, 1418, 2112, 2113 (*strike off which are not applicable)																									

iv)	Equipment/ Instrument & Infrastructure (for sampling; assaying; Hallmarking; power, safety & security):(4.1.6, 5.3.2, 5.4.2, 5.4.3, 5.4.4, 5.6)																												
	<u>Append details as Annexure B in format as below:</u>																												
	<table border="1"> <thead> <tr> <th data-bbox="289 359 367 495">Sl. No.</th> <th data-bbox="367 359 570 495">IS 1418/2113 Cl. Ref</th> <th data-bbox="570 359 797 495">Details of equipment/ Instrument with Nos</th> <th data-bbox="797 359 927 495">Make &amp; Sl. No</th> <th data-bbox="927 359 1122 495">Range &amp; accuracy (least count)</th> <th data-bbox="1122 359 1300 495">Calibration status</th> <th data-bbox="1300 359 1463 495">Remarks</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Sl. No.	IS 1418/2113 Cl. Ref	Details of equipment/ Instrument with Nos	Make & Sl. No	Range & accuracy (least count)	Calibration status	Remarks																					
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	Signature of Auditor (s)																												
v)	<p>Capability of XRF tester capable to detect Cd, Ir &amp; Ru in Gold or Cd &amp; Pb in Silver articles (5.4.2 &amp; 5.4.3): Verify manufacturer/supplier certificate &amp; report on availability of SRMs/software for Cd, Ir, Pb &amp; Ru</p> <p><u>Append copy as Annexure C.</u></p>																												
vi)	Availability of water & other chemicals (Annexure A-2/Annexure B-2)																												
vii)	<p>Availability of certified reference material (CRM) (5.6) (certificate from Govt of India Mint or NABL accredited Lab):</p> <p><u>Append copy as Annexure D</u></p>																												
viii)	Has a Test Report proforma developed & it covers all requirements of IS 1418/2113 (5.10.1)																												
ix)	<p>Whether the applicant has participated in Inter Laboratory Proficiency Testing Programme (5.9.1) :</p> <p><u>Append details as Annexure E in the following format:</u></p> <table border="1"> <thead> <tr> <th data-bbox="289 1587 367 1654">Sl. No.</th> <th data-bbox="367 1587 919 1654">Name of Centre &amp; Place</th> <th data-bbox="919 1587 1170 1654">Date of Test</th> <th data-bbox="1170 1587 1349 1654">Result</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Sl. No.	Name of Centre & Place	Date of Test	Result																								
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x)	Arrangements for receiving of articles, their handling, storage, coding for testing (5.8)																												

xi)	Arrangements for sampling (5.7)	
xii)	Arrangements for sampling, assaying, storage of articles during assaying (5.4)	
xiii)	Arrangements for rejection and return of rejects (5.4.5)	
xiv)	Hallmarking (5.4.6)  Whether access to Laser Marking machine is controlled  Whether laser marking on articles marked legible	
xv)	Arrangement for ensuring impartiality, integrity, confidentiality, independence of judgement in relation to XRF testing, assaying and Hallmarking activities	
3.	<b>Testing and assaying during assessment</b>	
i)	Draw samples randomly from stock of articles available with the applicant and get them tested.  a) XRF testing (assess capability of XRF machine for purity, detection of Cd, Ir, Ru and Pb). Check Min. 5 samples each, from two different lots;  b) Fire assay : minimum 2 samples( one each from two different lots) in duplicate)	
4.	<b>Past Performance (applicable only in case of Renewal assessment)</b>	
i)	Performance observed at last surveillance audit was satisfactory?	
ii)	Any discrepancy was reported? If yes, report corrective action taken. Whether the action taken has corrected the discrepancy?	
iii)	Has overall performance in the entire operative period been satisfactory?	
iv)	Is any complaint pending? Report action taken on complaint.	
5.	Scope of Recognition (to be countersigned by Auditor(s): <u>Append as Annexure G</u>	



6.	Discrepancies, if any, shall be communicated through Discrepancy/Variation Report (format DOC.: HM/AHC/F 15.2 MARCH 2014) <u>Append as Annexure H</u>			
7.	CONCLUSION & RECOMMENDATIONS			
<b>8. ANNEXURES</b> (Tick/Indicate page nos.)				
A	Details of Managerial & Technical Personnel		E	Details of Inter Laboratory Proficiency Testing
B	List of Equipment/instrument/infrastructure		F	Test Report
C	Manufacturer's certificate on XRF machine		G	Scope of Recognition
D	<i>Certificate on CRMs</i>		H	Discrepancy/Variation Report
Signature of Auditor(s) Name: Designation: Date:				

(Instruction: Please do not attach any document/record/sheet other than Annexure A - H)

**Remarks of the reviewing Officer:**

**BUREAU OF INDIAN STANDARDS**

**Report on Surveillance Assessment of Assaying and Hallmarking Centre**

<b>1.</b>	<b>General</b>	
i)	Name & address of the Assaying and Hallmarking Centre	
ii)	BIS Recognition No. & Validity Date	
iii)	Date of Assessment	
iv)	Persons contacted	
v)	<p>Last Assessment</p> <p>Whether corrective action has been taken on all observed discrepancies.</p> <p>Verification of corrective actions taken on recorded discrepancies at last audit.</p> <p>Discrepancy(s) is/are persisting.</p>	<p>Date:</p> <p>Yes/No</p> <p>Satisfactory/not satisfactory</p> <p>If yes, give details in the Discrepancy/Variation Report (format is DOC.: HM/AHC/F 2.4, Aug. 2018)</p>
vi)	Scope of Recognition - Is working within approved scope?	Yes/No. If no, give details on Discrepancy/Variation Report.
<b>2.</b>	<b>INFRASTRUCTURE, MANPOWER &amp; SYSTEMS AS PER IS 15820</b>	
i)	<p>Whether all test and marking equipment are in working condition., specially with respect to:</p> <p>a) Availability of valid power supply;</p> <p>b) Maintenance and calibration of test equipment, namely XRF machine, weighing balances, furnaces (cupellation, annealing).</p>	
ii)	If calibration has been done by non-NABL accredited laboratory, whether the calibration certificate is traceable to national standards.	
iii)	Whether security system, like CCTV are in operation. Check records of CCTV and verify receiving and delivery activities.	

iv)	Whether distilled water and other consumables available. Check halides in distilled water.	
v)	Whether the Professional Indemnity Insurance of high value items are under valid status and these insurances have been done for the minimum amount specified in IS 15820.	
vi)	Whether the centre has participated in inter laboratory/proficiency testing programme.	
vii)	Whether the centre has carried out the Internal Quality Audit/ Management Review meeting	
viii)	Whether the articles accepted for assaying and hallmarking are only from BIS registered jewellers.	
ix)	Whether similar articles, segregated lot wise with declared fineness are received from registered jewellers.	
x)	Whether undertakings were obtained from jewellers regarding their identification mark.	
xi)	Whether Jewellery with prohibited markings is accepted for hallmarking.	
xii)	Whether acknowledgement / receipt with time has been issued and jewellers signature obtained.	
xiii)	Whether lot wise records of articles received from jewellers are available. Do they tally with records of assaying, hallmarking done and delivery	
xiv)	Whether there has been any change in technical manpower or Centre's Management since previous assessment. Verify competency of manpower by actual work performance and report. Report shall include name, qualification, experience and competency.	
xv)	Whether XRF testing, fire assay and laser marking are being done by competent personnel regularly. Check records.	
xvi)	Whether any of the terms and conditions violated.	

<b>3.</b>	<b>RECORDS</b>	
i)	<p>Whether following records are maintained on regular basis?</p> <ul style="list-style-type: none"> <li>➤ Receipt/Collection Voucher</li> <li>➤ Record of Jewellers, Respective Registration &amp; Identification Marks</li> <li>➤ Record of Jeweller &amp; Lot Nos.</li> <li>➤ Sample Envelope</li> <li>➤ XRF Card</li> <li>➤ Stock Register of CRMs <ul style="list-style-type: none"> <li>• Check Gold</li> <li>• Silver</li> <li>• Copper</li> <li>• Lead</li> </ul> </li> <li>➤ Assaying Report</li> <li>➤ Assaying Sheet</li> <li>➤ Test Certificate</li> <li>➤ Marking Record Sheet</li> <li>➤ Invoice cum Delivery Challan</li> <li>➤ Jeweller's Feedback</li> </ul>	
ii)	Whether records indicate traceability of individual lot with times of its receipt and delivery with Hallmark.	
iii)	Whether records are maintained on Hallmarking done for each registered jeweller.	
iv)	Whether record of XRF testing is up to date.	
v)	Whether testing had been for precious metal which was beyond scope of recognition, without seeking formal inclusion of the precious metal in their scope of recognition.	
vi)	Whether an article of lower purity had been Hallmarked with higher purity	
vii)	Whether Hallmarking done for non-registered jeweller	
<b>4.</b>	<b>XRF TESTING</b>	
i)	Whether XRF testing for purity and detection of prohibitive elements are being done.	
ii)	Whether XRF machine is checked with certified reference standards of gold/silver.	
<b>5.</b>	<b>SAMPLING FOR FIRE ASSAY</b>	
i)	Whether sampling plan given in IS 15820 is followed and relevant records are available.	

ii)	Whether collection of representative gold/silver portions from each of the sampled article is being done for fire assay.	
<b>6.</b>	<b>ASSAYING</b>	
i)	Whether certified reference materials (CRMs) with purity certificate from Indian Govt. Mint or NABL accredited lab available.	
ii)	Whether CRMs are used in assaying and corresponding receipt, consumption records of CRMs are available.	
iii)	Whether specified test methods are being followed.	
iv)	Is assay record is maintained as documented in Quality Manual. Check for rough records of fire assay.	
v)	Whether proof assay cornets are available. Do they tally with lotwise assay record.	
vi)	Is assay record available for hallmarked jewellery ready for delivery.	
<b>7.</b>	<b>HALLMARKING</b>	
i)	Whether the markings are Legible.	
ii)	Is marking done on all removable / detachable parts.	
iii)	Whether the sequence of marking is followed.	
iv)	Whether time of laser marking is recorded.	
<b>8.</b>	<b>DELIVERY</b>	
i)	Whether articles ready for delivery are all Hallmarked including all removable/ detachable parts.	
ii)	Whether cornets of samples of each assayed lot are available and kept ready for delivery.	
iii)	Whether proof of delivery indicating details of Hallmarked jewellery and time available.	
<b>9.</b>	<b>IDENTIFICATION &amp; TRACEABILITY</b>	
i)	Whether identification and traceability of jewellery maintained at all stages from receipt to delivery.	
ii)	Whether each activity completed and records available before proceeding to next activity.	

<b>10.</b>	<b>TESTING DURING ASSESSMENT</b>	
i)	Whether random samples drawn from the stock of articles available with Hallmark during the visit and testing done. Give details of samples.  (The test report shall be in the format given at DOC.: HM/AHC/F 2.5 Aug. 2018).  Test Result: Pass/Fail	
ii)	Check corresponding test records of XRF and Fire assay and report vis-à-vis tested results	<u>Record Tested Result</u> <b>XRF</b> i. Fineness  ii. Detection of Cd, Ir& RU  <b>Fire Assay</b> (ppt)
iii)	Whether significant variation is observed between obtained result and available record.	
<b>11.</b>	<b>COMPLAINT(S)</b>	
i)	Whether the complaints received , if any, have been resolved .	
<b>12</b>	<b>Deficiencies, if any, shall be communicated through Discrepancy/Variation Report</b>	
<b>13.</b>	<b>CONCLUSION &amp; RECOMMENDATIONS</b>	

<b>Signature</b>	
<b>Name</b>	
<b>Designation</b>	
<b>Date</b>	

Remarks of the reviewing Officer:

**BUREAU OF INDIAN STANDARDS**

**Report on Special Assessment of Assaying & Hallmarking Centre**

<b>1</b>	<b>General</b>	
i)	Name & address of the Assaying and Hallmarking Centre	
ii)	BIS Application/Recognition No.	
iii)	Validity of Recognition	
iv)	Scope of Recognition	
v)	Date of Assessment	
<b>2.</b>	<b>Previous Assessment</b>	
i)	Date(s) of Visit	
ii)	Conclusion & Recommendation	
<b>3.</b>	<b>Purpose of Assessment Visit</b>	
<b>4.</b>	<b>Findings of Assessment</b>	
i)		
ii)		
iii)		
iv)		
<b>4.</b>	<b>TESTING DURING ASSESSMENT</b>	
i)	Give details of samples drawn during the visit and testing done. Test Result: Pass/Fail	
<b>10</b>	<b>Discrepancies, if any, shall be communicated through Discrepancy/Variation report</b>	
<b>11.</b>	<b>CONCLUSION &amp; RECOMMENDATIONS</b>	
<b>Encl:</b>	<b>Signature</b>	
	<b>Name:</b>	
	<b>Designation:</b>	
	<b>Date:</b>	

**BUREAU OF INDIAN STANDARDS  
DISCREPANCY/VARIATION REPORT ISSUED DURING  
ASSESSMENT OF ASSAYING & HALLMARKING CENTRE (DVR)**

1.	Name and Address of Assaying & Hallmarking Centre	
2.	Application/Recognition No.	
3.	Date(s) of Assessment:	

4.	Clause. of IS 15820/ Terms & Conditions Violated	Details of Discrepancy/variation observed (Applicable objective evidence shall be enclosed. Additional sheet(s) of this format, numbering each page shall be used. Each page shall be signed by Auditor(s) & Centre's representative). Plain paper shall not be used.
(i)		
(ii)		
(iii)		
5.	Remarks/Comments by Assaying & Hallmarking Centre:	

Signature of Centre's Representative:		Signature of Auditor	
Name & Designation		Name & Designation	
Date		Date:	



**BUREAU OF INDIAN STANDARDS****TEST REPORT AS PER IS 1418:2009/IS 2113:2014 (IS shall be read with latest amendment)**

1	Date(s) of test					
2	Name of A&H Centre & Recognition No / Application No.					
3	Source of sample (Give details of lot from which sample has been drawn)					
4	Description of sample with quantity and weight					
5	Tested/declared fineness					
6	XRF Tests done (2 lots of different articles with each lot having 05 articles minimum)					
	Sl.No	Particulars of the sample	Result			
			Fineness	Cd	Ir	Ru
	<b>Results enclosed in a separate sheet</b>					
7	Assay (1 sample each from two different lots specified at Sl. No 6 above, in duplicate)					
	Sl.No	Particulars of the sample	Fineness (ppt)			
			No.1	No.2	Average	
	1					
	2					
8	Remarks					
9	Tested by		Witnessed by BIS Auditor			
	Signature		Signature			
	Name & Designation		Name & Designation			

**Note:**

1. During the initial/renewal assessment, two lots as above shall have to be assessed being the informed visit. However during renewal, hallmarked jewellery of two lots as above (hallmarked by that centre) shall be assayed being the informed visit.
2. During the surveillance assessment, the available hallmarked lot may be subjected for assaying.

**XRF RESULTS**

**LOT 1**

SI.No.	Particulars of the sample	Result				
		Fineness in ppt	Cd	Ir	Pb	Ru
1)						
2)						
3)						
4)						
5)						

**LOT 2**

SI.No.	Particulars of the sample	Result				
		Fineness in ppt	Cd	Ir	Pb	Ru
1)						
2)						
3)						
4)						
5)						

Tested by	Witnessed by
Signature	Signature
Name & Designation	Name & Designation

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

**ISSUED BY**

**BUREAU OF INDIAN STANDARDS,  
9, BAHADUR SHAH ZAFAR MARG,  
MANAK BHAWAN,  
NEW DELHI**

## **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 Partnership Deed in case applicant is a Partnership Firm.
- iii) Certificate from a Chartered Accountant if applicant is a 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
- 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

#### **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 September 2018 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 September 2018 , 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 with in 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 advise 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.

**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 September 2018 is enclosed at **ANNEX C**.

## **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:**

<b>Sl.No.</b>	<b>Particulars</b>	<b>Observations</b>
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**

<b>Sl.No</b>	<b>Particulars</b>	<b>Observations during assessment</b>
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	<b>YES/NO</b>
8	Check whether following requirements are displayed:	<b>Mark</b> ✓
	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



**GUIDELINES FOR GRANT, OPERATION,  
RENEWAL AND CANCELLATION OF  
LICENCE FOR REFINERY OR MINT**

**ISSUED BY**

**BUREAU OF INDIAN STANDARDS,  
9, BAHADUR SHAH ZAFAR MARG,  
MANAK BHAWAN,  
NEW DELHI**

## **GUIDELINES FOR LICENSING OF REFINERY OR MINT**

### **1 GENERAL**

These guidelines stipulate the procedure for Grant, Operation, Renewal, and Cancellation of Licence for Refinery or Mint. These are to be read in conjunction with BIS Act 2016, BIS Rules 2018 and BIS (Hallmarking) Regulations 2018. In particular, the Grant, Operation, Renewal, and Cancellation of Licence for Refinery or Mint are addressed in Chapter III 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 LICENCE**

**2.1** Any manufacturer engaged in refining by aqua-regia or electrolytic process as prescribed in regulations shall apply for a grant of licence with self-certified copies of documents listed below with the on-line application or submit hard copies to the Branch office of BIS having jurisdiction of the area where the refinery or mint is located, with the application.

#### **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
- ii) Registered Partnership Deed in case applicant is a Partnership Firm.
- iii) Certificate from a Chartered Accountant if applicant is a 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) 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) Micro or Small Scale Industry Certificate, if applicable;**

**f) Process Flow Chart of Refining or Minting, as applicable;**

**g) Design and Weight of the Bullion or Coin, as Applicable;**

**h) List of Manufacturing Machinery in Form-IX Annexed to the Regulations;**

**i) List of Test Equipment with Valid Calibration in Form-X Annexed to the Regulations;**

**j) Accreditation of the Laboratory of Refinery or Mint by National Accreditation Board for Testing and Calibration Laboratories (NABL) or London Bullion Market Association (LBMA);**

**k) Plant Layout;**

**l) List of Technical Personnel;**

**m) List of Certified Reference Material; and**

**n) Test Report of in-house Testing.**

### **2.1.1 Non Acceptance of Application due to Antecedents**

Under the following situations, the application made by the Applicant for obtaining licence 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 13 of BIS Act, 2016 detected on the part of applicant.

iii) Misuse of Hallmark or any violation under **Section 13** of BIS Act, 2016 detected on the part of applicant after the application was made to BIS.

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

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

**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 certificate of licence, such person(s) or firm shall not be eligible to apply for grant of licence for a period of one year from the date of such conviction.

**2.2** The refinery / mint desirous of obtaining BIS licence, should apply to the Branch Office of BIS within whose jurisdiction the refinery is situated. The refinery or mint shall declare the sizes (weight) and fineness of the gold bar and coin that are intended to be covered in the scope of licence

**2.3** All visits to refineries/mint shall be carried out by auditor from the list approved for the Hallmarking scheme. The auditor shall be nominated by concerned BO in consultation with DDGR wherever required. All the visits to the applicant's factory (refinery /mint) shall be chargeable at the prevailing rate in BIS and payable in advance.

**2.4** The preliminary visit for the grant of licence shall be carried out for two days. (i.e. one auditor for two days).

**2.5** All applications & inclusion shall be processed based on factory testing. During the preliminary inspection the availability of infrastructure in terms of manufacturing, testing facilities and competent personnel shall be verified. The refinery shall also demonstrate the process of refining as declared by them to the auditors. The sample shall be got tested in the laboratory of the refinery / mint to check conformance to IS 1417 and verify the competency of the testing personnel (assayer). The licence shall be granted by Head of the Branch Office (BO). In case the applicant offers both the varieties of 999 & 995 fineness, then the factory testing shall be carried out for 999 fineness only.

**2.6** Sample of 999 fineness variety from another lot shall be drawn and sent to BIS referral assay lab / BIS approved laboratory ( in case of non acceptance by BIS Lab) for independent testing as verification sample. However, if sample fails during factory testing, no sample shall be drawn for independent testing.

**2.7** Deficiencies, if any brought out in the Preliminary Inspection Report shall be intimated in writing to the applicant at the end of the inspection.

### **3 REVIEW OF LICENCE ON RECEIPT OF TEST REPORT OF VERIFICATION SAMPLE**

**3.1** The normal operation of the licence shall be allowed to continue if the verification sample passes.

**3.2** In case of failure of verification sample drawn during independent testing suspension of marking shall be imposed. A special visit shall be made on the request of refinery for verification of corrective actions and drawl of sample for independent testing. Resumption of marking shall be permitted if the sample is found conforming to the requirements in independent testing. If the sample fails again the case shall be processed towards cancellation as per Hallmarking Regulations , 2018.

### **4 SCOPE OF LICENCE**

**4.1** It shall cover the following:

- a) Gold Bullion or Gold Coin
- b) Fineness (999 or 995)
- c) Design and Weight of Bullion Bar or Gold coin No negative tolerance shall be permitted on declared weight.

**4.2** After grant of licence the refinery / mint shall be required to operate the licence as per Scheme of testing and inspection as amended from time to time .

**4.3** Refinery / Mint shall maintain records of raw material received in terms of type, quantity and the source of raw material as per Hallmarking Regulation, 2018. In addition all records as per Scheme of testing and inspection shall also be maintained to ensure identification and traceability of final product.

**4.4** The following types of changes or in combinations thereof may occur during the operation of the licence:

- a) Change in address of the firm;
- 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 firm.

For the above situations, the following type of actions shall be taken:

**4.4.1** In the case of (a) , the firm shall inform the complete address of the new premises to which he intends to shift and also intimate suspension of Hallmarking at the old premises to the Bureau. If they have not done so, suspension of licence at the old premises shall be imposed in accordance with Hallmarking Regulations, 2018. Revocation of suspension shall be carried out in accordance with Hallmarking Regulations, 2018. An endorsement for change in address shall be given in the licence.

**4.4.2** In the case of (b) and (c), suitable documents as indicated at 2.1 of this guidelines according to the type of change shall be obtained.as indicated in Hallmarking Regulations, 2018. An endorsement for change shall be given to the licence.

**4.4.3** 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 refinery / mint stating that the change has been noted in our records.

## **5 INCLUSION OF VARIETY**

The inclusion of Standard gold bars for fineness 995 purity may be done straight away if the firm is already holding license for higher fineness i.e 999. If the inclusion sought for 999 purity, the same may be included in the scope of the license after satisfactory verification of the additional manufacturing and infrastructural facilities required including factory testing through special visit which is chargeable.

## **6 OPERATION UNDER GOLD MONETIZATION SCHEME**

**6.1** The refinery wish to list under Gold Monetization Scheme shall be in operation for at least one year as on the date of making application to BIS or one year after grant of Licence.

**6.2** In case of the gold received under the Gold Monetization Scheme (GMS), the cast gold bar received from the Collection and Purity Testing Centres (CPTC) shall be kept in safe custody in the refinery for at least 48 hours before taking up refining of the same. BIS shall carry out periodic surveillance inspections of the refineries. The refiner shall declare the stock of gold available with it under the GMS. The BIS Inspecting Officer shall be well within his rights in drawing a sample for assaying in the laboratory of the refinery.

**6.3** During inspections, records of receipt and testing will be checked besides carrying out testing of the gold bars received from the CPTCs on random sampling basis. One sample of gold/gold alloy in duplicate shall be assayed in accordance with IS 1418 during the visit for determining the purity. Duplicate determination shall not give results differing by more than 0.5 parts per thousand (ppt) by mass for yellow and red gold alloys and maximum 0.2 ppt by mass for gold alloys containing 990 ppt or more gold.

**6.3.1** In case, the purity of the sample assayed in presence of BIS Inspecting Officer in the lab of the refinery is at variance with the purity mentioned in the certificate issued by the CPTC, another sample shall be drawn and sent to BIS referral laboratory. However, the sample shall be drawn and sent to the referral laboratory ,only if the variation observed is more than that as mentioned at **6.3**.

**6.3.2** The test results of the referral laboratory shall be final. Whenever it is found that test results of CPTC or refinery differ from test results reported by referral lab by more than the variation permitted as at 6.3 , action against the erring party shall be taken. In case of CPTC, qualification shall be withdrawn and in case of refinery, license shall be processed towards cancellation.

## **7 SURVEILLANCE BY BIS**

**7.1** BIS shall pay surprise surveillance visits to the refinery/mint to keep a check on the operation, carry out test and inspection and also draw sample from the refinery/mint for independent testing in BIS referral assay lab / BIS approved laboratory (in case of non acceptance by BIS Lab). Discrepancies observed, if any during the surveillance shall be brought to the notice of the refinery/mint. Corrective actions on the discrepancies, if any pointed out during the visit, shall be completed by the refinery/mint and intimated to BIS within the agreed time.

**7.2** Two visits to the refinery/mint may be arranged in a year. More frequent inspections if required may also be carried out from time to time.

**7.3** If non-conformity of refined precious metal is established after in-house or independent testing, action shall be taken as per Hallmarking Regulations, 2018.

## **8 RENEWAL**

**8.1** The renewal shall be undertaken as per the requirements stipulated in Hallmarking regulation,2018. However, the validity of NABL accreditation shall be ensured by the renewing authority at the time of renewal of BIS licence.

**8.2** On the discretion of the Competent Authority, the renewal may be limited to one year for licences whose performance was unsatisfactory during the operative period or where no material was marked for two successive years. Renewal Authority of BO shall record speaking orders.

## **9 ACTION ON FAILURE OF SAMPLE DRAWN DURING SURVEILLANCE VISIT**

**9.1** On receipt of the failure, suspension shall be imposed .A special visit shall be made on the request of refinery for verification of corrective actions and drawl of sample for independent testing. Resumption of marking shall be permitted if the sample is found conforming to the requirements in independent testing. If the sample fails again the case shall be processed towards cancellation as per Hallmarking Regulations , 2018.

**9.2** If the refinery/mint does not agree with the results obtained , they may send formal request to BO with proper justification for testing the counter sample at BIS referral lab. BO shall seek DDGR's approval for testing the counter sample for which double the testing charges shall be paid in advance by the refinery/mint. In cases where tests are carried out in outside laboratories, testing charges for testing of counter samples at the request of refinery shall be borne by them irrespective of the results obtained. In case of BIS laboratory, if the results of counter sample are found to be conforming to the requirement of the standard they may not be charged. This shall be made clear to the party before undertaking the testing of the counter sample. In the event of the failure of the counter sample, the licence shall be processed towards cancellation.

## **10 CANCELLATION OF LICENCE**

**10.1** The licence shall be processed towards cancellation for the situations stipulated in Hallmarking regulations 2018.

**10.2** The licence shall be processed towards cancellation under the following situations also :

i) the licensee had used the Hallmark in respect of a process that was not approved by BIS;



- ii) Application of unauthorized Hallmark;
- iii) Hallmarking done without BIS Standard Mark and/or refinery's name;
- iv) non-settlement of financial dues, non- redressal of complaints, etc.;
- v) Hallmarking done using name of another refinery; and
- vi) Refinery found indulging in any other unfair practices.

## **11 PROVISION OF APPEAL**

Any person aggrieved by an order made under Regulation 19 of the Hallmarking Regulations, 2018 may prefer an appeal as prescribed in BIS Rules 2018.