

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

LOK SABHA
UNSTARRED QUESTION NO. 5710
TO BE ANSWERED ON 06.04.2022

MANDATORY HALLMARKING OF JEWELLERY

5710. SHRI THIRUMAAVALAVAN THOL:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:

- (a) whether the Government has considered the demand of the jewellers, requesting for the withdrawal of the arbitrarily implemented mandatory hallmarking of gold and gold jewellery;
- (b) if so, the details thereof;
- (c) whether non-adherence to hallmarking is punishable with imprisonment;
- (d) if so, whether the Government has enabled and ensured that such law is not misused to harass small goldsmiths and traders; and
- (e) if so, the details in this regard?

ANSWER

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री
(श्री अश्विनी कुमार चौबे)

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI ASHWINI KUMAR CHOUBEY)

(a) : The mandatory Hallmarking of gold and gold jewellery order has not been implemented arbitrarily. Before making hallmarking mandatory, a stakeholders' consultation meet was organized by the Government. For the meet, Jewellers Associations from all over the country were called for expressing their views. The decision to make hallmarking mandatory was taken after consultation with all the stakeholders. The draft order was also hosted on websites of World Trade Organization (WTO), Department of Consumer Affairs and BIS.

Also, the mandatory hallmarking order was initially issued on 15 January 2020 proposing to make the hallmarking mandatory on 15 January 2021 and was later extended to make it mandatory from 23 June 2021. Thus, approximately one and half year time was provided to jewellers to prepare for mandatory hallmarking.

Further, hallmarking of gold jewellery/artefacts has been made mandatory in only 256 districts of the country where there is at least one assaying and hallmarking centre for 14,18 and 22 carat.

Also, exemptions have been provided in the mandatory hallmarking order to ensure no segment of jewellers suffers any undue hardships due to its implementation.

Following steps were also taken to address difficulties of jewellers/traders and other stakeholders with regards to mandatory hallmarking scheme:

- Online Registration, lifetime validity and waiver of registration fee for jewellers
- Inclusion of additional grades (20,23 and 24 carats) in the scope of IS 1417: 2016
- Enhancements in the software, server capacity and integration of the machines at AHCs with the software
- Exemptions made to the mandatory hallmarking order
- Regular interactions held with stakeholders
- 435 jewellers awareness camps have been organized since 01 July 2021.

After making above modifications/changes to the mandatory hallmarking order, no representation has been received requesting for its withdrawal.

(b) : Does not arise in view of (a) above.

(c) : As per provisions of sub-sections (2) and (3) of section 29 of the BIS Act, 2016, non-adherence to hallmarking is punishable with imprisonment or fine or with both.

The provisions have been laid mainly to prevent misuse of BIS Hallmark/Standard Mark by Jewellers/Assaying & Hallmarking Centres.

The Act only provides provisions for minimum and maximum penalty that can be imposed on the person circumventing the Act. Actual quantum of the penalty shall be decided by the Honorable court based on the extent of such circumvention

(d) : Yes, Sir.

(e) : Small jewellers with annual turnover of up to 40 lakhs per annum are exempted from mandatory hallmarking order of gold and gold jewellery. In addition, gold articles up to 2gm weight have also been exempted from mandatory Hallmarking order.

Further hallmarking has been implemented at first point of sale and actions are taken only against the jeweller who violate/circumvent the applicable rules.
