
























Compensation for non-timely delivery of jewellery | रसरंग में आपके अधिकार: आभूषणों की समय पर डिलीवरी न होने पर मुआवजा

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Your rights in Rasrang: Compensation in case of non-timely delivery of jewellery

Gaurav Pathak 16 days ago



The festive buying of gold is still going on due to weddings. Jewellery has great emotional and financial importance in Indian households. After making hallmarking mandatory on gold items, now the government has also announced to make rules for consumer protection in the diamond industry. In such a situation, it is important to know and understand what are the rights of consumers while buying jewellery. **Hallmarking and Purity** The Bureau of Indian Standards (BIS) allows consumers to get their jewellery tested from any BIS recognized assay and hallmarking centre. These centres test the jewellery and issue a proper 'Assay Report'. According to Section 49 of the BIS Rules, 2018, if the purity of hallmark jewellery is found to be low, then the consumer is entitled to

get double the compensation of the amount calculated on the basis of the deficiency found in purity and the testing fee. This right to get compensation is important, because there can be disputes regarding the purity of gold.

Where can you complain? BIS has a standard system for handling complaints. All complaints are managed through its Grievance Management and Enforcement Department. Consumers can lodge complaints through multiple channels, including: • BIS Care mobile application • Online portal at www.bis.gov.in • By emailing complaints@bis.gov.in • By meeting the Public Grievance Officer at the nearest regional/branch office or directly to the Head of Grievance Management and Enforcement Department in person or by submitting a written complaint. Once the complaint is received, it is investigated and then appropriate measures are taken for resolution. Manufacturing defects in jewellery must be compensated by the jeweller **if found to be a manufacturing defect**. In *Jaswinder Singh Narula vs Carat Lane Trading (2020)*, a diamond fell out of its ring setting due to faulty mounting. The Himachal Pradesh State Consumer Disputes Redressal Commission examined the expert testimony, which established the manufacturing defect in the holding fasteners of the mounting. The jeweller had claimed that the reason for the diamond falling out was external damage, but the Commission rejected this argument and ordered a refund of the money with 9 per cent interest to the consumer, compensation of Rs 20,000 for mental agony and Rs 10,000 as litigation costs. **Delivery of Jewellery** Jewellery sellers must deliver the jewellery within the promised time frame. In *Saundarya Jewellers vs Paidi Jagannatha Rao (2022)*, when a jeweller failed to deliver the ordered jewellery despite receiving adequate payment, the National Consumer Disputes Redressal Commission directed the jeweller to either deliver the jewellery for the amount paid or refund the amount paid along with interest. In addition, a compensation of Rs 40,000 was also ordered for mental agony. **Consumers should take care** Consumers can verify the authenticity of hallmarked jewellery through the Hallmark Unique Identification (HUID) number through the BIS Care mobile app. In case of complaints, they can also approach consumer commissions under the Consumer Protection Act, 2019. The success of claims depends on proper documentation including purchase bill, hallmarking certificate and expert opinion in case of manufacturing defects. While ordering compensation, the Commission considers both the actual financial loss and mental suffering suffered by consumers. Before buying jewellery, consumers should insist on proper bills, checking hallmarking details, written promises regarding delivery timelines. In case of doubt about purity or quality, getting the jewellery tested from authorised centres helps in strengthening the case in case of dispute later. **(The author is also the Secretary of CASC.)**

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