

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification
No. 1 /2012-Customs

New Delhi, the 16th January, 2012

G.S.R. (E). - In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 21/2002-Customs, dated the 1st March, 2002 which was published in the Gazette of India, Extraordinary, vide G.S.R. 118(E) dated the 1st March, 2002, namely: -

In the said notification, in the Table,-

(i) for S. No. 187 and the entries relating thereto, the following shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"187	71	Non-industrial diamonds including lab- grown diamonds (other than rough diamonds)	2%	-	-";

(ii) for S. No. 189 and the entries relating thereto, the following shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"189	7110.11 or 7110 19 00	Platinum	2%	-	-";

(iii) for S. No. 422 and the entries relating thereto, the following shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"422	71	Diamonds including lab grown diamonds- semi-processed, half-cut or broken.	Nil	-	-";

(iv) against S.No. 518A ,for the entry in column (5), the entry "1%" shall be substituted.

(v) for S. No. 518B and the entries relating thereto, the following shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"518 B	71	Gold dore bar, having gold content not exceeding 95%.	Nil	1%	5 and 109
518 C	71	Silver dore bar having silver content not exceeding 95%	Nil	3%	5 and 109"

(vi) for Condition No. 109, the following shall be substituted, namely:-

Condition No.	Conditions
"109	<p>If,-</p> <ul style="list-style-type: none">(a) the goods are directly shipped from the country in which they were produced and each bar has a weight of 5 kg. or above;(b) the goods are imported in accordance with the packing list issued by the mining company by whom they were produced;(c) the importer produces before the Deputy Commissioner of Customs or the Assistant Commissioner of Customs, as the case may be, an assay certificate issued by the mining company or the laboratory attached to it, giving detailed precious metal content in the dore bar;(d) the gold dore bars are imported by the actual user for the purpose of refining and manufacture of standard gold bars of purity 99.5% and above; and(e) the silver dore bars are imported by the actual user for the purpose of refining and manufacture of silver bars of purity 99.9% and above."

2. This notification shall come into force on the 17th day of January, 2012.

[F. No. 354/4/2012-TRU]

[Raj Kumar Digvijay]

Under Secretary to the Government of India

Note.- The principal notification No. 21/2002-Customs, dated the 1st March, 2002 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 118(E) dated the 1st March, 2002 and was last amended vide notification No-. 120/2011-Customs dated the 30th December, 2011 which was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R 924 (E) dated the 30th December 2011.

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification
No. 2/2012-Customs

New Delhi, the 16th January, 2012

G.S.R. (E).- In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No.62/2004-Customs, dated the 12th May, 2004, published in the Gazette of India, Extraordinary vide, G.S.R. No.311(E), dated the 12th May, 2004, except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts goods of the description specified in column (2) of the Table hereto annexed and falling within Chapter 71 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India, other than through post, courier or baggage, from so much of the duty of customs leviable thereon which is specified in the said First Schedule as is in excess of the amount calculated at the rate specified in the corresponding entry in column (3) of the said Table and from the whole of the additional duty of customs leviable thereon under section 3 of the said Customs Tariff Act.

Table

S.No.	Description of goods	Rate
(1)	(2)	(3)
1.	Gold bars, other than tola bars, bearing manufacturer's or refiner's engraved serial number and weight expressed in metric units, and gold coins having gold content not below 99.5%.	2%
2.	Gold in any form (other than those specified against S. No.1 in this column) including liquid gold and tola bars.	5%
3.	Silver in any form including silver coins having silver content not below 99.9%.	6%

(2) For the purposes of this notification,-

- (i) "Gold in any form" shall include medallions and coinshaving gold content not below 99.5% but shall not include foreign currency coins and jewellery made of gold ;
- (ii) "Silver in any form" shall include medallions and coinshaving silver content not below 99.9% but shall not include foreign currency coins and jewellery made of silver.

(3) This notification shall come into force on the 17th day of January, 2012.

F.No.354/4/2012-TRU

[Raj Kumar Digvijay]
Under Secretary to the Government of India

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification
No. 3/2012-Customs

New Delhi, the 16th January, 2012

G.S.R. (E).-In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), and in supersession of the notification of the government of India in the Ministry of Finance (Department of Revenue) No. 172/1994-Customs, dated the 30th September, 1994, published in the Gazette of India, Extraordinary vide, G.S.R. No. 734(E), dated the 30th September, 1994, and notification No.31/2003-Customs, dated the 1st March, 2003, published in the Gazette of India, Extraordinary vide, G.S.R. No. 166(E), dated the 1st March, 2003, except as respects things done or omitted to be done before such supersession, the Central Government on being satisfied that it is necessary in the public interest so to do, hereby exempts goods of the description specified in column (2) of the Table below and falling under Chapter 71 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India by an eligible passenger, from so much of the duty of customs leviable thereon which is specified in the said First Schedule, as is in excess of the amount calculated at the rate as specified in the corresponding entry in column (3) of the said Table and from the whole of the additional duty leviable thereon under section 3 of the said Customs Tariff Act.

Table

S.No.	Description of goods	Rate
(1)	(2)	(3)
1.	Gold bars, other than tola bars, bearing manufacturer's or refiner's engraved serial number and weight expressed in metric units, and gold coins having gold content not below 99.5%	2%
2.	Gold in any form other than at S.No.1 above, including tola bars and ornaments, but excluding ornaments studded with stones or pearls	5%
3.	Silver, in any form including ornaments, but excluding ornaments studded with stones or pearls	6%

(2) The exemption is subject to the following conditions, namely:-

- (i) the duty shall be paid in convertible foreign currency;
- (ii) the quantity of import shall not exceed ten kilograms of gold and one hundred kilograms of silver per eligible passenger; and
- (iii) the gold or silver is either carried by the eligible passenger at the time of his arrival in India or is imported by him within fifteen days of his arrival in India.

Notwithstanding anything contained above, the exemption under this notification shall also apply to gold or silver taken delivery of by an eligible passenger from a customs bonded warehouse of the State Bank of India or the Minerals and Metals Trading Corporation Ltd., subject to the conditions (i) and (ii) of para 2 above, and subject to further condition that such eligible passenger files a declaration in the prescribed form before the proper officer of customs at the time of his arrival in India declaring his intention to take delivery of the gold or silver from such a customs bonded warehouse and pays the duty leviable thereon before his clearance from customs.

Explanation.- For the purposes of this notification, “eligible passenger” means a passenger of Indian origin or a passenger holding a valid passport, issued under the Passports Act, 1967 (15 of 1967), who is coming to India after a period of not less than six months of stay abroad; and short visits, if any, made by the eligible passenger during the aforesaid period of six months shall be ignored if the total duration of stay on such visits does not exceed thirty days and such passenger has not availed of the exemption under this notification or under the notification being superseded at any time of such short visits.

(3) This notification shall come into force on the 17th day of January, 2012.

F.No. 354/4/2012-TRU

[Raj Kumar Digvijay]
Under Secretary to the Government of India