Circular No. 72/98- Customs

dated 24/9/1998

F.No.520/136/92- CUS- VI

Government of India

Ministry of Finance

Department of Revenue, New Delhi

Subject : Eighth Report of Estimates Committee (11th Lok Sabha) on disposal of passenger baggage detained at International Air ports; action taken by the Govt. on the recommendations contained in the forty-ninth report ofEstimates Committee (10th Lok sabha on the Ministry of Finance (Department of Revenue) Customs clearance at International Airport - Reg.

In the Estimates Committee (1994-95) of the 10th Lok Sabha, the Government had undertaken to review the Baggage Rules permitting the travellers to bring in Note Book Computers and other essential items so that harassment to the general passengers could be eliminated. The Committee has desired an expeditious review of the matter. The matter has been examined, under Tourist Baggage Rules, 1987, Notification No. 45/ 92-Cus (NT) dated 19/6/92 was issued listing the personal effects which could be imported temporarily free of duty. This list included 14 items of day to day use of the tourist.

2. The Tourist Baggage Rules was replaced by the Baggage Rules, 1994 which contained a chapter on concession for tourists. In Rule 11, the personal effects imported by the tourists temporarily have been allowed duty free entry and the explanation of Rule 11 defined the wording 'personal effect' such as clothings and other articles, new or used, which a tourist may personally and reasonably required taking into account of circumstances for his visit but excluding all merchandise imported for commercial purposes. The list contained in Notf. 92, though the Notn. has expired, continue to the guiding the customs formations at the Airport to give this benefit.

3. The Baggage Rules, 1998 issued vide Notn. No. 30/ 98- Cus(NT) dated 2/6/98 has provided for import of duty free goods by tourists in Regulation 7 as contained in Appendix 'E' of the said rules. There is no definition for personal effects in the present Baggage Rules. However, for the sake of uniformity it is considered necessary to reiterate that the personal effects would include the following goods:

(i) Personal jewellery
(ii) One camera with filmrolls not exceeding twenty
(iii) One video camera/ camcorder with accessories and with video cassettes not exceeding twelve
(iv) One pair of binoculars
(v) One portable colour television (not exceeding 15 cms in size)
(vi) One music system including compact disc player
(vii) One portable typewriter
(viii) One permabulator
(ix) One tent and other camping equipment
(x) One computer (laptop/ note book)
(xi) One electronic diary
(xii) One portable wireless receiving set (transister radio)

(xiii) Professional equipments, instruments and Apparatus of appliances including professional audio/ video equipments

(xiv) Sports equipments such as one fishing outfit, one sporting fire arm with fifty cartridges, one non-powdered bicycles, one canoe or ranges less than 51 metres long, one pair of skids, two tennis rackets, one golf set (14 pcs. With a dozen of golf balls).

(xv) One cell phone.

4. It may kindly be noted that while Notn. No. 45/92 defined personal effects as articles both new or used and Rule 11 of Baggage Rules 1994 allowed personal effects of tourists for duty free import, the Baggage Rules 1998 allows only used personal effects of the tourists. It is not the intention of the Board to verify the newness of every product which a traveller brings so long as it is not *prima facie* new goods in their original packagings which can be disposed of off hand.

Sd/-
(Vijay Kumar)
Under Secretary to the Govt. of India

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