Circular No. 27/2003 - Customs
2nd April, 2003.

F. NO. - 528/14/2003 - CUS(T.U.)
Government of India
Ministry of Finance & Company Affairs
Department of Revenue
(Tariff Unit)

Subject: Imports for delivery to an institution, eligibility under notification 51/96-Cus. - reg.

I am directed to refer to the subject mentioned above and to say that notification No. 51/96-Cus., dated 23.7.96, prescribes concessional rate of duty on specified goods when imported by importers specified in column (2) of the table to the notification, provided the conditions specified in column (4) of the table are complied with. The importers specified in column (2) against Sr. No. 1 of the table are, Public Funded Research Institutions, universities, Indian Institutes of Technology, Indian Institute of Science, Bangalore, and Regional Engineering Colleges. The conditions specified in column (4) against Sr. No. 1 of the table, particularly condition Nos. (i) and (iv), however, also cover the situation where goods are imported for delivery to institutions as specified in the notification. A doubt has been raised whether goods imported by an importer not mentioned in column (2) against Sr. No. 1 of the table, but meant for delivery to an institution specified in the notification, can be extended benefit of concessional rate of duty under the said notification, or not.

2. The matter has been examined by the Board. Harmonious construction of provisions of the notification leads to the clear interpretation that benefit of concessional rate of duty under the said notification has to be allowed even in those cases where imports are made by importers other than the institutions specified in column (2) against Sr. No. 1 of the table, provided such imports are made for delivery to an institution specified in the notification.

3. Suitable Public Notice may be issued for benefit of the trade.

4. Receipt of this circular may be acknowledged.

5. Hindi version will follow.

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