Circular No.:28 / 2010-Customs

F.No.528/16/2008-Cus (TU)
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

159A, North Block,
New Delhi-110001
13th August, 2010

To

All Chief Commissioners of Customs / Customs (Prev.).
All Chief Commissioners of Customs & Central Excise.
All Commissioners of Customs / Customs (Prev.).
All Commissioners of Customs & Central Excise.
All Director Generals under CBEC.

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Subject: Import of goods under Notification No.13/2010-Customs dated 19.2.2010 for Commonwealth Games, 2010- regarding.

Sir / Madam,

Attention is invited to Notification No.13/2010-Customs dated 19.2.2010 granting exemption from customs duty on specified goods imported into India for the purpose of organizing the Commonwealth Games to be held in October, 2010 in New Delhi. In this regard, references have been received from the Organizing Committee Commonwealth Games, 2010 Delhi (OC, CWG) regarding difficulties faced by importers other than the importers specified in the Notification No.13/2010-Customs dated 19.2.2010 as they are not covered under the scope of the said Notification. As a result a large number of consignments are pending clearance at different ports in the country causing delay in smooth organisation of the game. It was therefore requested that a suitable clarification may be issued by the Board in this regard.

2.The matter has been examined in the Board in consultation with representatives of OC, CWG, Prasad Bharti and Ministry of Youth Affairs and Sports. Accordingly, the Board has decided that in order to ensure expeditious clearances of all consignments already imported and pending clearances at various Ports/ICDs, the following steps may be taken :

(i) OC CWG or Prasar Bharti, as the case may be, will apply to Customs for NOC/Permission to amend the import documents viz. IGM and Bill of Lading/Airway Bill to include itself as the importer in place of the contractors/vendors/sub-vendors. This application will be accompanied by a NOC from the importer on record i.e. contractors/vendors/sub-vendors of OC CWG/ PrasarBharti as the case may be.

(ii)Customs will expeditiously grant the requested NOC/Permission after which the OC CWG or Prasar Bharti, as thecase may be, shall approach the shipping line/airline concerned for amending the IGM/Bill of Lading by following...the...prescribed...procedure.

(iii)Customs will use its good offices to request the shipping line/airline to expedite the required amendment as per procedure.

(iv) OC CWG or Prasar Bharti, as the case may be, and importer on record will suitably endorse the invoice.

(v) After necessary amendments in the Bill of Lading/Airway Bill and IGM, the Customs will accept the request of OC CWG or Prasar Bharti, as the case may be, and the

former importer on record i.e. contractors/vendors/sub-vendors to amend the Bill of Entry to reflect the OC CWG or Prasar Bharti, as the case may be, as the new importer. In the event a Bill of Entry has not already been filed, OC CWG or Prasar Bharti as the case may be, will file the same in its own name.

(vi) Besides fulfilling all legal requirements (licensing requirements, IEC requirement etc.) OC CWG or Prasar Bharti, as the case may be, will furnish an undertaking in term of Notification No.13/2010- Customs dated 19.02.2010 as per Annexure(s). This undertaking ensures adherence to the conditions of the said Notification and in the event of failure to do so, OC CWG or Prasar Bharti, as the case may be, will pay the duty on the imported goods.

(vii) Customs will allow clearance of the imported goods after ensuring adherence to the normal import clearance procedure but at the same time take care that there is no delay on its part since the clearance are for the CWG, which is an event of national importance.

3. Suitable Public Notice / Standing Order may be issued for wide publicity and to guide trade and field officials.

4. Difficulty faced, if any, may be brought to notice of the Board.

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Yours faithfully,
(R. P. Singh)
Director(Customs)

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1. Annexure I
2. Annexure II

ANNUXURE- I

100 Rupees non judicial stamp paper

UNDERTAKING

Know all men by these present that we, the Organising Committee, Commonwealth Games Delhi 2010, NDCC Tower II, Opposite Jantar Mantar, Jai Singh Road, New Delhi - 110001, do hereby declare and bind us, with the President of India represented by the Commissioner of Customs, _____ (Port / Airport / ICD) hereinafter referred as the said Commissioner which shall include the person for the time being performing the duties of the Commissioner of Customs for the purpose of clearance of goods mentioned in the schedule annexed hereto, hereinafter referred as the goods, that

1. We are the importers of these goods and the same have been imported by us from _____ vide Invoice No. ---------- dated ----------, Bill of lading / Airway Bill No. ---------- in relation to the Games 2010;

2. That these goods have been imported for the purpose of the Games 2010;

3. We undertake that, as stipulated in the Notification No.13/2010-Customs dated 19.02.2010, hereinafter referred to as the "said notification", such goods shall be either consumed, utilized or re-exported, within three months from the conclusion of the Games 2010 or shall be handed over to the Sports Authority of India or the Delhi Development Authority or the Government of the National Capital Territory of Delhi, as the case may be, the proof of which shall be produced to the satisfaction of the Assistant/Deputy Commissioner of Customs.

4. In the event of failure to comply with the condition of the said Notification, we bind ourselves to pay the duty which would have been otherwise leviable thereon but for the exemption contained under the said notification;

5. That this Undertaking shall be enforceable against us notwithstanding that proceedings have been taken against any other party or disputes raised by any other party with regard to any of the liabilities or proceedings before any officer, tribunal or court with regard thereto or in connection therewith.

Schedule of the goods referred to above

Bill of Lading / Airway Bill Number and date

IGM Number and date

Bill of Entry Number and date

Quantity

Description of goods

Assessable value

Rate of duty

Duty amount payable

Authorised Signatory
Joint Director General, Coordination/Director, Coordination
Organising Committee, Commonwealth Games 2010
Date and Place

_____

Accepted on behalf of the President of India

_____

Assistant / Deputy Commissioner of Customs
Date _____
Place_____

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ANNUXURE- II

100 Rupees non judicial stamp paper

UNDERTAKING

Know all men by these present that we, Prasar Bharti, 2nd Floor, PTI Building, Parliament Street, New Delhi - 110001, do hereby declare and bind us, with the President of India represented by the Commissioner of Customs, _____ (Port / Airport / ICD) hereinafter referred as the said Commissioner which shall include the person for the time being performing the duties of the Commissioner of Customs for the purpose of clearance of goods mentioned in the schedule annexed hereto, hereinafter referred as the goods, that

1. We are the importers of these goods and the same have been imported by us from _____ vide Invoice No. ---------- dated ----------, Bill of lading / Airway Bill No. ---------- in relation to the Games 2010;

2. That these goods have been imported for the purpose of the Games 2010;

3. We undertake that, as stipulated in the Notification No.13/2010-Customs dated 19.02.2010, hereinafter referred to as the "said notification", such goods shall be re-exported, within three months from the conclusion of the Games 2010, the proof of which shall be produced to the satisfaction of the Assistant/Deputy Commissioner of Customs.

4. In the event of failure to comply with the condition of the said Notification, we bind ourselves to pay the duty which would have been otherwise leviable thereon but for the exemption contained under the said notification;

5. That this Undertaking shall be enforceable against us notwithstanding that proceedings have been taken against any other party or disputes raised by any other party with regard to any of the liabilities or proceedings before any officer, tribunal or court with regard thereto or in connection therewith.

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Schedule of the goods referred to above

Bill of Lading / Airway Bill Number and date

IGM Number and date

Bill of Entry Number and date

Quantity

Description of goods

Assessable value

Rate of duty

Duty amount payable

Authorised Signatory

Prasar Bharti, 2nd Floor, PTI Building,

Parliament Street, New Delhi - 110001.

Date and Place

_____

Accepted on behalf of the President of India

_____

Assistant / Deputy Commissioner of Customs

Date _____

Place_____

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