F.No.528/210/98-CUS (TU)

Circular No. 12/99-Cus
(TU) dated 15/3/1999

Government of India
Ministry of Finance
Department of Revenue, New Delhi (Tariff Unit)

Subject :- Exemption from Customs duties on secondhand computer, computer peripherals, etc., when donated by an outside donor to schools run by Central Government, State Government, Government of Union Territory or a local body.

I am directed to refer to custom Notification No. 18/99-Cus. dated 11.2.99, wherein second-hand computer and computer peripherals including printer, plotter, scanner, monitor, key-board and storage unit has been exempted from custom duties, when received as donation by a schools run by Central Government, State Government, Government of Union Territory or a local body.

2. For ease of operation of above scheme, the following guidelines may be kept in mind.

(i) The second hand computer and other computer peripherals may be received as donation by the individual schools from foreign donors directly or through Non-Government Organisations (NGO) or through Department of Education or Department of Welfare of the State Government or the Central Government or Government of Union Territory,

(ii) The Head Master/Principal of the school which receives the goods as donation shall give an undertaking at the time of import as given below;

Undertaking

In pursuance of Notification No. 18/99-Cus. dated 11.2.99 issued under sub section (1) of Section 25 of Customs Act, 1962 (51 of 1962), hereinafter called the "said notification" I- ,Head Master/Principal of school, hereinafter called the "importer", [which expression shall include my successor, executors, administrator and legal representative], am/are hereinafter bound and to the President of India, hereinafter called the "President" [which expression shall include his successor and assignees] the sum of Rs. ----- (Rs. ------- only) to be paid to the President for which payment well and truly to be made, I/we bind myself / ourselves, my / our successor, executors, administrator and legal representative to abide by as under.

Whereas the Assistant Commissioner of Customs, Customs _____ Port/Airport/Inland Container Depot _____ has agree for clearance of the consignment of the goods under the above notification, without payment of duties of customs leviable thereon I undertake.

(i) To inform the receipt and installation of the said goods in the school premises with the Superintendent of Customs and Central Excise of the nearest range an the Assistant Commissioner of Customs _____ Port/Airport/Inland Container Depot _____ within three months of the import of said goods.

(ii) Not to use the said goods for any commercial purposes and nor shall sell, dispose off, gift, loan, exchange of part with the said goods without the permission of the Jurisdictional Assistant Commissioner of Customs and Central Excise, within five years from the date of receipt of the said goods in the premises of the school.

Signed

_____
(Principal)
(Name and Address of the School)

In the presence of (witness) (i) _____
(ii) _____

Where the schools organize the donation, the undertaking may be taken from the school Principals. However, when the NGOs or Government departments organize the donation, the undertakings from the school principal countersigned by the NGO/Department may be accepted.

The valuation of these goods may be made nationally which may have approximate relation to resale value.

The superintendent of Central Excise shall visit the said premises, verify the receipt of the goods with reference to marks and nos. if any, and send a report to the Assistant Commissioner of Customs at the Port of Import to enable him to close the file.

At the Port of Import no bank guarantee or bond in any other form be taken from the Principal.

However, for future monitoring after the Ist installation undertaking may be transferred to the Jurisdictional Assistant Commissioner of Central Excise for their record.

The Assistant Commissioner Central Excise shall request the principal of the school to send certificate that the goods are being used/kept in the school and have not been parted with.

Sd/-
(K.M.Ravichandran)
Sr. Technical Officer (TU)

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