

**Notification No 56 /2000-Customs**

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. 144/93 -Cus , dated 28th June, 1993 [ G.S.R. 480(E) dated the 28th June, 1993] in so far as it relates to import of silver or gold under the Scheme for export of Gold/Silver jewellery and articles against Gold and Silver supplied by the foreign buyer 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 gold/silver/platinum, alloys, findings and mountings of gold/silver/platinum and plain semi-finished gold/silver/platinum jewellery ( hereinafter referred to as "the said goods") falling within Chapter 71 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India by nominated agencies or status holders under the scheme for "Export Against Supply by Foreign buyer" as referred to in paragraph 8.19 of the Export and Import Policy, from the whole of the duty of customs leviable thereon, which is specified in the said First Schedule, and from the whole of the additional duty leviable thereon under section 3 of the said Customs Tariff Act:

Provided that in the case of import by the nominated agencies, the importer or his authorised representative executes a bond in such form or for such sum as may be specified by the Assistant Commissioner of Customs or Deputy Commissioner of Customs, undertaking himself to export gold/silver/platinum jewellery or articles, as the case may be, including studded articles having gold/silver/platinum content equivalent to the imported gold/silver/platinum within the period stipulated in the relevant contract between the importer and the foreign supplier of the said goods, as the case may be, or such extended period as the Assistant Commissioner of Customs or Deputy Commissioner of Customs may, on sufficient cause being shown, allow, and binding himself to pay on demand duty on quantity of gold/silver/platinum representing the difference between the quantity imported and that contained in the exported jewellery or articles:

Provided further that in the case of import by status holders, the importer executes a bond in such form and for such sum as may be specified by the Assistant Commissioner of Customs or Deputy Commissioner of Customs, and furnishes a bank guarantee for a sum equivalent to one and half times of the Customs duty leviable on the said goods imported, undertaking himself to export gold/silver/platinum jewellery or articles, as the case may be, including studded articles having gold/silver/platinum content equivalent to the imported gold/silver/platinum within 120 days from the date of import and to fulfill the conditions of Export and Import Policy and the Handbook of Procedures, Volume-I and to achieve the Export Obligation and Value Addition as stipulated in the Export and Import Policy and Handbook of Procedures, Volume-1 and binding himself to pay on demand duty on the said goods along with interest at the rate of 20% per annum on the said duty from the date of duty free importation till the date of payment of duty in case of non-fulfillment of Value Addition or Export Obligation as stipulated in the Export and Import Policy or Handbook of Procedures, Volume-I or in case of failure to complete the export within said period of 120 days.

**Explanation.-** for the purpose of this notification,-

- (a) "Export and Import Policy" means the Export and Import Policy, 1997 - 2002, notified by Government of India in the Ministry of Commerce vide notification No.1 (RE-99)/1997-2002, dated the 31st March, 1997, as amended from time to time;
- (b) "Handbook of Procedures, Volume-1" means the Handbook of Procedure, Volume-1, published vide Public Notice of the Government of India in the Ministry of Commerce, No.1 (RE-2000)/1997-2002, dated the 31st March, 2000, as amended from time to time;
- (c) "Nominated Agencies" means the Metals & Minerals Trading Corporation Limited (MMTC), the Handicraft and Handloom Export Corporation (HHEC), the State Trading Corporation (STC), the Project and Equipment Corporation of India Ltd.(PEC) and any agency authorised by the Reserve Bank of India (RBI);
- (d) "Status holder" means the exporter recognized as export house/ trading house/ star . trading house and superstar trading house by the Director General of Foreign Trade.

( RAJENDRA SINGH)  
Under Secretary to the Government of India