

# International Passenger Facilitation

## 1. Introduction:

- 1.1 Customs is mandated to ensure passengers entering or leaving India by international flights carry on person/handbag or accompanied baggage, goods in accordance with the permissible quantity/value and legal provisions and do not attempt to smuggle prohibited or banned or sensitive goods. Also, all passengers including businessmen, trade delegations, professionals expect speedy Customs clearance at the airports. Thus, Customs officials at the airports have a challenging role of ensuring quick clearance and passenger facilitation, as well as enforcing the Customs Act, 1962 and various allied laws that protect the interests of society/economy/revenue.
- 1.2 Over the time Indian Customs have aligned its procedures in tune with the best international practices in terms of duty free baggage allowances and other facilities and procedures. Steps have also been taken to educate general public and incoming and outgoing passengers of the extant Customs rules and regulations. In this direction Customs prominently display the relevant provisions/baggage allowances and list of prohibited/restricted items (endangered species or articles made from flora and fauna such as ivory, musk, reptile skins, furs, shahtoosh, antiques, satellite phones, etc.) at all international airports, with the 'dos and don'ts' for benefit of passengers. A booklet on "Customs Guide to Travellers" is also brought out periodically and circulated at airports as well as to our Embassies/Consulates abroad. Passenger related Customs information is also made available on the CBEC's web-site [www.cbec.gov.in](http://www.cbec.gov.in).

## 2. Clearance of arriving passengers:

- 2.1 Airlines generally provide the Disembarkation Card to the passengers in the aircraft itself and each passenger must fill up the same clearly mentioning the quantity and value of goods brought. On landing, the passenger is first cleared by Immigration authorities, who retain the Immigration portion of the Disembarkation Card. Thereafter, the passenger takes delivery of baggage, if any, from the conveyer belt and approaches the Customs where the passenger exercises the option of seeking clearance through the Green Channel or through the Red Channel.
- 2.2 The Green Channel or Walk Through Channel applies to passengers who have nothing to declare and are carrying dutiable goods within the prescribed free allowance. On the basis of their Oral Declaration/Declaration on their Disembarkation Card such passengers cross the Green Channel without any question being asked by Customs and exit the airport after handing over the Customs portion of the Disembarkation Card to the Customs Officer/Sepoy at the exit.
- 2.3 The Red Channel is meant for passengers who have something to declare or are carrying goods in excess of the duty free allowance. The passenger hands over the

Customs portion of the Disembarkation Card to the officer on duty at this Channel. In case the card is incomplete the Customs Officer helps record the Oral Declaration (O.D) of the passenger and thereafter countersigns/stamps the same, after taking the passenger's signature. In order to identify the frequent 'short visit' passengers the Customs Officer also scrutinizes the passport/other travel documents of the passengers. The declaration of goods and their values is generally accepted and duty assessed. On payment of this duty the passenger is allowed clearance.

- 2.4 Any passenger found walking through the Green Channel with dutiable/prohibited goods or found misdeclaring the quantity, description or value of dutiable goods at the "Red Channel" (the baggage is examined where misdeclaration suspect), is liable to strict penal action including arrest/prosecution apart from seizure/confiscation of the offending goods depending upon gravity of violation detected. In case the passenger brings any goods in baggage that are essentially for commerce and not for personal use, or imports goods in commercial quantity, these goods become liable to confiscation and the passenger liable to strict penal action. Only bonafide baggage items for personal use or use by members of his family are allowed to be imported as baggage. In case of frequent 'short visit' passengers and repeat offenders, the Customs officers would impose higher levels of fines and penalties and for deterrent effect even consider prosecution in a Court of law.

### **3. Duty free allowances and entitlements for Indian Residents and Foreigners Residing in India:**

- 3.1 The duty free entitlement of passengers includes used personal effects (excluding jewellery) required for satisfying the daily necessities of life. In addition, articles valued at upto Rs.25,000/- are allowed free of duty if carried as accompanied baggage of the passenger. This amount is proportionately reduced to Rs.12,000/- if stay abroad is of 3 days or less. For children below 10 years, the free allowance is Rs.6,000/- (Rs3,000/- if stay abroad is of 3 days or less). However, for such passengers coming from Nepal, Bhutan, Myanmar or China, by routes other than by Land route, and for such passengers coming from Pakistan by land route, the free allowance is Rs.6,000/-.
- 3.2 In addition, to the above such passengers are allowed the following quantities of tobacco products and alcohols within the aforesaid duty free allowances:
- (i) 200 cigarettes or 50 cigars or 250 gms tobacco.
  - (ii) Alcoholic liquor & wines upto 2 litre each.
- 3.3 The items that are not allowed free of duty include firearms, cartridges of firearms, cigarettes/ cigars/ tobacco or alcoholic liquor and wines that is in excess of what is allowed within the free allowance, gold or silver, in any state (other than ornaments) unless specified otherwise.
- 3.4 The bonafide baggage items that are in excess of the duty free allowance can be cleared on payment of a uniform rate of Customs duty that is currently @35%+ Cess, as applicable, except for items like liquor, cigarette etc. that are charged to a higher rate of duty as applicable to imports other than as baggage.

- 3.5 Professionals, who are returning to India after at least 3 months stay abroad are eligible for additional free allowance of Rs.12,000/- for used household articles such as utensils, linen, kitchen appliances, iron etc. and Rs.20,000/- for professional equipment. The allowance is proportionately higher if passenger is returning after 6 months stay or 1-year stay abroad.

#### **4. Import of jewellery/gold/silver:**

- 4.1 An Indian passenger who has been residing abroad for over 1 year is allowed to bring jewellery, free of duty, in bonafide baggage upto an aggregate value of Rs.10,000/- in the case of a male passenger or Rs.20,000/- in the case of a lady passenger.
- 4.2 Any passenger of Indian origin (even if a foreign national) or a passenger holding a valid passport issued under the Passport Act, 1967 if coming to India after a period of not less than 6 months of stay abroad is allowed to import specified quantities of gold and silver as baggage on payment of duty, which has to be paid in foreign currency. Such passenger can also obtain the permitted quantity of gold and silver from authorized Banks - SBI, Bank of Nova Scotia etc. The specified quantities and rate of duty are as follows:

Item	Permitted Quantity	Description of goods	Rate of duty
Gold	Upto 10 kgs.	Gold, in any form in respect of which the benefit of Notification No. 3/2012-Customs dated 16.01.2012 is availed	Rs.526 per 10 grams
Silver	Upto 100 kgs.	Silver, in any form in respect of which the benefit of Notification No. 3/2012-Customs dated 16.01.2012 is availed	Rs 953 per kilograms

[Refer Board's Notification No.4/2012-Customs (N.T.), dated 17-1-2012]

#### **5. Duty free allowances and entitlements for tourists:**

- 5.1 A tourist is a passenger who is not normally resident in India or who enters India for a stay of not more than 6 months in the course of any 12-month period for legitimate non-immigrant purposes, such as touring, recreation, sports, health, family reasons, study, religious pilgrimage, or business. The duty free allowances and entitlements for tourists are as follows:

Category of Tourist	Duty Free Allowance
Tourists of Indian origin coming to India (other than those coming from Pakistan by land route)	Same as for Indian passengers or foreigners residing in India
Foreign tourists	Rs.8,000/-
Tourist of Pakistani origin	Rs.6,000/-
Tourist of Nepalese and Bhutanese origin	Rs.6,000/-

[Refer Board's Notification No.77/2011-Customs (N.T.), dated 14-11-2011]

## **6. Allowances and entitlements on Transfer of Residence (TR):**

- 6.1 A person transferring his residence to India after a minimum stay of 2 years abroad, immediately preceding the date of his arrival on transfer of residence, is entitled to certain benefits in addition to those available to a passenger, subject to certain conditions. Short visits are permitted during the 2 preceding years but total stay in India on short visits should not exceed 6 months. Further, a shortfall in period of stay abroad can be relaxed upto 2 months by the Assistant/Deputy Commissioner and shortfall in period of stay abroad exceeding 6 months by the Commissioner of Customs in deserving and exceptional cases.
- 6.2 The person transferring his residence to India after 2 years stay abroad as mentioned above is eligible to clear free of duty, articles such as used personal and household articles of a value of upto Rs.5/- lakhs. However, goods such as firearms, cartridges of firearms, cigarettes/ cigars/ tobacco or alcoholic liquor and wines in excess of what is allowed within the normal free allowance, gold or silver, in any state (other than ornaments) are not allowed to be imported. Moreover, few specified goods are not eligible for a complete duty exemption and are charged to a lower concessional duty that is presently @31%. These goods are: T.V, VCR/VCP/VTR, washing machine, air conditioner, microwave oven, personal computer, dish washer, music system, electrical/ LPG cooking range (other than cooking range with not more than 2 burners and without any extra attachment), refrigerator, deep freezer, video camera or a combination of video camera and TV receiver; sound recording or reproducing apparatus; video reproducing apparatus, word processing machine, fax machine, vessels, aircraft, cinematographic films of 35 mm and above, gold or silver, in any form, other than ornaments.
- 6.3 TR concession is available provided the passenger has not availed this facility in the preceding 3 years. In other words there is no bar if the passenger who returns for stay in India on TR goes abroad but on his return again the TR concession is available for another 3 years.

## **7. Import of baggage of deceased person:**

- 7.1 In terms of Notification No.21/2002-Cus., dated 1-3-2002 used, bonafide personal and household articles of a deceased person are allowed free of duty subject to the condition that a Certificate from the concerned Indian Embassy / High Commission is produced regarding the ownership of the goods by the deceased person.

## **8. Import of unaccompanied baggage:**

- 8.1 The unaccompanied baggage is required to have been in the possession abroad of the passenger and dispatched within 1 month of his/her arrival in India or within such further period as the Assistant Commissioner of Customs may allow. The unaccompanied baggage may arrive in India upto 2 months before the passenger or within such period, not exceeding 1 year, as may be permitted by the Assistant

Commissioner of Customs if he is satisfied that the passenger was prevented from arriving in India within the period of 2 months due to circumstances beyond his control.

- 8.2 No free allowance is admissible in respect of unaccompanied baggage, which is charged the normal baggage rate of duty (35% ad valorem + Cess, at present).

**9. Import of foreign exchange/currency:**

- 9.1 Any person can bring into India foreign exchange without any limit. However, declaration of foreign exchange/currency is required to be made in the prescribed Currency Declaration Form in the following cases:

- (a) Where the value of foreign currency notes exceeds US\$ 5000/- or equivalent; and
- (b) Where the aggregate value of foreign exchange (in the form of currency notes, bank notes, traveler cheques etc.) exceeds US\$10,000/- or its equivalent.

**10. Import of Indian currency:**

- 10.1 The import of Indian currency is prohibited, however, passengers normally resident in India who are returning from a visit abroad may import Indian currency not exceeding Rs.7,500/-.

**11. Import of fire arms as baggage:**

- 11.1 Import of firearms is strictly prohibited. Import of cartridges in excess of 50 is also prohibited. However, in the case of persons transferring their residence (as per conditions specified in the rules) to India for a minimum period of 1 year, one firearm of permissible bore can be allowed to be imported subject to the conditions that:

- (i) The firearm was in possession and use abroad by the passenger for a minimum period of 1 year and also subject to the condition that such firearm, after clearance, shall not be sold, loaned, transferred or otherwise parted with, for consideration or otherwise, during the lifetime of such person; and
- (ii) The firearm is subjected to applicable duty; and
- (iii) The passenger has a valid arms licence from the local authorities in India.

**12. Import of pet animals as baggage:**

- 12.1 Domestic pets like dogs, cats, birds etc. may be imported. Import of animals and birds is governed by strict health certificate regulations

**13. Detained baggage:**

- 13.1 There may be occasions when the passenger is not in a position to clear his baggage for any reason e.g. inability to pay the Customs duty demanded. In such a situation, the

passenger may request the Customs to detain his baggage either for re-export at the time of his departure from India or for clearance subsequently on payment of duty. The detained baggage would be examined and its full details inventorised before being taken in the custody of Customs.

#### **14. Mishandled baggage:**

- 14.1 There are numerous occasions when passenger baggage gets lost or mishandled by the Airlines. In all such cases the passenger is required to obtain a certificate to that effect from the airlines and get it countersigned by Customs indicating specifically the unutilized portion of the free allowance. This would enable the passenger to avail the unutilised portion of the duty free allowance when his baggage is delivered by the airlines.

#### **15. Clearance of departing passengers:**

- 15.1 On the departure side, the principal task of Customs is enforcement related. These include checks to prevent narcotic drug trafficking, smuggling of other sensitive items such as Indian including foreign currency, wild life products, antiques etc. Customs also plays an important role in facilitating the re-import of the high valued articles including jewelry, being carried out of the country by issuing to the departing passengers a re-export certificate.

#### **16. Export of gold jewellery as baggage:**

- 16.1 There is no value limit on the export of gold jewellery by a passenger through the medium of baggage so long as it constitutes the bonafide baggage of the passenger

#### **17. Export of currency:**

- 17.1 Export of Indian currency is strictly prohibited. However, Indian residents going abroad are allowed to carry Indian currency not exceeding Rs.7,500/-.
- 17.2 Indians going abroad are permitted to take with them foreign currency without any limit so long as the same has been purchased from an authorized foreign exchange dealer
- 17.3 Tourists while leaving India are allowed to take with them foreign currency not exceeding the amount brought in by them at the time of their arrival in India. As no declaration is required to be made for bringing in foreign exchange/currency not exceeding equivalent of U.S. \$10,000/-, generally tourists can take out of India foreign exchange/currency not exceeding the above amount.