

# Customs Regulations

## 187. Definition

For the purpose of the Baggage Rules

- (i) "**Tourist**": means a person not normally resident in India, who enters India for a stay of not more than six months in the course of any twelve months period, for legitimate non-immigrant purposes, such as touring, recreation, sports, health, family reasons, study, religious pilgrimage or business;
- (ii) "**Professional equipment**" means such portable equipment, instruments, apparatus and appliances as are required in his profession, by a carpenter, a plumber, a welder, a mason, and the like and shall not include items of common use such as camera, cassette recorder, dicta-phone, personal computer, typewriter, and other similar articles.

## 188. Declaration

Every passenger coming from abroad is required to declare all articles in the prescribed disembarkation card along with their value and also fill up the currency declaration form.

## 189. Baggage Rules

Indian residents or foreigners residing in India:

- (I) If coming from countries other than Bhutan, China, Myanmar or Nepal and from Pakistan by land route:

Duty free entitlement	For passengers of age 12 or above	For passengers of age below 12 years
i) Used personal effects required for satisfying daily necessities of life. ii) Other articles a) Stay abroad for more than three days b) Stay abroad upto 3 days	Free Rs 12,000/- (in value) Rs 6000/- (in value)	Free Rs 3000/- (in value) Rs 1500/- (in value)

Explanation: The free allowance cannot be pooled with the free allowance of any other passenger.

- (II) If coming from Nepal, Bhutan, Myanmar or China other than by land route and from Pakistan by land route:

Duty free entitlement	For passengers of age 12 or above	For passengers of age below 12 years
i) Used personal effects required for satisfying daily necessities of life. ii) Other articles Stay abroad for more than three days	Free Rs 3,000/- (in value)	Free Rs 750/- (in value)

**Explanation:** The free allowance cannot be pooled with the free allowance of any other passenger.

In the context of the Baggage Rules, personal effects would include the following goods:

- (i) Personal jewelry
- (ii) One camera with film rolls not exceeding twenty
- (iii) One video camera, camcorder with accessories and with videocassettes not exceeding twelve
- (iv) One pair of binoculars
- (v) One portable colour television (not exceeding 15 cms in size)
- (vi) One music system, including compact disc player
- (vii) One portable typewriter
- (viii) One perambulator
- (ix) One tent and other camping equipment

- (x) One computer (laptop/notebook)
- (xi) One electronic diary
- (xii) One portable wireless receiving set (transistor radio)
- (xiii) Professional equipment, instruments and apparatus or appliances including professional audio/video equipment
- (xiv) Sports equipment such as one fishing out-fit, one sporting fire arm with fifty cartridges, one non-powered bicycle, one canoe less than 51 meters long, one pair of skis, two tennis rackets, one golf set (14 pieces, with a dozen golf balls).
- (xv) One cell phone.

**(III) Passenger engaged in a profession abroad for over three months:**

An Indian passenger who was engaged in his profession abroad shall on his return to India be allowed clearance free of duty, in addition to what he is allowed under (I) above or, as the case may be under (II) above, articles in his bonafide baggage to the extent as mentioned below -

Indian passenger returning	Used household articles and personal effects	Professional equipment
i) after at least 3 months ii) after at least 6 months iii) after a minimum stay of 365 days during the preceding 2 years on termination of his work, who has not availed this concession in the preceding 3 years.	Upto an aggregate value of Rs 6000/- -do- Upto a value of Rs 30,000/- (provided the articles have been in the possession and use abroad of the passenger and his family for at least 6 months, and which are not mentioned in Annex I or II)	Upto a value of Rs 10,000/- Upto a value of Rs 20,000/-

**IV) Jewellery**

An Indian passenger who has been residing abroad for over one year is allowed to bring jewellery, free of duty upto an aggregate value of Rs.10, 000/- (in the case of a gentleman passenger) or Rs. 20,000/- (in the case of a lady passenger).

**V) Transfer of residence**

A person who is transferring his residence to India shall be allowed clearance free of duty, in addition to what he is allowed under (I) above, or as the case may be, under (II) above articles in bonafide baggage to the extent and subject to conditions as mentioned below:

Articles allowed free	Conditions	Relaxation that may be considered
(a) Used personal and household articles other than those listed at Annex I or II, but including jewellery upto 10 thousand rupees by a gentleman passenger or twenty thousand rupees by a lady passenger (b) Jewellery taken out earlier by the passenger, or by a member of his family from India	(1) Minimum stay of two years abroad immediately preceding the date of his arrival on TR. (2) Total stay in India on short visit during the 2 preceding years should not exceed 6 months, and (3) Passenger has not availed this concession in the preceding 3 years.	a) In respect of condition (1), a shortfall upto 2 months can be condoned by an Assistant Commissioner of Customs if the early return is on account of - (i) terminal leave or vacation being availed of by the passenger, or (ii) any other special circumstances. b) In respect of condition (2), Commissioner of Customs may condone short visits in In excess of six months in deserving cases In excess of six months in deserving cases. c) For condition (3), no relaxation. Satisfaction of the Assistant Commissioner of Customs regarding the jewellery having been taken out earlier from India

**VI. Tourist**

A tourist arriving in India shall be allowed clearance free of duty articles in his bonafide baggage to the extent as mentioned below: -

Category of Tourist	Articles allowed free of duty
(a). Tourists of Indian origin other than those coming from Pakistan by land route (b) Tourists of foreign origin other than those of Nepalese origin coming from Nepal or Bhutanese origin coming from Bhutan or of Pakistani Origin coming from Pakistan. (c) Tourists of Nepalese origin coming from Nepal or of Bhutanese origin coming from Bhutan. (d) Tourists of Pakistani origin or foreign tourists coming from Pakistan or tourists of Indian origin coming from Pakistan by land route.	i)Used personal effects and travel souvenirs, if - (a) these goods are for personal use of the tourist, and (b) these goods, other than those consumed during the stay in India, are re-exported when the tourist leaves India for a foreign destination. (ii) articles as allowed to be cleared under item 3(I) or 3(II) above. i) Used personal effects and travel souvenirs, if (a) these goods are for personal use of the tourist, and (b) these goods, other than those consumed during the stay in India, are re-exported when the tourist leaves India for a foreign destination. ii) articles upto a value of Rs 4000/- for making gifts. No free allowance. used personal effects and travel souvenirs, if (a)these goods are for personal use of the tourist, and (b) these goods, other than those consumed during the stay in India, are re-exported when the tourist leaves India, for a foreign destination. (ii) Articles up;to a value of Rs. 3000 for making gifts.

### VII Calculation of Duty

In case the value of one item exceeds the duty free allowance, the duty shall be calculated only on the excess of such amount.

### VIII Domestic pets

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

### IX Provisions regarding unaccompanied baggage

1. Provisions of Baggage Rules are also extended to unaccompanied baggage except where they have been specifically excluded.
2. The unaccompanied baggage had been in the possession abroad of the passenger and is dispatched within one month of his arrival in India or within such furthers period as the Assistant Commissioner of Customs may allow.
3. The unaccompanied baggage may land in India upto two months before the arrival of the passenger or within such period, not exceeding one year, as the Assistant Commissioner of Customs may allow, for reasons to be recorded, if he is satisfied that the passenger was prevented from arriving in India within the period of two months due to circumstances beyond his control, such as sudden illness of the passenger or a member of his family, or natural calamities or disturbed conditions or disruption of the transport or travel arrangements in the country or countries concerned or any other reasons, which necessitated a change in the travel schedule of the passenger.

### X Clearance of gold or silver on payment of duty

Any passenger of Indian origin having a valid passport under Passport Act, 1967 who is coming to India after a period of not less than six months of stay abroad can import gold or silver on payment of customs duty at the following rates: -

Gold: Rs.400/- per 10 gms (Maximum limit of 10 Kgs)

Silver: Rs.500/- per Kg. (Maximum limit of 100 Kgs)

The duty at the rate specified above shall be paid in convertible foreign currency.

### XI Foreign exchange / currency

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, (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.

## **XII Channel of clearance**

There are two channels of customs clearance: -

i) Green Channel for passengers not having any dutiable goods. ii) Red Channel for passengers having dutiable goods. Passengers walking through the Green Channel with dutiable prohibited goods are liable to prosecution/penalty and confiscation of goods.

## **XIII Mishandled baggage**

In case the baggage has been lost or mishandled by the Airlines, 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.

## **XIV. Special information**

1. Trafficking in narcotic drugs like heroin, chares (hashish) and cocaine or in psychotropic substances is prohibited and is punishable with imprisonment.
2. Import of firearms as baggage is prohibited.
3. Export of most species or wildlife and articles made from flora and fauna such as ivory, musk, reptile skins, furs, shahtoosh etc. is prohibited. For clarification, passenger should approach the Regional Deputy Director (Wildlife preservation) Govt. Of India or the State Chief Wild Life Wardens posted at Calcutta, Delhi, Mumbai and Chennai.
4. Non declaration, misdeclaration and concealment of imported goods is an offence under the Customs Act which may result in confiscation, fine, penalty and even prosecution.
5. Export of foreign currency / foreign exchange without lawful authorization and/or without declaration before Customs is prohibited.
6. Export of Indian currency in excess of a total of Rs.1000/- is prohibited. However, export of Indian currency is permitted to Nepal and Bhutan, if the denomination of the notes is not above Rs.100/-.
7. Export of antiquities is prohibited.
8. In case of any difficulty or complaint, passengers may see the Deputy/Asset. Commissioner of Customs on duty in the Baggage Reclaim Area.

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## **Annexure I**

1. Fire arms
2. Cartridges of fire arms exceeding 50
3. Cigarettes exceeding 200 or cigars exceeding 50 or tobacco exceeding 250 gms
4. Alcoholic liquor and wines in excess of one litre each.
5. Gold or silver, in any form, other than ornaments.

## **Annexure II**

1. Colour Television / Monochrome Television
2. Video Cassette Recorder / Video Cassette Player /Video Television Receiver

3. Washing Machine
4. Electrical / Liquefied Petroleum Gas Cooking Range (other than Electrical / Liquefied Petroleum Gas stoves with not more than two burners and without any extra attachment.)
5. Dish washer
6. Music System
7. Personal Computer
8. Air Conditioner
9. Refrigerator
10. Deep Freezer
11. Microwave Oven
12. Video Camera or the combination of such video camera with one or more of the following goods, namely: -

- (a) Television Receiver;
- (b) Sound recording or reproducing apparatus;
- (c) Video reproducing apparatus.

13. Word Processing Machine
14. Fax Machine
15. Vessels
16. Aircraft
17. Cinematographic films of 35 mm and above
18. Gold or silver, in any form, other than ornaments.

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## Health Regulations

### 190. For entry into India

#### (1) Yellow Fever

Any person (excluding infants below the age of six months) arriving by air or sea without a certificate of vaccination is to be detained in isolation for a period upto 6 days if :-

- (i) he/she arrives within 6 days of departure from an infected area; or
- (ii) has come on a ship which has started from, or touched at, any port in a yellow fever infected area within 30 days of its arrival in India, and such ship has not been disinfected in accordance with the procedure laid down by WHO, or
- (iii) has come by an aircraft which has been in an infected area and has not been disinfected in accordance with the provisions laid down in the Aircraft Public Health Rules, 1954, or the Indian Port Health Rules, 1955, or those recommended by WHO.

**Note:** The under-mentioned persons are exempted from the purview of production of a certificate: -

- (a) Infants below the age of six months.
- (b) Crew and passengers of an aircraft transiting through an airport located in a yellow fever infected area, provided the Health Officer is satisfied that such persons remained within the airport premises during the period of stay.

(2) At present, the following countries are regarded as yellow fever infected: -

**AFRICA:** Angola, Benin, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Congo, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Kenya, Liberia, Mali, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Togo, Uganda, United Republic of Tanzania, Zaire, Zambia (32 countries).

**AMERICA:** Bolivia, Brazil, Colombia, Ecuador, French Guyana, Guyana, Peru, Surinam, Trinidad and Tobago, Venezuela, Panama (11 countries).

3) The vaccination certificate is valid only if it conforms to the model reproduced in *APPENDIX XXV*. The validity period of an international certificate of vaccination, or re-vaccination against yellow fever, is 10 years, beginning 10 days after the vaccination. Re-vaccination renders the certificate valid for a further period of 10 years, starting on the day of re-vaccination. If the re-vaccination is recorded on a new certificate, the traveller may be advised to retain the old certificate for 10 days, until the new certificate becomes valid.

(4) A foreign national residing in, or who has passed through the Yellow Fever endemic countries during the preceding six days, may be granted a visa only after the production of a vaccination certificate of Yellow Fever. After checking the vaccination certificate, an entry, which may read as "Valid Yellow Fever Vaccination Certificate Checked", may be made in the passport of the foreigner.

(5) An administrative arrangement for the health control of air, land and sea traffic exists between the Government of India and the Government of Bangladesh. Accordingly, if any aircraft or ship or land traffic from a different country arrives first at an airport or port or border checkpoint in one of the agreement countries and then directly (without touching any other country en-route) reaches the second country of the agreement, all health checks will be completed in the country of first arrival and will be exempted from any further health check on arrival in the second country.

### 191.. (i) For leaving India

- (i) **Cholera:** Travelers proceeding to countries that impose restrictions for arrivals from India, or from an infected area in India on account of Cholera, are required to possess a certificate.
- (ii) **Yellow Fever:** A person leaving for a Yellow Fever infected area is advised in his/her own interest to be in possession of a valid Yellow Fever vaccination certificate before he/she leaves the country. The Government of Guyana requires all persons, including diplomats, travelling to that country from India to possess a valid Yellow Fever and Cholera inoculation certificate before he/she leaves India.
- (iii) There is no health check on passengers leaving by air or sea.

(iv) The list of Yellow Fever vaccination centres in India is as under: -

#### MUMBAI

1. The Airport Health Office, Mumbai Airport, Sahar, Mumbai-400099.
2. The Port Health Organisation, 7, Mandlik Road, Mumbai-400039.
3. The Seamen's Medical Examination Organisation, Nou Bhawan, Mumbai.

#### CALCUTTA

4. The All India Institute of Hygiene and Public Health, 110, Chittaranjan Avenue, Calcutta-700073.
5. The Airport Health Organisation, Dum Dum Airport, Calcutta.
6. The Port Health Organisation, Marine House, Hastings, Calcutta-700022.

#### COCHIN

7. The Port Health Organisation, Cochin-602003.

#### DELHI

8. The Airport Health Organisation, I.G.I.A., New Delhi.
9. The Public Health Laboratory, Municipal Corporation, Delhi.
10. The Armed Forces, M.I. Room, Delhi Cantt. New Delhi.
11. The Health Office, N.D.M.C., New Delhi.
12. The Dr. R.M.L. Hospital, New Delhi-110001.

#### GOA

13. The Urban Health Centre, Panaji, Goa.
14. The Port Health Organisation, Maramgoa, Goa.

#### HYDERABAD

15. The Institute of Preventive Medicine, Hyderabad.

#### GUJARAT

16. Irwin Hospital, Jamnagar, Gujarat.
17. The Port Health Organisation, Kandla (Kutch)-370210.
18. The Office of Civil Surgeon, Porbander (Gujarat).

#### HIMACHAL PRADESH

19. The Central Research Institute, Kasauli (H.P).

#### UTTAR PRADESH

20. The Balrampur Hospital, Lucknow (U.P).

#### CHENNAI

21. The King Institute of Preventive Medical, Guindy, Chennai.
22. The Airport Health Officer, Anna Airport, Chennai.
23. The Port Health Officer, Rajaji Salai, Chennai-600001.

#### MAHARASHTRA

23. The Department of Preventive and Social Medicine, B.J. Medical College, Pune.

VISAKHAPATNAM

25. The Port Health Organisation, Visakhapatnam-1.

# Regulations applicable to foreigners in India

## 178. Regulations

The extant Acts dealing with entry, stay and exit of foreign nationals in the country are: (i) Passport (Entry into India) Act, 1920; (ii) Foreigners Act, 1946; and (iii) Registration of Foreigners Act, 1939.

i. The Passport (Entry into India) Act, 1920, prescribes specific authorization of foreign nationals on their valid travel documents/passports for allowing entry into the country. Under this Act and the Rules made thereunder, the foreigners coming to India are required to get visa from Indian Missions/Posts.

ii. The Foreigners Act, 1946 regulates the entry of foreigners into India, their presence therein and their departure therefrom.

iii. The Registration of Foreigners Act, 1939 and the Registration of Foreigners Rules, 1992 mandate that certain categories of foreigners whose intended stay in India is more than 180 days, or as provided in their visa authorization, are required to get themselves registered with the Registration Officer.

## 179. Registration of Foreigners:

i. All foreigners (including foreigners of Indian origin) visiting India on long term (more than 180 days) Student Visa, Medical Visa, Research Visa and Employment Visa are required to get themselves registered with the Foreigners Regional Registration Officer (FRRO)/ Foreigners Registration Officer (FRO) concerned having jurisdiction over the place where the foreigner intends to stay, within 14 days of arrival. However, Pakistan nationals are required to register within 24 hours of their arrival.

ii. Foreigners other than those mentioned above will not be required to get themselves registered, even if they have entered India on a long term visa provided their continuous stay in India does not exceed 180 days. If the intention of the foreigner is to stay for more than 180 days, he/she should get himself/herself registered within 180 days from the date of arrival with the Foreigner Registration Officer concerned.

iii. All Indian Missions shall stamp the visas of the foreigners mentioned at (a) above to the effect "REGISTRATION REQUIRED WITHIN 14 DAYS FROM THE DATE OF ARRIVAL" in India. As regards (b) the Indian Missions may stamp the visas to the effect "REGISTRATION NOT REQUIRED IF EACH STAY DOES NOT EXCEED 180 DAYS"

## 180. Registration officers:

The authorities concerned with registration etc. of a foreigner in India are the Foreigners Regional Registration Officers (FRROs) at Kolkata, Mumbai, New Delhi, Chennai, Amritsar, Bangalore and Hyderabad, and the District Superintendents of Police in all other districts.

## 181. Arrival formalities:

Every person entering India by air, land or sea is required to complete the Embarkation/Disembarkation card (D/E card) proforma (Form 'D' - Registration of Foreigners Rules, 1992). The Revised proforma of D/E card is at Appendix XXIV.

## 182. Residential Permit:

Residential permit is issued at the time of registration, its validity being the period of stay specified in the visa. Application for extension of the Residential Permit should be made at least TWO months before its expiry to the nearest Registration Officer in the prescribed form.

## 183. Report of absence from address:

If at any time a foreigner who is required to register as per para 179 above proposes to be absent from his/her registered address for a continuous period of eight weeks or more; or is changing the registered address; or is finally departing from India, he/she shall, before leaving, inform in person, or through an authorized representative, or by registered post to the jurisdictional Registration Officer of his/her intention to leave, either temporarily or permanently. In case he/she is moving to another address in India, the new address should also be intimated to the Registration Officer.

184. Departure formalities:

Every registered foreigner who is about to depart finally from India shall surrender his/her certificate of registration either to the Registration Officer of the place where he/she is registered, or of the place from where he/she intends to depart, or to the Immigration Officer at the port / check post of exit from India. If the certificate is surrendered to any authority other than the Immigration Officer of the port or check post of exit, a receipt indicating such surrender of the document may be obtained and shown to the Immigration Officer. It is not necessary for a foreigner (except a citizen of Pakistan) to seek exit / departure clearance from the Registration Officer of his/her place of registration. Such a foreigner can straightaway depart from the Immigration Check post.

185. Diplomats, officials etc

- i. Foreign diplomatic and/ or consular officers or officials assigned to India and their spouses and children are exempt from registration on a reciprocal basis. However, this exemption is not available to the members of the staff of the missions of the Arab Republic of Egypt and the Syrian Arab Republic.
- ii. Officials of the UN and its Specialized Agencies coming to India on duty, their spouses and dependent relatives, as well as experts under the UN and its Specialized Agencies holding UN Laissez-Passer or any other document indicating their status with the UN, are exempted from registration. Such persons are also not issued a residential permit.

186. Stay at Hotels:

All foreigners who stay at hotels, guesthouses or places of such nature should furnish on arrival particulars for filling in the hotel register, sign therein, and also furnish the required particulars at the time of departure.

187. Prohibited Places:

No foreigner can visit or reside in any prohibited place, declared as such under the provisions of the Official Secrets Act, 1923 without the permission of the jurisdictional authority. For a visit to a Protected / Restricted Area/ Cantonment Area, prior permission of the competent authority must be obtained by the foreigner.

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