

A joint knowledge initiative by Vizag Industrial Scan & Vizag Customs

International Passengers Clearance - Customs facilitation

J.M.Kishore, IRS
Asst. Commissioner of
Customs, Vizag



One of the most important roles played by Customs is to ensure smooth clearance of international passengers entering or leaving India and their baggage in accordance with the permissible quantity/ value stipulated by law. Ensuring compliance of existing legal provisions and to foil attempts to smuggle prohibited or banned or sensitive goods into India by passengers is part of the duties assigned to Customs. Passengers including professionals, businessmen, trade delegations, keep travelling in international flights and Customs officers at airports have a challenging role of ensuring quick clearance and passenger facilitation. During this process, Customs officers are mandated to ensure implementation of The Customs Act, 1962 and various allied laws that protect the interests of society/economy/revenue.

Customs Baggage Rules, 1998 provide the provisions specifying the Rules and facilities available for international passengers. For easy understanding of VISCAN readers, important provisions are mentioned here under.

According to the Baggage Rules, two broad categories of persons are recognised. **Residents** and **Tourists**. "Resident" is a person holding a valid passport and normally residing in India. "Tourist" is 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.

Passenger related Customs information is also made available on the CBEC's web-site www.cbec.gov.in.

Clearance of arriving international passengers:

The process involved in clearance of international passengers is as under:

Disembarkation card :- Airlines usually provide the Disembarkation Card to the passengers in the aircraft itself and each passenger must fill up the same.

Immigration clearance :- The passenger is to approach Immigration authorities for verification of passport and

clearance.

Delivery of Baggage:-

The first step is clearance of hand baggage being carried by the passenger through customs by getting the hand baggage scanned. The second step involves collecting the check-in baggage from the conveyer belt. This checked in baggage, gets scanned by Customs before delivery through Belt.

Passage through Green/Red Channels:-

Passenger exercises the option of seeking clearance through the Green Channel or through the Red Channel. **Green Channel or Walk Through Channel** applies to passengers who have nothing to specifically declare and are carrying dutiable goods within the prescribed free allowance. They can proceed to exit, handover the **Customs declaration form** duly filled to the Customs Officer/ Sepoy at the exit. The Customs Baggage Declaration Regulations, 2013 were notified from 1-3-2014 prescribing a Baggage Declaration Form that will be required to be filled up by all incoming passengers.

The *bona fide* baggage accompanying a passenger is exempt from duty. *Bona fide* baggage includes articles such as Watches, Bedding and travelling rugs, requisites for games and sports (e.g. golf clubs, fishing rods, tennis racquets etc.), Toys (if a child accompanies), Bicycle (not motor cycle), Two saddles and bridles, Perambulator or go-cart (if a child accompanies), musical instrument, Camera, Binoculars, Field-glasses, Sewing machine etc. The **Red Channel** is meant for passengers who have something to declare or are carrying goods in excess of the duty free allowance.

Such passengers to approach Red Channel counter in the Customs area and their oral declaration/values are accepted and baggage duty @ 36.05% is collected through the bank counter located in the airport and the passenger is allowed clearance.

Any passenger found walking through the Green Channel with dutiable/prohibited goods or found mis-declaring the quantity,

description or value of dutiable goods 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 sale/commerce/trade 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.

What is duty free for a passenger landing from an international flight?

✓ All personal effects (excluding usual jewellery wearing)

✓ Other articles valued at upto Rs.45,000/- .In case the value exceeds this Rs 45000 limit, duty @ 36.05% is collected on the excess amount (above Rs 45000/-) only. **The minimum stay abroad to be more than 3 days.**

✓ In addition, to the above such passengers are allowed the following quantities of tobacco products and alcohols within the aforesaid duty free allowance of Rs. 45000/-

- (i) 100 cigarettes or 25 cigars or 125 gms tobacco.
- (ii) Alcoholic liquor and wines upto 2 litre each.

✓ Apart from all the above, **ONE LAP TOP** (if the passenger is above 18 years of age) is freely permitted to be brought and the same is duty free.

What are the goods not allowed?

- ☒ 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- such as coins, bars, biscuits etc (other than jewellery / ornaments)

The bonafide baggage items that are in excess of the duty free allowance (Rs 45000/- per passenger) can be cleared on payment of a uniform rate of Customs duty that is currently @36.05%. However, in case of items like liquor, cigarette etc. which are brought in

excess of the limits are charged to a higher rate of duty as applicable to imports which may be approximately 100% of the value.

Whether Customs duty payable for TV in baggage?

Yes- Duty free baggage allowances and entitlements for Indian Residents and Foreigners Residing in India has been disallowed in respect of Flat Panel (LCD/LED/ Plasma) Television. With effect from 19-08-2013, Flat Panel (LCD/LED/

If passenger is returning after staying 6 months, what is his eligibility for import of Gold/Silver Jewellery?

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 as under:

Item	Permitted Quantity	Description of goods	Rate of duty
Gold	Upto 1 kg	Gold, in any form in respect of which the benefit of Notification No. 12/2012-Cus., dt: 17-3-2012 is availed	10%
Silver	Upto 10 kg	Silver, in any form in respect of which the benefit of Notification No. 12/2012-Cus., dated 17-3-2012 is availed	10%

Plasma) Television is chargeable to duty @ 36.05% on the purchase value. If it is an used TV, depreciation in value is considered by Customs and

Duty free allowances and entitlements for tourists:

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.8,000/-

then duty @ 36.05% is levied.

Can a passenger carry Foreign currency?

Foreign currency - notes more than the value of US \$5000 and total foreign exchange in the form of Currency notes, Bank Notes or Traveller's Cheques of a value more than US \$10,000 have to declare to Customs. Other wise that may be seized. **Indian currency** - Indian passenger returning from a visit abroad can bring Indian currency notes of value up to Rs. 25,000/- only.

Passenger can bring Gold/Silver jewellery in baggage?

Yes- Indian passenger who has been residing abroad for over 1 year is eligible duty free import of Gold/Silver jewellery

Male passenger - upto an aggregate value of Rs.50,000/- (20 Grams approx)

Lady passenger - upto an aggregate value of Rs.100,000/- (40 Grams approx)

You may like to know....

Import of fire arms as baggage- whether allowed? :

NO. It is strictly prohibited.

What about import of pet animals as baggage:

Domestic pets like dogs, cats, birds etc. (two numbers) is allowed as baggage only by persons transferring their residence to India after two years of continuous stay abroad. Health certificate from the country of origin and examination of said pets by the concerned Quarantine Officer is required.

Can Customs detain baggage?

✓ Yes. 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 inventoried before being taken in the custody of Customs.

What is mishandled baggage?

Some times 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 unutilised 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.

Can a passenger

carry Gold/Silver jewellery as baggage while leaving India?

Yes- There is no value limit so long as it constitutes the bonafide baggage of the passenger.

How much currency can a passenger carry as baggage while leaving India?

Indian residents going abroad are allowed to carry Indian currency not exceeding Rs. 10,000/-. 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.

For more clarity, readers my visit www.cbec.gov.in. The relevant provisions can be verified from The **BAGGAGE RULES, 1998** [Notification No.30/ 1998-Cus. (NT), dated 02-06-1998 as amended from time to time.

(The writer is Assistant Commissioner of Customs (Capacity Building & Outreach Programmes), Custom House, Vizag)
Please send in your comments/ thoughts to jmkishore@gmail.com or info@viscan.in.