

**EXEMPTION FOR CUSTOMS DUTY (CUSTOMS NOTIFICATION NO. 3/89-CUS. DATED 9-1-89)
GENERAL EXEMPTION NO. 15**

Exemption to goods imported for display or use at fair, exhibition, demonstration, seminar, congress and conferences or similar events. - 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. 116/79-Customs, dated the 1st June, 1979, the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts the goods described in Schedule I annexed hereto, when imported into India for display or use at an event specified in Schedule II annexed hereto, from the **whole of the duty of Customs** leviable thereon which is specified in the First Schedule to the Customs Tariff Act, 1975 [51 of 1975] and from the **whole of the additional duty of customs** leviable thereon under section 3 of the said Customs Tariff Act, subject to the conditions that, -

- (1) (a) in the case of any event of exhibition, fair or similar show or display, a certificate from an officer of a rank not below that of an Under Secretary to the Government of India in the Ministry of Commerce or an officer of the India Trade Promotion Organisation duly authorised by its Chairman in this behalf, is produced to the Assistant Commissioner of Customs or Deputy Commissioner of Customs at the time of clearance of the goods, to the effect that such exhibition, fair or, as the case may be, similar show or display,
- (i) has been approved or sponsored by the Government of India in the Ministry of Commerce or the India Trade Promotion Organisation;
 - (ii) is being held in the public interest, and
 - (iii) is open to the general public or to a particular section of the general public or delegates to the particular event for which it has relevance;
- (b) in the case of any event, other than the event of exhibition, fair or similar show or display, a certificate from an officer of a rank not below that of an Under Secretary to the Government of India in the Ministry administratively concerned with that event is produced to the Assistant Commissioner of Customs or Deputy Commissioner of Customs at the time of clearance of the goods, to the effect that such event -
- (i) has been approved or sponsored by the Government of India,
 - (ii) is being held in the public interest, and
 - (iii) is open to the general public or to a particular section of the general public or delegates to the event for which it has relevance;
- (2) the importer undertakes through the execution of a bond or an instrument to the satisfaction of the Assistant Commissioner of Customs or Deputy Commissioner of Customs to re-export the goods within a period of six months from the date of official closure of the concerned event or within such extended period as the Assistant Commissioner of Customs or Deputy Commissioner of Customs may allow and, in the event of failure to re-export as aforesaid, to pay the duty which would have been levied thereon but for the exemption contained herein:

Provided that -

- (i) the requirement of re-export shall not apply to the following goods, namely :-
- (a) small samples which are representative of foreign goods displayed at an event, including such samples of foods and beverages, either imported in the form of such samples or produced from imported bulk materials at that event, subject to the conditions that -
 - (A) they are supplied free of charge to the visiting public at the event, for individual use or consumption by the persons to whom they are distributed,
 - (B) they are identifiable as advertising samples and are individually of little value,
 - (C) they are unsuitable for commercial purposes and are, where appropriate, packed in quantities appreciably smaller than the smallest retail package,
 - (D) samples of foods and beverages which are not distributed in packs as provided in condition (C) above are consumed at the event, and
 - (E) the aggregate value and quantity of the samples are, in the opinion of the Assistant Commissioner of Customs, or Deputy Commissioner of Customs, reasonable having regard to the nature of the event, the number of visitors to it and the extent of the exhibitor's participation therein;
 - (b) goods imported solely for demonstration or for the purpose of demonstrating the operation of a foreign machine or apparatus displayed at an event and consumed or destroyed in the course



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- of such demonstration, subject to the condition that the aggregate value and quantity of such goods are, in the opinion of the Assistant Commissioner of Customs, or Deputy Commissioner of Customs reasonable having regard to the nature of the event, the number of visitors to it and the extent of the exhibitor's participation therein;
- (c) products of low value used up in constructing, furnishing or decorating the temporary stands of foreign exhibitors at an event, such as paint, varnish and wallpaper;
 - (d) printed matter, catalogues, trade notices, price lists, advertising posters, calendars, whether or not illustrated and unframed photographs which are demonstrably publicity material for the foreign goods displayed at an event, subject to the condition that -
 - (A) they are supplied free of charge from abroad and are used solely for distribution free of charge to the visiting public at the event, and
 - (B) the aggregate value and quantity of such goods are, in the opinion of the Assistant Commissioner of Customs or Deputy Commissioner of Customs reasonable having regard to the nature of the event, the number of visitors to it and the extent of the exhibitor's participation therein;
- (ii) the provisions of proviso (i) to condition (2) above shall not be applicable to alcoholic beverages, tobacco goods and fuels;
 - (iii) in the case of goods referred to in proviso (i) to condition (2) above which are not used for the purpose mentioned therein shall be re-exported by the importer within the period specified in this condition and shall not be sold by him under any circumstances;
- (3) the goods shall not be loaned or used in any way for hire or reward, or be removed from the place of the event, without the permission of the Assistant Commissioner of Customs or Deputy Commissioner of Customs;
 - (4) the goods are capable of identification on re-exportation and any procedure for the proper listing and identification of the goods, that may be specified by the Commissioner of Customs, is adhered to;
 - (5) the requirement of re-exportation shall not be required in the case of badly damaged goods, goods of little value and perishable goods, provided that the goods -
 - (i) (a) are subjected to the duties of customs to which they are liable; or
 - (b) are abandoned free of all expense to the Assistant Commissioner of Customs or Deputy Commissioner of Customs concerned; or
 - (c) are destroyed, after intimation to the Assistant Commissioner of Customs or Deputy Commissioner of Customs concerned and under customs supervision.
 - (ii) goods imported under this notification may be disposed of otherwise than by re-exportation, and in particular may be entered for home consumption, under and in accordance with any law applicable to such goods and on payment of the duties of customs which are payable in respect of such goods.
2. Nothing contained in this notification shall apply in respect of the following goods imported as samples in accordance with proviso (1) to condition (2) of paragraph 1 above, namely :-
- 1. Gems and jewellery, all types.
 - 2. Drugs and medicines.
 - 3. Consumer electronic goods, all types.
 - 4. Textiles and readymade garments.
 - 5. Clocks and watches.

SCHEDULE I

GOODS

- (a) Goods intended for display or demonstration at an event.
- (b) Goods intended for use in connection with the display of foreign products at an event, including -
 - (i) goods necessary for the purpose of demonstrating foreign machinery or apparatus to be displayed;
 - (ii) construction and decoration material, including electrical fittings, for the temporary stands of foreign exhibitors;
 - (iii) advertising and demonstration material which is demonstrably publicity material for the goods displayed, for example, sound recordings, films and lantern slides, as well as apparatus for use therewith,
- (c) Equipment including interpretation apparatus, sound recording apparatus and films of an educational, scientific or cultural character intended for use at international meetings, conferences or congresses.
- (d) Goods specified in sub-clauses (a) to (d) of proviso (i) to condition (2) of paragraph 1 above.

- (e) Files, records, forms and other documents which are imported for use as such at or in connection with international meetings, conferences or congresses.
- (f) Films imported for exhibition at a Film festival approved or recommended by the Central Government.

SCHEDULE II

EVENTS

1. Trade, industrial, agricultural or crafts exhibition, fair, or similar show or display.
2. Exhibition or meeting which is primarily organised for a charitable purpose.
3. Exhibition meeting or film festival which is primarily organised to promote any branch of learning, art, craft, sport or scientific, educational or cultural activity, to promote friendship between peoples, or to promote religious knowledge or worship.
4. Meeting or representatives of any international group of organisations.
5. Representative meeting of an official of commemorative character.

Explanation. - The events specified in this Schedule do not include exhibitions organised for private purposes in shops or business premises with a view to the sale of foreign goods.

[Notification No. 3/89-Cus., dated 9-1-1989 as amended by Notifications No. 66/95-Cus., dated 16-3-1995 and No. 101/95-Cus., dated 26-5-1995 and No. 133/99 Cus., dated 27-12-1999.]