

Subject- Customs Clearance for samples

F. No. 37(1)/2013- IPHW

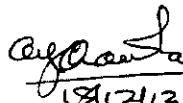
Dated 18.12.13

DeitY, vide communication no. 37(1)/2013-IPHW dated 18.12.13 addressed to Customs, has clarified following in respect of "Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2012" .

- I- Gazette Amendment I dated 25-06-2013 ("Electronics and Information Technology Goods (Requirements for Compulsory Registration) Amendment Order, 2013") supersedes quantity restriction for testing / R & D / demo samples notified in Circular 1 dated 29-05-2013. Hence there is no quantity limit on the number of units being imported for these purposes.
- II- HSE criteria have been sufficiently defined and customs may evolve a process so that the field officers of customs do not insist NoC from DeitY for goods qualifying these criteria. Cases needing technical clarifications beyond the defined criteria may be referred to DeitY.
- III- Wef 23.12.2013, DeitY would entertain technical clarification requests, if any, only from Customs Authorities and not directly from the applicants.
- IV- The Order has not put any restriction on goods directly imported by end users for their use.

DeitY has further asked custom authorities that

- i- For the purpose of swiftness of operations, good governance and reducing paper work, it is desired that necessary customs clearances may be provided as per the standing orders. A declaration from importer / exporter / local representatives / end user shall be treated as sufficient evidence to process such clearances in respect of the above 3 categories of equipment (I, II, & IV above).
- ii- Since there is still a backlog at BIS in issuing Registrations, the provision for allowing imports with BIS Registration without self-declaration label on the product/ packaging as notified vide our notification dated 30 Sept 2013, is extended till 3rd April 2014.


18/12/13
(Anil Chawla)
Director

Release: On DeitY Website

जे. सत्यनारायण

सचिव

J. Satyanarayana

Secretary



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संचार और सूचना प्रौद्योगिकी मंत्रालय
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Government of India
Ministry of Communications &
Information Technology
Department of Electronics &
Information Technology (DeitY)

F.No. 37(1)/2013 -IPHW

Dated: 18.12.2013

Sub. - Customs clearances for samples

Dear Ms. Mahajan,

The Department of Electronics & Information Technology (DeitY) has issued "Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2012". This order has come into effect from 03 July 2013. The order requires that notified Electronic products must be registered with BIS and bear self-declaration before they can be sold / traded / distributed in the market.

2. Following exemptions have been notified vide Circular 1 of 2013 dated 29-05-2013 and duly regularized vide para 2(b) of amendment - I dated 25-06-2013 and para 2 of amendment II dated 11-09-2013

- I. Exemption up to five numbers / model for testing / R & D / demonstration purposes.
- II. Exemption for Highly Specialized Equipment (HSE) category which also lists the criteria for declaring an electronic product as HSE.

3. It has been represented that the custom authorities have been advising the industry / importers to approach DeitY to get NoC letters when any of the above exemption is claimed.

For the sake of clarity we would like to iterate that –

- I. Gazette Amendment I dated 25-06-2013 supersedes quantity restriction for testing / R&D / demo samples notified in Circular 1 dated 29-05-2013. Hence there is no quantity limit on the number of units being imported for these purposes.
- II. HSE criteria have been sufficiently defined and customs may evolve a process so that the field officers of customs do not insist on NOC from DeitY for goods qualifying these criteria. Cases needing technical clarifications beyond the defined criteria may be referred to DeitY. However, wef 23.12.2013, DeitY would entertain such requests only from Customs Authorities and not directly from the applicants.
- III. The order has not put any restriction on goods directly imported by end users for personal use.

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4. For the purpose of swiftness of operations, good governance and reducing paper work, it is desired that necessary customs clearances may be provided as per the standing orders. A declaration from importer / exporter / local representative / end user shall be treated as a sufficient evidence to process such clearances in r/o the above 3 categories of equipment (I, II and III above).

5. Since there is still a backlog at BIS in issuing Registrations, the provision for allowing imports with BIS Registration, yet without self-declaration label on the product as notified vide our notification dated 30 Sept 2013 is extended till 3rd April 2014

I shall appreciate if suitable instructions are passed on to customs officials to ensure smooth transition into this newly implemented standards regime.

With regards,

Yours sincerely,



(J. Satyanarayana)

Ms Praveen Mahajan,
Chairperson and Special Secretary,
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