

SECTION XIV**NATURAL OR CULTURED PEARLS, PRECIOUS OR SEMI-PRECIOUS
STONES, PRECIOUS METALS, METALS CLAD WITH PRECIOUS METAL,
AND ARTICLES THEREOF; IMITATION JEWELLERY; COIN****CHAPTER 71*****Natural or cultured pearls, precious or semi-precious stones, precious metals, metals
clad with precious metal, and articles thereof; imitation jewellery; coin*****NOTES :**

1. Subject to Note 1 (a) to Section VI and except as provided below, all articles consisting wholly or partly:

(a) of natural or cultured pearls or of precious or semi-precious stones (natural, synthetic or reconstructed); or

(b) of precious metal or of metal clad with precious metal, are to be classified in this Chapter.

2. (A) Headings 7113, 7114 and 7112.5 do not cover articles in which precious metal or metal clad with precious metal is present as minor constituents only, such as minor fittings or minor ornamentation (for example, monograms, ferrules and rims) and paragraph (b) of the foregoing Note does not apply to such articles.

(B) Heading 7116 does not cover articles containing precious metal or metal clad with precious metal (other than as minor constituents).

3. This Chapter does not cover:

(a) amalgams of precious metal, or colloidal precious metal (heading 2843);

(b) sterile surgical suture materials, dental fillings or other goods of Chapter 30;

(c) goods of Chapter 32 (for example, lusters);

(d) supported catalysts (heading 3812.5);

(e) articles of heading 4202 or 4203 referred to in Note 2 (B) to Chapter 42;

(f) articles of heading 4303 or 4304;

(g) goods of Section XI (textiles and textile articles);

(h) footwear, headgear or other articles of Chapter 64 or 65;

(i) umbrellas, walking-sticks or other articles of Chapter 66;

(k) abrasive goods of heading 6804 or 6805 or Chapter 82, containing dust or powder of precious or semi-precious stones (natural or synthetic); articles of Chapter 82 with a working part of precious or semi-precious stones (natural, synthetic or reconstructed); machinery, mechanical appliances or electrical goods, or parts thereof, of Section XVI. However, articles and parts thereof, wholly of precious or semi-precious stones (natural, synthetic or reconstructed) remain classified in this Chapter, except unmounted worked sapphires and diamonds for styli (heading 8522);

(l) articles of Chapter 90, 91 or 92 (scientific instruments, clocks and watches, musical instruments);

(m) arms or parts thereof (Chapter 93);

(n) articles covered by Note 2 to Chapter 95;

(o) articles classified in Chapter 96 by virtue of Note 4 to that Chapter; or

(p) original sculptures or statutory (heading 9703), collectors' pieces (heading 9705) or antiques of an age exceeding one hundred years (heading 9706), other than natural or cultured pearls or precious or semi-precious stones.

4. (A) The expression "precious metal" means silver, gold and platinum.

(B) The expression "platinum" means platinum, iridium, osmium, palladium, rhodium and ruthenium.

(C) The expression "precious or semi-precious stones" does not include any of the substances specified in Note 2 (b) to Chapter 96.

5. For the purposes of this Chapter, any alloy (including a sintered mixture and an inter-metallic compound) containing precious metal is to be treated as an alloy of precious metal if any one precious metal constitutes as much as 2% by weight, of the alloy. Alloys of precious metal are to be classified according to the following rules:

(a) an alloy containing 2% or more, by weight, of platinum is to be treated as an alloy of platinum;

(b) an alloy containing 2% or more, by weight, of gold but not platinum, or less than 2% by weight, of platinum, is to be treated as an alloy of gold;

(c) other alloys containing 2% or more, by weight, of silver are to be treated as alloys of silver.

6. Except where the context otherwise requires, any reference in this Schedule to precious metal or to any particular precious metal includes a reference to alloys treated as alloys of precious metal or of the particular metal in accordance with the rules in Note 5 above, but not to metal clad with precious metal or to base metal or non-metals plated with precious metal.

7. Throughout this Schedule, the expression "metal clad with precious metal" means material made with a base of metal upon one or more surfaces of which there is affixed by soldering, brazing, welding, hot-rolling or similar mechanical means a covering of precious metal. Except where the context otherwise requires, the expression also covers base metal inlaid with precious metal.

8. Subject to Note 1 (a) to Section VI, goods answering to a description in heading 7112 are to be classified in that heading and in no other heading of this Schedule.

9. For the purposes of heading 7113, the expression "articles of jewellery" means:

(a) any small objects of personal adornment (for example, rings, bracelets, necklaces, brooches, ear-rings, watch-chains, fobs, pendants, tie-pins, cuff-links, dress-studs, religious or other medals and insignia); and

(b) articles of personal use of a kind normally carried in the pocket, in the handbag or on the person (for example, cigar or cigarette cases, snuff boxes, cachou or pill boxes, powder boxes, chain purses or prayer beads).

These articles may be combined or set, for example, with natural or cultured pearls, precious or semi-precious stones, synthetic or reconstructed precious or semi-precious

stones, tortoise shell, mother-of-pearl, ivory, natural or reconstituted amber, jet or coral.

10. For the purposes of heading 7114, the expression "articles of goldsmiths' or silversmiths' wares" includes such articles as ornaments, table-ware, toilet-ware, smokers' requisites and other articles of household, office or religious use.

11. For the purposes of heading 7117, the expression "imitation jewellery" means articles of jewellery within the meaning of paragraph (a) of Note 9 above (but not including buttons or other articles of heading 9606, or dress-combs, hair-slides or the like, or hairpins, of heading 9612.5), not incorporating natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed) nor (except as plating or as minor constituents) precious metal or metal clad with precious metal.

SUB-HEADING NOTES :

1. For the purposes of sub-headings 7106 10, 7108 11, 7110 11, 7110 21, 7110 31 and 7110 41, the expressions "powder" and "in powder form" mean products of which 90% or more by weight passes through a sieve having a mesh aperture of 0.5 mm.

2. Notwithstanding the provisions of Chapter Note 4(B), for the purposes of sub-headings 7110 11 and 7110 19, the expression "platinum" does not include iridium, osmium, palladium, rhodium or ruthenium.

3. For the classification of alloys in the sub-headings of heading 7110, each alloy is to be classified with that metal, platinum, palladium, rhodium, iridium, osmium or ruthenium which predominates by weight over each other of these metals.

Tariff Item	Description of goods	Unit	Rate of duty	
			Standard	Preferential Areas
(1)	(2)	(3)	(4)	(5)
I.—NATURAL OR CULTURED PEARLS AND PRECIOUS OR SEMI-PRECIOUS STONES				
7101	PEARLS, NATURAL OR CULTURED, WHETHER OR NOT WORKED OR GRADED BUT NOT STRUNG, MOUNTED OR SET; PEARLS, NATURAL OR CULTURED, TEMPORARILY STRUNG FOR CONVENIENCE OF TRANSPORT			
7101 10	- <i>Natural pearls :</i>			
7101 10 10	--- Unworked	kg.	12.5%	-
7101 10 20	--- Worked	kg.	12.5%	-
	- <i>Cultured pearls :</i>			
7101 21 00	-- Unworked	kg.	12.5%	-
7101 22 00	-- Worked	kg.	12.5%	-
7102	DIAMONDS, WHETHER OR NOT WORKED, BUT NOT MOUNTED OR SET			
7102 10 00	- Unsorted	c/k	12.5%	-
	- <i>Industrial :</i>			
7102 21	-- <i>Unworked or simply sawn, cleaved or bruted:</i>			
7102 21 10	--- Sorted	c/k	12.5%	-
7102 21 20	--- Unsorted	c/k	12.5%	-
7102 29	-- <i>Other :</i>			
7102 29 10	--- Crushed	c/k	12.5%	-
7102 29 90	--- Other	c/k	12.5%	-
	- <i>Non-industrial :</i>			
7102 31 00	-- Unworked or simply sawn, cleaved or bruted	c/k	12.5%	-

(1)	(2)	(3)	(4)	(5)
7102 39	-- <i>Others :</i>			
7102 39 10	--- Diamond, cut or otherwise worked but not mounted or set	c/k	12.5%	-
7102 39 90	--- Other	c/k	12.5%	-
7103	PRECIOUS STONES (OTHER THAN DIAMONDS) AND SEMI-PRECIOUS STONES, WHETHER OR NOT WORKED OR GRADED BUT NOT STRUNG, MOUNTED OR SET; UNGRADED PRECIOUS STONES (OTHER THAN DIAMONDS) AND SEMI-PRECIOUS STONES, TEMPORARILY STRUNG FOR CONVENIENCE OF TRANSPORT			
7103 10	- <i>Unworked or simply sawn or roughly shaped:</i>			
	--- <i>Precious stones :</i>			
7103 10 11	---- Emeraldkg.		12.5%	-
7103 10 12	---- Ruby and sapphire	kg.	12.5%	-
7103 10 19	---- Other	kg.	12.5%	-
	--- <i>Semi-precious stones:</i>			
7103 10 21	---- Feldspar (Moon stone)	kg.	12.5%	-
7103 10 22	---- Garnet	kg.	12.5%	-
7103 10 23	---- Agate	kg.	12.5%	-
7103 10 24	---- Green aventurine	kg.	12.5%	-
7103 10 29	---- Other	kg.	12.5%	-
	- <i>Otherwise worked :</i>			
7103 9100	-- Ruby, sapphire and emeralds	c/k	12.5%	-
7103 99	-- <i>Other :</i>			
7103 99 10	--- Feldspar (Moon stone)	c/k	12.5%	-
7103 99 20	--- Garnet	c/k	12.5%	-
7103 99 30	--- Agate	c/k	12.5%	-
7103 99 40	--- Chalcedony	c/k	12.5%	-
7103 99 90	--- Other	c/k	12.5%	-
7104	SYNTHETIC OR RECONSTRUCTED PRECIOUS OR SEMI-PRECIOUS STONES, WHETHER OR NOT WORKED OR GRADED BUT NOT STRUNG, MOUNTED OR SET; UNGRADED SYNTHETIC OR RECONSTRUCTED PRECIOUS OR SEMI-PRECIOUS STONES, TEMPORARILY STRUNG FOR CONVENIENCE OF TRANSPORT			
7104 10 00	- Piezo-electric quartz	kg.	12.5%	-
7104 20 00	- Other, unworked or simply sawn or roughly shaped	kg.	12.5%	-
7104 90 00	- Other	kg.	12.5%	-
7105	DUST AND POWDER OF NATURAL OR SYNTHETIC PRECIOUS OR SEMI-PRECIOUS STONES			
7105 10 00	- Of diamond	c/k	12.5%	-
7105 90 00	- Other	c/k	12.5%	-
	II.—PRECIOUS METALS AND METALS CLAD WITH PRECIOUS METAL			
7106	SILVER (INCLUDING SILVER PLATED WITH GOLD OR PLATINUM), UNWROUGHT OR IN SEMI-MANUFACTURED FORMS, OR IN POWDER FORM			
7106 10 00	- Powder	kg.	12.5%	-
	- <i>Other :</i>			
7106 91 00	-- Unwrought	kg.	12.5%	-
7106 92	-- <i>Semi-manufactured :</i>			
7106 92 10	--- Sheets, plates, strips, tubes and pipes	kg.	12.5%	-
7106 92 90	--- Other	kg.	12.5%	-
7107 00 00	BASE METALS CLAD WITH SILVER, NOT FURTHER WORKED THAN SEMI-MANUFACTURED	kg.	12.5%	-

(1)	(2)	(3)	(4)	(5)
7108	GOLD (INCLUDING GOLD PLATED WITH PLATINUM) UNWROUGHT OR IN SEMI-MANUFACTURED FORMS, OR IN POWDER FORM			
	<i>Non-monetary :</i>			
7108 11 00	-- Powder	kg.	12.5%	-
7108 12 00	-- Other unwrought forms	kg.	12.5%	-
7108 13 00	-- Other semi-manufactured forms	kg.	12.5%	-
7108 20 00	- Monetary	kg.	12.5%	-
7109 00 00	BASE METALS OR SILVER, CLAD WITH GOLD, NOT FURTHER WORKED THAN SEMI-MANUFACTURED	kg.	12.5%	-
7110	PLATINUM, UNWROUGHT OR IN SEMI-MANUFACTURED FORM, OR IN POWDER FORM			
	<i>Platinum :</i>			
	<i>Unwrought or in powder form:</i>			
7110 11	-- Unwrought form	kg.	12.5%	-
7110 11 10	--- In powder form	kg.	12.5%	-
7110 11 20	--- Other	kg.	12.5%	-
7110 19 00	-- <i>Palladium:</i>			
7110 21 00	-- Unwrought or in powder form	kg.	12.5%	-
7110 29 00	-- Other	kg.	12.5%	-
	<i>Rhodium :</i>			
7110 31 00	-- Unwrought or in powder form	kg.	12.5%	-
7110 39 00	-- Other	kg.	12.5%	-
	<i>Iridium, osmium and ruthenium :</i>			
7110 41 00	-- Unwrought or in powder form	kg.	12.5%	-
7110 49 00	-- Other	kg.	12.5%	-
7111 00 00	BASE METALS, SILVER OR GOLD, CLAD WITH PLATINUM, NOT FURTHER WORKED THAN SEMI-MANUFACTURED	kg.	12.5%	-
7112	WASTE AND SCRAP OF PRECIOUS METAL OR OF METAL CLAD WITH PRECIOUS METAL; OTHER WASTE AND SCRAP CONTAINING PRECIOUS METAL OR PRECIOUS METAL COMPOUNDS, OF A KIND USED PRINCIPALLY FOR THE RECOVERY OF PRECIOUS METAL			
7112 30 00	- Ash containing precious metal or precious metal compounds	kg.	12.5%	-
	<i>Other :</i>			
7112 91 00	-- Of gold, including metal clad with gold but excluding sweepings containing other precious metals	kg.	12.5%	-
7112 92 00	-- Of platinum, including metal clad with platinum but excluding sweepings containing other precious metals	kg.	12.5%	-
7112 99	-- <i>Other :</i>			
7112 99 10	--- Of silver, including metal clad with silver but excluding sweepings containing other precious metals	kg.	12.5%	-
7112 99 20	--- Sweepings containing gold or silver	kg.	12.5%	-
7112 99 90	--- Other	kg.	12.5%	-
III.—JEWELLERY, GOLDSMITHS' AND SILVERSMITHS' WARES AND OTHER ARTICLES				
7113	ARTICLES OF JEWELLERY AND PARTS THEREOF, OF PRECIOUS METAL OR OF METAL CLAD WITH PRECIOUS METAL			
	<i>Of precious metal whether or not plated or clad with precious metal:</i>			
7113 11	-- <i>Of silver, whether or not plated or clad with other precious metal:</i>			
7113 11 10	--- Jewellery with filigree work	kg.	12.5%	-
7113 11 20	--- Jewellery studded with gems	kg.	12.5%	-
7113 11 30	--- Other articles of Jewellery	kg.	12.5%	-
7113 11 90	--- Parts	kg.	12.5%	-
7113 19	-- <i>Of other precious metal, whether or not plated</i>			

(1)	(2)	(3)	(4)	(5)
	<i>or clad with precious metal :</i>			
7113 19 10	--- Of gold, unstudded	kg.	12.5%	-
7113 19 20	--- Of gold, set with pearls	kg.	12.5%	-
7113 19 30	--- Of gold, set with diamonds	kg.	12.5%	-
7113 19 40	--- Of gold, set with other precious and semi-precious stones	kg.	12.5%	-
7113 19 50	--- Of platinum, unstudded	kg.	12.5%	-
7113 19 60	--- Parts	kg.	12.5%	-
7113 19 90	--- Other	kg.	12.5%	-
7113 20 00	- Of base metal clad with precious metal	kg.	12.5%	-
7114	ARTICLES OF GOLDSMITHS' OR SILVERSMITHS' WARES AND PARTS THEREOF, OF PRECIOUS METAL OR OF METAL CLAD WITH PRECIOUS METAL			
	- <i>Of precious metal, whether or not plated or clad with precious metal :</i>			
7114 11	-- <i>Of silver, whether or not plated or clad with precious metal :</i>			
7114 11 10	--- Articles	kg.	12.5%	-
7114 11 20	--- Parts	kg.	12.5%	-
7114 19	-- <i>Of other precious metal, whether or not plated or clad with precious metal :</i>			
7114 19 10	--- Articles of gold	kg.	12.5%	-
7114 19 20	--- Articles of platinum	kg.	12.5%	-
7114 19 30	--- Parts	kg.	12.5%	-
7114 20	- <i>Of base metal clad with precious metal :</i>			
7114 20 10	--- Articles clad with gold	kg.	12.5%	-
7114 20 20	--- Other articles	kg.	12.5%	-
7114 20 30	--- Parts	kg.	12.5%	-
7112.5	OTHER ARTICLES OF PRECIOUS METAL OR OF METAL CLAD WITH PRECIOUS METAL			
7112.5 10 00	- Catalysts in the form of wire cloth or grill, of platinum	kg.	12.5%	-
7112.5 90	- <i>Other :</i>			
7112.5 90 10	--- Laboratory and industrial articles of precious metal	kg.	12.5%	-
7112.5 90 20	--- Spinneret's made mainly of gold	kg.	12.5%	-
7112.5 90 90	--- Other	kg.	12.5%	-
7116	ARTICLES OF NATURAL OR CULTURED PEARLS, PRECIOUS OR SEMI-PRECIOUS STONES (NATURAL, SYNTHETIC OR RECONSTRUCTED)			
7116 10 00	- Of natural or cultured pearls	kg.	12.5%	-
7116 20 00	- Of precious or semi-precious stones (natural, synthetic or reconstructed)	kg.	12.5%	-
7117	IMITATION JEWELLERY			
	- <i>Of base metal, whether or not plated with precious metal :</i>			
7117 11 00	-- Cuff-links and studs	kg.	12.5%	-
7117 19	-- <i>Other :</i>			
7117 19 10	--- Bangles	kg.	12.5%	-
7117 19 20	--- German silver jewellery	kg.	12.5%	-
7117 19 90	--- Other	kg.	12.5%	-
7117 90	- <i>Other :</i>			
7117 90 10	--- Jewellery studded with imitation pearls or imitation or synthetic stones	kg.	12.5%	-
7117 90 90	--- Other	kg.	12.5%	-
7118	COIN			
7118 10 00	- Coin (other than gold coin), not being legal tender	kg.	12.5%	-
7118 90 00	- Other	kg.	12.5%	-

EXEMPTION NOTIFICATIONS**Exemption to precious stones imported by post on 'approval or return' basis.****[Notfn. No. 248/76-Cus., dt. 2.8.1976]**

Precious stones, falling within Chapter 71 imported by post on "approval or return" basis are exempt from the whole of the duty of customs, subject to the conditions that -

- (i) the importer shall apply in writing for a grant of exemption under this notification and the application shall be accompanied by all documents in his possession supporting his claim that the precious stones are being imported on 'approval or return' basis;
- (ii) the importer shall appear before the Postmaster in the post office in which the consignment is kept on the day specified therefor by the proper officer of Customs and shall give a receipt that he has received the consignment as a whole, that is to say, the entire lot of precious stones sent by the exporter;
- (iii) the consignment referred to in condition (ii) shall then be given to the importer for inspection in the immediate presence of the proper officer of Customs and the postal authority concerned in the post office itself and after the sorting of the precious stones into approved and unapproved lots, the unapproved lots shall be packed, for being exported to the consignor, in the immediate presence of the said officer and the authority under their supervision and the lot shall not be removed from the custody of the Postal Department;
- (iv) the importer shall forthwith pay:
 - (a) the duty of customs leviable on the precious stones sorted as approved by him and take delivery thereof; and
 - (b) the fees, if any for services referred to in condition (iii).

Exemption to platinum falling under Heading 71.10 imported by specified agency for supply under export promotion & Replenishment Scheme:**[Notfn. No. 146/93-Cus., dt. 28.6.1993 as amended by Notfn. Nos. 57/97-Cus., dt. 3.7.1997]**

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts platinum falling under heading 71.10 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) when imported into India by the Minerals and Metals Trading Corporation of India Limited, the Handicraft and Handloom Export Corporation, the State Trading Corporation, the State Bank of India and any agency authorised by Reserve Bank of India, for supply under the, "Gold/Silver and Platinum Jewellery and articles Export Promotion and Replenishment Scheme" Export and Import Policy, 1 April, 1997 - 31 March, 2002, read with Chapter VIII, of the Handbook of Procedures, Volume I, 1 April, 1997 - 31 March, 2002 published by the Government of India under Ministry of Commerce, Notfn. No. 1/97-2002, dt. 31.3.1997 as amended from time to time from the whole of duty of customs leviable thereon, which is specified in the said First Schedule, and from the whole of the additional duty leviable thereon under Section 3 of the said Customs Tariff Act.

Exemption to Gold bars**[Notfn. No. 97/99-Cus., dt. 21.7.1999]**

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act,

1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts standard gold bars falling under Chapter 71 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India, by a bank authorised by the Reserve Bank of India (hereinafter referred to as the participating bank) from the whole of the duty of customs leviable thereon which is specified in the said First Schedule, and from the whole of the additional duty and special additional duty leviable thereon, respectively, under section 3 and section 3A of the said Customs Tariff Act, subject to the following conditions, namely:-

- (i) that at the time of import, a certificate from an officer of the participating bank not below the rank of General Manager or equivalent thereof is produced to the effect that the said gold bars (in respect of description, quantity and technical specification) are imported under the Gold Deposit Scheme in exchange of scrap gold to be exported out of India; and
- (ii) that an undertaking is furnished by the participating bank to the Assistant Commissioner of Customs or Deputy Commissioner of Customs to the effect that -
 - (a) the said gold bars shall be used in connection with the Gold Deposit Scheme, referred to in condition (i), in the manner authorized by the Reserve Bank of India; and
 - (b) the participating bank shall pay, on demand, in the event of its failure to comply with clause (a), an amount equal to the difference between the duty leviable on such quantity of the said gold bars but for the exemption contained herein and that already paid at the time of importation.
- (iii) that the Gold Deposit Scheme under which the exchange mentioned in condition (i) takes place shall have to be approved by the Reserve Bank of India.

Exemption to Gold/Silver/platinum, alloys, findings and mountings of gold/silver/platinum and plain semi-finished gold/silver/platinum jewellery imported by nominated agencies or status holders under the scheme for export against supply by foreign buyer.

[Notfn. No. 56/00-Cus., dt. 5.5.2000 as amended by Notfn. Nos. 56/01-Cus., dt. 18.5.2001, 64/02-Cus., dt. 24.6.2002, and 87/04-Cus., dt. 6.9.2004]

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. 144/93-Customs, dated 28th June, 1993 [G.S.R. 480(E) dated the 28th June, 1993] in so far as it relates to import of silver or gold under the Scheme for export of Gold/Silver jewellery and articles against Gold and Silver supplied by the foreign buyer except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts gold/silver/platinum, alloys, findings and mountings of gold/silver/platinum and plain semi-finished gold/silver/platinum jewellery (hereinafter referred to as 'the said goods') falling within Chapter 71 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India by nominated agencies, status holders or exporters of three years' standing having an annual average turnover of five crore rupees during the preceding three licensing years under the scheme for 'Exoprt Against Supply by Foreign buyer' as referred to in paragraph 4.4.8 of the Foreign Trade Policy, from the whole of the duty of customs leviable thereon, which is specified in the said First Schedule, and from the whole of the additional duty leviable thereon under section 3 of the said Customs Tariff Act;

Provided that in the case of import by the nominated agencies, the importer or his authorised representative executes a bond in such form or for such sum as may be specified by the Assistant Commissioner of Customs or Deputy Commissioner of Customs, undertaking himself to export gold/silver/platinum jewellery or articles, as the case may be, including studded articles having gold/silver/platinum content equivalent to the imported gold/silver/platinum within the period stipulated in the relevant contract between the importer and the foreign supplier of the said goods, as the case may be, or such extended period as the Assistant Commissioner of Customs or Deputy Commissioner of Customs may, on sufficient cause being shown, allow, and binding himself to pay on demand duty on quantity of gold/silver/platinum representing the difference between the quantity imported and that contained in the exported jewellery or articles;

Provided further that in the case of import by status holders or exporters of three years' standing having an annual average turnover of five crore rupees during the preceding three licensing years, the importer executes a bond in such form and for such sum as may be specified by the Assistant Commissioner of Customs or Deputy Commissioner of Customs, and furnishes a bank guarantee for a sum equivalent to one and half times of the Customs duty leviable on the said goods imported, undertaking himself to export gold/silver/platinum jewellery or articles, as the case may be, including studded articles having gold/silver/platinum content equivalent to the imported gold/silver/platinum within 120 days from the date of import and to fulfil the conditions of Foreign Trade Policy and the Handbook of Procedures, Volume-I and to achieve the Export Obligation and Value Addition as stipulated in the Foreign Trade Policy and Handbook of Procedures, Volume-1 and binding himself to pay on demand duty on the said goods along with interest at the rate of 20% per annum on the said duty from the date of duty free importation till the date of payment of duty in case of non-fulfilment of Value Addition or Export Obligation as stipulated in the Foreign Trade Policy or Handbook of Procedures, Volume-I or in case of failure to complete the export within said period of 120 days.

Explanation: for the purpose of this notification-

(a) "Foreign Trade Policy" means the Foreign Trade Policy, 1st September, 2004-31st March, 2009 published by the Government of India in the Ministry of Commerce and Industry vide notification No.1/2004-09, dated the 31st August, 2004, as amended from time to time.

(b) "Handbook of Procedures, Volume-1" means the Handbook of Procedures, Volume-1, published by the Government of India in the Ministry of Commerce and Industry vide Public Notice No.1/2004-09, dated the 31st August, 2004, as amended from time to time.

(c) "Nominated Agencies" means the Metals & Minerals Trading Corporation Limited (MMTC), the Handicraft and Handloom Export Corporation (HHEC), the State Trading Corporation (STC), the Project and Equipment Corporation of India Ltd. (PEC) and any agency authorised by the Reserve Bank of India (RBI);

(d) "Status holder" means the exporter recognized as one star export house, two star export house, three star export house, four star export house and five star export house by the Director General of Foreign Trade.

Exemption to gold/platinum imported as replenishment under the scheme for export through exhibitions/export promotion tours/export branded jewellery or under the scheme for export against supply for nominated agencies.

[Notfn. No. 57/00-Cus., dt. 8.5.2000 as amended by Notfn. Nos. 64/02-Cus., dt. 24.6.2002 and 87/04-Cus., dt. 6.9.2004]

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. 144/93-Cus, dated the 28th June, 1993 [G.S.R. 480(E) dated the 28th June, 1993] except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts silver, gold and platinum, falling under heading Nos. 71.06, 71.08 and 71.10 respectively of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India,

(a) as replenishment under the Scheme for 'Export through Exhibition/Export Promotion Tours/Export of Branded Jewellery' as referred to in Paragraph 4.4.9 of the Foreign Trade Policy, read with relevant provisions of chapter 4 of the Handbook of Procedures, Volume 1, or

(b) under the Scheme for 'Export Against Supply by Nominated Agencies' as referred to in Paragraph 4.4.10 of the Foreign Trade Policy, read with relevant provisions of Chapter 4 of the Handbook of Procedures, Volume-I,

from the whole of the duty of customs leviable thereon, which is specified in the said First Schedule, and from the whole of the additional duty leviable thereon under section 3 of the said Customs Tariff Act.

Provided that in the case of import of gold/silver/platinum as replenishment under the scheme for Export through 'Exhibitions/Export Promotion Tours/Export of Branded Jewellery', the importer undertakes to fulfil the conditions of Foreign Trade Policy and relevant provisions of the Handbook of Procedures, Volume-I and produces such documents as stipulated in the Foreign Trade Policy and the Handbook of Procedures, Volume-1 and produces such proof of exports made through exhibitions/export promotion tours etc, as may be required by the Assistant Commissioner of Customs or the Deputy Commissioner of Customs to satisfy himself with regard to eligibility of the importer for the duty free import of replenishment material:

Provided further that in the case of import of gold/silver/platinum under the scheme for 'Export Against Supply by Nominated Agencies', the importer executes a bond in such form and for such sum as may be specified by the Assistant Commissioner of Customs or Deputy Commissioner of Customs undertaking to export, either by itself or through other exporters gold/silver/platinum jewellery or articles, as the case may be, including studded articles having gold/silver/platinum content equivalent to the imported gold/silver/platinum within a period of 120 days from the date of issue of gold/silver/platinum to the exporters, or such extended period as the Assistant Commissioner of Customs or Deputy Commissioner of Customs, on sufficient cause being shown may allow, and binding himself to pay on demand duty on quantity of gold/silver/platinum representing the difference between the quantity issued and that contained in the exported jewellery or articles:

Explanation: for the purpose of this notification-

(a) "Foreign Trade Policy" means the Foreign Trade Policy, 1st September, 2004-31st March, 2009 published by the Government of India in the Ministry of Commerce and Industry vide notification No.1/2004-2009, dated the 31st August, 2004, as amended from time to time.

(b) "Handbook of Procedures, Volume-1" means the Handbook of Procedure, Volume-1, published vide Public Notice of the Government of India in the Ministry of Commerce, and Industry vide Public Notice No.1/2004-09, dated the 31st August, 2004, as amended from time to time.

(c) "Nominated Agencies" means the Metals & Minerals Trading Corporation Limited (MMTC), the Handicraft and Handloom Export Corporation (HHEC), the State Trading

Corporation (STC), the Project and Equipment Corporation of India Ltd. (PEC) and any agency authorised by the Reserve Bank of India (RBI);

Exemption to gold and silver falling and produced out of copper anode slime, when imported into India. :

[Notfn. No. 25/01-Cus., dt. 1.3.2001]

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), read with sub-section (6) of section 3 and sub-section (1) of section 3A of the Customs Tariff Act, 1975 (51 of 1975), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 139/99-Customs, dated the 30th December, 1999, published in the Gazette of India vide number G.S.R. 836(E), dated the 30th December, 1999, except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts gold and silver falling under Chapter 71 of the First Schedule to the said Customs Tariff Act, and produced out of copper anode slime, the said copper anode slime having been exported out of India for toll smelting or toll processing, when imported into India,-

- (a) from so much of duty of customs leviable thereon which is specified in the said First Schedule,
- (b) from so much of additional duty leviable thereon under sub-section (1) of section 3 of the said Customs Tariff Act, and
- (c) from so much of special additional duty leviable thereon under sub-section (1) of section 3A of the said Customs Tariff Act,

as is in excess of the duties which would be leviable if the value of the said goods were equal to the aggregate of -

- (1) the toll smelting or toll processing costs, as the case may be, that is to say, -
 - (i) labour charges,
 - (ii) cost of material (other than the cost of the goods exported out of India) used in such toll smelting or toll processing, and
 - (iii) any other charges which are payable in connection with the toll smelting or toll processing abroad; and
- (2) the insurance and freight charges both ways,

subject to the following conditions, namely :-

- (I) the gold or silver, as the case may be, is imported within one year of the date of export of copper anode slime out of India; and
- (II) sufficient evidence is shown that the gold or silver, as the case may be, which is imported has in fact been obtained out of toll smelting or toll processing of the copper anode slime exported out of India.

Exemption to cut and Polished Diamonds when re-imported into India after certification/grading by specified agency:

[Notfn. No. 55/01-Cus., dt. 16.5.2001 as amended by Notfn. Nos. 64/02-Cus., dt. 24.6.2002, 67/04-Cus., dt. 9.7.2004, 87/04-Cus., dt. 6.9.2004, 50/05-Cus., dt. 20.5.2005, and 83/05-Cus., dt. 15.9.2005, 21/06-Cus., dt.28.2.06, 44/06-Cus.dt.17.5.06]

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government being satisfied that it is necessary in the public interest so to do, hereby exempts cut and polished diamonds falling within Chapter 71 of the

First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when re-imported into India after certification/ grading by the laboratories / agencies mentioned in condition (iv), in terms of paragraph 4A.2 of the Foreign Trade Policy, from the whole of duty of customs leviable thereon which is specified in the said First Schedule, subject to fulfilment of the following conditions, namely:-

- (i) Cut and polished diamonds are re-imported by gems and jewellery exporters having a track record of at least three years and having an annual average turnover of five crore rupees and above during the preceding three licensing years.
- (ii) Each piece of cut & polished diamonds so re-imported shall not be less than 0.25 of a carat in weight.
- (iii) Cut and polished diamonds shall be re-imported within a period of three months from the date of exportation.
- (iv) Cut and polished diamonds shall be allowed to be re-imported only on production of certification/grading report from the following laboratories/ agencies, in terms of said paragraphs 4A.2 and 4A.2.1namely:-
 - (a) Gemological Institute of America (GIA);
 - (b) The Robert Mouawad Campus;
 - (c) International Gemological Institute (IGI);
 - (d) European Gemological Laboratory(EGL) in USA;
 - (e) Hoge Raad voor Diamond (HRD), Antwerp, Belgium;
 - (f) World Diamond Centre of Diamonds High Council, Antwerp, Belgium.
 - (g) Central Gem Laboratory, Miyagi Building, 5-15-14 Ueno Taito-Ku, Tokyo, Japan; and
 - (h) American Gem Society Laboratories (AGS Laboratories), 8917 West Sahara Avenue, Las Vegas, Nevada 89117.
 - (i) Diamond Trading Company, Maidenhead, United Kindom.
- (v) Cut and polished diamonds so re-imported shall match with corresponding diamonds mentioned in the invoice at the time of exportation in terms of value, height, circumference and weight.

2. Notwithstanding anything contained herein above, the exemption contained in this notification shall also be applicable, if the exportation and re-importation of cut and polished diamonds as stated above are undertaken by the authorised offices or agents in India of the laboratories/agencies as mentioned above on behalf of the exporters subject to fulfilment of the conditions specified herein above and in the Foreign Trade Policy and Handbook of Procedures Volume1.

Explanation- For the purpose of this notification, "Foreign Trade Policy" means the Foreign Trade Policy, 1st September, 2004-31st March 2009, published by the Government of India in the Ministry of Commerce and Industry vide Notification No.1/2004-2009, dated 31st August, 2004, as amended from time to time.

Exemption to platinum, silver and gold imported under the scheme for export of gold jewellery and articles.

[Notfn. No. 86 /01-Cus., dt. 7.8.2001]

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. 49/97-Customs, dated 23-5-97 [GSR 272(E),

dated 23-5-97], except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts –

- (i) gold of fineness not less than 0.995,
- (ii) platinum of fineness not less than 0.900,
- (iii) silver of fineness not less than 0.999,
- (iv) gold findings, gold mountings or gold solders upto 0.920 fineness, upto 10% of the value of the licence within the overall value of the licence,
- (v) platinum findings, platinum mountings or platinum solders upto 0.920 fineness, upto 10% of the value of the licence within the overall value of the licence,
- (vi) silver findings, silver mountings or silver solders upto 0.925 fineness upto 10% of the value of the licence within the overall value of the licence,

falling within Chapter 71 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India under a Replenishment Licence issued against export of plain or studded gold jewellery or articles thereof, platinum jewellery or articles thereof or silver jewellery or articles thereof, in terms of paragraph 8.37 of the Export and Import Policy read with paragraphs 8.82 and 8.84 of the Handbook of Procedures, from the whole of the duty of customs leviable thereon, which is specified in the said First Schedule and from the whole of the additional duty leviable thereon under section 3 of the said Customs Tariff Act.

Explanation.- For the purpose of this notification.-

(a) “Export and Import Policy” means the Export and Import Policy, 1997-2002, notified by Government of India in the Ministry of Commerce and Industry vide notification No.1 (RE-00)/1997-2002, dated the 31st March, 2001, as amended from time to time;

(b) “Handbook of Procedures” means the Handbook of Procedures, Vol-I, published vide Public Notice of the Government of India in the Ministry of Commerce and Industry, No.1(RE-2001)/1997-2002, dated the 31st March, 2001, as amended from time to time.

Exemption to raw pearls, natural or cultured, rough diamonds and other precious or semi-precious stones:

[Notfn. No. 60/02-Cus., dt. 7.6.2002 as amended by 87/04-Cus., dt. 6.9.2004]

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.35/2001-Cus, dated 30-3-2001 [G.S.R. 231(E), dated the 30th March, 2001], the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts raw pearls, natural or cultured, and precious or semi-precious stones(other than rough diamonds), unset and uncut, falling under Chapter 71 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India, from the whole of the duty of Customs leviable thereon under the said First Schedule and the additional duty, if any, leviable thereon under section 3 of the said Customs Tariff Act, subject to the condition that imports are made under a,-

- (i) Replenishment Licence issued under, and in accordance with, paragraph 4.4.1 of the Foreign Trade Policy; or
- (ii) Gem Replenishment Licence issued under, and in accordance with, paragraph 4.4.13 of the Foreign Trade Policy;

Explanation- For the purpose of this notification, "Foreign Trade Policy" means the Foreign Trade Policy, 1st September, 2004-31st March 2009, published by the Government of India in

the Ministry of Commerce and Industry vide Notification No.1/2004-2009, dated 31st August, 2004, as amended from time to time.

For exemption to specified goods of Chapter 71 when imported from the Transitional Islamic State of Afghanistan see Notfn. No. 76/03-Cus., dt. 13.5.2003.

Effective rate of duty on gold and silver imported other than through post, courier or baggage:

[Notfn. No. 62/04-Cus., dt. 12.5.2004]

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 80/1997-Customs, dated the 21st October, 1997, published in the Gazette of India, Extraordinary vide, G.S.R. No.610(E), dated the 21st October, 1997, hereby exempts goods of the description specified in column (2) of the Table hereto annexed and falling within Chapter 71 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when imported into India, other than through post, courier or baggage, from so much of the duty of customs leviable thereon which is specified in the said First Schedule as is in excess of the amount calculated at the rate specified in the corresponding entry in column (3) of the said Table and from the whole of the additional duty of customs leviable thereon under section 3 of the said Customs Tariff Act.

TABLE

S.No. Rate	Description of goods	
(1)	(2)	(3)
1.	Gold bars, other than tola bars, bearing Manufacturer's or refiner's engraved serial number and weight expressed in metric units, and old coins	Rs. 100 per 10 gms.
2.	Gold in any form (other than those specified, against S.No.1, in this column), including liquid gold and tola bars	Rs. 250 per 10 gms.
3.	Silver in any form	Rs. 500 per kg.

Explanation.- For the purposes of this notification, the expression 'Gold in any form' or 'Silver in any form' shall include medallions and coins, but shall not include jewellery made of gold or silver, as the case may be, and foreign currency coins.