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SECTION 3, SUB-SECTION (i)]
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE
(CENTRAL BOARD OF EXCISE AND CUSTOMS)

Notification No. 21/2017 - Customs

New Delhi, the 22nd May, 2017

G.S.R.---- (E)- Whereas the notification no. 09/2012-Cus dated the 9th March, 2012 of the Government of India, Ministry of Finance, Department of Revenue did not allow benefit of duty free import of cut and polished diamonds exported abroad for certification and grading, by authorised offices/ agencies in India of laboratories mentioned under para 4.74 of the Hand Book of Procedure;

And whereas, for the period from the 9th March, 2012 to 1st March, 2017, i.e. the date on which notification no. 7/2017-Cus dated the 1st March, 2017 was issued allowing such authorised offices/ agencies in India of laboratories mentioned under para 4.74 of the Hand Book of Procedure to re-import duty free cut and polished diamonds exported abroad for certification and grading, a practice was generally prevalent in the field to not to levy duty on re-import of such cut and polished diamonds exported abroad for certification and grading, by the authorised offices/ agencies in India of these laboratories mentioned in Foreign Trade Policy;

And whereas, the said general practice of allowing duty free import of cut and polished diamonds exported for certification and grading was prevalent during the period from the 9th March, 2012 to 1st March, 2017 due to the fact that such duty free import of cut and polished diamonds exported for certification and grading was used to be allowed to these authorized agencies/ offices in India of these laboratories under [Foreign Trade Policy 2004-2009](#), appropriately enabled by notification no. 55/2001-Cus dated the 16th May, 2001;

And whereas, the import duty on cut and polished diamonds was abolished during 2007 to be again reintroduced during January, 2012 and, therefore, [Foreign Trade Policy 2009-2014](#) was amended to extend the benefit of duty free import of cut and polished diamonds to a class of exporters post certification from abroad. However, Foreign Trade Policy missed out to extend this benefit of duty free import to authorised agencies/ offices in India of laboratories mentioned under para 4.74 of the Hand Book of Procedure and accordingly, the enabling notification no.9/2012-Cus dated the 9th March, 2012 also did not extend this benefit to these authorised agencies/ offices in India of laboratories mentioned in Foreign Trade Policy.

Now, therefore, in exercise of the powers conferred by section 28A of the Customs Act, 1962 (52 of 1962), the Central Government, hereby, directs that the whole of duty of Customs and additional duty of Customs, if any, payable on the import of such cut and polished diamonds during the period from the 9th March, 2012 to 1st March,2017 by the authorized agencies/ offices in India of laboratories mentioned under para 4.74 of the Hand Book of Procedure, but for the said practice, shall not be required to be paid in respect of import of such cut and polished diamonds.

[F.No.DGEP/G&J/04/2017]

(Dharmvir Sharma)
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