

G.S.R. (E).- In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 27/2002-Customs, dated the 1st March, 2002 which was published in the Gazette of India, Extraordinary, vide number G.S.R.124(E) of the same date, namely:-

In the said notification, for the TABLE, the following TABLE shall be substituted, namely:-

“TABLE

Description of goods	Limitations and conditions	Extent of exemption
(1)	(2)	(3)
Machinery, equipment or tools, falling under Chapters 84, 85, 90 or any other Chapter of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975).	<p>(1) the goods have been taken on lease by the importer for use after import;</p> <p>(2) the importer makes a declaration at the time of import that the goods are being imported temporarily for execution of a contract;</p> <p>(3) the said goods are re-exported within three months of the date of such import or within such extended period not exceeding 18 months from the date of said import, as the Assistant Commissioner of Customs or the Deputy Commissioner of Customs, as the case may be, may allow;</p> <p>(4) where the Assistant Commissioner of Customs or the Deputy Commissioner of Customs, as the case may be, grants extension of the aforesaid period for re-export, the importer shall pay the difference between the duty payable under the relevant clause in column (3) and the duty already paid at the time of their import; and</p> <p>(5) the importer executes a bond, with a bank guarantee, undertaking—</p> <p>(a) to re-export the said goods within three months of the date of import or</p>	<p>in the case of,-</p> <p>(i) goods which are re-exported within three months of the date of import, so much of the duty of customs as is in excess of the amount calculated at the rate of five per cent.;</p> <p>(ii) goods which are re-exported after three months, but within six months, of the date of import, so much of the duty of customs as is in excess of the amount calculated at the rate of fifteen per cent.;</p> <p>(iii) goods which are re-exported after six months, but within nine months, of the date of import, so much of the duty of customs as is in excess of the amount calculated at the rate of twenty five per cent.;</p> <p>(iv) goods which are re-exported after nine months, but within twelve months, of the date of import, so much of the duty of customs as is in excess of the amount calculated at the rate of thirty per cent.;</p> <p>(v) goods which are re-exported after twelve months, but within fifteen months, of the date of import, so much of the duty of</p>

Description of goods	Limitations and conditions	Extent of exemption
(1)	(2)	(3)
	<p>within the aforesaid extended period;</p> <p>(b) to produce the goods before the Assistant Commissioner of Customs or the Deputy Commissioner of Customs for identification before re-export;</p> <p>(c) to pay the balance of duty, along with interest, at the rate fixed by notification issued under section 28AB of the Customs Act, 1962, for the period starting from the date of import of the said goods and ending with the date on which the duty is paid in full, if the re-export does not take place within the stipulated period</p>	<p>customs as is in excess of the amount calculated at the rate of thirty five per cent.;</p> <p>(vi) goods which are re-exported after fifteen months, but within eighteen months, of the date of import, so much of the duty of customs as is in excess of the amount calculated at the rate of forty per cent.,</p> <p>of the aggregate of the duties of customs, which would be leviable under the Customs Act, 1962 or under any other law, read with any notification for the time being in force in respect of the duty so chargeable.</p>

Note: The goods imported under this concession shall not be eligible for drawback under sub-section (2) of section 74 of the Customs Act, 1962.”.

[F.No.334/1/2008-TRU]

(S. Bajaj)
Under Secretary to the Government of India

Note: The principal notification No. 27/2002-Customs, dated the 1st March, 2002 was published in the Gazette of India, Extraordinary, vide G.S.R. 124(E), dated the 1st March, 2002.