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## GEN 1.3 - ENTRY, TRANSIT AND DEPARTURE OF PASSENGER AND CREW

### 1. Customs Requirements

#### 1.1. Incoming Passengers

- 1.1.1. All the goods imported into India by air are subject to clearance by Customs authorities, except the goods within the limits of duty free allowance. For the purpose of Customs Clearance of arriving passengers, a two-channel system has been adopted, i.e. Green Channel for passengers not having any dutiable goods and Red Channel for passengers having dutiable goods.
- 1.1.2. Passengers must ensure to file correct declaration of their baggage.
- 1.1.3. Passengers walking through the green channel with dutiable/prohibited goods are liable to prosecution/penalty and confiscation of goods.
- 1.1.4. Green Channel passengers must deposit the Customs portion of the disembarkation card to the custom official at the gate before leaving the terminal.
- 1.1.5. For duty free entitlements and rates of applicable duties, please see customs homepage at [www.cbec.gov.in](http://www.cbec.gov.in). Enquiries can also be made from the following officers of the Customs Department: - Commissioner of Customs, New Delhi at Telephone number Deputy Commissioner (Admin) 91-11-2565 2088, Additional Commissioner 91-11-2565 2090, Commissioner of Customs (General) 91-11-2565 2970.

#### 1.2. Unaccompanied Baggage

- 1.2.1. The passengers can also send their baggage through cargo, which is treated as unaccompanied baggage. However, no free allowance is admissible in case of unaccompanied baggage and only used personal effects can be imported free of duty.
- 1.2.2. Provisions of Baggage Rules are also extended to unaccompanied baggage except where they have been specifically excluded.
- 1.2.3. The unaccompanied baggage should be in the possession abroad of the passenger and shall be dispatched within one month of his arrival in India or within such further period as the Deputy/Assistant Commissioner of Customs may allow.
- 1.2.4. The unaccompanied baggage may land in India up to two months before the arrival of the passenger or within such period, not exceeding one year as the Deputy/Assistant Commissioner of Customs may allow, for reasons to be recorded, if he is satisfied that the passenger was prevented from arriving in India within the period of two months due to circumstances beyond his control, such as sudden illness of the passenger or a member of his family, or natural calamities or disturbed conditions or disruption of the transport or travel arrangements in the country or countries concerned or any other reasons, which necessitated a change in the travel schedule of the passenger.
- 1.2.5. All the unaccompanied baggage is chargeable to customs duty @ 40% advalorem + education cess @ 2%.

#### 1.3. Baggage of Deceased person

- 1.3.1. Used, bona-fide personal and household effects belonging to a deceased person are allowed to be imported free of duty subject to the condition that a certificate from the concerned Indian Mission (Embassy/High Commission) is produced at the time of clearance regarding the ownership of the goods by the deceased person.

#### 1.4. Detained baggage

- 1.4.1. A passenger may request the Customs to detain his baggage either for re-export at the time of his departure from India or for clearance subsequently on payment of duty. The detained baggage would be examined and full details will be inventoried. Such baggage will be kept in custody of customs.

#### 1.5. Mishandled Baggage

- 1.5.1. In case the baggage has been lost or mishandled by the airline, a simplified procedure is in place for clearance of such baggage, which allows the passenger to have delivery of this baggage at his doorstep by the airline.
- 1.5.2. There is no need to handover the passport or the keys of the baggage. The passenger is merely required to complete the Custom Declaration form at Counter No. 1, authorizing the airline to complete the formalities when the baggage arrives. The passenger is required to obtain a certificate to that effect from the airline and get it countersigned by Customs indicating specifically the unutilized portion of the free allowance. This would enable the passenger to avail the unutilized portion of the duty free allowance when his baggage is delivered by the airlines.

### **1.6. Currency Declaration**

- 1.6.1. Any person can bring into India from a place outside India foreign exchange without any limit. However, declaration of Foreign Exchange/Currency is required to be made in prescribed declaration form in the following cases.
  - 1.6.1.1. Where the value of foreign currency notes exceeds US\$5000 or equivalent.
  - 1.6.1.2. Where the aggregate value of foreign exchange (in the form of currency notes, bank notes, traveler cheques, etc.) exceeds US\$10,000 or equivalent.
- 1.6.2. Import of Indian currency is prohibited. However, in the case of passengers normally residing in India who are returning from the visit abroad, import of Indian currency up to Rs.5000 is allowed.

### **1.7. Regulation for the airline crew**

- 1.7.1. Crew member of aircraft are subject to submit correct declaration before customs authorities with respect to the currency, gold ornaments and electronic goods etc. in their possession on arrival as well as on departure. They are allowed to bring items like chocolate, cheese, cosmetic and other petty gifts for their personal or family use up to value of Rs.600/- only at the returning of the aircraft from foreign journey. However, a crew member on final payoff or at the termination of his engagements with the airline shall be eligible for allowances as common passenger.

### **1.8. Outgoing Passengers**

- 1.8.1. All the passengers leaving India by air are subject to clearance by Custom Authorities. Only bona-fide baggage is allowed to be cleared by passengers. There is a procedure prescribed whereby the passengers leaving India can take the export certificate for the various high value items as well as jewellery from the Customs authorities. Such an export certificate comes handy while bringing back the things to India, so that no duty is charged on such goods exported by the passenger.

## **2. Other Information**

- 2.1. Export of most species of wild life and articles made from wild flora and fauna, such as ivory, musk, reptile skins, furs, shahtoos, etc. is prohibited.
- 2.2. Trafficking of narcotic drugs and psychotropic substances is prohibited.
- 2.3. Export of goods purchased against foreign exchange brought in by foreign passenger is allowed except for prohibited goods.
- 2.4. Carrying of Indian currency notes in the denomination of Rs.500 and Rs.1000 to Nepal is prohibited.
- 2.5. Export of Indian currency is strictly prohibited. However, Indian resident when they go abroad are allowed to take with them Indian currency not exceeding to Rs.5000.
- 2.6. Tourists while leaving India are allowed to take with them foreign currency not exceeding an amount brought in by them at the time of their arrival in India. As no declaration is required to be made for bringing in foreign exchange/currency not exceeding equivalent of US\$10000, generally tourists can take out of India with them at the time of their departure foreign exchange/currency not exceeding the above amount.
- 2.7. There is no value limit on the export of gold jewellery by passenger through the medium of baggage so long as it constitutes the bona-fide baggage of the passenger. A passenger may request the Customs for issue of an Export Certificate at the time of his/her departure from India, in respect of jewellery carried by him/her, to facilitate its re-import subsequently. Commercial export of gold jewellery through the courier mode is permitted subject to observance of prescribed procedures.
- 2.8. Certain goods are prohibited (banned) or restricted (subject to certain conditions) for import and/or export. These are goods of social, health, environment, wildlife and security concerns. While it is not possible to list all the goods, more common of these are:

## **3. Prohibited Goods**

- 3.1. Narcotic Drugs and psychotropic substances, pornographic material, counterfeit and pirated goods and goods infringing any of the legally enforceable intellectual property rights, antiquities.

## **4. Restricted Goods**

- 4.1. Firearms and ammunition.
- 4.2. Live birds and animals including pets.
- 4.3. Plants and their produce e.g. fruits, seeds.
- 4.4. Endangered species of plants and animals, whether live or dead.
- 4.5. Any goods for commercial purpose: for profit, gain or commercial usage.
- 4.6. Radio transmitters not approved for normal usage.
- 4.7. Gold and silver other than ornaments (for import only).
- 4.8. Indian and foreign currency in excess of prescribed limits:

- 4.8.1. Foreign currency in excess of US\$5000 in the form of currency notes or equivalent US\$100000 or equivalent in the form of currency notes, bank notes or traveler's cheque is required to be declared on arrival.
- 4.8.2. Foreign currency in excess of amount legally obtained or in the case of tourists in excess of the amount declared on arrival or in excess of the exempted limit of declaration at the time of departure.
- 4.9. Trafficking in narcotic drugs like Heroin, Charas, Cocaine or in psychotropic substances is a serious offence and is punishable with imprisonment.
- 4.10. Export of most species of wild life and articles made from flora and fauna such as Ivory, Musk, reptile skins, furs, Shahtoos, etc. is prohibited. For any clarifications passenger should approach the Regional Deputy Director (Wildlife Preservation), Government of India or the Chief Wildlife Wardens of State Governments posted at Kolkata, Delhi, Mumbai and Chennai.
- 4.11. Export or import in prohibited and restricted goods commonly leads to arrest.

#### **5. Penal provision**

- 5.1. The Indian Customs Act empowers imposition of heavy penalties for those passengers who:
- 5.2. Attempt to walk through Green Channel with prohibited, restricted or dutiable goods.
- 5.3. Mis-declare their goods at the Red Channel.
- 5.4. Attempt to export prohibited or restricted goods.
- 5.5. Abet the commission of any of the above offences.
- 5.6. The penal provision may lead to -
  - 5.6.1. Absolute confiscation of goods or
  - 5.6.2. Imposition of heavy fine in respect of the concerned goods if these is released.
  - 5.6.3. Imposition of penalty on individual or concerned entities upto five times the value of goods or the duty involved.
  - 5.6.4. Arrest and prosecution including invocation of preventive detention in serious cases.

#### **6. Customs Duty on aircraft**

- 6.1. If any aircraft arriving from a place outside India is forced to land in India in any place other than an appointed customs aerodrome, the person-in-charge of the aircraft shall immediately report to the nearest Customs or Police Officer and shall on demand produce to such officer the General Declaration or, if it does not give the movements of the aircraft subsequent to the last destination, the journey log book, and/or any other document belonging to the aircraft, and shall not permit any goods to be unloaded there from without the consent of such officer, and no passenger or member of the crew thereof shall leave the immediate vicinity of the aircraft without the consent of such officer. In case, where it is necessary to dispatch a Customs Officer to the place of landing to examine the aircraft, charges for conveyance of such officer may be made against the owner of the aircraft concerned.
- 6.2. No customs duty is levied on the aircraft not registered in India, which is brought into India for purpose of a flight to or across India, which is not intended to be registered in India and is intended to be removed from India within six months from the date of entry, provided that the person-in-charge of the aircraft makes a written declaration to that effect to the Customs Collector on arrival.
- 6.3. In the case of an aircraft in respect of which such declaration has been made and which is not removed from India within six months, the duty leviable in respect of it shall be paid to the Customs Collector before the aircraft is again flown.

#### **7. Regulation for Transit Passengers**

- 7.1. Transit passengers are kept in Customs area and Customs authorities keep watch on such passengers that they should not hand over anything to any other person. They are also not allowed to go outside the airport building.

#### **8. Drugs**

- 8.1. Trafficking in narcotics is a serious offence and is punishable with imprisonment.

#### **9. Immigration Requirements**

- 9.1. Pre-requisite for entry into India:
- 9.2. Foreigner should have valid travel documents such as visa, passports, etc.

- 9.3. Pak nationals who are coming from Pakistan or third country should carry visa applicable form issued by the Indian Mission in addition to visa affixed which should be handed over by him/her at the port of entry.
- 9.4. Nepalese visiting India by air from third country other than Nepal or Bhutan should carry national passport and Indian Visa.
- 9.5. Foreigner should not be an insane person.
- 9.6. Foreigner should not be suffering either from a loathsome disease or an infectious disease.
- 9.7. Foreigner should not have been sentenced abroad for an extraditable offence.
- 9.8. His/her entry should not have been banned by any government agency.
- 9.9. Foreigners coming from or through yellow fever countries must come with proper vaccination certificate.
- 9.10. Disembarkation/Embarkation card provided by Immigration should be carefully filled up by the passengers and presented to the immigration desk with travel documents. Red and Green ink should not be used for filling up the cards. There should not be any tick marks or any other marks put on the cards by the passengers. The cards also should not be folded.
- 9.11. Visa Requirements for Children: Minor children of foreigners including of Indian origin would require proper visa for entry into India.
- 9.12. Identification Document for Nepalese visiting India by Air: Nepalese visiting India by air may travel on the authority of any of the following identification documents:-
  - 9.12.1. Valid national passport;
  - 9.12.2. Photo Identity Card issued by the Government of India/any State Government or Union Territory Administration in India/Election Commission of India in respect of Indian citizens and by the Government of Nepal in respect of Nepalese citizens;
  - 9.12.3. Emergency certificate issued by Embassy of India, Kathmandu to Indian national and by Embassy of Nepal in Delhi in respect of Nepalese citizens, in case of emergent conditions.

#### **10. Seamen**

- 10.1. Seamen being repatriated - Foreign seamen, who are signed on at an Indian port, are under the terms of their articles required to be returned for discharge to the port of their engagement. If such seamen are discharged at a foreign port for being returned to India, he can be granted a visa for three months stay in India, without prior reference, provided he holds a continuous discharge certificate or Seamen's Registration Book issued in India and the agent's certificate that he is being repatriated for discharge at an Indian port. The visa may be granted on the national passport, if any, or on the continuous Discharge Certificate/Registration Book or on a sworn affidavit.
- 10.2. Seamen joining ships - Foreign seamen signed abroad, who are coming to join their ships at an Indian port, may be granted Transit visa in accordance with the instructions contained under heading "TRANSIT VISA". Such visas may be granted on national passports or Seamen's Identity Documents.

#### **11. Non-scheduled flight**

- 11.1. Members of crew of non-scheduled and chartered flights operated by airline, not operating scheduled flight to India, would not be granted visas without prior reference to the Government of India. When approved, visas would be given to such persons, on their national passports only and not on crew member certificate.

#### **12. Requirement of registration**

- 12.1. Foreigner entering into India on student, research, employment, yoga visas valid for more than 180 days is required to register within 14 days of first arrival with the FRRO/FRO under whose jurisdiction he/she proposes to stay. In case of other long term, visas like 'entry', 'business', etc. other than 'tourist' visa, if the foreigner intends to stay for more than six months, he/she should register himself/herself within 180 days of his/her arrival. As regards Afghan nationals, the holders of Residential Permit must report within seven days of his/her arrival to the concern FRRO/ FRO with the proof of residence. The holder will have to report to the authority concerned even if the stay in India is less than seven days.
- 12.2. The following categories of foreign nationals are exempted from registration:
  - 12.2.1. Foreigners of Indian origin visiting India for short duration with long term multiple entry visas, each stay in India not exceeding 180 days.
  - 12.2.2. Foreigners connected with tourism and travel trade with five years multiple entry visa, each stay not exceeding 180 days.

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- 12.2.3. US nationals with 10-year validity multiple entry visa for tourism or business purpose with each stay not exceeding 180 days.
  - 12.2.4. PIO cardholders if continuous stay in India does not exceed 180 days.
  - 12.2.5. Children below 16 years of age.
  - 12.3. Registered foreigners should always carry their registration certificate/residential permits along with them.
  - 12.4. Retaining of Embarkation Card: Foreigners are required to retain embarkation portion of the disembarkation card in their possession to facilitate their return journey.
  - 12.5. Filling up of Form "C": Foreigners are required to fill Form "C" during their stay in hotels which include boarding houses, clubs, dak bungalows, rest houses, paying guest homes, sarai, etc.
  - 12.6. Prior Permission for Visiting Certain Area: Foreigners intending to visit Restricted Area/Protected Area are required to obtain prior permission of the Government during their stay in India as visa alone is not enough to enable a foreigner to visit such places. They may have list of such areas from the tourist offices of Central/State Government
  - 12.7. Grant of Landing Permit for group: Grant of landing permit for a group of 4 or more organized by recognized/approved tour/travel operator may be granted upto a period of 60 days, with Multiple Entry Facilities against a fee of US\$40 or equivalent amount in Indian Rupees per passenger. The travel agency has to make a return request to the immigration giving full personal and passport details of the group members, itinerary and undertaking to conduct the group as per itinerary and an assurance that no individual would be allowed to drop out from the group at any place.
  - 12.8. Transit Visa: Transit visa is not required from a person who is in direct transit by air when there is no through flight provided he/she does not leave the precincts or airports.
  - 12.9. Landing Permit: 72 hours landing permit is granted to a foreigner transiting through India without visa if he/she has a confirmed onward journey tickets. 15 days TLP can also be granted in emergent situation like death/illness in the family. However, landing permit facility is not available to the nationals of Sri Lanka, Bangladesh, Pakistan, Iran, Afghanistan, Somalia, Nigeria and Ethiopia.
  - 12.10. Surrender of embarkation card: Foreigners are required to complete/fill up and surrender embarkation card in their possession at the airport from where finally departing.

### **13. Public health requirements**

- 13.1. Disembarking passengers are required to fill up the information in the health portion of disembarkation card.
  - 13.2. Disembarking passengers are not required to present vaccination certificate except when coming directly from an area infected with yellow fever.
  - 13.3. All passengers on board coming from yellow fever infected areas as declared by Central Government shall be in possession of valid international certificate against yellow fever.
  - 13.4. Aircraft shall have been disinfected at the commencement of the journey as per Aircraft (Public Health) Rules, 1954 and in accordance with the procedures laid down in Schedule IV of the said rules, or the procedure recommended by the World Health Organization.
  - 13.5. The Pilot-in-Command of the aircraft shall send a radio message three hours before arrival about the state of health of any person on board, who has visited a yellow fever infected area, as declared by the Central Government, within the previous six days and who is not in possession of valid yellow fever certificate.
  - 13.6. If, on inspection of the aircraft, the Airport Health Officer detects any person or crew suspected to be infected with yellow fever, the Airport Health Officer may direct the Pilot-in-Command of the aircraft to proceed to Kolkata or Mumbai or any other place as may be designated by the Airport Health Officer and Pilot-in-Command of the aircraft shall obey such directions.
  - 13.7. No departure formalities are required for embarking passengers.
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