

From

The Chief Secretary to Government, Haryana.

To

All Deputy Commissioners in the State.

Dated Chandigarh, the June 24, 1998

Subject :—Instructions regarding bonafides of the Charitable Organisations.

Sir,

I am directed to address you on the subject noted above and to enclose a letter received from Sh. N. K. Singh, Revenue Secretary, Government of India and to say that bonafide Charitable Organisations are allowed duty free import of goods for relief work subject to the condition that they furnish a certificate from the State Government to the effect that they are bonafide organisations engaged in relief work. At present within six months of such duty free imports they also have to furnish a certificate from the State Government that the imported goods have been distributed to the poor and needy, free of cost and without any distinction of cast etc.

2. However, wherein malpractices have come to the notice of the Government of India as mentioned in the letter to the effect that in a number of cases the goods were imported availing the benefit of this exemption but were not distributed and were in fact sold.

However, such unscrupulous importers were able to obtain certificates from the concerned District Collectors to the effect that they were bonafide organisations engaged in relief work and that the goods had been distributed to the poor and needy, free of cost, without any distinction of caste etc. On enquiry it was found that the concerned District Collectors had issued certificates without verifying the facts and they were apparently not aware of the fact that these certificates could be used to avail benefit of customs duty exemption.

3. Therefore, it has been decided that such certificates should be issued only after due verification of the bonafides of the Charitable Organisations and proper use of the goods imported availing customs duty exemption should be ensured. Any laps in this regard would be viewed seriously.

It is requested that these instructions should be complied with meticulously.

Yours faithfully,

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

Enclat. No. 62/35/97-6GSI

Dated Chandigarh, the June 24, 1998.

A copy is forwarded to Sh. N. K. Singh, Revenue Secretary, Government of India, Ministry of Finance (Department of Revenue) North Block, New Delhi-110 001 with reference to his D. O. F. No. 354/57/97-TRU, dated 23-6-97 for information.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy of D. O. letter No. 354/57/97-TRU, dated 23-6-97 from Sh. N. K. Singh, Revenue Secretary, Government of India, Ministry of Finance (Department of Revenue) North Block, New Delhi to Sh. R. S. Varma, Chief Secretary to Government of Haryana, Chandigarh.

Dear Shri Varma,

Bonafide charitable organisations are allowed duty free import of goods for relief work subject to the condition that they have to furnish a certificate from the State Government to the effect that they are bonafide organisations engaged in relief work. Within six months of such duty free imports, they have also to furnish a certificate from the State Government that the imported goods have been distributed to the poor and needy, free of cost and without any distinction of caste.

2. It has been found that in number of cases, the goods are imported availing the benefit of this exemption but were not freely distributed and were sold and the people behind such imports were of dubious background. However, such importers were able to obtain certificate from the District Collectors of Sonapat and Panipat that they were bonafide organisations engaged in relief work and they had also obtained certificates from the District Collectors to the effect that the goods had been distributed to the poor and needy, free of cost, without any distinction of caste.

3. Subsequently, on enquiry the District Collectors of Sonapat and Panipat in their statements have stated that they issued certificates without verifying the facts and they were not aware of the fact that these certificates could be used to avail benefit of customs duty exemption. Withdrawing the

facility of duty free import by charitable trusts for relief work would adversely effect the genuine charitable organisations involved in relief work.

4. In view of the above, you may like to issue suitable instructions to all concerned State Government authorities to make sure that such certificates are issued after due verification of the bonafideness of the charitable organisations and the proper use of goods imported availing customs duty exemption.