



SHANGHAI

ADVISORY TO FILIPINOS ON THE RESTRICTIONS/LAWS OF INDIA CONCERNING PRECIOUS METALS AS WELL AS SEMI-PRECIOUS STONES

In connection with the recent arrest of Filipino nationals at New Delhi Airport for alleged gold smuggling, the Consulate General of the Republic of the Philippines wishes to inform all Filipinos in Shanghai and the provinces of Anhui, Hubei, Jiangsu and Zhejiang on the restriction/laws of India concerning precious metals as well as semi-precious stones in accordance with Indian Customs Act of 1962, Chapter XIII, Section 101 and 102, which states that:


Section 101. Power to search suspected persons in certain other cases.

- (1) If an officer of customs empowered in this behalf by general or special order of the Commissioner of Customs, has reason to believe that any person has secreted about this person any goods of the description specified in sub-section;
- (2) Which are liable to confiscation, or documents relating thereto, he may search that person.
- (3) The goods referred to in sub-section (1) are the following:
 - a) gold;
 - b) diamonds;
 - c) manufactures of gold or diamonds;
 - d) watches;
 - e) any of other class of goods which the Central Government may, by notification in the official Gazette, specify.

Section 102. Persons to be searched may require to be taken before gazetted officer of customs or magistrate.

- (1) When any officer of customs is about to search any person under the provisions of section 101, the officer shall, if such person so requires, take him without unnecessary delay to the nearest gazetted officer of customs or magistrate.
- (2) If such requisition is made, the officer of customs may detain the person until he can bring him before the gazetted officer of customs or the magistrate,
- (3) The gazetted officer of customs or the magistrate before whom any such person is brought shall, if he sees no reasonable ground for search, forthwith discharge the person but otherwise shall direct that search be made.
- (4) Before making a search under the provisions of section 100 or section 101, the officer of customs shall call upon two or more persons to attend and witness the search and may issue an order in writing to them or any of them to do so; and the search shall be made in the presence of such persons and a list of all things seized in the course of such search shall be prepared by such officer or other person signed by such witnesses.
- (5) No Female shall be searched by anyone excepting a female.

Filipinos are advised to exercise caution in accepting offers to bring in unusual quantities of gold (ingot and jewelry) into India to avoid the pain of penalty and/or imprisonment.


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