



AERO MODELERS ASSOCIATION

WWW.AMAI.IN

AMA/ACI-2/32/2011

ASSOCIATE MEMBER OF AERO CLUB OF INDIA

20th.January 2011

To,
The Secretary General
Aero Club Of India
SafdarJung Airport
Aurobindo Marg
New-Delhi-110003

Dear Sir,

Aero Modelers Association is a registered non-Profit organization ,which promotes Aeromodeling ,which is also a part of the National Cadet Corps(N.C.C) under the Ministry of Defence as an educational subject to familiarize the young students with Aviation and related subjects.

Aero Modelers Association is an Associate Member of Aero club of India which is the apex body in India supporting aeromodeling as an Aerosport.

We are facing unnecessary harassment at the customs due to wrong clasification of model aircraft under "Toys".

RC Aero Models are model aeroplanes – to scale or otherwise- similar to real aero planes, Helicopters, Gliders, rockets and such other types of aircrafts as are known to exist in the world of Aeronautics. They are working models which are flown with or without remote control from ground. They are often power driven by combustion engines or electric motors. They are not designed to carry any passengers or payloads but used exclusively for hobby, sport & education purposes.

Our Members and other fraternity colleagues have, of late, been facing considerable hardships in the import of items essential for the making of the Aero Models at the hands of Custom Authorities and therefore we seek your intervention to mitigate our unnecessary problems.

Hitherto import of aero models, their kits, accessories such other items have been allowed under chapter 95 dealing with TOYS, GAMES AND SPORTS REQUISITES; PARTS AND ACCESSORIES THEREOF. EXIM code 9503, more specifically covers the subject items as 'reduced size scale models and similar recreational models, working or not.' Recently, However, in the wake of some spurious and non-standard supplies of TOYS from some countries like China ETC. and, to protect our children from the health hazards arising therefrom, The policy was modified whereby by virtue of notification no 113(RE-2008)/2004-2009 dated 16th June 2009, imports of 'TOYS' were made subject to adherence to the Standards prescribed in IS 9873. Subsequently, clarification on the subject matter was issued by D.G.F.T. by a circular stating that the restriction would apply only to such toys which were covered under the scope of the aforementioned IS Standards 9873. Items not covered by these standards are therefore exempt from such compliances.

REGD OFF:1057,SEC.-D,PKT.-I , VASANT KUNJ ,NEW-DELHI-110070



WWW.AMAI.IN

AERO MODELERS ASSOCIATION

ASSOCIATE MEMBER OF AERO CLUB OF INDIA

-2-

In this context a copy of the order-in-appeal No.93/2008 is attached, which allowed the following grounds of appeal:

1.that Assistant commissioner of customs(PAD) was wrong in stating that chapter 9503-83 only covers toys as those imported items were reduced size recreational models (of aeroplanes/jets)with in-built motors.

2.that HSN Explanatory notes states that chapter 95 not only covers toys but also “the models of a kind mainly used for recreational purpose,for example working or scale model aircrafts”.

3.that the Assistant Commissioner (PAD)ignored the fact that chapter 95 contains not only toys but also “models” and so instead of classifying the imported goods under 9503.80 as “models”,the lower authority erroneously classified that as “Aircraft” under chapter 88.02 .

The above clearly means that a “model aircraft”is not a “Toy” or an “Aircraft”under chapter 88.02,but a “working model mainly used for recreation and educational purpose”.

To avoid unnecessary harassment of a genuine importer/user at the Customs we suggest that the policy be stated more clearly in this respect. For e.g.:

01 That all Models of aircrafts, Helicopters, ships, boats, cars, trains or similar other vehicles, to scale or otherwise, power driven or not, with spares and or accessories, meant for hobbies, sports or such other forms of entertainment,

02 All Model kits, hobby and craft items in which the finished items is not primarily of play use,be removed from EXIM Code 9503 and reclassified separately other than ‘TOYS’, free, from conditions of, compulsion to any Standards, or source of origin. This would simplify the implementation of the intended policy and avoid confusions amongst the executive arm of the custom authorities. It would greatly mitigate the problems of all concerned, both, the importer and regulatory agency.

Please take up the issue with Director General of Foreign Trade(D.G.F.T) to mitigate the harassment of genuine users/aeromodelers.

Thanking You,

Yours Sincerely

Vijendra Nagar
President
Aero Modelers Association
9818974584

Copy of order attached.

REGD OFF:1057,SEC.-D,PKT.-I , VASANT KUNJ ,NEW-DELHI-110070