

**Circular No. 12/98-Cus.  
dated 5/3/989**

**F.No.473/30/97-L.C.**

Government of India  
Ministry of Finance  
Department of Revenue, New Delhi

**Subject:** Warehousing -Grant of Extension in the warehousing period under section 61 of the Customs Act, 1962 after expiry of the warehousing period - instructions - regarding

Section 61 of the Customs Act, 1962 lays down the period for which the imported goods can be warehoused. The first proviso to this Section provides that the period of warehousing prescribed, on sufficient cause being shown, can be extended for period not exceeding 6 months by Commissioner of Customs. Further extension in the period can be granted by the Chief Commissioner of Customs.

2. A doubt has arisen whether extension in the warehousing period can be granted when the application for extension is moved after the expiry of the initial or extended warehousing period. Section 61 of the Customs Act, 1962 is silent on this issue.
3. In order to arrive at a uniform practice in granting such extensions, the matter was examined in consultation with Ministry of Law. Consequently it has been decided that the importers may be advised to file such applications for extensions in the warehousing period to the proper authority well before the expiry of initial/ extended period of warehousing.
4. However, in cases of exceptional circumstances, the extensions in the warehousing period can be considered and granted even after the expiry of initial/ extended warehousing period. In all such cases, the jurisdiction - Chief Commissioner may himself decide the request for extension after taking into consideration the exceptional circumstances, the nature of the commodity, the rate of duties, particularly, whether the same results in loss of revenue to the Government, the licensing aspects involved etc.
5. Receipt of this letter may please be acknowledged.

Sd/-  
(K. Chopra)  
Under Secretary of the Govt. of India