

Circular No. 03/2003-Cus.
14th January , 2003

F.No. 473/25/2002-LC
Government of India
Ministry of Finance and Company Affairs
Department of Revenue

Subject: Warehousing – Grant of extension of warehousing period by Chief Commissioners under Section 61 of the Customs Act, 1962 – regarding –

I am directed to refer to the instructions contained in Board's Circular No. 47/2002-Cus., dated 29.07.2002, on the above subject and to say that some references have been received in the recent past seeking Board's clarification whether the goods imported and bonded in a warehouse can be permitted to be cleared for the purpose of export under Section 69 of the Customs Act, 1962 even though demand notices under Section 72 of the Customs Act, 1962 have been issued by the Customs authority demanding duty, interest and other charges upon expiry of the initial or extended period of warehousing.

2. The matter has been examined in the Board. It has been decided that in case an importer makes a request to permit re-export of the goods under Section 69 of the Customs Act, 1962, such a request may be allowed even if the permitted period for bonding has expired and demand notice has been issued, or it has been decided to put the goods under auction. Before permitting re-export in each such case, however, it will be necessary to extend the period of warehousing under Section 61 of the Customs Act to enable the importer to export the goods within the permitted period of warehousing.

3. Chief Commissioners are, therefore, requested to consider/decide such requests from the importers keeping in view the aforesaid guidelines of the Board and also taking into consideration all the relevant rules/regulations for export.

4. The contents of this Circular may be suitably brought to the notice of the field formations and the Trade under your jurisdictions.

5. This issues in partial modification of Board's earlier Circular under reference.