



GOVERNMENT OF INDIA
OFFICE OF THE COMMISSIONER OF CUSTOMS (PORT)
CUSTOM HOUSE, 15/1 STRAND ROAD, KOLKATA-700001.

PUBLIC NOTICE NO. : 36/2013

Sub: Provisional release of export - goods detained for investigation -reg.

Attention of all exporters/customs house agents is invited to the Public Notice No.07/2011 dated 18.01.2011 issued based on the Board Circular No.01/2011-Customs dated 04.01.2011 regarding provisional release of export goods that are detained or seized. The said Public Notice was issued with the objective of expediting the clearance of export goods and to ensure that where permissible by law, exports should not get unduly delayed, thereby causing congestion in ports as well as delays in fulfilment of export orders. Thus, it was instructed that provisional release of export goods that are suspected of being mis-declared or where declaration is to be confirmed by further enquiry/test or detained/seized for mis-declaration of quantity/value/description should be given on execution of Bond and suitable security to cover the redemption fine and penalty (Para 4 of Public Notice No.07/2011 dated 18.01.2011).

2. It has been brought to the notice of this Office that the above order are not being implemented by certain field formations and exporting community is aggrieved by the long detention of exports goods. The matter has been raised in many forums and the issue of congestion in ports has also been highlighted by Inter-Ministerial Committee for boosting exports from Micro, Small & Medium Enterprises (MSMEs) sector, which pointed out that, besides the Boards aforementioned instructions, paragraph 2.42 of the Foreign Trade Policy also provides that export consignments shall not be withheld / delayed for any reason.

3. The Board has re-examined the subject matter. The view is that there can be no justification to hold up export consignments for long periods unless the export goods are prohibited under Customs Act, 1962 or ITC (HS) Policy. Essentially genuine exports must be facilitated and there should be no delays or hold ups of export goods. Therefore, it is strongly reiterates the notice dated 18.01.2011 referred above.

4. Therefore, continued detention of export goods in excess of three days may be brought to the notice of the undersigned.

(S.K.Das)

Commissioner of Customs (Port),
Custom House: Kolkata

F.No.S60(Misc.)-127/2013 A(G)

Dated: ~~02.09.2013~~

18.10.2013.

Authority: - Board Circular No.30/2013-Customs dated 05.08.2013 from F.No.401/179/2009-Cus.III