



The Indian Silk Export Promotion Council

(Sponsored by Ministry of Textiles Govt. of India)
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ISEPC Cir NO 42-4/2020-21

6th April 2020

To: All Members of the Council;

Subject: Measures to facilitate trade during the lockdown period - Section 143AA of the Customs Act, 1962- Air Cargo Complex

Dear Member,

The Council would like to inform you that the Air Cargo Complex (Sahar) has issued Public Notice No.56/2020 dated 4th April, 2020 on the above subject. In this regard CBIC had also issued a Circular No. 17/2020- Customs dated 3rd April, 2020.

It has been observed that during the lockdown period, there are difficulty faced by importers, exporters and their authorized Customs Brokers in obtaining notarized stamp papers for furnishing bonds required by Customs in certain situations during the assessment and clearance of goods.

In light of the unprecedented situation caused due to COVID-19 pandemic, Board has decided-

To relax the requirement to submit bonds prescribed under various provisions of the Customs Act, 1962 for a temporary period in terms of Section 143AA with a view to expedite Customs clearance of goods and for maintaining balance between Customs control and facilitation of legitimate trade.

In this regard, the relaxation of the requirement to submit bonds prescribed under Sections 18, 59 and 143, and under notifications issued in terms of Section 25 of the Customs Act, 1962, is granted subject to compliance of conditions as listed below. .

- ⇒ While the lockdown is presently in force till 14th April, 2020, considering that the importer/exporter may find it difficult to comply with the requirement of furnishing bond for some more time thereafter till the situation normalizes, **the said relaxation shall be available up to 30th April, 2020.**
- ⇒ In the period up to **30th April, 2020**, requests for submission of an undertaking from the importer/exporter in lieu of a bond prescribed under the above-mentioned provisions shall be accepted. This relaxation will apply to the following categories of the importers/exporters:

- Ⓜ Government/Public Sector Undertakings (Central/State/UT Govts. or Administrations and their undertakings)
- Ⓜ Manufacturer/Actual User importer
- Ⓜ Authorised Economic Operators
- Ⓜ Status holder
- Ⓜ All importers availing warehouse facility in terms of section 59 of the Customs Act, 1962

Each such relaxation, where requested, should comply with the following conditions:

- A. The content of the undertaking should, to the extent possible, be the same as the content of the prescribed bond.
- B. ii) The undertaking should be duly signed by the IEC holder concerned on their business letter head and submitted by the registered email ID of the IEC holder or their authorized Customs Broker.
- C. iii) The undertaking should include a commitment from the IEC holder to submit the proper bond in prescribed format on notarized stamp paper etc. **on or before 7th May, 2020.**
- D. iv) The undertaking will not be treated as a substitute for security, wherever mandated.
- E. v) The security, where required, shall be furnished in the nature and manner as deemed fit by the proper officer. Board's instructions issued from time to time regarding such security in specific cases should be kept in view in this regard.
- F. vi) In case of warehoused goods, any subsequent movement of goods to another warehouse under Section 67 of the Customs Act, 1962, shall be allowed only to manufacturer/actual user importer or AEO or Status holders. For requests related to change of ownership after warehousing, the facility shall be considered only in cases where the prospective buyer is manufacturer/actual user importer or AEO or Status holder.

Please note the following:

- Such relaxation from submitting a bond may also be considered on a case to case basis for any other importer and exporter who requests for the same, with such additional safeguards over and above those listed in this Circular, as deemed fit by the Principal Commissioner of Customs, Delhi, ACC (Import) to safeguard revenue and ensure compliance of the statutory provisions.
- ⊗ Importers /Exporters availing this facility shall ensure that the undertaking furnished in lieu of bond is duly replaced with a proper bond before the stipulated period i.e. **7th May, 2020.**
- ⊗ The Bond Section shall keep a record of such undertaking and ensure that the undertaking furnished in lieu of the Bond is duly replaced by Bond within a stipulated time period.
- ⊗ In case of any difficulty, members may kindly contact the Additional Commissioner / Joint Commissioner of Customs of Customs, ACC (Import), Mumbai.

Members may kindly take a note of the above.

Thanks n regards,

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