



केन्द्रीय सीमा शुल्क प्रधान आयुक्त के कार्यालय

OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS

हैदराबाद- सीमा शुल्क आयुक्तालय, लाल बहादुर स्टेडियम मार्ग, नशीरबाघ, हैदराबाद -500004

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Standing Order No. 01 /2019

Date: 16 Jan., 2019

STANDING ORDER NO. 01/2019

Sub: Clarification on Customs (Import of Goods at Concessional Rate of Duty) Rules 2017-Reg.

Attention of all the officers and staff is invited to Customs (Import of Goods at Concessional Rate of Duty) Rules 2017 vide notification No.68/2017- Cus (N.T.) dated 30.06.2017 that came into effect from 01.07.2017. Further attention is invited to Circular No. 48/2017-Customs dated 08.12.2017, simplifying the norms for taking security/surety along with Bond.

2. In view of the above, Bank Guarantee/cash security/surety shall be taken as per the following norms for the purpose of extending the benefit under the Customs(Import of Goods at Concessional Rate of Duty) Rules 2017.

Category of Importer	Quantum of Bank Guarantee/cash security and requirement of Surety
a) All importer(s) who either a department of Central Government or a State Government or a Union Territory or a Public Sector Undertaking or an autonomous institute under the said governments.	Bank Guarantee/cash Security - NIL Surety - Not required.
b) All importers who are Authorised Economic Operators.	
c) All importers who are manufacturers or service providers registered under GST and have been filing prescribed GST returns without fail and whose annual turnover in the preceding year is above Rs.1Crore.	Importers shall give surety, for the amount of duty foregone. However, where the importer is not able to provide the surety, a Bank Guarantee/ Cash Security equivalent to not more than 5% of duty foregone shall be furnished.
d) Importers, not covered under (a), (b) &(c) above.	Bank Guarantee/Cash Security- Not more than 25% of the duty foregone amount.

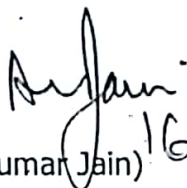
Explanation: Duty foregone would be calculated by reckoning the duty applicable if the importer were not to follow the procedures prescribed in the Customs(Import of Goods at Concessional Rate of Duty) Rules, 2017.

3. The upper limit of Bank Guarantee / Cash Security to the extent of 5% and 25% respectively has been fixed unless the Deputy Commissioner or the Assistant commissioner has reasons to demand a higher quantum of Bank Guarantee/ cash security, in which case the matter shall be referred to the jurisdictional Commissioner who may order for higher quantum of Bank Guarantee or cash security, subject to limit of 100% of the total duty foregone, after recording the reasons thereof in writing.

4. In order to avail above exemption/relaxation from furnishing Bank Guarantee/ Cash security or surety, prosecution should not have been initiated or launched against the importer under, any Act administered by the Central Board of Excise & Customs or State Goods & Service Tax Act or Integrated Goods & Service Tax Act or Union Territory Goods & Service Tax Act during the previous three financial years.

5. Where an importer so requests, the Bank Guarantee/Cash Security may be taken consignment wise to obviate the financial burden. Further, all Bank Guarantee(s) should have self-renewal clause.

Difficulties faced, if any, in implementation of the changes may be brought to the notice of this office.


(Anil Kumar Jain) 16/11/19
(I/C Principal Commissioner of Customs)

Issued from file C. No. S/02/Misc/SO/10/2019-Cus.Tech)

Copy submitted to:

The Chief Commissioner of Central Tax and Customs, Hyderabad Zone, Hyderabad.

To

The Dy./Asst. Commissioner of Customs, ACC, EPD, ICD, Sanathnagar/Thimmapur, Hyderabad.

Copy to:

Superintendent, Systems for posting on the website of the Customs Comm'te.

[Authority: CBEC F. No. 450/28/2016-Cus IV Dated 08.12.2017.]