

No. K-43022/54/2021-SEZ
Government of India
Ministry of Commerce & Industry
Department of Commerce
(SEZ Section)

Udyog Bhawan, New Delhi
Dated the 11th June, 2021

OFFICE MEMORANDUM

Subject: Difficulty of clearance of imported pulses from FTWZ - regarding.

The undersigned is directed to refer to email dated 09.06.2021 received from India Pulses and Grains Association, Mumbai regarding difficulties faced by the pulses importers for clearing imported pulses held at Free Trade Warehousing Zones.

2. It is observed that vide Notification no. SO 1858(E) dated 15.05.2021 import policy for Tur/Pigeon Peas (*Cajanus Cajan*) (Exim Code 0713 60 00) has been amended from 'restricted' to 'free' with immediate effect and for the period upto 31.10.2021. Further, that import consignments of these items with Bill of Lading issued on or before 31.10.2021 shall not be allowed by Customs beyond 30.11.2021. DGFT vide their OM dated 25.05.2021 has issued a clarification to DoR in connection to the ambiguity on the said notification stating that the said notification was published on 15.05.2021 and was made operative with an immediate effect. It has no retrospective effect therefore, the Bill of Lading from date of notification upto 31.10.2021 are to be considered for the purpose of customs clearance under this notification.

3. In so far as SEZ Act/Rules are concerned, for domestic clearance by units, Section 30 of the SEZ Act, 2005 stipulates as follows :

30. Subject to the conditions specified in the rules made by the Central Government in this behalf:-

(a) any goods removed from a Special Economic Zone to the Domestic Tariff Area shall be chargeable to duties of customs including anti-dumping, countervailing and safeguard duties under the Customs Tariff Act, 1975, where applicable, as leviable on such goods when imported; and

(b) the rate of duty and tariff valuation, if any, applicable to goods removed from a Special Economic Zone shall be at the rate and tariff valuation in force as on the date of such removal, and where such date is not ascertainable, on the date of payment of duty.

4. Accordingly, DGFT and JS (Customs) are requested to kindly consider the matter in light of the position of SEZ Act/Rules.

5. This issues with the approval of the Competent Authority.


(Sumit Kumar Sachan)
11/6/21

Under Secretary to the Government of India
Tel No. Tel: 011 – 2306 2496
Email : sumit.sachan@nic.in

To

Shri Gaurav Masaldan
JS (Customs), Department of Revenue

Shri S. K. Mohapatra,
Deputy DGFT, Directorate General of Foreign Trade.

Copy to : Shri Pradeep Ghorpade, CEO, India Pulses and Grains Association, Mumbai.