Circular No. 22/95-Cus.
dated 16/3/95

F.No. 446/59/92-Cus. IV

Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs, New Delhi

Subject :- Regarding undue delay in shipment of handicrafts items due to non antique declaration by Archaeological Experts - Complaint made by Export Promotion Council for Handicrafts

I am directed to say that Board has had occasion to examine the issue of delay in release of export consignments by the customs where such consignments are necessarily referred to the statutory authorities such as the wild Life Department and the Archaeological Survey of India (ASI) for their no objection. The matter was also discussed in an inter Ministerial meeting chaired by Member (Cus) recently.

2. One of the suggestions which was discussed in the referred Inter-Ministerial meeting was that the customs should be familiar and in fact well versed with the requirement of law as laid down in the various Allied Acts so as to be in a position to determine accurately whether a particular export consignment is indeed to be referred to a statutory authority for its objection or not. This suggestion was in the context of the assertion that at times routine references are being made by the customs to the statutory authority which can be avoided.

3. In consideration of the above facts the Board has taken a view that routine reference to the statutory authorities for their no objection in clearance of export consignments are to be avoided. In this regard, Board's instructions of even number dated 22.11.94 refers. At the same time it is the view of the Board that there is a need to educate the customs staff engaged in examination of export consignments in the legal requirement of the various allied laws particularly which are governed by the ASI and the Wild Life Department. Such step would assure a proper appreciation of the legal position and lead to efficient discharge of duties.

4. Accordingly, I am directed to say that the Board desires that the matter regarding training of the customs staff engaged in examination of export consignment in the legal aspects of the Allied Acts enforced by the Customs may be taken up with the help of the local officials of the ASI and the Wild Life Department. In this regard, the Director General, NACEN has also been advised to incorporate such training programmes in the curriculum of the Institute and it may be considered appropriate to seek the help of NACEN also. This decision of the Board may be implemented with immediate effect.

Sd/-
(S.M. Bhatnagar)
Under Secretary to the Government of India.