Circular No.38/2011-Customs

F.No.502/13/2011-Cus.VI
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

227-B, North Block,
New Delhi-110001.

24th August, 2011.

To

All Chief Commissioners of Customs / Customs (Prev.).
All Chief Commissioners of Customs & Central Excise.
All Director Generals under CBEC.
All Commissioners of Customs / Customs (Prev.).
All Commissioners of Customs (Appeals).
All Commissioners of Customs & Central Excise.
All Commissioners of Customs & Central Excise (Appeals).

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Subject: Issue of Customs House Agent License - Reference from field formations.

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Sir / Madam,

Attention is invited to Board's Circular No.9/2010-Customs dated 8.4.2010 which provides that persons qualified in written and oral examination held under Regulation 9 of the Customs House Agents Licensing Regulations (CHALR), 1984 but who were not granted Licence, are required to qualify in additional subjects to become eligible for grant of Licence under CHALR, 2004. Further, para 8.1 of the said Circular provides for one time opportunity to appear in examination for additional subjects to qualify them for grant of CHA Licence.

2. Representations have been received in the Board to grant reasonable opportunities to persons qualified under Regulation 9 of the erstwhile CHALR, 1984 but not granted CHA Licence at par with that currently available to applicants for passing examination under CHALR, 2004.

3. The matter has been examined in the Board. In this regard, it is felt that the intention of allowing these applicants to appear in the examination for additional subjects such as (a) The Patents Act, 1970 and Copyright Act; 1957 (b) Central Excise Act, 1944 (c) Export

promotion schemes, (d) Procedure on appeal and revision petition, (e) Prevention of Corruption Act, 1988, (f) Online filing of electronic Customs declarations, (g) Narcotic Drugs and Psychotropic Substances Act, 1985 and (h) Foreign Exchange Management Act, 1999 was to ensure that they have working knowledge in these subjects as prescribed under CHALR, 2004. However, restriction on providing one time opportunity to qualify the examination for additional subjects for grant of CHA licence does not appear to be justified and needs re-consideration.

4. Accordingly, it has been decided by the Board that all such applicants who had already passed the examination held under regulation 9 of CHALR, 1984 but have not been granted licence and are seeking qualification in additional subjects shall be allowed to clear the examination by **31.12.2012** irrespective of number of chances to become eligible for grant of CHA licence in terms of Regulation 9 of CHALR, 2004.

5. Board also desired that DGICCE will conduct necessary examinations expeditiously, after giving due notice to these candidates.

6. These instructions may be brought to the notice of the trade by issuing suitable Trade / Public Notices. Suitable Standing orders / instructions may be issued for the guidance of the field officers.

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Yours faithfully,

(R. P. Singh)
Director (Customs)