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THE SEA CUSTOMS (AMENDMENT) ACT, 1958

No. 39 OF 1958

[6th October, 1958]

An Act further to amend the Sea Customs Act, 1878.

BE it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

1. This Act may be called the Sea Customs (Amendment) Act, 1958.

8 of 1878.

2. In the Sea Customs Act, 1878, after section 195A the following section shall be inserted, namely:—

Insertion of new section 195B.

Power to allow import or export on execution of bonds in certain cases.

“195B. (1) Where this Act or any other law requires anything to be done before a person can import or export any goods or currency or clear any goods or currency from the control of officers of Customs and the Customs-collector is satisfied that having regard to the circumstances of the case, such thing cannot be done before such import, export or clearance without detriment to that person, the Customs-collector may, notwithstanding anything contained in this Act or such other law, grant leave for such import, export or clearance on the person executing a bond in such amount, with such surety or security and subject to such conditions as the Customs-collector approves, for the doing of that thing within such time after the import, export or clearance as may be specified in the bond.

(2) If the thing is done within the time specified in the bond, the Customs-collector shall cancel the bond as discharged in full and shall, on demand, deliver it, so cancelled, to the person who has executed or who is entitled to receive it; and in such a case that person shall not be liable to any penalty provided in this Act or, as the case may be, in such other law for the contravention of the provisions thereof relating to the doing of that thing.

(3) If the thing is not done within the time specified in the bond, the Customs-collector shall be entitled to proceed upon the bond in accordance with law; and in such a case the person concerned shall also be liable to the penalty provided in this Act or, as the case may be, in such other law for such contravention as aforesaid.”