

Customs Act, 1962

Section 47 - Clearance of Goods for Home Consumption

1 [(1)] Where the proper officer is satisfied that any goods entered for home consumption are not prohibited goods and the importer has paid the import duty, if any, assessed thereon and any charges payable under this Act in respect of the same, the proper officer may make an order permitting clearance of the goods for home consumption.

2 [(2)] Where the importer fails to pay the import duty under sub-section (1) 3 [within 4 [five days], excluding holidays] from the date on which the bill of entry is returned to him for payment of duty, he shall pay interest 5 [at such rate, not below 6[ten per cent.] and not exceeding thirty-six per cent per annum, as is for the time being fixed by the Central Government, by notification in the Official Gazette, on such duty till the date of payment of the said duty:

Provided that where the bill of entry is returned for payment of duty before the commencement of the Customs (Amendment) Act, 1991 and the importer has not paid such duty before such commencement, the date of return of such bill of entry to him shall be deemed to be the date of such commencement for the purpose of this section:]

7 [Provided further that if the Board is satisfied that it is necessary in the public interest so to do, it may, by order for reasons to be recorded, waive the whole or part of any interest payable under this section.]

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1. Section 47 re-numbered as sub-section (1) of that section by Act 55 of 1991, section 3 (w.e.f. 23-12-1991).
 2. Inserted by Act 55 of 1991, section 3 (w.e.f. 23-12-1991).
 3. Substituted by Act 27 of 1999, section 105, for "within seven days" (w.e.f. 11-5-1999).
 4. Substituted by Act 20 of 2002, section 123, for "two days" (w.e.f. 11-5-2002).
 5. Substituted by Act 10 of 2000, section 83, for certain words (w.e.f. 12-5-2000).
 6. Substituted by Act 20 of 2002, section 123, for "eighteen per cent." (w.e.f. 11-5-2002).
 7. Inserted by Act 22 of 1995, section 59 (w.e.f. 26-5-1995).
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