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**Circular No. 579/16/2001-CX
26th June, 2001**

**F. No. 261/27/2001-CX.8
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs**

**Subject : Procedure governing the movement of goods to which
warehousing provisions have been extended ↻ Regarding**

In exercise of the powers conferred under sub-rule (2) of Rule 20 of the Central Excise (No. 2) Rules, 2001, the Central Board of Excise and Customs specifies the following conditions, limitations, safeguards and procedures for removal of excisable goods to which the warehousing provisions have been extended by the Central Government vide Notification No. 47/2001-C.E. (N.T.), dated 26th June, 2001.

(1) *Registration of warehouse :*

The Commissioner may specify places under his jurisdiction at which alone warehouses may be registered under Rule 9 of the Central Excise (No. 2) Rules, 2001.

(2) *Procedure in respect of excisable goods removed from a) factory or a warehouse :*

- (a) The Consignor shall prepare an application for removal of goods from a factory or a warehouse to another warehouse in **quadruplicate** in the form annexed as **Annexure-A**.
- (b) The consignor shall also prepare an invoice in the manner specified in Rule 11 of the Central Excise (No. 2) Rules, 2001 in respect of the goods proposed to be removed from his factory or warehouse.
- (c) The consignor shall send the original, duplicate and triplicate application and duplicate invoice along with the goods to the warehouse of destination.
- (d) The consignor shall send quadruplicate copy of the application to the Superintendent-in-charge of his factory or warehouse within twenty-four hours of removal of the consignment.

On arrival of the goods at the warehouse of destination, the consignee shall, within twenty-four hours of the arrival of goods, verify the same with all the three copies of the application. The consignee shall send the original application to the Superintendent-in-charge of his warehouse, duplicate to the consignor and retain the triplicate for his record.
- (f) The Superintendent-in-charge of the consignee shall countersign the application received by him and send it to the Superintendent-in-charge of the consignor.
- (g) The consignor shall retain the duplicate application duly endorsed by the consignee for his record.

(3) *Failure to receive a warehousing certificate:*

- (a) The consignor should receive the duplicate copy of the warehousing certificate, duly endorsed by the consignee, **within ninety days** of the removal of the goods. If the warehousing certificate is not received within ninety days of the removal or such extended period as the Commissioner may allow, the consignor shall pay appropriate duty leviable on such goods.

If the Superintendent-in-charge of the consignor of the excisable goods does not receive the original

- warehousing certificate, duly endorsed by the consignee and countersigned by the Superintendent-in-charge of the consignee, within ninety days of the removal of the goods, weekly reminders must be issued by him to the Superintendent-in-charge of the consignee. If despite such reminders the original warehousing certificate is not received within a further period of sixty days of the expiry of the ninety days period, the Superintendent-in-charge of the consignor shall inform his Assistant Commissioner/Deputy Commissioner who shall either secure a satisfactory proof of the goods having been duly received by the consignee or ensure that the duty of excise due on the goods not received at destination is recovered from the consignor.
- (b)

[Explanation. ♦ The term "consignor" would mean the manufacturer or the registered person of the warehouse who removes excisable goods from his factory or warehouse, as the case may be. The term "consignee" would mean the registered person of the warehouse who receives the excisable goods from the factory or a warehouse, as the case may be.]

(4) Accountal of goods in a warehouse :

- The registered person of the warehouse shall maintain a register showing all entries into and removals of the goods from his warehouse and shall indicate the value, quantity of the goods removed, their marks and numbers as well as the rate of duty and amount of duty involved. The processes carried out on the warehoused goods, if any, shall also be recorded.
- (a)
- The first and last pages of the register should be pre-authenticated by the owner of the warehouse or his authorised agent.
- (b)

(5) Responsibility of the registered person :

- The registered person of the warehouse shall be responsible for due reception of the goods into the warehouse and delivery therefrom including their safety during the period they are lodged in the warehouse.
- (a)
- The registered person shall be responsible for the payment of penalty or interest leviable in respect of the goods which are warehoused as per the provisions of the Central Excise Act and the rules made thereunder.
- (b)

(6) Period of warehousing :

- Any goods warehoused may be left in the warehouse in which they are deposited, or in any warehouse to which such goods have been removed, till the expiry of three years from the date on which such goods were first warehoused.
- (a)
- If the registration of a warehouse is revoked or suspended, the excisable goods lodged therein shall either be cleared for home consumption on payment of duty or shall be removed to another warehouse without payment of duty.
- (b)

(7) Warehouse to store goods belonging to the registered person :

- A warehouse shall be used solely for storing excisable goods belonging to the registered person of the warehouse alone. He shall not admit or retain in the warehouse any excisable goods on which duty has been paid;
- (a)
- Provided that the Commissioner of Central Excise having jurisdiction over the warehouse may permit storage of excisable goods along with the excisable goods belonging to another manufacturer.
- The Commissioner of Central Excise having jurisdiction over the warehouse may permit the registered person of the warehouse to store duty paid excisable goods or duty paid imported goods along with non-duty paid excisable goods in the warehouse.
- (b)

(8) Registered person to deal with the warehoused goods

The owner of the warehouse may sort, separate, pack or re-pack the goods and make such alterations therein as may be necessary for the preservation, sale or disposal thereof.

(9) These instructions shall come into force on the 1st of July, 2001.

(10) Trade and field formations may be informed accordingly.

ANNEXURE-A

Original/Duplicate/Triplicate/Quadruplicate

Range 0000000000000000

Division 0000000000000000

Application for removal of excisable goods from a factory or a warehouse to another warehouse

I/We holder(s) of Central Excise Registration No. 000000000000.. have undertaken to remove the under-mentioned goods from the factory/warehouse at 0000000000000000.. to the warehouse at 0000000000000000.. in Range 000000000000.. Circle/Division 0000000000000000.. of Mr./Messrs 000000000000 holders of Central Excise Registration No. 000000000000

Number and date of entry in warehouse register	Description of goods	No. and description of packages	Gross weight of packages	Marks and numbers on packages	Quantity of goods	Date of first warehousing	Value	Duty		No. & date of invoice-(S) for removal of goods	Manner of transport	Remarks
								Rate	Amount			
1	2	3	4	5	6	7	8	9	10	11	12	13
							Rs. P	Rs. P	Rs. P			

I/We hereby declare the above particulars to be true.

Signature of consignor(s) or his/their authorized agent

Certificate of warehousing by the consignee

(on original and duplicate)

I/We hereby certify that the consignment arrived at 00000000.. on 00.. that the goods conform in all respects to the description given overleaf except for the following discrepancies, and that they have been warehoused under 000000000000.. of the register maintained in the warehouse.

Particulars of discrepancies

No. and description of packages not received	Quantity short received	Duty payable on the shortage	Remarks
1	2	3	4

Signature of consignee(s) or

his/their authorised agent.