

**GOVERNMENT OF PAKISTAN
(REVENUE DIVISION)
CENTRAL BOARD OF REVENUE**

Islamabad, the 18th June, 2001

**NOTIFICATION
(CUSTOMS)**

S.R.O. 450(I)/2001.-¹[In exercise of the powers conferred by section 219 of the Customs Act, 1969 (IV of 1969), section 50 of the Sales Tax Act, 1990, section 40 of the Federal Excise Act, 2005 and section 237 of the Income Tax Ordinance, 2001 (XLIX of 2001), the Federal Board of Revenue is pleased to make the following rules, namely:-]

.
.
²[³**CHAPTER XIV**
TRANSSHIPMENT
.
.

⁴[**329-A. Action in case of violations.**-(1) The licensing Authority may revoke or suspend a license or permission of any Bonded Carrier for one or more than one of following reasons, namely:-

- (a) the licensee has made or cause to be made in any application for any license or permission under this chapter, or report filed with the customs, any statement which was, at the time and in light of the circumstances under which it was made, false or misleading with respect to any material fact, or has omitted to state in any such application or report;
- (b) the licensee has been convicted at any time for larceny, theft, robbery, extortion, forgery, counterfeiting, fraud, concealment, embezzlement, fraudulent conversion, or misappropriation of funds;
- (c) the licensee is involved in any manner, including but not limited to, abetting, facilitating, substitution/replacement, removal, pilferage, tampering with transport units/seals⁵[or tracker] etc. of enroute Transshipment cargo.
- (d) the licensee has knowingly employed, or continues to employ, any individual who has been convicted of any offence referred to under clause
- (b) and (c);
- (e) the licensee, in the course of its customs business, with intent to defraud, has in any manner, wilfully and knowingly deceived, misled or threatened any client or prospective client;
- (f) violation by the licensee of any provision of the Act or the rules, regulations, notifications, instructions or orders issued there under;
- (g) aiding or abetting any individual, firm or company, as the case may be, for violation of any provision of the Act or the rules or regulations made thereunder;
- (h) negligence or inefficiency of the licensee in discharge of its obligations;

¹ Existing preamble substituted and shall be deemed always to have been so substituted vide SRO 831(I)/2018 dated 2nd July, 2018. At the time of substitution was as under:-

“In exercise of the powers conferred by section 219 of the Customs Act, 1969 (IV of 1969), the Central Board of Revenue is pleased to make the following rules, namely:--”

² Chapter XIV was added vide SRO 375(I)/2002 dated 15th June, 2002

³ Substituted for chapter XIV vide SRO 286(I)/2007 dated 31st March, 2007

⁴ Inserted vide SRO 564(I)/2017 dated 1st July, 2017

⁵ Inserted vide SRO 1039(I)/2020 dated 9th October, 2020

- (i) unsatisfactory conduct of the licensee while transacting customs business or in relation to any person who has entrusted it with any customs business;
- (j) failure of the licensee to comply with any condition of the bond executed by him under this chapter;
- (k) concealing, removing or destroying, by the licensee, of its financial and customs business records or refusing to allow an officer of customs to inspect them and take extracts there from;
- (l) attempt by the licensee to influence the conduct of any employee in the custom house, custom station, port, airport or en-route transshipment of cargo by the use of force, intimidation, false accusation, duress, bribery or by offering any special inducement or gift;
- (m) failure of the licensee to exercise due diligence and due care to apprehend and forestall an untrue declaration in respect of description, content, classification, origin, quality or value of the goods by its client and en route transshipment of cargo;
- (n) withholding by the licensee, of any information, document or other evidence, from an officer of customs which is likely to prevent any fraud or evasion of customs duties and other taxes or dues and the circumvention or contravention of any restrictions imposed by any law for the time being in force;
- (o) the licensee's previous performance has not been satisfactory or has not been true to the customs or towards his clients; or
- (p) the licensee's previous record of customs business due to his being concerned in any customs offence is not free from reasonable doubt.

(2) In case of revocation of a license under sub-rule (1), the licensing Authority may, after issuing show cause notice to the licensee, forfeit the whole or part of the security deposited by the licensee under rule 328(6) for the settlement of any duty, taxes or any other charges due from him.

(3) The licensing Authority shall not pass any order under sub-rules (1) and (2) to revoke the license or permission unless the licensee is informed in writing regarding the allegations and opportunity of hearing is afforded. While passing an order for revocation of license, the licensing Authority may also direct forfeiture of the security deposited by the licensee under rule 328(6):

Provided that where it is expedient in the public interest, an immediate action is considered necessary against the licensee, for, including but not limited to, abetting, having knowledge of, tampering with transport units and seals affixed thereto, facilitations, substitution, replacement, removal, pilferage etc., during en-route transshipment of cargo, the Licensing Authority may suspend the license forthwith, after recording reasons in writing, pending final action under the Act and rules made there under.]

⁶[(4) In case the clearing agent licence of the bonded carrier issued under Chapter VIII of the Customs Rules 2001 is suspended or revoked by the respective licensing authority, the licence to operate as bonded carrier shall also stand suspended or revoked and vice versa.

(5) Appeal against an order passed under sub-rules (1) and (2) of rule 329A may be filed before the Director General Transit Trade, Karachi, within sixty days of passing of such decision or order.]