



भारतसरकार
Government of India
वित्तमंत्रालय, राजस्वविभाग
Ministry of Finance, Department of Revenue
सीमाशुल्कआयुक्त(निवारक) कार्यालय
Office of the Commissioner of Customs (Preventive)
पूर्वोत्तर क्षेत्र, North Eastern Region,
शिलांग- 793001, Shillong – 793001

सीमा शुल्कभवन, Custom House, 110 एम. जी. रोड, 110 M. G. Road, शिलांग . 793001, Shillong - 793001
Phone: 0364-2222597/2225325/2229005. Fax: 0364-2223440/2229007. E-mail : cusshq@gmail.com

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Dated:-Shillong the 6th November, 2012

***Sub:- Compliance of orders of Hon'ble Supreme Court for smuggled items of forest produce--
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The Preventive Unit of various field formations of Shillong Customs Commissionerate and other security agencies do seize timber/ forest products from time to time in course of their search and vigilance operation. After seizure, these products are required to be handed over to the concerned State Forest Department for disposal of the goods.

The above procedure was as per the Hon'ble Supreme Court verdict in Writ Petition (Civil) No. 202/1995 wherein it had instructed that the timber/ forest produce seized by Customs/ Border Security Force should not be redeemed in favour of the individual but should be confiscated and handed over to the concerned State Forest Department.

Subsequently, Ministry of Finance filed IA No. 458 seeking direction that confiscated timber should be disposed off by the Customs as per the relevant rules and procedure under Customs Act, 1962. The Hon'ble Supreme Court vide its order dated 29.10.2004 had passed the judgment as ".....such confiscated timber and timber products should be disposed off through open auction/sealed tender through the respective State Forest Department and sale proceeds, after deducting the expenses, should be deposited with the concerned Central Government Department."

Subsequently, Member, Special Investigation Team (SIT) constituted under the order of the Supreme Court has also clarified vide letter under FNO. 8-15/SIT/2005-Pt.XXVI dated 28.10.2010 that confiscated timber and timber products in North Eastern States should be disposed through open auction/ sealed tenders through the respective State Forest Department and the sale proceeds, after deducting the expenses, should be deposited with concerned Central Government Department.

All the field formations are hereby instructed to adhere to the above norms laid down by the Supreme Court.


(Gaigongdin Panmei)
Commissioner