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SECTION 3, SUB-SECTION (i)]

Government of India
Ministry of Finance
Department of Revenue
(Central Board of Indirect Taxes and Customs)

Notification No. 55/2025-**Customs** (N.T.)

New Delhi, the 12th September, 2025.

G.S.R.....(E). – In exercise of the powers conferred by clause (d) of section 157 read with section 18 and clause (ii) of sub-section (2) of section 158 of the Customs Act, 1962 (52 of 1962), and in supersession of the Customs (Finalisation of Provisional Assessment) Regulations, 2018, except as respects things done or omitted to be done before such supersession, the Central Board of Indirect Taxes and Customs hereby makes the following regulations, namely:-

1. Short title and commencement. – (1) These regulations may be called the Customs (Finalisation of Provisional Assessment) Regulations, 2025.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. – (1) In these regulations, unless the context otherwise requires, –

(a) ‘Act’ means the Customs Act, 1962 (52 of 1962);

(b) ‘date of assent of the Finance Act, 2025, shall mean the 29th day of March, of 2025;

(c) ‘documents or information’ shall include the result of chemical or other test.

(2) Words and expressions used herein and not defined in these regulations but defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. Application. – (1) These regulations shall apply to any provisional assessment -

(a) pending as on the date of enforcement of these regulations; or

(b) assessed provisionally after the enforcement of these regulations.

Explanation.- For the purposes of these regulations, each bill of entry or shipping bill, as the case may be, that has been assessed provisionally shall be treated as a separate case of provisional assessment.

4. Time-limit and manner of submission of documents or information for the purpose of finalisation of provisional assessment. – (1) Where duty leviable on imported or export goods is assessed provisionally by the proper officer for the reasons that, the necessary documents have not been produced or information has not been furnished by the importer or the exporter at the time of provisional assessment, then the proper officer shall within fifteen days from the date of such assessment, inform the importer or the exporter, in writing, the specific details of the information to be furnished or the documents to be produced.

(2) Where any document or information is sought by the proper officer, then such information or documents shall be made available by the importer or the exporter within two months from the date of such requisition by the proper officer.

Provided that the proper officer may, for reasons to be recorded in writing, allow a further period not exceeding two months, on his own or at the request of the importer or the exporter, in case the documents or information are not made available within the specified time of two months.

Provided further that the an officer to whom the proper officer is subordinate, may allow an additional time period as deemed fit, for reasons to be recorded in writing, on request of the importer or the exporter regarding his inability to provide those documents or information as requested by the proper officer.

Provided also that no extension in time under this regulation may be allowed by an officer to whom the proper officer is subordinate beyond fourteen months from the date of provisional assessment.

(3) On submission of all the documents or information under sub-regulation (2), the importer or the exporter shall inform the proper officer in writing that he has submitted all the documents or information to be furnished or requisitioned.

Provided that where the documents or information required to be furnished by the importer or the exporter, as the case may be, or requisitioned by the proper officer are not made available within the time allowed under sub-regulation (2), the proper officer shall proceed to finalise the provisional assessment on the basis of documents or information as available on the record.

5. Time-limit to conclude enquiry for the purpose of finalisation of provisional assessment.-

(1) Where duty leviable on the imported or export goods is assessed provisionally by the proper officer for the reason that the proper officer deems it necessary to make further enquiry then the officer of customs shall complete the enquiry and transfer the relevant documents along with the report in writing to the proper officer for finalization of assessment, within fourteen months from the date of provisional assessment.

(2) Where any document or information is required during the enquiry, the proper officer may seek such details within the time prescribed under regulation 2.

6. Time-limit and manner of submission of documents or information for the purpose of finalisation of provisional assessment pending as on the 29th March, 2025.-

Where duty leviable on imported or export goods is assessed provisionally by the proper officer for the reasons as per sub-section (1) of section 18 the Act and is pending for finalisation as on the 29th March, 2025, then time-limit for submission of documents or conclusion of enquiry under regulations 4 or 5, as the case may be, shall be reckoned from such date.

7. Payment of duty of own ascertainment before finalisation of provisional assessment.-

Importer or exporter, may pay any amount electronically against the bill of entry or shipping bill, as the case may be, on his own ascertainment, during the pendency of the provisional assessment, which shall be adjusted against the duty finally assessed or re-assessed, as the case may be.

Provided that importer or exporter is also liable to pay interest, on the above amount so paid voluntarily, consequent to the final assessment order or re-assessment order under sub-section (2) in terms of sub-section 3 of the section 18 of the Act.

8. Time-limit for finalisation of provisional assessment. – (1) The proper officer shall finalise the duty provisionally assessed, where it is possible to do so, within three months of –

- (a) receipt of documents or information from the importer or the exporter or on the expiry of the time for submission in accordance with regulation 4 of these regulations; or
- (b) conclusion of enquiry in accordance with regulation 5 of these regulations, where the duty leviable was assessed provisionally for that reason.

Provided that any officer to whom the proper officer is subordinate may allow, for reasons to be recorded in writing, a further time period of two months at a time, in case the proper officer is not able to finalise the provisional assessment within the period of three months as specified in sub-regulation (1).

Provided further that the assessment shall be finalised within two years from the date of the provisional assessment under sub-section (1) of section 18 of the Act.

Provided also that for provisional assessment pending under sub-section (1) of section 18 of the Act, as on the 29th March, 2025, the said period of two years shall be reckoned from such date.

(2) Where the proper officer is unable to assess the duty finally within the time specified under sub-regulation (1), for the reason that -

- (a) an information is being sought from an authority outside India through a legal process; or
- (b) an appeal in a similar matter of the same person or any other person is pending before the Appellate Tribunal or the High Court or the Supreme Court; or
- (c) an interim order of stay has been issued by the Appellate Tribunal or the High Court or the Supreme Court; or
- (d) the Board has, in a similar matter, issued specific direction or order to keep such matter pending; or

(e) the importer or exporter has a pending application before the Settlement Commission or the Interim Board,

the proper officer shall inform the importer or exporter concerned, the reason for non-finalisation of the provisional assessment and in such case, time of two years for finalisation of assessment done provisionally, specified under sub-regulation (1), shall apply not from the date of provisional assessment but from the date when such reason ceases to exist.

9. Manner of finalisation of provisional assessment. – (1) The provisional assessment shall be finalised as provided under of section 18 of the Act.

(2) Where the final assessment is contrary to the provisional assessment, the proper officer shall pass a speaking order following principles of natural justice.

(3) Where the final assessment confirms the provisional assessment, the proper officer shall finalise the same after ascertaining the acceptance of such finalisation from the importer or the exporter on record and inform the importer or exporter in writing of the date of such finalisation.

(4) Where the importer or exporter is to pay the deficiency of the amount finally assessed or re-assessed, as the case may be, after adjustment of the amount already paid, the bill of entry or the shipping bill may be returned for payment of the amount.

Provided that importer or exporter is also liable to pay interest, on the above amount so paid, consequent to the final assessment order or re-assessment order as provided under sub-section (2), of section 18 of the Act.

10. Manner of closure subsequent to the finalisation of provisional assessment.- (1) On finalisation of Assessment done provisionally under regulation 9, where -

- (a) the final assessment has confirmed the provisional assessment; or
- (b) the duty along with the interest has been paid in full, in case of home consumption or exportation, where the bill of entry or shipping bill has been returned for payment; or
- (c) the importer has executed appropriate bond binding himself in relation to the excess duty, in case of warehoused goods,

the Bond executed at the time of provisional assessment with security, if any, shall be cancelled or recredited, as the case may be, and the security shall also be returned, if there are no pending dues.

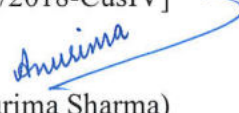
(2) Where the duty, interest, fine, penalty or any other sum due has not been paid for more than ninety days, which is due to be paid after the finalisation of the assessment under sub-section (2) of section 18 of the Act and the sum due has attained finality for recovery, then the sum due which remains unpaid shall be adjusted from the security, if any, obtained at the time of provisional assessment, or shall be recovered as the sum due, including the amount of interest to the Central Government by the proper officer in accordance with the provisions of section 142 of the Act, under intimation to the importer or the exporter.

(3) Where the importer or exporter is entitled to a refund, after the finalisation of provisional assessment, the refund shall be processed in terms of sub-sections (4) and (5) of section 18 of the Act.

11. Extension of time-limit for provisional assessment.- Notwithstanding the time-limit provided in regulations 4, 5, 6 or 7, the Commissioner of Customs may, on sufficient cause being shown and reasons to be recorded in writing, extend the period of two years for finalisation of provisional assessment by an additional time of one year in terms of the first proviso to sub-section 1B of section 18 of the Act.

12. Penalty. - The importer or exporter or his authorised representative or Customs Broker who contravenes any of the provisions of these regulations or abets such contravention, or fails to comply with any provisions of these regulations, shall be liable to a penalty to an extent of the amount provided under clause (ii) of sub-section (2) of section 158 of the Act, without prejudice to any other action which may be taken under the Act, rules or regulations made thereunder or under any other law for the time being in force.

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(Anurima Sharma)

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