

13) Guidelines for issue of summons, visits, search, seizure, arrest and prosecution of manufacturers of articles of jewellery

Based on the recommendations of Sub-Committee, Government has issued the following guidelines for visits, search, seizure, issue of summons, arrest and prosecution of manufacturers/principal manufacturers of articles of jewellery as follows–

- No transit checks are allowed for checking the movement of goods;
- The mentioned actions can be initiated only if there is clear reason of duty evasion formed at the Commissioner level or equivalent;
- Further such actions cannot be initiated in the case of procedural or compliance related matters and matters of legal interpretation;
- Such actions must not be taken against the karigars/artisans and should not result in the disruption of the business;
- In case of seizure, the seized goods must be given back immediately to manufacturer under supratnama;
- On request made for the provisional release of seized goods, the same should be done within 3 working days and the security should be equal to the duty payable on the seized goods and not on their value;
- Visit, search and seizure cannot be initiated where the expected duty evasion is less than Rs.75 Lakh. In such cases, investigation can be done under summons; Further, no arrest and prosecution shall be resorted where the duty evaded is less than RS.2 Crore.

[Circular No. 1044/32/2016-CX dated 26.07.2016]