Circular No. 03/2016-Cus

F.No.450/147/2015-Cus-IV
Government of India
Ministry of Finance
Department of Revenue
(Central Board of Excise and Customs)
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New Delhi, dated the 3rd February, 2016

To,

All Chief Commissioners of Customs / Customs (Preventive),
All Chief Commissioners of Customs and Central Excise,
All Commissioners of Customs / Customs (Preventive),
All Commissioners of Customs and Central Excise.

Sir /Madam,

Subject: Extending the Indian Customs Single Window to other locations and other Participating Government Agencies - reg.

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The Central Board of Excise and Customs has taken-up the task of implementing 'Indian Customs Single Window Project' to facilitate trade. This project envisages that the importers and exporters would electronically lodge their Customs clearance documents at a single point only with the Customs. The required permission, if any, from other regulatory agencies (such as Animal Quarantine, Plant Quarantine, Drug Controller, Textile Committee etc.) would be obtained online without the importer/exporter having to separately approach these agencies. This would be possible through a common, seamlessly integrated IT systems utilized by all regulatory agencies and the importers/exporters. The Single Window would thus provide the importers/exporters a single point interface for Customs clearance of import and export goods thereby reducing interface with Governmental agencies, dwell time and cost of doing business.

Message exchange with FSSAI / DPPQ&S:

The Board issued Circular No. 09/2015 dated 31/03/2015 (vide F.No.450/01/2011-Dir. (Cus)(Pt.I) to introduce a system of online message exchange between Customs and other regulatory agencies under the ' Indian Customs Single Window project'. The online messaging was operational between Customs and the Department of Plant Protection, Quarantine & Storage (DPPQ&S) and Food Safety Standards Authority of India (FSSAI) with effect from 01/04/2015 at JNPT (NhavaSheva), ICD,Tughlakabad and ICD,Patparganj on a pilot basis. The online message exchange is now being further extended to imports at Air Cargo Complex, Sahar and Delhi Air Cargo. Thereafter, it will gradually be extended to all other locations where the systems of FSSAI and DPPQ&S are operational.

No Objection Certificate on ICES for use by Drug Controller / Animal Quarantine / Wild Life Crime Control Bureau:

2. Further the Board has decided to implement a system of online granting of "No Objection Certificate" (NoC) under ICES for the imported goods coming under the purview

of the following Agencies namely (i) Drug Controller (ii) Animal Quarantine (iii) Wild Life Crime Control Bureau. Under this system of granting NoC for imported goods, the offices of these agencies will be connected to the ICES. Upon the online filing and assessment[1] of the Bill of Entry, the system will identify Bills of Entry that contain items requiring NOC from these agencies. The system will then automatically re-direct the Bills of entry to the concerned officers serving with these Agencies for Granting NOC. Initially, as is the case with FSSAI and PQIS, the selection of items to be referred to these agencies will be based on Customs Tariff Head only. Subsequently, criteria will be introduced.

3. To obtain NOC from these agencies, the Customs Broker or Importer would have to produce hard copies of check-lists, import licenses, and other certificates/documents[2] as required by the Agency, along with a copy of the Bill of Entry. Based on the Bill of Entry Number, the Agency's officer will retrieve the Bill of Entry online on ICES, verify the documents and record its decision online. At this stage, the Agency's office may:

(i) **Release** - No Objection Certificate

(ii) **Out of Scope:** Item does not require the Agency's NOC

(iii) **Reject:** Item is not permitted for clearance for home consumption. Agency's office may make a suitable recommendation in respect of the item such as re-export or destruction. (The Agency will record this remark online.) Customs shall take further necessary action on the Bill of Entry.

(iv) **Withhold NOC:** NOC has been temporarily withheld for want of further documentation and/or testing after entering suitable remarks in the system by the Agency. These BEs can be retrieved by Agency's office for a further decision (Release/Provisional NOC/Out-of-Scope/Reject) after the information is received.

(v) **Provisional NOC:** NOC is granted subject to the production of Letters of Guarantee and carrying out testing of samples as required by the Agency. Customs may release goods after a Bond or Letter of Guarantee is accepted for the Bill of Entry and the requisite samples are drawn. [Provision will be made for the capture of Letter of Guarantee Number or Bond Number to be entered by the Agency.]

4. Out of Charge will be given for the Bill of Entry only after the Agency enters Release/Out of Scope/ or Provisional NOC for all items of the Bill of Entry. Since, the Agency's office records the NOC online, Customs shall not insist on the physical copy of the NOC.

5. In case 'Rejection', by the Agency, in addition to the remarks entered into by the Agency online on ICES as described in 3(iii) above, the Agency will also advise the basis for rejection so that the concerned Assistant/Deputy Commissioner in the Appraising Group

[1] It has been decided to refer the Bill of Entry to the Agencies at the stage of filing and processing of the Bill of Entry by RMS. When this decision is implemented in ICES, the field formations will be notified.

[2] Shortly, under the Single Window project, CBEC will implement the 'Integrated Declaration' in which the Bill of Entry format will be modified to include all clearance-related data which is presently required in separate application forms by the Drug Controller's office, Animal Quarantine, Plant Quarantine, Wildlife Crime Control Bureau and FSSAI. Till such time as the 'Integrated Declaration' is implemented, separate application forms may continue to be submitted as at present. Further, CBEC will introduce a facility for uploading of digital copies of supporting documents, doing away with the need to submit hardcopy documentation.

can take further course of action, including adjudication under the provisions of the Customs Act, 1962. Likewise, in case of Provisional NOC, where the samples upon testing fail to meet the qualifying criteria, the Agency's officer will advise on the outcome of tests to the concerned Assistant/Deputy Commissioner in the Appraising Group, which will take further action on the Bill of Entry, including adjudication, where necessary.

6. The Single Window "No Objection Certificate" or NOC module will be introduced on a pilot basis with effect from 05/02/2016 at JNCH, ACC Sahar, Air Cargo Delhi, ICD Tughlakabad, and ICD Patparganj for Drug Controllers Office, Wildlife Crime Control Bureau and Animal Quarantine.

Lab Module in ICES for use by CRCL, Textile Committee and other Agencies:

7. Another feature has been introduced in ICES to bring online the process of referring samples of consignment for testing and analysis. It is referred to as the 'Lab Module'. This feature was launched at a few locations to automate the process of referring samples drawn from consignments to testing facilities of the Central Revenues Control Laboratories (CRCL). Now, this module has been fine tuned in order to extend it for the testing of consignments by laboratories/referral agencies under the Textile Committee, and to other Agencies to whom Customs may refer samples/documentation for testing and/or NOC.

8. Under the 'Lab module', Customs officers who are responsible for examination of goods and drawl of samples can generate Test Memos online, record the details of the samples drawn online and print test memos. Customs will duly dispatch the samples drawn from the consignment to the concerned laboratory/ referral agency. Upon the receipt of the samples, the laboratories can access the Test Memo details online, and when tests/analysis is carried out, the laboratory/referral agency shall record the results/ findings online. These results/recommendation can be accessed by Customs instantaneously, and thereafter, Customs can take further necessary action on the consignment without waiting for the physical copy of the test results/ recommendation.

9. Under the Single Window project, the Lab Module will be used when a reference has to be made by a Customs Officer online to another Government Agency for NOC/ Clearance at the stage of examination, then he may make a reference using the lab module. For example, after going through examination instructions, Compulsory Compliance Requirements (CCRs), documents or goods, if the Officer seeks to forward a sample to another agency such as the Textile Committee for testing of samples, he may draw a sample and forward it to the agency after filling-up details on the Lab Module.

10. To be able to send a sample to a laboratory or to make a reference to an agency using the lab module, the necessary directories have to be updated, wherein, the Customs locations and Customs tariff heads may be mapped to the Laboratories/ Agencies. DG (Systems) will make the appropriate arrangements in this regard so that these directories are managed by the Local Systems Manager. The required fees for testing etc, and supporting documents required for these Laboratories/ referral agencies are not currently provided in the Lab Module. Therefore, importers would continue to furnish the required documents to the respective agencies as before. Further, the mode and manner of payment of testing fee and other charges of these Labs/ referral agencies will continue as per the existing practice.

11. The Board desires that the Customs should maintain a close liaison with these laboratories/ referral agencies to ensure that their responses are received without delay and action is taken promptly with regard to the clearance of goods.

12. Initially, the Lab Module shall be launched in all Customs locations in Delhi and Mumbai with effect from 05/02/2016. Thereafter, it will be extended to other locations. The concerned laboratories have been mapped in the system with their corresponding Customs locations.

13. The Local System Managers of ICES shall map the roles in ICES to officers from Labs/ Referral agencies that are part of Textile Committee and the Wild Life Crime Control Bureau. These roles have been defined as part of the Lab Module, and are outlined in the user manual developed by DG (Systems).

14. Chief Commissioners of Customs/Central Excise are requested to sensitize staff, other Agencies and Customs brokers working under their jurisdiction to ensure the smooth implementation of the Single Window message exchange, NOC Module and the Lab Module. It may also be ensured that proactive action is taken to identify Test Memos for which the Test Report has not been received from these agencies within a reasonable time so that the same could be expedited.

15. Difficulty faced, if any, may be brought to the notice of the Board at the earliest. Further, a suitable Public Notice may be issued for the information of the Trade with a copy to the local offices of the Agencies.

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Yours faithfully,

(A.K.Sapra)
OSD (Cus.IV)