Circular No. 22/2012 - Customs

F.No.450/25/2009-Cus.IV

Government of India

Ministry of Finance

Department of Revenue

Central Board of Excise & Customs

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Room No. 229 A, North Block,

New Delhi, dated 7th August, 2012.

To,

All Chief Commissioners of Customs / Customs (Prev).

All Chief Commissioners of Customs & Central Excise.

All Commissioners of Customs / Customs (Prev).

All Commissioners of Customs (Appeals).

All Commissioners of Customs & Central Excise.

All Commissioners of Customs & Central Excise (Appeals).

All Directors General under CBEC.

Sir/ Madam,

Subject: 24x7 Customs clearance operations - regarding

In order to further facilitate importers and exports the Board has decided to begin on a pilot basis 24X7 Customs clearance **with effect from September 1st. 2012 (1.9.2012)** at identified Air Cargo Complexes and Seaports in respect of following categories of imports and exports:

(a) Facilitated Bills of Entry where no examination and assessment is required; and

(b) Factory stuffed export containers and export consignment covered by Free Shipping Bills.

2. The Air Cargo Complexes and Seaports identified for 24x7 Customs clearance are:

S.No.	Air Cargo Complexes	Seaports
1.	Bangalore	Chennai
2.	Chennai	JNPT
3.	Delhi	Kandla
4.	Mumbai	Kolkata

3. It is clarified that in the case of exports, the 24X7 Customs clearance facility shall even extend to processing of Free Shipping Bills. At present, the Shipping Bills can be filed 14 days in advance in case of export by sea and 7 days in advance in case of export by air. Therefore, for smooth clearance of export goods the trade may be advised to file the Shipping Bills well in advance.

4. It is also clarified that 24X7 Customs clearance facility in respect of factory stuffed export containers that is presently available at specified Customs stations viz. Vishakhapatnam, Kolkata, Mundra, Okha, Sikka,

Mangalore, JNPT, Mumbai, Paradeep, Gopalpur, Ennore and Chennai would continue to be operational. Besides, the normal round the clock boarding of vessels would also continue.

5. In this regard the Board appreciates that additional Customs staff will be required for the 24X7 Customs clearance facility to be provided w.e.f. 1.9.2012. It is, however, also seen that after introduction of self assessment the responsibility has shifted to the importers and exporters to make a correct assessment of Customs duty. Thus, the Customs can now focus more on consignments that are interdicted on basis of risk assessment for purpose of Customs assessment and examination. Further, as a result of self assessment, Board has decided to increase the level of facilitation (refer Circular No.39/2011-Cus dated 2nd September, 2011) to 80% in case of Air Cargo Complexes and 70% in case of Seaports (and 60% in case of ICD/ CFS). Risk Management Division has also carried out necessary changes and facilitation level has been substantially enhanced with an average of approx. 70% Bills of Entry being currently facilitated. Thus, there has been a reduction in the requirement of Customs staff for purpose of routine assessment and examination. This allows the relocation of staff for various other items of work such as PCA, SIIB etc. to ensure compliance of legal provisions and correct payment of Customs duty. In the light of these developments the officers required for 24x7 Customs clearance operations of facilitated Bills of Entry on import side and factory stuffed containers and Free Shipping Bills on exports side should be deployed from within the available staff strength. This shall be ensured by all Chief Commissioners of Customs.

6. Customs clearance on 24x7 basis would require concurrence of Custodians and other stakeholders such as CHAs. Further, Customs duty payment is necessary to ensure 24X7 Customs clearance. Therefore, Board desires that Chief Commissioners should begin immediate consultations with other stakeholders including custodians to make necessary arrangements that allow 24X7 Customs clearance and physical delivery of goods.

7. In addition to above, Board is exploring the possibility of full fledged roll out of 24X7 Customs clearance for ALL import and export goods. This would certainly require additional manpower that cannot be met from the presently sanctioned strength. Therefore, all Chief Commissioners are also directed to work out the additional manpower requirement and intimate the same to the Board so that a consolidated proposal may be processed to enable 24X7 Customs clearance operations at all Customs stations.

8. Board desires that wide publicity by way of Public Notice / Trade Notice may be given to the scheme of pilot 24X7 Customs clearance facility as detailed in paragraph 2 above to be extended w.e.f. 1.9.2012. Also, a detailed fortnightly report on the extent to which the facility is being availed should be sent so as to reach Board positively by the 2nd and 17th of each month. The first such report is expected on 17th of September, 2012. The report should *inter-alia* contain details of documents filed (imports and exports separately) and number of containers/ packages imported or exported in aforementioned categories in normal working hours and in extended hours separately. The reports should be faxed to Board on Fax No.23093859 and e-mailed at uscusiii@nic.in.

9. The receipt of this letter may please be acknowledged.

Yours faithfully,

(G.S. Sinha),
OSD (Customs IV)