Circular No. 1/2017-Customs

F.No.450/101/2016-Cus-IV
Government of India
Ministry of Finance
Department of Revenue
(Central Board of Excise and Customs)
******

Room 227B, North Block
New Delhi, dated the 4th January, 2017

To,

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

Madam/ Sir,

Subject: Extending the Single Window Interface for Facilitation of Trade (SWIFT) to Exports - reg.

Kind reference is invited to Board's Circulars No. 03/2016 dated 03.02.2016 and No. 09/2015 dated 31.03.2015 regarding the Indian Customs Single Window(SWIFT).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 would be obtained online without the importer/exporter having to separately approach these agencies. The Single Window provides 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.

2. With the successful implementation of SWIFT for import, it is proposed to implement online-release from Partner Government Agencies (PGAs) for exports from 05/1/2017 onwards as a pilot at Chennai, Delhi and Mumbai Air cargo complexes for CITES/ **wildlife items**. Under the pilot, Shipping Bills filed online on ICEGATE or through the Service Centre will be referred to the concerned agency, namely WCCB, online for a "No Objection Certificate' (NOC), if any required. The selection of items to be referred to any agency will be based on criteria specified by the agencies. As in the case of imports, the list of Customs Tariff Heads (CTHs) for which goods require NOC from the Wildlife Crime Control Bureau, shall be published on ICEGATE.

3. For granting NoC for goods entered for export, the offices of the Wildlife Crime Control Bureau are connected to the ICES. The Officers of Wild Life Crime Control Bureau may use the same role in ICES used for import, to process NOC in exports. Once a Shipping Bill is filed, the system will determine whether the consignment contains items requiring NOC from the agency. The system will then automatically re-route the Shipping Bill to the concerned WCCB office for granting NOC. Should the Shipping Bill require processing by Customs, it will happen in parallel.

4. Based on the list of Shipping Bills marked to the WCCB, the Agency's officer will retrieve the Shipping Bill online, and record the decision online on ICES. Should any documents be required for verification, for the time being, the Customs Broker or Exporter would have to produce hard copies of check-lists, export licenses, permits and other certificates/documents as required by the agency, until customs infrastructure is upgraded to

provide uploading of soft copies of such documents. At this stage, the Agency's office may record any of the following:

(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 "Let Export". Agency's office may make a suitable recommendation in respect of the item such as no-export or destruction. (The Agency will record this remark online.) Customs shall take further necessary action on the Shipping Bill.

(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 SBs 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:** Presently, WCCB does not grant NOC on a provisional basis. [Note, if this option can be easily disabled, it may be disabled.]

5. Once NOC [Release/Out of Scope/ or Provisional NOC] is obtained from the concerned agency and assessment by Customs (in cases where assessment is required) is completed, the exporter may register goods or present them for stuffing into containers (in case of containerized cargo). In cases where a sample needs to be drawn, the concerned agency will arrange with the exporter to collect them prior to the issuance of NOC. The rest of the procedure for registration of goods, examination (where required) and 'Let Export Order' will remain as at present. Since, the agency's officer records the NOC online, Customs shall not insist on the physical copy of the NOC.

6. Where the concerned officer of the Agency prefers to reject NOC by choosing option at 4(iii) above, the officer will also enter his remarks online on ICES, which will include a brief note on the basis for rejection so that the concerned Assistant/Deputy Commissioner of Customs can take further action, including adjudication under the provisions of the Customs Act, 1962. In cases where the samples fail to meet the qualifying criteria upon testing, the Agency's officer will also record the same on the system while rejecting the NoC.

7. Chief Commissioners are requested to sensitize staff, other agencies, trade and Customs brokers working under their jurisdiction to ensure the smooth implementation of the SWIFT online clearance in exports.

8. 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.

Yours faithfully

(Zubair Riaz)
Director (Customs)