



**OFFICE OF COMMISSIONER OF CUSTOMS NS-IV
JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA SHEVA
TAL: URAN, DIST. RAIGAD, MAHARASHTRA-400707**

F.No.S/12-Gen-82/2015-16 AM(X)(Part File)

Date: 10.11.2017

PUBLIC NOTICE NO. 145/2017

SUB : Implementing Electronic Sealing for Containers by exporters under self-sealing procedure prescribed by circular 26/2017-Cus dated 1st July 2017, circular 36/2017 dated 28.8.2017 and 37/2017 dated 20.9.2017 –reg.

Attention of the Exporters, Custom Brokers and all concerned are invited to the **Board Circular No. 41/2017-Customs dated 30th October, 2017** on the above mentioned subject prescribing norms for grant of Self Sealing Permission to the exporters intending for factory/warehouse stuffing of export goods.

2. Attention is drawn to para 5 of circular 37/2017-Customs dated 20th September 2017 stating the date for mandatory e-sealing shall be 1st November 2017. In order to take stock of the preparedness of the trade, field formations, the Board has held consultations with the vendors.

3. Trade associations and field formations have queried from the Board about the procedures to be followed for export of goods under RFID self-sealing prescribed under the above circulars. The following clarifications are provided by the Board for the sake of uniformity and better understanding of the new procedure:-

4. **Circulars 26/2017 and 36/2017** have obligated following classes of exporters to adopt RFID e-sealing:

- (a) exporters already enjoying the facility of self-sealing after having been approved by jurisdictional formations under the erstwhile procedures;
- (b) exporters who have hitherto been availing of supervised sealing and have been automatically entitled to avail of self-sealing using RFID e-seals, without having to expressly seek any permission/approval of the jurisdictional commissioner for this purpose;
- (c) AEOs, regardless of whether they were self-sealing or undertaking supervised sealing, have also been entitled to avail of the new procedure;
- (d) Lastly, all exporters have been extended this facility subject to their filing GST returns but after seeking permission for self-sealing from the **jurisdictional Commissioner** as per procedure prescribed under para 9(iii) of circular 26/2017-Cus dated 1st July 2017.

5. The procedure prescribed under the above circulars **applies only to cargo in full container load, sealed at an approved premise, by an entitled exporter**. In case of an FCL being received at a Port or ICD under self-sealing using RFID e-seals, prescribed under circular 36/2017- Customs dated 28th August 2017, it shall be deemed to be equivalent to a container sealed under the erstwhile system of officer supervised sealing. Unless and until there are good reasons or intelligence to warrant inspection of such containers, there will be no need for examination of such containers once the RFID e–seal is read as intact or not tampered.

5.1 In case an RFID seal affixed on a self-sealed container is found tampered, the same will be subject to examination as already prescribed under para 2(f) of Circular 36/2017-Cus dated 28th August 2017. However, after examination, the further movement of such

a container will not be under the RFID e-seal procedure. The existing system of using the traditional bottle seals by customs shall continue for such movements as of now.

5.2 Full containers brought to Ports without RFID e-seals shall be taken to a CFS or allowed direct port entry, as the case may be, and will be subject to usual RMS treatment. Similarly, Full Containers Loads arriving at ICDs, but without RFID e-seals, will be subject to usual risk management parameters.

5.3 The procedure under the subject circulars does not apply to export of non-containerized cargo or Air cargo **or for movement of cargo from CFSs to ICDs/Ports** or cargo exported through Land Customs Stations. Extant practices in respect of such cargo shall continue.

6. The issue of the type of readers that vendor shall provide to customs were raised before Board. The Board has permitted vendors to either provide fixed readers, in consultation with custodians at Ports and ICDs, or provide handheld Readers. Due to the flexibility provided by Handheld Readers, in as much as officers can use them to read seals at the point of entry or at the place of stacking or when containers are being loaded for further movement, the same are preferred. Vendors are advised that when they provide fixed readers, services must be supported with handheld readers so that officers can carry out additional checks at any point within the Port/ICD. Accordingly, the readers to be provided shall be:

- (a) **Rugged** and capable of withstanding shocks and vibrations and be generally adapted to outdoor/industrial environment.
- (b) Integrated devices with
 - a **large display screen for viewing of data fields** specified in para 4 of circular 36/2017 customs.
- (c) The aforesaid **data elements shall be displayed on the Reader display**, on scanning of the e-seal by Customs.

6.1 Furthermore, all vendors shall provide **an application on a desktop computer** to be made available by field formations **so that e-sealing data pushed to the destination customs port / ICD is searchable** in terms of any of the data elements prescribed under para 4 (a) of circular 36/2017 customs. The said application may be made available in reasonable time but not exceeding 30 days from the date of this circular. In the meantime, the data elements shall be transmitted in **.csv** format to risk management division (RMD) [email address: selfseal_rmcc@icegate.gov.in] and the concerned field formation from where the cargo is to be exported. For JNCH, data elements are to be transmitted to email address already provided to vendors individually.

6.2 It is also re-iterated that **data once uploaded by the exporter should not be capable of edited or deleted.**

6.3 The web application **shall capture the location where the RFID e-seal is read.**

6.4 The vendors shall transmit the IEC details of such exporters who have purchased the RFID e-seals to RMD on a daily basis. The **IEC number and the name of exporter shall be provided only when the vendor makes the first sale to the exporter**; there is no need transmit the details of the exporter each time a sale is made.

6.5 The vendors shall make all efforts to serve the requirements of maximum number of exporters by providing the RFID e-seals. **They shall also provide Readers to all the customs stations from where the client exporters are exporting their cargo.** In

case of JNCH, it is being clarified that only those e-seal vendors, who have provided handheld readers to JNCH should supply / sale / provide e-seals to exporters intending to export through JNCH. The department reserves its right to direct vendors to provide Readers at any particular port/ICD.

7. At JNCH status of e-seal vendors providing handheld readers / fixed readers is as under:

- I. M/s ibTrack Solutions Pvt Ltd, Bengaluru: Informed that they would be installing the fixed RFID e-seal readers/scanners at JNCH. Work of installation yet to be commenced at JNCH.
- II. M/s Optiemus Telematics Pvt Ltd, Noida : Provided the hand held RFID e-seal readers to JNCH.
- III. M/s Infotek Software & systems (P) Ltd., Pune: Provided the hand held RFID e-seal readers to JNCH.

As and when any other vendor provides the hand held RFID e-seal readers or installs the fixed RFID e-seal readers /scanner, the same would be informed to the trade by putting up the updated list of “such e-seal vendors” on JNCH website.

8. Exporters intending to export goods from JNCH, Nhava Sheva, availing the RFID e-seal, should ensure that they are using seals of those vendors who have supplied hand held RFID e-seal readers or installed the fixed RFID e-seal scanners/readers at JNCH, Nhava Sheva. In this regard, they should refer to “e-seal vendors details” uploaded on JNCH website in the section “**latest update**” available on the homepage of JNCH website.

9. While, there is significant progress in the coverage of reader, but factoring that it may take some time to fully set up systems and procedures for handling RFID e-sealed containers as well as receipt of data, the Board has decided that mandatory e-sealing for different classes of exporters shall be brought in a phased manner as indicated below:

10.1 In respect of all exporters who have been permitted self-sealing facilities under erstwhile procedures and exporters who are AEOs, it would be mandatory to seal their export containers with prescribed RFID e-seal w.e.f 8th Nov. 2017. Any non-compliance will subject the containers to usual RMS parameters.

10.2 In respect of the category of exporters who are availing supervised stuffing at their premises, extant practice of supervised stuffing may continue till 19th November 2017. With effect from 20th November 2017, they shall have to switch to RFID e-sealing procedures.

10.3 Regarding the exporters who have newly applied to the jurisdictional customs authority for self-sealing permission under circular 26/2017-Cus, dated 1st July 2017, they shall commence use of the facility subject to grant of permission and upon adoption of RFID e-sealing.

11. The applicable date for RFID e-sealing implies that exporters are required to use this procedure from the prescribed date. Any container sealed at the exporters premises before the prescribed date, shall not be required to be brought with RFID e-seal.

11.1 It is also clarified that those exporters who are in possession of RFID e-seals are at liberty to commence availing the facilitative procedures forthwith. It may be recalled that vide circular 37/2017-Cus, the e-sealing procedure had been made voluntary subject to availability of reader facilities.

12. As the RFID e-seal based self-sealing procedure has been introduced as a measure of export facilitation, the JNCH is committed to guide the exporters and work closely with the private service providers for smooth roll-out of the system. In this regard, a /workshop has already been held on **07.11.2017** at JNCH.

13. The procedures in respect of customs stations where readers have not been provided by any vendor so far shall continue till 31st December 2017, as per existing practice. Board has been taking necessary steps to make sure that the readers are made available at such customs stations by 1st January 2018.

14. Difficulty, if any may also be brought to the notice of Deputy / Assistant Commissioner in charge of Preventive General, NS-G through email / phones (details available on JNCH Website).

Sd/-
(SUBHASH AGRAWAL)
COMMISSIONER OF CUSTOMS, NS-IV

Copy to (through email):

1. The Chief Commissioner of Customs, Mumbai Zone- II.
2. All the Commissioner of Customs, Mumbai Zone- II.
3. All Addl./Joint Commissioners of Customs, Mumbai Zone- II.
4. All Deputy/Asstt. Commissioners of Customs, Mumbai Zone- II.
5. The DC/EDI for uploading on the JNCH website.
6. Terminal Operators [JNPCT /NSICT / NSIGT / GTI]
7. CSLA / MANSAB/BCBA / FIEO /AIIEO / other Trade Associations.