



( ) , II

OFFICE OF THE COMMISSIONER OF CUSTOMS (GENERAL), MUMBAI CUSTOMS ZONE II

JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA-SHEVA, TAL-URAN,

: , - 400707

DIST.-RAIGAD, MAHARASHTRA- 400707

F. No. S/43-Gen- 118/2018-19/PSO/JNCH

Date- 17.09.2019

### Public Notice 81/2019

**Subject:-Discharge & Back to town of Export Containers shipped to Pakistan from Nhava Sheva reg.**

Representations are received from Exporters/Shipping Lines regarding permission to allow for back to town of containers already shipped to Pakistan in the light of cancellation of bi lateral trade between India & Pakistan on 09.08.2019.

2. There are three different situations in which the cargo may return to the port of export. The following procedure shall be observed in each of three situations respectively:-

**(A) Where Vessel has not crossed Indian Territorial waters and EGM has not been filed**

The Master of Vessel/Captain shall submit an undertaking saying that the vessel has not crossed territorial waters of India. Such containers shall be forwarded to JNCH under TP from previous port of Call within India and there is no requirement of filling a separate IGM. The Boarding Officer shall verify the Container number & Seal intact. After the verification of Container No & seal intact, the concerned exporter will follow Standard Back to Town (BTT) procedure as prescribed in Standing Order No. 43/2008 dated 17.09.2008 and other instructions issued from time to time for the return of above mentioned export containers from Port Area and will produce all relevant documents including Transhipment Permit issued by Previous Port, Shipping Bill etc. to the concerned Deputy/Assistant Commissioner of Customs (CFS/ICD). The Deputy/Assistant Commissioner of Customs shall ensure that LEO is cancelled and no export benefit including Drawback, MEIS and IGST refund etc. is granted to the Exporter. Where benefits i.e. drawback/refund has already been granted/disbursed, the same is to be reversed before back to town. If the seal is found tampered or not intact, the subject container shall be forwarded to Container Scanning Division and for 100% examination in addition to the general Back to Town procedure being followed as per existing law.

**(B) Where Vessel has not crossed Indian Customs Waters and EGM has been filed**

In this case first of all the EGM has to be amended as per Standing order No. 05/2004 dated 05.02.2014 and instructions issued from time to time by the CBIC by deleting those containers which were due to be exported to Pakistan & hence included in the EGM originally filed but not so exported for the above mentioned reasons. The Master of Vessel/Captain shall give an undertaking that the vessel has not crossed territorial waters of India. Such containers shall be forwarded to JNCH under TP from previous port of Call within

India and there is no requirement of filing a separate IGM. The Boarding Officer shall verify the Container number & Seal intact. After the verification of Container No & seal intact, the concerned exporter will follow Standard Back to Town (BTT) procedure as prescribed in Standing Order No. 43/2008 dated 17.09.2008 and other instructions issued from time to time for the return of above mentioned export containers from Port Area and will produce all relevant documents including Transshipment Permit issued by Previous Port, Shipping Bill etc. to the concerned Deputy/Assistant Commissioner of Customs (CFS/ICD). The said Deputy/Assistant Commissioner of Customs shall ensure that LEO is cancelled and no export benefit including Drawback, MEIS and IGST refund etc. is granted to the Exporter. Where benefits i.e. drawback/refund has already been granted/disbursed, the same is to be reversed before back to town. If the seal is found tampered or not intact, the subject container shall be forwarded to Container Scanning Division and for 100% examination in addition to the general Back to Town procedure being followed as per existing law.

**(C) Where Vessel has crossed Indian Customs Waters**

If the vessel carrying export containers shipped to Pakistan have crossed territorial waters of India, such consignments will be treated as exported out of India. All such containers arriving back at JNCH will be treated as Import containers and all the formalities applicable in case of re-import including but not restricted to the filing of proper IGM and Re-import procedure as prescribed in Notification No. 94/96-Cus. dated 16.12.1996 & other instructions issued from time to time shall be scrupulously followed. While clearing all such consignments it must be ensured that all export benefits are reversed if goods are being cleared at NIL rate of duty, along with all other requirements in case of re-import of goods (100% examination etc.) as per existing Law & procedures.

4. This Public Notice is only applicable to export containers shipped to Pakistan before 09.08.2019.
5. The concerned party will also ensure that all Customs & Port formalities are completed before back to town of above mentioned export containers.
6. Difficulty, faced if any, may be brought to the Office of the undersigned.

***Sd/- 17.09.2019***

**(SANJAY MAHENDRU)**

Commissioner of Customs (General)  
JNCH, Mumbai Customs-II.

**Copy to:-**

1. The Pr. 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. BCBA/FIEO for circulation among their members, trade and industry (by email).