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F.No. S/12-Gen-32/22-23 AM(X)JNCH

Dated: 31.08.2023

Public Notice No. 75 /2023

Sub- Procedure for Back to Town of Export Cargo -reg.

Kind attention is drawn towards PN No. 01/2023, which provides for detailed guidelines for Back To Town (BTT) of the Export Cargo. Various representations have been received for relaxing the examination norms in back to town cases. In supersession of Public Notice No. 01/2023 dated 05/01/2023, under the aegis of Nhava Sheva Export Encouragement Vision (NEEV) - निरंतर निर्बाध निर्यात, the "Back to Town" procedure is amended and relaxed to the extent shown below after detailed deliberation with stakeholders.

2. After the filing of Shipping Bill, the cargo needs to be registered at CPP/CFS. After examination/ inspection, Let Export Order (LEO) is granted. In some cases, Exporter/Customs Broker (CB) wants to take back the full or part cargo for various reasons. The request for BTT is made either before or after granting LEO (including after stuffing).

(I) BTT of self-sealed cargo from CPP (Central Parking Plaza):

(A) From CPP to Town:

(i) Before registration - If the cargo has entered into the CPP but the registration has not been done, then, on the request of Exporter for BTT, permission for BTT may be granted on scanning of the container subject to verification that the RFID e-seal is not tampered with. The verification of e-seal/RFID tag will be done by the Gate officer. If any doubt arises on scanning, about the nature of goods in container, 100% examination

should be carried out with the permission of Assistant / Deputy Commissioner (CPP). On scanning/examination, if the goods are found as per declaration and no violation is noticed, Assistant / Deputy Commissioner (CPP) shall cancel the Shipping Bill using the option "cancellation of Shipping Bill" in the ICES menu. This procedure shall be followed in all cases including AEO exporters.

(ii) After registration but before LEO - If the cargo has entered into the CPP and request has come after registration but before LEO is given, the Assistant / Deputy Commissioner (CPP) may permit the request in writing and mark the Shipping Bill for 100% Examination. On examination, if the goods are found as per declaration and no violation is noticed, Assistant / Deputy Commissioner (CPP) shall cancel the Shipping Bill using the option "Cancellation of Shipping Bill" in the ICES menu.

(iii) After LEO - If the cargo has entered into the CPP and request has come after registration and LEO, the Assistant / Deputy Commissioner (CPP) may permit the request in writing and mark the Shipping Bill for 100% Examination. In examination, if the goods are found as per declaration and no violation is noticed, Assistant / Deputy Commissioner (CPP) shall cancel the LEO. After cancellation of LEO, the Assistant / Deputy Commissioner shall cancel the Shipping Bill using the option "Cancellation of Shipping Bill" in the ICES menu.

(iv) AEO Exporter / DGFT Status Holder exporter - However in case of an AEO exporter or a DGFT status holder having status of 'Three Star Export House' or higher, for both the situations (ii) and (iii) above, the need of examination is waived, if the RFID e-seal is found intact. In case, the e-seal is found tampered with, the Assistant / Deputy Commissioner (CPP), shall order **100% examination**. If no violation is noticed, Assistant / Deputy Commissioner (CPP) shall cancel the Shipping Bill using the option "Cancellation of Shipping Bill" in the ICES menu.

(B) From Port to CPP to Town:

If the goods covered under a Shipping Bill are stuffed in multiple containers, there may be a chance that some or all of the containers could

not be loaded on to the destined vessel due to various reasons. Such cargos are referred to as shut-out cargo.

(i) If the entire cargo is shut out - In such cases, if the entire cargo covered by a Shipping Bill could not be loaded on the destined vessel and the Exporter/CB requests for BTT, the Superintendent in the port area shall do the manual endorsement on the Shipping Bill about the request for BTT. The shipping agent shall hand over the Shipping bill and other documents to the Exporter/CB to process the request for BTT. In such situation, the cargo shall move from port to Centralized Parking Plaza (CPP). The Exporter/CB shall approach the Assistant/Deputy Commissioner of the CPP for cancellation of LEO. The Assistant / Deputy Commissioner (CPP) may permit the request in writing and mark the Shipping Bill for 10% (Ten) Examination. After the Examination report is given and if it is found as per the declaration made in Shipping Bill and no violation is noticed, the Assistant / Deputy Commissioner (CPP) may cancel the LEO. After cancelling the LEO, the Assistant / Deputy Commissioner (CPP) shall use the option "Cancellation of Shipping Bill" in the ICES menu, cancel the Shipping Bill and allow BTT. In case of any doubt or any violation is noticed, 100% examination shall be done with the written approval of Assistant / Deputy Commissioner (CPP).

(ii) If part cargo is shut out- In such cases, if the part cargo covered by a Shipping Bill could not be loaded on the destined vessel and the Exporter/CB requests for BTT, the Superintendent in the port area shall do the manual endorsement on the Shipping Bill about the request for BTT. The shipping agent shall hand over the Shipping Bill and other documents to the Exporter/CB to process the request for BTT. In such situation, the cargo shall move from port to Centralized Parking Plaza (CPP). The Exporter/CB shall approach the Assistant/ Deputy Commissioner of the CPP for amendment of Shipping Bill. The Assistant / Deputy Commissioner (CPP) may permit the request in writing and mark the Shipping Bill for 10%(Ten) Examination of the shut-out cargo. After the Examination report is given and if it is found as per the declaration made in Shipping Bill, quantity should be amended like in a case of short

shipment and the Shipping Bill would not be cancelled. The part shut out cargo may be allowed for BTT. In case of any doubt or any violation is noticed, 100% examination shall be done with the written approval of Assistant / Deputy Commissioner (CPP).

(iii) AEO Exporter / DGFT Status Holder exporter: However, in case of an AEO exporter or a DGFT status holder having status of 'Three Star Export House' or higher, for both the situations (i) and (ii) above, the need for examination is waived of, if the RFID e-seal is found intact. In case, the e-seal is found tampered with, **100% examination** shall be done with the approval of Assistant / Deputy Commissioner (CPP). In case of an AEO or a DGFT status holder having status of 'Three Star Export House' or higher, the shut-out cargo may directly be taken from the port without bringing it to CPP, provided all the other procedures (e.g. cancellation/amendment of Shipping Bill) have been completed. Other procedures shall remain the same.

(C) Hazardous Cargo:

In case of Hazardous Cargo, all the above procedures shall be followed. However, instead of 100% examination, scanning of cargo shall be carried out and if the scanning report is in order, the Assistant / Deputy Commissioner (CPP) may allow BTT. However, in case of an AEO or a DGFT status holder having status of 'Three Star Export House' or higher, scanning is waived of, if the seal is found intact.

(II) BTT from CFS

(A) From CFS to Town:

The Exporter/CB may request for back to town either before LEO is given or after the LEO is given.

(i) **Before LEO:** For the cases where request has come before LEO is given the Assistant / Deputy Commissioner (Export Docks) may permit the request in writing and mark the Shipping Bill for 100% examination. On examination, if the goods are found as per the declaration and no violation

is noticed, then the Assistant / Deputy Commissioner (Export Docks) shall cancel the Shipping Bill using the option "Cancellation of Shipping Bill", in the ICES menu.

(ii) **After LEO:** For the case where request has come after LEO is given, the Assistant / Deputy Commissioner (Export Docks) may permit the request in writing and mark the Shipping Bill for 100% Examination. On examination, if the goods are found as per the declaration and no violation is noticed, then the Assistant / Deputy Commissioner (Export Docks) shall cancel the LEO. After cancelling the LEO, the Assistant / Deputy Commissioner (Export Docks) shall cancel the Shipping Bill using the option "Cancellation of Shipping Bill", in the ICES menu.

(iii) **Part Cargo BTT before or after LEO:** In case the request is for part cargo Back To Town, the exporter/CB shall approach the Assistant/Deputy Commissioner (Export Docks) for amendment of Shipping Bill. The Assistant / Deputy Commissioner (Export Docks) may permit the request in writing and mark the Shipping Bill for 100% Examination of the part cargo. After the examination report is given and if it is found as per the declaration made in Shipping Bill, Quantity should be amended like in a case of short shipment and the Shipping Bill would not be cancelled. Part cargo may be allowed for BTT.

(iv) **AEO Exporter / DGFT Status Holder exporter** - However in case of an AEO or a DGFT status holder having status of 'Three Star Export House' or higher, in all the three situations (i), (ii) and (iii) above, the Assistant / Deputy Commissioner (Export Docks) may permit the request in writing and mark the Shipping Bill for 10%(Ten) Examination. On examination, if the goods are found as per the declaration and no violation is noticed, then the Assistant / Deputy Commissioner (Export Docks) shall cancel the LEO. After cancelling the LEO, the Assistant / Deputy Commissioner (Export Docks) shall either cancel or amend the Shipping Bill, as the case may be. If any discrepancy is noticed Assistant / Deputy Commissioner (Docks) may resort to 100% examination.

(B) From Port to CFS to Town: If the goods covered by the Shipping Bill are stuffed in multiple containers, there might be chances that all or part containers could not be loaded (i.e. shut out goods) into the destined vessel due to various reasons. In such a situation, the Exporter/CB may request for BTT.

(i) **If the entire cargo is shut out** - The Superintendent in the port area shall do the manual endorsement on the Shipping Bill about the request for BTT. The shipping agent shall hand over the Shipping bill and other documents to the Exporter/CB to process the request for BTT. In such situation, the cargo shall move from port to CFS. The Exporter/CB shall approach the Assistant/ Deputy Commissioner of the concerned CFS for cancellation of LEO. The Assistant / Deputy Commissioner (Export Docks) may permit the request in writing and mark the Shipping Bill for 100% Examination. After the Examination report is given and if it is found as per the declaration made in Shipping Bills, the Assistant / Deputy Commissioner (Export Docks) may cancel the LEO. After cancelling the LEO, the Assistant / Deputy Commissioner (Export Docks) shall use the option "Cancellation of Shipping Bill' in the ICES menu and allow BTT.

(ii) **If part cargo is shut out**- In such cases if only part cargo covered by a Shipping Bill could not be loaded on the destined vessel and the Exporter/CB requests for BTT, the Superintendent in the port area shall do the manual endorsement on the Shipping Bill about the request for BTT. The shipping agent shall hand over the Shipping bill and other documents to the Exporter/CB to process the request for BTT. In such situation, the cargo shall move from port to the concerned CFS. The Exporter/CB shall approach the Assistant/Deputy Commissioner (Export Docks) of the concerned CFS for amendment of Shipping Bill. The Assistant / Deputy Commissioner (Export Docks) may permit the request in writing and mark the Shipping Bill for 100% Examination of the shut-out cargo. After the Examination report is given and if it is found as per the declaration made in Shipping Bill, Quantity should be amended like a

case of short shipment and the Shipping Bill would not be cancelled. The part shut out cargo may be allowed for BTT.

(iii) **AEO Exporter / DGFT Status Holder exporter**: However, in case of an AEO or a DGFT status holder having status of 'Three Star Export House' or higher, in both the situations (i) and (ii) above, examination shall be restricted to 10%. If any discrepancy is noticed Assistant / Deputy Commissioner (Docks) may resort to 100% examination. The other procedure to be followed shall be as described above.

3. The contents of this public notice shall operate as a Standing Order so far as officers and staffs of Jawaharlal Nehru Customs House are concerned. The Assistant / Deputy Commissioner in charge of Export examination clusters and CPP shall send a monthly report by 10th of every month to Assistant / Deputy Commissioner SIIB(X) about the number of cases allowed Back To Town in the previous month.

4. In case of discrepancies found, if any, during examination, the matter may be forwarded to SIIB (X) for further investigation. In case, there is any hold on the containers by any of the investigative wings/agencies, the goods shall not be allowed BTT.

5. Difficulty, if any, in implementation of this Public notice may be brought to the notice of the Additional/Joint Commissioner, Appraising Main (Export) at "apmainexp@jawaharcustoms.gov.in".

(Sanjeev Kumar Singh)
Commissioner of Customs
NS-II, JNCH

Copy to :-

1. Chief Commissioner of Customs, Mumbai Customs Zone II, JNCH.
2. The Commissioner of Customs (NS-Gen, I, II, III, IV, V), Mumbai Zone-II.
3. All Addl./Joint Commissioners of Customs, Mumbai Zone-II
4. All Deputy/Assistant Commissioner of Customs, JNCH.
6. AC/DC, EDI for uploading on JNCH website
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