

16. Export procedure - Shipping Bill:

- 16.1 For clearance of export goods, the exporter or his agent has to obtain an Importer- Export Code (IEC) number from the DGFT prior to filing of Shipping Bill. Under the EDI System, IEC number is received online by the Customs System from the DGFT. The exporter is also required to register authorized foreign exchange dealer code (through which export proceeds are expected to be realised) and open a current account in the designated bank for credit of any Drawback incentive.
- 16.2 All the exporters intending to export under the export promotion scheme need to get their licences etc. registered at the Customs Station. For such registration, original documents are required.

17. Waiver of GR form:

17.1 Generally the processing of Shipping Bills requires the production of a GR form that is used to monitor the foreign exchange remittance in respect of the export goods. However, there are few exceptions when the GR form is not required. These exceptions include export of goods valued not more than US \$25,000/- and export of gifts valued upto Rs.5 lakhs.

[Refer RBI Notifications No.FEMA.23/2000-RB, dated 3-5-2000, and
No.FEMA.116/2004-RB, dated 25-3-2004]

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18. Arrival of export goods at docks:

18.1. The goods brought for the purpose of export are allowed entry to the Dock on the strength of the check list and other declarations filed by the exporter in the Service Center. The custodian has to endorse the quantity of goods actually received on the reverse of the check list.

19. Customs examination of export goods:

19.1 After the receipt of the goods in the Docks, the exporter/ Customs Broker may contact the Customs Officer designated for the purpose, and present the check list with the endorsement of custodian and other declarations along with all original documents such as, Invoice and Packing list, ARE-1, etc. The Customs Officer may verify the quantity of the goods actually received and enter into the system and thereafter mark the Electronic Shipping Bill and also hand over all original documents to the Dock Appraiser who assigns a Customs Officer for examination and indicate the officers' name and the packages to be examined, if any, on the check list and return it to the exporter/ Customs Broker..

20. Examination norms:

20.1 The Board has fixed norms for examination of export consignments keeping in view the quantum of incentive, value of export goods, country of destination etc. The category-wise scale of physical examination at the port of export is as follows:

A. Factory stuffed export cargo:

Category of Exports	Scale of Examination
Export goods stuffed and sealed in the presence of Customs/Central Excise officers at the factories of manufacture, ICD/CFS, notified warehouses and other places where the Commissioner has, by a special order, permitted examination of goods for export.	No examination except: (a) where the seals are tampered with; or (b) there is specific intelligence in which case, permission of Deputy/Assistant Commissioner is required before checking.

B. Export under Free Shipping Bills:

Category of Exports	Scale of Examination
Exports under Free Shipping Bills i.e. where there is no export incentive.	No examination except where there is a specific intelligence.

C. Export under Drawback scheme:

S.No.	Category of exports consignment – Amount of Drawback involved	Scale of Examination	
		Export to sensitive places viz. Dubai, Sharjah, Singapore, Hong Kong and Colombo	Others
(i)	Rs.1 lakh or less.	25%	2%

(ii)	More than Rs.1 lakh.	50%	10%
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D. Export under EPCG/DEEC schemes:

S.No.	Category of exports consignment – FOB value involved	Scale of Examination	
		Export to sensitive places viz. Dubai, Sharjah, Singapore, Hong Kong and Colombo	Others
(i)	Rs.5 lakhs or less.	25%	2%
(ii)	More than Rs.5 lakhs.	50%	10%

E. Export under Reward schemes – Chapter 3 of FTP:

S.No.	Category of exports under Free Shipping Bills – FOB value involved	Scale of Examination	
		Export to sensitive places viz. Dubai, Sharjah, Singapore, Hong Kong and Colombo	Others
(i)	Rs.20 lakhs or less.	25%	2%
(ii)	More than Rs.20 lakhs.	50%	10%

20.2 AEO exporters shall be given benefits of reduced percentage of examination, as under:

S.No.	Category of export consignments	Scale of Examination	
		Export to sensitive places viz. Dubai, Sharjah, Singapore, Hong Kong and Colombo	Others
(i)	Where the amount of drawback involved is Rs.5 lakhs or less.	10%	2%
(ii)	Where the amount of drawback involved is more than Rs.5 lakhs.	25%	5%
(iii)	Where the FOB value under EPCG / DEEC is Rs.10 lakhs or less.	10%	2%
(iv)	Where the FOB value under EPCG / DEEC is more than Rs.10 lakhs.	20%	5%

20.3 In all cases referred above, in respect of consignments selected for examination, a minimum of two packages with a maximum of packages (subject to a maximum of 20 packages from a consignment) shall be opened for examination. The package number to be opened for examination is selected by the EDI system.

20.4 It is to be ensured that exporters do not split up consignments so as to fall within the lower examination norms. Therefore, wherever on the same day the same exporter attempts to export a second consignment (other than under Free Shipping Bills) involving export incentive of Rs. 1 lakh or less (Drawback) or in other cases having the FOB value upto Rs.5 lakhs to the same country, the EDI system would alert the Examining Officer. The Examining Officer can then decide whether to subject the second consignment for

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examination or not. In case the buyer in both or more consignments happens to be the same person, subsequent consignments should be examined.

- 20.5 After the goods are presented for registration to Customs and determination has been made whether or not to examine the goods, no amendments in the normal course are expected. However, in case an exporter wishes to change any of the critical parameters resulting in change of value, Drawback, port etc. such consignment should be subjected to examination.
- 20.6 Notwithstanding the examination norms, any export consignment can be examined by the Customs (even up to 100%), if there is any specific intelligence in respect of the said consignment. Further, to test the compliance by trade, once in three months a higher percentage of consignments (say for example, all the first 50 consignments or a batch of consecutive 100 consignments presented for examination in a particular day) would be taken up for examination. Out of the consignments selected for examination a minimum of two packages with a maximum of 5% of packages (subject to a maximum of 20 packages) would be taken up for checking/examination.
- 20.7 In case export goods are stuffed and sealed in the presence of Customs/Central Excise officers at the factory of manufacture/ICD/CFS/warehouse and any other place where the Commissioner has, by a special order, permitted, it may be ensured that the containers should be bottle sealed or lead sealed. Also, such consignments shall be accompanied by an examination report in the prescribed form. In case of export through bonded trucks, the truck should be similarly bottle sealed or lead sealed. In case of export by ordinary truck/ other means, all the packages are required to be lead sealed.

[Refer Circulars No.6/2002-Cus., dated 23-1-2002, and
No.1/2009-Cus., dated 13-1-2009]

- 20.8 If the export is made claiming benefits of Drawback or any other export promotion scheme in addition to claiming benefits under any Schemes of Chapter 3 of FTP, then the examination norms as prescribed by the Board for the respective export promotion schemes would apply. In order to claim benefits under the Reward Schemes, the exporter is required to declare the intention to claim such benefits on the Shipping Bill itself.
- 20.9 Exports by EOUs and units in SEZs are governed by examination norms, as applicable for EPCG schemes. However, if the export consignment of EOUs or SEZs units has been sealed by Customs/Central Excise Officer, the norms for factory stuffed cargo will apply.
- 20.10 Routine examination of perishable export cargo is not to be conducted. Customs should resort to examination of such cargo only on the basis of credible intelligence or information and with prior permission of the concerned Assistant Commissioner/ Deputy Commissioner. Further, the perishable cargo which is taken up for examination should be given Customs clearance on the day itself, unless there is contravention of Customs laws.

[Refer Circular No.8/2007-Cus., dated 22-1-2007]

- 20.11 The Department related Parliamentary Standing Committee on Commerce has emphasized that in order to promote export of Agriculture and Processed Food products, the Customs authorities must be sensitized to accord priority clearance to perishable

agro products cargo. Accordingly, export consignments of perishable agricultural goods should not be examined in a routine manner and should be examined only in cases of specific intelligence with prior permission of concerned Assistant Commissioner/Deputy Commissioner of Customs. Such perishable cargo which is taken up for examination should be given Customs clearance on the same day itself. In the event there are contraventions of Customs law, necessary legal action shall be taken but, in this case too, it shall be ensured that the perishable cargo is dealt with in such a manner including grant of provisional release (where permissible) so that it is not unduly held up in ports/airports etc. Further as a trade facilitation measure the facility of 24x7 Customs clearance has been extended to export consignments of perishable agricultural export goods at all air cargo complexes.

[Refer Circular No.12/2013- Cus IV., dated 2-4-2013]

- 20.12 In cases of cargo transported for exports through containers or bonded closed trucks to Gateway Port after following the Central Excise/ Customs officer supervised sealing or self-sealing by manufacturer exporters, EOUs; and containers aggregated with LCL cargo in CFSs/ ICDs sent to the port after sealing in the presence of officers the tamper proof one-time bottle seal alone should be adopted as it ensures safety and security of sealing process and avoid any resealing at the point of export. In respect of one-time bottle seals provided by the department, its cost may be recovered from exporters/ manufacturers or their agents. However, exporters/manufacturers need not be compelled to procure such bottle seals only from the department as this would defeat the very purpose of self-sealing facility and avoid delay. When trucks/ other means used for export cargo cannot be bottle sealed, same would be subject to normal examination norms at gateway port.

[Refer Circular No.1/2006-Cus., dated 2-1-2006]

- 20.13 The exporters can avail of the facility of removal of export goods from the factories on the basis of self-certification and self-sealing; but these shall be examined at the port of export on the basis of prescribed examination norms.

[Refer Circulars No.6/2002-Cus., dated 23-1-2002 and No.31/2002-Cus., dated 7-6-2002]

21. Factory stuffing permission:

- 21.1 The grant of a single factory stuffing permission valid for all the Customs stations instead of Customs station-wise permission is permitted. This facility is subject to the following safeguards:

- (i) The exporter is required to furnish to Customs a list of Customs stations from where he intends to export his goods.
- (ii) The Custom House granting the factory stuffing permission should maintain a proper register to keep a track-record of such permissions, and also create a unique serial number for each of such permissions.
- (iii) The Custom House should circulate the factory stuffing permission to all Custom Houses concerned clearly indicating the name and contact details of the Preventive Officer/Inspector and Superintendent concerned of the Custom House granting the

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permission as well as those of the Central Excise Range concerned to facilitate real time verifications, if required.

- (iv) In case something adverse is noticed against the exporter, the Customs station concerned shall promptly intimate the Custom House granting the permission, which will, in turn, withdraw the permission, and inform all Custom Houses concerned.

[Refer Circular No.20/2010-Cus., dated 22-7-2010]

22. Variation between declaration and physical examination:

- 22.1 The check list and the declaration along with all original documents submitted with the Shipping Bill are retained by the Appraiser concerned. In case of any variation between the declaration in the Shipping Bill and physical documents/examination report, the Appraiser may mark the Electronic Shipping Bill to the Assistant Commissioner/Deputy Commissioner of Customs (Exports) along with sending the physical documents and instruct the exporter or his agent to meet the Assistant Commissioner/Deputy Commissioner of Customs (Exports) for settlement of dispute. In case the exporter agrees with the views of the Department, the Shipping Bill needs to be processed accordingly. Where, however, the exporter disputes the view of the Department the issue will be finalized in accordance with the principles of natural justice.

23. Drawl of samples:

- 23.1 Where the Appraiser Dock (Export) orders for samples to be drawn and tested, the Customs Officer may proceed to draw two samples from the consignment and enter the particulars thereof along with details of the testing agency in the ICES/EDI system. There is no separate register for recording dates of samples drawn. Three copies of the test memo shall be prepared by the Customs Officer and signed by the Customs Officer and Appraising Officer on behalf of Customs and the exporter or his agent. The disposal of the three copies of the test memo shall be as follows:
 - (i) Original - to be sent along with the sample to the test agency.
 - (ii) Duplicate - Customs copy to be retained with the 2nd sample.
 - (iii) Triplicate - Exporter's copy.
- 23.2 If he considers it necessary, the Assistant / Deputy Commissioner, may order sample to be drawn for purposes other than testing such as for visual inspection and verification of description, market value inquiry, etc.

24. Stuffing / loading of goods in containers:

- 24.1 The exporter or his agent should hand over the Exporter's copy of the Shipping Bill duly signed by the Appraiser permitting "Let Export" to the steamer agent who would then approach the proper officer (Preventive Officer) for allowing the shipment. In case of container cargo the stuffing of container at Dock is done under Preventive Supervision. Further, loading of both containerized and bulk cargo is to be done under Preventive Supervision. The Customs Preventive Superintendent (Docks) may enter the particulars of packages actually stuffed into the container, the bottle seal number, details of loading of cargo container on board into the EDI system and endorse these details on the Exporter's

copy of the Shipping Bill. If there is a difference in the quantity/ number of packages stuffed in the containers/goods loaded on vessel the Superintendent (Docks) may put a remark on the Shipping Bill in the EDI system and that it requires amendment or change in quantity. Such Shipping Bill may not be taken up for the purpose of sanction of Drawback/ DEEC logging, till it is suitably amended. The Customs Preventive Officer supervising the loading of container and general cargo into the vessel may give "Shipped on Board" endorsement on the Exporters copy of the Shipping Bill.

- 24.2 Palletisation of cargo is done after grant of Let Export Order (LEO). Thus, there is no need for a separate permission for palletisation from Customs. However, the permission for loading in the aircraft/vessel would continue to be obtained.

[Refer Circular No.18/2005-Cus., dated 11-3-2005]

25. Amendments:

- 25.1 Any correction/amendments in the check list generated after filing of declaration can be made at the Service Centre provided the documents have not yet been submitted in the EDI system and the Shipping Bill number has not been generated. Where corrections are required to be made after the generation of the Shipping Bill number or after the goods have been brought into the Export Dock, the amendments will be carried out in the following manner:

- (i) If the goods have not yet been allowed "Let Export" the amendments may be permitted by the Assistant / Deputy Commissioner (Exports).
- (ii) Where the "Let Export" order has already been given, amendments may be permitted only by the Additional/Joint Commissioner in charge of Export.

- 25.2 In both the cases, after the permission for amendments has been granted, the Assistant Commissioner/Deputy Commissioner (Export) may approve the amendments on the EDI system on behalf of the Additional/Joint Commissioner. Where the print out of the Shipping Bill has already been generated, the exporter may first surrender all copies of the Shipping Bill to the Dock Appraiser for cancellation before amendment is approved on the system.

- 25.3 In respect of amendment in AEPC Certificate on receipt of request from the exporter, the Assistant Commissioner /Deputy Commissioner (Exports) should allow the change of port in EDI Shipping Bills / invoice to help exporters in getting the goods cleared without waiting for an amendment of documents by AEPC. The ratification of the port of change would be done subsequently by AEPC.

[Refer Circular No.46/2003-Cus., dated 5-6-2003]

26. Drawback claim:

- 26.1 After actual export of the goods, the Drawback claim is automatically processed through EDI system by the officers of Drawback Branch on first-come-first-served basis. The status of the Shipping Bills and sanction of Drawback claim can be ascertained from the query counter set up at the Service Centre. If any query is raised or deficiency noticed, the same is also shown on the terminal and a print out thereof may be obtained by the authorized person of the exporter from the Service Centre. The exporters are required to

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reply to such queries through the Service Centre. The claim will come in queue of the EDI system only after reply to queries/deficiencies is entered in the Service Centre.

- 26.2 All the claims sanctioned on a particular day are enumerated in a scroll and transferred to the Bank through the system. The bank credits the drawback amount in the respective accounts of the exporters. The bank may send a fortnightly statement to the exporters of such credits made in their accounts.
- 26.3 The Steamer Agent/Shipping Line may transfer electronically the EGM to the Customs EDI system so that the physical export of the goods is confirmed, to enable the Customs to sanction the Drawback claims.

27. Generation of Shipping Bills:

- 27.1 After the "Let Export" order is given on the EDI system by the Appraiser, the Shipping Bill is generated in two copies i.e., one Customs copy, one exporter's copy (EP copy is generated after submission of EGM). After obtaining the print out the Appraiser obtains the signatures of the Customs Officer and the representative of the Customs Broker on both copies of the Shipping Bill and examination report. The Appraiser thereafter signs and stamps both the copies of the Shipping Bill.
- 27.2 The Appraiser also signs and stamps the original and duplicate copy of SDF and thereafter forward the Customs copy of Shipping Bill and original copy of the SDF along with the original declarations to Export Department. The exporter copy and the second copy of the SDF are returned to the exporter or his agent.

28. Export General Manifest:

- 28.1 All the shipping lines/agents need to furnish the Export General Manifests, Shipping Bill-wise, to the Customs electronically before departure of the conveyance.
- 28.2 Apart from lodging the EGM electronically the shipping lines need to continue to file manual EGMs along with the exporter copy of the Shipping Bills in the Export Department where they would be entered in a register. The shipping lines may obtain acknowledgement indicating the date and time at which the EGMs were received by the Export Department.

[Refer Circulars No.33/96-Cus., dated 17-6-1996, No.6/2002-Cus., dated 23-1-2002, No.31/2002-Cus., dated 7-6-2002, No.3/2003-Cus., dated 3-3-2003, No.53/2004-Cus., dated 13-10-2004, No.18/2005-Cus., dated 11-3-2005, No.42/2005-Cus., dated 24-11-2005, No.43/2005-Cus., dated 24-11-2005, No.1/2006-Cus., dated 2-1-2006, No.8/2007-Cus., dated 22-1-2007, No.23/2007-Cus., dated 28-6-2007, and No.1/2009-Cus., dated 13-1-2009]

29. Electronic Declarations for Bills of Entry and Shipping Bills:

- 29.1 Bill of Entry (Electronic Declaration) Regulations, 2011 and Shipping Bill (Electronic Declaration) Regulations, 2011 are framed in tune with statutory provisions of Sections 17, 18 and 50 of the Customs Act, 1962 to mandate self-assessment by the importer or exporter, as the case may be.

[Refer Notifications No.79/2011-Cus (N.T.) dated 25-11-2011 and No.80/2011-Cus (N.T.) dated 25-11-2011]

30. 24x7 Customs clearance facility:

30.1 As a trade facilitation measure, 24x7 Customs clearance facility has been made available for specified categories of import and export at select Seaports and Air Cargo Complexes, as follows:

Sea ports: JNPT, Kandla , Chennai , Kolkata.

Air Cargo Complexes: Ahmadabad, Amritsar, Bangalore, Calicut, Chennai, Cochin, Coimbatore, Delhi, Goa, Hyderabad, Indore, Jaipur, Kolkata, Mumbai, Nasik, Thiruanantapuram, Vishakhapatnam,.

30.2 With effect from 1-7-2013 the 24x7 Customs clearance facility has been extended in respect of all export goods at Air Cargo Complexes at Bangalore, Chennai, Delhi and Mumbai.

[Refer Circular No. 22/2012-Cus., dated 7-8-2012 and
Instruction F.No.450/25/2009-Cis IV, dated 31-5-2013]