

FAQ on Faceless Assessment in Customs

Q1. What is Faceless Assessment?

Answer: Faceless Assessment is a major Customs Reforms where a Bill of Entry that is identified for scrutiny (non-facilitated Bill of Entry) is assigned to an assessing officer who is physically located at a Customs station, which is not the Port of Import in the Customs Automated System. It separates the assessment process from the physical location of Port of Import, using a technology platform.

Q2. What are the functions of the Faceless Assessment Group?

Answer: With the introduction of FAG, the assessment part of the Customs clearance procedure would be delinked with the geographical location where the goods are available for examination and instead be executed by the FAG. The functions of the FAGs will include:

As is the present practice, may accept the self-assessment or re-assess the BE.

Before Re-assessment, provide importers an opportunity of being heard via Query or video conferencing and in case the importer does not agree with the same, pass a Speaking Order.

Q3. To whom can I raise grievances/ enquiries/ feedback related to Faceless assessments?

Answer: For system related issues, first point continues to be ICEGATE Helpdesk (https://www.icegate.gov.in/contact_us.html). For other issues, every Port of Import has to set up Turant Suvidha Kendra to redress grievances related to delay in clearances including Faceless Assessment. The contact details are available in <https://www.cbic.gov.in/htdocs-cbec/enquiryoints>. Further, an officer at the rank of Additional Commissioner/ Joint Commissioner is also designated at each port to take care of timely redressal of grievances and escalation.

Q4. What is the jurisdiction of the Faceless Assessment Group?

Answer: There is no territorial jurisdiction assigned to FAG. Each FAG would have jurisdiction over the Bills of Entry assigned in the system to FAG, irrespective of the same being filed anywhere in India. To illustrate, a Bill of Entry pertaining to NAC on primary products can be assigned to any of the FAG officer of the Zones listed in Annexure II of Circular No. 45/2020-Customs dated 12.10.2020.

Q5. What is the target time for faceless assessment of a Bill of Entry?

Answer: All FAGs will aim to ensure that Faceless Assessment is undertaken in 5 hours (excluding 8 PM – 8 AM).

Q6. What are the functions of the Port Assessment Group at the Port of Import under faceless assessment?

Answer: The PAG will be responsible for all functions which were earlier carried out prior to faceless assessment, except the assessment functions and approvals of assessments impacting amendments which would be carried out by FAG.

Q7. What are the functions that can be carried out at a Turant Suvidha Kendra?

Answer: Turant Suvidha Kendras at the Port of Import will be responsible for all documentary processes requiring physical submission / verification at the Port of Import. Illustratively, their functions include:

Accept bonds or Bank Guarantee;

Carry out any other verifications that may be referred by FAGs;

Defacing of documents/ permits licenses, wherever required;

Debit of documents/ permits/ licenses, wherever required;

Handle queries related to assessment; and

Other functions determined by Commissioner to facilitate trade

Q8. Is there a mechanism for monitoring grievances in TSK ?

Answer: All TSKs are required to maintain a record of grievances raised regarding Faceless Assessment and furnish the same to concerned Additional/Joint Commissioner for the purpose of monitoring. The template of grievance management is provided in chapter 6 of this guidebook.

Q9. How will different NACs coordinate?

Answer: NACs will coordinate through a robust institutional coordination across levels by means of:

Daily web meetings of Working Group on Timely Assessment to review performance and identification of bottlenecks for appropriate action

Weekly web meetings of working groups to review matters of classification, valuation, exemption notifications, prohibitions and restrictions to identify non-uniformity in assessment and encouraging uniformity on an ongoing basis.

Monthly web meetings by co-convenors to review functioning of NACs.

Q10. How can I minimise the queries for my Bills of Entry ?

Answer: Providing complete description of the Goods imported along with catalogue/ technical literature, if needed while filing Bill of Entry would reduce the need for query. Assessment related

Q11. During assessment, if FAG determines the requirement of first check examination of cargo, verification of documents or testing how will the same be undertaken?

Answer: FAG may seek First Check and send it to in the Port of Import with appropriate Examination order. The officers of the Port of Import shall be responsible for carrying out such activities as per instructions provided by FAG and reporting their findings on the system to FAG.

Q12. Who will finalize the provisionally assessed bills of entry assessed by faceless assessment groups? FAG or PAG?

Answer: This is covered in para 5.8 III of instruction no. 09/2020 Customs dated 05 June 2020. The finalisation of Provisional Assessment will be done by PAG.

Q13. In case testing of consignment is required, who will be responsible for the same?

Answer: If FAG communicates the need for testing, shed officers shall be responsible for sending samples to the laboratory along with the required test memo.

Q14. Where will my appeal against any assessment order heard?

Answer: An appeal against an assessment/ speaking order shall lie before the Commissioner (Appeals) having jurisdiction over the Port of Import, irrespective of the officers assessing the Bill of Entry. For example, Commissioners of Customs (Appeals) at Bengaluru would decide appeals filed for imports at Bengaluru though the FAG is located at Delhi.

Q15. What is the procedure to be followed by FAG for effecting changes in the selfassessment?

Answer: The FAG will provide the importer an opportunity of being heard through Query or via video conferencing before proceeding with the re-assessment. In case the importer does not agree with the re-assessment, a Speaking Order will be passed by FAG as per Section 17(5) of the Customs Act, 1962.

Q16. If my BE is pending at FAG and the concerned officer is on leave, who will take up the assessment in his absence, and can the trade be assured that the Bill of Entry will not be pending in his absence?

Answer: The Supervisory Officers at FAG location will ensure that the BE is attended to by other officer in his absence. The Dashboards/ SMS Alerts have been put in place for timely action. Amendment related

Q17. What is the process of amendment in Bill of Entry before assessment?

Answer: An amendment request by Importer can be filed directly either through ICEGATE Portal or through service centre at the Port of Import, which will be routed to the concerned FAG for approval/ rejection. No prior approval of PAG is required in these cases.

Q18. What is the process of amendment of Bill of Entry when requested by Importer after assessment?

Answer: There can be two situations: Before OOC, once amendments are filed through ICEGATE/Service Centre, the Customs Automated System would queue them before the proper officer of the FAG if it impacts Assessment. In all other cases, the request would be queued to the proper officer of the PAG.

Further, In case of any difficulty, PAG officer will look into it, including recalling the and sending it to FAG. The cases of amendment which are filed after issuance of OOC shall be handled by PAG. The graphic below presents the case for easy understanding:

Q19. If case of short-shipment/ short landing, where will the amendment be done ?

Answer: The PAG will do the amendment of the same. The submission of amendment requests may be done either through ICEGATE or Service Centre.

Q20. What is the mechanism for FAG to view the BE pending for assessment which is to be amended?

Answer: The list of Bills of Entry pending in Amendment Queue is available in the dashboard of the officer. Additionally, periodical SMS Alert is also being sent for timely action. Others

Q21. How is disposal rate of faceless assessment being monitored?

Answer: Disposal rate should be monitored ensuring nil pendency of BE having process time of more than 5 hours. A dashboard is made available to Principal Commissioner/ Commissioner of the FAG to monitor pendency and process of BE. The summary statistics is also available in VDN, VDC and VAO roles for the FAG officers to act accordingly.

Q22. What is the procedure in case Bill of Entry has to be deleted? Who will be responsible for the same?

Answer: As clarified in Q6, the PAG would continue to handle all such requests pertaining to the Bills of Entry.

Q23. Who will recall RMS facilitated bill of entry?

Answer: As clarified in Q6, the PAG would continue to handle all such requests pertaining to the Bills of Entry.

Q24. If I need to request Customs to condone delay in filing Bill of Entry as per Section 48, who should I approach and what is the procedure ?

Answer: As clarified in Q6, the PAG would continue to handle all such requests pertaining to the Bills of Entry.

Q25. Who will accept my Bond/ BG in case it is needed ?

Answer: In case of Export Promotion Schemes, Project Imports, National Bond/ BG will be accepted at any Customs location across India for subsequent utilisation at any other locations. In all other cases, the Bond/ BG will be accepted at the Port of Import.

Q26. Who will determine the value of BG in cases it is needed? Who should be for change in in the Bond Conditions ?

Answer: The PAG will be responsible for determining the value of BG and also carry out any changes in the Bond conditions of Bill of Entry including change in BG value/ rate. However, it is clarified that, if the Bond details are provided correctly in the Bill of Entry, there would be no requirement for changes subsequently.

Q27. Are importers required to submit hardcopies of original Certificate of Origin (COO) issued under Free Trade Agreements?

Answer: Yes. It should be submitted to TSK for defacing in addition to uploading the same in e-Sanchit. It is clarified that, in general, submission of hardcopies of supporting documents has been done away with. However, since COO is required as part of International Agreements, the same may be presented in TSK for defacement or validation. (refer Circular No.45/ 2020-Customs, dated 12th October 2020).