



OFFICE OF THE COMMISSIONER OF CUSTOMS (PREVENTIVE)
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PUBLIC NOTICE No. 07/2021 - CUSTOMS

Sub: Urgent measures to sensitize trade in light of proposed changes to Section 46 of the Customs Act, 1962 - reg

Attention of the Shipping Liners, Freight Forwarders, Shipping/Steamer Agents, Importers, Exporters, Customs Brokers, Custodians/Container Freight Stations, Terminal operators and all other Stakeholders is invited to CBIC Board's Instruction No.05/2021-Customs dated 24.03.2021 on the above subject. Kind reference is also invited to the proposed amendments in Section 46 of the Customs Act, 1962 introduced through the Finance Bill, 2021 [clause 84 of the Bill].

2. Subject to passing of Finance Bill, 2021 by the Parliament of India, these changes in Section 46 would facilitate pre-arrival processing and assessment of Bills of Entry (BE) by mandating their advance filing thus leading to significant decrease in the Customs clearance time. The amended Section 46 would require an importer to file a BE *before* the end of the day (including holidays) *preceding* the day of arrival of the vessel/aircraft/vehicle carrying the imported goods at a Customs port/station at which such goods are to be cleared for home consumption or warehousing.

3. The proposed amendments in Section 46 also empower the Board to prescribe different time limits for filing of BE in certain cases, but not later than the end of the day of arrival of the vessel/aircraft/ vehicle at the Customs port/station. Trade has represented for a relaxation so as to prescribe a different time line for filing of Bills of Entry in respect of imports at Land Customs Stations and airports, imports consigned from neighboring countries, which arrive by short-haul vessels citing practical difficulties that may arise in filing of the BE before the end of the day (including holiday) preceding the day of arrival of the vessel/aircraft/vehicle carrying the imported goods at a Customs port/station. Board is considering the same. However, any relaxation, that is found merited can be notified by Board only after the proposed amendment to Section 46 comes into effect.

4. It may be noted that the aforementioned changes would be a distinct departure from the present legal provision that allows the filing of a BE even after the arrival of the vessel/aircraft/vehicle. Therefore, the Trade/Customs Brokers etc. are advised to be

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ready for the change, which would come into force shortly with the enactment of the Finance Bill, 2021. Board would shortly issue a detailed clarificatory circular on the subject, once the Finance Bill, 2021 is enacted.

5. Difficulties, if any, faced in implementation of this Public Notice may be brought to the notice of the undersigned.

K. Venkat Ram Reddy 30/3/2021
(K. VENKAT RAM REDDY)
COMMISSIONER

To

1. Notice Board of the Concerned Customs Formations
2. Copy submitted to the Chief Commissioner of Customs & Central Tax, Visakhapatnam Zone, GST Bhavan, Port Area, Visakhapatnam – 530 035 for information

Copy to :

1. The Additional Commissioner of Customs, Krishnapatnam Custom House, KAPS Building, CVR Complex, Krishnapatnam Port Area, Gopalapuram, MUTHUKURU – 524 344, S. P. S.R. Nellore District for information with a direction to give wide publicity among the stakeholders under the jurisdiction KPCH.
2. The Additional Commissioner of Customs, Kakinada Custom House, Port Road, KAKINADA – 533 007, East Godavari District for information with a direction to give wide publicity among the stakeholders under the jurisdiction KKDCH.
3. The Deputy / Assistant Commissioner of Customs, ICD, MARRIPALEM – 522 233, Yedlapadu Mandalam, Marripalem Post, Guntur District for information with a direction to give wide publicity among the stakeholders under the jurisdiction of ICD, Marripalem.
4. The Deputy / Assistant Commissioner of Customs, Customs Division, Visakhapatnam / Kakinada / Tirupati for information with a request to display this Public Notice on the Notice Boards of concerned Customs Division.
5. Copy to Superintendent (Computers), CPC, Hqrs. Office, Vijayawada for display on CPC, Vijayawada website www.apcustoms.gov.in.
6. Copy to M/s. Krishnapatnam Port Company Limited (KPCL), the Custodian / Custom Cargo Service Provider of Krishnapatnam Port, Muthukur, SPSR Nellore District for information with a request to upload this Public Notice on their website for the knowledge of the stakeholders and public.
7. Copy to M/s. Kakinada Sea Ports Limited, the Custodian / Custom Cargo Service Provider of Kakinada Port, Kakinada, East Godavari District for information with a request to upload this Public Notice on their website for the knowledge of the stakeholders and public.
8. Copy to M/s. Leap International Private Limited, the Custodian / Custom Cargo Service Provider of ICD, Marripalem – 522

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- 522233, Yedlapadu Mandalam, Marripalem Post, Guntur District for information with a request to upload this Public Notice on their website for the knowledge of the stakeholders and public.
9. Copy to The Kakinada Custom Brokers Association, Kakinada (through the Joint Commissioner of Customs, Custom House, Kakinada) for information with a request to upload this Public Notice on their website for the knowledge of their members and public.
 10. Notice Board.