



**OFFICE OF THE COMMISSIONER OF CUSTOMS(PREVENTIVE)
55-17-3, C-14, 2nd Floor, Road No.2, Industrial Estate, Autonagar,
Vijayawada - 520 007**

Phone : 0866-2551261

Fax : 0866-2551156

Date: 10.08.2021

PUBLIC NOTICE No.14/2021 - CUSTOMS

**Sub: Sea Cargo Manifest and Transhipment (Fifth Amendment)
Regulations, 2021- reg.**

Attention of all Importers, Exporters, Customs Brokers, Shipping Lines/Agents, Custodians/Customs Cargo Service Providers, Port Terminal Operators, General Trade / Trade Associations / Chamber of Commerce and all other stakeholders & the Public, coming under the jurisdiction of Commissionerate of Customs (Preventive), Vijayawada, Exporters, Customs Brokers and other stakeholders is invited to the CBIC Notification No. 61/2021-Customs (N.T.) dated 23.07.2021 issued on the above subject. The said regulations are furnished hereunder for information and compliance

In exercise of the powers conferred by section 157, read with sections 30, 30A, 41, 41A, 53, 54, 56, sub-section (3) of section 98 and sub-section (2) of section 158 of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes and Customs hereby makes the following regulations further to amend the Sea Cargo Manifest and Transhipment Regulations, 2018, namely: -

1. Short title and commencement. - (1) These regulations may be called the Sea Cargo Manifest and Transhipment (Fifth Amendment) Regulations, 2021.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Sea Cargo Manifest and Transhipment Regulations, 2018 (hereinafter referred to as the said regulations), in regulation 3,-

(a) for sub-regulation (2), the following sub-regulations shall be substituted, namely:-

“(2) Where the Jurisdictional Commissioner of Customs is satisfied with the information provided by the applicant in the Form-I, he shall register such applicant for transacting business under these regulations”;

(b) for sub-regulation (4), the following sub-regulation shall be substituted, namely: -

C. No. VIII/48/169/2021-Cus.Tech

“(4) The registration shall be valid unless and until revoked in terms of the provisions under regulation 3A or regulation 11:

Provided that the registration of the authorized carrier shall be deemed invalid if the authorised carrier is found to be inactive for a period of one year.

Explanation.- The term ‘inactive’ refers to an authorized carrier who does not transact any business pertaining to Customs during a period of one year, excluding the period for which registration has been suspended under regulation 11.”;

(c) after sub-regulation (5), the following sub-regulation shall be inserted, namely: -

“(5) Subject to the provisions of sub- regulation (1A), the Jurisdictional Commissioner of Customs may, on an application made by the authorized carrier in Form IA, after the registration has been deemed invalid under sub regulation (4), renew the registration from the date of expiration, after satisfying himself that the applicant is otherwise eligible for registration under this regulation within one month of the date of receipt of the application”.

3. In the said regulations, after regulation 3, the following regulation shall be inserted, namely:-

“3A. Surrender of registration.- (1) An authorized carrier may surrender his registration issued under regulation 3 through a written request to the Jurisdictional Commissioner of Customs.

(2) On receipt of the request under sub-regulation (1), the Jurisdictional Commissioner of Customs may revoke the registration, if, -

- (a) the authorized carrier has paid all dues payable to the Central Government under the provisions of the Act, rules or regulations made thereunder; and
- (b) no proceedings are pending against the authorized carrier under the Act, rules or regulations made thereunder”.

4. In the said regulations, in regulation 11, for sub-regulation (2), the following sub-regulation shall be substituted, namely: -

“(2) The Commissioner of Customs may, subject to the provisions of regulation 12, suspend the operations of such authorized carrier in his jurisdiction by an order, for reason to be recorded in writing, on any of the following grounds, namely: —

- (a) failure to comply with any of the provisions of these regulations, within his jurisdiction or anywhere else;
- (b) failure to comply with any of the conditions of the bond executed by him under

C. No. VIII/48/169/2021-Cus.Tech

these regulations;

- (c) any misconduct, within his jurisdiction, which in the opinion of the Commissioner of Customs renders him unfit to transact any business in the Customs Station;
- (d) adjudicated as an insolvent;
- (e) of unsound mind;
- (f) convicted by a competent court for an offence involving moral turpitude or otherwise”.

5. In the said regulations, in regulation 12, for sub-regulation (5), the following sub-regulation shall be substituted, namely: -

“(5) At the conclusion of the inquiry, the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, shall prepare the report of inquiry and after recording his findings thereon, submit the report within a period of ninety days from the date of issue of a notice under sub-regulation (1)”.

6. In the said regulations, after Form I, the following Form shall be inserted namely :-

“FORM - IA

[See regulation 3 (5)]

Application by authorized carrier to renew registration

To,
The Commissioner of Customs
Custom House

Sl. No.	Particulars	Remarks
1	Name of the authorized carrier with details of PAN	
2	Full address of the authorized carrier	
3	Custom House of issue	
4	Has the applicant paid all dues payable to the Central Government under the provisions of the Customs Act, 1962 (52 of 1962), rules or Regulations made thereunder? (Yes/No)	
5	Whether bond and furnishing of security executed, if applicable is still active? (Yes/No)	
6	Is there a change in the name and Permanent Account Numbers (PAN) of partner/partners or	(Yes/No)

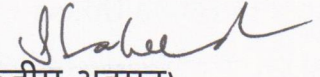
C. No. VIII/48/169/2021-Cus.Tech

	director/directors who will actually be engaged in the work as authorized carrier, in case the applicant is a firm or a company? If Yes, Provide the details:	
7	Reason for renewal	
	Declaration:	
a	I have working knowledge of English/local language (.....)/Hindi.	
b	The firm or company by whom the undersigned is employed have earlier held an authorized carrier registration under the Sea Cargo Manifest Transshipment Regulations, 2018 and not cancelled or suspended	
c	The details of cases booked under the provisions of the Customs Act, 1962 (52 of 1962) against the applicant/the person proposed to be employed by the applicant	

I/We hereby affirm that I/we have read the Sea Cargo Manifest Transshipment Regulations, 2018 and agree to abide by them.

Date : **Signature of applicant”.**

7. Action to be taken in terms of decisions taken on this public notice should be considered as standing order for the purpose of officers and staff.


 (एस. फ़हीम अहमद)
 (S.FAHEEM AHMED)
 प्रधान आयुक्त
 PRINCIPAL 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.

C. No. VIII/48/169/2021-Cus.Tech

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, ICD, Reddypalem for information with a direction to give wide publicity among the stakeholders under the jurisdiction of ICD, Reddypalem.
5. 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.
6. Copy to Superintendent (Computers), CPC, Hqrs. Office, Vijayawada for display on CPC, Vijayawada website www.apcustoms.gov.in.
7. 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.
8. 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.
9. Copy to M/s. Leap International Private Limited, the Custodian / Custom Cargo Service Provider of ICD, Marripalem– 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.
10. 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.
11. Notice Board.