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PUBLIC NOTICE NO.19/2019-Customs

Sub : Reduction of Time Gap Between Berthing of Vessel and Entry Inwards
- Reg.

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Representations have been received from trade with regard to advance grant of entry inwards to Reduce of Time Gap between Berthing of Vessel and Entry Inwards. Public Notices issued at JNCH, Mundra Port and Chennai Port on the said subject were examined.

2. Attention of all the Importers, Exporters, Customs Brokers, Steamer Agents, Custodians/Customs Cargo Service Providers, Trade Associations / Chamber of Commerce, Members of the RAC/PGC and the Public is invited to Section 30 (delivery of Import Manifest) and Section 31 (Imported goods not to be unloaded from vessel until entry inwards granted) of the Customs Act, 1962. For the sake of reference, Section 30 & 31 of Customs Act, 1962 are reproduced below:-

SECTION 30. *"Delivery of arrival manifest, import manifest or import report.-*

(1) *The person-in-charge of -*

- (i) *a vessel; or*
- (ii) *an aircraft; or*
- (iii) *a vehicle,*

carrying imported goods or export goods or any other person as may be specified by the Central Government, by notification in the Official Gazette, in this behalf shall, in the case of a vessel or an aircraft, deliver to the proper officer an arrival manifest or import manifest by presenting electronically prior to the arrival of the vessel or the aircraft, as the case may be, and in the case of a vehicle, an import report within twelve hours after its arrival in the customs station, in the such form and manner as may be prescribed and if the arrival manifest, import manifest or the import report or any part thereof, is not delivered to the proper officer within the time specified in this sub-section and if the proper officer is satisfied that there

was no sufficient cause for such delay, the person-in-charge or any other person referred to in this sub-section, who caused such delay, shall be liable to a penalty not exceeding fifty thousand rupees;

Provided that the Principal Commissioner of Customs or Commissioner of Customs may, in cases where it is not feasible to deliver arrival manifest or import manifest by presenting electronically, allow the same to be delivered in any other manner.

(2) The person delivering the arrival manifest or import manifest or import report shall at the foot thereof make and subscribe to a declaration as to the truth of its contents.

(3) If the proper officer is satisfied that the arrival manifest or import manifest or import report is in any way incorrect or incomplete, and that there was no fraudulent intention, he may permit it to be amended or supplemented.”

Section 31 read as:

SECTION 31. Imported goods not to be unloaded from vessel until entry inwards granted –

(1) The master of a vessel shall not permit the unloading of any imported goods until an order has been given by the proper officer granting entry inwards to such vessel.

(2) No order under sub-section (1) shall be given until an arrival manifest or import manifest has been delivered or the proper officer is satisfied that there was sufficient cause for not delivering it.

(3) Nothing in this section shall apply to the unloading of baggage accompanying a passenger or a member of the crew, mail bags, animals, perishable goods and hazardous goods.

3. On a conjoint reading of Sections 30 and 31 of Customs Act, 1962, it is clear that the Master of the vessel shall not permit unloading of the goods until an order is given by the Proper Officer granting “Entry Inwards” to such vessel. The Customs Act, 1962 provides for filing of a B/E prior to arrival/import to ensure the documentation / procedure is completed well in advance so that the clearance of goods can be expedited.

4. Representations have been received that there is a time gap between the berthing of vessel and commencement of vessel operation (unloading of cargo), as the Entry Inwards is granted only after the completion of Boarding formalities by the Boarding Officer. It is also represented that Entry Inward may be granted in advance to the berthing vessels at the time of boarding of the pilot in the vessel at the anchorage to eliminate the time gap between the berthing of the vessel and commencement of operations of the vessel. As per the extant procedure, the Entry Inwards is granted by the Boarding Officer after completion of boarding formalities.

5. The matter was examined and in order to expedite the grant of Entry Inward, it has been decided to delink grant of Entry Inwards with the physical act of boarding the vessel by the boarding officer. As soon as the message is received regarding the reporting of the vessel at the 'Pilot Station'/'Boarding of the Pilot' by the 'Port Control Room' KPCL / KSPL from the Master of the vessel and after recording the same in their (KPCL/KSPL) log books and the Vessel Traffic Services (VTYS), the same shall be communicated to the Customs Boarding officer about the arrival of the vessel. There shall be an automatic message flow/exchange or an e-mail by the 'Port Control Room' to the Customs Boarding Office informing the arrival / reporting the vessel giving the relevant details of vessel which are required for grant of Entry Inwards. Further, when the Shipping Lines / Shipping Agents inform the port authorities of the arrival of the vessel, they should also simultaneously inform Customs Boarding Office with relevant details. On receipt of message / documents and information from Port Control Room / Pilot Station, the boarding officer shall grant entry inward without any delay and the time of giving entry inwards is the time of arrival of vessel. The officers at Port Control Room /Pilot Station and Boarding Officers should maintain a log of exchange of information.

6. As per the above procedure, the event of 'Entry Inwards' will be advanced to the point of reporting of the vessel at the 'Pilot Station'/'Boarding of the Pilot'. The process of arrival of vessel and the clearance of imported goods is also likely to be advanced. Hence, it enables the vessels to discharge immediately after berthing.

7. The Boarding Officer shall complete the Boarding formalities like verifying of relevant documents and carrying out necessary checks **immediately** after arrival of vessel; and will take necessary action for any variation / shortcomings / mis-declaration, if any, irrespective of the fact that Entry Inward has already been granted in the EDI System.

8. Further in any case, the relevant rate and duty will be governed by Section 15 of Customs Act, 1962.

Any difficulties experienced in this regard may be brought to the notice of the undersigned immediately.



(एस. फ़हीम अहमद)
(S.FAHEEM AHMED)

प्रधान आयुक्त
PRINCIPAL COMMISSIONER

To
All the Exporters / Customs Brokers Agencies / Customs Brokers Licensees / Customs Brokers Associations under the jurisdiction of Customs Commissionerate (Preventive), Vijayawada through Additional Commissioner of Customs, Krishnapatnam Custom House / Joint Commissioner of Customs, Kakinada Custom House and Deputy / Assistant Commissioner of Customs, ICD Marripalem.

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.
2. The Joint Commissioner of Customs, Kakinada Custom House, Port Road, **Kakinada – 533 007** East Godavari District for information.
3. The Assistant Commissioner of Customs, ICD **Marripalem – 522 233**, Guntur District for information.
4. The Deputy / Assistant Commissioner of Customs, Customs Division, Visakhapatnam / Kakinada / Tirupathi for information.
5. The Deputy / Assistant Commissioner of Customs, Hqrs.Trade Facilitation Centre, Hqrs.Office, CC(P), Vijayawada for information.
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.
7. Copy to M/s. Kakinada Sea Ports Limited, the Custodian / Custom Cargo Service Provider of Kakinada Port, Kakinada, for information.
8. Copy to M/s. Leaap International Private Limited, the Custodian / Custom Cargo Service Provider of ICD Marripalem, Guntur (Through Deputy / Assistant Commissioner of Customs, ICD Marripalem, Guntur) for information.
9. Copy to Superintendent (Computers), CC(P) Hqrs. Office, Vijayawada for display on CC(P) Vijayawada website www.apcustoms.gov.in.
10. Notice Board.

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