



ICS CARGO

GENERAL PROVISIONS ABOUT CUSTOMS PROCEDURES

Goods are imported in India or exported from India through sea, air or land. Goods can come through post parcel or as baggage with passengers. Procedures naturally vary depending on mode of import or export. Procedures discussed in this are applicable for imports by sea, air or land, but not as baggage or postal dispatch.

Basic document is 'Entry'	Entry' in relation to goods means entry made in Bill of Entry, Shipping Bill or Bill of Export. In case of import by label or declaration accompanying goods is 'entry'
Loading and unloading at specified places only	Imported goods can be unloaded only at specified places. Goods can be exported only from specified places.
Computerization of customs procedures	Customs procedures are largely computerized. Most of the documents have to be e-filed.
Amendment to documents	Documents submitted to customs can be amended with permission In case of bill of entry, shipping bill or bill of export; it can be amended after clearance only on the basis of documentary evidence which was in existence at the time the goods were cleared, warehoused or exported, and not on basis of any subsequent document. [Proviso to section 149].
ICD and CFS	Import and export goods are usually handled in containers. These can be stored in Inland Container Depot (ICD) or Container Freight Station (CFS). They function like dry port for handling and temporary storage of import/export goods and empty containers.
Boat Notes	'Boat Notes' are used for transferring small cargo from ship to shore, or from shore to ship, without berthing the ship.
Transshipment of goods	Goods can be transshipped from one conveyance to other after following required procedure. Such transshipment may be to any major port or airport in India. The goods can be transshipped to any other customs station in India if Customs Officer is satisfied that the goods are <i>bona fide</i> intended for transshipment to any customs station. The facility is available at all customs ports and Inland Container Depots (ICDs).
Coastal goods	Procedures have been prescribed for coastal goods, even if there is neither import nor export.



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IMPORT PROCEDURES

e-filing of documents	Goods should arrive at customs port/airport only. Most of customs procedures are computerized. E-filing of documents is required.
Import manifest or Import Report	'Person in charge of conveyance' is required to submit Import Manifest or Import Report.
Entry Inwards	Goods can be unloaded only after grant of 'Entry Inwards'.
Risk Management System	Self-Assessment on basis of 'Risk Management System' (RMS) has been introduced in respect of specified goods and importers.
Bill of Entry for home consumption on payment of customs duty	Importer has to submit Bill of Entry giving details of goods being imported, along with required documents. Electronic submission of documents is done in major ports. White Bill of Entry is for home consumption. Imported goods are cleared on payment of customs duty.
Bill of Entry for warehousing	Yellow Bill of Entry is for warehousing. It is also termed as 'into bond Bill of Entry' as bond is executed. Duty is not paid and imported goods are transferred to warehouse where these are stored. Green Bill of Entry is for clearance from warehouse on payment of customs duty. It is for ex-bond clearance.
Noting, examination and assessment	Bill of Entry is noted, Goods are assessed to duty, examined and pre-audit is carried out. Customs duty is paid after assessment.
Bond	Bond is executed if required if assessment is provisional (PD bond) or concessional rate of customs duty is subject to certain post import conditions.
Out of customs charge order	Goods can be cleared outside port after 'Out of Customs Charge' order is issued by customs officer. After that, port dues, demurrage and other charges are paid and goods are cleared.
Demurrage if clearance from port delayed	Demurrage is payable if goods are not cleared from port/airport within three days. Goods can be disposed of if not cleared from port within 30 days.

EXPORT PROCEDURES

Entry Outward	Loading in conveyance can start after 'Entry Outward' is given by customs officer.
Export manifest/Export report	Person in charge of conveyance is required to submit 'Export Manifest' or 'Export Report'.
Registration with DGFT and EPC	Exporter has to be obtain IEC number from DGFT in advance. He should be registered with Export Promotion Council if he intends to claim export benefits.
Third party exports	Export can be by manufacturer himself or third party (i.e. by exporter on behalf of another). Merchant exporter means a person engaged in trading activity and exporting or intending to export goods [para 9.40 of FTP]
Registration of documents under Export Promotion Scheme	Advance authorization, DEPB etc. should be registered if exports are under Export Promotion Scheme.
Shipping Bill	Export is required to submit Shipping Bill with required documents for obtaining permission to export. There are five forms : (a) Shipping Bill for export of goods under claim for duty drawback - these should be in Green colour (b) Shipping Bill for export of dutiable goods - this should be yellow colour (c) Shipping bill for export of duty free goods - it should be white colour (d) shipping bill for export of duty free goods ex-bond - i.e. from bonded store room - it should be pink colour (e) Shipping Bill for export under DEPB scheme - Blue colour.
FEMA formalities	GR/SDF/Softex form (under FEMA) is required to be submitted.
Noting, assessment, examination	The shipping bill is noted, goods are assessed and examined. Export duty is paid, if applicable.
Certification of documents for export incentives	If export is under export incentives, relevant documents are checked and certified. Then proof of export is obtained on ARE-1.
Let export order	Conveyance can leave only after 'Let Export' order is issued.