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Subject: - Reduction of time gap between berthing of vessel and entry inwards.

Attention of all Exporters, Importers, Customs House Agents, Members of Trade and all the stakeholders is invited to the 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. Deliveries of 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 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 import manifest 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 prescribed form and if the 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:-

(a) in the case of a vessel or an aircraft, any such manifest may be delivered to the proper officer before the arrival of the vessel or aircraft;

(b) if the proper officer is satisfied that there was sufficient cause for not delivering the import manifest or import report or any part thereof within the time specified in this sub-section, he may accept it at any time thereafter.

(2) The person delivering the 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 import manifests 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. 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 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.

2. Thus, on a co-joint reading of sections 30 & 31, it is clear that the vessel can start unloading the goods only after an order/permission/permit led "Entry Inward" is granted by the Customs following submission by the Master or Shipping Agent of the import manifest containing details of the cargo on board the vessel.

3. The customs Act provides for filing of IGM in advance of vessel's arrival (Advance IGM). It also provides for filing of a B/E prior to arrival/import of goods. These measures are aimed at ensuring that the documentation etc. is completed well in advance so that the clearance of goods can be expedited. It has been represented that there is a time gap between the berthing of vessel and commencement of vessel operation (unloading of cargo), as per the Entry Inwards is granted only after completion of the Boarding formalities by the Boarding Officer.

4. In order to expedite the grant of Entry Inward, it has been decided that to de-link Entry Inwards with the physical act of Boarding Officer boarding the vessel and then granting Entry Inwards in the system. Therefore, Boarding Officer shall ensure that a system is devised so that on receipt of the message regarding the reporting of the vessel at the Pilot Station /Boarding of the Pilot by the 'Port Control Room 'Marine Department, Kandla Port Trust from the Master of the vessel and recording of the same in their log books and the Vessel Traffic Services (VTS), there should be an automatic message flow/exchange or an e-mail by the 'Port Control Room' to the Customs Boarding of the Pilot giving the relevant details vessel required for grant of Entry Inwards. Further when the Shipping Line /Shipping Agent inform the port authorities of the arrival of the vessel, they should also simultaneously

Vessel Traffic Services (VTS), there should be an automatic message flow/exchange or an e-mail by the 'Port Control Room' to the Customs Boarding of the Pilot giving the relevant details vessel required for grant of Entry Inwards. Further when the Shipping Line /Shipping Agent inform the port authorities of the arrival of the vessel, they should also simultaneously inform Custom Boarding Office with relevant details. This would enable the Customs Officers to grant Entry inwards when the vessel reports at the "Pilot Station"/ Boarding of the Pilot.

5. Port authorities /Shipping Agent are required to inform the Boarding Officer about the arrival of the vessel at the Pilot Station along with the requisite details for grant of 'Entry Inwards'. Customs Boarding Office will grant the 'Entry Inwards' at the time of reporting of the vessel at the 'Pilot Station /Boarding of the Pilot'.

6. As per the above procedure, the event of 'Entry Inwards' will be advanced /pre-poned to the point of reporting of the vessel at the 'Pilot Station/Boarding of the Pilot' the event of Entry Inwards in the process of arrival of vessel and clearance of imported goods is likely to be pre-poned by around 4 hours. Thus, the vessels can start discharging immediately after berthing.

7. The Boarding officer shall complete the Boarding formalities (i.e. verify the relevant documents and carry out necessary checks) immediately after arrival of vessel and will take necessary action for any various /shortcomings/mis-declaration, if any irrespective of the fact that Entry Inward has already been granted in the system.

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

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प्रधान आयुक्त
कस्टम हाउस कांडला

F.No. /20--230/AG/2016 -17

Date- 05.01.2017

Copy to

1. The Chief Commissioner of Customs, Gujarat Zone, Ahmedabad.
2. The Principal Commissioner of Customs, CH Mundra.
3. The Development Commissioner, KASEZ, Gandhidham.
4. All Additional / Joint Commissioners of Customs, CH Kandla.
5. All Deputy/ Assistant Commissioner of Customs, CH Kandla.
6. The President, Kandla Custom House Agents' Association, Gandhidham Chamber Of Commerce & Industry Building, Plot No.71, Sector No.8, 2Nd Floor, Room No.7, Gandhidham.

7. The President, Kandla Port Steamship Agents Association, No. 5, Chambers Bhawan, 2nd Floor, Sector 8, Plot No.71, Gandhidham.
8. The Gandhidham Chamber of Commerce & Industries, Plot No.71, Sector No.8, 2Nd Floor, Gandhidham.
9. The Chairman, KPT, Business Development Cell, P.O. Box 50, Administrative Building, Gandhidham.
10. The President, Kandla Timber association, "Timber Bhavan" Plot No. - 47, Sector-8, Gandhidham
11. The President, Kandla Liquid Tank Terminal Association, Maitri Bhavan, Opp. Post Office, Plot No. 18, Sector- I, Gandhidham.
12. The EDI Section, for uploading on Commissionerate's Website.
13. Notice Board