



सत्यमेव जयते
भारत सरकार

GOVERNMENT OF INDIA

वित्त मंत्रालय, राजस्व विभाग

MINISTRY OF FINANCE, DEPARTMENT OF REVENUE

सीमाशुल्कआयुक्तकाकार्यालय

नवसीमाशुल्कभवन, पणबूर, मंगलूर-५७५०१०

OFFICE OF THE COMMISSIONER OF CUSTOMS

NEW CUSTOMS HOUSE, PANAMBUR, MANGALURU – 575 010

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DIN: 20211272MQ00000F0A1

Dated: 29.12.2021

PUBLIC NOTICE NO. 42/2021

Sub: - Customs- Drawbacks – pending due to query reply from exporter and EGM not filed cases - Reg.

Attention is invited to this Office Public Notice No.33/2020 dated 23.09.2020 on various measures initiated to liquidate pendency of drawback claims in different categories.

2. Continuing with the various trade facilitation measures initiated by this Office, it has now been decided that all pending Drawback claims shall be expeditiously processed to provide immediate relief to the business entities.

3. The pendency position of drawback claims in various queues under EDI System as on 30.11.2021 is as given below:

Current Queue	Reason for pendency	Total DBK Shipping Bills
Exporter	Non-submission of reply by the exporters to the Query Raised	100
EGM	Non-filing of EGM within the timeframe stipulated	632
EGM error	Non-rectification and non-filing of application for correcting of EGM errors by the Shipping Lines/Exporters	62

4. Given the above, the following measures are being initiated to liquidate pendency of drawback Claims in various categories mentioned above:

- (i) **Claims pending on account of non-receipt of reply to the queries raised:** Several queries are raised by the Drawback

officers in respect of the drawback claims filed by the exporter and they are sent to the exporters' query menu for their response/reply. On scrutiny of the queries raised, if any, reasonable doubt is entertained regarding the genuineness of the exporter and exported goods and if any such investigations are pending against them then those exporters may be placed under intensive surveillance. Such a list of exporters may be sent to the SIIB for further probe into the relevant details to safeguard the interest of revenue. Further, a detailed list of S/Bills in which queries have been raised and drawback claims are pending for submission of replies from the exporters as on 30.11.2021 has been posted on the Mangalore Customs Commissionerate website. The Assistant Commissioner in charge of Drawback section along with other officers posted in the section are directed to complete the scrutiny of queries with a view to ensure that the drawback claims are disposed of expeditiously and as a one- time measure to clear the pending drawback claims (Queries raised up to 30th November, 2021) on priority basis, all the concerned Exporters/ Customs House Agents, are hereby requested to submit the replies to the queries latest by 14-01-2022. If no reply is received by 14-01-2022, the Proper Officer shall process/ decide such drawback Claims on the basis of available records without any further reference to the exporters concerned. Subsequently, for such cases, the exporters may file supplementary claims as per extant provision of Law and Rules made there under.

(ii) **EGM not filed and EGM Errors**: On account of EGM errors, the pace of processing of Drawback claims gets substantially affected. While feeding the stuffing report or while filing the EGM, the details of the container number, rotation number and loading number etc. may get wrongly entered and these are called EGM errors.

a. The errors that frequently occur belong to the **N, C** and **L** types. The application for rectifying these and such other errors has to be filed with the AC/DC (EGM). The AC/DC will approve the rectification of errors on being satisfied with the veracity and genuineness of the errors. Keeping in view the workload of the AC/DC, it is hereby decided to delegate the power of approving the errors to the officer of Superintendent cadre posted in the EGM. However, the AC/DC will conduct a random percentage check of the errors so approved by the Superintendent to effectively monitor that the rectifications are done properly and correctly.

b. The EGM has to be filed within seven days of shipment of the containers/cargo by the shipping lines. If the EGM is not filed in time then they cannot be entered into the system and thus the error of EGM NOT FILED automatically pops up in the EDI system.

In case of EGM not filed for the old period, the EGM has to be now filed in the EDI.

c. It is a Known fact that Shipping Lines have the knowledge of EGM errors in case of EGM filed by them through pre and a final checklist. It is the responsibility of the Shipping line to rectify the EGM errors within 48 hours of the filing of the EGM for which they have to approach the AC/DC in-charge of EGM Section and get the EGM errors rectified as per the laid down procedure. Hence, it has been decided that the shipping bills pending under EGM NOT FILED and EGM ERRORS categories will be processed on merit, subject to production of BRC (wherever due) before 14.01.2022. The cases where BRC due is not produced and rest of the cases not attended shall be processed at zero drawback, without affecting the right of the exporter to claim the drawback amount by filing supplementary claim subsequently without any time bar.

d. Further, it is decided that if the EGM errors are not rectified within the stipulated time the EGM will be treated as not filed and the claims will be processed and disposed of at zero rates. Moreover, appropriate action also will be initiated against the shipping lines that habitually indulge in late and non-filing and non-reconciling of EGM errors under the provisions of the Customs Act, 1962 on case to case basis.

5. All such cases of pendency of query reply, non filing of EGM and EGM error pendency upto 30.11.2021 are uploaded in the Mangalore Customs Website (**www. <http://customsmangalore.gov.in>**) along with this Public Notice.
6. All the Exporters/Trade/CBs/Steamer Agents are requested to go through the uploaded details in the above website and to resolve the issue immediately.
7. Action to be taken in terms of decisions taken in this Public Notice should be considered as 'Standing Order' for the purpose of officers and staff.
8. In case of any difficulty, the specific issue may be brought to the notice of the Additional Commissioner of Customs, New Customs House, Panambur, Mangaluru in the office **mail: commr-cusmnglr@nic.in**.

(इमामुद्दिन अहमद/IMAMUDDIN AHMAD)
आयुक्त/ COMMISSIONER

To,
All concerned (as per mailing list)

Copy submitted to: The Chief Commissioner of Customs, Bengaluru Zone, for kind information.

Copy to the Assistant Commissioner/ Superintendent of Customs(Drawback/EGM), NCH, Mangaluru/Karwar, for necessary action.