

OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT)

JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA,

TAL. URAN, DIST. RAIGADH, MAHARASHTRA 400 707.

F.No.: S/12-Gen-87/09 DBK JNCH

Date: 13-11-2009

## Public Notice No. 87 /2009

Sub: Special measures for liquidation of Drawback claims pending on account of un-answered queries reg.

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It is for the information of all Exporters, Custom House Agents & the Trade that special measures are being taken to liquidate the pendency of drawback claims that are pending in the Exporters queue for submission of replies to the queries raised during the processing of the claims.

2. A large number of drawback claims are lying under **Query raised** from time to time since introduction of EDI System in 1998. These are technically not pending with the department and are shown pending with exporters for reply as per Rule 13(3) of the Drawback Rules 1995. In this connection the exporters and their associations in some instances have contended that the exporters are unable to reply to the queries as these are not communicated to them.

3. It is to mention that under the EDI system the drawback claims are processed online in paperless manner and queries are raised online. As per Para 18.9 of the Public Notice No.39/97 dated 12.11.97, the status of the Shipping bills and sanction of drawback claim under EDI System has to be ascertained from the service centre. A printout of the query/deficiency has to

be obtained from the service center and the replies to such queries shall be entered in the EDI system at the service center. There is no provision or practice under the EDI or Manual System to suo-motu intimate queries to the exporters through individual official letters. However, to facilitate the exporters in this regard a Drawback Help Desk was created vide Public Notice No. 47/2005 dated 27/09/2005 and vide [Public Notice No. 08/2007](#) and it was requested to make full use of this facility. Further, this office vide [Facility Notice No.10/08](#) dated 18.1.08 has introduced a system of automatic e-mail based response to enquiries made by the exporters regarding status of their drawback claims by using internet. Apart from [Facility Notice No.10/08](#), the procedure for availing this facility is also explained in the JNCH website [www.jawaharcustoms.gov.in](http://www.jawaharcustoms.gov.in). This facility can be accessed by anyone from anywhere anytime free of cost. The query status is also informed to the exporters on receipt of letters from them. In addition, this office has compiled a list of 12787 queries pending as on 30-06-2009 on a CD and the same is being forwarded to various exporters associations for circulation amongst their member exporters.

4. The exporters whose shipping bills are pending for want of replies to the queries raised as on 30-06-08 are requested to submit the replies latest by 31-12-2009. It has been decided to process such shipping bills pending under Query raised before 30-06-2008 on merit, subject to production of BRC and the cases where BRC is not produced at zero drawback, without affecting the right of the exporter to claim the drawback amount by filing supplementary claim subsequently within six months from the date of issue of this Public Notice.

5. All Public Notices / Standing Orders issued in this regard stand modified or aligned with this Public Notice.

6. Any difficulty faced in implementing this Public Notice may be brought to the notice of Addl./ Asstt.. Commissioner of Drawback Section, JNCH or the undersigned, if not resolved.

(B.K.SINHA)

Commissioner of Customs (Export)

To

All the Concerned.

Copy to:-

1. The Chief Commissioner of Customs, Mumbai Zone II.,
2. The Commissioner of Customs (Import), JNCH
3. All the Addl./Jt. Commissioner of Customs, JNCH
4. All the Trade Associations.
5. The Bombay Custom House Agents Association.