

OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT),

JAWAHARLAL NEHRU CUSTOM HOUSE

NHAVA SHEVA, TAL- URAN, DIST: RAIGAD

MAHARASHTRA 400707

F.No.S/12-GEN-57/2007-AM(X)

Date : 24. 4. 2007

PUBLIC NOTICE No. 16 /2007

Sub : International Transhipment of LCL Containers at Nhava Sheva Port - - - reg.

Attention of all importers/exporters /CHAs and general trade is invited to the [Boards Circular No: 14/2007- Cus.](#), dated 16th March, 2007 regarding international transhipment of Less than Container Load (LCL) cargo through four designated ports including Nhava Sheva port.

As per sub-section (2) of section 54 of the customs Act, 1962, transhipment of imported goods to any place outside India, shortly referred, as INTERNATIONAL TRANSHIPMENT is allowable. However, such transhipment facility is not allowed in respect of goods prohibited under section 11 of the Customs Act, 1962. Presently, international transhipment of imported goods in **Full Container Load (FCL)** is being permitted by the field formations. The Board has decided to introduce transhipment facility for imported goods in **Less than Container Load (LCL)** through four designated ports including Nhava Sheva port under the jurisdiction of Jawaharlal Nehru, Custom House, Sheva, Navi Mumbai.

To start with, the facility of international transhipment of LCL cargo would be provided at CWC, Container Freight Station, Dronagiri Node (hereinafter referred to as the custodian) which has been notified for the purpose vide Notification F.No S/12-Gen-57/2007-AM(X), dated 24.4.2007

issued by this office. This additional facility would also be a measure of trade facilitation and is expected to provide transshipment facility to international Shipping Lines/NVOCCs/Consolidators and enable Nhava Sheva port to act as international transshipment hub in the Indian Ocean region.

2. The following procedure shall be adopted on arrival of the International Transshipment (ITP) Containers of LCL cargo:-

- i) The application for international transshipment of LCL cargo through Nhava Sheva port may be made by the Master of vessel or his authorized agent/Non-Vessel Operating Common Carrier (NVOCC) or any other person, duly authorized in this behalf by the foreign supplier, to the Dy./ Asstt. Commissioner of Customs in charge of Import Noting. The Containers having ITP cargo shall be allowed to be offloaded only after filing of Import General Manifest (IGM) with Customs. The ITP

Container details such as Container number, broad description of goods

etc. shall be mentioned in the IGM. In the electronic IGM, there are fields for specifying (a) Port of Destination, and (b) Cargo Movement Code.

- ii) For cargo movement, there are three codes, which need to be filled correctly with proper port of destination. These are explained in detail as follows :-

1. **LC Local Cargo:** This refers to the port code where cargo is delivered. It is the same as the port of arrival.
2. **TC - Transshipment Cargo:** It refers to international transshipment cargo and the port of destination shall be port code where transshipment cargo is destined to be delivered.
3. **TI - Transshipment to ICD:** This is the local cargo meant for transshipment to hinterland port i.e. ICD. The port of destination is the Port Code of ICD.

As regards the electronic manifest message, there is a field to specify whether the cargo is FCL or LCL or EMPTY. This field is called Container Status. The line and the sub-line numbers provide the inter- linkage between the cargo details and the container details. Therefore, the existing EDI system, i.e. ICES, can be used for Customs documentation and processing by Nhava Sheva Customs.

- iii) The containers would be moved from the port terminal by the custodian, under custodian-cum-carrier bond filed by the custodian, and will be offloaded at the shed earmarked for the purpose and notified by this office.

- iv) The nominated Customs officer at the CFS, Dronagiri Node would examine the seal of the ITP Containers. In case of tampering of seal, such container should be immediately resealed with Customs Seal in the presence of custodian/Shipping Line agent/Consolidator and the fact and nature of tampering should be recorded in a custodians Register kept for the purpose. Such containers should be examined 100% by the Customs Officer and findings recorded thereof. Such cases will be put up to the AC/DC in charge of CWC, CFS Dronagiri Node for further action.

- v) The ITP container will be de-stuffed after cutting the seal. In case any variation with IGM details, damage or shortage of goods, absence of IGM/Item No, Marks No. etc. is noticed, the same should be recorded on the de-stuffing sheet and matter should be reported by the custodian to Customs / Shipping Lines / Consolidators forwarding therewith a copy of de-stuffing sheet.

The LCL cargo will be segregated as per Bill of Lading (BL) and each category of cargo i.e. Local Cargo (LC), Transshipment Cargo (TC) and ICD Transshipment cargo (TI) will be identified and separately stored in areas earmarked for each of them in the notified shed. A de-stuffing sheet for each container will be prepared by the custodian through their system and duly signed by the Customs officer, custodian and Shipping Line/Consolidator.

The Local Cargo (LC), meant for clearance at CWC, CFS, Dronagiri Node, will be cleared after submission of out of charge Bill of Entry (B/E) and Delivery order from the Shipping Line/Consolidator, as per existing Customs procedure for clearance of imported Goods.

- vi) The cargo meant for ICD (TI cargo) will be segregated ICD/CFS-wise and stuffed in the new container nominated by the Shipping Line/Consolidator. The custodian will prepare tally sheet and stuffing sheet showing details of TI cargo, the previous Container No., IGM/Item No, details of new container. The Shipping Line / Consolidator will file sub-IGM for TI cargo to be moved to nominated ICD/CFS with customs only after acceptance of sub-IGM by the Customs, the TI cargo will be re-stuffed. The sealed container after stuffing of TI cargo will be moved by Shipping Line/Consolidator as per procedure in vogue for consolidation of imported ICD cargo at the gateway port. For transshipment of re-stuffed TI cargo in the new container for different destinations (ICD/CFS), the

concerned shipping line/consolidator shall move the sealed container as per the provisions of the Goods Imported (Conditions of Transshipment) Regulations,1995 and notifications / Public Notices issued thereunder. After completion of Customs formalities and clearance of LCL (Import) cargo at the respective ICD/CFS, a copy of the sub-IGM will be sent back to the Customs authorities at Nhava Sheva for confirmation/closure of IGM.

- vii) Whenever transshipment cargo is required to be exported to the foreign destination, the Shipping Line / Consolidator shall file a stuffing request with AC/DC, CWC, CFS, Dronagiri Node. He shall also furnish the details of TC cargo including its IGM/ITP No. under which it had arrived. He would further furnish details of the domestic export cargo which is to be stuffed in the container along with TC cargo.

The ITP LCL cargo (TC cargo) meant for the foreign port would be forwarded from the designated shed meant for International Transshipment Cargo on the day of stuffing and be taken directly to the nominated container for re-stuffing purpose under the supervision of Customs officer. While forwarding the cargo for stuffing, the mark number and other details on the ITP/TC cargo will be tallied and the shifting will be done by the custodian, to ensure its secure stuffing in the nominated container along with domestic export cargo. The container after stuffing will be sealed in presence of Customs Officer. The custodian will move the sealed container to the port (JNPCT/NSICT/GTI) terminals as mentioned in the stuffing sheet under the custodian-cum-carrier bond of appropriate value filed by them for this purpose.

A tally sheet as per physical stuffing of cargo in container will be prepared by the custodian. The stuffing sheet will be generated by the custodian, from their system after completion of stuffing and sealing of container as per the procedure in vogue for stuffing/sealing of export containers at CFS.

All details will be entered in the system for each container carrying ITP cargo by the custodian, so as to ascertain receipt of ITP container, de-stuffing of its cargo, segregation of LC, TC and TI cargo, re-stuffing of ITP/TC cargo, despatch of ITP cargo to the port and TI cargo to the ICD/CFS and delivery of LC cargo, as and when required by customs.

- viii) The details of LCL ITP/TC cargo will also be entered in the Export General Manifest apart from those of domestic export cargo.
3. The custodian will maintain the record of TC, LC and TI cargo, both de-stuffed and stuffed, and submit a monthly summary to Customs. The custodian shall execute a general bond for an amount equal to the appropriate value of goods expected to be imported in 30 days for the purpose of international transshipment. In such bond, the custodian should undertake to export transshipment cargo within 30 days of the entry inwards of the importing vessel or within the extended period as Commissioner of Customs (Export), JNCH, Nhava Sheva may allow and follow all the relevant Acts, Rules and Regulations in force.
4. The custodian will be responsible for safe handling of the LCL Cargo. They will ensure that there is no intermixing of ITP LCL Cargo with other cargo except under the provisions of this Public Notice.
5. The permission for transshipment would not be given to cargo having arms, ammunitions, explosives and other cargo considered as constituting a threat to the security/safety and integrity of the country and other goods attracting prohibition under section 11 of the Customs Act, 1962. However, goods which are restricted as per the Foreign Trade Policy may be permitted for transshipment to destination abroad. Further transshipment shall not be allowed to any port/destination, in respect of which any order or prohibition is in force for the time being. The provisions of Section 48 relating to the procedure in case of goods not transhipped within 30 days after unloading shall apply to the goods meant for transshipment as these are covered under the scope of imported goods. The cargo of all the three categories viz. TC, LC and TI, if not transhipped, delivered, moved to designated ICD respectively within 30 days from landing at CFS will be treated as longstanding cargo. A list of such cargo will be prepared by the custodian and submitted to Customs. Notice will be issued to the Importer in case of LC and TI under intimation to Customs and Shipping Line/ Consolidator concerned for clearing the goods or else the same would be disposed of as per provisions of section 48 of Customs Act, 1962. In case of TI cargo the notice will be issued to the Shipping Line/Consolidator concerned under intimation to Customs for transshipment of cargo or else the same would be disposed off as per provisions of Customs Act,1962. The disposal will be

carried out and sale proceeds appropriated as per the existing procedure of Customs for disposal of imported goods.

6. This Public Notice comes into force with immediate effect.

7. Any difficulty faced by the trade regarding the above instructions, may be brought to the notice of department.

(SANJEEV BEHARI)

COMMISSIONER OF CUSTOMS (EXPORT)