

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: 16.04.2010

STANDING ORDER NO. 24 /2010

**Sub: Observance of Drawback Clearance Months from
 17th April to
 16th June 2010.**
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In pursuance to the directions from the Ministry this Custom House is observing Drawback Clearance Months from 17th April to 16th June, 2010 to liquidate the pendency of drawback claims. The pendency position of drawback claims in various queues under EDI System as on 16-04-2010 is as below :

Current Queue	Description	Total S/Bills
Brand	Brand rate fixation	19173
DBK-AC	With DBK AC	1613
DBK-Supdt.	With DBK Supdts.	27551
Exporter	Queries Raised	6073
Sample	Sample Drawn	777
EGM	EGM not filed	14864
EGM Error	EGM filed with errors	2902

Following measures are being initiated to liquidate pendency of drawback claims in various categories mentioned above :-

1. **Brand Rate Claims**

◆◆◆◆◆◆◆◆◆◆◆◆◆◆◆◆ The exporters who opted for brand rate are not coming forward with brand letters issued by Central Excise Commissionerate concerned. Under the Drawback Rules an exporter has to apply for brand rate fixation within 60 days of the export. Therefore, the Brand Rate claims which are pending for several years could be owing to not making of an application by the exporter for Brand Rate fixation or rejection of the application by the C.Excise authorities. In this regard the exporters are called upon to submit the Brand Rate letters from concerned Central Excise Commissionerate on or before◆◆◆◆◆◆◆◆◆◆◆◆◆◆◆◆ 15-05-2010.

2. **Claims under Query**

◆◆◆◆◆◆◆◆◆◆◆◆◆◆◆◆ 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.

◆◆◆◆◆◆◆◆◆◆◆◆◆◆◆◆ 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. 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 had compiled 12787 queries pending as on 30-06-2008, on CD and had forwarded to various exporters associations for circulation amongst their member exporters vide Public Notice No. 87/2009. It appears very few exporters responded to the Public Notice. There is a possibility that the cases which are pending for replies to queries for a long time could be owing to the exporters being fictitious/ non traceable or where export proceeds have not been realized.

(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

