

OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT)

JAWAHARLAL NEHRU CUSTOM HOUSE, SHEVA, DISTT. RAIGAD

MAHARASHTRA- 400 707

F.No.S/12-Gen-29/2008 AM(X) JNCH

Date : 17.09.2008

Standing Order No. 43/2008

Sub : Procedure for Back to Town (BTT) of full export cargo Asstt./Dy.

Commissioner as proper officer reg.

After the Shipping bill is filed, the cargo is examined / inspected and then the Let Export Order (LEO) is granted. In some cases, the Exporter/CHA wants to take back the cargo after granting LEO either before or after stuffing and either from the CFS itself or from the port. These kind of cases are called Full Back to town or Back to town (BTT) in short.

2. It has been observed that before permitting Full Back to town, the proposals for seeking approval for the same are being submitted to the concerned ADC/JC, although similar BTT in respect of the short-shipped cargo is being considered by AC/DC without such prior approval. The procedure prescribed for allowing BTT of the export cargo from CFS and Port as envisaged in Public Notice No.36/2004 dtd.08.07.2004 are reproduced hereunder :

2(A) From CFS to Town : The CHA/Exporter may request for back to town either before LEO is given or after LEO is given. For the cases where the request has come before LEO is given the AC/Exports may permit the request on paper and mark the shipping bill for examination. After examination report is given and if it is as per the declared cargo of S/Bill then the AC/Exports may use the option of cancellation of Shipping bill on his menu in ICES. For the cases where the request has come after LEO is given the AC/Exports may permit the request on paper and mark the S/Bill for examination. After examination report is given and if it is as per the declared cargo of S/Bill then the AC/export may cancel LEO as per the procedure mentioned in para No.13 of Public Notice No.39/97 dtd.12.11.97 enumerated in para 1B above. After cancelling LEO, then the AC/exports may use the option of cancellation of S/Bill on his menu in ICES. In case of back to town of part of cargo, quantity shall be amended similar to the case of short shipment and the S/Bill shall not be cancelled.

(B) From Port to CFS to town : The entire cargo covered by a S/Bill could not be loaded on to the destined vessel and the CHA/Exporter request for back to town. The Supdt. in the port area shall do the manual endorsement on the S/Bill about the request for BTT. The Shipping agent shall hand over the S/Bill and other documents to Exporter/CHA to process the request for back to town. The cargo shall move from port to CFS. The Exporter/CHA shall approach the Asstt./Dy.Commissioner of the concerned CFS for cancellation of LEO. The AC/Exports may permit the request on paper and mark the shipping bill for examination. After examination report is given and if it is as per the declared cargo of S/Bill then the AC/Export may cancel the LEO as per the procedure mentioned in para No.13 of Public Notice No.39/97 dtd.12.11.97. After canceling LEO, the AC/Exports may use first the option of shut out cargo on his menu in ICES and then shall use the option of cancellation of shipping bill on his menu in ICES.

3. Thus, the BTT can be granted after examination of the cargo in order to ensure that the cargo sought to be taken back to town is as per the declaration in the relevant S/Bill. It is found that invariably the exporter seeks BTT for export of the same cargo by Air; or in respect of perishable cargo on account of missing the previous vessel; or due to cancellation of order etc. In any case, once the exporter has decided not to export the cargo under the relevant S/Bill and sought BTT, it needs to be considered on priority, as the delay in granting BTT could lead to loss of export order and/or additional liability in the form of retention / shut out charges.



4. The above mentioned procedure does not envisage the need for prior approval of the ADC/JC for granting BTT, either in respect of a full consignment or a part of it due to short shipment. Moreover, once the cargo has been subjected to examination to ensure that the goods are as per the declaration in the Shipping bill and there is no malafide intention behind the request, BTT can be allowed by the concerned AC/DC.

5. It is necessary to subject the BTT for examination to ensure that the goods are as per the declaration in the S/Bill (in respect of description; RITC; Qty and value) as envisaged in the P.N.No.36/2004 dtd.08.07.2004. The observations of the officers who conducted the examination and their name as well as designation shall be recorded in the EDI system, for future reference.

6. The above procedure pertains to the BTT of the dock stuffed cargo. The existing procedure for granting BTT for factory stuffed containers and ICD stuffed containers, after verifying the condition & number of the containers and Bottle seals; and with the NOC of the concerned Central Excise / Customs Authorities, shall continue. However, it is clarified that there is no need for prior approval of the ADC/JC for granting BTT in respect of the factory / ICD stuffed export cargo too.

7. All the concerned officers are instructed to follow the above procedure scrupulously.



