

F. No.450/58/2015-Cus IV(Pt)

Government of India

Ministry of Finance Department of Revenue
(Central Board of Indirect Taxes & Customs)

Room No.227B, North Block,
New Delhi, dated the 30th June, 2021

To,

All Principal Chief Commissioners/ Chief Commissioners of Customs/ Customs (Preventive)
All Principal Chief Commissioners/ Chief Commissioners of Customs & Central tax,
All Principal Commissioners/ Commissioners of Customs/ Customs (Preventive),
All Principal Commissioners/ Commissioners of Customs & Central tax,
All Principal Director Generals/ Director Generals under CBIC.

Madam/Sir,

Subject: Implementation of the Sea Cargo Manifest and Transhipment Regulations.

Kind reference is invited to the Circular No. 43/2020- Customs dated 30th September 2021 on the implementation of Sea Cargo Manifest and Transhipment Regulations.

2. Sea Cargo Manifest and Transhipment Regulations (SCMTR), 2018, were notified vide Notification No.38/2018-Customs (N.T.) dated 11.05.2018. The SCMTR seek to bring about transparency, predictability of movement, advance collection of information for expeditious clearance and supersedes the earlier regulations viz. Import Manifest (Vessels) Regulations, 1971 and Export Manifest (Vessels) Regulation, 1976. The Regulations stipulate for advance notice by authorized carriers for goods arriving in or being exported out of India through gateway seaports and further movement between Customs stations. They stipulate the obligations, roles and responsibilities for the various stakeholders involved in movement of imported/export goods. Based on the feedbacks from the various stakeholders, the changes were incorporated and the said regulations was made effective from 1st of August, 2019 with transitional provisions under Regulation 15 till the 30th of September, 2020.

3. Considering the disruptions caused due to Covid-19 Pandemic and non-readiness of the stakeholders, Board has issued several notifications time to time and the last one being Notification No. 50/2021-Customs (N.T.) dated 31.05.2021, vide which the transitional provisions under Regulation 15(2) have been extended till 30th June 2021 to enable submission of manifests under erstwhile regulations.

4. During this period, to handhold the trade, Directorate General of Systems has taken numerous outreach activities for both trade and officers. Advisories (on steps for registration, new pan – India Bonds, Dissemination of Entity Type information, message testing and filing, reports and enquiries) and communications from time to time have been issued to the field officers for engaging the stakeholders in handholding exercises and keeping the trade abreast with the latest developments with regards to the implementation of SCMTR and for smooth transition to the SCMTR regime. Directorate General of Systems has also issued various guidelines/advisory related to the registration process and filing requirements under the Sea Cargo Manifest and Transhipment Regulations (SCMTR) for different stakeholders such as Shipping Lines, Freight Forwarders, Transhippers etc, who are integral to the implementation of the said regulations. The guidelines can be found at the following link (<https://www.icegate.gov.in/SeaManifestRegulation.html>). Directorate General of Systems has organized several webinar sessions with authorised carriers/agents, custodians, freight forwarders, console agents and other notified carriers. These outreach sessions were aimed at sensitizing them towards message filing requirement under SCMTR as per guidance and the formats available in ICEGATE.

5. Board has reviewed the progress of the adoption of the new formats/procedures by the stakeholders. While it is noticed that the registration of the entities and submission of National Bonds is almost complete, very few entities keep filing the declarations as stipulated in the SCMTR. The Adoption of new message formats by the stakeholders is approx. 22% in case of Sea Carriers, while it is 31% for the transhippers. It is also seen that, the filing in Export related messages is exceptionally low, compared to the import related messages. In this stage it may be appreciated that complete and error free details of containers and its movement during Stuffing and the transshipment will greatly facilitate filing of Export messages. On analysis, it is seen that 44% of custodian has adopted new messages and only 36% of Stuffing Report is being filed by custodian in new format. As the same is not being filed in the new format, this leading to difficulty in further integration.

6. To re-iterate, as elaborated in various outreach activities by the DG Systems, it has already operationalized to procedure to enable online filing of the electronic declaration at certain events by the custodians. This will enable reconciling the declarations filed by various carriers thus error-free. The above category known as ACU/ATOs and includes custodians of Container Freight Stations (CFS), Inland Container Depots (ICD) and seaports. These ACUs/ATOs are required to file the stuffing reports (SF) and stripping reports (ST). Stuffing and stripping reports are required to be filed electronically by the Custodians including Terminal Operators wherever the cargo is being segregated or stuffed in different containers. Stuffing (SF) and Stripping (ST) messages will be filed for every equipment (container) giving the PCINs (Primary Cargo Identification Numbers)/MCINs (Master Cargo Identification Numbers)

being stuffed into or stripped out of that container. Additionally, Custodians will also have to file notifications of actual time of arrival and departure of conveyance (ATE/ELR for Terminal Operators and AT/DT for other Custodians). The same has enabled on voluntary basis since March 2021 for migrating to the new procedure.

6.2. Further, to speed up the direct delivery process, The ATOs are required to electronically file the following details with Customs, namely

- i. Voyage Call Number (VCN), which is required to be the port on confirmation of voyage by the vessel in such port.
- ii. Actual Time of Arrival (ATE), which is required to be filed immediately on arrival at the current port of call.
- iii. Equipment Landed on Arrival (ELR), which is also required to be filed on details of the containers offloaded from the vessel.
- iv. Equipment Loaded at Departure (ELR), which is required to be filed on details of the containers loaded on to the vessel.
- v. Actual Time of Departure (ATE), which is required to be filed immediately after departure from the Indian port of call.

7. Since sufficient time has been provided for adoption on voluntary basis, Board has decided that following messages by the Custodian i.e., Stuffing Message (SF), ASR Filing, DP Filing and AR filing by the Custodians and VCN message by the Terminal Operators will be made mandatory w.e.f. 20th July 2021. The detailed guidelines and FAQs for different categories of stakeholders are available on ICEGATE (<https://www.icegate.gov.in/SeaManifestRegulation.html>) and may be kindly referred to.

8. Further, Board vide Customs Notification No. 56/2021 -Customs (N.T) dated 30.06.2021 has extended the transitional provisions of SCMTR till 31st July 2021 for to enable carriers continue mandatory filing on parallel basis.

9. The Principal Chief/Chief Commissioners of Customs are requested to issue Public Notices and guide the trade suitably to ensure smooth implementation of the Sea Cargo Manifest and Transhipment Regulations.

10. Any difficulties faced in the implementation of this Circular may please be brought to the notice of Board.

Yours faithfully,



(Manish Kumar Choudhary)
OSD (Customs-IV)