

The Bill of Entry (Electronic Declaration) Regulations, 1995

UNION OF INDIA

India

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Rule

THE-BILL-OF-ENTRY-ELECTRONIC-DECLARATION-REGULATIONS-1995 of 1995

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The Bill of Entry (Electronic Declaration) Regulations, 1995 Published vide Notification Gazette of India, Extraordinary, Part 2, Section 3(i), dated 5th October, 1995 (w.e.f. 5th October, 1995) G.S.R. 678 (E), dated 5th October, 1995. - In exercise of the powers conferred by Section 157, read with Section 46, of the Customs Act 1962 (52 of 1962), the Central Board of Excise and Customs hereby makes the following regulation, namely :-

1. Short title, extent and commencement.

(1) These regulations may be called the Bill of Entry (Electronic Declaration) Regulations, 1995. (2) They shall extend to goods imported by air at the Delhi Airport. (3) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these regulations, unless the context otherwise requires, -(a) "authorised person" means, -(i) a Custom House Agent who holds a permanent licence under the Custom House Agents Licensing Regulations, 1984 and is authorised by the Commissioner of Customs with a user identification; or (ii) an importer who holds a valid Import Export Code Number and is specially authorised by the Commissioner of Customs with a user identification for the purpose of obtaining clearance of goods imported by him; (b) "bill of entry" means the electronic declaration accepted and assigned with a number by the Customs Computer System for further processing; (c) "Commissioner of Customs" means the Commissioner of Customs, Delhi; (d) "electronic declaration" means the declaration of the particulars relating to the imported goods, lodged in the Customs Computer System, through the data-entry facility provided at the service centre or the data communication networking facility

provided by the National Informatics Centre, from the authorised person's computer;(e)"operator" means the person authorised by the Commissioner of Customs to receive Cargo Declaration from the authorised person at the service centre for making data entry;(f)"service centre" means the place specified by the Commissioner of Customs where data entry, for the purpose of lodgement of declaration or submission of any information, is carried out.

3.

The authorised person shall furnish for the purpose of clearance of the imported goods a cargo declaration, in the format set out in Appendix 'A' to these regulations and such other information as may be necessary for preparing an electronic declaration of the bill of entry, at the service centre.

4.

The cargo declaration with necessary supporting information shall be received by the operator at the service centre from 9.30 a.m. to 4.30 p.m. on all working days. Any declaration received after 4.30 p.m. shall be deemed to be received on the next working day :Provided that where the operator is not in a position to complete the data entry work in relation to a declaration received within the time stipulated, upto 5.30 p.m. on the date the declaration is submitted to the service centre, on account of invalid or incomplete information, the declaration shall be deemed to have been not presented on that day :Provided further that where the Commissioner of Customs considers it necessary, he may alter the time for receipt of data entry on a particular day or in general.

5.

Data entry shall be deemed to be complete when the option to lodge the electronic declaration in the Custom Computer System is exercised and the declaration is accepted by the System.

6.

Where the authorised person lodges the declaration from his premises using the data communication networking facility provided by the National Informatics Centre before 5.30 p.m. on any working day or the time as may be specified by the Commissioner of Customs, the declaration shall be deemed to be presented on that day provided that the electronic declaration is received by the Customs Computer System before the aforesaid time.

7.

The proper officer of Customs shall complete the assessment, in relation to the goods covered by the bill of entry, by using the Computer System.

8.

The authorised person shall, after the completion of assessment of the bill of entry, obtain three copies of the printout of the assessed bill of entry from the service centre or from his premises, as the case may be. Such person shall sign such copies of print-out, indicating his name and designation at the space provided for the purpose affirming the truth of the contents recorded on the assessed bill of entry. He shall thereafter present the same alongwith copies of challans evidencing payment of duty and other supporting import documents, in original, relating to the goods referred to in the bill of entry, for the examination of the said goods by the proper officer and for the issue of the order permitting clearance of the said goods for home consumption or warehousing.

9.

Where the proper officer decides to complete the assessment of a bill of entry after examination of the goods declared therein, the authorised person shall, on so directed by the proper officer, submit to the proper officer a duly signed print-out of the unassessed bill of entry, affirming the truth of the contents of the said bill of entry, alongwith the supporting import documents, in original, for examination of the goods covered in the bill of entry. The proper officer shall, after such examination, affix his signature and stamp on all the documents and return to the authorised person. As and when the assessment of the bill of entry is completed, the authorised person shall obtain a print-out of the assessed bill of entry and after deposit of duty at the specified Band, present the same alongwith all the relevant original documents as specified by the Commissioner of Customs to the proper officer for the purpose of issue of the order permitting clearance under Section 47 of the Customs Act, 1962.

10.

The authorised person shall obtain a declaration from the importer affirming the truth of the contents of documents relating to the imported goods sought to be cleared, in duplicate and shall present one copy in original to the proper officer at the time of submission of bill of entry and shall retain one copy with him for his records.

11.

The original print-out of the bill of entry shall be recorded by the proper officer and the duplicate and the triplicate print-out shall be returned to the importer. Appendix 'A' For data-entry only Cargo Declaration

Sl. No	Headings Data
1.	Importer Code
2.	CHA Code
3.	Port of Shipment

4. Country of Origin
5. Country of Consignment
6. IGM No. and Date
7. MAWB No. and Date
8. HAWB No. and Date
9. Marks and Nos.
10. No. of Packages
1. Gross Weight
2. Type of BE(H/W/X/S46/HS)
3. Category of Importer (G/P)
4. Green Channel (Y/N)
5. Invoice Details

—Number

—Date

—Value

—Currency Terms of Invoice (FOB/CIF/CI/CF)

—Freight Charges

—Insurance

—Other Charges

6. SVW

Loading(Y/N) _____

If Yes _____

— Ref No. _____

— Date _____

— Cust. House _____

— Loading on _____

— Assessable Value (A) _____

— Duty (D) _____

— Both (B) _____

— Percentage of Loading : _____

— Provisional (P/F) _____

or Final _____

7. Claim of Assessment

No. of items -In Invoices

General Desc. of Item

8. Under Section 48 (Y/N):If Yes: Reasons
for Delay:

9. Nature of
Transaction:Sale/Consignment/Hire/Gift/Others)

10. Terms of Payment :(LC/FOC/DP/SD/Others)

11. Conditions Attached with Sale (if any):

12. Are Buyer and Seller Related (Y/N) If Yes

(i) Relationship (ii) basis of Declared

Value (iii) Valuation Method Applicable:

Pl. Indicate Packing List Information on the invoice

i.e., Box number against each line item.

I enclose herewith the copies of following import documents. (1) Invoices (2) Packing List Note :

Where the invoice contains more than one unit of item and more than one description of Items Unit

Price of each item shall be furnished. Declaration I certify that aforesaid declaration, the documents

and the information contained therein is true and correct. Date : Signature : Name : CHA Stamp :