

F. No. 394/66/2016-Cus (AS)
Government of India
Ministry of Finance
Department of Revenue
Anti Smuggling Unit (CBEC)

Room No. 512, 5th Floor, Hudco Vishala Building,
R. K. Puram, New Delhi, dated 23.08.2016

To

All Principal Chief Commissioners / Chief Commissioners of Customs,
All Principal Chief Commissioners / Chief Commissioners of Customs (Preventive),
All Principal Chief Commissioners / Chief Commissioner of Customs & Central Excise,
All Director Generals of CBEC

Sub:- Boarding and Rummaging of vessels, aircrafts and vehicles - reg.

Madam/Sir,

References have been received in the Board alleging lackadaisical approach of Customs officers in rummaging and examination of vessels which come to berth at various Indian ports. The references also allege illegal gratification in the form of gifts and cash.

2. Attention is invited to the detailed guidelines prescribed in Customs Preventive Manual, 1987 regarding boarding and rummaging of vessels. Over the years many changes have taken place in the sphere of Customs administration in the background of changed economic scenario and increasing volume of trade. There has been a manifold increase in the number and movement of vessels and aircrafts. This has been accompanied by a more transparent and accountable work environment based on information technology which aims to better channelize scarce resources through risk management and at the same time endeavours to reduce transaction costs and promotes ease of doing business.

3. Needless to say that rummaging of vessels berthing at the ports/aircrafts landing at airports/vehicles crossing land customs stations is an effective method to prevent any attempt to smuggle prohibited and restricted goods into the country and hence supervisory officers need to pay adequate attention to this important preventive function. With an enhanced fleet of vessels and aircrafts to be dealt with limited human resources, rummaging exercises will prove to be effective when they are carried on sound risk management principles. While the prevailing rummaging practices need not be diluted, a full detailed rummage should be carried out on vessels/aircrafts/vehicles where risk analysis, reliable information etc. suggests the necessity for such. This will also help in reducing harassment, alleged complaints and enhance ease of doing business.

4. Rummaging parameters may be decided by the jurisdictional Principal Commissioner / Commissioner with utmost confidentiality. Some of the probable parameters could be: ships/aircrafts arriving from sensitive ports/airports having higher risk profiles; composition of crew; frequency of visit of ship; random selection; passenger/cargo vessel; etc. While deciding these, the Principal Commissioner / Commissioner shall keep in mind the risk elements relating to smuggling of contraband goods, perceived threat to national economy

and security and recent experiences of rummaging and their outcome. These parameters shall be reviewed once in every quarter based on fresh inputs received from rummaging exercises, intelligence, trends in smuggling etc. However, if specific intelligence / information is received regarding smuggling etc., detailed rummaging shall be carried out without fail.

5. Further, to improve efficiency, transparency and accountability in the boarding and rummaging exercises, and to streamline the procedures, attention is invited to Public Notice No. 03/2016 and Standing Order No. 01/2016 both dated 04.07.2016 (copies enclosed) issued by the Office of the Principal Commissioner of Customs, Chennai III Commissionerate. The aforesaid Public Notice and Standing Order also address the issue of illegal gratification. The jurisdictional Principal Commissioners / Commissioners of other Customs locations may issue similar Public Notices and Standing Orders.

6. Though the new initiatives, as indicated above, are required to be undertaken at each Customs location, the guidelines prescribed in the Customs Preventive Manual, 1987 regarding rummaging which *interalia* include the nature of goods, the areas to be searched, precautions for safeguarding the officers and the vessels/aircrafts/vehicles, official supervision, professional approach to minimise annoyance and loss, etc. will continue to be in force.

7. A proforma rummaging report is given in Annexure-I. The same may be used for rummaging exercise. The rummaging report shall be signed by the Superintendent in charge of rummaging after each rummaging exercise and counter signed by the Deputy/Assistant Commissioner in charge of rummaging. Rummaging sections shall also maintain the rummaging register as given in Annexure-II.

8. The above instructions shall be brought to the notice of the officers under your jurisdictions with a direction to follow these scrupulously. Any instance of deviation shall be viewed seriously.

9. Difficulties faced in implementation of these instructions, if any, should be brought to the notice of the Board.

Encl: As above

Yours faithfully,


23/08/16
(Rohit Anand)

Under Secretary to Govt. of India

Annexure –I to Instruction No. 25/2016 dated 23.08.2016 [F. No. 394/66/2016-Cus (AS)]

RUMMAGING REPORT

| S.No. | Particulars | Remarks |
|-------|--|----------|
| 1. | Report no.....(specify sl. no.) of (specify year) | |
| 2. | Date | |
| 3. | Name of officer in-charge of rummaging party, other team members & their designations | |
| 4. | Details of the Vessel/ Aircraft/ Vehicle (i) Name/ Regn. No. (ii) Voyage/ Flag No. / Trip (iii) Last port of Call with date (iv) Next port of call (v) Berth at (vi) Nature of cargo (vii) Shipping agent | |
| 5. | Date of berthing of vessel/landing of aircraft/arrival of vehicle | |
| 6. | Date and time of rummage i. Date ii. Start time iii. End time | |
| 7. | Name and rank of the master of the vessel/ ship's officer/ engineer on duty / captain of the aircraft who was informed before commencement of rummage. | |
| 8. | Whether the officer/engineer concerned was informed before any oil tanks or water tanks, cofferdams etc. were opened. | Yes/No |
| 9. | Whether the ship's/aircraft's officer/engineer was informed before any vital portions of machinery were opened. | Yes/No |
| 10. | Whether it was ensured that all tank covers etc. were properly refitted and closed after inspection. | Yes/No |
| 11. | The areas / parts of the ship/ aircraft / vehicle rummaged:- i. ii. iii. iv. v. vi. . . . | Findings |
| 12. | Summary of findings | |
| 13. | Follow up action to be taken (if any) File reference no. | |

Name:

Signature of the Superintendent in-charge

Countersigned by:-

Signature with date:

Name:

Assistant / Deputy Commissioner

Annexure –II to Instruction No. 25/2016 dated 23.08.2016 [F. No. 394/66/2016-Cus (AS)]

RUMMAGING REGISTER

| Date | Details of vessel / aircraft etc. | | | Rummaging report no. | Officer in-charge of rummaging party | Action taken | File reference no. |
|------|-----------------------------------|------------|-------------------|----------------------|--------------------------------------|--------------|--------------------|
| | Name | Vessel no. | Date of rummaging | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

MONTHLY ABSTRACT - A

| No. of Rummages done | No. of cases where action was initiated |
|----------------------|---|
| | |
| | |

MONTHLY ABSTRACT - B

| Opening Balance | Receipt | Disposal | Closing Balance | Period-wise breakup of Closing Balance | | | |
|-----------------|---------|----------|-----------------|--|--------------------------|-------------------------|----------|
| | | | | < 1 month | > 1 month but < 6 months | > 6 months but < 1 year | > 1 year |
| | | | | | | | |
| | | | | | | | |

Note:

1. **‘Opening Balance’** refers to number of cases detected which are pending upto the month and **‘Closing Balance’** refers to number of cases pending at the end of the month;
2. **‘Receipt’** refers to number of cases detected during the month i.e. number of cases where action was initiated during the month (as in second column of Monthly Abstract – A above) and **‘Disposal’** refers to number of cases finalized / closed during the month.

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE



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OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS

CHENNAI III COMMISSIONERATE
CUSTOM HOUSE, NO. 60, RAJAJI SALAI, CHENNAI - 600 001.

F.No.S.Misc/161/2016-Prev.

Date: 04.06/2016

Public Notice No. 03/2016

Sub: To streamline the Boarding procedure-reg.

All the Steamer Agents/Shipping Agents are hereby informed that for speedy clearance of vessel operation and to streamline the boarding procedures, the following shall henceforth be adopted:-

2. The Steamer Agents shall inform the Section Officer/Main Gate Officer in advance regarding berthing time and details of the vessel. The requisite documents shall be kept in readiness for scrutiny by the Boarding Officer.

3. A revised feedback form is appended to this Public Notice and the Steamer Agent should advise the Master of the vessel to give genuine feedback in the feedback form provided by the Boarding Officer.

4. The Boarding Officers have been directed to endorse the approval for work commencement on the hard copy of the Shipping Journal/Arrival Report as soon as the boarding procedure is completed. All agents may take note and advise the Master(s) of vessel(s) accordingly.

(PRANAB KUMAR DAS)
PRINCIPAL COMMISSIONER OF CUSTOMS,
CHENNAI III COMMISSIONERATE



CHENNAI CUSTOMS FEEDBACK FORM

Dear Captain,

Chennai Customs welcomes you and your crew. You are requested to fill the part B of the feedback form carefully and give a genuine opinion about your experience with Customs. Your feedback will help us in improving our services.

(PART-A)

1. Boarding Officer :
2. Date :
3. Berth :
4. Vessel Name :
5. Nationality :
6. Master Name :
7. Agent :
8. Berthing Time :
9. Boarding Time :
10. Last Port of Call :
11. Next Port of Call :
12. Cargo :
13. Confirmation of Sl.No. 8 & 9 :

(PART B)

- | | | | |
|---------------------------|---------|------|-----------|
| 1. Courteous Behavior | Average | Good | Very Good |
| 2. Efficiency in Work | Average | Good | Very Good |
| 3. Quality of Interaction | Average | Good | Very Good |
| 4. Complaints if any | | | |

AS AGENTS

MASTER

For.....

***In case of any grievance, you are requested to contact:**

1. Mr./Ms. _____, Superintendent of Customs (Docks) -
044-25361156 / _____ (Mobile Number).

2. Deputy Commissioner of Customs, Preventive General - 044-25254204
(During working hours).

****Please desist from offering any compliments to the officer of Customs and please don't take offence if they decline as they are under strict order in this regard.**

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F.No.S.Misc/161/2016-Prev.

Date: 04/07/2016

STANDING ORDER NO. 01/2016

Sub: To improve the efficiency and streamline the Boarding procedure-reg.

To streamline the Boarding procedure and to improve the functioning of Docks operations, the following guidelines and directions are issued:

1. The Section Officers/Boarding Officers are directed to inform the Master of the vessel to give a factual feedback in the enclosed format.
2. The Boarding Officer should fill up the contact number of Superintendent (Docks) and DC (PG) while handing over the specimen feedback form to the Master of the vessel for their feedback. The filled in feed back form should be collected from the master of the vessel and submitted to the superintendent(Docks) on completion of duty/shifts.
3. The Superintendent (Docks) on duty should immediately inform DC (PG) regarding the adverse feedback, if received, over phone and it should be placed before DC (PG) on the same day or next working day (invariably before the sailing of the vessel). The same shall also be recorded in the diary maintained at the Main Gate.
4. Citing International formalities/convention, in certain cases the Master of the vessel / Shipping Agent may offer gifts to the Boarding Officer. The Boarding Officer should refuse the gift politely and firmly. On surprise verification (by team tasked with that purpose) and/or on the some adverse feed back received, if any, if it is found that instructions in this regard have been flouted, strict action shall be initiated as per per CCS (Conduct) Rules, 1964 and CCS (Classification, Control and Appeal) Rules 1965.
5. The Boarding Officer shall endorse approval for the commencement of operations in the hard copy of the Shipping Journal/Arrival Report. The Section Officer/boarding officer should also give entry inward to the vessel immediately after finishing the boarding of the vessel. If the system at Main Gate is not working, the Officer can give entry inward in the system at CMFC or at Sevottam. There should not be undue delay in giving entry inward. It shall be borne in mind that the date of entry inward is crucial for determining the rate of duty in case of filing prior bill of entry as provided in Section 15 of Customs Act 1962. Further the RMS system does not recognize an IGM till the entry inward is given in the ICES. It shall be the responsibility of the Superintendent (Docks) to ensure that the entry inward is given without any undue delay hard copy of the Shipping Journal/Arrival Report.
6. The Superintendent (Docks) is directed to scrutinize the berth list as soon as he takes over the shift and to depute officers posted at gates to attend to the work of boarding of the vessels in the event of more than one vessel berthing at the same time.

7. All Officers/Superintendents posted in Harbour shall wear proper uniform with name plates.

8. The Main Gate Officer shall ensure that a copy of berth list reaches the DC/AC (R & I) by 10:00 Hrs everyday without fail.

9. The Officer posted at Main Gate should give daily report to Preventive General Section regarding the Number of vessels berthed and boarded on previous date with details i.e. berthing time, boarding time and entry inward time.

All the Officers concerned should strictly adhere to the above guidelines/directions.



(PRANAB KUMAR DAS)
PRINCIPAL COMMISSIONER OF CUSTOMS,
CHENNAI III COMMISSIONERATE