

	<p>भारत सरकार, वित्त मंत्रालय, राजस्व विभाग GOVERNMENT OF INDIA, MINISTRY OF FINANCE, DEPARTMENT OF REVENUE सीमा शुल्क आयुक्त (निवारक) का कार्यालय, OFFICE OF THE COMMISSIONER OF CUSTOMS (PREVENTIVE) नंबर 1, विलियम्स रोड, कैंटोनमेंट, तिरुचिरापल्ली- 620 001 NO.1, WILLIAMS ROAD, CANTONMENT, TIRUCHIRAPPALLI- 620 001 Phone No.0431-2410672 e-mail: commrprev-custrichy@nic.in</p>	
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PUBLIC NOTICE NO. 16/2025

Sub: Procedure in respect of discharge and clearance of Dry Bulk Cargo (Coal and Coke) after grant of Out of Charge (OOC) – Reg.

Attention of importers, custodians, trade and general public is drawn to the above subject.

2. Representations have been received from importers, port/custodians regarding difficulties faced in clearing Dry Bulk Cargo (Coal/Coke) after issuance of OOC.

3. As per existing practice, in respect of Dry Bulk Cargo, an independent Joint Survey Report is prepared by the carrier and the consignee and such report is counter signed by the Customs Officer before discharge of cargo. This Joint Survey report is being accepted for the purpose of ascertaining the actual cargo unloaded.

4. Difficulties however arise when such cargo after being unloaded is cleared from the port premises. Dry Bulk Cargo (Coal/Coke) are prone to combustion and periodically water needs to be sprinkled on it to prevent self-combustion or fire hazard. This is also required to be done as per port safety norms. In monsoon season, the dry bulk cargo (Coal/Coke) may get wet due to rain. Therefore, there is increase in weight when such cargo is cleared from the port premises in both the above situations. The port authorities/ custodians ask the importer to get permission from customs if any quantity over and above the quantity arrived at by the Joint Survey report is to be cleared as such excess/shortage in imported goods attract Section 116 of the Customs Act, 1962. As Customs Duties on such goods have been paid already on the basis of Joint Survey report, importers are unwilling to incur any additional expenditure on such clearances.

5. The matter has been examined and in the interest of ease of doing business and facilitating trade, the following instructions are issued –

- (i) In respect of Dry Bulk Cargo, an independent Joint survey report should continue to be prepared by the carrier and the consignee and this report should be countersigned by the Customs officer before discharge of Cargo. This report should be accepted for Customs Duty purposes.

(ii) Since, the duty on Coal has already been paid on the basis of weighment determined in the Joint survey report, there does not appear to be any danger to revenue in case certain shortage/excess are noticed upon physical weighment conducted at the time of delivery of cargo out of the port by the Custodians.

(iii) As far action to be taken under Section 116 of the Customs Act, 1962 due to short landing, the existing practice is to condone shortage upto 2% of the manifested quantity. Even in cases where shortage is in excess of 2%, if the explanation is satisfactory, such shortage is to be condoned.

(iv) It is hereby clarified that the 2% limit would be *mutatis mutandis* applicable in respect of excess cargo arising out of gain in weight due to increase in moisture content. Therefore a shortage or excess of 2% on account of gain in weight of Dry Bulk Cargo (coal / coke) should be allowed to be cleared without further customs intervention.

(v) The Port Authorities / Custodians should not insist for separate Customs clearance on excess/shortage of such dry bulk cargo (Coal/Coke) as long as the variation is less than 2% of the quantity weighed by them during clearance out of port and the quantity for which OOC has been issued.

6. Importers, Custodians, trade and officers may take due note of the above. Difficulties, if any, faced may be brought to the notice of this office immediately.

K.M. RAVICHANDRAN
PRINCIPAL COMMISSIONER OF CUSTOMS (PREV.)
TIRUCHIRAPPALLI.

To,

- i. Members/Trade associations as per mailing list.
- ii. All concerned officers in Customs (Prev.) Commissionerate, Trichy.
- iii. Notice Board.
- iv. EDI section, Hqrs., Trichy.

Copy to:

The Deputy/Assistant Commissioner of Customs, Customs (Prev.) Division, Nagapattinam.

Copy submitted to:

Chief Commissioner of Customs (P), Trichy – with a request to direct the concerned officers to post it in zonal website.