

Public Notice No. 23/2006



GOVERNMENT OF INDIA
MINISTRY OF FINANCE : DEPARTMENT OF REVENUE
OFFICE OF THE COMMISSIONER OF CUSTOMS
CUSTOM HOUSE : NEW HARBOUR ESTATE : TUTICORIN

C.No. VIII/13/31/2006-CHA Dated : 24.11.2006
Public Notice No. 23 / 2006

Sub : Implementation of the new Centralized CHA Directory – Reg.

Attention of Custom House Agents and all concerned is invited to the Public Notices 27/2005 Dated 23.09.2005 and 19/2006 Dated 04.09.2006 regarding implementation of Centralized PAN based CHA directory. Following the provision of access for updation of the directory to the 19 Policy Sections/ CHA sections that are concerned with the 35 ICES locations, doubts/issues have been raised with regard to the exact procedure for CHA registration. A list of the issues raised and the suggested remedies/clarifications is given in the table at **Annexure A** to this Public Notice. The correct procedure for registration to be followed by CHAs and Policy Sections is detailed below.

2. The current position in regard to the status of a CHA's PAN based registration can be obtained from the Central PAN based directory. CHAs may obtain these details from the Policy Section by requesting the retrieval of a 'Check List' against their PAN numbers. Alternatively, the same information can be obtained as a 'Report' by entering the PAN number on the ICEGATE website with the following URL: <http://www.icegate.gov.in/CHAREport/index.html>.

3. Both the 'Check List' and the 'Report' from the URL require the entry of the only 10 digit PAN number. The Check List/Report has 3 parts to it. The **first part** provides the CHA licensing details. The license information includes the following fields:

- (i) CHA license number
- (ii) Policy Section of Registration
- (iii) Registration date
- (iv) Validity (expiry) date.

4. It is possible that some CHAs have original licenses issued from more than one Custom House. CHAs cannot maintain multiple registrations for operation on an all-India basis, since the centralized database would require one registration date and one validity date against their license, which will be valid on an all India basis. They may choose one of the registrations as their Principal registration and the associated Policy Section will be termed as the "Principal Policy Section". The registrations in Policy Sections other than the Principal Policy Section will be made inoperative on the system. For this purpose, the authorized signatory of the CHA must make an application on their letter-head addressed to the concerned Commissioner of Customs with copies delivered to all other Policy sections where their licenses are currently registered in the ICES. Upon receipt of this request, the Principal Policy Section shall de-activate the remaining registrations. The Principal Policy section will treat the registrations at other ICES locations as Reg. 9(2) intimations, since the existence of a proper and valid license implies intimation under Reg. 9(2) of CHA LR 2004. Thereafter, the CHA and the concerned policy sections will be intimated in writing by the Principal Policy Section regarding the action taken on ICES. All Policy Sections concerned with the License should make a note on their respective records regarding the selection of the Principal Policy Section by the CHA and the recording of Intimation/permission under Regulation 9(2) for ICES locations under other Policy Sections.

5. The **second part** of the Check list/Report contains branch particulars and contact

particulars. This will be provided in the report for all licenses. Each branch will be given a 15 digit PAN based registration number, which a CHA can use to file at any ICES location. CHAs requiring amendment or updation to the branch particulars must make an application on their letterhead to the Principal Policy Section. Upon receipt of this letter, the concerned Principal Policy Section must forthwith carry out the amendment, obtain a print-out of the checklist and issue a letter to the CHA enclosing the checklist to confirm that the requested changes have been carried out. CHAs can also ascertain this by checking it out for themselves on the ICEGATE website.

6. The **third part** of the Checklist/Report provides a list of locations where the CHAs' PAN based registration number is operational and as on that day, the CHA can operate at all these locations. This part shows the list of locations and the old CHA number on which the CHA is presently operating (pending implementation of the PAN based license). This list indicates that either the CHA is an original registrant at the ICES location or has obtained a Reg. 9(2) permission to operate at the location. If a CHA does not find his name in this list, the authorized signatory may make a request on his letter head at the Principal/Policy section, for inclusion of additional ICES locations where he intends to transact business. The application should include the following documentation:

(i) His current Check-list /Report taken from the ICEGATE website.

(ii) Copy of his License

(iii) Copy of proof of Reg. 9(2) intimation for the site (if it is not the Original Policy section).

(iv) Copy of a sample signed bill of entry or shipping bill from the ICES location in question (this will give help the policy section enter the exact old registration number).

The reference of the old ICES registration number is a must since a link has to be established in the data base between the PAN based registration number and Old CHA registration number on ICES.

7. Once the Principal Policy section is chosen by the CHA, all updation on the directory shall take place from this Policy Section alone. The updation of intimations under Regulation 9(2) will however be done in the Policy Section of the location where a CHA intends start operations on the basis of license issued elsewhere. The validity of the CHA license will be according to the validity (expiry) date registered in the Principal License. All Policy Sections must also take note that the Principal Policy Section must be immediately intimated in writing regarding any change in the status of a CHA, such as suspension, cancellation or any other proposal concerning the operation of the CHA license. Needless to say that procedure established in the CHA LR (2004) is required to be strictly adhered to in this regard.

8. **Annexure B** gives the list of these 19 customs stations given in Column A. Column B of this Annex gives the list of associated ICES locations where there are no CHA sections in operation. Registration of Form C under Rule 9(2) of CHA LR 2004 in the ICES location in column A will imply automatic permission to operate the corresponding ICES locations in column B. However, automatic permission is subject to intimation of old CHA numbers for the ICES location being registered as described in para 6 above.

9. CHAs seeking to operate in a Custom House must submit a Form C intimation under Reg 9(2) to the Policy Section associated with the Custom house. The respective Policy Sections will then update CHA registration database only to the extent of recording the 9(2) intimation for the Custom House against the PAN number. The entry of Branch addresses and Contact Persons is an independent activity and can be done only at the Principal Policy Section. CHAs who want to update their branch particulars may do so at any point in time at the Principal Policy Sections. While intimation under regulation 9(2) of CHA LR 2004 and its updation in CHA Registration Data Base will be with the respective Custom Houses or associated policy sections, the update of the Branch addresses and the Contact person details will take place only at the Principal Policy section. Therefore, after updating in the system based on Reg. 9(2) intimation, the concerned Policy Sections must send a copy of the intimation to the Principal Policy Section to update the branch addresses and contact person details etc. CHAs may verify the status online and if the necessary updations have not taken place, they may approach

their Principal Policy Section get the needful done.

10. CHAs who have licenses issued by non-EDI Custom Houses and who seek to operate at any of the EDI locations under the provisions of Reg. 9(2) of CHALR 2004, would be required to get their licenses registered in the Policy Section of the nearest EDI center, which will be designated as the Principal Policy section for registration and further updation of information. As the registration would be PAN based in the CHA directory, the CHA will have to necessarily provide a copy of PAN along with the other documents for this purpose. The Principal Policy section would carry out the formality of registration by entering all particulars of the CHA and thereafter give the necessary intimation to the non-EDI Centre. The Licensing Policy section in the non-EDI location will thereafter intimate changes in the CHA license status with regard to extension of validity, suspension or any other change in the registration status to that Policy Section. This arrangement will continue until the non-EDI Centre gets covered under EDI. Authorized signatories of such CHAs may therefore apply on their letter heads seeking registration under Reg. 9(2) with intimation to their License issuing Policy Section. The Policy section should forthwith register them on PAN based database with an intimation to the concerned non-EDI Policy section. It is important to note that as an integral part of this registration process, a new PAN based CHA registration number will be generated which will thenceforth replace the CHA number originally assigned by non-EDI location. Both the CHA and the concerned non-EDI location will have to ensure that the documents are filed using the new PAN based number.

NEW PAN BASED CHA DIRECTORY WILL BE IMPLEMENTED WITH EFFECT FROM 05.12.2006.

Data that has been collected on status of PAN based CHA registrations in respect of active CHAs at various ICES locations suggests that still a large number of CHAs have not yet registered with the system on the PAN based CHA database. This activity should be completed at the earliest since those CHA who have not registered on the new PAN based CHA directory will not be able to operate once the directory is implemented.

JAYENDRANATH
Commissioner of Customs
Custom House : Tuticorin