



MINISTRY OF FINANCE :: DEPARTMENT OF REVENUE  
**OFFICE OF THE COMMISSIONER OF CUSTOMS**  
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C.No.VIII/48/20/2008-EDI

Dated: 30.03.2009

Public Notice No. 11/2009

**Subject:** Systems Alert for Monitoring Realization of  
Export Proceeds in EDI - reg

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The importers, exporters, Custom House Agents and the trade are hereby informed that RBI vide Circular No. 61 dated 31.1.2004 has dispensed with submission of declarations for export of goods of value not exceeding US\$ 25,000. Consequently a large number of the export consignments presently fall outside the purview of monitoring mechanism through XOS ( Export Outstanding Statement), which is a consolidated half-yearly Statement giving details of all export Bills outstanding beyond the period prescribed for realization within 15 days from the close of the half year i.e. June / December.

2. Since drawback payment is ultimately linked to the realization of export proceeds, the Central Board of Excise and Customs (Board) after extensive consultations with field formations, trade and industry, has desired to put in place an inhouse mechanism to monitor the realization of such proceeds for exports made under the Drawback Scheme.

3. Board has issued a Circular No. 5/2009-Cus dated 02-02-2009 in this regard.

4. Directorate General of Systems and Data Management have developed a BRC (Bank Realization Certificate) Software for ICES, the salient features of which are the following:

- (a) The exporters filing Shipping Bills (S/Bs) under drawback shall furnish a declaration to the Assistant Commissioner/Deputy Commissioner (Drawback) providing the details of all Authorized Dealers (AD), their codes and addresses through whom they intend to realize the export proceeds. Such a declaration shall be filed at each port of export through which the exporter exports his goods. In case, there is a new addition of AD, the same is to be intimated to the concerned Custom House at the port of export.

- (b) The system would generate on all Drawback Shipping Bills, the due date for submission of BRCs.
- (c) The exporter shall submit a certificate from the Authorized Dealer(s) in respect of whom declaration has been filed containing details of the shipments which remain outstanding beyond the prescribed time limit, including the extended time, if any, allowed by AD/RBI. Such a certificate can also be provided by a Chartered accountant in his capacity as a statutory auditor of the exporter's account. A proforma for furnishing such negative statement was enclosed as Annexure to the Board Circular. Further, the exporters also have the option of giving a BRC from the concerned authorized dealer(s).
- (d) Such certificates shall be furnished by the exporters on a 6 monthly basis before the 7th day of January and July in respect of exports which have become due for realization in the previous 6 months. For example, for the six-monthly period of January- June 2008 (during which exports were effected), the statement/BRC needs to be submitted by the 7th July, 2009.
- (e) Such certificates shall be filed by the exporter AD wise at each port. The relevant date for filing certificates shall be the date of let export order (LEO) which is the date when the export goods are in effect permitted to be exported.
- (f) The software shall indicate list of the shipping bills under drawback where the BRC/negative statement has not been furnished by the exporter within the prescribed date. The Assistant Commissioner / Deputy Commissioner (Export) may peruse such lists either for the entire Customs port or for an individual exporter by entering the IE code of the exporter and accordingly initiate action to recover drawback.
- (g) The BRC entry module gives three options for entering the details of foreign exchange realization
- (h) If the exporter furnishes the BRCs as a proof of foreign exchange realization, the officer will choose option (1) and enter the specific Shipping Bill numbers and dates. Such Shipping Bills will be deleted by the system from the list of shipping bills pending for realization of export proceeds.
- (i) If the exporter produces a "negative statement" for a specified six monthly period from the AD/chartered accountant that no foreign exchange is pending realization for the exporter in the given period, the officer will choose option (2). The system will automatically display the S/Bs pertaining to the given period on screen and once the officer approves, all such shipping bills shall be deleted from the pendency list.

- (iii) If the negative statement furnished by the exporter gives the list of S/Bs, for a particular six month period, for which foreign exchange has not been realized (and by implication foreign exchange has been realized for all other S/Bs) then, the officer will choose option (3). This will allow the officer to enter the S/Bs for which the BRCs are pending. Thereafter, all S/Bs except such pending S/Bs will be deleted from the list.
- (iv) The BRC entry module also enables the Department to remove the list of S/Bs from the pendency list if drawback is recovered subsequently. In such cases, the officer has to use the Recovery Module and enter the order no./challan no. and date and also the no. and date of all shipping Bills for which the drawback has been realized. Thereafter, all such S/Bs will be deleted from the pendency list.
5. The system will indicate to the Assistant Commissioner/Deputy Commissioner (Drawback) all cases of Drawback Shipping bills with LEO date falling on or after 1.1.2008 if the BRC/negative statement in the prescribed Annexure enclosed to the Board's Circular is not submitted by the exporter within the prescribed period. Further, the exporters are required to furnish the BRCs/negative statement in the prescribed Annexure in respect of all the Drawback Shipping Bills having LEO dates from 1.1.2004 to 31.12.2007 (separately for each six month period) within a period of four months from the date of issue of Board circular.
6. The BRC software module will be implemented with effect from 31<sup>st</sup> March 2009.



(S.S.RANA)  
**COMMISSIONER**  
**CUSTOM HOUSE, TUTICORIN**

To

As per mail list I & II

Copy submitted to The Chief Commissioner of Customs(Prev), Chennai

Copy to Additional Commissioner, Custom House, Tuticorin.

Copy to Joint Commissioner, Custom House, Tuticorin.

Copy to Assistant Commissioner Import/Docks, Custom House,  
 Tuticorin, Inland Container Depot, Tuticorin

Copy to Principal System Analyst, NIC, Custom House, Tuticorin

Copy to System Analyst, NIC, Inland Container Depot, Tuticorin

Copy to : Appraisers, Import Assessment Section, CH, Tuticorin.

Copy to Additional Director General, Directorate General of Systems, Customs &  
 Central Excise, C.R. Building, I.P. Estate, New Delhi - 2.