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Committee on Trade Facilitation

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**INTIMATION TO THE COMMITTEE ON TRADE FACILITATION ABOUT
INDIA'S COVID-19 TRADE FACILITATION MEASURES**

COMMUNICATION FROM INDIA

The following communication, dated 26 September 2020, is being circulated at the request of the delegation of India for Members' information.

The Government of India, sensing the gravity of the pandemic and its likely impact on the global supply chain had taken a number of proactive trade facilitative measures to ensure smooth operation of trade related activities with special focus on cross border movement of goods through various customs locations, namely, seaports, airports, land customs stations, foreign post offices and courier terminals, while simultaneously following prevalent social distancing and other health related guidelines.

An illustrative list of measures and actions taken by India is as below:

1. Implementation of 24x7 custom clearance facility at all custom formations to avoid any supply chain disruption. Instruction No.02/2020-Customs dated 20.02.2020 and Instruction No. 08/2020 dated 01.06.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-instructions/cs-instructions-2020/cs-ins-02-2020.pdf>

2. All customs formations to show greater sensitivity in dealing with cargo from affected areas, condone the delay in filing import declarations and waive late filing fees in genuine cases. CBIC Chairman letter No.03/CH(IC)/2020 dated 24.02.2020.

3. Creation of a dedicated single window COVID-19 helpdesk for EXIM trade to facilitate quick resolution of issue(s) faced by importer/exporter.

<https://icegate.gov.in/coronavirus-tradehelp>

4. Designation of a nodal officer in each Customs Zone who can be approached for any issue pertaining to clearance of cargo.

<https://www.cbic.gov.in/resources//htdocs-cbec/CBIC-Customs-Nodal-Officer-Covid-19.pdf>

5. With effect from 5 March 2020, extension of automated clearance of Bills of Entry to all Customs formations Where the Customs Electronic Data Interchange (EDI) system is operational to minimize human interface and maintain social distancing. So far, this function was performed by a Customs Officer, Circular No. 15/2020-Customs Dated 28.02.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-15-2020.pdf>

6. Shipping Lines have been asked not to levy detention charges on containers held up for reasons attributable to lockdown measures. DG Shipping Order no. 07/2020 dated 29.03.2020.

7. All major ports have been asked not to levy penalties, demurrage, charges, fee, rental on any port user (traders, Shipping Lines, concessionaries, licensees etc.) for any delay in berthing, loading/unloading operations or evacuation/arrival of cargo for reasons attributable to lockdown measures Ministry of Shipping letter No. PD-14300/4/2020-PD VII dated 31.03.2020.
8. Likewise, customs airports have been asked for waiving of demurrage charges at 50% by airport operator/cargo terminal operator for the lockdown period. Order date 01.04.2020 of Ministry of Civil Aviation issued under F. No. AV-29012/41/2020-ER.
9. The time limit for filing of appeal, furnishing of return, or any other compliance under the Customs Act or Customs Tariff Act, which was expiring from 20th March 2020 to 29th June 2020, has been extended up to 30th September 2020 The Taxation and Other laws (relaxation of Certain Provisions) Ordinance, 2020 (No. 2 OF 2020) read with relevant notification.

https://www.cbic.gov.in/resources//htdocs-cbec/customs/NN_English_Ordinance_date%20extension.pdf

10. To address the difficulties faced by importers/exporters and their authorized Customs Brokers, during the lockdown period, the requirement of submitting different types of customs bond was dispensed with. Importers/exporters and their authorized Customs Brokers can submit undertaking on plain paper in lieu of such bonds Circular no. 17/2020-Customs dated 03.04.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-17-2020.pdf>

11. With the subsequent extension of lockdown period, and resultant difficulties in obtaining stamp papers for the submission of customs bonds, the facility of submitting undertaking on plain paper in lieu of such bond provided vide Circular 17/2020 was further extended to 30.06.2020 Circular 21/2020 dated 21.04.2020, Circular 23/2020 dated 11.05.2020 and Circular 26/2020-Customs.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-26-2020.pdf>

12. Import clearance of Edible oils and Food Grains against Provisional No-Objection Certificate P-NOC based on visual examination without waiting for the analysis report. On receipt of analysis report, final No Objection Certificate shall be issued FSSAI's direction dated 03.04.2020 and 16.04.2020 issued under F. No. 1-1771/FSSAI/Imports/2018.

https://www.fssai.gov.in/upload/advisories/2020/04/5e98366960e97Direction_PNOC_Imported_Food_16_04_2020.pdf

13. Prioritized clearance of critical goods used for fighting COVID-19, such as medical equipment, drugs and pharmaceuticals, testing kits, PPEs and exemption from basic customs duty and health cess has been granted to such goods- ventilators, masks, personal protection equipment, testing kits and inputs used in manufacturing these items Notification No. 20/2020-Cus dated 09.04.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2020/cs-tarr2020/cs20-2020.pdf>

14. Allowing provisional clearance of goods imported under free trade agreements without production of original certificate of origin. Customs Circular No. 18/2020-Cus dated 11.04.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-18-2020.pdf>

DGFT Trade Notice No. 59/2019-20 dated 28 March 2020

<https://content.dgft.gov.in/Website/Trade%20Notice%2059.pdf>

15. Issuance of electronic certificates of origin for exports under India's trade agreements with ASEAN, Japan, South Asia, Sri Lanka and Asia Pacific Trade Agreement (APTA) on a digital platform. Trade Notice 1/2020-21 dated 7 April 2020.

<https://content.dgft.gov.in/Website/Trade%20Notice%201%20eCoO%20go-live%207Apr2020.pdf>

16. Exemption from Integrated Goods and services Tax (IGST)/Compensation Cess on goods imported against Adv. Authorization/EPCG extended up to 30.03.2021 (Notification No. 18/2020- Customs dated 30.03.2020).

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2020/cs-tarr2020/cs18-2020.pdf>.

17. Electronic communication of PDF based final electronic Out of Charge eOoC (electronic Out of Charge) copy of BoE and eGatepass to the importers/Customs Brokers reduce interface between the Customs Authorities and Importers/Exports/Customs Brokers, with effect from 15.04.2020 Circular No. 19/2020-Customs dated 13.04.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-19-2020.pdf>

18. Personal hearing with respect to any proceeding under Customs Act, 1962 by video conferencing mechanism and., online submission of all documents for personal hearings through official emails. F. No. 390/Misc/3/2019-JC dated 27.04.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-instructions/cs-instructions-2020/cs-ins-04-2020.pdf>

19. To ease the burden of compliance on the Authorized Economic Operators (AEO)'s, the AEO certificates that were expiring between 01.03.2020 and 31.05.2020 have been extended to 30.06.2020 vide Circular 27/2020-Customs dated 02.06.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-27-2020.pdf>

All the AEO entities have been sent individual intimations over email. Extension communications have been made from 24 April 2020 onwards.

20. Validity of Letters of Intent (LOIs) issued to various promoters for setting up of Inland Customs Depots (ICDs)/Container Freight Stations (CFSS) due to expire during lockdown period extended up to 31 August 2020.

21. Implemented of first phase of Faceless Assessment across Chennai and Bengaluru with effect from 8 June 2020 (Notification No 50/2020) (N.T.) and Notification 51/2020 dated 05.06.2020, Circular No. 28/2020 dated 05.06.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-28-2020.pdf>

Instruction No .09/2020 dated 05.06.2020

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-instructions/cs-instructions-2020/cs-ins-09-2020.pdf>

22. Contactless customs - To reduce non-essential physical interactions in the Customs work environment, allowing Registration of Authorized Dealer Code, Bank Accounts through Indian Customs Electronic Gateway (ICEGATE), Automated debit of bond after Assessment; Simplified Registration of Importers /Exporters in ICEGATE and Extension of Turant Suvidha Kendra in All Customs Formations. Circular No.32/2020-Customs dated 06.07.2020.

<https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-32-2020.pdf>

23. Online issuance of health certificates by the Export Inspection Council EIC, over e-mail.
24. Online issuance of Certificates for exports by Marine Products Export Development Authority (MPEDA) for the USA market w.e.f. 1 April 2020 DS 2301 certificates.
