



OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT-II)
NEW CUSTOM HOUSE, BALLARD ESTATE, MUMBAI-400001

F.No. S/22-SO-13/2018 A(M)

Dated:26 .06.2020

Standing Order NO.21 /2020

Sub: Procedural guidelines for Conducting investigation in Special Valuation Branch, New Custom House, Mumbai - reg.

Kind attention of all the officers posted in Special Valuation Branch of New Custom House, Mumbai is invited to the procedure to be followed for conducting investigation with regard to cases referred to SVB. While reviewing the pendency of investigation, it has been observed that there is huge pendency for cases registered for more than one year. Number of Investigation report issued per month is less than number of fresh cases being registered. Thus, pendency is increasing day by day. It is also observed that documents required for investigation are not being submitted by importer on time leading to delay in investigation. It is also observed that Investigation report is not being updated on CRD on regular basis. Thus, CRD pendency does not reflect the correct pendency. To streamline the entire working of Special valuation Branch, the following procedure is being prescribed.

2.The entire SVB shall be divided into following four sub section

- i. Preliminary Scrutiny Group
- ii. Documents Collection& follow up Group
- iii. Final Investigation Group
- iv. File and Data Management Group

The detail role of each group is outlined as below.

3.Preliminary Scrutiny Group :

3.1. For all the past cases already registered, their main role to examine each file , go through Annexure-A, Annexure -B , if available and to prepare list of documents already submitted and list of documents not submitted. A Check list for documents required is enclosed as Annexure-1 for their guidance.They should prepare check list as per Annexure-1 for all past cases and thereafter generate list of documents submitted and list of documents required to be submitted and these three documents should be attached in file. Thereafter, concerned file should be forwarded to Document

Collection group, if there is deficiency of document or to Final investigation group, if documents are in order.

3.2. For new cases received in SVB, it shall be first forwarded to Preliminary scrutiny group. New case file should contain Annexure-A to the Board Circular No.5/2016-customs dated 9/2/2016(herein after referred as Annexure-A) along with documents already submitted and finding of the proper officer at the customs station of import ,duly approved by Commissioner thereto,as a fit case for being referred to the SVB for investigations. If the answer to para at Sl. No. 4.3, 5, 5.1, 5.2, 5.5, 5.6,6, 6.1 to 6.6 of Annexure-A is NO and for para at Sl. No. 5.3 thereto is yes and no reason for investigation is specified, then cases should be returned back to Custom House of port of import to specify reasons for SVB investigation through proper channel. If case also relate to exclusion category as specified in paragraph 3.5 of said Board circular, then also case should be returned back to Custom House of port of importas there is no requirement for investigation.Above exercise should be completed within 3 days of receipt of case and record for cases, which are sent back to the port of import, should be maintained for future correspondence. Once it is ascertained that there is a reason for investigation, only then the case should be registered in CRD and Check list for documents required as enclosed as Annexure-1 should be prepared and forwarded to Document collection group. It shall be the responsibility of this group to register the case in CRD.

3.3. Since more than 800 past cases need to be checked by them, each officer posted in this group should prepare check list for 10 files per day and a weekly report should be submitted to Commissioner in this regard in following format

1. No. of Past cases to be scrutinized	
2. Checklist prepared within current week	
3. Checklist prepared upto current week	
4. Closing Balance	

4. Documents Collection& Follow up Group:

- 4.1. They should write letter through Email and post to concerned importer to submit documents.
- 4.2. They should contact concern person to submit documents. If documents are not submitted within specified time, phone contact should be made

to higher authority of the importer. Persistent efforts should be made through Email and phone to collect documents.

- 4.3. File should be put up to Commissioner for all cases where the importer fails to provide documents and information required for SVB inquiries within 60 days of such requisition for imposing security deposit (EDD) at a rate of 5% of the declared assessable value for a period not exceeding the next three months.
- 4.4. If, even after imposition of EDD, documents are not received within two months, alert should be put up in ICES module through RMD so that they can be persuaded effectively to submit documents on time.
- 4.5. If documents are not received even after four months of first issuance of letter, file should be put up to Commissioner for taking decision regarding initiating investigation through Summon proceedings.
- 4.6. Weekly report should be put to Commissioner for effective monitoring their working in following format:

1. Opening Balance	
2. No. of case referred by Preliminary scrutiny group in current week.	
3. No. of cases where letter written to importer out of 1 & 2	
4. No. of cases where documents received and forwarded to Final Investigation group.	
5. No. of cases for initiating Summon proceeding	
6. No. of cases out of 1&2 where EDD imposed	
7. No. of cases out of 1&2 where alert imposed	
8. C.B of cases where documents not received.	

5. Final Investigation Group:

- 5.1. There are many cases where documents are already received by them. They should prepare investigation report for them immediately and put up for Commissioner. It is desired that minimum six to seven investigation report should be prepared and put up by each officer of this Group in a month. There is a possibility that they may require for further document during investigation. In such circumstances, approval of AC/DC should be obtained for calling for fresh documents.
- 5.2. Wherever investigation report is not completed within two months of receipt of Annexure-B and documents, file should be put up to Commissioner for further extension. Further, where investigation report is not completed within four months of receipt of Annexure-A and

documents, file should be put up to Pr. Chief Commissioner through proper channel for extension.

5.3. They should submit a monthly report in following format:

1. Opening Balance of No. of cases referred to them where documents are complete (OB)	
2. No. of cases referred in current month	
3. No. Of IR issued in a month	
4. Pendency at the end of month	

5. File and Data Management group :

5.1. They shall enter entire case detail in CRD after issuance of IR.

5.2. They should keep Complete Data with regard to SVB in following format

1. CRD Registration No.
2. File No. and Location Code
3. Importer Name
4. IEC No.
5. Date of registration in CRD
6. Status of the case (Documents pending/ EMD imposed/Alert issued/Summon issued/Document Received/ IR issued)
7. Gist of the case

They should collect these data from each group and update the data on weekly basis.

5.3. Location of each file should be maintained so that each file be retrieved immediately as and when required.

7. In case of any difficulty, the specific issue may be brought to the notice of the undersigned.

(MANOJ KUMAR KEDIA)
Commissioner of Customs (Import-II)
New Customs House, Mumbai.

Copy to:

1. The Principal Chief Commissioner of Customs, Mumbai Customs Zone-I, NCH, Mumbai-01.
2. Additional / Joint Commissioner of Customs(SVB),NCH, NCH, Mumbai-01.
3. All Deputy / Assistant Commissioner of Customs (SVB),NCH, Mumbai-01.

4. All Groups of SVB of New Custom House, NCH, Mumbai-01.
5. AC/DC, EDI for uploading on NCH website immediately.

Annexure-1

Name of Importer	
Address and E mail	
Mobile No. of three Contact Person	
Whether Annexure -A is available ?	
State Sl. No. of Annexure -A whose information is complete	
State Sl.No. of Annexure-A whose information is not complete	
Whether Annexure-B is available ?	
Whether information with regard to Sl.No. 4, 5, 5.1 to 5.5 of Annexure-B provided	
Whether document submitted with regard to Sl.No. 4.2 of Annexure-A to prove relation ?	
State List of Agreements declared in Sl.No. 4.3 of Annexure-A and whether copies of these Agreements submitted?	
Whether copy of the bill of entry, invoice, bill of lading, packing list and LC as specified in Sl.No.1.2 of Annexure B submitted ?	
Whether copy of all provisionally assessed bills of entry and accompanying, invoice, bill of lading, packing list as specified in Sl.No.1.3 of Annexure-B submitted ?	
Whether Annual reports including Balance Sheet, if any, for a period of upto three preceding years provided as per SL.No. 1.4 and 1.5 of Annexure-B provided?	
If Answer to Sl. No. 5 of Annexure-A is Yes, whether copy of past B/E provided to compare the price	
If Sl.No. 5.1 of Annexure-A is yes, whether copies of Bills of Entry, invoice, packing list, bill of lading & LC submitted as per Sl.No. 1.8 of Annexure-B	

If Sl.No.5.2 of annexure-A is Yes, whether documents of other importer submitted?	
Whether documents under Rule 3(3)(b) of CVR, 2007 is provided in terms of Sl.No. 5.4 of annexure-A. (Price Justification)	
If Sl.No. 5.5 of Annexure-A is yes, whether Price list provided ?	
If Sl.No. 5.6 and 7 of Annexure-A is Yes, then Whether documents provided in terms of Sl. No. 1.6 and 1.7 of Annexure-B ?	
If any of the Sl. No. of 6 and 6.1 to 6.5 of Annexure-A is yes, then whether documents provided in terms of sl. No. 4.1 to 4.3 of Annexure-B. State Sl.No. where answer is Yes.	
If sl.no. 6.6 of Annexure-A is Yes, Whether documents provided in terms of Sl.No. 4.4 of Annexure-B.	
If Answer to Sl.No. 2 to Annexure-B is yes, then whether documents are submitted.	
If Answer to Sl.No. 3 of Annexure-B is Yes, then Whether documents submitted	
If Answer to Sl.No. 3.1 of Annexure-B is Yes, then Whether documents submitted	
If Answer to Sl.No. 3.2 of Annexure-B is Yes, then Whether documents submitted	