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TRADE CIRCULAR

Sub : Standard Operating Procedure for Delivery of Excess Coal & Coke from HDC.

T.O.(Sh&CH) Division have been allowing delivery of excess quantity of dry bulk cargo as per the conditions mentioned in the Public Notice No. 17/2020 issued by the Customs Authority. However, there has been no approved Standard Operating Procedure (SOP) for delivery of excess dry bulk cargo which are not mentioned in the Public Notice of Customs Authority. A proposed SOP has been prepared and informed to the trade for their comments on the methodology that has been proposed. The stakeholders as well as the prominent C&F Agents have unanimously agreed for implementation of the proposed SOP.

With the approval of appropriate authority of SMPA, the SOP that will be followed for allowing delivery of excess Dry Bulk Cargo with immediate effect is as follows:

Delivery of 2% Excess Coal & Coke as per Customs Public Notice No. 17/2020.

The following procedure is to be followed:

- (i) An excess cargo can be taken in entirety by a consignee if they are the sole consignee in the vessel. In case of the vessel having more than one consignee, excess cargo to be apportioned on pro-rata basis.
- (ii) The consignee has to deposit the Port Charges against the excess quantity according to the Berth where the vessel had worked. Royalty is also applicable on the shore handling charges when a vessel has worked at Berth other than Berth No.2&8.
- (iii) A consignee has to submit an application for delivery upto 2% of the manifested quantity, declaring the reason for which the excess cargo has been generated from the quantity of cargo which has been imported by them in the subject vessel. In case the consignee declares that the excess cargo has been generated due to additional moisture absorbed by the cargo after the same has been discharged at Haldia, he will have to produce the Moisture Certificate issued at the Load Port and the Moisture Certificate issued at the time of delivery of cargo.
- (iv) If the consignee is the single receiver in the vessel and the cargo has been stored on a ship to ship basis plot, then no NOC is necessary.
- (v) If the consignee is the single receiver in the subject vessel and the cargo has been stored on a Long Term Plot, then consignee have to submit a declaration at HDC informing the names of all the vessels whose cargo has been stored in the said Long Term Plot during the last 6 months (from the date of application for delivery of excess cargo). NOC from all the co-receivers of previous vessels which has been declared by the consignee, is required to be submitted by the consignee.
- (vi) If the consignee is a co-receiver having cargo stored in a ship-to-ship basis plot, NOC from all the other co-receivers of the subject vessel is necessary.
- (vii) If the consignee is a co-receiver having cargo stored in a Long Term Plot, then the consignee have to submit a declaration with HDC informing the names of all the vessels whose cargo has been stored in the Long Term Plot during the last 6 months (from the date of application for delivery of excess cargo). NOC from all the co-receivers of previous vessels as well as the subject vessel, is required to be submitted by the consignee.

- (viii) In case of any shortage of cargo from a Long Term Plot is faced by a consignee who had earlier taken delivery of excess cargo from the said Long Term Plot when the cargo of that particular vessel where shortage of cargo is faced was also present in the same plot, such shortage will not be accepted by HDC and the consignee have to endorse in Port's document (Jetty Challan) that he has received the entire consignment in full.
- (ix) The Port Officials upon being convinced that the excess cargo has been generated in normal process of delivery through weighment basis or for reason stated by the consignee, then the quantity upto 2% of the manifested quantity shall be released to the consignee following normal delivery procedure against a Line No. specified by the consignee.
- (x) If an Importer wants to shift the excess cargo over and above the manifested quantity from a Short Term Plot to a Long Term Plot under their possession having sufficient space to segregate the cargo or they want to shift the cargo to a Port Plot, abandoning the cargo, in order to vacate the Short Term Plot, the same may be allowed on case to case basis, depending upon the reason for necessity of such shifting. The License Fees of plot as applicable, must be cleared before taking delivery of the 2% excess cargo. In case the abandoned cargo is claimed by the importer later on and delivery from Port's Plot is allowed, then the applicable demurrage charges from the date of surrender of the Short Term Plot till evacuation of cargo as per the rates mentioned in the SoR shall be applicable.


Delivery of Excess Coal & Coke (beyond 2% of manifested cargo)/Manganese Ore & Other Dry Bulk Cargo.

After the manifested Quantity of the entire vessel is delivered in respect of Coal and Coke, and thereafter 2% of the manifested quantity is also delivered, if some cargo still remains in the plot, or after the manifested Quantity of the entire vessel is delivered in respect of Manganese Ore & other Dry Bulk Cargo, the following procedure is to be followed for taking delivery of the excess cargo in addition to points (i) to (x) above, as per applicability:

- (xi) The agent of the vessel has to file supplementary manifest with the Customs Authority distributing the excess cargo quantity against different co-receivers as per the pro-rate distribution done by the surveyor appointed by the consignee, after conducting a volumetric survey of the residual quantity. At the time of conducting volumetric survey, representative of Port, C&F Agent, Importer and Handling Agent must be present.
- (xii) The consignee shall process supplementary Bill of Entry with the Customs for the supplementary manifested quantity.
- (xiii) The consignee has to deposit the Port Charges against the supplementary quantity according to the Berth where the vessel had worked. Royalty is also applicable on the shore handling charges when a vessel has worked at Berth other than Berth No.2&8.
- (xiv) The Supplementary manifested quantity shall be released to the consignee following normal delivery procedure.

Note : The delivery procedure in vogue at the time of delivery, shall be followed.

All concerned are requested to be guided accordingly.

 3/10/22
(P. Gupta)

Sr. Deputy Manager (Sh&CH)

Cc: The President, The Association of Shipping Interest in Calcutta (ASIC) ,6,Netaji Subhas Road, Kolkata -700 001: for information please.

Cc: The President, Calcutta Customs House Agent's Association (CCHAA), 23, R.N Mukherjee Road, Kolkata – 700 001: for information please.

Cc: All importers of Dry Bulk Cargo: for information please.

Cc: Handling Agents / C&F Agents / Steamer Agents / Surveyors of Dry Bulk Cargo: for information please.

Cc: General Manager (Traffic) / General Manager (Finance): For information please.

Cc: Dy. Manager (Sh&CH, Dock Office): For information please.