

भारत सरकार GOVERNMENT OF INDIA  
रेल मंत्रालय MINISTRY OF RAILWAYS  
(रेलवे बोर्ड RAILWAY BOARD)

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No.2006/TT.III(F)/72/NPL/04

New Delhi, dt: 26.12.2008

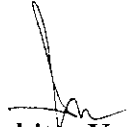
The General Managers  
All Indian Railways

Sub: Commencement of movement of goods traffic in tank and flat wagons  
between India and Nepal.

It has been decided to permit rail traffic between India and Nepal to/from ICD, Birgunj via  
Raxaul in tank wagons for liquid/oils and bilateral break-bulk cargo on flat wagons also w.e.f.  
01.01.2009.

The bilateral traffic on flat wagons would be allowed during day time only.

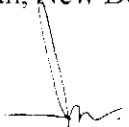
Action may please be taken accordingly and acknowledge the receipt.

  
(Suchitto K. Das)

Exe. Director Traffic Transportation(F)

Copy forwarded for information to :

1. The COMs,CCMs and CFTMs, All Indian Railways.
2. FA & CAOs, All Indian Railways
3. Dy.C&AG, Railways, Room No. 222, Rail Bhawan, New Delhi.
4. The General Secretary, IRCA, New Delhi.
5. The Managing Director, CONCOR, C-3, Concor Bhawan, Mathura Road(Opp. Appolo Hospital), New Delhi.
6. The Managing Director, Konkan Railway Corporation, Belapur Bhawan, Sector-11, CBD Belapur, New Mumbai-400614.
7. The Managing Director,CRIS, Chanakyapuri,New Delhi-21.
8. The CAO, FOIS, Northern Railway Camp, CRIS, Chanakaya Puri, New Delhi.
9. The Managing Director, Pipavav Rail Corporation, Jeevan Tara Building, First Floor, Gate No. 4, Sansag Marg, New Delhi.
10. Sh. Purshottam Ojha, Secretary, Ministry of Commerce & Supplies, Govt. of Nepal, Kathmandu
11. Sh. Satish C. Mehta, Joint Secy (NB), Room No. 38, South Block, New Delhi.
12. Shri Harsh K. Jain, Counsellor (Commerce), Embassy of India at Kathmandu (Nepal) P.O. Box No. 292,Kapurdhara Marg, Kathmandu (Nepal).
13. Sh. P.S. Purthi, Commissioner (Customs), Ministry of Finance, Dept. of Revenue, Room No. 252-B, New Delhi
14. Sh. Sadakant, Joint Secy (BM), Ministry of Home Affairs, Room No. 188, North Block, New Delhi.
15. Sh. Rajiv Kher, Joint Secy.(FTSA), Ministry of Commerce, Udyag Bhawan, New Delhi.
16. EDTT(S), EDTT(M), EDPM, EDPG, Adv. (Rates), Railway Board.

  
(Suchitto K. Das)

Exe. Director Traffic Transportation(F)

Copy for information to:

PS/MR, PS/MSR(N), PS/MSR(V)

Chairman, Railway Board, MT, ML, MM, ME, MS, FC, DG/RPF, DG/RHS

भारत सरकार GOVERNMENT OF INDIA  
रेल मंत्रालय MINISTRY OF RAILWAYS  
(रेलवे बोर्ड RAILWAY BOARD)

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No.2006/TT.III(F)/72/NPL/04

New Delhi, dt: 26.12.2008

**The General Managers,  
All Indian Railways**

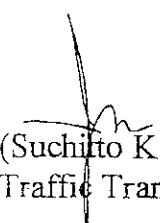
**Sub: Commencement of movement of goods traffic in tank and flat wagons  
between India and Nepal.**

This is to inform you that movement of rail traffic between India and Nepal to/from ICD, Birgunj via Raxaul in tank wagons for liquid/oil and bilateral break-bulk cargo or flat wagons will be commenced w.e.f. 01.01.2009. A copy of the instructions issued in this regard is enclosed herewith.

Certain amendments in Article 12.2 & 19.1 and insertion of new Article 19.2 to the Rail Services Agreement, 2004 to permit rail traffic between India-Nepal to/from ICD, Birgunj in tank wagons for liquid/oils and bilateral break-bulk cargo on flat wagons and to rationalize the procedure for Customs Examination and clearance, have been made. A copy of the Letter of Exchange signed between the Govt. of India and Nepal to effect the amendments/insertions in the Rail Services Agreement along with modified Customs Procedure (Annexure A & B) and new Annexures (D & E) for examination & clearance of bilateral traffic, are also enclosed herewith for your information and necessary action. The Letter of Exchange and enclosures may also be annexed with the Rail Services Agreement-2004, a copy of which has already been send to all Zonal Railways vide Board's letter No. 2003/TT-III(F)/72/NPL/01 dated 28.05.2004 (ER, ECR), dated 10.01.2005 (SER) and dated 02.02.2005 (all other Zonal Railways). Annexures A&B to be replaced by the existing one and Annexures D & E annexed as new Annexures. Article 12.2, 19.1 and 19.2 may also be amended/added accordingly.

You are also requested to forward the copies of the instructions and Letter of Exchange alongwith Customs Procedure to all concerned PHOD/HOD's i.e. COM, CCM, FA&CAO, PCE, CME, CSO, CFTM etc. of your Railway for their information and ready reference.

Encls. 25 Pages.

  
(Suchit K. Das)  
Exe. Director/Traffic Trans. (F)

Copy to :

1. The General Manager (Const), N.F. Railway, Maligaon, Guwahati.
2. The Chief Operation Managers : i) East Central Railway, Hajipur ii) Eastern Railway, Kolkata, iii) South Eastern Railway, Kolkata
3. The Managing Director, CONCOR, CONCOR Bhawan, Mathura Road, New Delhi.



भारतीय राजदूत, काठमाण्डू (नेपाल)

AMBASSADOR OF INDIA  
KATHMANDU (NEPAL)

December 17, 2008

Excellency,

I have the honour to refer to the understanding reached between the Government of India and the Government of Nepal to permit rail traffic between the two countries to/from ICD Birgunj in tank wagons, to allow bilateral break-bulk cargo on flat wagons and to rationalize the procedures for customs examination and clearance, by amending the Rail Services Agreement between India and Nepal, signed on May 21, 2004, as under:

I. Replace the existing Article-12.2 with the following:

**Article-12.2 :** Rail Traffic between the two countries will comprise container traffic moving in flats/BOX wagons, break-bulk cargo in covered wagons and Liquid/Oils in tank wagons. The bilateral rail traffic for break-bulk cargo will, however, also be allowed on flat wagons, during day time only. Alcoholic Liquor/Beverages (including beer) and other concentrates, Perfumes, Cosmetics, Cigarettes, Tobaccos, and such other items as may be notified by Government of India, in consultation with Government of Nepal, shall not be loaded on flat wagons.

II. Replace the existing Article 19.1 with the following:

**Article-19.1:** Procedures for customs examination and clearance of containerized/break-bulk transit cargo loaded in covered wagons to and from Nepal shall be in accordance with the provisions laid down in Annexure-A and B of this Agreement.

III. Insert a new Article-19.2 as follows:

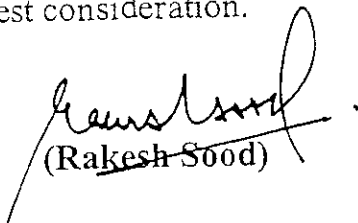
**Article-19.2:** Procedures for customs examination and clearance of bilateral traffic from Birgunj to Stations on Indian Railways, and vice-versa, shall be in accordance with the provisions laid down in Annexure-D and E of this Agreement.

IV. Replace the existing Annexures A & B in respect of Article 19.1 by modified Annexures A & B and add new Annexures D & E in respect of Article 19.2. The modified Annexures A & B and new Annexures D & E are attached with this letter.

2. This letter and your Excellency's confirmation shall amend the Rail Services Agreement between India and Nepal, 2004 as stated above.

3. I shall be grateful if you could kindly confirm that the foregoing correctly sets out the understanding reached between our two Governments.

4. Please accept, Excellency, the assurances of my highest consideration.

  
(Rakesh Sood)

His Excellency Mr. Purushottam Ojha,  
Secretary,  
Ministry of Commerce & Supplies,  
Government of Nepal.



Government of Nepal  
**Ministry of Commerce And Supplies**

SINGHA DURBAR  
KATHMANDU, NEPAL

17 December 2008

Excellency,

I have the honour to acknowledge the receipt of your letter of today's date, which reads as follows:

"I have the honour to refer to the understanding reached between the Government of Nepal and the Government of India to permit rail traffic between the two countries to/from ICD Birgunj in tank wagons, to allow bilateral break-bulk cargo on flat wagons and to rationalize the procedures for customs examination and clearance, by amending the Rail Services Agreement between India and Nepal, signed on May 21, 2004, as under:

I. Replace the existing Article - 12.2 with the following:

Article-12.2 Rail Traffic between the two countries will comprise container traffic moving in flats/BOX wagons, break-bulk cargo in covered wagons and Liquid/Oils in tank wagons. The bilateral rail traffic for break-bulk cargo will, however, also be allowed on flat wagons, during day time only. Alcoholic Liquor/Beverages (including beer) and other concentrates, Perfumes, Cosmetics, Cigarettes, Tobaccos, and such other items as may be notified by Government of India, in consultation with Government of Nepal, shall not be loaded on flat wagons.

II. Replace the existing Article 19.1 with the following:

Article-19.1: Procedures for customs examination and clearance of containerized/break-bulk transit cargo loaded in covered wagons to and from Nepal shall be in accordance with the provisions laid down in Annexure-A and B of this Agreement.

III. Insert a new Article - 19.2 as follows:

Article-19.2: Procedures for customs examination and clearance of bilateral traffic from Birgunj to Stations on Indian Railways, and vice-versa, shall be in accordance with the provisions laid down in Annexure-D and E of this Agreement.

IV. Replace the existing Annexures A & B in respect of Article 19.1 by modified Annexures A & B and add new Annexures D & E in respect of Article 19.2. The modified Annexures A & B and new Annexures D & E are attached with this letter.

2. This letter and your Excellency's confirmation shall amend the Rail Services Agreement between India and Nepal, 2004 as stated above.



Government of Nepal  
**Ministry of Commerce And Supplies**

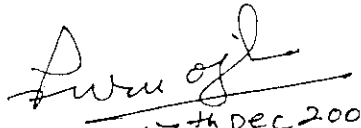
SINGHA DURBAR  
KATHMANDU, NEPAL

3. I shall be grateful if you could kindly confirm that the foregoing correctly sets out the understanding reached between our two Governments".

I confirm that the foregoing correctly sets out the understanding reached between our two Governments.

Please accept, Excellency, the assurances of my highest consideration.

His Excellency Mr. Rakesh Sood  
Ambassador Extraordinary & Plenipotentiary  
Embassy of India  
Kathmandu, Nepal

  
17<sup>th</sup> Dec 2008  
( Purushottam Ojha )  
Secretary  
Government of Nepal

PROCEDURE FOR CUSTOMS EXAMINATION AND CLEARANCE OF  
CONTAINERIZED TRANSIT CARGO / BREAK-BULK TRANSIT CARGO  
LOADED IN COVERED WAGONS.

**IMPORT PROCEDURE**

When goods are imported from third countries by Nepal in transit through India, the following procedure shall be observed: -

1. (a) Transit of Nepalese imports, shall be allowed against import licences issued by Government of Nepal wherever such licences are issued, and Letters of Credit opened through a commercial bank in Nepal.
- (b) In case of Nepalese imports for which there is no requirement of import licence or Letter of Credit, the Nepalese Consul General, Deputy Consul General or Consul at Kolkata shall furnish the following certificate on the Import containerized Cargo Declaration, hereinafter referred to as "ICCD".

"I have verified that the goods specified in this Declaration and of the quantity and value specified herein have been permitted to be imported by Government of Nepal without the requirement of import licence or letter of credit".

Signature and Seal

NOTE: Government of Nepal shall arrange to supply through the Indian Embassy at Kathmandu or directly to the Commissioner of Customs, Kolkata, the specimen signature or signatures of official or officials who are authorised to sign import licences issued by Government of Nepal. It shall also arrange to have a copy each of the import licences, wherever such licences are issued by it for such goods, sent directly to the Commissioner of Customs, Kolkata.

2. At the Indian port of entry (hereinafter called the Customs House), the importer or his agent (hereinafter referred to as the importer) shall present an ICCD containing the following particulars:

(a) Name of the ship, Rotation number and Line number,



- (b) Name and address of the importer,
- (c) Number, description, marks and serial numbers of the packages,
- (d) Country of consignment and country of origin, if different,
- (e) Description of goods,
- (f) Quantity of goods,
- (g) Value of goods,
- (h) Import license number and date,
- (i) Letter of credit number, date and name and address of issuing bank.
- (j) A declaration at the end in the following words: -

“I/We declare that the goods entered herein are for Nepal, in transit through India and shall not be diverted en-route to India, or retained in India.

I/We declare that all the entries made herein above are true and correct to the best of my/our knowledge and belief.”

Signature

3. The ICCD shall be made in quadruplicate. All copies of ICCD along with the copy of bill of lading (non-negotiable copy), copy of invoice, copy of packing list and copy of the import licence issued by Government of Nepal, wherever issued, and a copy of the letter of credit, authenticated by a designated authority of Government of Nepal or the issuing bank, shall be presented to the Customs House. The copy of the import licence and the letter of credit so presented shall be examined by the Customs House against the copy of the import licence and/or the statement of particulars of the letter of credit received directly from Government of Nepal. No other additional document may be asked for, except where considered necessary for clearance of specific goods.
4. The shipping agents shall submit an application for issue of a Transshipment Permit, hereinafter referred to as “TP” in prescribed forms (5 copies) along with copies of relevant parts of Import General Manifests (IGMs) to the Appraiser/Superintendent, as is being done under the existing procedure for transshipment of imports for goods destined to ICDs in India. As regards details of cargo in the application of transshipment, reference of relevant IGM may be made in the transshipment application by mentioning “details as part/page.....of IGM No.....as enclosed.”





5. Nepalese import goods in transit shall be covered by a bond and/or a bank guarantee, as may be acceptable to Indian Customs, to be furnished by the carrier to the satisfaction of the Commissioner of Customs, Kolkata for an amount equal to the Indian customs duties on such goods. In the event of the goods not reaching Nepal, irrespective of any other action contemplated in such case under the existing laws, the carrier shall pay to the Commissioner of Customs, Kolkata, the amount of duty secured by means of bank guarantee/cash security on such goods. The said amount shall become payable forthwith on the receipt of a notice to the carrier issued by the Commissioner of Customs, Kolkata, after satisfying himself that the goods have not entered Nepal.
6. The shipping agents shall file another bond with the Indian Customs House at the port of entry, binding themselves to re-export containers within six months of their import into India. The period of six months may be extended by the Deputy/Assistant Commissioner of Customs. The shipping agents shall also submit an authorization from the carriers appointed for transportation of goods from port of entry to ICD Birgunj through Land Customs Station (LCS) Raxaul, so that issuance of transshipment permit and debiting of carrier's bond can be done simultaneously.
7. On receipt of the application from the shipping agent, the Appraiser/Superintendent shall check whether the name of carrier/shipping agent appears in the negative list. Transshipment permit may be denied in case the name of shipping agent figures in the negative list.
8. In case the name of shipping agent does not figure in the negative list, the details furnished by the shipping agent in the transshipment form shall be scrutinized by the officer and matched with the declaration on the ICCD, and if these are found to be in order, the officer shall debit the bond of the carrier on the basis of value of the goods indicated in the ICCD. The number and date of the ICCD shall be recorded on the TP. After scrutiny of the transshipment form and debiting of bond, the officer shall sign all the copies of TP and put a seal.
9. On arrival of the Nepalese containerized cargo, the Indian customs officer posted at sea port, shall merely check the 'one-time-lock' of the container put on by the shipping agent or the carrier authorised by the shipping company. If found intact, the customs officer shall allow



transportation of the containerized cargo, without examination, unless there are valid reasons to do otherwise.

- 9A. On arrival of the Nepalese break-bulk cargo, the Indian Customs Officer posted at the seaport, shall make a selective percentage examination of goods to check whether the goods are in accordance with the declaration on the ICCD and conform to the Import license and/or the Letter of Credit wherever issued. If these are found to be in order, the Indian Customs Officer shall make arrangement for covering the wagon containing such goods, put a 'one-time-lock' or 'seal' to the subject wagon in the presence of the respective representatives of the concerned Carrier, Shipping Agents and Importer. The serial number of 'one-time-lock' or 'seal' of the subject wagon shall be recorded on the ICCD. The number along with date of the ICCD and the serial number of the 'one-time-lock' or 'seal' shall be recorded on the TP. After scrutiny of the transshipment form, the officer shall sign all the copies of TP and put a seal. However, in making such examination, avoidable delays shall be curtailed to the utmost in order to expedite the traffic-in-transit.

**NOTE:** The selective percentage examination referred to in para 9A shall mean that a percentage of the total break-bulk cargos in a consignment will be selected for examination and not that a percentage of the contents of each of break-bulk cargos comprised in the consignment will be examined.

10. In case where the 'one-time-lock' on the container arriving at the seaport in India is found broken or defective, the Indian customs authorities shall make due verification of the goods to check whether the same are in accordance with the ICCD, put fresh 'one-time-lock' and allow the container to move to the destination. The serial number of the new 'one-time-lock' shall be endorsed in the ICCD and the TP.
11. After the Customs House is satisfied as regards the checks contemplated in the preceding paragraphs, it shall endorse loading/dispatch particulars of the goods on all copies of TPs.
12. In case of any suspicion of pilferages, traffic-in-transit shall be subject to checks by the Indian Customs during the period that they are in transit, as may be necessary.



13. On arrival of the cargo by rail at Raxaul Land Customs Station, the following examination procedure will be followed:

- (a) On arrival of the cargo, the Indian Customs authorities shall merely check the 'one-time-lock' of the container put on by the shipping agent or the carrier authorised by the shipping company or the customs authorities at the sea port or during the transit and so endorsed on the T P and, if found intact, shall approve for onward transmission of the containerized cargo, without examination of the cargo unless there are valid reasons to do otherwise.
- (aa) On arrival of the break-bulk cargo, the Indian Customs authorities shall merely check the 'one-time-lock' or 'seal' of the wagon put on by the Customs authorities at the seaport or during the transit and so endorsed on the T P and, if found intact, shall approve for onward transmission of the break-bulk cargo, without examination of the wagon unless there are valid reasons to do otherwise.
- (b) In case where the 'one-time-lock' of the container is found broken or defective, the Indian customs authorities at the railway station shall get the container grounded for making due verifications of the goods to check whether the goods are in accordance with the ICCD and conform to the import license and/or the letter of credit wherever issued. Respective representatives of the concerned Carrier, Shipping Agents and importer shall be involved in the process of verifications.
- (bb) In case where the 'one-time-lock' or 'seal' of the wagon containing break-bulk cargos is found broken or defective, the Indian customs authorities at the railway station shall make due verification of the break-bulk cargos in the subject wagon and to check whether the break-bulk cargo is in accordance with the ICCD and conform to the import license and/or the letter of credit wherever issued. Respective representative of the concerned Carrier, Shipping Agents and Importer shall be involved in the process of verification.
- (c) If, on verification in presence of agencies listed in (b) above, the goods are found in accordance with the ICCD and conform to the import license and/or the letter of credit wherever issued, the Indian customs authorities at the Raxaul LCS shall put fresh 'one-time-lock' and approve for onward transmission of the container. The serial



number of the new 'one-time-lock' shall be endorsed by the Indian customs authorities at the border railway station on the TP.

- (cc) If, on verification in the presence of agencies listed in (bb) above, the goods are found in accordance with the ICCD and conform to the import license and/or the letter of credit wherever issued, the Indian customs authorities at the Raxaul LCS shall put fresh 'one-time-lock' or 'seal' and approve for onward transmission of the wagon. The serial number of the new 'one-time-lock' or 'seal' shall be endorsed by the Indian customs authorities at the border railway station on the TP.
14. On arrival of traffic-in-transit at Raxaul LCS, the carrier shall present the original copy of the TP duly endorsed by the Indian Customs House of entry to the Indian customs officer at the Raxaul LCS, who shall compare the original copy with the duplicate received by him in a sealed cover and will, after satisfying himself as regards the checks contemplated at sub-paragraphs (a), (aa), (b), (bb), (c) and (cc) above, endorse all the copies of the TPs. The goods in transit shall be allowed onward movement by rail only after clearance as above by the Indian customs officer at the Raxaul LCS. The carrier shall, thereafter, through such measures as may be necessary, ensure that the goods cross the border and reach Nepal.
15. Indian customs officer at the Raxaul LCS will certify on the copies of the TP that goods have been allowed transit into Nepal. The Indian customs officer shall then hand over the original copy of the TPs to the carrier and send the duplicate to the Indian Customs House at the port of entry. After the original TP is received back duly endorsed by the Nepalese customs officer, Raxaul LCS will forward the same to the customs authority at the port of entry (Customs House, Kolkata).
16. The copy of TP endorsed by the Nepalese Customs shall then be sent to Kolkata Customs for closure of manifest in respect of containers/wagons transported to ICD Birgunj. In case the carrier is not able to produce evidence of the export of goods to Nepal (to the satisfaction of Dy./Assistant Commissioner of Indian Customs at Raxaul Railway LCS) and/or endorsed TPs are not produced within the stipulated time, the carrier's and the shipping agent's bonds may be enforced.

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PROCEDURE FOR CUSTOMS EXAMINATION AND CLEARANCE OF  
CONTAINERIZED TRANSIT CARGO / BREAK-BULK TRANSIT CARGO  
LOADED IN COVERED WAGONS.

**EXPORT PROCEDURE**

When goods from Nepal are cleared for export to third countries, in transit through India, the following procedure shall be observed: -

1. The designated officer in-charge of the Nepalese customs office in ICD Birgunj shall furnish the following certificate on the "Export Containerized Cargo Declaration", hereinafter referred to as ECCD:

"I have verified that the goods specified in this Declaration and of the quantity and value specified herein have been permitted to be exported under Licence Number.....dated.....(wherever issued) and under Letter of Credit Number.....dated.....issued by.....(name & address of the issuing bank)".

Signature & Seal

Note: The requirement of giving particulars of Letter of Credit in the above certificate will not apply in the case of goods for the exports of which from Nepal, no Letter of Credit is required under the laws of Government of Nepal.

2. The exporter or his agent (hereinafter referred to as the exporter) shall present to the Indian customs officer at the Raxaul LCS, an ECCD containing the following particulars:
  - (a) Name & address of the exporter,
  - (b) Number, description, marks and serial numbers of the packages,
  - (c) Country to which consigned,
  - (d) Description of goods,
  - (e) Quantity of goods,
  - (f) Value of goods,
  - (g) Export License Number and date, if required,
  - (h) Country of origin of goods,



- (i) Letter of Credit number, date and name & address of issuing bank,
- (j) A declaration at the end in the following words: -

“I/We declare that the goods entered herein are of Nepalese origin, are for export from Nepal to countries other than India and shall not be diverted en-route to India or retained in India.

I/We declare that all the entries made therein above are true and correct to the best of my/our knowledge and belief.”

Signature

3. The ECCD shall be made in quadruplicate. All copies of ECCD, along with copy of bill of lading, copy of invoice, copy of packing list and copy of the Letter of Credit, authenticated by the concerned Nepalese bank, shall be presented to the Indian Customs officer at LCS Raxaul. No additional documents will be asked for by the Indian Customs, except when considered necessary for the clearance of any specific goods.
4. The Shipping agents shall submit an application for issue of a Transshipment Permit, hereinafter referred to as “TP” in prescribed forms (5 copies) along with a copy of ECCD to the Appraiser/Superintendent for transshipment of exports for goods to be transited to go via the gateway port of Kolkata.
5. Nepalese export goods in transit shall be covered by a bond and/or a bank guarantee, as may be acceptable to Indian Customs, to be furnished by the Carrier to the satisfaction of Indian Customs, for an amount equal to the Indian customs duties on such goods. In the event of goods not reaching the gateway port, irrespective of any other action contemplated in such case under the existing laws, the Carrier shall pay to the Commissioner of Customs, Patna, the amount of duty secured by means of bank guarantee/cash security on such goods. The said amount shall become payable forthwith on the receipt of a notice to the Carrier issued by the Commissioner of Customs, Patna, after satisfying himself that the goods have not reached the destined gateway port.
6. The shipping agents shall file another bond with the Indian Customs at LCS Raxaul, binding themselves to re-export containers within six



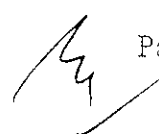

months of their import into India. The period of six months may be extended by the Deputy/Assistant Commissioner of Customs. The shipping agents shall also submit an authorization from the Carriers appointed for transportation of goods from ICD Birgunj through LCS Raxaul to the gateway port, so that issuance of transshipment permit and debiting of Carrier's bond can be done simultaneously.

7. On receipt of the application from the shipping agent, the Appraiser/ Superintendent at LCS Raxaul shall check whether the name of Carrier/Shipping agent/Importer appears in the negative list. Transshipment permit may be denied in case the name of shipping agent figures in the negative list.
8. In case the name of shipping agent does not figure in the negative list, the details furnished by the shipping agent in the transshipment form shall be scrutinized by the officer and matched with the declaration on the ECCD, and if these are found to be in order, the officer shall debit the bond of the carrier on the basis of value of the goods indicated in the ECCD. The number and date of the ECCD shall be recorded on the TP. After scrutiny of the transshipment form and debiting of bond, the officer shall sign all the copies of TP and put a seal.
9. On arrival of sealed export container at Raxaul, the Indian Customs officer posted at Raxaul LCS, shall merely check the 'one-time-lock' of the container put on by the shipping agent or the carrier authorised by the shipping company. If found intact, the customs officer shall allow transportation of the container, without examination, unless there are valid reasons to do otherwise.
- 9A. On arrival of sealed export break-bulk cargos at Raxaul, the Indian customs officer posted at LCS Raxaul, shall merely check the 'one-time-lock' or 'seal' of the wagon put on by the shipping agent or the Carrier authorized by the shipping company. If found intact, the Customs officer shall allow transportation of the wagon, without examination, unless there are valid reasons to do otherwise.
10. In case where the 'one-time-lock' on the container arriving at LCS Raxaul is found broken or defective, the Indian Customs authorities shall make due verification of the goods to check whether the goods are in accordance with ECCD and shall put fresh 'one-time-lock' and allow



the containers to be transported. The serial number of the new 'one-time-lock' shall be endorsed in the ECCD.

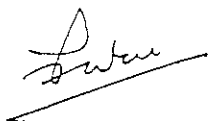
- 10A. In case where the 'one-time-lock' or 'seal' on the wagon containing break-bulk cargos arriving at LCS Raxaul is found broken or defective, the Indian Customs authorities shall make due verification of the goods to check whether the goods are in accordance with ECCD and shall put fresh 'one-time-lock' or 'seal' and allow such wagon to be transported. The serial number of the new 'one-time-lock' or 'seal' shall be endorsed in the ECCD.
11. After the Indian Customs at LCS Raxaul are satisfied as regards the checks contemplated in the preceding paragraphs, it shall endorse loading/dispatch particulars of goods on all the copies of TPs.
12. In case of any suspicion of pilferage, the goods in transit shall be subject to such checks by the Indian Customs, as may be necessary.
13. On arrival of the cargo by rail at the gateway Port in Kolkata, the following examination procedure shall be followed: -
- (a) On arrival of the cargo, the Indian Customs authorities shall check the 'one-time-lock' of the container put on by the shipping agent in ICD Birgunj or by the carrier authorised by the shipping company or during the transit and so endorsed on the TP and, if found intact, shall approve for onward shipment of sealed export container, without examination of the cargo unless there are valid reasons to do otherwise.
- (aa) On arrival of the break-bulk cargo, the Indian Customs authorities shall check the 'one-time-lock' or 'seal' of the wagon put on by the shipping agent in ICD Birgunj or by the Carrier authorized by the shipping company or during the transit and so endorsed on the TP and, if found intact, shall approve for onward shipment of sealed export wagon, without examination of the wagon, unless there are valid reasons to do otherwise.
- (b) In case where the 'one-time-lock' of the container is found broken or defective, the Indian Customs authorities at the port shall make due verifications of goods to check whether the goods are in accordance with the ECCD and conform to the export license and/or the letter of





credit wherever issued. Respective representatives of the concerned Carrier, Shipping Agent/Importer and Exporter shall be involved in the process of verification.

- (bb) In case where the 'one-time-lock' or 'seal' of the wagon containing break-bulk cargo is found broken or defective, the Indian customs authorities at the port shall make due verification of the goods to check whether the goods are in accordance with the ECCD and conform to the export license and/or the letter of credit wherever issued. Respective representatives of the concerned Carrier, Shipping Agents and Exporter shall be involved in the process of verifications.
- (c) If, on verification, done in presence of agencies listed in (b) above, the goods are found in accordance with the ECCD and conform to the export license and/or the letter of credit wherever issued, the Indian Customs authorities at the gateway port of Kolkata shall put fresh 'one-time-lock' and approve for onward movement of the container. The serial number of the new 'one-time-lock' shall be endorsed by the Indian Customs authorities on TP.
- (cc) If, on verification, done in presence of agencies listed in (bb) above, the goods are found in accordance with the ECCD and conform to the export license and/or the letter of credit wherever issued, the Indian Customs authorities at the gateway port of Kolkata shall put fresh 'one-time-lock' or 'seal' and approve for onward shipment of break-bulk cargos. The serial number of the new 'one-time-lock' or 'seal' shall be endorsed by the Indian Customs authorities at the gateway port of Kolkata on TP.
14. On arrival of traffic-in-transit at the gateway port, the Carrier shall present the original copy of the TP duly endorsed by the Raxaul LCS Customs, to the gateway port, Customs officer Kolkata, who shall compare the original copy with the duplicate copy received by him/her in a sealed cover and will, after satisfying himself/herself as regards the checks contemplated at sub-paragraphs (a), (aa), (b), (bb), (c) and (cc) above, endorse all the copies of the TPs. The goods in transit shall be allowed onward shipment by vessel only after clearance as above by the Indian Customs officer at the gateway port. The Customs Officer will certify on the copies of the TP that goods have been handed over to the concerned Importer/Shipping Agents, and then hand over the original



copy of the TPs to the Carrier and send the duplicate copy to Raxaul LCS customs for reconciliation of bonds.

15. A copy of the TPs endorsed by Kolkata Customs at the gateway port shall be sent to LCS in Raxaul for closure of bonds in respect of containers/wagons transhipped from ICD Birgunj. In case the endorsed TPs are not produced within the stipulated time, the Carrier and Shipping Agent's bonds may be enforced.

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PROCEDURE FOR EXAMINATION AND CLEARANCE OF THE  
INDIA-NEPAL BILATERAL TRAFFIC ON THE RAXAUL-BIRGUNJ  
RAIL SECTION.

**IMPORT PROCEDURE FROM NEPAL TO INDIA**

When goods (container traffic moving in flats / BOX wagons and/or break-bulk cargo) from Nepal are cleared for import to India through rail transport, the following procedure shall be observed: -

1. The designate officer in-charge of the Nepalese customs office in Inland Container Depot, Birgunj shall furnish the following certificate on the Import Cargo Declaration (herein and after referred as 'ICD')

"I have verified that the goods specified in this Declaration and of the quantity and value specified herein have been permitted to be exported to India under Licence Number.....dated..... (wherever issued)."

Signature & Seal

2. On or before arrival of goods at Raxaul Railway Station in India, the Shipping line/carrier/his authorized agents shall present an ICD to the proper Customs Officer prior to the arrival of the train in the customs station. The person delivering the ICD shall at the foot thereof make and subscribe to a declaration as to the truth of its contents. If the Customs Officer is satisfied that the ICD is in any way incorrect or incomplete, and that there was no fraudulent intention, he may permit it to be amended or supplemented. The ICD shall be made in quadruplicate. The ICD shall contain the following particulars:-

- (i) Name & address of Importer,
- (ii) Date & time of Arrival,
- (iii) Nationality,
- (iv) Land Customs Station/ Railway Station of Departure,
- (v) Railway Receipt No. / Date,
- (vi) Number & Description of Packages,
- (vii) Identifying Marks & Numbers,



- (viii) Quantity & Weight,
- (ix) Description of Goods,
- (x) Value of Goods,
- (xi) Clearance particulars (to be filled in the Customs Station),
- (xii) Import Licence No. & Date (if required),
- (xiii) Country of Origin of Goods,
- (xiv) A Declaration at the end in the following words:-

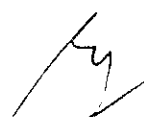
“I / We declare that the goods entered herein are of Nepalese or Indian origin under the Treaty of Trade between India and Nepal and are meant for import from Nepal into India.

I / We declare that all the entries made herein above are true and correct to the best of my/our knowledge and belief.”

3. On or before arrival of goods at Raxaul Railway Station, the Importers or his authorized Agent shall attach the Bills of Entry as specified in the Indian Customs Act, 1962 along with the following documents, wherever required:-

- (i) Signed invoice,
- (ii) Packing list,
- (iii) Railway Receipts,
- (iv) Importer's / CHA's declaration,
- (v) License wherever necessary,
- (vi) Letter of Credit / Bank Draft (Wherever necessary),
- (vii) Insurance document,
- (viii) Import license (if required),
- (ix) Industrial License, if required,
- (x) Test report in case of chemicals,
- (xi) Adhoc exemption order,
- (xii) DEEC Book / DEPB in original,
- (xiii) Catalogue, technical write up, Literature in case of machineries, spares or chemicals as may be applicable,
- (xiv) Separately split up value of spares, components machineries,
- (xv) Certificate of Origin,
- (xvi) Pragyapan Patra.

4. The Bills of Entry, so filed will be subjected to assessment as per the existing procedure of LCS Raxaul and prescribed instruction of the Ministry. The Indian Customs duties and such other levies and taxes as specified under the provisions of Treaty of Trade between India and Nepal read with Indian

Customs Act, 1962 and such other Rules / Regulations for the time being in-force, will be collected by the Customs at the LCS Raxaul.

5. On arrival of the goods traffic in flats/BOX wagons / Break-bulk cargo loaded in covered wagons at Raxaul Railway Station, the Indian Customs officer of LCS Raxaul, in the presence of Carrier / Importer or their representatives shall examine the goods with the particulars recorded in the Bills of Entry as per the instructions prescribed by the Ministry. The carrier & custodian of goods (in this case CONCOR / Railways) shall ensure to facilitate Customs for proper examination of goods including drawal of samples as per the prevailing instructions. If the verification is found correct *vis-à-vis* particulars mentioned in ICD, the Indian Customs authorities may allow clearance subject to the fulfillment of provisions of the Treaty of Trade between India and Nepal, the Indian Customs Act, 1962, and any other law for the time being in force.

6. Carrier i.e. CONCOR/Railways shall provide all necessary equipments, infrastructure and space, as required by the Indian Customs at Raxaul Railway Station for carrying out the examination/verification of the goods as well as drawal of samples, if any, as per the provisions of the Indian Customs Act and such other Acts/Rules/ Regulations for the time being in-force.

7. Carrier and Importer shall ensure before loading the cargo and bringing the same at Raxaul Railway Station that the goods being imported are covered with license / certificate / permit as applicable, especially, in respect of food items/ livestock products/ plant & plant materials/ other Agriculture material so that consignments are not held up for want of statutory documents.

8. In case the verification found not to be correct *vis-à-vis* the particulars recorded in Bill of Entry and/or ICD, the Importer/carrier shall file a fresh/revised Bill of Entry and a fresh/revised ICD along with the required documents. Thereafter, the Indian Customs authorities may allow clearance subject to fulfillment of provisions of the Treaty of Trade between India and Nepal, the Indian Customs Act, 1962, and any other law for the time being in force; and collection of Indian Customs duties and such other levies / taxes, as applicable.

9. After the Indian Customs at LCS Raxaul are satisfied as regards the checks/ examination / verification prescribed in the preceding paragraphs, it shall endorse loading/dispatch particulars of goods on-duplicate, triplicate and quadruplicate copies of ICD. After assessments and examination of all the Bills

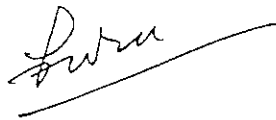


of Entry / ICD for all the items listed in the ICD, the Indian Customs office at LCS Raxaul shall allow the clearance of goods to the Indian destination. Duplicate copy of ICD will be sent to manifest closing section of LCS Raxaul for reconciliation of ICD. The triplicate copy of ICD shall be given to the carrier or his agent and the quadruplicate copy of ICD shall be sent to the Customs Office at Inland Container Depot, Birgunj for their reconciliation.

10. The rail rake carrying the import consignments shall leave Raxaul Railway Station only after receipt of written order to that effect from the Customs officer, LCS Raxaul.

11. The duty of Customs on the Containers is exempted to facilitate the movement of Containers out of the country without payment of duty subject to execution of a bond by the Shipping Agent/Carrier. The shipping agent/carrier is required to file this bond with the LCS, Raxaul, binding themselves to re-export containers within six months of their import into India. The period of six months may be extended by the Deputy/Assistant Commissioner of Customs, LCS, Raxaul.

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A handwritten signature in cursive script, possibly reading 'Sura', written over a horizontal line.A handwritten signature in cursive script, possibly reading 'Gy', written over a horizontal line.

PROCEDURE FOR EXAMINATION AND CLEARANCE OF THE  
INDIA-NEPAL BILATERAL TRAFFIC ON THE RAXAUL-BIRGUNJ  
RAIL SECTION.

**EXPORT PROCEDURE FROM INDIA TO NEPAL**

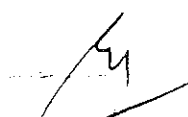
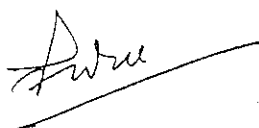
The export consignments, duly sealed by the originating Indian Central Excise Officers as detailed in the Nepal Invoice Procedure (DRP) under Rules 18 & 19 of the Central Excise Rules, 2002, the in-bond export consignments, and goods directly purchased from the Indian markets, can be examined and allowed for onward transmission by rail as per the conditions and procedure prescribed under relevant Notification / Circular issued in this behalf. When such goods (container traffic moving in flats / BOX wagons and/or break-bulk cargo loaded in covered wagons) are exported from India to Nepal through rail transport, the following procedure shall be observed:-

1. The jurisdictional officer of Central Excise/Customs shall examine the goods meant for export to Nepal as per the applicable export procedure as detailed in the Nepal Invoice Procedure (DRP) under Rules 18 & 19 of the Central Excise Rules, 2002, the in-bond export consignments, and goods directly purchased from the Indian markets, and shall furnish the following certificate on the Invoice / Export Cargo Declaration, referred hereinafter to as ECD:

"I have verified and examined that the goods specified in this Invoice and/or Export Cargo Declaration and of the quantity and value specified herein have been permitted to be exported under License Number ..... dated ..... (wherever issued) and under Letter of Credit Number ..... dated ..... (if so required) issued by (name & address of the issuing bank)".

**Signature & Seal**

**Note:** The requirement of giving particulars of Letter of Credit in the above certificate will not apply in the case of goods for the exports of which from India, no Letter of Credit is required under the laws of the Government of



India. The above certificate will be in addition to the certificate which jurisdictional Central Excise/Customs officers are required to give on the statutory prescribed documents while sealing the container/ Wagon after due examination of the goods.

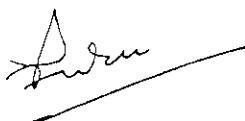
2. On or before arrival of export traffic at Raxaul Railway Station, the Exporters or their authorized Agents shall file Bills of Export as required and specified in the Indian Customs Act, 1962 and ECD. The Bills of export / ECD shall be filed at Raxaul LCS along with prescribed documents and shall be assessed by Customs officer as per the prevailing practice and instructions issued in this regard.

3. On or before arrival of the export container/break-bulk cargo at Raxaul Railway station, the Shipping Agent/Carrier/Authorized agent shall submit ECD. ECD shall be made in quadruplicate. ECD shall contain the following particulars:-

- (i) Name & Address of Exporter,
- (ii) Date and Time of Departure,
- (iii) Nationality,
- (iv) Name & Address of the Agent,
- (v) Railway Receipt No. / Date,
- (vi) Railway Wagon No.
- (vii) Number & Description of Packages,
- (viii) Identifying Marks & Numbers,
- (ix) Quantity & Weight,
- (x) Description of Goods,
- (xi) Value of Goods,
- (xii) Destination of Goods,
- (xiii) Shipment Particulars (To be filled in by the Customs Station),
- (xiv) Export Licence No. & Date, if required.,
- (xv) Letter of Credit No., Date & Name & Address of Issuing Bank,
- (xvi) Declaration:

“I/We declare that all the entries made herein above are true and correct to the best of my/our knowledge and belief.”

4. Once the Bills of Export / ECD are passed by the Customs officer, the Indian Customs officer at LCS Raxaul, in the presence of representative of Carrier/Exporter/Agent, shall examine the goods with reference to Bills of Export and / or ECD and declaration given in the Nepal invoice for factory





goods, and/or documents for goods under bond, and/or documents for goods directly purchased from the Indian markets. The contents of all copies of ECD / Documents as the case may be, are tallied and the packages, goods or container are identified with their seals intact. The Customs officers, as per the existing guidelines of the Ministry, will conduct examination/inspection of the export cargo including drawal of samples, if any. If verification is found correct vis-a-vis the particulars mentioned in the Bill of Export / invoice and/or ECD, the Customs officers shall give the "Let Export Order".

5. The Carrier i.e. CONCOR / Railways shall provide all the necessary equipments, infrastructure and space, as required by the Indian Customs at Raxaul Railway Station for carrying out the examination / verification of the goods as per the provisions of the Customs Act, 1962 and such other Acts / Rules / Regulations, for the time being in force.

6. In case the factory seals of the packages or the container, and/or such other seals for in-bond goods and goods of non-factory premises as the case may be, are found broken, the Customs Officer may, to satisfy himself as to the identity of the packages, goods or containers from the particulars shown on the Invoice or such other documents as the case may be, open container or packages, examine goods, and tally the goods with the declaration given therein. If the Customs Officer is satisfied with examination of export consignment, the consignment may be allowed for export to Nepal. The Indian Customs shall put the 'one-time-lock' or 'seal' of the container / wagon and record the same in Bill of Export and/or ECD. Levy of Export Duty & Cess (wherever applicable) will be collected by the Customs at LCS Raxaul.

7. After the Indian Customs at LCS Raxaul are satisfied as regards the checks / examination / verification contemplated in the preceding paragraphs, the Indian Customs Officer shall then make endorsement on duplicate, triplicate and quadruplicate copies of Bills of Export and/or ECD. After clearance of all the goods mentioned in Bills of Export and/or ECD, the duplicate copy of ECD shall be forwarded to Manifest Closing Section for reconciliation. The triplicate copy of the ECD shall be given to carrier or his agent and the quadruplicate copy of ECD shall be sent to the Customs Office at Inland Container Depot, Birgunj for their verification and return to Raxaul LCS. On return of quadruplicate copy, the same will be reconciled with the original and duplicate copy of Bills of Export and/or ECD in the Manifest Closing Section of LCS, Raxaul.

8. The rail rake carrying the export consignment shall leave Raxaul



Railway Station only after receipt of written order to that effect from the Customs officer, LCS Raxaul.

9. On arrival of the cargo by rail at Inland Container Depot Birgunj, the following examination procedure shall be followed: -

(a) On arrival of the cargo at Inland Container Depot Birgunj, the Nepalese Customs authorities shall merely check the 'one-time-lock' or 'seal' of the container/wagon put on by the Indian Customs/Central Excise officers. If the seal is found intact, the Nepalese Customs authorities shall deal with the Original & Triplicate copies of the Invoice and/or ECD or such other documents and, return the Duplicate copy after endorsing his certificate of receipt of goods in Nepal directly to the Indian Customs at Raxaul through the Carrier.

(b) In case where the 'one-time-lock' or 'seal' of the container / wagon is found broken or defective, the Nepalese Customs authorities shall make due verifications of goods to check whether the goods are in accordance with the ECD and conform to the export license wherever such license is issued, and the Letter of Credit. Respective representatives of the concerned Carrier, Shipping Agent/Exporter and Importer shall be involved in the process of verification.

(c) Thereafter, the Nepalese Customs authorities may allow clearance subject to fulfillment of provisions of the Treaty of Trade between India and Nepal, the Nepalese Customs Act, 1962, and any other law for the time being in force, and collection of Nepalese customs duties and such other levies/taxes as applicable.

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