

OFFICE OF THE CHIEF COMMISSIONER OF CUSTOMS
JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA-SHEVA,
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F.No. S/V-30-Misc-117/2017 CCO-M-II

Date:- 09.08.2016

Minutes of the Departmental Council Meeting of Joint Consultative Machinery (JCM) held on 31.07.2017 at 03.00 P.M.

The Departmental Council Meeting of Joint Consultative Machinery (JCM) held on 31.07.2017 at 03.00 P.M in the Conference Hall, JNCH, Nhava Sheva, Mumbai II under the Chairmanship of Shri Vivek Johri, Chief Commissioner of Customs, Mumbai Customs Zone II.

The following Officers were present on the official side:-

Sr. No.	Name of Officer	Designation
1.	Shri Vivek Johri	Chief Commissioner of Customs, Mumbai Zone II
2.	Shri Utkaarsh Tewari	Commissioner of Customs, (NS-General) JNCH
3.	Shri R.P.Khandelwal	Addl Commissioner of Customs, CCO, JNCH
4.	Shri N.P.Meshram	Addl Commissioner of Customs, P & E, JNCH
5.	Shri Kunal Kashyap	Jt. Commissioner of Customs, Preventive, General
6.	Shri D.Diwakar	Dy. Commissioner of Customs, Preventive, General
7.	Smt. S.K.Shindekar	Chief Account Officer, JNCH
8.	Shri Clint D'Silva	Asstt. Commissioner of Customs, CCO
9.	Shri S.R.Adate	Asstt. Commissioner of Customs, CCO
10.	Shri PankajM.Tamhane	Supdt. CHS
11.	Shri Amit V. Bhatia	Supdt. CHS
12.	Shri B.S.Akode	Supdt. PSO

The following members from various associations were present on the staff side:-

Sr. No.	Name of Officer	Association
1.	Mayank Kaleramana	MCPSA
2.	Rajeev Singhal	MCPSA
3.	Sitaram Nain	MCPSA
4.	Abhishek Kumar	MCMOA
5.	G.N. Srinivas	Supdt. Association
6.	Alok Garg	Supdt. Association
7.	B. R. Borade	Supdt. Association
8.	Anand Prakash	Appraising Association
9.	Yogesh Kumar	Appraising Association
10.	Sarvindu Chaubey	Appraising Association
12.	V.B. Chavan	Gr. C Association

The meeting was also attended by the following staff members:-

Sr. No.	Name of Officer	Association
1.	Ramakant Dubey	PO
2.	Gaurav Shukla	STA
3.	Prakash Mengal	Hawaldar
4.	M.A. Gharat	Hawaldar
5.	Arun J. Koli	Head Hawaldar
6.	L.H.Tandel	Head Hawaldar
7.	Aniruddha Thakur	Hawaldar

At the onset of the proceedings, chair welcomed all the members and meeting started with the introduction of all present. Thereafter, the points raised by the staff Association were taken up for discussions.

The following points were discussed in the meeting:-

**POINTS RAISED BY ASSOCIATION OF SUPERINTENDENT OF CUSTOMS,
MUMBAI**

1. Centralized GPF Section.

The Superintendent Association raised the issue of several GPF Accounts due to frequent transfers and requested for Central GPF Section with a single GPF Account. All Association supported the issue. It was also suggested that Service Book of the Officers may be digitized.

ADC/P&E agreed with the members and assured to take up the matter with PAO Section. The Chief Commissioner of Customs also instructed that if need arises, a meeting with Controller of Accounts may also be conducted.

(Action : Addl. Commissioner of Customs, P&E)

2. Income tax deducted by Pay Bill but not deposited into Income Tax account.

The Association raised the issue of Income tax deducted by Pay Bill but not deposited into Income Tax account wherein it was stated that even though the tax was deducted by the Department as TDS, the same was not reflecting in the 26A form and also, quite a few deductions were not fed in the system.

ADC/P&E agreed with the members and assured to take up the matter urgently. It was also mentioned that there was a glitch in the system which has been rectified.

(Action : Addl. Commissioner of Customs, P&E)

3. Pending medical bills due to lack of funds and sanction of additional funds.

The Superintendent Association raised the above mentioned issue and all Association supported the issue. All Associations stated that reimbursement of medical bills, TA & LTC bills etc are delayed by the Pay Accounts Section and requested for timely reimbursement of such bills.

The ADC/P&E, JNCH clarified that the delay is only temporary and due to non-availability of funds. As and when the funds arrive, all such bills will be cleared immediately. It was also mentioned that a letter to Ministry for the sanction of fund is already under preparation and will be dispatched in a couple of days. Thereafter, all the bills will be cleared. It was further informed that the bills submitted by the officers are processed and will be cleared in due course.

(Action : Addl. Commissioner of Customs, P&E)

4. MACP / ACP arrears pendency.

All the Association have lamented that despite several representations and availability of eligible officers, no ACP and MACP is granted in the recent past and have unanimously requested Chief Commissioner to take up the matter.

The Chief Commissioner of Customs expressed displeasure at delay in granting ACP and MACP and directed the ADC/P&E, JNCH to take up the

matter with CAO-Paybill / PPB to look into the matter urgently. CAO, who was present in the meeting assured that the issue will be solved within 15 days (two weeks time).

(Action : Addl. Commissioner of Customs, P&E and CAO-Paybill)

5. Staff to be trained before posting in Import/Export examination.

The Superintendent Association raised the above mentioned issue and was supported by the Appraiser's Association wherein it was requested that a training programme for examiners as well as Preventive Officers may be conducted. Commissioner (G) informed that such a programme is already being conducted with the Superintendents (Import). Chief Commissioner of Customs emphasized for a permanent solution and instructed that a special training cell may be constituted to look after the training needs of the officers of all cadres and conduct in house training programme with faculty sourced from both within and outside experts on the respective subject. It was also instructed that for this purpose, a group comprising of at least one member from each association may be formed who will work out a schedule, chalk out the topics, names of the trainees etc. and see that proper training is being imparted. Help may be taken from NACEN as well if need arises. ADC P & E, Commissioner (G) and JCP(G) may look into the matter. It was also suggested that Alerts issued by various agencies may be uploaded in the system / site which may benefit the Officer while conducting examination. The EDI (Software) staff was called for and consulted who informed that website controller has to be consulted before starting the project.

(Action :Associations of Superintendents and Appraisers, ADC P&E, JCP(G))

6. Safety issue of the staff in EDI centre.

The Superintendent Association raised the above mentioned issue regarding safety hazard at the EDI Centre located on the rear side of the building and requested for emergency door for the staff members sitting in the annex building at the rear of JNCH main building. The building does not have a safety door and in case of an emergency, only one door is not enough. DCP(G) and CHS staff informed that there is a plan of a new building in the place of the old one. However, in the meantime, a safety door will be constructed at the back / side of the annex with the help of CPWD staff who are looking after the building. Chief Commissioner of Customs directed that a letter may be written to CPWD taking cognizance of this meeting and asked to do the needful.

The Superintendent Association have also requested for Disabled friendly infrastructure such as a ramp at the entrance etc for which the Chief Commissioner immediately agreed and directed the CHS staff to get it done.

(Action : JCP(G) and CHS Section)

7. Proper seating arrangement for staff to be provided.

The Superintendent Association raised the above mentioned issue and all Association supported the issue. There is an acute shortage of space causing hindrance to the smooth functioning of work. The CHS section informed that the DYCC Section is to be shifted to Fundey village shortly, where one building and one bungalow is being prepared for them. Thereafter there will be more space for work. Further, quite a few sections have shifted to CFSs which have provided some

space in the present building. A new building is being planned in the near future which will provide the necessary space required for the proper functioning of the departments. Chief Commissioner of Customs directed the JCP(G) along with the CHS section to look into the matter.

(Action : JCP(G) and CHS Section)

**POINTS RAISED BY CUSTOM PREVENTIVE SERVICE ASSOCIATION,
MUMBAI**

1. Emergence of CISF as “Pseudo-Customs” causing innumerable problems to trade and department.

The Mumbai Custom Preventive Service Association raised the above mentioned issue. It was pointed out to the Chair that CISF personnel posted at port gates are sometimes interfering with Customs cleared goods. It was informed that they are verifying the S/Bills and Bill of Entry with the intention of stopping them on the ground of veracity of the documents and cargo covered therein. Sometime they object to the extent of saying that such and such is not allowed to be exported or imported. Incidentally, the role of CISF is limited to security aspect only, not verification of exim documents.

It was also pointed out that as per law the goods duly cleared by Customs cannot be stopped by any agency unless there is specific intelligence against the goods / documents. The clearance of goods falls under the purview of Customs Act, 1962 which is enacted by the Officers of Customs.

The Chair directed DCP(G) to take up these issues with his counterpart in CISF and report back to him.

(Action : DCP(G) and PSO Section)

2. Requirement of a room for Mumbai Custom Preventive Service Association

It was requested by the Association to provide them with a room to function in JNCH. However, the Chair remarked that shortage of space, as has already been discussed above, is a constraint. It will be looked after when space will be available.

(Point closed)

3. Designate a room / place for uniform change.

It was requested by the association to provide them with a room for changing uniform. The Chair directed DCP(G) to check out a suitable place/room for the Officers to change their uniforms.

(Action : DCP(G) and PSO Section)

4. Speedy clearance of Mediclaim allowances, Uniform allowances etc.

Matter already discussed above.

**POINTS RAISED BY MUMBAI CUSTOM APPRAISING OFFICERS’
ASSOCIATION**

1 Delay in the implementation of MACP, matter taken up in last meeting as well

The Appraising association pointed out that despite several representations, no MACP has been granted at Mumbai Customs Zone in the recent past. It was also informed that no DPC for MACP has been done. It was

observed by the Chair that the matter needs to be taken up with Chief Commissioner, Zone I. The Chief Commissioner directed ADC/P&E to take up the matter urgently with Zone I being Cadre Controlling Authority.

(Action : Addl. Commissioner of Customs, P&E)

2 & 3. Poor upkeep of Appraising Halls and infrastructure facilities. Unhygienic condition of toilets and washrooms. Air conditioning of Appraising halls.

The Appraising association pointed out that the Appraising Halls of 2nd, 3rd, 4th floor are in a sorry state and needs to be repaired and painted immediately. There was no printer in the hall and if possible, a central air conditioning system may be installed. It was informed by JCP(G) and CHS staff that they are already in touch with CPWD and the matter is being pursued. It was suggested by Chief Commissioner that the work may be taken in a phase-wise manner and directed JCP(G) to look into the matter. As regard toilets and washrooms, it was informed that the previous House Keeping contract has ended and new one is under way. Chief Commissioner suggested that fund under Swachh Bharat Pariyojna may be obtained and used for the purpose. It was also instructed by Chief Commissioner to divide the responsibility into small committees for each floor to look into the issue of cleanliness of each floor.

(Action : Joint Commissioner of Customs, P(G))

4. Arrangement for purified drinking water.

It was suggested that there should be one water purifier and feeder in each wing of all the seven floors in JNCH as there is an acute shortage of pure drinking water. Chief Commissioner directed JCP(G) and CHS staff to look into the matter urgently and report.

(Action : Joint Commissioner of Customs, P(G))

POINTS RAISED BY MUMBAI CUSTOM GROUP 'C' OFFICERS' UNION

1 Transfer of GPF Account to NCH on transfer of Group 'C' staff.

It was requested by Group 'C' Officers union that on transfer of staff members, the GPF should be also transferred immediately to NCH. The matter was already taken up by Superintendent Association regarding centralization of GPF. Chief Commissioner directed ADC, P&E to speak with PAO / Controller of Accounts and if necessary, to have a meeting to solve the issue.

(Action : Addl. Commissioner of Customs, P&E)

2. Free Launch service to travel to JNCH for official work.

It was pointed out by Group 'C' Officers union that the launch service provided by JNPT is not charging money from CISF staff but since last year, they are charging from Custom staff in spite of being Central Government Employee same as CISF. The Chief Commissioner has directed Commissioner (G) to take up the matter urgently with JNPT and look into the matter.

(Action : Addl. Commissioner of Customs, P&E)

3. Separate Standing Order regarding Transfer Policy of JNCH.

Group 'C' Officers union has requested for a new policy regarding their transfer and postings. It was stated that some Sepoys were posted for six months and some for one month only. However, it was clarified by DCP(G) that

monthly rotation is done regularly and there is no policy of six months at all. Chief Commissioner instructed DCP(G) to look into the matter once again and asked the Association to submit a specific report in the matter.

(Action : Dy. Commissioner of Customs P(G) and Group 'C' Association)

4. Prompt action on Relieving Orders from JNCH to NCH

The Group 'C' Officers union requested for prompt action on relieving orders to NCH. Both DCP(G) as well as Addl. Commissioner, P&E informed that they were not aware of any complaints in the matter and asked Group 'C' Officers union to submit a report with names, if possible, so that action can be taken in the matter.

(Action : Addl. Commissioner, P&E; Dy. Commissioner of Customs P(G) and Group 'C' Association)

POINTS RAISED BY MUMBAI CUSTOM MINISTERIAL OFFICERS' ASSOCIATION

1. Promotion from the post of Tax Assistant (TA) to Senior Tax Assistant (STA) under Junior Senior Clause of RR of STA, 2003.

The Ministerial Officers Association drew attention to DPC held on 30.05.2017 wherein juniors were promoted and seniors were left out and thus requested to conduct a review DPC and promote all eligible TAs under Junior/Senior clause. The Chair directed Addl. Commissioner, P&E to take up the issue and write to Zone I, and if necessary, to Chief Commissioner, Zone I.

(Action : Addl. Commissioner, P&E, JNCH)

2. Filling up of 150 seats of STAs lying vacant/unfilled till date.

The Ministerial Officers Association stated that about 150 promotion in the grade of STA are lying vacant. It was also informed that Dr. John Joseph, Hon'ble Chief Commissioner Zone II had requested to competent authority for completing all formalities related to DPC before 5th June, 2017. The above matter was forwarded to Chief Commissioner Zone I under Special Watch but no action has been taken. The Chair directed Addl. Commissioner, P&E to take up the issue urgently and write to Zone I, and if necessary, to Chief Commissioner, Zone I.

(Action : Addl. Commissioner, P&E, JNCH)

3. Publication of Seniority list of TAs (as per Supreme Court's N.R.Parmar judgement)

It was informed by the Association that despite order issued by DoPT and clarification by CBEC in the matter of fixing Seniority of Direct Recruits and Promotees, Mumbai Customs has failed to implement the judgement of Supreme Court in last two years. It was also informed that a committee was constituted and a Final Seniority List of TAs was published but later it was withdrawn. In view of the above, Association requested for the publishing of Seniority List of TAs as on 01.04.2013, 01.04.2014, 01.04.2015, 01.04.2016 and 01.04.2017. The Chief Commissioner Zone II directed Addl. Commissioner, P&E to take up the issue urgently and write to Zone I.

(Action : Addl. Commissioner, P&E, JNCH)

4. DPC from STA to DOS and TA to STA as on 01.04.2015.

The Association requested for promotion of STA to DOS and TA to STA with effect from 01.04.2015. they have also requested for notional promotion of all willing STAs and DOS with effect from 01.04.2015. In this context, Board has already issued directions and clarification vide file No. 32011/03/2015-Ad.III(A) dated 10.02.2017. The Chief Commissioner Zone II directed Addl. Commissioner, P&E to take up the issue and write to Zone I.

(Action : Addl. Commissioner, P&E, JNCH)

5. DPC for promotion from TA to STA under Physically Handicapped Quota.

The Ministerial Officers Association informed that the Physically Handicapped (PH) quota was not reflected in DPC conducted in 2014 for post of TA to STA intentionally and the vacancies were filled up by general candidates. The matter was brought to the notice of the competent authorities several times but to no avail. The Chief Commissioner Zone II informed that the matter will be taken up by him with Zone I.

(Action : Chief Commissioner Zone II, JNCH)

6. DPC as per DoPT Model Calender.

The Ministerial Officers Association informed that the DoPT OM on convening timely and advance DPC is not followed properly resulting in the loss of seniority to promotee officers as department had not given promoted officers notional effect. Also, the DoPT model calendar is not followed by Zone I. Chief Commissioner directed Addl. Commissioner, P&E to write to Zone I.

(Action : Addl. Commissioner, P&E, JNCH)

7. Re-designation / Promotion of all working LDC to TA.

It was requested by Ministerial Officers Association that since the post of LDC was abolished in 6th CPC, therefore all working LDCs may be promoted to the grade of TA with effect from 01.01.2016. The Chief Commissioner Zone II directed Addl. Commissioner, P&E to take up the issue and write to Zone I.

(Action : Addl. Commissioner, P&E, JNCH)

(*) After discussion on various issues, raised by various Associations, The Chairman observed that most of the issues pertain to the Cadre Controlling Authority, that is, Pr. Commissioner of Customs (General), Zone I, NCH, Mumbai. Therefore, the Chairman directed that the Addl. Commissioner of Customs (P&E), Zone I, NCH, Mumbai may be called for attending the JCM next time onwards. If there arises any important and serious issue, Principal Commissioner of Customs (General) Zone I, NCH, Mumbai may also be invited for the JCM.

8. Safe Drinking water.

9. Cleanliness of Toilets

10. Canteen items at a subsidized rate

The above points have already been discussed and was already in the agenda of other associations.

11. Providing of Xerox machines (Photocopiers) in each section.

The Ministerial Officers' Association raised the above mentioned issue and all Association supported the issue. All Associations stated that if it was not possible in each section, at least each wing on the JNCH building should have

one heavy duty machine at their disposal. Chief Commissioner Directed JCP(G) and staff of CHS to look into the issue.

(Action: JCP (G) and CHS Section)

12. Request to abolish fare charged by JNPT and provision of accommodation for association activity in JNCH.

Matter already discussed.

12(a) Providing of an accommodation for Association Activity in JNCH.

This issue was raised by Ministerial Officers' Association and the Chair assured that efforts are being initiated to provide an Accommodation for Ministerial Officer's Association in JNCH at the earliest.

(Action: JCP (G) and CHS Section)

13. Non-functioning of grievance redressal mechanism in NCH/Zone-I

It was submitted by Ministerial Officers' Association that letters against the JCM Meeting/JNCH dt 05.04.2017 were forwarded to Zone-I from CCO, JNCH Zone-II but neither the matter was taken up with the Board nor action taken by Zone-I. Even after repeated reminders, no reply has been received from Zone-I. The Chair assured that the matter would be monitored and positive result is expected.

(Action : Addl. Commissioner, P&E, JNCH)

14. Non-adherence with requests/orders of Pr. Chief/Chief Commissioner of Customs, NCH/JNCH.

This issue was raised by Ministerial Officers' Association wherein it was mentioned that the follow-up action of the letters/DO letters under Special Watch as well as Minutes of JCM Meetings in both of places NCH and JNCH are not being taken up timely resulting into litigations and hampering the promotion of the affected cadre. The Chair assured that the matter shall be monitored and taken up with NCH for strict compliance.

(Action : Addl. Commissioner, P&E, JNCH)

15. Formation of Committees to resolve the issue inadvertently.

This issue was raised by Ministerial Officers' Association that the Competent Authority used to form a single Committee incorporating the various issues of different cadres resulting into delays and ultimately dissolving the committee without any positive outcome. It was also submitted that the Members of the Committee are being selected from the other cadres like Preventive/Examiner Cadre; overlooking the facts that the issues are related to the Ministerial Cadre.

Hence, it was requested by the Association to always select the member of Committee, to be formed for the issues related to Ministerial Cadre, only from the Ministerial Officers' Association as Gazetted Officers are also available within the Ministerial Cadre (ACAO/Admin. Officer).

(Action : Addl. Commissioner, P&E, JNCH)

This issues with the approval of Chief Commissioner of Customs, Mumbai Zone II.

Sd/-

09.08.2017

(DHIRENDRA LAL)

Addl. Commissioner of Customs
Chief Commissioner's Office,
Zone-II, JNCH, Nhava Sheva.

Copy to:-

1. Pr. Commissioner of Customs, Mumbai Zone I, NCH, Mumbai
2. Commissioner of Customs (NS-Gen.), Mumbai Zone I, NCH, Mumbai
3. Commissioner of Customs (NS-Gen.), Mumbai Zone II, Nhava Sheva
4. Addl. Commissioner of Customs, P & E, NCH, Zone I, Mumbai
5. Addl. Commissioner of Customs, P & E, JNCH, Zone II, Nhava Sheva
6. Jt. Commissioner of Customs, Prev. (G), JNCH, Nhava Sheva
7. The Chief Account Officer (CAO)/AC Paybill, Zone II, Nhava Sheva
8. The Association of Superintendent of Customs, Mumbai
9. The Mumbai Customs Appraising Officers Association
10. The Mumbai Customs Ministerial Officers Association
11. The Mumbai Customs Group 'C' Officers Union
12. Notice Board
13. EDI/Website