

सी मा शु ल् कअयु क् त (ए न ए स -I) का र्, या ल य
OFFICE OF THE COMMISSIONER OF CUSTOMS, NS-I
मू ल् यनरि रू पणमु ख् य (अया त) APPRAISING MAIN (IMPORT)
जवा हरला लने हरू सी मा शु ल् कभवन,न् हा वा शे वा ,
JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA- SHEVA
ता . उरण,, TAL-URAN, जलि रा यगड /RAIGAD -
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F.No. S/22-Gen-44/2017-18 AM (I) Pt. II

Date: 10.01.2019

MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE HELD ON 27.12.2018.

The PTFC meeting held on 27.12.2018 was chaired by Shri Vivek Johri, Chief Commissioner of Customs, JNCH, Shri Subhash Agrawal, Commissioner of Customs (NS-III & IV), Shri Utkaarsh R. Tiwaari, Commissioner of Customs (NS-G) and Shri R. K. Mishra, Commissioner of Customs (NS-V). The meeting was attended by the following members/participants of trade:-

Sr. No.	Names (S/Shri/Ms./Mrs.)	Organization/Association/Designation
01	Manish Kumar	MANSA
02	Ganpat P. Korade	BCBA
03	Shankar Shinde	BCBA
04	Vinayak Apparaj	BCBA
05	Venkat Narayanan	CFSAI
06	Paras Shah	Soham Logistics
07	Rajshekhar R	UPL
08	Neelesh Datir	AICBIEA
09	Maruti R. Gadge	BCBA
10	Ashok Saini	BCBA
11	Sindhu Kunep	Trans Asia Line
12	Hiren Ruparel	BCBA
13	S C Mohanty	MSWC-CFS
14	Vinay Pathak	A V Global
15	Vinay Thandel	Speedy CFS
16	Salim Shikalgar	CFSAI
17	Om Prakash Agrawal	MSWA
18	Karunakar S. Shetty	BCBA
19	Kiran Rambhia	BCBA
20	Dushyant Mulani	BCBA
21	Shaikh Abdul Haseeb	Speedy CFS
22	Jitendra S Chauhan	Speedy CFS
23	Suraj Thaker	Continental CFS
24	Gangadhar Kodte	Shoolin Shipping Services
25	Anand Chaturvedi	Liladhar Pasoo
26	Prashant Mhatre	APMT-GTI

27	K Prakash Chand	DPWORLD-NSICT
28	Brijesh Chheda	IKEA
29	Prasad S Darekar	IKEA

Following Officers from the department attended the meeting:-

Sr. No.	Names (Shri/Smt./Ms.)	Designation
1.	Sanjay Kumar	Addl. Commissioner of Customs, JNCH
2.	R. K. Singh	Addl. Commissioner of Customs, JNCH
3.	Kamlesh Kumar Gupta	Joint Commissioner of Customs, JNCH
4.	Alok Shrivastava	Joint Commissioner of Customs, JNCH
5.	Rajiv Shankar	Joint Commissioner of Customs, JNCH
6.	Kunal Kashyap	Joint Commissioner of Customs, JNCH
7.	Prashant Kumar Sinha	Deputy Commissioner of Customs, JNCH
8.	Jitendra Singh	Asst. Commissioner of Customs, JNCH

2) At the outset the Chairman welcomed and addressed all the members. The chairman informed about the schedule of Time Release Study (TRS 2019) from 01.01.2019 to 07.01.2019 and discussed about the role of all the stakeholders to make TRS 2019 a grand success. The Chairman outlined the structure of TRS 2019 and asked the trade representatives to share the issues and constrains faced by them in achieving faster clearance of the consignments which are reproduced as under:

Point no 1:- Filing Bills of Entry in Advance

The Chairman informed that most of the CBs are filing less than 40% Bills of Entry in advance. The Chairman wanted to know the reason for not opting advance Bill of entry. The representatives from BCBA present in the meeting stated following constrains for not filing bills of entry in advance:

- (i) Even after implementation of e-Sanchit, the concerned importers do not provide all documents timely required to upload in system.
- (ii) The Concessional Duty Certificates (COO Certificates) mainly ASEAN and SAFTA are issued after shipment sails from the respective countries and that they do not have copy of original COO Certificate for assessment of Bill of Entry.

Facts on the matter: -

- (i) The Chairman asked the representatives from CHA Associations to provide list of such importers who do not provide documents timely required to upload in system so that a direct conversation can be made to encourage them in this regard. He also asked them to provide instances of delay.
- (ii) The Chairman directed the Dy. Commissioner/ Appraising Main (Import) to study FTA exemptions and to identify whether exemptions can be extended even if the COO Certificate are submitted after import/Clearance of goods.

Point no 2:- Constraints regarding delayed duty payment

The Chairman expressed his displeasure by saying that average time taken from assessment to duty payment is very high which needs to be lower to curtail dwell time and for faster delivery of goods. In this regard, at least two of the brokers from BCBA present in the meeting mentioned that there is a delay in the importers side due to time taken in completing their internal clearance of payment of duty and it would help if Customs would open a dialogue with them to sensitize them about this aspect. They undertook to furnish a list of such importers (with whom this issue could be discussed) by next day. It is for information of all concerned that list of such importers has not been provided till date.

Point no 3:- Registration should be done immediately after duty payment

The Chairman advised the representatives present in the meeting that the Registration should be done immediately after duty payment as online registration facility is available in ICES. The CB representatives in this regard informed that the same is due to delayed receipt of COO Certificate.

Facts on the matter: The Commissioner of Customs (NS – III & IV), JNCH present in the meeting informed that the JNCH has already extended of facility to the Bill of Entry with photocopy of COO certificate for DPD and AEO clients. Therefore, delay in receipt of COO certificate is not valid reason for delay in registration.

Further, the Chairman informed all the members, stakeholders and representatives from various associations present in the meeting that total release time decided is up to 72 hours. Accordingly, all the obligations/ procedures must be followed within a time period of 40 hours so that the clearance can be made within stipulated release time. It was also informed to all present there that in case of any issue clarification, they may contact ADC/JC in-charge of respective Groups/Docks for resolutions.

The members from various CB associations and trade associations present in the meeting informed that they will make the best efforts to increase advance filing percentage and also to reduce the time taken for payment and registration process.

Thereafter, Shri Subhash Agrawal, Commissioner of Customs (NS-III & IV) chaired the meeting and discussed the agenda points relating to Import/Export/General Commissionerates PTFC .

3) The Joint Commissioner of Customs, Appraising Main (Import), started the discussion related to the Agenda points of the meeting.

OLD POINTS

Point no 1:- It was represented by BCBA that AQ and FSSAI have same tests for some products such as whey proteins. If FSSAI conducts same test as required by AQ, the same should not be sent for test to AQ. This will save time and cost.

Facts on the matter: - Representative from FSSAI Office present in the meeting informed that the FSSAI Office is in coordination with AQ office to find whether all the parameters measured by tests performed by AQ and FSSAI are similar or not. Further, he informed in the meeting that the outcome will be intimated to this office as it receives.

[Action: DC/AM (Imp)]

Point no 2:- It was represented by CFSAI that issuance of PN 57/2018 dated 10.04.2018 has given a level playing field to all CFSs catering to DPD boxes rather than restricting to single designated CFS in respect of DPD-DPD-CFS boxes that are not cleared within 48 hours from the terminals at JNPT. However, their member CFSs have reported that barring GTI, they have not received any such boxes under DPD-DPD-CFS mode not cleared within 48 hours from other terminals.

They have requested to ensure strict compliance of PN 57/2018 by all the terminals. Further, they have requested that JNCH may also consider asking terminals to furnish the full data of boxes under DPD/DPD/CFS category for a specified period of one month.

The trade representatives further informed in the meeting that provisions of the PN 57/2018 dated 10.04.2018 are not being followed by JNCPT.

Facts on the matter:-The representative from JNCPT present in the meeting informed that they are observing Public Notice No 57/2018.

[Point closed]

Point no 3:- The trade representatives from BCBA in previous PTFC meetings has informed that cluster wise contact details of Assistant/Deputy Commissioner of Customs posted at Docks/CFS are not updated in JNCH website.

Facts on the matter:- The Chairman informed that the Dy./Asst. Commissioners of customs posted at all CFSs under the jurisdiction of JNCH have been directed to forward their cluster wise contact details on every Monday so that these can be uploaded in system regularly.

[Point Closed]

Point No. 04:- Retaining the old Customs documents and samples:

It was represented by CFSAI that presently there are no specified guidelines issued for the duration for which the Old records lying at Member CFSs are to be maintained. Each CFS is renting out space to preserve such documents and over the years, many of them are illegible and tracing the 7-10 year old records is not easy, Whilst in some Meetings it has been stated that the records are required to be kept for 5 years, it is requested that if a PN or an advisory in this regard is issued.

Similarly old samples are also being retained for several years. Shall be grateful to have clear disposal guidelines for same.

Facts on the matter:- The Chairman informed that JNCH Standing Order 17/2009 dated 21.04.2009 has already been issued regarding sample drawing, testing disposal and maintenance of record. However in case of records lying at member CFSs, the guidelines will be issued shortly.

[Action: DC/CCSP]

NEW AGENDA POINTS

Point No. 01:- Problems and Challenges faced by Member CFSs at Drive Thru Scanner on the Facility Notice issued F.No./S/V/30/Misc-156/2013 CSD JNCH dated 14th December 2018:-

It was represented by CFSAI that member CFSs are in receipt of the said Public Facility Notice with the instructions laid down in said facility notice as below: -

- i) Only those containers which are marked for Drive Thru Scanning should be forwarded to Drive Thru Scanner.
- ii) Only one container 1*20 should be loaded on trailer which is earmarked for scanning. This issue had been deliberated in earlier PTFC meeting as this is done by the Terminals who load 2*20 Boxes in one Trailer and it is practically difficult for our Member CFSs to offload the box at the CFS that is not earmarked for scanning.
- iii) In case of emergency, if two containers are loaded (One for Scanning & other not for scanning) in such cases first container should be that which is marked for scanning. As mentioned above this exercise is carried by the Terminals and the member CFSs have no control on this activity.
- iv) Those containers which are marked for scanning at Fixed Scanner should be diverted to Fixed Scanner only.
- v) CSD officials are insisting on the CFS Stamp to be endorsed on the EIR copy as a result the transporter has to reach the CFS and get the EIR copy stamped which is causing delay.

Facts on the matter:

i) & iv) The trade representatives present in the meeting informed that they have instructed their members regarding compliance of the said agenda point.

[Point Closed]

ii) & iii) The Chairman informed that in such cases when two containers are loaded (One for Scanning & other not for scanning) on trailer, the importer/CB must report to CSD division first. For scanning and procedure in this regard has been streamlined at DTS.

[Point Closed]

v) The Chairman directed the DC/CSD to issue uniform instructions to the officers working on each type of scanners not to ask for any kind of endorsement.

[Action: DC/CSD]

Point No. 02: It was represented by WISA that as per current practice, any request for late filing fee waiver in case it is higher than the duty payable is filed in the group and sent for approval by Additional commissioner. However with Notification No. 36/2018-Customs (N.T.) dated 11.05.2018 issued by Central Board of Customs & Indirect Taxes (CBIC) through which the Board has introduced the (Electronic Integrated Declaration and Paperless Processing) Regulations, 2018 any late fee applicable for late filing of Bill of Entry is restricted up to duty payable. In the scenario, it is requested that in simple case of late filing fee waiver to be restricted up to Duty payable as per Not 36/2018 (NT), may be considered for approval at AC/DC level.

Facts on the matter: The Chair informed that as per Board's Circular No 12/2017-Customs dated 31.03.2017, this office does not have purview to revoke the instruction issued by Board on the above said matter. However, this office will escalate the issue before the Board for further action.

[Point Closed]

4. The members of the meeting were informed that the next PTFC meeting shall be held on **31.01.2019 at 11:30 AM** at conference Hall, 7th Floor, JNCH. **All the Association members were requested to forward their agenda points, if any, at least 07 working days in advance by e-mail to Appraising Main (Import) Section on appraisingmain.jnch@gov.in for taking up the issue in the upcoming PTFC meeting.**

5. The meeting ended with vote of thanks to the Chair.

6. This issues with the approval of the Commissioner of Customs, NS-I.

7. Minutes are placed on JNCH website and also being sent through emails to the members.

SD/-

(Shashank Dwivedi)

Joint Commissioner In-Situ
Appraising Main (Import),
JNCH, Nhava Sheva

To,

All the Members of PTFC (through email)

Copy to (through email)

1. The Chief Commissioner of Customs, Mumbai Zone-II, JNCH, Sheva.
2. The Principal Addl. Director General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, Room No.138/139, New Custom House, Ballard Estate, Mumbai – 400 001 (mzu-dgtps@gov.in).
3. The Ombudsman, Indirect Taxes, Mumbai.
4. All Commissioners of Customs, Zone-II, JNCH, Sheva.
5. All ADC/JC, DC/AC of Customs, JNCH, Sheva.

6. DC/EDI for uploading on JNCH website.

7. Office Copy.