



OFFICE OF THE COMMISSIONER OF CUSTOMS (NS-II)
MUMBAI ZONE-II, APPRAISING MAIN (EXPORT),
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA, TALUKA: URAN,
DISTRICT RAIGAD, MAHARASHTRA-400707.

F.NO. S/12-GEN-60/2018-19-AM(X)

Date: .08.2020

MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE (EXPORT) HELD ON 30.07.2020.

The PTFC meeting was held on 30.07.2020 at 11:30 A.M. which was chaired by Shri Sanjay Mahendru, Commissioner of Customs (NS-GEN & NS-II), Shri Sunil Kumar Mall, Commissioner of Customs (NS- I & Audit), Shri S.K. Vimalanathan, Commissioner of Customs (NS-III) and Shri Rajesh Kumar Mishra, Commissioner of Customs (NS- V). The meeting was conducted through video conferencing which was attended by the following members / participants of trade:—

| Sr. No. | Names (S/Shri/Ms./Mrs.) | Organization/Association/Designation |
|----------------|------------------------------------|---|
| 1. | P G Rao | JNPT |
| 2. | Dr.K.U Methekar | FSSAI |
| 3. | Hardik Vaidya | DP World (NSICT & NSIGT) |
| 4. | Prashant Satish Mhatre | GTI - APM Terminals Mumbai |
| 5. | Faiz Sayyed, | BMCTPL |
| 6. | V K Agarwal, | Mirc Electronis Ltd (ONIDA) |
| 7. | Capt Jasbir Singh | CSLA / MANSA |
| 8. | Rajasekhar R | United Phosphorus Ltd. |
| 9. | George Joseph | CFSAI |
| 10. | Subhash Rajkumar | MANSA |
| 11. | Prakash Chand | DP world |
| 12. | Ganpat Korade | BCBA |

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| 13. | Dr. K.U Methekar | FSSAI |
| 14. | Mobin Choudhari | CSLA |
| 15. | Shankar Shinde | BCBA |
| 16. | Amit Singh | DP World |
| 17. | Omprakash Agrawal | MACCIA |
| 18 | Paresh Shah Email: | WISA |
| 19 | Shailesh Mishra | BMCT |
| 20 | Umesh Grover | CFSAI |
| 21 | George Joseph | CFSAI |
| 22 | Amit Shetty | CSLA |
| 23 | Sheetal Ahluwalia | AWCBA |
| 24 | Kiran Rambhia | BCBA |

Following Officers from the department attended the meeting:–

| Sr. No. | Names (Shri/Smt./Ms.) | Designation |
|---------|-----------------------|-------------------------------------|
| 1. | Sanjay Kumar | Addl. Commissioner of Customs, JNCH |
| 2. | T. Arivazaghan | Addl. Commissioner of Customs, JNCH |
| 3. | Rajiv Ranjan | Addl. Commissioner of Customs, JNCH |
| 4. | Kamlesh Kumar Gupta | Addl. Commissioner of Customs, JNCH |
| 5. | Vishal Jaronde | Addl. Commissioner of Customs, JNCH |
| 6. | Dipin Singla | Joint Commissioner of Customs, JNCH |

At the outset the Chair welcomed all the members and discussed the agenda points relating to NS-General & NS-II Commissionerates. The Chair permitted Shri Sanjay Kumar, Additional Commissioner of Customs, to start the discussion related to the agenda points of the meeting.

The discussion & decision in respect of agenda points pertaining to NS-G & NS-II Commissionerates are as under:-

Agenda Points represented by Brihanmumbai Customs Brokers Association (BCBA):

Point No. 1: Delay in generation of PDF copy of Shipping Bill after LEO print in Paperless Customs

BCBA has referred to CBIC Circular No 30/2020 dated 22.6/2020 and Jawaharlal Nehru Custom House Public Notice No. 74/2020 dated 23.6.2020 regarding Paperless Customs – Electronic Communication of PDF based copies of the Shipping Bill and E-gatepass to Custom Brokers / Exporters. However, inspite of the initiative taken by CBIC and Jawaharlal Nehru Customs, the print of shipping bill after LEO on ICEGATE is taking 2 – 4 hours, thereby resulting in increase in dwell time for clearance and also high transaction cost.

In view of Govt. of India endeavour for Ease of Doing Business, we request that PDF copies of the Shipping Bill should be available on ICEGATE after LEO.

Facts on the matter: The Alternate System Manager of J.N.C.H. has taken up the issue with the Saksham Seva authorities. The reply / response from them is awaited.

Point No. 2: Commencement of Centralized Parking Plaza

BCBA has requested for commencement of operation at New Centralised Parking Plaza on priority.

Facts on the matter: The Parking Plaza (Admin) is co-ordinating with the EDI Section and with the J.N.P.T. authorities for the commencement of operations at newly developed Centralized Parking Plaza.

Agenda Points represented by Mumbai and Nhava-Sheva Ship-Agents Association (MANSA):

Point No.1: Digitization of the processes and reducing the human interface and interactions and urge to state the progress achieved in this endeavour. While on this subject as per the earlier instructions of Customs, the Ship Agents are required to collect all hard copies of the Shipping Bills pertaining to all shipments/ vessels they have handled for submission of hard copies of the respective EGMs in due course. Hence during current period of social distancing and curfew for preventing COVID 19 spread, the Agents' Surveyors have been compelled necessarily to collate

all hard copies for all vessels periodically from Shippers/CHAs lest they may lose track and fail to comply later on. If they fail to keep them vessel wise immediately it becomes an unwieldy scramble and utter confusion later on for submitting all EGMs/documents to Customs within fifteen days after restoration of normalcy. Factually all the relevant information was already captured and available in the System, having responsibility to comply with the customs PN, the S/Agents/their Surveyors continued to man the documentation counters even during the COVID period. This has led to a sad incident in which the staff of Surveyors working in PUB office for documents collection Counter contracted COVID and one of them expired you may be aware few days back. It is understood that overcrowding and violation of social distancing often prevailed at the counters. Apparently no regulations have been followed sensibly due to conspicuous absence of Security or Police to control.

Further it is a warning signal to expedite to adopt the digital implementation quickly and repose full faith in the process for complete elimination drastically of physical interaction. Please be informed as per attached PN regarding implementation of electronic shipping bill & e-gate pass by CBEC, the issue was discussed in the PTFC meeting held on the 30th of June 2020. The Commissioner (Gen) said it is obvious that the Shipping Bill print outs will not be available now, the EGM hard copy would no longer be required and hence to be discontinued.

Suggestion: In view of discontinued submission of hard copy documents by the shipper, the following manual process may please be discontinued with immediate effect.

Facts on the matter: Commissioner of Customs (NS-Gen), in the PTFC meeting held on 30.06.2020, has already clarified that hard copies of EGMs / Shipping Bills are not required henceforth.

Suggestions of MANSA relating to Despatch of ICD Shipping bills (TR2) to ICD Customs

Suggestion 1: In case of PDF Shipping Bills - It was well clarified that when there is no Shipping Bill print out available, obviously there is no need to file any hard copy EGM.

Suggestion 2: In Point No. 6 of the PN 74/2020 wherein it is stated that if there is a scenario where print out of Shipping Bill is required, the decision to print out only in such exceptional cases will be taken by Commissioner of Customs- NS(II). - In this case also the hard copy EGM is not required.

Suggestion 3: Filing of original shipping bill after 15 days once the lockdown is over. EDI EGM for all those shipping bills through digital signature have already been filed by the shipping lines and available in ICEGATE

Suggestion 4: In case of purely manual Shipping Bills - for e.g. SEZ cargo - since there is no integrity and the Shipping Bills are not available in ICEGATE. The hard copy EGM may be required to file as is done presently till there is any integration/connectivity with ICEGATE.

Summarising the above, MANSA observes that there is no need for any hard copy EGM filing since the Shipping Bills are integrated and available in ICEGATE. S/Agents will continue to submit hard copy EGM for point no 5, as per the existing process of the manual shipping bills, if any, till the same is integrated in ICEGATE. They are looking forward for digitisation for avoiding human interface totally which is very much needed in all Ports throughout the country. In this direction they request for initiating actions and introduce the digital process at National level. Also, an appropriate Public Notice be issued for discontinuation of the above manual process in supersession of attached/all earlier circular so as to avoid any likely ambiguity to the staff at ground level even in future.

Facts on the matter: The above suggestions have been accepted. All the stakeholders may quickly resolve their issues with regards to registration under SCMTR, 2018 which would automatically result in human interface getting redundant.

Point No.2:

a) **Sailing Report** – Shipping Agents are submitting sailing report to the Boarding office within 24-48 Hours of vessel departure. There is no provision or facility available for them to know if the sailing report is updated by the Boarding Officer. Many a times, they have noticed avoidable delay in updating the sailing report due to which the EDI EGM could not be filed successfully. it comes to light only when they get the EDI Out file from ICEGATE system which indicates **“G error – Sailing Report not**

updated". Also please note unfortunately they do not get any acknowledgement on the Sailing report as well.

Facts on the matter: The Sailing Reports are updated in the system as and when received in the office. In this connection it is to mention that some sailing report provided by the Shipping Agents does not tally with the Port Clearance Report and the same is informed to the shipping agents for correction, which result in delay for updating the same in the system.

b) Entry Inward – Shipping Agents are submitting the Entry Inward letter / format to the Boarding Team once the Pilot on board time is available. However here again they do not have any facility to know if the Entry Inward is done by the Officer. It comes to light only when it is attempted for the SMTP or when Scanning List cannot be generated.

Facts on the matter: The Entry Inward is done in the system as and when the Shipping Agents informs the Boarding office about the Pilot on Board and after entry inward. The same information is mailed for release of SMTP so that the terminal can take further action. In some cases, due to failure of EDI 1.5 system, the Entry Inward cannot be given in the 1.5 System, so in such cases to avoid the delay, manual entry is being granted and the information is mailed for release of SMTP so that the terminal can take further action and when the EDI 1.5 system is activated, the same is done in the system.

| S. No. | Section/ Branch/Group | Reason for physical interaction | Proposed Process |
|--------|--------------------------|---------------------------------------|-------------------------------------|
| 1 | Boarding | For intimation of vessel arrival | Should be accepted in email message |

| | | | |
|----|---------------------------|--|--|
| 2 | Boarding | e-Boarding process | All required documents can be submitted in email message and boarding/entry inward /outward process can be approved by boarding department in email message |
| 3 | Boarding Department | Sailing Report | Sailing report application should be accepted in email message. It should be updated in the system within 1-2 hours of the submission time as EGM can be filed after updating of sailing report only |
| 4 | Boarding Department | Re-stow Permission | Application should be accepted & approval should be communicated in email message |
| 5 | Preventive General | Shifting/Escorting Permission | Application should be accepted & approval should be communicated in email message |
| 6 | Container Cell Department | Submission of Re-export details | It should be accepted in email message and acknowledgment should be communicated electronically |
| 7 | Container Cell Department | Extension of bond for not exported container | Application & all required documents and extension approval should be communicated in email message |
| 8 | Boarding | Short Landing Intimation | Intimation of short landing can be sent on mail |
| 9 | Boarding | Additional Discharge | Intimation of additional discharge can be sent on mail |
| 10 | Boarding | Entry Inward | Acknowledgement of docs can be given on mail |
| 11 | ECU | EGM Related Error | Can be sent on e-mail ID provided, after lock down hard copies will be submitted |
| 12 | Preventive Dept. | Escort Permissions | Can be given on email |

Agenda Point 3 It was informed in the last PTFC meeting that following 14 points out of 28 points given in the agenda points of last PTFC Meeting. These points were discussed with our representative in the conference call also and it was suggested these activities can be done on line through email message and can be accepted electronically. Also it was informed that the remaining points have been taken up with Board as it requires amendment in the existing regulation. We will be obliged if a public notice / appropriate notification is issued with email id of respective customs department & details of electronic process to be followed by the stakeholders in this regard.

The points relating to Boarding Section i.e. 1,2,3,4,8,9 and 10 of the table above are answered as under:

Facts of the matter: At present there is no dedicated platform by which the message flow between the Customs Authorities and Shipping Lines can be facilitated. As regards sending relevant information and obtaining permission from the Boarding Officers through e-mail itself, it is submitted that in such cases the relevant documents need to be digitally signed/e-verified for authentication. Also, the registered email ids of all such shipping lines need to be submitted to the Boarding Office so as to verify the genuineness of the emails.

The points relating to Container Cell i.e. 6 & 7 of the table above are answered as under:

Serial No 6- Submission of Re-export details:

Facts of the matter: Presently this office is accepting manual submission of Re-Export details of empty containers. So far, no Public Notice has been issued for submission of Re-export details via email and the same to be communicated electronically via email.

Serial No7- Extension of Bond for not exported containers.

Facts of the matter: It may be seen that all Original Bond for Containers have to be physically submitted to the Container Cell as they have to be verified and duly signed by the PO/Supdt and the AC/DC Container Cell on the Bond Stamp paper for one year. The same can be extended by AC/DC Container Cell on request by the importer/shipping line. Further, the Original Bond is submitted as a surety by the party and the same remains in the possession of the Customs Department.

The points relating to PREVENTIVE DEPARTMENT (PSO) i.e. 5 & 12 of the table above are answered as under:

The PSO Section has submitted that Escorting is provided on case to case basis after the scrutiny of documents mentioning conditions to be fulfilled & mostly in dispute / intelligence hold cases e.g. CIU/SIIB/R&I etc. The PSO Section does not have any data base of registered email ID's of Exporters/Importers or CHA & neither has access to e-sanchit. In case of Section 49 escorting, space availability also needs

to be verified by Bond Section. Also for the payment of MOT charges concerned CHA/Authorised representative needs to visit the Cash Section J.N.C.H.

As multiple Sections are involved in the whole process of granting shifting/escorting permission on cases to cases basis and there is no official channel available for online communication between escort demanding agency / Exporter / CHA and concerned Section, so at present, it may not be possible to directly provide permission on e-mail regarding shifting / escorting. As and when the official channel for online communication will be available, Escorting / Shifting permission can be given on e-mail.

The point relating to EGM CO-ORDINATION UNIT (ECU) i.e. 11 of the table above are answered as under:

ECU has submitted that the point raised by MANSA is acceptable. However, for rectification of EGM related errors, the responsibility regarding correctness and authenticity of the supporting documents will be on the stakeholder sending the e-mail. As of now, only EGM errors are corrected on the basis of correct container numbers furnished by the shipping lines as per the Facility Notice No. 77/2010 dated 02.08.2010 which is still in force.

Point 4: SCMT – It was informed by CBEC team in the month of Feb 2020 that an online UAT portal will be launched for all the users to test message functionalities and SCMT sample filings which is not yet introduced for all the users. Also there is very poor response of on-boarding of other stakeholders who have to file documents in SCMT environment for various documentation activities. Since no testing has been done for cargo referencing / other documentation process with the respective stakeholders, it is not possible to implement SCMT filing from 1st August 2020.

Suggestion: CBEC team should be requested to defer implementation date at least by 3 months with due provision for trial enabling smooth transition and adoption of the System as intended. Otherwise it is feared it will become a trial and error shooting method by introduction hurriedly.

Facts of the matter: An email dated 27.07.2020 has been forwarded to SI Helpdesk / Saksham Seva informing about the difficulties faced by trade and for necessary action.

Agenda Points from Container Freight Station Association of India-CFSAI

Point No.1: **Disposal of Longstanding cargoes:** Overall, the process has slowed down apparently due to shortage of staff.

Suggestion: It is requested that the clearance of files for disposal may please be expedited as each CFS has several files pending approvals and containers are piling up.

Facts of the matter: The process of disposal of longstanding cargoes had slowed down during the last 3-4 months due to less staff posted vide roster as per the guidelines issued by MHA / Government of India as preventive measure to contain the spread of COVID-19. Since, July, 2020 the Disposal Section is adequately staffed and hence the disposal process would be expedited.

Agenda points proposed by Container Shipping Lines Association (India) (CSLA):

Point No. 1: **Updates required from CBEC for on boarding status of all concerned stakeholders & launch of SCMT Testing portal and further plan of implementation**

As of today only shipping lines/agents and very few other stakeholders have registered for SCMT. In SCMT, the documents that have to be communicated electronically with the next stakeholder & shipping line/agent are required to be filed by the concerned stakeholder. Due to non-boarding of stakeholders / non-testing of all message exchanges & SCMT applications, the CSLA member lines are not in a position to implement SCMT filing with effect from the 1st of August 2020. There should be a regular update on readiness of all internal referencing process & testing of all scenarios by the CBIC team. A testing portal should be introduced for all the users and minimum two months of time should be given to test all the scenarios once customs system gets ready in all respects. The CBIC team should be requested to test all the scenarios & message functionalities before implementing the SCMT filing in a live environment. Also they should be requested to defer the implementation date by 2-3 months for the smooth transition from the old to the new system once all functionalities becomes operational.

Facts of the matter: An email dated 27.07.2020 has been forwarded to SI Helpdesk / Saksham Seva informing about the difficulties faced by trade and for necessary action.

Point No. 2: AMENDMENTS ON SCMTR APPLICATION:

Any amendment done on SCMTR application, post initial approval, is routed to the concerned official for re-approval. Can this be eliminated, like for instance, addition or deletion of users etc. which actually is already done during creating icegate log in.

Facts of the matter: An email dated 27.07.2020 has been forwarded to SI Helpdesk / Saksham Seva informing about the difficulties faced by trade and for necessary action.

Point No.3:

Once the SCMT regulations coming into force the Customs would require the PDF format of Shipping bills and EGM to be filed 24hrs prior sailing. Since all the details of the Shipping bill originate from the customs system, why can the Customs not just take the TDR of loaded boxes from the TERMINALS and make that as the EGM? This possibility should please be looked at.

Facts of the matter: An email dated 27.07.2020 has been forwarded to SI Helpdesk / Saksham Seva informing about the difficulties faced by trade and for necessary action.

Point No. 4: NEW PDF SHIPPING BILLS:

Many a times, container nos. & size do not appear on the e-Shipping bills, which delays the updation process for the current EGM filing. This may please be looked into & corrected.

Facts of the matter: An email dated 27.07.2020 has been forwarded to SI Helpdesk / Saksham Seva informing about the difficulties faced by trade and for necessary action.

Point No. 5: Frequent breakdown / delayed response of ICEGATE Portal:

We have been informed by our members that the ICEGATE portal is not working properly since last one week. IGM /EGM filing is delayed by 12-24 hours because of no processing / poor response by ICEGATE system. It is also reported that due to ICEGATE system problem, addition /deletion for correction of IGM was processed by ICEGATE in odd order which resulted in the non filing of the IGM. In cases where the shipping lines / agents have sufficient evidence of the ICEGATE systems issue, the addition / deletion of cases which could not be regularized due to this problem, should be allowed to be updated without any amendment requirement and with the approval of superintendent level officer only.

Facts of the matter: An email dated 27.07.2020 has been forwarded to SI Helpdesk / Saksham Seva informing about the difficulties faced by trade and for necessary action.

Point No. 6: CANCELLATION OF CONTAINER BOND:

Many lines take boxes on lease from leasing companies. These boxes have to be off hired in India from time to time. When they arrive at Indian ports in IMPORT laden mode and are to be off hired by the shipping line to the leasing company, customs should allow the line to apply for credit in the bond filed by producing evidence that the boxes have been off hired. It is a herculean task to track these boxes from the leasing company when they are leased to the next shipping line and then take details of re-export and cancel the bond. This is of high importance because once the SCMT makes everything online (CMC Permission) it will be extremely difficult for a shipping line to cancel bonds for leased boxes. So this needs to be considered to help towards the ease of doing business.

Facts of the matter: The above matter mentioned was discussed by the Commissioner of Customs (General) with MANSA on the issue of off hiring of Import containers by the leasing company in India. In this regard, it was decided by the Commissioner of Customs (General) on 12.03.2020, that all matters pertaining to the Transfer of agency from the importer to the leasing agents in India is their internal matter and therefore MANSA should issue instructions to all Importers/Shipping agencies and that no Public Notice would be issued in this matter.

[Point Closed]

Agenda points proposed by Western India Shipping Association (WISA):

Point No.1: Now under the Customs system LEO and gate are being generated for Shipping Bills and sent to the CB and the exporter. Lines and others are still insisting on getting printouts from the Service Centre. The Department may issue suitable guidelines to treat online issued, digitally signed copy of LEO should be accepted by all stake holders without insisting upon hard copies of printout.

Facts of the matter: The Public Notice No. 74/2020 dated 23.06.2020 is very clear that the physical copies of shipping bills is to be dispensed with.

[Point Closed]

The members of the meeting were informed that the date and mode of conducting next PTFC meeting shall be informed well in advance. All the Association members were requested to forward their agenda points, if any, at least 10 working days in advance by e-mail to Appraising Main (Export) Section on apmainexp@jawaharcustoms.gov.in for taking up the issue in the upcoming PTFC meeting.

The meeting ended with vote of thanks to the Chair.

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

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

Sd/-

(Rahul Kumar)
Deputy Commissioner of Customs
Appraising Main (Export)
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, Nhava 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, Nhava Sheva.
5. All ADC/JC, DC/AC of Customs, JNCH, Nhava Sheva.
6. DC/EDI for uploading on JNCH website.
7. Office Copy.