

OFFICE OF THE PR. COMMISSIONER OF CUSTOMS, NS-I
मूल्य निरूपण मुख्य (आयात) APPRAISING MAIN (IMPORT)

जवाहर लाल नेहरू सीमा शुल्क भवन, न्हावा शेवा,

JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA- SHEVA
ता. उरण,, TAL-URAN, जिलारायगड /RAIGAD – 400707,महाराष्ट्रMAHARASHTRA

(E-mail:appraisingmain.jnch@gov.in Telephone No.022-27244979)

F.No. S/22-Gen-44/2017-18 AM (I) Pt.V

Date: 13.11.2020

MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE (IMPORT) HELD ON 29.10.2020.

The PTFC meeting held through video conference on 29.10.2020 was chaired by Shri S.K. Vimalanathan, Pr. Commissioner of Customs (NS-III), Shri Sunil Kumar Mall, Commissioner of Customs (NS-I) , Shri R K Mishra, Commissioner of Customs (NS-V) and Shri Sanjay Mahendru, Commissioner of Customs (NS-II & General). The meeting 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.	R K Rubin	AMTOI
3.	Leena Ganguly	AIWCBA
4.	Capt. Jasbir Singh	MANSA
5.	V K Agarwal	Mirc Electronis Ltd (ONIDA)
6.	Rajasekhar R	United Phosphorus Ltd.
7.	Mark Fernandes	IMC
8.	Ganpat Korade	BCBA
9.	Hiren Ruparel	BCBA
10.	Shankar Shinde	BCBA
11.	Manish Kumar	MANSA
12.	Paresh Shah	WISA
13.	Subhash Rajkumar	MANSA
14.	Neelesh Datir	AILBIEA
15.	Amit Singh	DP World
16.	Laksha	CFSAI
17.	Vinayak B Aparaj	BCBA
18.	Maruti Gadge	BCBA
19.	Nimish Desai	WISA
20.	Capt. Iyer	MANSA
21.	Paras Shah	-
22.	Avinash Satardekar	BMCT

23.	Rekha	CSLA
24.	Shyam	CSLA
25.	Kiran Rambhia	BCBA
26.	Bakshi Md Hanif	SAMSARA MANSA
27.	Dayanand Kotian	-
28.	Sushant Satish Mhatre	-
29.	Umesh Grover	CFSAI
30.	Roshan Irani	AIWCBA
31.	Sachin Mhatre	-
32.	Karunakar Shetty	BCBA

Following Officers from the department attended the meeting:–

Sr. No.	Names (Shri/Smt./Ms.)	Designation
1.	Rajiv Ranjan	Addl. Commissioner of Customs, JNCH
2.	Sanjay Kumar	Addl. Commissioner of Customs, JNCH
3.	Vishal Jaronde	Addl. Commissioner of Customs, JNCH
4.	Vijay Manvatkar	Addl. Commissioner of Customs, JNCH
5.	Saroj Samaiya	Joint Commissioner of Customs, JNCH
6.	Dipin Singla	Joint Commissioner of Customs, JNCH
7.	Dinesh Kumar Fuldiya	Deputy Commissioner of Customs, JNCH

2) Smt. Saroj Samaiya, Joint Commissioner of Customs, JNCH, started the discussion related to the import agenda points of the meeting.

Agenda Point raised by BCBA

Agenda Point 1: There is considerable delay of minimum 5 to 10 days for clearance of consignments under faceless.

Suggestion: If assessments are delayed for more than 24 hours, a nodal officer be kindly appointed to expedite the clearance.

Comments: Delay is seen mainly due to under valuation i.e. value being lower than the minimum reference price followed & contemporaneous imports and for want of mandatory documents viz. Pre-shipment Inspection certificate. Also, in case of COO benefit being availed, it is observed that the declaration by the Importer in the 'COO' sub-menu of the ICES main menu of OTHERS varies from

the details of the COO Certificate. The COO certificate is also generally not completely uploaded, i.e. the overleaf is not uploaded.

Further, as per Board Circular No. 45/2020-Customs, Turant Suvidha Kendra (TSK) at the Port of Import would act as a Facilitation Helpdesk and a senior officer of the rank of Joint/Addl. Commissioner has been appointed as the nodal officer, for any grievance related to clearance of Bill of Entry filed in the port. The list of TSKs and their email and contact details are available on the CBIC website as well as in JNCH's P.N No.132/2020 dated 13.10.2020.

[Point Closed]

Agenda Point 2: Factors which are delaying clearances:

- a) High number of queries, wrong examination order, instructions in special comment box are given asking for bank attested invoice, 100% examination, asking for compliance of BIS, WPC etc., even where not required.
- b) Examination orders are not properly for second hand goods and also for re import.
- c) Any rectification in BE i.e. assessed by faceless, change in value, examination order, etc.
- d) Frequent Queries are raised disputing the Transaction value.
- e) Assessment being carried out by denying the exemption notification without raising a query.

Suggestion:

- i) Central monitoring mechanism is required on urgent basis to ensure Ist queries are kept minimum to any change in examination order, recall/reassessment, amendment should be done by the PAG at Deputy Commissioner Level. As been done earlier.
- ii) Transaction value should not be rejected without substantive evidence.

Comments:

- (a)** Queries and Examination orders and instructions are given in line with Circular No. 45/2020-Customs. Furthermore, efforts are on to streamline the divergent practices in Queries and Examination orders and instructions in view of the said Circular. Queries are being raised only in cases where details submitted in the bill of entry and on e-Sanchit are not sufficient to carry out assessment of the Bill of Entry.
- (b)** There are no changes in examination order w.r.t. Second hand goods and Re-import. No specific instances have been provided along with the agenda point , so that the same can be examined and resolved.
- (c)** Rectification or amendment is to be done at the concerned Port and therefore delay, if any, does not pertain to this Port. Furthermore, in order to resolve this issue, Centralized Facilitation helpdesk has been set up vide

P.N. No.132/2020 dated 13.10.2020 and a senior officer of the rank of Joint/Addl. Commissioner has been appointed as the nodal officer

- (d) Queries are raised in cases where transaction value is less than the minimum reference value followed at this Port and value of the contemporaneous imports. Also, there are instances where the value evidences are not properly uploaded along with the B/E and while replying query, so the officer is unable to view the said evidences.

In this regard, Trade is advised to upload valid value evidence on e-sanchit alongwith query replies. Trade is also advised to avail the option of giving reference of their previous Bills of Entry while filing fresh Bill of entry. In this regard, Trade and other stakeholders are advised to follow the suggestions issued vide P.N. No.139/2020 dated 26.10.2020.

- (e) No denial of any exemption notification is carried out without querying the importer and without the importer's request for removal of benefit of exemption notification. **[Point Closed]**

Agenda Point 3: In order to ensure that trade and industry is able to clear the consignment within 24 hours, we request that for initial period a centralized helpdesk duly monitored by senior officer is established.

Comments: The aforesaid request has already been considered and intimated to the trade that Centralized Facilitation helpdesk has been set up vide P.N. No.132/2020 dated 13.10.2020 and a senior officer of the rank of Joint/Addl. Commissioner has been appointed as the nodal officer for resolving the issues related to faceless assessment. **[Point Closed]**

Agenda Point 4: Generation of TR may be done at Docks level no need to approach at custom house.

Suggestion: As per current practice Test memo are generated at group, Docks officer can also have module to generate Test memo.

Comments: Test Report forwarded to DYCC is being generated at Docks. Further, as a step towards Ease of Doing Business (EODB) and trade facilitation, vide Public Notice No. 136/2020 dated 21.10.2020, QR code based Sampling Solution is launched for testing at JNCH Laboratory. This Sampling Solution has been rolled out with effect from 23.10.2020. **[Point Closed]**

Agenda Point 5: **Non generation of FSSAI link through ICEGATE** : We have received queries from members that FSSAI link through ICEGATE is not received to custom brokers. Hence we have to apply for manual link from FSSAI, Causing delay in sampling and clearances.

Comments: FSSAI system has not been receiving Bills of entry from ICEGATE for acceptance/rejection. When Authorized officer accepts Bills of entry, then link is generated at Login ID of CHA/Importer to apply for NOC. Issues of Single Window exchange were noticed since 1st Sep '2020 and Single window bills of entry were not exchanged from ICEGATE to FSSAI (FICS) and these issues have still not been resolved. ICEGATE is being reminded regularly to resolve the issue at the earliest. In the meantime, as per the permission from Director (import), FSSAI Department is giving draft link to apply for NOC, to tackle the situation.

[Point Closed]

Agenda Point 6: ADC Dual use permission to manufacturer importers were issued earlier Annually, Same practice has been stopped by Drug controller, Manufacturers other than pharma companies have to apply dual use NOC for each and every shipment .

Suggestion: We request you to allow dual use permission annually as per earlier practice.

Comments: Earlier, dual use NOC was issued manually, based on the sales contract/trade agreement submitted by the importer, for bulk import which were valid for one year. In order to ensure fast issuance of NOC and bringing transparency & efficiency in the process, CDSCO has established online system (Sugam Portal) for issuing dual use NOC. The dual use NOC is issued through Sugam Portal within 03 days from the date of application. Dual use NOC's are issued for bulk quantities to the importers based on the sales contract (between supplier & importer) instead of invoice for particular consignment. Importers are already aware & importing the items by using dual use NOCs issued by CDSCO for bulk quantity. Such NOCs are used by the importer many times till the quantity in NOC is utilized completely. The quantity imported and balance quantity is verified by CDSCO port office.

[Point Closed]

Agenda Point raised by CFSAI

Point No.1: Delay in information with respect to the amendment in scanning result from “Scan Clean” to “Suspicious” – The Containers selected for scanning are moved from Port directly for scanning at Drive Thru Scanner. Post scanning, the scanning result is endorsed on the Terminal EIR copy, basis which CFS carries out the movement. Of late, in few cases recently it is observed that although container status marked is **“SCAN CLEAN”**, were amended to **“SUSPICIOUS”** much later and conveyed either orally or thru' email to CFS.

In few cases, CFSs have received this instruction of “Suspicious” on the following day. CFS immediately on receipt of “SCAN CLEAN” endorsement from Drive thru scanner, normally release the container for clearance and delivery. There could be situation wherein such containers initially marked as “SCAN CLEAN” & subsequently marked as “SUSPICIOUS” may get delivered prior receipt of revised verbal instructions/email from CSD.

It is requested that in case of a “**Scan Clean**” containers endorsement is to be changed to “**Suspicious**” it should be at the time of scanning itself.

Comments: During a shift, the containers which are scanned in the Drive through Scanner, Container Scanning Division are subsequently audited by next batch. Moreover, upon auditing, if any container seems to be suspicious, which is a rare occasion, then immediately the information is passed to Docks and concerned CFS through mail. **[Point Closed]**

5. 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 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.**

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

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

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

Sd/-

(Dinesh Kumar Fuldiya)
Deputy Commissioner of Customs
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.

