



सीमाशुल्क प्रधान आयुक्त कार्यालय (एन. एस. -I)
OFFICE OF THE PR. COMMISSIONER OF CUSTOMS (NS- I),
मूल्यनिरूपण मुख्य (आयात)/APPRAISING MAIN (IMPORT)
जवाहरलाल नेहरू सीमाशुल्क भवनJAWAHARLAL NEHRU CUSTOM HOUSE, शेवा/SHEVA,
तालुका/ TAL- उरण /URAN,; जिला/DISTRICT- रायगड/RAIGAD, महाराष्ट्र/MAHARASHTRA-400707
(ई-मेल email : appraisingmain@gmail.comदूरभाषTelephone No: 022-27244979)

फा. सं/F.N.:S/22-Gen-44/2017-18 AM(I)Pt.VI

दिनांक /Date : 15.02.2020

दिनांक 29/01/2021 को सम्पन्न 'स्थायी व्यापार सुविधा समिति' (PTFC) की बैठक का कार्यवृत्त
MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE
(IMPORT) HELD ON 29.01.2021

The PTFC meeting held through video conference on 29.01.2021 was chaired by U. Niranjana, Pr. Commissioner of Customs (NS-I), Shri S.K. Vimalanathan, Pr. Commissioner of Customs (NS-III), and Shri R K Mishra Commissioner of Customs (NS-V). The meeting was attended by the following members/participants of trade:-

क्रम सं./ Sr. No.	नाम (सर्व श्री/सुश्री/श्रीमती) Names(S. Shri /Ms./Mrs.)	(संगठन/संघ/ पदनाम) Organization/Association/Designation
1.	Albiea	ALBIEA
2.	Aniruddha lele	CSLA
3.	Capt. Iyyer	MANSA
4.	Capt. Jasbir Singh	MANSA
5.	Dr. K.U. Methekar	PGA
6.	Dushyant Mulani	BCBA
7.	Faiz Sayyed	BMCT
8.	Ganpat Korade	BCBA
9.	Laksha T.	CFSAI
10.	Manish Kumar	MANSA
11.	Maruti Gadge	MCMA
12.	Mrs Ganguly	AIWBA
13.	Rekha	CSLA
14.	R.K. Rubin	AMTOI
15.	Shyam CSLA	CSLA
16.	Sunil Vaswani	CSLA
17.	Tej Contaractor	BCBA
18.	Umesh Grover	CFSAI
19.	V.K. Agarwal	Mirc Electronics Ltd.(ONIDA)
20.	Hiren Ruparel	BCBA
21.	Iran Saldhana	CSLA
22.	Shankar Shinde	BCBA
23.	Vinayak Baparaj	BCBA

24.	Paresh Shah	WISA
25.	Nimish Desai	WISA
26.	Kiran Rambhia	BCBA
27.	Rajsekhar	United Phosphorous Ltd.
28.	Atul Jahangirdar	CFSAI
29.	P.G. Rao	JNPT
30.	Paresh Thakkar	BCBA
31.	Jacob Thomas	CFSAI
32.	Manohar Patyane	BCBA
33.	Paras Shah	BCBA
34.	R.K.	
35.	Sandeep Tawde	
36.	Shailesh Nimbalkar	
37.	V. Rajappan	
38.	Vasant	
39.	Naveed bubere	
40.	Niraj Thakkar	
41.	Shailendra Penkar	
42.	Narayanan	
43.	Aruna	
44.	Sheetal Ahluwalia	
45.	S.R.	

2. विभाग की ओर से निम्नलिखित अधिकारियों ने बैठक में भाग लिया :-

Following Officers from the department attended the meeting –

क्रम सं./ Sr. No.	नाम (सर्व श्री/सुश्री/श्रीमती) Names(S. Shri/Ms./Mrs.)	पदनाम Designation
1.	Rajiv Ranjan	Addl. Commissioner of Customs, JNCH
2.	Dhirendra Mani Tripathi	Addl. Commissioner of Customs, JNCH
3.	T. Arivazhagan	Addl. Commissioner of Customs, JNCH
4.	Saroj Samaiya	Addl. Commissioner of Customs, JNCH
5.	S. K. H. Meshram	Addl. Commissioner of Customs, JNCH
6.	Pandurang Chandrakant Chate	Joint Commissioner of Customs, JNCH

3. Shri Rajiv Ranjan, Addl. Commissioner of Customs, JNCH, started the discussion on the agenda points of the meeting related to the import.

4. **AGENDA POINTS**

Agenda Points of FSSAI

कार्यबिन्दु संख्या 01/Agenda Point 01: Single window exchanged issue still not resolved. BOEs are not exchanged from ICEGATE to FSSAI but shows 'FS pending' status on copy of BOE.

Some BOEs which were not exchanged with FSSAI during TRS period are as below,

- (i) BOE - 2221377 dated 04/01/2021, HS code – 07133110;
- (ii) BOE - 2206114 dated 02/01/2021, HS code – 08061000

प्रतिक्रिया/Response:

The matter was reported to ICEGATE on 28.12.2020. As per information received, the issue has been resolved. [बिन्दु समाप्त/Point Closed]

***Further, for information of Trade and Customs, FSSAI Department stated/informed that:**

- (i) **Provisional NOC message exchange started with ICEGATE from FSSAI for Temperature Control Cargo, Short shelf life Cargo and Retail cargo;**
- (ii) **To reduce dwell time, the Importer/CHA may file kachha BOE (Advance B/E). Kachha BOE (Advance) will provide fair time for processing and also help to reduce time in FICS (Food Import Clearance System).**

Agenda Points of M/s MIRC Electronics (ONIDA)

कार्यबिन्दु संख्या 01/Agenda Point 01: We request you to define the elements/activities on which an officer has to focus while giving OOC. We are sharing two incidents which happened recently at the stage of OOC;

- 1) For an appraised BE, officer asked to furnish the value proof of the items imported;
- 2) For a RMS facilitated BE, officer asked to furnish catalog with specification of the product.

Kindly issue a PN in this respect.

प्रतिक्रिया/Response:

For Point No. 1): Role of Out of Charge Officer as per Standing Order No. 06/2006 dtd. 22.02.2006

As per Para No. 09 of aforesaid Standing Order, it must be understood that OOC officer will have a very important responsibility after introduction of RMS, since, he will exercise the last check before the goods are given out of charge. Therefore, the OOC officer should scrutinize those documents where "No assessment & Examination" was prescribed by RMS and if has strong reason to believe that the importer has mis-declared the description or value of the goods, he should send the B/E back to the appraising group, for assessment but only with approval of the Addl/Joint Commissioner in charge of examination. In many cases, B/E containing one or more items in the invoice declared as on Free of Charge basis, or of no commercial value or value is declared for customs purpose only. In such cases, if the OOC officer finds that the importer did not seek first check, or the payment terms have not been

declared correctly in the invoice, he should send such Bill of Entry to the appraising group concerned for correct determination of value and duty. It may be noted that some compliance requirements may not figure in the CCR related instruction provided by the RMS. Such requirements would be those which are very general in nature or are applicable to a very wide range of imports. The Officer giving out of charge shall also ensure that the consignment complies with such requirements, beside the CCRs printed in the B/E and appearing in the examination instruction column, before the clearance.

Since commencement of the faceless assessment, it is noticed that after assessment of the B/E, many FAG's are giving instructions viz. (a) verify fair value before OOC; (b) please give OOC when value is fair; (c) verify transaction value before OOC; (d) verify value w.r.t. to invoice, etc. in "Examination Instruction" which is not printed/reflected in the B/E. OOC officer can give OOC for such type of B/E's only after entering "Y" in the verification menu under Examination Instructions. In view of the such cases, the OOC officers may raise query to follow such instructions given by the FAG's.

For Point No. 2): In this regard, it is submitted that many a times, the declared descriptions do not look appropriate w.r.t. declared CTH, as the description is not clearly mentioned in the B/E. because the importers are using other than generic description or part/Code only. However, as per Para 2(b) of Board Circular No. 55/2020-Cus dated 17.12.2020, the importer has to declare complete description of imported goods. If they are availing any duty exemptions benefits, it is the responsibility of the OOC officer to ascertain whether the benefit taken is proper or otherwise. Since, the goods are not available with OOC officers to ascertain the same, they have no option other than to ask catalogues of the related goods to verify the CTH or benefit availed as the case may be. In this regard, RMSFC officers giving OOC are adhering to the provisions mentioned in S.O. No. 32/2018 dt. 04.09.2018 and Circular No. 43/2005-CUS dated 24.11.2005 and Circular No. 55/2020-CUS dated 17.12.2020.

[बिन्दु समाप्त/Point Closed]

Agenda Points of All India Women Custom Brokers Association

कार्यबिन्दु संख्या 01/Agenda Point 01: Simplification of Amendment Process for Container Corrections from FCL to LCL or Vice Versa after OOC is granted. (PN 134/ 2018).

Previously when the PN was issued wherein if corrections like FCL to LCL or vice-versa were to be made on OOC Bill of Entry, then CB issued undertaking to DC in CFS to amend the Bill of Entry on the next working day. Hence, OOC Bill of Entry was allowed to take delivery but now this Procedure is stopped.

The current procedure takes 3-4 working days excluding Saturdays and Sundays. Request if the same procedure is followed in such minor cases

प्रतिक्रिया/Response:

Reference is invited to Circular No. 40/2017-Customs dated 13.10.2017 and this office Public Notices no. 162/2017 dated 29.12.2017, 28/2018-Customs dated 23.02.2018 & 31/2018 dated 01.03.2018 issued in line with the aforementioned Circular, wherein need to go paperless was emphasized and the same was implemented for faster processing of documents, promoting transparency and decreasing the dwell time. Request to get back to manual mode of amendment in the present case will be against the spirit of paperless

processing at JNCH Customs. However, as per Public Notice No. 134/2018 dated 01.10.2018 it has been clearly directed that such amendment requests shall be approved on priority basis and the timelines laid down may be strictly adhered to by the Departmental Officers. **[बिन्दु समाप्त/Point Closed]**

कार्यबिन्दु संख्या 02/Agenda Point 02: Prior to Final should be auto updated by System, pending which a dedicated email be set up for the team as current email -id edi@jawaharcustoms.gov.in is a common ID for all EDI related issues.

प्रतिक्रिया/Response:

A team of officers has been assigned responsibilities to handle EDI related queries on a dedicated e-mail id edi@jawaharcustoms.gov.in such as prior to final, AD code updation and any issues related to EDI. **[बिन्दु समाप्त/Point Closed]**

Agenda Points of BCBA

कार्यबिन्दु संख्या 01/Agenda Point 01: Simplify Process in Bond Section In case of the re-export, the members have to produce the documents in Bond department and after taking permission in bond department the file is forwarded to export department at CFS/Docks for obtaining NOC.

सुझाव /Suggestions: The entire process to be completed in Customs House/PUB to avoid delay and save time and cost.

प्रतिक्रिया/Response:

- (i) Re-Export done under section 69 does not reflect back in original Warehouse Bill of Entry web ledger and work related to Re-export is done manually.
- (ii) File is being sent to DC/Export for export noting and checking drawback claims or any other scheme benefit.
- (iii) Also the said matter has already been discussed in detail in the Public Notice No. 09/2015 dated 29.01.2015.
- (iv) However, if the trade is finding difficulty in complying with the said procedure, a detailed letter explaining the difficulties and alternate procedure which may be more convenient and is consistent with law, may be submitted by BCBA for examination. **[बिन्दु समाप्त/Point Closed]**

कार्यबिन्दु संख्या 02/Agenda Point 02: As per various conversions and as per P/ N. 84/2017 entry inward of prior to final of the Bill of Entry will be done automatically but members are still facing the issue of the same and they have to approach for the same manually for compliance. We understand that there is mismatch between B/E filed and as per UQC and manifest filed by Shipping lines these could be one of the reason Prior to final is not been done automatically.

सुझाव /Suggestions: Required to comply with the conversion as per P/N 84/2017 entry inward of prior to final done automatically.

प्रतिक्रिया/Response:

As per P/N 84/2017, the prior/advance to final of bill of entry is already done automatically. Only in cases where there is a technical/system error, it needs to be done manually. **[बिन्दु समाप्त/Point Closed]**

कार्यबिन्दु संख्या 03/Agenda Point 03: FAG is giving first check examination order whereas the goods has been assessed normally in second check.

As per the Board circular No. 45/2020 dated 12.10.2020 Para 2.3 Sr. No IV stated that,

“However, in the exceptional instance when the FAG has genuine reasons to believe that a First Check examination report is required for completion of assessment i.e., determination of valuation, classification, rate of duty, and other parameters relevant for determination of Customs duty, the same may be ordered only with the approval of Joint Commissioner/Additional Commissioner in the Customs Automated System. It is clarified that this would include the cases where importer himself requests for First Check”.

The same has to be followed by FAG;

We understand that Joint/ Addl. Commissioners are unable to view No of queries being raised before permitting 1st check;

We have also received feedbacks from members FAG issues query for valuation / BIS/ Technicality though we upload or reply 1st check orders are given.

प्रतिक्रिया/Response:

In this regard, it is to submit that the Board Circular No. 45/2020 dated 12.10.2020 is being followed & the B/Es are assessed in First Check with the approval of ADC/JC as per Circular only. Further, it is to submit that no first check examination order is being given where the goods have been assessed normally in second check.

Further, there are some categories of goods where specific examination in first check is required. For example,

- (a) For Re grind, Lumps, Agglomerates, Flakes, Reprocessed, Recycled and off-grade/Sweepings of all commodities of CTH 3901 to 3914;
- (b) For Re-import;
- (c) For NCV/FOC consignment;
- (d) For Stocklot;
- (e) For Offcut;

However, In exceptional cases, other than those specified above, if FAG has genuine reasons to believe that 1st check examination is required then the procedure involving approval of Jt./Addl. Commissioner in the Customs Automated System for giving 1st check would come into play.

Further, with regard to 1st check order given in spite of reply in system, it is seen that many a time replies given/documents uploaded are insufficient/unsatisfactory. It is also noticed that at times, the documents are uploaded on e-Sanchit but are not linked to B/E, leading to a situation where Appraising/ Assessing Officer is unable to view the document and is thus compelled to raise a query or to give 1st check orders. **[बिन्दु समाप्त/Point Closed]**

कार्यबिन्दु संख्या 04/Agenda Point 04: DPD which has proved a game changer, Initiatives were taken by JNCH helped trade to reduce cost , Since last one year DPD percentage has dropped drastically ,we urge that after 48 hours deadline for movement from terminal to CFS , Trade should be allowed to move containers to their nominated CFS instead of shipping line CFS.

प्रतिक्रिया/Response:

DPD as percentage of facilitated cargo has is 69.66% as on 31.12.2020 which is at par with action plan/target given by CBIC for the year 2020-21 (Our target is to achieve 70% of facilitated cargo under DPD and steps have already been taken in this regard).

Further, it is to inform that option to change CFS has already been given in DPD module. Further, Para 4.9 of Public Notice No. 161/2016 dated 28.11.2016 also provides that in case any importer requests for change of CFS, this may be considered by Addl./Joint Commissioner in charge of 'RMS Facilitation Centre'.

[बिन्दु समाप्त/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/-

(शान्तनु/Shantanu)

उप आयुक्त, सीमाशुल्क /Dy. Commissioner of Customs
मूल्यनिरूपण मुख्य (आयात) /Appraising Main (I)
जेएनसीएच, न्हावा शेवा/ JNCH, Nhava Sheva

सेवा में /To,

पीटीएफसी के सभी सदस्यों को ई मेल के माध्यम से /All the Members of PTFC(through email)

प्रतिलिपि/Copy to : (ई मेल के माध्यम से)

- 1) मुख्य आयुक्त, सीमाशुल्क, मुंबई अंचल-II/Chief Commissioner of Customs, MUM Zone-II;
- 2) प्रधान अपर महा निदेशक, करदाता सेवा महानिदेशालय, मुंबई/ The Principal Add. Director General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, room No 138/139, New Custom House, Mumbai-400001(mzu-dgtps@gov.in);
- 3) लोकपाल , अप्रत्यक्ष कर, मुंबई/ The Ombudsman, Indirect Taxes, Mumbai;
- 4) सीमाशुल्क आयुक्त, मुंबई अंचल-II / Commissioner of Customs, MUM Zone-II;
- 5) सभी अपर/संयुक्त आयुक्त, जेएनसीएच, न्हावा शेवा / All ADCs/JCs JNCH, Nhava Sheva;
- 6) सभी उप/सहा.आयुक्त, जेएनसीएच, न्हावा शेवा / All DCs/ACs JNCH, Nhava Sheva;
- 7) सहा/उप आयुक्त,ई डी आई, जेएनसीएच, न्हावा शेवा को अविलंब वेबसाइट में अपलोड करने के लिए/AC/DC, EDI, JNCH, Nhava Sheva, for uploading in JNCH website immediately;
- 8) कार्यालय प्रति/Office Copy.