

सीमाशुल्कआयुक्त (एनएस -I) कार्यालय  
**OFFICE OF THE COMMISSIONER OF CUSTOMS, NS-I**  
मूल्यनिरूपणमुख्य (आयात) APPRAISING MAIN (IMPORT)  
जवाहरलालनेहरूसीमाशुल्कभवन, न्हावाशेवा,  
**JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA- SHEVA**  
ता. उरण,, TAL-URAN, जिलारायगड /RAIGAD - 400707, महाराष्ट्र MAHARASHTRA  
(E-mail:[appraisingmain.jnch@gov.in](mailto:appraisingmain.jnch@gov.in) Telephone No.022-27244979)

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

Date: .08.2019

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION  
COMMITTEE HELD ON 29.07.2019**

The PTFC meeting held on 29.07.2019 was chaired by Shri M R Mohanty, Commissioner of Customs (NS-II), Shri Sunil Kumar Mall, Commissioner of Customs (NS-I), Shri R K Mishra, Commissioner of Customs (NS-III & V), and Shri Utkarsh R. Tiwari, Commissioner of Customs (NS-G). The meeting was attended by the following members/participants of trade:-

<b>Sr. No.</b>	<b>Names (S/Shri/Ms./Mrs.)</b>	<b>Organization/Association/Designation</b>
01	Prashant S Mhatre	APMT-GTI
02	Ganpat P. Korade	BCBA
03	Venkat Narayanan	CFSAI
04	Rajshekhar R	UPL
05	Vinayak V Aparaj	BCBA
06	Roshan Irani	AIWCBA
07	Neelesh Datir	AICBIEA
08	Philomena Pereira	MACCIA
09	Vinay Pathak	A V Global
10	Sunil Vaswani	CSLA
11	James Joseph	CFSAI
12	K Prakashchand	DP World
13	Paresh Shah	WISA
14	Shankar Shinde	BCBA
15	Nimish Desai	WISA
16	Nishikant Chaugule	ONIDA
17	Hanif Md. Bakshi	SAMSARA/MANSA
18	Manish Kumar	MSC/MANSA
19	Nirav Thakkar	BCBA
20	Kalpesh R. Pise	CONCOR
21	Harsh Vardhan Gautam	CRS-DRT
22	Shivdas R. Tandel	Emirats/CSLA
23	Sanjeev Vase	APMT
24	Kiran Ugale	MSWC

Following Officers from the department also attended the meeting:-

<b>Sr. No.</b>	<b>Names (Shri/Smt./Ms.)</b>	<b>Designation</b>
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

2) The Joint Commissioner of Customs, EDI/Systems, started the discussion related to the agenda points of the meeting.

### **Old Agenda Points**

#### **Point No. 01:- Agenda Point from Sh. V K Agarwal (Mirc Electronics Ltd):-**

It has been represented that if bonded consignment is under interest (after 90 days of bonding) and at the time of ex-bond, if we pay duty thru Scrip; the interest amount on duty appears on the first page of the BE under heading “**XBE Duty FG Int.**” But we are unable to pay this amount as its challan doesn't appear on ICEGATE unless we get it generated manually. But there is no such problem in case BCD is paid in cash.

To generate challan, we need to approach OOC Officer in bond section and provide BE number & date. Based on this information, Officer generates challan in the system. After generating challan, it takes more than two hours to reflect it on ICEGATE site for payment. It is suggested that once duty is paid thru scrip, challan for Interest if any, on this amount need to be generated automatically thru system.

**Facts on the matter:** -It is informed that an email on the subject matter has already been sent to DG System on 27.03.2019 and subsequent reminder was also sent on 16.04.2019, 28.05.2019, 24.06.2019 and 17.07.2019. Reply is awaited. The Chair directed JC/EDI to communicate at appropriate level to resolve the issue at earliest.

[Action: JC/EDI]

**Point No. 02:- Out of Scope items are still being referred by Single Window to PGA's:-** It is represented that some out of scope items are still being referred by Single Window to PGA's. It is requested to look into the matter to amend the system to enable Custom Brokers to clear the shipment on time.

**Facts on the matter:-** It is informed that an email on the subject matter has already been sent to DG Systems on 18.07.2019. Reply is awaited. The Chair

requested the Trade to provide database of the out of scope items so that more specific request can be made to DG/System. During the discussion trade has pointed out that instead of clear cut clearance orders on out of scope item “may be released” remarks are being endorsed on the BE’s. Trade was instructed that all such case should be brought to the notice of ADC/Import.

[Action: Point closed]

### **New Agenda Points**

#### **Agenda Points represented by BCBA**

**Point No. 01:- Waiver of late fee during System Down time:-** It is noticed that recently there has been erratic functioning and frequent system down for E-sanchit/ICEGATE document submission resulting that members are facing problem in filing documents within the time limits which results in late fee charges. We request you to kindly grant waiver of late charges without representing the matter from time to time as representation and issuance of PN is time consuming process which further delays the consignments and members tend to pay the late charges anticipating no results or outcome of the waiver of late fee, as holding on the process of BE would further delay the clearance of consignment and dwell time.

**Facts on the matter:** -It is informed that Public Notice 64/2019 dated 17.07.2019 and Public Notice 65/2019 dated 19.07.2019 have been issued for waiver of late fee during the time, system was down.

It was informed that AC/DC Groups will be instructed not to resort to adjudication in the cases when there is universal knowledge of system being down but in other cases the provisions of the law in this regard will take its own course.

[Action: AC/DC Groups]

[Point Closed]

**Point No. 02:- Role of PGA’s for release of goods:** - This is in reference to clearances of reefer containers clearance which are facilitated, after release from FSSAI or any other PGA. Members have to approach at DC/RMS for release, which leads to delay in clearances. Role for release of goods may also be given to concerned DC docks as this will save time and expedite clearance process. CFS location challenges i.e. travelling to Customs House and back to CFS’s is not feasible which results into delay of consignments.

**Facts on the matter:** - It is informed that menu of PGA’s NOC for release of goods is available in AC/DC Role. The said role has already been given to all AC/DC posted in the import Docks. It was also informed that granting of

clearance of RMS facilitated refer containers after release from PGA's may be granted to AC/DC Docks after examination of RMS instructions.

[DC/DOCKS TO BE INTIMATED ACCORDINGLY]

**Point No 3:** This is in reference to provisional clearances, if goods are sent for test and released provisionally, Groups insist on release of bond only after IRN No. to be generated under e-Sanchit for Test Report. System doesn't have provision to upload documents on e-Sanchit after OOC.

**Facts on the matter:-** It is informed that an email on the subject matter has already been sent to DG/System on 19.07.2019. Reply is awaited. It was also informed that test module is partially functioning wherein TR is uploaded in the system itself. Till the time test module is not fully functional it is advisable to make use of e-Sanchit to have a verifiable record. The Chair instructed to examine the issue whether as a temporary measure TR bond can be cancelled on hard copy.

[Action: Point Closed]

[Action: Feedback from Groups to be obtained]

**Point No 4: Amendment of BL Number and BL Date in System:-** It is noted that there is huge delay in processing of amendment at respective group due to workload which delays the shipment. We request such BL No and BL Date amendment should be authorized to EDI section as a common point of amendment approach.

**Facts on the matter:-** IGM amendment in respect of BL date and BL No. are treated as "Major Amendment" at Sr. No. 17 and Sr. No. 21 respectively of Board circular No. 14/2017-Customs issued vide F. No. 450/198/2015-Cus IV dated 11.04.2017. In the cases where BEs have already been filed, NOC from concerned Group is obtained as per point no. 4 of P.N. No. 47/2016 dated 15.03.2016. Thereafter, amendment in ICES 1.5 System is approved by the concerned section after receiving the job no. generated by CMC, EDI. All amendments are disposed off on the same working day on submission of complete application along with all the required documents and NOCs. The Chair instructed to examine the matter whether the role of amendment of BEs can be given to AO or EO.

[Action: Feedback from Import Noting to be obtained in this regard]

**Point No 5: Difficulties in release of part consignments for NOC released by PGA's:-** It is observed that the PQ is not able to release the part consignments NOC towards individual Bill of Entry. There should be a system where the PGA's should be able to process NOC item wise which can be

processed at Customs end for further manual OOC and Delivery. The same would help in clearance part consignments as some of the items need more time for testing purpose/representation at higher authorities, which delays the whole consignment, increasing dwell time and transaction cost. Cargo pending for such NOC can be further processed for warehousing under Section 49 as per importer requirement to avoid detention and demurrage charges. Further the Part consignments should be released without any adjudication process.

**Facts on the matter:-** In respect of part release of the PGA compliant goods and pending NOC for the rest of item, the request of manual clearance of NOC granted goods are dealt on the merit of the case and orders of Commissioners as applicable. However, presently there is no provision in the system to grant partial OOC of B/E. Further request for warehousing of NOC pending goods and adjudication proceedings are dealt on case to case basis. It was informed that if manifested item/items is/are offending then adjudication process is required but it should be examined whether rest of the manifested non-offending goods can be released as per the provisions of the Act by adjudicating the cases or without adjudication order if there is delay in clearance of manifested offending goods by the PGAs specially in case of PQ.

[Action: Feedback from DC/Group 1]

#### **Agenda Points represented by CSLA**

**Point No 6:- SCMT:-** As requested several times earlier too, in view of the delay on the part of the Customs/CBIC to furnish the EDI data structure, the implementation may please be postponed to the 1st of Nov 2019, to enable the shipping lines to get their global systems aligned with those of SCMT's.

**Facts on the matter:-** It is informed that an email on the subject matter has already been sent to DG Systems on 23.07.2019 but reply is awaited. It was also informed that Member Board held a meeting in this regard with the stakeholders on 25.07,2019. All the concerns of the stakeholders were addressed in the said meeting. Members of CSLA requested that a PN may be issued on the duration of implementation phase and sample EDI Data structure. They also requested that key points discussed in the meeting and sample EDI Data structure may be available on the ICEGATE for everyone to take advantage of. They also requested for the demo on the use of SCMT module. The Chair instructed that minutes of the said meeting should be obtained for necessary action. It was informed that members of trade may wait for few days for implementation of the actions agreed upon in the meeting dated 25.07.2019.

[Action: DC/EDI]

**Point No 7:- DPD Customers registered Under OTI (One Time Intimation):** During the PTFC meeting held on the 27th of June 2019, CSLA recommended that any change in the OTI pertaining to CFS nomination by the consignee, should be done by the consignee (Importer / CHAs) on the DPD JNCH website. However, we are still following the same old process for change of OTI through emails. Hence requesting your kind consideration to our proposal of change of OTI only through the DPD JNCH website.

**Facts on the matter:-** It is informed that OTI process has been introduced vide P.N. No. 36/2018 dated 09.03.2018 as amended vide P.N. No. 49/2018 dated 26.03.2018 and P.N. No. 126/2018 dated 21.08.2018 to obviate the need to submit 72 hours advance intimation each time to promote DPD. DPD importers who have not submitted the said OTDI, have been advised to submit the same preferably electronically as provided in the above mentioned Public Notices. DPD importers have also been advised not to submit more than one request/intimation for one consignment. In cases, where more than one specific request in respect of any consignment is received, shipping line may only consider first request and ignore subsequent request, even though submitted 72 hours in advance, in case OTDI has not been changed by importer.

It was also informed that Shipping lines should forward the container to CFS which are mentioned in the OTDI and for any change in the destination CFS the importer is required to submit 72 hours advance intimation to EDI/JNCH.

[Action: Point closed]

**Point No 8:- Refund of excess payment of the Light house dues:** Despite reminders, several shipping lines have yet to receive the refund of excess lighthouse dues. We are awaiting a response from DGLL / Customs in the matter.

**Facts on the matter:-** It is informed that as per available record there is only one refund claim of lighthouse dues in respect of Hamburg Sud Line is pending. The Chair instructed that list of pending refunds may be forwarded to JC Shri Alok Shrivastava.

[Action: Shri Alok Shrivastav]

**Point No 9:- Annual Continuity Bond & landing Guarantee Cancellations:** In the minutes of the PTFC meeting held on the 30th of May 2019 it was mentioned that EDI/JNCH will take up the matter with DG System and explore the possibility of digitization of annual continuity bond, preferably on pan India basis. An update on this therefore would be deeply appreciated.

**Facts on the matter:** -It is informed that an email on the subject matter has already been sent to DG Systems on 19.07.2019. Reply is awaited.

[Action: Point closed]

**Point No 10:- EGM filing procedures:** In the minutes of the PTFC meeting held on the 30th of May 2019, it was informed that the matter regarding requirement of filing manual EGM is under examination. An update on this would be deeply appreciated.

**Facts on the matter:-** In this regard it is stated that as per laid down procedure earlier Shipping Line had to file Manual EGM as well as electronically as per Custom Manual, Export Manifest (Vessels) Regulations, 1976 and Public Notice/Facility Notices no. 56/2005 dated 31.10.2005, 67/2005 dated 15.12.2005, 47/2006 dated. 31.07.2011 & 129/2011 dated 20.10.2011.

Since, Export Manifest (Vessels) Regulations, 1976 will be superseded by Sea Cargo Manifest and Transshipment Regulations, 2018 which will come into force from 01<sup>st</sup> August 2019, wherein as per Point no. 5- 'Delivery of Departure Manifest' stated that *"An authorized sea carrier carrying imported goods, export goods, coastal goods or goods meant for foreign transit or foreign transshipment, shall before the departure of the vessel from the port, deliver the departure manifest to the proper officer electronically: Provided that where it is not possible to deliver the departure manifest electronically, then the manifest shall be delivered manually in duplicate with the approval of Commissioner of Customs before the departure of the vessel."*

Hence, The Manual Filing of EGM will not be required after implementation of Sea Cargo Manifest and Transshipment Regulations, 2018 (i.e. from 1<sup>st</sup> Aug, 2019), except for the cases covered under proviso to Regulation No. 5 of SCMT Regulations 2018.

[Action: Point closed]

**Point No 11:- Standard Operating Procedure (SOP) for Short Landing:** We would like to thank JNCH for considering our request regarding hardships faced in amendment of Short Shipment vide Standing Order 14/2019 Dated 03.07.2019 w.r.t. Standard Operating Procedure (SOP) for Short Landing.

Likewise we would also request your kind consideration for the below points as well, under Ease of Doing Business. The Shipping Lines have to submit a letter to the Boarding Department for following activities:

- Short landing letter. Please refer point no 1 of attached SO 14/2019.
- Entry Inward along with ILH copy before berthing of the vessel.

- Details for Sailing Report updation along with P.C copy.
- An intimation letter with regard to the berthing of the vessel, one day prior to the berthing of the vessel.
- Restow carried out on the vessel.

We would therefore request that there should be provision to send all the relevant information and obtain permission through email itself, without any need of submission of hard copy.

**Facts on the matter:-** Hardship faced in IGM amendment in respect of Short landing of FCL/LCL cargo is disposed of vide S.O. No. 14/2019 dated 03.07.2019 for short landing of FCL/LCL Cargo. Further it is submitted that all the mentioned permissions are sought from boarding section manually as per S.O. No. 14/2019. At present there is no dedicated platform by which the message flow between the Customs Authorities and Shipping Lines can be facilitated. In respect of sending relevant information and obtaining permission from boarding officer through dedicated email, 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 of the genuineness of the emails. Further, in cases where the boarding officer needs to take the approval from seniors, at present there is no escalation option in the email. Therefore, the said suggestion need to be examined thoroughly before the same can be materialized from all aspects.

It was also informed that part consignment can be cleared if IGM for the same is amended. Also in such cases if advance BE is filed then BE should also be amended as per IGM.

[Action: Point closed]

### **Agenda Points represented by WISA**

**Point No 12:-** Stoppage of physical waiver from warehousing for warehouse bills of entry. For ages, right since inception of JNCH, this procedure of granting waiver of physical warehousing of goods for a warehouse Bill of Entry was in vogue, if importer required goods for home consumption and filed an ex-bond bill of entry simultaneously and paid duty assessed thereon. Earlier this process was being sought to be followed for any change in production planning. It is also very useful and important for importer, importing goods in larger quantity required for multiple manufacturing units under one Bill of Entry and filed warehouse Bill of Entry. Subsequently, multiple ex-bond Bills of Entry for requirements of each individual factory address having separate GSTIN. In all such cases, despite having filed warehouse Bill of Entry, physical warehousing



of goods in a bonded warehouse was waived after payment of duties of customs for ex-bond Bills of Entry for home consumption. The custodian would retain out of charge copies for both warehouse and ex-bond Bills of Entry and permit delivery directly to importer. This procedure was of great help in reducing transaction costs - such as payment of minimum four weeks of warehouse rent, double handling and transportation of imported goods etc.as well as dwell time and also achieve desired results with ease and also safeguarding the revenue. Our request is to kindly reconsider stoppage of this trade friendly process.

**Facts on the matter:-** It is informed that at present waiver of physical warehousing is granted only to the re-exported goods under section 69 of the Customs Act, 1962 on a written request of the exporter. The provision of warehousing of imported goods has been granted for deferment of payment of customs duty and compliance of other mandatory provisions of laws for which the goods needs to be taken to the bonded warehouse. Further no Public Notice and Circular had been issued which allows physical waiver from warehousing of the goods for an ex-bond Bill of Entry.

[Action: Point closed]

**Point No 13:-** Automatic regularisation of Prior / Advance Bills of entry upon granting entry inward still eludes the trade. It includes very large numbers of Bills of Entry where there is no mismatch between Bill of Entry and IGM but still trade has to approach EDI centre for the same resulting into wastage of time, money and resources. This has been a perennial pain point since more than 2 years now and needs to be looked into in order to resolve the same.

**Facts on the matter:-** It is informed that prior BEs get finalized automatically in EDI system as the final IGM is filed by shipping lines. However, in few cases, the prior B/Es do not get updated due to mismatch in weight, UQC, B/L date, HB/L no. HB/L date and some system related error etc. Procedure laid down in the P.N. No. 84/2017 dated 28.06.2017 may be referred. However, in this regard point raised by trade that during submission of IGM, boarding officer need to click on each line while scrolling down, and if some are missed during the process, it causes problem in finalization. Further entry inward is a process initiated by boarding officer. Once the officer initiates the process in the system, the system automatically runs all the steps prescribed in para (iii) of P. N. 84/2017. The time taken in this process depends on the number of lines in the IGM. The boarding officer does not activate each line but initiates the process in system by filing the respective details of IGM No. and date. Sometimes the system gets hanged while granting entry inward probably due to the weak

internet connectivity. In such cases boarding officer has no option to re-initiate the process.

[Action: Point closed]

**Point No 14:-** Post introduction of “Turant Customs”, it has been more than four months and the process doesn’t seem to have still settled down. As on date time taken for out of charge for facilitated Bills of Entry of non AEO importers, is anything between 1-1/2 – 2-1/2 days. The time taken is discouraging as we are aiming for completion of customs formalities within double digit hours.

**Facts on the matter:-** It is informed that glitches seen during the introductory stage of “Turant Customs” have been removed and the system has got streamlined since then except software issues that occur randomly. The OOC is being given without any delay and no B/Es remain pending for OOC. It was also informed that the list of BEs delayed may be brought to the notice of concerned ADC/JC.

[Action: Point closed]

3. The members of the meeting were informed that the next PTFC meeting shall be held on **29.08.2019 at 11:30 AM** at conference Hall, 7<sup>th</sup> 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](mailto:appraisingmain.jnch@gov.in) for taking up the issue in the upcoming PTFC meeting.**

4. The meeting ended with vote of thanks to the Chair.
5. This issues with the approval of the Commissioner of Customs, NS-I.
6. Minutes are placed on JNCH website and also being sent through emails to the members.

**Sd.**

**(SAHIL SETH)**

Dy. 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](mailto: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.