

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

Date:13.09.2019

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION  
 COMMITTEE HELD ON 29.08.2019**

The PTFC meeting held on 29.08.2019 was chaired by Shri **S.K. Vimalanathan**, 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 **Sanjay Mahendru**, 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	SumitTanwar	CFSAI
02	Ganpat P. Korade	BCBA
03	Venkat Narayanan	CFSAI
04	Rajshekhhar R	UPL
05	Vinayak V Aparaj	BCBA
06	Maruti R Godge	BCBA
07	NeeleshDatir	AICBIEA
08	Philomena Pereira	BCBA
09	LakshaTadadikar	CFSAI
10	SatyajeetPatnayak	CSLA
11	V. M. Thomas	CSLA
12	Prashant Thakur	EVERGREEN
13	R K Robin	ANTOI
14	Shankar Shinde	BCBA
15	Nimish Desai	WISA
16	NishikantChaugule	ONIDA
17	Hanif Md. Bakshi	SAMSARA/MANSA
18	R. C. Yadav	Dy. Commandant, CISF
19	Omprakash Agarwal	MSWA
20	Kamlesh A. Agnihotri	MSWC

Following Officers from the department also attended the meeting:-

<b>Sr. No.</b>	<b>Names (Shri/Smt./Ms.)</b>	<b>Designation</b>
1.	K. C. Kala	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.	Kunal Kashyap	Joint Commissioner of Customs, JNCH
6.	Vishal D. Jorande	Joint Commissioner of Customs, JNCH
7.	Sahil Seth	Deputy 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. However, 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 subject matter has already been sent to DG Systems on 27.03.2019 and subsequent reminders were also sent on 16.04.2019, 28.05.2019 and 24.06.2019. Further it is informed that the said matter has already been taken up by JC/EDI to the DD & JD of DG Systems and they assured to resolve the issue on priority basis.

[Action: Point Closed]

**Point No 2: 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. Further it is informed by import noting section that this section is dealing with only IGM amendment and accordingly carries out the amendment viz., change in consignee name, port of discharge, BL No. BL date etc. as per Board Circular No. 14/2017-Customs issued vide F. No. 450/198/2015-Cus IV dated 11.04.2017. The major amendment viz., change in consignee name, commodity description, BL No. etc. are carried out after approval of Deputy Commissioner, Import Noting. No comment can be given by Import Noting on the role of IGM amendment in respect of BL date and BL No. to be given to AO/EO as it is being policy issue.

The Chair informed that major and minor amendments are defined in the Board's circular. Amendments are assigned as per hierarchy thus major amendments like change in Bill of Lading no. in BOE is assigned to higher hierarchy so bringing down the hierarchy is not feasible. He also assured that in case of advance/prior BOE the matter will be discussed and the necessary action will be taken if suggestion were found to be feasible.

[Action: Point Closed]

**Point No 3: 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's request to avoid detention and demurrage charges. Further the Part consignments should be released without any adjudication process.

**Facts on the matter:-** As per present practice, in cases where some goods covered under a B/E have not obtained PGA NOC, Section 49 is permitted by the Group. However, for considering the part release of goods, necessary approval is required from the Commissioner of Customs. Further, in cases

where some goods of the consignment have failed in getting NOC from PGA, adjudication is done to clear the goods which have not got PGA NOCs on merit. It was stated that in many of the cases wherein part consignment (non-offending) is released and if the other part is found to be offending at the later stage then importer in most of cases do not comply with the adjudication order to the extent that neither they take the responsibility of destruction of such goods nor do they re-export it when it is allowed on payment of fine and thus such goods remain lying in the warehouse for years.

[Action: Point Closed]

**Point No 4:- 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:-** The new SCMTR 2018 has been launched with effective from 1<sup>st</sup> August 2019 on voluntary basis. DG/Systems team is monitoring and resolving problems which are being faced by the stake holders on regular basis. The meetings and technical sessions in this regard are being conducted by DG/Systems. It was stated that let us wait for a week's time for the DG/System to take action on the issues which was already in their domain and knowledge.

[Action: Point Closed]

**Point No 5:- 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, only two refund claims of lighthouse dues in respect of M/s Hamburg Sud Line and M/s Hapag Lloyd India Pvt. Ltd. is pending. The same is under process and will be issued shortly. The members of the trade were requested to bring to notice Light house dues pending in any other cases.

[Action: Point Closed]

### **New Agenda Points**

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

**Point No 1: Need for promptness & efficiency from the Central Industrial Security Force (CISF) at JNPT:** It is pointed out that an average it takes about 5 to 6 hours for a truck to complete a round trip from the time the container

trailer picks up the container from terminal "A" to drop the containers to Terminal "B" and come back to Terminal "A" in JNPT. We have had several cases of shipping lines not being able to load the containers on the intended vessel / voyage as the containers could not reach on time. CISF does not seem to have the adequate resources or the processes in place to ensure quick gate movements of ITHRO containers. This issue therefore needs to be addressed.

**Facts on the matter:** -It is informed that South Gate has only one way to move inter shifting containers. Sometimes passes for in or exit containers are not being made at the time due to non submission of proper documents, resulting in a long queue of vehicles. All port users and ODC cargo is being moved from south gate which blocks the road and a traffic congestion is seen from petrol pump to south gate. In this regard, a meeting was conducted among JNPT management, all terminal management, stake holders and CISF as well. The road widening work is under process, which will enable for both side movement at a time. All terminals are also asked to submit data timely at south gate, so that passes can be made timely manner.

It was directed that JC Sh. Vishal D. Jorande will study the SOP with regards to the movement of container and suggest changes if any to smoothen the moment of ITHRO container.

[Action: Point Closed]

**Point No 2: DPD Customers registered Under OTDI (One Time Default Intimation):**

We thank you for correctly addressing the discussions pertaining to Point No. 7 of the last PTFC meeting of 29th of July 2019, whereby, the Shipping lines should forward the container to CFS which is 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. Since we still have customers following the old procedure of sending emails to the Shipping Lines, we request that a Public Notice be issued to this effect, so as to amend the earlier PN Nos. 36/2018 dated 9/3/18, 49/2018 dated 26/3/18 & 126/2018 dated 21/8/18, thereby setting the record straight, as far as this new process is concerned.

**Facts on the matter:-** It is informed that OTDI process has been introduced vide P.N. No. 36/2018 dated 26.03.2018, P.N. No. 115/2018 dated 02.08.2018 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.

[Action: Point Closed]

**Point No:-3 Annual Continuity Bond & Landing Guarantee Cancellations:**

As discussed during the PTFC meeting of the 30th of May 2019 & informed by yourselves at the 29th of July 2019, the matter pertaining to the digitization of the annual continuity bond on a Pan India basis, had been taken up by yourselves with DG Systems on the 19th of July 2019. An update on the same would therefore 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 and subsequent reminder was also sent on 20.08.2019. Reply is awaited.

[Action: DC/EDI]

**Agenda Points represented by BCBA**

**Point No 4: BE filed under EPCG scheme are recalled and re-assessed even when facilitated under RMS:**

- There is a practice at JN Customs to recall and re-assess the BE which are filed under EPCG scheme even when Bill of Entry were facilitated under RMS. When the IGST is debited to the EPCG license, provisional assessment is carried out. Trade is not aware about the reasons for carrying out provisional assessment for such BE under EPCG scheme. It is requested that this practice at JNCH is resulting in delay for clearance of consignments of importers under EPCG scheme considerably, hence any back office issues to be resolved in order to ensure that EPCG Bill of Entry which are facilitated under RMS should be cleared immediately.

**Facts on the matter:-** It is informed that the matter has been communicated to DG Systems, Delhi and since the B/Es are provisionally assessed with dummy bond, we may discontinue the process of provisional assessment and whenever the matter is resolved by DG/Systems, we may recall all the EPCG B/Es for further processing as per decision taken. The Chair informed that in cases where bond is to be debited there is no option but to recall the EPCG BOE. He also assured that if there is any other issue of EPCG BOE particularly at JNCH then the matter will be brought to the notice of DG/Systems.

[Action: DC/EPCG, JC/EDI]

**Point No:-5 Auto finalization of Prior to Final of B/E:-** We refer to the point raised in earlier PTFC meeting. We would like to highlight that prior to final is

not being carried out in all cases. Trade is still required to approach department for getting the prior BE regularized. It is suggested, as being done earlier, we request you to kindly look into the matter to have the prior BE regularized through System.

**Facts on the matter:** -It is informed that prior B/Es are being updated automatically in EDI system after filling the final IGM by shipping lines. However in few cases prior B/Es are not getting updated due to mismatch in weight, UQC, B/L no., B/L date and some system related errors. For issue of B/Es get purged from the system, DG system had informed to forward any recent case of regularisation of B/Es so that they can identify the fields and causes due to which B/E gets purged. The B/E provided earlier was already purged and information was not traceable in the system. For such cases, dedicated staff is deputed in EDI section for updating B/Es from prior to final so that trade does not face any difficulty. The staff is also available in EDI section late in the evening on working days and even on Saturdays for the said work as a measure of trade facilitation. It was informed that the specific case may be brought to the notice of JC/EDI so that the process can be studied and appropriate action initiated.

[Action: DC/Boarding Office & JC/EDI]

**Point No:-6:- Back up for manual process during failure of E-Sanchit, ICEGATE and ICES System:** - It is observed that there are frequent failure of system following that trade faces difficulties in anticipation of system functioning. The trade is unable to plan their import deliveries as they have to plan for Vehicle bookings/deliveries. We request for guidance of action to process deliveries during such difficulties as obtaining permission at last minutes are difficult task for co-ordination.

**Facts on the matter:** -It is informed that the failure of E-Sanchit/ICES System was occasionally on pan India and network failure was on local level. A letter has already been written to MTNL and TATA informing that 16 Mbps lease line under Saksham project is not properly functioning and same needs to be revamped. It was informed that appropriate measures are being taken whenever there is prolong network failure.

[Action: Point Closed]

**Point No 7:- Ease of Process to recall RMS B/E:-** We request that in certain cases where re-assessment are required on request of Importer, the same may be allowed at A/C's level

- a) Recall of BE for Voluntarily Loading of Value for re-assessment.
- b) Recall of B/E. for Bond/ Debit or BG TAG release

Presently Files are processed manually up to ADC level for recall of B/E. Such administrative process leads to delay of shipment clearance. We request that such recall of Bill of Entry may be recalled at AC level on request of Importer/ Custom Broker.

**Facts on the matter:-** It is informed that the groups process recall of RMS facilitated B/E as per S.O. 11/2019 dated 17.06.2019. Para 3<sup>rd</sup> of above said standing order mentions that keeping in mind our commitment towards trade facilitation and ease of doing business, such recalls, which are only procedural in nature and don't have any revenue implication (change in duty) shall, henceforth be approved at AC/DC level only, without escalating the matter to JC/ADC concerned.

[Action: Point Closed]

3. The members of the meeting were informed that the next PTFC meeting shall be held on **26.09.2019 at 11:30 A.M.** 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.