

सी मा शु ल् कअयु क् त (ए न ए स -I) का र्, या लय
OFFICE OF THE COMMISSIONER OF CUSTOMS, NS-I
मू ल् यनरि रू पणमु ख् य (अया त) APPRAISING MAIN (IMPORT)
जवा हरला लने हरू सी मा शु ल् कभवन,न् हा वा शे वा ,
JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA- SHEVA
ता . उरण,, TAL-URAN, जलला रा यगड /RAIGAD -
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F.No. S/22-Gen-44/2017-18 AM (I) Pt. II

Date: 06.02.2019

MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE HELD ON 31.01.2019.

The PTFC meeting held on 31.01.2019 was chaired by Shri M R Mohanty, Commissioner of Customs (NS-I & II), JNCH, Shri Sunil Kumar Mall, Commissioner of Customs (NS-III & IV) and Shri Utkaarsh R. Tiwaari, Commissioner of Customs (NS-G). The meeting was attended by the following members/participants of trade:-

Sr. No.	Names (S/Shri/Ms./Mrs.)	Organization/Association/Designation
01	Manish Kumar	MANSA
02	Ganpat P. Korade	BCBA
03	Shankar Shinde	BCBA
04	Vinayak Apparaj	BCBA
05	Venkat Narayanan	CFSAI
06	Paras Shah	Soham Logistics
07	Rajshekhar R	UPL
08	Neelesh Datir	AICBIEA
09	Maruti R. Gadge	BCBA
10	Ashok Saini	BCBA
11	Sindhu Kunep	Trans Asia Line
12	Hiren Ruparel	BCBA
13	S C Mohanty	MSWC-CFS
14	Vinay Pathak	A V Global
15	Vinay Thandel	Speedy CFS
16	Salim Shikalgar	CFSAI
17	Om Prakash Agrawal	MSWA
18	Karunakar S. Shetty	BCBA
19	Kiran Rambhia	BCBA
20	Dushyant Mulani	BCBA
21	Shaikh Abdul Haseeb	Speedy CFS
22	Jitendra S Chauhan	Speedy CFS
23	Suraj Thaker	Continental CFS
24	Gangadhar Kodte	Shoolin Shipping Services
25	Anand Chaturvedi	Liladhar Pasoo
26	Prashant Mhatre	APMT-GTI

27	K Prakash Chand	DPWORLD-NSICT
28	Brijesh Chheda	IKEA
29	Prasad S Darekar	IKEA

Following Officers from the department attended the meeting:-

Sr. No.	Names (Shri/Smt./Ms.)	Designation
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
7.	Prashant Kumar Sinha	Deputy Commissioner of Customs, JNCH
8.	Jitendra Singh	Asst. Commissioner of Customs, JNCH

2) The Joint Commissioner of Customs, Appraising Main (Import), started the discussion related to the Agenda points of the meeting.

OLD POINTS

Point no 1:- It was represented by BCBA that AQ and FSSAI have same tests for some products such as whey proteins. If FSSAI conducts same test as required by AQ, the same should not be sent for test to AQ. This will save time and cost.

Facts on the matter: - Representative from FSSAI Office present in the meeting informed that now the test reports can be seen online by accessing user ID and password. This user ID and password can be obtained after following a procedure from FSSAI Headquarter. The Chairman directed that Jt. Commissioner (Appraising Main-Import) shall seek comments from the AQ in this issue and final decision shall be taken thereafter.

[Action: JC/Appraising Main]

Point No. 02 :- It was represented by CFSAI that presently there are no specified guidelines issued for the duration for which the old records lying at member CFSs are to be maintained. Each CFS is renting out space to preserve such documents and over the years, many of them are illegible and tracing the 7-10 year old records is not easy, Whilst in some meetings it has been stated that the records are required to be kept for 5 years, it is requested that if a PN or an advisory in this regard is issued.

Facts on the matter:- The Chairman directed the DC/CCSP to prepare a list in co-ordination with DC/AC (Docks) to identify the documents pending at docks, categorise them, and take orders of the competent authority for destruction of records, as per existing guidelines or to transfer to MCD Section.

[Action: DC/CCSP]

Point No. 03 : It was represented by CFSAI that CSD officials are insisting on the CFS Stamp to be endorsed on the EIR copy as a result the transporter has to reach the CFS and get the EIR copy stamped which is causing delay.

Facts on the matter:- The trade representatives present in the meeting informed that in case of R-Scanner, stamped EIR copy is demanded by CSD Officials despite it's connectivity with EDI. On this matter, the chairman directed to examine the issue and take corrective action.

[Action: DC/CSD]

NEW AGENDA POINTS

Point No. 01 : Scanning of Containers / 100% Examination

It was represented by BCBA that the containers moved to CFSs without scanning are subjected to 100% examination or re-Scanning. With the implementation of new drive through scanner there should be no cases of containers transported without scanning. However, some containers are still being transported to CFSs without scanning. A list of such containers is mentioned below:

Job No	IGM/Item	Container No	CFS
1580	2209702/57	GATU0638972	ULA
780	2210804/108	TTNU1910256	SPEEDY
1646	2211741/611/18	TEMU6652167	GDL
1596	2211927/65	ZCSU7110041	OCEANGATE

Further, the BCBA has requested to issue necessary directives to CFSs in this regard.

Facts on the matter: The Chairman informed that this was a temporary issue which occurred due to late generation of scanning list after filing of IGM which happens rarely.

Further, the trade representatives, present in the meeting, drew attention towards the issue that as discussed in the previous PTFC meeting that the UB containers should be go to the new scanner. However they are still being sent to the fixed scanner and not the drive through scanner. The Chairman on this issue informed that it is because at the time of filing IGM, the ICES system does not recognize that whether the container is UB container or not. Further, he directed to examine the issue and take corrective measure.

[Action: DC/EDI/CSD]

Point No. 02 : Adequate Officers at respective CFSs :

It was represented by BCBA that there are common officers at Appraiser and Examiner level posted for more than one CFS's for which trade has to keep travelling within CFSs to obtain officer's signatures, e.g.,

- Vaishno Logistics Yard CFS, JWR Logistics Pvt Ltd., MSWC & Seabird Marine Services Pvt. Ltd. - Same Appraiser at Both CFss
- Gateway Distripark and APM Terminal (New Mearsk)
- Continental Warehouse & Balmer Lawrie

- Ocean Gate & Take Care, Apollo & SBW & TG Terminal
- Sarveshwar & EFC Logistics
- Ashte & Indev

Facts on the matter: The Chair informed that depending upon sanctioned strength and work load, adequate number of officers are posted at docks and at present there is no scope for doing anything in this regard.

[Point Closed]

Point No. 03 : Scanning Process for DPD Terminal Container Delivery

It was suggested by BCBA that the DPD Terminal Container should be kept ready duly scanned for delivery to avoid delays during deliveries.

However, now with reference to PN No 04/2019 (Para 4) dated 04.01.2019 - due to discontinuation of operation of mobile scanner installed inside port terminal (JNCPT)

(a) As regards point no 6.2 (ii) - with regards to importers availing DPD/DPD (Other than AEO T2 & T3) can avail only DPD-CFS option.

However, there is neither any option to avail this facility after generation of scanning list nor option for trade to view the scan list online until approached for Customs Registration.

In view to reduce dwell time and expedite clearance it has been requested that such containers list should be available in advance to trade for intimating to place job order with CFS's for preferred choice and also the port should be allowed to move in accordance for preferred CFS's instead it would otherwise move to shipping line CFS's if not picked within 48 hours by importers.

Further, as this process is time consuming, it has been further requested for extension of port storage for such lot enabling to get the selected containers scanned and effect OOC enable to obtain other containers delivery from port.

If container selected for scanning are scanned with clean image endorsement, the OOC should be effected for the B/E without insisting to transport all containers to CFSs.

Facts on the matter : The Chairman informed that if containers are selected for scanning, the importer have to moved container on the trailer of nominated CFS only. With regards to sharing of information related to containers selected for scanning, it is informed that this custom house is working on creating an online module wherein status of container with regard to selected for scanning or not, can be viewed by the trade.

[Point Closed]

(b) As regards point no 6.2 (iii) -DPD-DPD shipment selected for scanning for T2 & T3 AEO:

There is no option for preferred choice of CFS, other than the CFS which are shipping lines nominated yards where challenges for laving of exorbitant charges are be faced.

Also who will be responsible for delays and whether the same would be voluntarily moved by placing job order or by shipping line.

Also BCBA vide letter dated 17.12.2018 had asked that for DPD-DPD, if not moved within 48 hours, the option should be to move for DPD- preferred CFS instead of shipping line CFS.

Facts on the matter : The Chairman informed that if containers pertaining to T2 & T3 clients selected for scanning, the same can be moved for scanning from the port terminals by placing own vehicles by the importers. The terminals will allow movement of containers from port terminals for scanning on endorsement of Custom Officer on the face of delivery order (DO). Once scanning is done of the selected for scanning and image is clean, OOC can be obtained. There is no need of DPD-CFS mode in case importer is AEO T2 & T3 clients.

[Point Closed]

(c) As regards point no 6.2 (iv) -such DPD importers required to make specific request to Customs to allow DPD-DPD option in respect of containers selected for scanning at DTS/Fixed scanners:

Need details as to where the request should be made. Also whether this would be one time or shipment based request.

Facts on the matter : The Chairman informed that the procedure is same as mentioned above.

[Point Closed]

Point No. 04 : Redundant manual process at Bond Section

It was represented by BCBA that the In-Bond and Ex-Bonding of Bill of Entry is online. Hence, it has been requested that manual entry in register be stopped to avoid duplication of work and reducing documentation as the details are available in system and the Ex-Bond quantity are also monitored automatically in the system.

Facts on the matter : The Chairman informed that maintenance of bond register cannot be dispensed with until the system is re-configured to catch the bond details of subsequent transactions in the nature of self transfer.

[Point Closed]

Point No. 05 : Availability of Preventive officers at terminal gate

It was represented by BCBA that the preventive officers are posted inside port terminal administrative building which is difficult to obtain signature for deliveries. Non availability of POs at gate for DPD containers, trade has to report to terminal admin building for allow which is time consuming.

JNPT & BMCT - POs are not available at terminal gate (Approx - 2 kms away from terminal gate)

GTI/NSICT/NSIGT - POs available at terminal gate.

Facts on the matter : The Chairman informed that in case of BMC terminal (BMCT) the officer posted for allowing entry to the DPD containers sits in a cabin provided by BMCT which is at a walking distance from BMCT terminal gate. However, the same arrangement is made at JNPT import yard which is far from

terminal gate. Further, the matter has been taken up with JNPT authorities to provide separate infrastructure for PO at terminal gate. The chair also directed the DC/Boarding to issue instructions to the POs deputed at terminal gates to be present at nominated place.

[Action Taken: DC/Boarding]

Point No. 06 : Ex-Bond Bill of Entry approval of Superintendent signature on B/E instead by Bonded Custodian

It was represented by BCBA that under Ease of doing business, the manual signature on B/E at time of OOC is not required as all details are online required for OOC which are verified by Officer. However, the Supdt. posted at JNCH Custom House for respective bonded warehouse signatures are insisted by the bonded custodians.

It has been suggested by BCBA that the Ex-Bond B/E are system generated duly Out of Charged by customs. Hence, the manual signature by Supdt. should not be insisted by the custodians. Directives may be issued in this regard.

Facts on the matter : The trade representatives present in the meeting informed that the issue has already been sorted out. Hence, need not any further discussion.

[Point Closed]

Point No. 07 : Shipping Lines NOC not to be insisted for IGM amendment, if details are available as per B/L

It was represented by BCBA that B/Es are not getting regularized in case of IGM details wrongly filed by Shipping Lines/NVOCC/Forwarders. CBs/Forwarders have to chase them to NOC amendment process on payments of their charges.

It has been requested that if the CB files B/E as per the B/L detail, the NOC from the forwarders/Shipping Lines should not be insisted for amendment and the same should be amended as per B/L which is a legal document issued by Shipping Lines. This will help in expediting the import clearance without delaying and being at mercy of forwarders to issue NOC.

Facts on the matter: The Chairman informed that as per para 3(f) and para (4) of CBIC Circular No 14/2017 dated 11.04.2017, the responsibility of amendment in the IGM rests solely with the shipping line/agent, as they file IGM with customs under section 30 of Customs Act, 1962.

Further, the Chairman added that in case the shipping line is recovering charge from the importer where the importer is not at fault or shipping lines are taking more time to file amendment in IGM than the stipulated time, the matter may be taken up before the CCFC.

[Point Closed]

Point No. 08 : Advanced file B/E are purged in system beyond 30 days if not regularizing and fresh filing of B/E. Late fee need to be waived.

BCBA drew attention on the point that the B/E don't get regularized in case of advance filing of B/E, the amendments are to be obtained from forwarders which is a time consuming process.

In case the CB produces advance filed B/E, which shall be considered genuine reason with intention of filing advance B/E and the late fees levied for fresh filed B/E should be waived.

This will increase confidence in trade for advance filing and clearance of consignments. CBs hesitate to file B/Es in advance due to challenges of amendment.

Facts on the matter: The chairman informed that as per system policy, where the B/E is filed as “Prior/Advance” and the same is not regularized i.e., “Entry Inward” date is not updated in ICES system, or duty is not paid, within 30 days of its filing, the same gets automatically cancelled by the system itself on completion of 30th day, without any manual intervention. Further, in terms of second proviso to sub-section (3) of Section 46 of the Customs Act, 1962, the Addl./Joint Commissioner of concerned appraising group is the proper officer for consideration of waiver of late charge payable due to delay in presentation of B/E.

[Point Closed]

Point No. 09 : IGM is not possible to amend if any one item in B/E (or Split) unless B/E is deleted.

BCBA drew attention on the point that the B/Es are to be deleted from system in case of respective item IGM are to be amended and this leads to fresh filing of B/E, levying late fee charges. Further, if the IGM is prior, then it is not possible to file the B/E till the items are split IGM by forwarders and this result in charging late fees charges to importers due to delay in splitting of IGM/Item. The matter was already addressed on PTFC meeting held on 30.08.2018

Facts on the matter: The Chairman informed that this problem occurs due to mis-match of details while filing B/E. However, as per system architecture, once B/E is filed against a particular line of IGM, the said line gets blocked and cannot be amended any further. If the shipping line wants to split up the master B/L (MBL) to add House B/L (HBL) in the IGM line, the B/E is to be cancelled to free up the line and enable amendment.

[Point Closed]

Point No. 10 : B/L No and date change in system to regularize advance file B/E subjected to respective group Dy./Asst. Commissioner

It was represented by BCBA that the advanced file B/E are not getting regularized in case of any B/L No or date change are required. The same are directed to respective group DC/AC. Depending upon Group DC/AC availability and work pressure it becomes difficult to obtain timely system data change with delays the process.

It has been requested that such administrative amendments be carried at EDI section at level of Supdt. being competent authority.

Facts on the matter: The Chairman assured that the proposal will be taken into consideration and the action will be taken after discussion with the concerned groups and sections in this regard.

[Point Closed]

Point No. 11 : Transfer of files from Gr VII to respective group for final assessment

It was represented by BCBA that the files are pending with Group VII which become difficult to track and trace. As advised earlier, files should be transferred to their respective groups. E.g. B/E no. 5350310 dated 23.05.2016 was assessed in Grp VIID with end use bond. However, till date, monitoring cell have not done any needful. Now it is informed that the respective group as per H S Code shall carry final assessment. There is no tracking system of such file.

Facts on the matter: The Chairman informed that it has been ensured that all available files from Group VII are handed over to the respective appraising groups. Also all the pending assessment cases have been transferred to the respective groups.

[Point Closed]

Point No. 12 : System remarks generated for overvaluation/undervaluation cases

It was represented by BCBA that the system is generating internal instructions regarding overvaluation/undervaluation directly without following the procedure laid down under Customs Valuation Rules 2007 as per Section 14 of Customs Act 1962. This is likely to lead to delay in assessment and clearance of import consignment.

It has been suggested that under valuation or over valuation cannot be pre-judged without following the process of law and hence such instruction should not be auto generated in the system. This is likely to affect the trust based business practices and also affect measures of Ease of doing Business.

Facts on the matter: The Chairman informed that the issue has already been forwarded to RMCC office.

[Action Taken: DC/AM (Import)]

Point No. 13 : Display of Custom officer contact details on notice board of CFSs

It was represented by CFSAI that in the previous PTFC meetings BCBA had brought to the forum of the trade to display the contact details of contact officers posted in CFSs on the notice board of CFSs. This issue was discussed in BCBA-CFSAI bilateral Meet last week and the BCBA / trade would like to have the contact details including cellphone numbers. However contact details (cell phone numbers) of many officers are not made available. Seek JNCH's kind intervention.

Facts on the matter : The Chairman directed that contact details of all officers should be displayed prominently in the CFSs where they are posted.

[Action: DC/CCSP Cell]

3. The members of the meeting were informed that the next PTFC meeting shall be held on **28.02.2019 at 11:30 AM** at conference Hall, 7th 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 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/-

(Shashank Dwivedi)

Joint Commissioner In-Situ
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.
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