

 सत्यमेव जयते	भारत सरकार/ Government of India वित्त मंत्रालय / Ministry of Finance आयुक्त सीमाशुल्क एन.एस.-II का कार्यालय Office of Commissioner of Customs NS-II Jawaharlal Nehru Custom House, Nhava Sheva, Dist.- Raigad, Maharashtra – 400 707	
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To,
The Asstt./Dy. Commissioner of Customs,
Appraising Main (Import), NS-I,
JNCH, Mumbai Zone- II.

Sir,

Subject: Minutes of the meeting of the PTFC Meeting {General & Export} July -2024 - reg.

Please refer to the above mentioned subject.

As directed by the Chair in the PTFC meeting held in December-2023, that the minutes of Export and General Commissionerate are to be sent to AM(Import) NS-I for all the subsequent PTFC meetings for a collective release of the minutes.

In this regard, please find enclosed herewith, Minutes of the meeting of the Permanent Trade Facilitation Committee (PTFC) Meeting for the month of July -2024 enclosed as Annexure-1 (NS-GEN) and Annexure-II (NS-Export) for General Commissionerate and Export Commissionerate respectively for necessary action at your end.

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

Signed by Adhikari
Sangeeta Umakant
Yours faithfully,
Date: 02-08-2024 17:23:34
SANGEETA ADHIKARI
ASSISTANT COMMISSIONER
AM (X), NS-II, JNCH, MUMBAI-II.

Encl: as above.

ANNEXURE – I

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE (General) (July-2024) held on 25.07.2024

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GENERAL COMMISSIONERATE

I. AGENDA POINTS RAISED BY CSLA

Agenda Point 1: ABANDONED CONTAINERS:

This matter has been discussed several times in the past. While we thank JNCH for their efforts, the early auctioning / disposal of cargo has yet to happen. Thousands of such containers are lying un-cleared not only for several months but for several years. As per the Board Circular 50/2005, the maximum number of auctions/tenders to which a lot is subjected should be four, with the goods to be necessarily sold to the highest bidder at whatever price received. However, despite this, containers are kept languishing for several years, with thereby the cargo losing its value & the containers occupying space at the CFSs. While on the one hand, the shipping lines continue to reposition empty containers into the country at a huge cost, on the other, these long standing containers continue to be unavailable to Indian exporters for their export commitments. This not only hits Indian exports adversely but also increases the cost of logistics.

A timelimit should be set for the clearance of these containers beyond which, the cargo should be destuffed & the empty containers released to the concerned lines to enable them to allot those boxes for exports.

II. AGENDA POINTS RAISED BY CSFAI

Agenda Point 1:

CFSAI have compiled the “longstanding” container lying for more than 60 days and awaiting disposal instructions from JNCH. Whilst the respective CFS are submitting the monthly /weekly technical reports to Disposal Section as per prescribed format and are also following up regularly with Disposal Section on regular basis. In addition, CFSAI has been making submissions JNCH in PTFC & few issues in CCFC Meetings also.

CFSAI seeks action towards disposal of pending “*Longstanding Containers*” under various Heads as below:

- 1. Longstanding reefer containers containing highly perishable goods** – As represented in last PTFC also, there are 29 longstanding containers containing KIWI under hold of CIU, JNCH from more than ten months. CFSAI have been requesting JNCH to expedite the disposal procedure as all the Kiwi are already expired and may not fit for home consumption.

The detention of such goods in Reefer containers involves expenses to the tune of Rs.1000/- per day per container towards electricity and monitoring and almost Rs. 90.Lacs Lacs have been spent on retaining these perishables with no shelf life left ***Seek urgent disposal under section 110 of CA 1962 and*** issue SOP in case of unclaimed / uncleared fresh fruit consignment in addition to the standard operating procedure (SOP) issued vide Office Order No. 02/2023 dated 10.01.2023.

- 2. 83 Longstanding Containers that are Customs Out of Charge and duty paid and are abandoned lying uncleared** – As per CTF Meeting dated 03.03.2017, it was decided to permit auction of duty paid / out of charged goods ***which are not covered under Section 48 of the Customs Act, 1962.*** As per MoM of this meeting “*Section 48 deals with the goods not cleared, whereas in the instant issue OOC is issued, so as such customs has no role to play, but at the same time customs has no objection to CFSs’ dealing with the goods in a fair and transparent manner through e-auction, to secure their dues. The Gate PO should allow delivery and there is no need to issue ‘Delivery Order’ by disposal section.*”
Seek approval to go ahead for disposal.

- 3. 763 containers awaiting/pending for Group NOC from appraising Groups** – There are around 763 containers where after Docks Examination files have been submitted in the respective Appraising Groups for Group NOC under Section 48 of the Customs Act, 196. Despite follow up by our Members, NOC is not forthcoming. In order to clear the backlog, JNCH may please consider holding a “Group Mela”

4. **318 Longstanding containers that are Restricted/Prohibited/Mis declared/ uncleared awaiting Show Cause Notice** – Around 318 containers containing Restricted / Prohibited / Mis declared / Uncleared Cargo awaiting issuance of SCN from the concerned appraising Groups. This can be also part of “Group Mela” as suggested above. CFS will offer full assistance to JNCH team by providing all the documents needed. .
5. **216 Containers awaiting Order in Original** – There are close to 216 containers, where *the goods are seized by concern department by issuing Show Cause Notice and waiting for confiscation for its disposal through Order-In-Original*. It is once again submitted that the process of confiscation / adjudication should be expedited.
6. **78 Longstanding containers that are awaiting approval permission from JNCH for Valuation** – As per the details provided by our Member CFSs around 78 containers where the Examination and Group NOC has been obtained the necessary files have been put up for approval permission for grant of valuation. *The files are pending for approval for listing of the goods in upcoming auction of the CFS*. Request JNCH to expedite the approval process in getting the valuation done to enable our member CFS put the files for listing of said goods/cargoes in auction.
7. **263 containers of Time Expired Bonded Cargo that are awaiting necessary clearance/permission from JNCH for disposal process** – These are lying uncleared and unclaimed in Bonded warehouse at CFS wherein the Bond has been expired and also in most of the cases the shelf life is also expired. Although *two notices have been sent to the importer asking to clear these cargoes till date there has been no response and action initiated by importer to clear these uncleared goods*. The goods are pending for disposal through the adjudication and disposal NOC from bond section, JNCH.

As some of these goods have been lying uncleared from year 2004 it is requested that JNCH may please grant necessary permission to dispose of these cargoes as deemed fit at the earliest

8. **Auction conducted by Disposal Section, JNCH** - Like CFSs, the JN Customs also need to conduct the e-auction of seized / confiscated goods ripe for the disposal regularly on monthly basis, these are the cases where they have received Disposal NOC from concern adjudicating authorities. In the last 2 years only few (less than 5 approx.) E-auction toward the disposal of such goods have been conducted by JNCH. Seek Chair’s intervention to reactivate these auctions so as to release the empties to respective shipping line.

Further there are 4 more categories in “longstanding” for which CFSAI is compiling the data and will submit shortly

- i) Containers where the goods are confiscated but disposal NOC from appraising group is awaited
- ii) List of container / confiscated goods where disposal order received but not listed in Customs Auction yet
- iii) List of containers / consignment which were listed in Customs auction but no further updated was received from Disposal Section with respect to the re-listing / delivery to respective bidder.
- iv) Uncleared / unclaimed goods pending for examination

□□□□□□□□□□/Response: With reference to all the above points, The Chair stated that the issues will be resolved one-by-one (i.e. category wise). First, a ‘**Group Mela**’ at JNCH will be organized and the suitable dates for the same will be announced soon for the issue related to “**containers awaiting/pending for Group NOC from appraising Groups**”. Then, the other issues will also be taken up to one by one.

ANNEXURE - II

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE
(EXPORT) (July-2024) held on 25.07.2024
(‘XXXXXXXXXXXXXXXXXXXX’ XX XXXX XX XXXXXXXXXXXXX)

EXPORT COMMISSIONERATE

I. AGENDA POINTS RAISED BY BCBA:

Agenda Point 1: Re-transmission delays for S/bill data not available in EDPMS

We would like to inform you that trade is facing tremendous difficulties due to Shipping Bill data in not available in EDPMS. Further it may be noted that If the details of Shipping Bills are not available on EDPMS, the Exporters are unable to complete their Banking formalities. We request you to kindly take up the matter with relevant stakeholders so as to ensure timely transmission of SB data to EDPMS. We request that any Shipping Bills which are re-transmitted from Customs vide PN No 33/2021 dated 15.4.2021 should be available on the EDPMS portal immediately with visibility of the same to trade.

XXXXXXXXXXXX/Response: The Chair stated that the matter is being betaken up with the DG System and any specific case may be brought directly to the notice of Chair for proper examination and resolution of the same.

Agenda Point 2: Re-transmission delays for S/bill data to DGFT

We would like to inform you that trade is facing tremendous difficulties due to Shipping Bill data in not available on DGFT. It may be noted that if details are not available on DGFT, exporters are unable to claim their applicable incentives.

We request you to kindly ensure timely transmission of data to DGFT for claiming of applicable incentives. We request that any SB are re-transmitted from Customs should be available on the DGFT portal immediately with visibility of the same to the trade.

XXXXXXXXXXXX/Response: The Chair stated that the matter will be examined by the concerned section(EDI) and a suitable action will be taken.

Agenda Point 3: Downtime in the EDI System at CPP

We would like to bring to your kind notice that the EDI System was down at the Centralised Parking Plaza (CPP) for few days which had impacted the Assessment in the CEAC Cell along with the clearances in the CPP. The same had drastically hampered export clearances under JN Customs. Subsequently also there were few instances where the EDI system was down in CPP.

We seek your urgent help to ensure regular and smooth functioning of the EDI System at Centralised Parking Plaza. In case of downtime in the EDI System, we request for manual LEO to be given as per PN No 13/2017 dated 31.1.2027.

XXXXXXXXXXXX/Response: The Chair stated that in any such instances the issue may be brought to the notice of Commissioner of Customs(Export) for timely resolution.

Agenda Point 4: Heavy congestion at terminals / CPP (Centralised Parking Plaza) adversely impacting EXIM trade.

We would like to bring to your kind notice that trade is facing tremendous difficulties due to containers not gated inside the terminal before cutoff due to congestion at various terminals / CPP which is further increasing the dwell time for clearance and transaction cost.

We refer to JN Customs PN No 73/2017 (copy attached) where it is the sole responsibility of the Terminal to ensure that the containers are gated in after it enters the Parking Plaza. We request for implementation of PN No 73/2017 in-the larger interest of EXIM Trade
We request you to kindly address the issue with relevant authorities in larger interest of EXIM Trade at JN Customs.

□□□□□□□□□□/Response: The Chair stated that matter will be examined and suitable efforts will be made. The Chair also requested to all the stakeholders to cooperate and to make attempts to reduce the overall dwell time at overall dwell time at their respective ends.
