

OFFICE OF THE COMMISSIONER OF CUSTOMS (NS-IV)
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA
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F.No. S/12-Gen-40/2014-15 AM(X) Part-II

Date: 05.05.2016

MINUTES OF PERMANENT TRADE FACILITATION COMMITTEE MEETING (EXPORT)
HELD ON 28.04.2016

The monthly meeting of Permanent Trade Facilitation Committee (PTFC, Export) was held on 28-04-2016 at 11.30 AM in the Conference Hall at 6th Floor of the Jawaharlal Nehru Custom House. The meeting was Chaired by Shri D.K. Srinivas, Commissioner of Customs (NS-I & III). Shri R.P. Raheja, Indirect Tax Ombudsman- Mumbai also attended the meeting.

2. The following members of trade attended the meeting:

Sr. No.	Name (S/Shri)	Organization/ Association
1	Milan Desai	BCHAA
2.	Suresh Dalvi	BCHAA
3.	Ganpat Korade	BCHAA
4.	D L. Thakker	BCHAA
5.	Paresh Shah	BCHAA
6.	Sarfaraz A Khan	RCCI
7.	Shankar Shinde	RCCI
8.	Raghav Uchil	AMTOI
9.	Norman Fernandes	CSLA
10.	Nimesh Desai	WISA
11.	Mohan Nihalani	President, AIEEA
12	Umesh Grover	CFSAI
13.	Ms. Paulami Banerjee	FIEO
14.	R. Rajasekhar	United Phosphorous Ltd.
15.	Manish Kumar	MANSA
16.	Virendra T. Deosthalee	Transindia
17.	Jacob Thomas	Gateway Distriparks Ltd.
18.	Rajendra Coimbatore	Take Care Logisticpark
19.	Raphael Sebastian	GTI
20.	Subhash Bange	All Cargo Logistics
21.	Laksha Tadadikar	Amaya Logistic
22.	Nama Zaware	Navkar CFS
23.	Viraf M. Engineer	Indev Logistics
24.	Sachin C Parab	DP World
25.	Rahul R. Mhatre	DP World
26.	Vinayak Aparaj	Varad Logistics

3. The following officers of the Department attended the meeting:-

Sr. No.	Name (S/Shri)	Designation
1	Aseem Kumar	Additional Commissioner of Customs
2	Ashir Tyagi	Additional Commissioner of Customs
3	Nilkanth Shelke	Additional Commissioner of Customs
4	S.K. Vatsa	Joint Commissioner of Customs
5	Deepak Bhilegaonkar	Joint Commissioner of Customs
6	Sateesh J. Chandar	Dy. Commissioner of Customs
7	B.L. Reddy	Dy. Commissioner of Customs

4. At the outset the Chairman welcomed all the members and introduced Shri R.P. Raheja, Indirect Tax Ombudsman-Mumbai to the members of Committee. Shri R.P. Raheja elaborated about the functions and the mechanism of grievance-redressal adopted by the office of the Indirect Tax Ombudsman-Mumbai (ITOM) to the Members of the committee. He requested the Trade to popularize about this institution amongst the Trade and Industry, so that, they may approach the Office of the Ombudsman to get their grievances addressed suitably. He also sought feedback from the members. The various members interacted with the Ombudsman to get an understanding about the benefit to trade & industry from this noble institution. Shri Raheja concluded his speech with the thanks to Chair for inviting him in PTFC.

5. After this the, chairman directed to start the deliberations on the agenda of the meeting. The agenda relating to Import Commissionerates were discussed first, and then following agenda of the Export Commissionerates were deliberated upon:

6. OLD POINTS

(a). Non observance of Facility Notice No. 50/2015 by CFSs at JNPT.

Background: The representative of BCHAA had informed that instructions issued by JNCH vide Facility Notice No. 50/2015 dated 29-06-2015 wherein it was directed that the CFSs start online payment and billing, were not being followed by CFSs. Also, there was considerable delay, lack of transparency, lack of uniformity in the tariff laid by the CFSs.

Discussion: The Committee was informed that a meeting was held on 05.04.2016 with the members of CFSAI and BCHAA. The meeting was chaired by the Chief Commissioner of Customs, Mumbai Zone-II who had directed the CFSs about the early implementation of e-invoicing/e-payment. The Committee was assured that action will be taken against CFSs which are not complying with the instructions contained in Facility Notice No. 50/2015.

The Commissioner directed that the matter should be referred to CCFC.

(Point Closed)

7. New Point

Point No. 1: Post Shipment Amendment under Section 149 in MEIS Shipping Bill:

The BCHA has informed that cases which falls under the category of amendment under Section 149, such shipping bills cannot be re-transmitted to DGFT. The post shipment amendments in all scheme related documents such as MEIS, AA does not get transmitted to DGFT. If under MEIS shipping bill and exporter have claimed text declaration as required in policy/procedure, however, he has not mentioned "yes" in reward item block, there is no provision in system to allow amendment and to get such S/bs transmitted to DGFT.

Similarly in other schemes, if post shipment amendment is permitted by customs and a certificate is issued in this regard, such shipping bills do not get re-transmitted to DGFT. They informed that this matter has already been discussed in past, however, no solution is coming forth. Exporter faces lot of hardship due to this technical problem.

Discussion: Shri Akhilesh Pandey, Additional Commissioner of Customs informed the members that a PN No. 94/2015 has been issued in this regard and an Advisory has also been published on the website of Jawaharlal Nehru Custom House for the benefit of Trade and Customs Brokers. He also informed that all such shipping bills where the exporter has declared 'Yes" in the "reward item" field, have already been transmitted to DGFT and there is no pendency. In cases where Exporter has not mentioned "Yes" in this field, but has declared his intention to claim Chapter 3 benefit on the body of the shipping bills, such shipping bills are to be transmitted by DG, Systems. In respect of such shipping bills, trade/CB may write to ICEGATE on their e-mail si@helpdesk.icegate.gov.in.

The representative of BCHA stated that the issue is not limited to the re-transmission of MEIS shipping bills, but in case of other shipping bills such as Advance Authorization or EPCG where there are certain typographical errors, the amendment allowed by the Department are not being transmitted to DGFT.

The Chairman assured the members that the issue will be examined in consultation with DG, Systems as it requires the modifications in ICES.

(Action: ADC,EDI)

8. Re-constitution of PTFC: The trade was informed that a Public Notice No. 52/2016 dated 18.03.2016 has been issued for re-constitution of PTFC (Exports) and in response to this, following Associations/entities have expressed their willingness to participate in PTFC Meetings:

- i. Raigad Chamber of Commerce & Industry
- ii. CSLA
- iii. Metal Recycling Association of India
- iv. Bombay Metal Exchange Ltd.
- v. Women Custom Brokers & Freight Forwarders

The members of committee enquired whether they are required to apply again for the membership of PTFC as they are already member of present committee. The Chairman requested all the members to apply again and provide the requisite information about their organizations/associations. The chairman requested that **all members may send their request for membership before 15th May, 2016 to** enable the re-constitution of PTFC before next meeting.

9. Shri Nilkanth N. Shelke, Additional Commissioner of Customs informed the committee that in order to bring further transparency and fairness in public dealing and to strengthen the security of the Custom House, the officers have been instructed to ensure that the person interacting with them are authorized persons of importer/exporter or authorized Customs Brokers. The one day pass to enter into the premises of Custom House will also be issued only after confirming the requirement to issue the pass with the concerned office/department. Steps have also been taken to stop the misuse of one day entry passes. He requested the members present to sensitize the Trade/Importer/Exporter as the matter pertains to national security.

10. The next Export PTFC meeting is scheduled on **26th May, 2016** at 11:30 AM in Conference Hall, 5th Floor, Jawaharlal Nehru Custom House, Nhava-Sheva. The PTFC members/trade representatives and Custom Broker associations are requested to forward their agenda points well in advance on fax No. 022-27243245 or by email to apmainexp@jawaharcustoms.gov.in.

11. The meeting ended with thank to the Chair.

--Sd--

(R.K. AGARWAL)

**Additional Commissioner of Customs
Appraising Main (Export)**

To,

All the Members of PTFC by e-mail

Copy to:-

1. The Chief Commissioner of Customs, Mumbai Customs Zone-II, JNCH, Nhava Sheva.
2. The Principal Commissioner of Customs (NS-Gen & II), JNCH, Nhava Sheva
3. The Chief Commissioner of Customs, Directorate General of Taxpayer Services, CR Building, IP Estate, New Delhi 110 109.
4. The Pr. Addl. Director General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, Room No. 138/139, New Custom House, Ballard Estate, Mumbai.
5. The Commissioner of Customs (NS-I/III, IV/V), JNCH, Nhava Sheva.
6. All ADC/JC, DC/AC of Customs (N.S.-Gen, II & IV), JNCH, Nhava Sheva.
7. DC/Appraising Main (Import), JNCH.
8. AC/EDI for uploading on JNCH website.
9. Office Copy.