



सीमा शुल्क प्रधान आयुक्त का कार्यालय ¼ एन. एस.- 1½
OFFICE OF THE PR. COMMISSIONER OF CUSTOMS (NS - I),
मूल्य निरूपण मुख्य (vk;kr) APPRAISING MAIN (IMPORT),
जवाहरलाल नेहरू सीमा शुल्क भवन, न्हावा शेवा, ता .
उरण,

JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA- SHEVA, TAL-URAN,

जिला रायगड / RAIGAD-400707, महाराष्ट्र MAHARASHTRA

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

Date: 10.12.2020

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE
(IMPORT) HELD ON 26.11.2020**

The PTFC meeting held through video conference on 26.11.2020 was chaired by Shri S.K. Vimalanathan, Pr. Commissioner of Customs (NS-III), Shri Sunil Kumar Mall, Commissioner of Customs (NS-I), Shri R K Mishra, Commissioner of Customs (NS-V) and Shri Sanjay Mahendru, Commissioner of Customs (NS-II & General). The meeting was attended by the following members/participants of trade:-

Sr. No.	Names (S/Shri/Ms./Mrs.)	Organization/Association/Designation
1.	P G Rao	JNPT
2.	R K Rubin	AMTOI
3.	Leena Ganguly	AIWCBA
4.	Divya	
5.	V K Agarwal	Mirc Electronis Ltd (ONIDA)
6.	Rajasekhar R	United Phosphorus Ltd.
7.	K. U. Methekar	
8.	Ganpat Korade	BCBA
9.	Jeyaseelan	
10.	Shankar Shinde	BCBA
11.	Manish Kumar	MANSA
12.	Paresh Thakker	
13.	Rahul V. Bhojani	
14.	Neelesh Datir	AILBIEA
15.	Ravi D. Rao	JNPT
16.	Laksha	CFSAI
17.	Shailesh Nimbalkar	
18.	Maruti Gadge	BCBA
19.	Nimish Desai	WISA
20.	Capt. Iyyer	MANSA
21.	Paras Shah	-
22.	Srini	
23.	Sunil Vaswani	CSLA
24.	Tej Contractor	

25.	Kiran Rambhia	BCBA
26.	Bakshi Md Hanif	SAMSARA MANSA
27.	V. Rajappan	
28.	Vasant	
29.	Umesh Grover	CFSAI
30.	Yamuna Nair	
31.	Ashish Pednekar	
32.	Karunakar Shetty	BCBA
32.	D. N. Dheer	
33.	Mehul Kothari	
34.	Sheetal Ahluwalia	
35.	Shankar	Global CHA
36.	Rajshekhar R.	
37.	Dushyant Mulani	

Following Officers from the department attended the meeting:-

Sr. No.	Names (Shri/Smt./Ms.)	Designation
1.	Kamlesh Kumar Gupta	Addl. Commissioner of Customs, JNCH
2.	T.Arivazgan	Addl. Commissioner of Customs, JNCH
3.	Vijay Manvatkar	Addl. Commissioner of Customs, JNCH
4.	Saroj Samaiya	Joint Commissioner of Customs, JNCH
5.	Dipin Singla	Joint Commissioner of Customs, JNCH

2) Smt. Saroj Samaiya, Joint Commissioner of Customs, JNCH, started the discussion related to the import agenda points of the meeting.

Agenda Points represented by WISA

Agenda Point 1: Irrelevant examination orders being given by FAG: There have been several instances where wrong and irrelevant examination orders have been given by FAG. Few samples are as under:

- A. Order given as “check description” for chemicals and raw materials instead of “check marking of description”
- B. Order given as “open and examine 10%, check description” for liquid bulk chemicals imported in ISO/Flexi tank
- C. Order given for 100% examination / examination under DC Docks supervision / examination under SIIB supervision / examine 100% to check concealment etc even where there is no such alert from system

Suggestion: JNCH may issue suitable PN/SO guiding field officers to ignore all such orders and stick to only relevant examination to be carried out depending upon nature of goods. We are drawing a parallel from an existing SO 17/2016 dt.16/02/2016 and another identical one issued sometime in 2013/2014.

Comments: Normally the examination order is given which is appropriate for the subject goods. However, in case where it is found that the examination order is not

proper or require amendment, the same is revised to suit the requirements of the examination. Since it is the initial stage of faceless assessment and there were certain local practice and guidelines for assessment, valuation and examination of goods, the same may be followed by different Custom Houses. Due to this reason, these problems are arising out of assessment by FAG. The issue will be resolved soon as standardization of examination order by NAC and CO-Convener of the Groups is under process at national level.

Agenda Point 2: Arbitrary loading of value, arbitrary denial of duty benefits

claimed by way of removal of exemption notification during assessment, frequent and unwanted 1st check examination orders and prescribe testing (even when a valid PTR is made available under eSanchit) etc. by FAG is causing lots of hardships to the trade and also delays. We request JNCH to kindly issue SOP on how to proceed in such matters. This will grant loads of relief to the trade for expeditious clearance.

Comments: No arbitrary loading of value is being done, even duty benefits are also not denied outright without query and granting the importer ample opportunity to justify the exemption being availed. In order to facilitate trade, importer is asked to upload five bills or at least three bills of the same value assessed previously. Value is loaded only after due consideration of all factors, viz. item description, supplier, COO, Quantity imported, etc.

First Checks are basically granted only when the importer requests for the same or when first check is required for valuation purpose. However, standardization of examination order by NAC and CO-Convener of the Groups is under process at national level and issue will be resolved soon.

Agenda Point 3: Few years back JNCH had introduced the procedure to route all objections from Docks on 2nd check through Additional Commissioner in charge of that cluster to ensure no frivolous objections are raised which causes hardships in smooth clearance. ADC were then tasked to reject objection raised by Docks if it was found to be unwarranted and many were sent back by ADC. However, nowadays it has been observed that quality of objections raised by docks are found to be valid and genuine in most cases and by routing the same through Additional Commissioner Docks then to Additional Commissioner group (besides DC docks and DC group) is taking 4-5 days for the file to reach concerned officer in Appraising group. Request JNCH if a review of the same could be done in order to expedite the process.

Comments: With the revised allocation of jurisdiction vide Public Notice No. 91/2018 dated 30.05.2018, it is frequently observed that Docks (CFS) and concerned appraising group belong to different Commissionerates. Further, with the implementation of Faceless Assessment, any objection raised by the Docks is to be dealt at Port Assessment Group (PAG) and a BE from Faceless Assessment Group can only be transferred with the approval of Commissioner in said cases.

Also, the adjudicating authorities where an objection is reported by the Docks in a BE, is found to be Additional/Joint Commissioner. To avoid any delay in the processing, e-office has already been made functionalized in JNCH which is not only faster than the traditional system of file processing but secure also. Standardization of examination order by NAC and CO-Convener of the Groups is under process at national level and issue will be resolved soon.

Agenda Point 5: Kind attention is invited to PN 135/2020 dt.16/10/2020, para 3.4, kindly note that while filing a BE provision is there only to give Bond number and there is no field to enter BG rate. Ideally, having quoted bond number while filing, system should pick up BG percentage as entered while registering in the system.

Comments: Email dated 21.11.2020 has been sent to Saksham Seva, New Delhi. However, during the meeting, Trade has informed that the said matter has already been resolved.

Agenda Point 6: Also, while filing additional documents under eSanchit and mapping with already filed BE is working wonderfully well, online filing of amendment to a BE is not working. We are able to file amendments online and receive job number assigned by system for a BE amendment, the same is visible on officer's screen for approval but s/he is unable to approval the same. Only option officer gets on the screen is default 'N' but 'Y' for approving the same is not accepted by the system. We request you to kindly address the glitch in system, if any.

Comments: Email dated 21.11.2020 has been sent to Saksham Seva, New Delhi. The reply in the said matter is awaited. The matter will be checked up with DG (Systems) and will be resolved shortly.

Agenda Point 7: QR code based sampling solution is a very positive step towards transparent and expeditious testing and is eagerly awaited to be implemented in the spirit in which it has been devised. The trade would like to have more insight into this very positive step towards EODB. In this regard it is requested that samples being tested for 1st check BE be given system driven priority over those under 2nd check.

Comments: It is informed that the QR code based sampling solution has been implemented from 23-10-2020 in JNCH. The samples are received with QR code attached to the samples in the laboratory. The samples received in the laboratory are tested and reports are issued without delay.

When the test reports are ready, the same is intimated through the mobile based QR code sampling solutions, so that the concerned groups can get the status of the test report and necessary action be taken accordingly.

Hence, it is possible to track the status of sample drawn for testing from the drawal stage to the issue of test report stage. This shall help in reducing the dwell time as well.

The QR Code based Sampling is applicable for only samples to be tested at JNCH Lab. All steps are being taken for expeditious testing of samples.

Agenda Points represented by AIWCBA

Agenda Point 1: FSSAI NOC to be released by DC - Most of the times FSSAI NOC comes in the evening after 5 pm . Hence it becomes very difficult to take delivery same day under RMS instruction specially for BE which are in Panvel . As we need to send physical copies of NOC to Customs to release by DC. (FSSAI does not issue physical copies) .

The NOC is only seen with DC .Hence he has to release it without which OOC cannot be granted. Sometimes DC is not available after 6 . Request if NOC is seen with Appraising officer instead of DC like other PGA's .

Comments: The FSSAI NOC is not issued manually it is system driven (except Review and Re-Test). It is system generated and once the lab submits the report the NOC is automatically generated at any point of time (24*7). FSSAI do not accumulate the reports till particular time or evening. FSSAI don't issue any physical copy of NOC except mentioned above. The request made by the trade regarding availability of FSSAI NOC with Appraising Officer also be examined in consultation with DG Systems.

Agenda Point 2: Auto link of FSSAI BE- Since October Auto link of BE is not available in case of FSSAI BE. After assessment of BE we need to send request to FSSAI after which they provide manual link. This is again time consuming .If previously this facility was available then why it cannot continue ? FSSAI needs to get their system corrected through ICEGATE .

Comments: Email dated 20.11.2020 has been sent to Saksham Seva, New Delhi. The reply in the said matter is awaited.

FSSAI has also informed that they are pursuing hard to resolve this issue and are hopeful that the issue will be resolved soon.

Agenda Point 3: BE filed with notification benefit : Recently it was found BE filed with notification benefit but after assessment BE received without notification benefit . Under faceless this can be time consuming as even if we recall BE how do we insert notification number. Need clarification in such issues if faced by trade.

Comments: The notification number is usually uploaded in system by the importer. However, in case any change in CTH, ADD notification etc. , the original notification number is not automatically carried forward by system and the same has to be again re-submitted by the Group Appraiser. Further, sometimes due to system error also the notification number is wiped out from system. In such cases, the bill of entry used to be recalled by Group DC for doing necessary correction. In case of PAG,

whenever, a notification gets removed in the system, the bill of entry is recalled to send it back to FAG with necessary comments to extend the admissible notification benefit or to extend the notification benefit by the PAG itself, as deemed fit.

Agenda Points represented by BCBA

Agenda Point 1: Guidelines for docks officers for releasing the goods if there is no order from Assessing Officer to release the goods if otherwise found in order: It has been brought to the notice of the association that the docks Officers are not releasing the goods, if the Assessing Officer is not giving order/comment to release the goods. They are sending BE back to assessing Officer for necessary order. We request you to issue necessary guidelines to docks Officers for releasing the goods without necessary orders from Assessing Officers, if otherwise found in order.

Comments: There is no need to mention orders for releasing the goods separately in departmental comments. If B/E has been assessed by the Group Officers and applicable duty has been paid by the importer, Docks Officer can take decision for releasing of goods if found in order on merit. In this regard, an advisory has been issued vide F. NO. S/6-Gen-138/2020-Navkar (Imp) dated 13.11.2020 by the Competent Authority of NS V, JNCH. Accordingly, the Docks Officers are releasing the goods without any delay in first check documents, in cases where the Assessing Officer has not given order/comments to release the goods, if otherwise found in order. Similar Advisory from NS 1 & NS III are also being issued very shortly for strict compliance.

Agenda Point 2: Finalization of BE assessed under EPCG schemes: We have received queries from members that BE's filed under EPCG scheme are assessed provisionally and are not finalized since long. We request to kindly allow us to provisionally assess BE to final.

Comments: If any finalization of B/E is pending in Group, the concerned importer/CB may send a letter to Group DC/AC for finalization of the same with required documents for finalization of the Bill of Entry.

Earlier the system was not enabled to debit IGST duty under Bond as there was some deficiency in the system, so Bills of Entry were being assessed provisionally under EPCG scheme. Now, the system is showing IGST duty foregone details and same is being debited in the EC Bond, so Bills of entry are being assessed finally now. For finalization of previous Bills of Entry, the importer should request group DC.

Agenda Point 3: This is in reference to imports where original bill of lading are surrendered at load port and message is exchanged from load port to port of discharge for release of goods. Shipping lines releases Delivery order only after Xerox

copy of bill of lading (self-certified) by importer is surrendered at shipping Lines' office.

Suggestion: To save time and to avoid interface at Shipping Lines' offices, Xerox copy of bill of lading may be accepted through mail for issues of Delivery order.

Comments: The Shipping Lines in general have already been accepting Seaway Bill of Ladings through e-mail message/online portal.

5. The members of the meeting were informed that the date and mode of conducting next PTFC meeting shall be informed well in advance. **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.**
6. The meeting ended with vote of thanks to the Chair.
7. This issues with the approval of the Commissioner of Customs, NS-I.
8. Minutes are placed on JNCH website and also being sent through emails to the members.

Sd/-

(Anil Kumar Pundir)
Asstt. 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).
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.