



सीमाशुल्क प्रधान आयुक्त कार्यालय (एन. एस. -I)

OFFICE OF THE PR.COMMISSIONER OF CUSTOMS (NS- I),

मूल्यनिरूपण मुख्य (आयात)/**APPRAISING MAIN (IMPORT)**

जवाहरलाल नेहरू सीमाशुल्क भवन/**JAWAHARLAL NEHRU CUSTOM HOUSE,**

शेवा/**SHEVA,**

तालुका/**TAL-उरण/URAN,**; जिला/**DISTRICT-** रायगड/**RAIGAD,**

महाराष्ट्र/**MAHARASHTRA-400707,** (ई-मेल/**email :**

appraisingmain@gmail.com दूरभाष/**Telephone No: 022-27244979**)

फा. सं/**F.N.:S/22-Gen-44/2017-18 AM(I)Pt.VIII**

दिनांक

/Date:18.10.2021.

दिनांक **30/09/2021** को सम्पन्न 'स्थायी व्यापार सुविधा समिति' (आयात) की बैठक का कार्यवृत्त

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE (IMPORT) HELD ON 30.09.2021

The PTFC meeting held through video conference on 30.09.2021 was chaired by Shri U. Niranjana, Pr. Commissioner of Customs (NS-I), Shri N.V. Kulkarni, Commissioner of Customs(NS-II & III), Shri.D.S. Garbyal, Commissioner of Customs (NS-V) and ShriIstikhar Baig(NS-General & Audit). The meeting was attended by the following members/participants of trade:-

क्रमसं./ Sr. No.	नाम(सर्वश्री/सुश्री/श्रीमती) Names(S. Shri /Ms./Mrs.)	(संगठन/संघ/ पदनाम) Organization /Association /Designation
1.	P.G. Rao	JNPT
2.	Hiren Ruparel	BCBA
3.	Manohar Patyane	BCBA
4.	Maruti Gadge	BCBA
5.	Ganpat Korade	BCBA
6.	Manish Kumar	MANSA
7.	V. Rajappan	CDSCO
8.	Shyam	CSLA
9.	Faiz Sayyed	BMCT
10.	Mrs. Ganguly	AWCBA
11.	Nimish Desai	WISA
12.	Neelesh Datir	AILBIEA
13.	Shankar Shinde	FFFAI
14.	Rekha	CSLA
15.	Paresh Shah	WISA
16.	Shailesh	INTERASIA
17.	V.K. Agarwal	Mirc Electronics Ltd. (ONIDA)
18.	Vinayak Baparaj	BCBA
19.	Nirav C. Thakker	BCBA
20.	Kiran Rambhia	BCBA
21.	Shyam	CSLA
22.	Srinivas Subramanian	CFSAI
23.	Aashish Pednekar	FCBA
24.	Dushyant Mulani	BCBA

25.	Rahul V Bhojani	BCBA
26.	R K Rubin	AMTOI
27.	Dayanand. Kotian	
28.	Yatin Naik	
29.	Pankaj	
30.	Subhash Rajkumar	MANSA
31.	Salim Shikalgar	CFSAI
32.	Jacob Thomas	
33.	Vasant T.	
34.	Aruna	
35.	Sheetal Ahluwalia	
36.	Sudhir Chandra Nanda	
37.	Manish Yadav	
38.	Atul Jahagirdar	CFSAI
39.	Roshan	AIWCBA
40.	Sunil Vasvani	CSLA
41.	Venkat	
42.	Roy	
43.	Kalpesh Jadhav	
44.	Subhash Narhari	
45.	Anand	
46.	Vinay Singh	
47.	Umesh Grover	CFSAI
48.	Jude	CFSAI
49.	Karunakar Shetty	BCBA

2. विभाग की ओर से निम्नलिखित अधिकारियों ने बैठक में भाग लिया :-

Following Officers from the department attended the meeting :-

क्रमसं./ Sr.No.	नाम(सर्वश्री/सुश्री/श्रीमती) Names(S. Shri/Ms./Mrs.)	पदनाम Designation
1.	Sushil Chandra	Addl. Commissioner of Customs, JNCH
2.	S.K.H. Meshram	Addl. Commissioner of Customs, JNCH
3.	Raguram K	Joint Commissioner of Customs, JNCH
4.	Dinbandhu Diwakar	Joint Commissioner of Customs, JNCH
5.	Suresh Merugu	Joint Commissioner of Customs, JNCH
6.	V Ramanadha Reddy	Joint Commissioner of Customs, JNCH
7.	Ravindra S Bhati	Joint Commissioner of Customs, JNCH
8.	Sudhir S. Kohakade	Joint Commissioner of Customs, JNCH

3. Shri Sushil Chandra, Addl. Commissioner of Customs, JNCH started the discussion on the agenda points of the meeting related to the import.

4. कार्यविन्दु/AGENDA POINTS:

एम.ए.एन.एस.ए. के द्वारा उठाया गया कार्यविन्दु/Agenda Point raised by MANSA

कार्यविन्दु संख्या **01/Agenda Point 01: Duplicate entry in OTDI (One Time Default Intimation) & 72 HRS CFS List:** There are several cases where same customer is listed multiple times with multiple stacking code on JNCH OTDI portal by the DPD customer & CHA. This creates confusion for the shipping lines to file IGM with the correct stacking/CFS code. Although there is Public Notice No.33/2017 which states that there should not be any instance where for the same Container, multiple contradictory requests are made by DPD Importer/Customs Brokers. If any such case reported by shipping line is found to be correct, DPD Importer may lose DPD Facility beside any other action against CB or Importer under law. Details of such instances may be intimated by shipping lines to Deputy / Assistant Commissioner in charge of DPD Cell, NS-III through email on daily basis (email address: appraisingmain.jnch@gov.in). Still there are many cases where multiple requests are submitted by importer & CHAs for the same container.

Few examples:

			KERRY INDEV LOGISTIC		
3070	URMI CHEMICALS	399029486	PVT LTD	info@urmichemicals.in	9821018635
			EFC LOGISTIC		
3071	URMI CHEMICALS	303080272	PVT LTD	devangurmi@gmail.com	9820877599
314 0	VIJAY INDUSTRIES	303021 551	AMEYA LOGISTICS PVT LTD	info@sunrajgroup.org g	89761683 37
314 1	VIJAY INDUSTRIES	341300 4093	EFC LOGISTIC PVT LTD	ashokbodar@gmail.com	99673300 04

Also there are cases where consignee are listed on OTDI as DPD+ DPD but their DPD code is missing in common code list of port terminals (For example Consignee: EMERSON PROCESS MANAGEMENT INDIA PVT LTD), The DPD code list of port terminal is mandatory requirement for Import Advance list filing with the port terminals.

In view of the above, they have requested JNCH to review the OTDI list and make necessary changes in the system to avoid duplicate entry of OTDIs. They have suggested to remove all such duplicate entries from the system to avoid any confusion for IGM/IAL filing. Further to avoid this issue importer only should be given permission to update OTDI & 72 HRS request in the portal, Otherwise this issue will repeat in the future also.

प्रतिक्रिया/Response: IEC is the basic criteria for recognizing any Importer. Name of the Importer can be same for different IEC numbers. Hence, to avoid any confusion while filing IGM with the correct stacking/CFS code, shipping lines should follow the details as per OTDI submitted by concerned IEC holder (Importer).

With respect to missing DPD Code for certain Importers, it is stated that these instances happened prior to PN No.71/2021, where several importers were given DPD permission from Customs but they didn't register themselves at the port for obtaining DPD code. Since, these importers haven't registered themselves for DPD code, they may not be treated as DPD entity. Further, the list of all such importers may be forwarded to DPD section for further necessary action.

[बिन्दु

समाप्त/Point

Closed]

बी.सी.बीके द्वारा उठाया गया कार्यविन्दु .ए./Agenda Points raised by BCBA

कार्यविन्दु संख्या 01/Agenda Point 01:Queries raised by Docks are sent to Group: This is in reference to queries raised at docks which are being sent to group for necessary action. We request that opportunity to be given to importers, exporters for explanation before raising and sending the same to respective group.

प्रतिक्रिया/Response: If any query is raised by the Docks/officer, then opportunity is being given to the importers for proper explanation and to provide the mandatory

documents. In case, the Docks/officer is not satisfied with the reply or explanation submitted by the importer, the documents are being forwarded to concerned group for further necessary action. Trade is advised to submit list of such instances so as to proper redressal of the same may be done on real time.

[बिन्दु समाप्त/Point Closed]

कार्यविन्दु संख्या 02/Agenda Point 02: Test Reports generated through system and samples being sent for Test: It has been brought to the notice of the Association that Test reports generated through system and samples are being sent for Test. They have requested that a mechanism be adopted at the moment the test report arrives, Bill of Entry may be assessed or finally assessed accordingly on request of Custom Broker to concerned Assessing Group.

प्रतिक्रिया/Response: Timely finalization of Bills of Entry is being taken up by the Appraising Groups on receipt of the Test Reports from the appropriate authority. Further, Live Bills of Entry are being assessed based on test reports uploaded in the E-sanchit.

[बिन्दु समाप्त/Point

Closed]

कार्यविन्दु संख्या 03/Agenda Point 03: Acceptance of Bond / BG at TSK:The current process is Bond Numbers are generated through system and are sent to TSK Dy. Commissioner for acceptance through system as well for physical signatures twice a day.They have requested that Bonds may be accepted through system in a regular interval of 2 hours. This will expedite clearance. Physical signatures can be obtained later on; Goods may be released on acceptance of Bond through system.

प्रतिक्रिया/Response: As per the Standing Order No.18/2020, TSK deals with Acceptance of Bond/BG and the procedure as per the said Standing Order is being followed. However, due to less availability of staff and maintaining the decorum of TSK, the bond are sent to Asstt./Dy. Commissioner of Customs twice a day for acceptance and verification. However, the issue will be examined to find out the best possible solution including increase of frequency of forwarding bond to Asstt./Dy. Commissioner of Customs to facilitate the trade and expedite the process.

[बिन्दु समाप्त/Point

Closed]

कार्यविन्दु संख्या 04/Agenda Point 04: Vague Examination orders being given by FAG to upload photographs of goods imported: Goods are being examined by officers posted at Docks and certify that the goods found as declared. Uploading of photographs is sheer waste of time. They have requested that suitable guidelines be issued in this regards.

प्रतिक्रिया/Response: Such type of examination order is being given by Appraising groups in cases where some intelligence or alert is received against the goods or importers. Further, in many cases only one line description of goods is being given by the importer without declaring the proper specifications/grade, which may be insufficient for ascertaining proper classification, valuation, restriction and notification benefit claimed for the goods under import. Although examination is being conducted by Docks, assessment is the proper function of group. Correct Classification becomes a challenge in absence of description without complete specification. Therefore, photographs/technical write-ups/ Catalogue/ any other evidence in support of description are sought wherever necessary, on a case to case basis. Sometimes importer and their Custom Broker also request the Assessing Officer for calling catalogue/photographs of the goods instead of calling RSS of the same.

[बिन्दु समाप्त/Point

Closed]

कार्यविन्दु संख्या 05/Agenda Point 05:- Faceless issues:

- a) They have received feedback from their members that officers at FAG are assessing the Bill of Entry without Notification benefit, change of CTH also

without approval of importer.They have requested that opportunity be given to importers before assessment.

- b) **Delay in Assessment of B/E in FAG:** Still the trades are facing the problems for FAG assessment at some custom stations. The delay is about 5 to 8 days and in the case of DPD the trade is facing huge problems. They requested to kindly look into this.

प्रतिक्रिया/Response: (a) Such type of practices are not being followed in the Appraising Groups. Assessment is being done as per the documents uploaded in E-sanchit and as per the Customs Tariff Act, 1975. Where any dispute or doubt is noticed by the Assessing Group regarding CTH and Notification benefit claimed, the proper and specific query is being issued to the Importer for clarification and in any cases more than 3 queries are not being raised. However, if the replies submitted by the importer against the query of the Assessing Group are inadequate, then the Bill of Entry is being re-assessed as per Section 17(4) of the Customs Act, 1962 and Speaking Orders are being issued after giving the importer an opportunity of Personal Hearing under Section 17(5) of the Customs Act, 1962.

(b) The members of the trade have acknowledged the promptness and professionalism of the officers of JNCH in attending the Bills of Entry in FAG and appreciated the efforts taken by the department for quick assessment as no such delay in assessment of Bills of Entry are noticed in Assessing Groups at JNCH .

[बिन्दु समाप्त/Point
Closed]

सी.एफ.एस.ए.आई. के द्वारा उठाया गया कार्यबिन्दु/Agenda Point raised by CFSAI

कार्यबिन्दु संख्या 01/Agenda Point 01:Expediting the decision of Hold containers withheld by Various Investigating agencies – This issue was taken up in last PTFC 30th Aug 2021 wherein CFSAI had submitted fresh list of **1678**containers(**2227 TEUS**) that are put on hold by various investigating agencies CIU, Court Case, Custom Hold, Docks, DRI, MPIU, NSPU, R&I Police & SIIB. The List is summarized as below for your easy reference:

Sr No	Agency	Total Count
1	CESTAT	25
2	CIU	178
3	Court Case	536
4	Custom Hold	12
5	Docks	3
6	DRI	262
7	Groups	6
8	MPIU	96
9	NCB	1
10	NSPU	2
11	Police	10
12	R&I	47
13	Shipping Line Hold	1
14	SIIB	183
15	SIIB(I)	265
16	SIIB(X)	51
	Total	1678

They have requested to coordinate and take up with respective Investigating agencies and also keep the concerned Custodian in loop in all correspondences. Further, they have submitted that some mechanism be devised so as to have the investigation

completed within a timeframe of say 3-4 months. This disposal mechanism will enable our Member CFSs to utilize their CFS space for other EXIM containers and release such hold containers to Shipping Line that could be used for Exports.

प्रतिक्रिया/Response:

(i) An office Order has already been issued vide F.No. SG/Misc-338/2019-20/SIIB(I) JNCH dated 19.11.2020 regarding the consignments/containers which are put on hold by SIIB(I) on the basis of intelligence received or intelligence developed. In the said order, instructions as under are issued to officers.

(a) That such hold consignments/containers are to be examined by SIIB(I) officers under panchnama expeditiously.

(b) that in the cases where investigation is likely to take some time, it may lead to imposition of ground rent charges by CFS and container demurrage charges by shipping line. Therefore, all staff has been sensitized to give importer an option availing facility of Section 49 of the Customs Act, 1962 without waiting for importer's request letter for such permission.

(ii) Further, it is informed that a dedicated team of SIIB(I) officers have been formed for the expeditious disposal of the 'long standing containers' and also a letter has been written to all CFS for obtaining requisite data regarding the containers. Members of the team have been directed to obtain the current status of the case pertaining to the containers, thereby, NOC may be granted for disposal of goods stuffed in the containers.

Further, the trade have advised to co-ordinate with the members and find out the possibility for providing safe and secure space within the CFS for storage of such goods under hold and share such data for providing space with the department to find out the solution.

[बिन्दु समाप्त/Point Closed]

कार्यबिन्दु संख्या 02/Agenda Point 02:Longstanding un-cleared/un-claimed goods pending for Adjudication at Appraising Groups- CFSAI had taken up this issue earlier also wherein as on date **668 containers** are pending for Adjudication. We request JNCH to kindly issue necessary instructions to the concerned Group Officers for expediting the adjudication process that will assist our Member CFSs put up the files for further process of disposal of longstanding cargo.

प्रतिक्रिया/Response: All the cases of longstanding containers pending for adjudication are under process.

[बिन्दु समाप्त/Point

Closed]

कार्यबिन्दु संख्या 03/Agenda Point 03:Longstanding un-cleared containers of "Peas" – CFSAI had addressed this issue vide Ref # CFSAI/JNCH/20/2021-22 dated 21st June 2021 where approx. 1530 containers containing "Peas" are lying un-cleared for almost more than one year in Member CFSs. Their submission was to allow said containers for disposal or grant permission for re-export which shall assist their Member CFSs utilise the space for other EXIM containers. Any further delay may result in this cargo become unfit for consumption. The destruction apart from being the last option, it would also involve huge cost. Seek JNCH intervention in disposal of such containers.

प्रतिक्रिया/Response: Most of the cases have been adjudicated and orders have been issued for re-export of the goods and remaining cases are under process for issuance of appropriate order.

[बिन्दु समाप्त/Point

Closed]

डब्ल्यू.आई.एस.ए. के द्वारा उठाया गया कार्यबिन्दु/Agenda Point raised by WISA

कार्यबिन्दु संख्या 01/Agenda Point 01:Amendment of Bill of Lading related fields by Group DC: Since online amendment of BE has been activated, group DCs are discouraging amendment in these fields at their level and insisting online amendment

only be filed. Kindly note that due to ICEGATE settings, only one amendment is getting filed for a BE in a day. As a result, if there are more than one amendment to be filed, we end up wasting 2-3 days. Many a time ICEGATE is erratic and doesn't process amendment submitted online or throws some irrelevant error code and that time it takes more days to amend simple, non-revenue bearing fields in a BE and clearance gets delayed. It is requested to kindly sensitise group DCs to carry such amendments as and when requested by the trade / CBs.

प्रतिक्रिया/Response: A sufficient number of amendments are being processed by the Assessing Groups on daily basis, besides the FAG & PAG Bills of entries which need to be assessed on time. The self-amendment facility has been introduced in view of trade facilitation measure. Processing of physical amendment in the Bill of Entry by the Assessing Group would not only defeat the purpose of trade facilitation but also add burden on the group. Even then, where online amendment is not possible, the group AC/DC is doing the same in their menu in ICES system to facilitate the trade.

[बिन्दु समाप्त/Point

Closed]

कार्यबिन्दु संख्या 02/Agenda Point 02:Amending container number & status in EDI BE post assessment/OOC: Many a times small errors of one digit in container number or declaration of LCL instead of FCL in BE (or vice versa) forces the trade to go for a very lengthy procedure of amending it in BE under EDI. This process could take anything from 2-3 to 7-8 days which is not productive and doesn't help or affect the department in any other manner. They have requested to relook at the present procedure. Kind attention is also invited to recently circulated PTFC minutes of Chennai customs (attached herewith) where they have clarified there is no need to amend LCL/FCL details even if wrongly mentioned in a BE and clearance can be effected without amending. Requested to consider on similar lines.

प्रतिक्रिया/Response: Standing Order No. 22/2021 vide F.No. S/22-Gen-20/2020-21/AM (I)/JNCH pt. I dated 13.08.2021 has been issued in this regard may please be referred.

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 Pr. Commissioner of Customs, NS-I.

8. Minutes are placed on JNCH website and also being sent through emails to the members.

Sd/-

(राजीव जी काकेरी/Rajiv G Kakeri)

सहायक आयुक्त, सीमाशुल्क /Asstt. Commissioner of Customs,

मूल्यनिरूपण मुख्य(आयात)/Appraising Main (I),

जेएनसीएच, न्हावा शेवा/ JNCH, Nhava Sheva.

सेवा में /To,

पीटीएफसी के सभी सदस्यों को ई मेल के माध्यमसे /All the Members of PTFC(through email)

प्रतिलिपि/Copy to :(ई मेल के माध्यम से)

1) मुख्य आयुक्त, सीमाशुल्क, मुंबई अंचल-II/Chief Commissioner of Customs, MUM Zone-II;

- 2) प्रधान अपर महा निदेशक, करदाता सेवा महानिदेशालय, मुंबई/The Principal Add. Director General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, room No 138/139, New Custom House, Mumbai-400001(mzu-dgtps@gov.in);
- 3) लोकपाल , अप्रत्यक्ष कर, मुंबई/The Ombudsman, Indirect Taxes, Mumbai;
- 4) सीमाशुल्क आयुक्त, मुंबई अंचल-II/ Commissioner of Customs, MUM Zone-II;
- 5) सभी अपर/संयुक्त आयुक्त, जेएनसीएच, न्हावा शेवा /All ADCs/JCs JNCH, Nhava Sheva;
- 6) सभी उप/सहा.आयुक्त, जेएनसीएच, न्हावा शेवा /All DCs/ACs JNCH, Nhava Sheva;
- 7) सहा/उप आयुक्त,ईडीआई, जेएनसीएच, न्हावा शेवाको अविलंब वेबसाइट में अपलोड करने के लिए/AC/DC, EDI, JNCH, Nhava Sheva, for uploading in JNCH website;
- 8) कार्यालय प्रति/Office Copy.