

# MINUTES OF PTFC MEETING (IMPORT) HELD ON 25.10.2013

OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT),  
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA,  
POST – URAN, DIST. RAIGAD, MAHARASHTRA-400 707

F.No. S/22-Gen-09/2013 AM (I) JNCHÂ Â Â Date : 20.11.2013

## MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 25.10.2013

The PTFC meeting held on 25.10.2013 was chaired by Ms. Seema Jere Bisht, Commissioner of Customs (Import) and attended by the following members/participants and Officers from JNCH, Nhava Sheva :

<b>Sr. No.</b>	<b>Names S/Shri</b>	<b>Organization/Association/Designation</b>
01	Ashish Pednekar	MACCIA
02	Omprakash Agrawal	MACCIA
03	George Joseph	BCHAA
04	R. Rajasekhar	M/s. United Phosphorous Ltd.
05	K.S. Shetty	BCHAA
06	Paresh Shah	BCHAA
07	Dinesh Thakker	BCHAA
08	Avinash Buge, DM	J.N.P.T.
09	Ravi Prasad	Indev CFS
10	Kiran Rambhia	BCHAA
11	Nimish Desai	BCHAA
12	R.K. Rubin	AMTOI
13	Ms. Philomena Pereira	BCHAA
14	Umang Khosla, General Manager	Dighi Port Ltd.
15	Manish Kumar	MANSA
16	Rama Krishnan	MANSA
17	Subhash Shekar	ULA CFS
18	Ashish Kumar Jha	ULA CFS
19	V.M. Thomas	CSLA
20	Amar Singh, Secretary General	MRAI
21	Vijay Aggarwal, Executive Member	MRAI
22	Sanjay Mehta	MRAI
23	Hiten Mehta	MRAI
24	Narsayya Abraham	PIL Mumbai Pvt. Ltd.
25	Laxman Awasare	Seabird CFS
26	Suresh R. Gupta	D.S. Cargo

27	Vilas Bawaskar	Pan Asia Line
28	K.C. Anandraj	AMTOI
29	Rajiv Kapoor	Addl. Commissioner of Customs
30	Gyan Sarvar	Addl. Commissioner of Customs
31	S. Anantha Krishnan	Addl. Commissioner of Customs
32	Aseem Kumar	Addl. Commissioner of Customs
33	Ms. Chintha A. Issac	Dy. Commissioner of Customs
34	Md. Shamshad Alam	Dy. Commissioner of Customs

2.The Chairperson welcomed all the members present at the meeting.

3.Thereafter, minutes of the PTFC meeting held on 19.09.2013 were discussed and accepted.

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#### **POINTS RAISED IN PREVIOUS PTFC MEETING HELD ON 19.09.2013 :**

##### **4.1: Double Recovery of Interest in respect of Ex-bond Bills of Entry.**

The Chairperson informed that the matter is being pursued with D.G./SystemsÂ to make the necessary amendments in the Boardâ€™s Circular/ICES 1.5.

(Action – A.C./Bond)

##### **4.2: Sealing of individual packages by Shed Superintendents in respect of LCL consignments.**

The Chairperson advised the Members to discuss the matter separately with ADC/Docks, so that specific instructions can be issued to the Shed Officers.

(Action – A.D.C./Docks)

##### **4.3: Necessary changes required in the System in respect of Notfn. No.190/78 (specifically meant only for Transformer Oil), wherein many items under Chapter 27 are being assessed with duty under RMS Scheme.**

The Chairperson informed that the matter is being pursued with TRU and D.G./Systems to make the necessary amendments in ICES 1.5.

Â (Action – A.D.C./E.D.I.)

##### **4.4:Numerous objections raised by the Customs Examining Officers and Appraisers.**

The Chairperson informed that instructions are being issued to consider minor amendments at Docks level only. Dy. Commissioner/Import Noting has been directed to submit a detailed report.

The representatives of MRAI enquired as to what action is being taken against the Shipping Companies in case of complete mismatch in the Seal numbers. ADC/Import Noting informed that the defaulting Shipping Companies are being duly penalized for the same.

The representatives informed that the Shipping Companies have been recovering the said Penalty amounts from the importers for no fault of theirs. They further informed that adjudication in respect of such major amendments is a time-consuming matter. In such cases, they represented that why should the importers bear the demurrage charges for the fault of the Shipping Companies. It was also pointed out that the Shipping Companies neither verify the Seal numbers at the Load Port nor at the Port of Discharge and file the IGMs only on documents' basis.

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Shri. Omprakash Agarwal from MACCIA opined that the mismatch should be pointed out by the Shipping Companies at the time of un-loading of the containers.

The representatives of MANSA informed that due to heavy work-load, it is virtually not possible to verify the Seal numbers at the time of landing of the containers at Nhava Sheva and that they usually point out the mismatch to J.N.P.T. and get the EIR copies amended.

The Chairperson expressed her concern on this issue and enquired as to why the Shipping Companies cannot approach Customs, alongwith J.N.P.T. and point out the 'mismatch' at the first instance itself.

Shri. R. Rajasekhar from M/s. United Phosphorus Ltd. opined that the system of instant penalization should be adopted to avoid consumption of time.

The representatives from MANSA informed that except J.N.P.T., the other two Port Terminals, i.e. NSICT and GTI are not allowing the Surveyors to verify the Seal numbers, which also is one of the reasons for not pointing out the 'mismatch' in time.

In view of the conflicting facts/views, the Chairperson directed that ADC/DOCKS and ADC/Import Noting should convene a separate meeting of Shipping Companies, Port Terminals, CFS and the aggrieved importers, and give suggestions to resolve the issue.

(Action – ADC/DOCKS & ADC/Import Noting)

**4.5: Assessment of Documents pending finalization of SVB/GATT Valuation :**

The Chairperson directed that a reference be made to the NCH regarding the delay in registration of SVB applicants as well as to the Boards for amending Board's Circular No. 11/2001 Cus dated 23.02.2001. The BCHAA was also requested to submit a letter in this regard.

**(Action – ADC/SVB)**

#### **4.6: Delay in granting Inward Entry:**

The Chairperson directed the Members to bring such instances to the notice of ADC/P(G). ADC/P(G) was asked to examine the issue and take necessary action.

(Action – ADC/P(G))

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#### **4.7: Amendments in IGM:-**

The Chairperson directed A.D.C./Import Noting to convene a separate meeting of the Shipping Companies to resolve the issue.

(Action – ADC/Import Noting)

#### **5. Fresh Points raised during the course of meeting:-**

##### **MANSA**

##### **5.1: IGM Amendment Delay:**

The Chairperson directed A.D.C./Import Noting to convene a separate meeting of the Shipping Companies to resolve the issue.

**(Action – ADC/Import Noting)**

##### **5.2: IGM Amendment Penalty:**

The Chairperson directed A.D.C./Import Noting to convene a separate meeting of the Shipping Companies to resolve the issue.

**(Action – ADC/Import Noting)**

##### **5.3: Charges levied by NSICT for late submission of SMTP:**

The Chairperson directed A.D.C./Import Noting to convene a separate meeting of the Shipping Companies and NSICT to resolve the issue.

**(Action – ADC/Import Noting)**

#### **M/s. J.J. Polyplast Ltd.**

##### **5.4: Non-implementation of Facility Notice No. 21/2008 read with Facility Notice No.**

69/2011 by the Shipping Lines, in respect of movement of import cargo in containers from Port to CFS:

The Members pointed out that the Shipping Companies have entered into contract with certain CFSs and are trying to move the containers only to those CFSs, instead of the CFS of the importer's choice.

The representatives of MANSA informed that as far as the members of their Association are concerned, they are allowing the importers to move the import containers to the CFS of importer's choice on payment of all the dues.

ADC/Docks pointed out that every CFS has been given a separate Code number. If the choice of CFS is mentioned in the Bill of Lading itself, the Shipping Companies are liable for penal action if they don't agree to transfer the cargo to the concerned CFS in violation of the Facility Notice.

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The Chairperson opined that the facility to choose CFS has been given to the importers and the Shipping Lines should respect the Facility Notice. It was informed that Shipping Lines have contracts with certain CFSs. The Chairperson then opined that Shipping Lines should treat all the CFSs at par and the importer should not be denied the right to choose CFS. The Chairperson asked the trade to bring to the notice of ADC (Import-Noting) where Shipping Lines have refused to follow the Facility Notice.

(Action – ADC/Docks)

6. The members were informed that the next PTFC meeting is scheduled to be held on **14.11.2013 at 11.00 hrs** in the Conference Hall adjacent to the Office of the Commissioner of Customs (Import), 5th Floor, JNCH. The Chairperson requested all the Association Members to forward their agenda points, if any, well in advance i.e. **10 days in advance on** Fax No. 022-27243245 or by E-mail to Appraising Main (Imp) Section on [appraisingmain.jnchimp@gmail.com](mailto:appraisingmain.jnchimp@gmail.com) for taking up the issue in the upcoming PTFC meeting.

7. The meeting ended with thanks to the Chair.

8. This issues with the approval of Commissioner of Customs (Import), JNCH.

**Sd/-**  
**(CHINTA ANNA ISSAC)**  
DEPUTY COMMISSIONER OF CUSTOMS  
APPRAISING MAIN (IMPORT)  
JNCH.

To,

All the Members of PTFC

Copy to:

- 1.The Chief Commissioner of Customs, Mumbai Zone-II, JNCH, Sheva.
- 2.The Commissioner of Customs (Import/Export/Appeals), JNCH, Sheva.
- 3.All ADC/JC, DC/AC of Customs (Import), JNCH, Sheva.
- 4.DC/EDI for uploading on JNCH website.
- 5.Office Copy.