

MINUTES OF THE MEETING OF HELD ON 10.01.2013

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-170/2011 AM (I) JNCH

Date : 17.01.2013

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE

HELD ON 10.01.2013

The PTFC meeting held on 10.01.2013 was chaired by Shri. Manoj Krishna, Commissioner of Customs (Import) and attended by the following members/participants and officers from JNCH, Nhava Sheva:

Sr. No.	Names & S/Shri	Organization/Association/Designation
01	George Joseph	President, BCHAA
02	Pankaj Shah	Vice President, BCHAA
03	Mohan Nihalani, President	All India Importers & Exporter Association
04	Avinash Buge	JNPT
05	K.S. Shetty	BCHAA
06	R.K. Rubin	AMTOI
07	R. Rajasekhar	M/s. United Phosphorous Ltd.
08	Selva Fernando	MANSA
09	Subhash Rajkumar	MANSA
10	Ramakrishnan	MANSA
11	Dhananjay	MANSA
12	Dushyant Mulani	BCHAA
13	V.K. Agarwal	ONIDA
14	Nishikant Chaugule	ONIDA
15	Ajit Kumar Singh	ULA – CFS
16	D.L. Thakker	BCHAA
17	Paresh Shah	BCHAA
18	Jude Fernandes	Indev Logistics Pvt. Ltd.
19	Ajay Gaikawad	Ashte CFS
20	Capt. R. Raghav, DGM	Seabird CFS
21	H.M. Thakkar	Harish & Co. Logistics
22	Ranjit Bakshi	Workplace Logistics
23	Salim Shikalgar	Forbes CFS
24	B. Nalegave	Addl. Commissioner of Customs
25	Suresh N.	Addl. Commissioner of Customs
26	Pankaj Bodkhe	Jt. Commissioner of Customs
27	Vishal Malani	Asst. Commissioner of Customs

2. The Chairman welcomed all the members present for the meeting.
3. Thereafter, minutes of the PTFC meeting held on 08.11.2012 were discussed and accepted.
4. Points raised in PTFC meeting held on 13.12.2012
 - 4.1 Point with respect to holding of original documents at the time of submission of Refund claim raised in the previous PTFC Meeting was discussed.

Addl. Commissioner/CRC stated that officers posted in the CRC section are not holding the original documents. Now, the same are being returned to the refund applicant. There is no such problem persists.

(Point Closed)

4.2 The point with respect to delay in issuance of Delivery Orders by Shipping Lines was discussed extensively. Shri. Mohan Nihlani, President, All India Importers Exporters Association (AIIEA) raised the point that the Importers are facing the problem of lapses of Insurance claim due to delay in issuance of Delivery Orders in turn delay in release of goods.

Representatives of the BCHAA stated that it took 3-4 days for issuance of Delivery Orders from Shipping Lines and hence delayed examination and clearance of cargo. They further re-iterated that at some CFSs examination of imported cargo is not allowed by CFS Management without Delivery Orders from Shipping Lines

MANSA representative told that they are looking into the matter and making correspondence with IG Club with respect to lapses of insurance.

The Addl. Commissioner/Import Docks stated that only 2-3 CFSs namely GDL & Continental are not allowing the examination of cargo in absence of Delivery Orders.

The Chairman informed that in the meeting held on 09.01.2013 with the representatives of CFSs, the matter was discussed and sorted out. He stated that it will be checked up with the ACs/DCs posted in the Docks. The Chairman further requested the MANSA representatives to look into the matter and resolve the issue at the earliest.

(Action : MANSA)

4.3 In previous PTFC Meeting point with respect to problem arises in Out of Charge of RMS Bs/E due to some pop-up in the system. The members were asked to give Bs/E Nos. so the matter can be looked into.

No such cases has been noticed, hence, the Chairman asked the members to report specific case to Addl. Commissioner/EDI.

(Point Closed)

4.4 Shri. Mohan Nihlani, President , AIIEA in previous PTFC Meeting raised point with respect to non availability of Visitor's Pass Issuing Officers at 10.30 am.

The Chairman informed the members that the prescribed visiting hours of 11.00 am – 1.00 pm and 3.00 pm – 4.00 pm. are only meant for CHAs/Importers/Exporters and their representatives visiting AC/DCs for any clarification or submission of documents/letters or for amendment of Bills of Entry/Shipping Bills. However, these prescribed visiting hours are not applicable in cases where CHAs/Importers/Exporters/Members of Trade are coming for Meeting, Conference, Personal Hearing or on an invitation by the department. He assured the members that whenever it is felt necessary, the officers will be asked to issue passes prior to regular visiting hours.

(Point Closed)

5 New Points raised in the PTFC meetings held on 13.12.2012

5.1. The members of BCHAA and Shri. Mohan Nihlani, President, AIIEA, raised point that due to issuance of CBEC Circular No. 967/01/2013-CX dated 01.01.2013, the Customs will start recovery without waiting for the outcome of the appeal in the Appellate Forum.

5.2. Shri. V.K. Agarwal from M/s. ONIDA raised the point that they are importing Picture Tubes from Jakarta. As ADD Notification is not updated in the System they have to file manual Bs/E for clearance of such goods. As ADD is to paid through manual challan, it takes 7-8 days in filing B/E to clearance.

Addl. Commissioner/Appraising Main (I) asked the Importer to bring a B/E for understanding the issue and updation of the System.

The Chairman directed Addl. Commissioner / EDI to resolve the issue immediately and assured the Importer that the matter will be sorted out soon.

(Action : Addl. Commissioner / EDI)

5.3 Members of BCHAA and Trade raised the point that JNPT is losing its credibility as there is lot of congestion at port that the vehicles are stranded for such a long time that both import and export at the port suffered badly.

Representative of MANSAA stated that they are also suffering from the traffic congestion problem that most of the ships are shifted to some other ports as the infrastructure outside the port does not allow the movement of containers. It further states that being a Nodal Agency, Customs should took up the matter with JNPT, GTI and NSCTI in this regard.

The Chairman asked the members whether they are attending JNPT meetings. He informed that the Chief Commissioner of Customs had already discussed the matter with the Chairman of JNPT. JNPT had issued a Trade Notice for sorting out the problem.

(Action : Addl. Commissioner/P(G))

5.4 The representative of MANSAs submitted a letter dtd. 09.01.2013 addressed to Commissioner (Import) to the Chairman stating that members are facing difficulty in getting extension for containers lying beyond six months and are being issued SCNs even in the case of long standing laden boxes which are awaiting auction by the Customs/ Custodians of the cargo. Container Cell officers may please be sensitized on the requirement of granting extension of Shipping Lines on their written request.

The request has been forwarded to Addl. Commissioner/Container Cell to look into the matter.
(Action : Addl. Commissioner / Container Cell-Export)

The Chairman informed that the circular is binding on the Customs Department.

(Point Closed)

5.5 The representative of MANSAs submitted a letter dtd. 09.01.2013 addressed to Commissioner (Import) to the Chairman stating that there is considerable delay in getting scanning list generated out of ICEGATE and this consequently delays the movement of import containers from the port. In the event of delays beyond 12 Hrs. the CFSs may please be allowed to move the containers after 12 Hrs. of berthing the vessel.

Joint Commissioner/CSD informed that the scanning lists are auto generated from ICEGATE once the Shipping Agents file the IGM and entry inward is registered at the Boarding Office. In case on non generation of scanning list, efforts are made by CSD to contact the Addl. Director, RMD, Mumbai and Software Vendors at New Delhi through E-Mail. After completion of 8 hours of non generation of the scanning list, the CFS are allowed to move containers to the respective CFSs to avoid congestion inside the port. In case of non-generation of the scanning list even after 24 hours, all the containers except the containers originating/coming from Pakistan are allowed to be examined/cleared by the Docks Staff as per rules and containers from Pakistan and containers of HMS are scanned at the fixed scanner.

(Point Closed)

5.6 The representative of MANSAs submitted a letter dtd. 09.01.2013 addressed to Commissioner (Import) to the Chairman stating that the list of documents sought for even small amendments like Local to ICD and vice versa, ICD Code, Bond, No., Mode of Transport etc. is huge including Invoice, Packing List, B/L, IEC Code, Consignee Request Letter etc. They further state that the Bond of the Carrier (Particularly of CONCOR) is combined for Rail and Road Movement. The SMTP generated out of ICEGATE does not reflect mode of movement. Also there is no provision in ICEGATE for such amendments. Their members are insisted to go for manual amendment, which does not reflect anywhere in system. It is informed that the problem occurs when container reached ICD without amendment in IGM. They requested to look into this and do the needful to do away such amendments.

The representatives of BCHAA also insisted that minor amendments may be allowed on presentation of Bill of Lading.

The request has been forwarded to Addl. Commissioner/Import Noting Section for examination and necessary action.

(Action : Addl. Commissioner/Import Noting)

5.7 Shri. Mohan Nihalani, President, AIIEA, submitted a letter dtd. 31.08.2012 from M/s. Liberty Oil Mills Ltd. addressed to Dy. Commissioner/Gr. I to the Chairman regarding cancellation of Test Bonds pertaining to the period August, 2007 to June, 2012. Vide said letter Importer stated that Excise Deptt. are reluctant to endorse application for Import of Crude Palm Oil at Concessional Rate of Duty, unless the Test Bonds are cancelled. The Importer requested to take up the matter on priority basis.

The request has been forwarded to Addl. Commissioner/Group I for examination and necessary action.

(Action : Addl. Commissioner/Gr. I)

5.8 Shri. Ranjit Bakshi, Director, M/s. Workplace Interior Pvt. Ltd., Mumbai submitted a letter dtd. 09.01.2013 addressed to Commissioner of Customs to the Chairman regarding problems faced by them for importing Carpet Tiles (CTH 570333090) at Group as well as at the time of examination of goods in Docks.

The request has been forwarded to Addl. Commissioner/Group III for examination and necessary action.

(Action : Addl. Commissioner/Gr. III)

5.9 Representatives of MANSA informed that two Shipping Lines have two (02) badly damaged containers where only Container Nos. are visible. It is submitted that as and when the containers go for disposal only DRV value may be consider as they have to pay full Customs Duty for the same.

The Chairman informed the members that the grievance be given in writing.

(Point Closed)

5.10 Representatives of BCHAA informed that they have not received any SAD refund claims from CRC Section and asked whether the Stop Payment Order for CRC Refunds has been issued.

The Addl. Commissioner/CRC informed that there is no such orders to stop the SAD Refund is issued. The SAD Refunds are being processed on regular basis.

(Point Closed)

6. The Chairman requested the Members to send the Agenda points at least 10 days in advance so that proper answers can be provided in the meeting.

7. The members were informed that the next PTFC meeting is scheduled to be held on **14.02.2013 at 11.00 hrs** in Conference Hall adjacent to the Office of the Commissioner of Customs (Import), 5th Floor, JNCH and the PTFC members/trade representatives are requested 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 for taking up the issue in the upcoming PTFC meeting.

8. The meeting ended with thanks to the Chair.

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

Sd/-

(VISHAL MALANI)

**Asstt. 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. AC/EDI for uploading on JNCH website.
5. Office Copy.