

Minutes of the Meeting Of Permanent Trade Facilitation – 2012

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

F.NO. S/22-GEN-170/2011 AM (I) JNCH

DATE: 31.07.2012

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 12.07.2012.

The PTFC meeting held on 12.07.2012 was chaired by Shri. Rakesh Misra, Commissioner of Customs (Import) and attended by the **following members/participants and officers from JNCH, Nhava Sheva:**

Sr. No.	NamesS/Shri	Organization/Association/Designation
01	Yash Vardhan	Vaishno Logistics Yard (CFS)
02	Avinash Buge	JNPT
03	L.S. Tadadikar	Ameya Logistics CFS
04	Selva Fernando	MANSA
05	Ramakrishnan	MANSA
06	Subhash Rajkumar	MANSA
07	V.M. Thomas	MAERSK Lines
08	Manoj M. Nair	ULA CFS
09	Ashok K.	CMA-CGM
10	Bharat M. Shah	W.I.S.A.
11	Paresh Shah	BCHAA
12	K.S. Shetty	BCHAA
13	Pankaj Shah	V.P., BCHAA
14	Shankar Shinde	Raigad Chamber of Commerce & Inds.
15	R.K. Rubin	AMTOI
16	R. Rajasekhar	United Phosphorous Ltd.
17	George Joseph	BCHAA
18	Mohan Nihalani	AIIEA
19	Jayant Lapsia	ALLBIEA
20	Sagar Thakkar	APMICFS
21	D.L. Thakker	BCHAA
22	Milan Desai	BCHAA
23	Manohar N. Rao	Ocean Gate CFS
24	V.K. Agarwal, GM	Mirc Electronics Ltd. (ONIDA)
25	Nishikant Chaugule	Mirc Electronics Ltd. (ONIDA)
26	Suresh N.	Addl. Commissioner of Customs

Sr. No.	NamesS/Shri	Organization/Association/Designation
27	P. Anjani Kumar	Addl. Commissioner of Customs
28	Satyajit Mohanty	Jt. Commissioner of Customs
29	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 14.05.2012 were discussed and accepted.
4. The discussions started with respect to point raised in the PTFC meeting held on 12.04.2012.

Points raised in PTFC meeting held on 12.04.2012

4.1. The Chairman had informed the Trade in the earlier PTFC meeting that they should approach Addl. Commissioner / Import Noting Section with details of their difficulties in writing for redressal of their problems. In this regard, Chairman informed the trade that imported cargo at this port is allowed to be transhipped to SEZ, directly where the specific SEZs code is fed into the system. However, when the SEZ code is not allotted by the D.G. Systems, in such cases, Steamer Agents/Shipping Lines are mentioning same as 'Local' item in IGM. Thereafter, in respect of said cargo Shipping Lines are required to file IGM amendment from Local to respective SEZ. It is noticed in such cases that Shipping Lines are not intending to give NOC to importers on various grounds for filing amendment in IGM from Local to new destination i.e. SEZ, as per sec 30 of the Customs Act, 1962, hence the clearance of cargo to SEZ is delayed.

The matter was deliberated and discussed in length for resolving the difficulties in issuing the amendment with an amicable solution. Eventually a via media solution to the problem was suggested that the SEZ importers would give an Undertaking guaranteeing the security, safety duty liability if any, of the respective SEZ consignment. On the above lines, a letter is already issued to M/s. Mitsui OSK Lines (India) Pvt. Ltd. for necessary action at their end to resolve the matter. Issue is already solved and no matter is pending with this office.

(POINT CLOSED)

5. New Points raised/discussed.

5.1 The Members of the BCHAA raised the point with respect to clearance of LCL containers which are delayed, as the same were picked up by CSD (where images were not clear) and sent for physical examination by CSD then by Docks staff. They suggested that examination by CSD should not be insisted. Alternately specific instructions to be issued to Docks officers, where the images are not clear, to carry out the examination accordingly. Further, they requested to conduct the joint examination by CSD as well as Docks staff so that delay in clearance will be reduced.

On this, the Chairman intimated to the members of BCHAA that the containers that arrive from sensitive ports could not be released due to security concerns. To facilitate trade, CSD had released as many as 621 containers without scanning in the month of June, 2012.

As far as LCL containers are concerned it is informed that only in exceptional cases examination is being done (where images are not clear) under the supervision of CSD otherwise all other LCL containers are marked for Docks examination.

5.2 The representative of BCHAA informed that three refund applications of M/s. Security Printing & Minting Corpn. Ltd. are pending since April, 2010.

On this the Chairman informed that the importer M/s. Security Printing & Minting Corpn. Ltd. (India Govt. Mint), Mumbai, filed B/E No. 730514 / 22.10.2009, subsequently, the importer filed 3 refund claims on 06.04.2010 on the grounds that cost of construction, erection, assembly and training charges are not includible in assessable value. A Deficiency Memo was issued on 16.04.2010 calling for certain documents (copy of re-assessed B/E). Importer vide letter dtd. 31.03.2010 had informed the department that provision of unjust enrichment is not applicable in this case.

Since, the issue relates to re-assessment of B/E, the importer should have first challenged the assessment and then as per the order should proceed for the refund, if passed in his favour.

(POINT CLOSED)

5.3 Shri. V.K. Agrawal, GM, M/s. Mirc Electronics Ltd. (ONIDA) raised the issue regarding final print of Bill of Entry from Customs Desk only. On this the Chairman informed that the problem of re-print is being faced by all the Customs Locations across India and the Dir. General (Systems) had already been intimated about the issue.

(POINT CLOSED)

6. Thereafter, the Chairman requested the Trade to give their feedback on fall in Revenue Collection noticed in the recent weeks..

The Members of the Trade explained that the fall in Revenue is due to increase in exchange rate of RUPEE v/s USD. Recession in the European Union has resulted in depreciation of Euro over American Dollar. This has also affected the International Trade. The Trade expressed their fear that the situation would worsen once Hazira Port becomes operative, as much of the imports for Gujarat is through JNPT port. Members of the Trade expressed their concern over the facilities available at JNPT, like congestion at the port and the approach roads.

7. The members were informed that the next PTFC meeting is scheduled to be held on **09.08.2012 at 11.00 hrs** in Conference Hall adjacent to the Office of the Commissioner of Customs (Import), 7th 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.

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

Sd/-
(VISHAL MALANI)
ASST. COMMISSIONER OF CUSTOMS
APPRAISING MAIN (IMP), JNCH, SHEVA.

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.