

**OFFICE OF THE COMMISSIONER OF CUSTOMS, NHAVA SHEVA-III
DIST.-RAIGAD, MAHARASHTRA – 400 707**

F. No. S/22-Gen-01/2014-15 AM (I) NS-III

Date: 09 .09.2015

**MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE FOR NS I, III & V HELD ON 27.08.2015**

The PTFC meeting held on 27.08.2015 was co-chaired by Ms Seema Jere Bisht, Commissioner of Customs, NS-I & III and Shri Subhash Agrawal, Commissioner of Customs, NS-V and attended by the following Members/Participants of trade -

Sr. No.	Names (S/Shri)	Organization/Association/Designation
1	Nimesh Desai	WISA
2	Jude Fernandes	Indev CFS
3	Milan Desai	BCHAA
4	Mohan Nihalani	AIIEA
5	Manish Kumar	MANSA
6	Victor Fernandes	MANSA
7	SubashRaj Kumar	MANSA
8	D.L. Thakkar	BCHAA
9	YashVardhan	VLY CFS
10	Vinayak B. A.	BCHAA
11	Mark S. Fernandes	IMC
12	Ganpat P. Karande	BCHAA
13	V K Agarwal	ONIDA
14	Suresh Dalvi	BCHAA
15	Paresh Shah	BCHAA
16	R. Rajasekhar	United Phosphorus Ltd.

Following officers from Food Safety and Standard Authority of India (FSSAI) and Assistant Drug Controller (I) (ADC (I)) also attended the meeting-

Sr. No.	Names (S/Shri)	Organization
1	Anand Shamante	FSSAI
2	Shailesh Nimbalkar	FSSAI
3	Gulshan Taneja, Assistnat Drug Controller	ADC (I)
4	Arvind Hiwale, Drug Inspector	ADC (I)

Following officers from Department attended the meeting –

	Name (S/Shri)	Designation
01	S. Anantha Krishnan	Addl. Commissioner of Customs, JNCH
02	Aseem Kumar	Addl. Commissioner of Customs, JNCH
03	Nilkanth N. Shelke	Addl. Commissioner of Customs, JNCH
04	Akhilesh Pandey	Addl. Commissioner of Customs, JNCH
05	S.K. Vatsa	Joint Commissioner of Customs, JNCH
06	DR. Subhash Yadav	Dy. Commissioner of Customs, JNCH

The Chairpersons welcomed all the members in the meeting.

Thereafter, the Agenda Points were taken up for discussion:

AGENDA POINTS IN PREVIOUS PTFC MEETINGS HELD ON 30.07.2015:

1. Cancellation of OOC and attending Jt. Survey by Customs in RMS Cleared B/E:-

The Chairperson informed the participating members that this issue is pending for a long time and therefore, the ADC/JC/Docks of NS I to V have been directed to examine the issue and take a call in the matter.

(Action: ADC/JC/Docks-NS I to V)

2. Re-assessment of Self assessed B/E or finally assessed B/E.

The Chairperson informed the participating members that no information has been received from the Nagpur Commissionerate that whether they are appealing against the CESTAT order. The department is still awaiting response from them. The Chairperson again urged the members of the trade that in case of any refund arising on account of re-assessment of Bills of entry, the refund claim may be filed.

(Action: JC (AM (I))

3. Request to fix the charges of Custom Approved Chartered Engineers for Examination and Valuation purpose:-

The Chairperson informed that the Department is in the process of issuing Public Notice for the professional fees payable to the Chartered Engineers.

(Action ADC/ GR V)

4. Part Delivery:-

The representatives of the trade reiterated their demand that for taking Part Delivery of the containers, the time should be counted from the arrival of first container

in the port instead of CFS and the condition of 24 hours waiting time should be reduced in the cases of homogeneous items and looking at the Port situation, Customs should be liberal in allowing Part Delivery.

The Chairperson informed the representatives that the decision allowing Part Delivery depends on the merits of the case, the reputation of the importer, nature of cargo etc. However, the Customs will be more liberal when the containers are stuck in the port due to congestion in the port or congestion while transporting them to the CFSs.

Shri Aseem Kumar, Addl. Commissioner of Customs explained to the Trade that the time of Entry Inward is actually taken as the time for the discharge/unloading of the cargo in the Port and in many cases not a single container has left the port even after 24 hours of Entry Inward. So, it will not be a practical solution to recognize 24 hours waiting from the time of discharge for the containers to become eligible for Part Delivery. He suggested that if some container/containers of a particular Bill of Entry arrives in the CFSs and are pending for one working day, due to non arrival of other containers, the same can be considered for Part Delivery.

The Chairperson and the participating members agreed to examine the proposal. An amendment in the existing facility note may be issued by the Docks administration.

(Action: ADC/Docks(Admn.))

5. Bond department to be digitalized -

The issue was discussed in the earlier PTFC meeting wherein the members of BCHAA requested the Chairperson for digitization of the processes of the Bond Section.

The Chairperson informed the members that JC/Bond has been directed to examine the proposal of digitization of the Bond Section. The Chairperson also informed the members that there is a Bond Module available at present 1.5 ICES system and directions have been issued to examine the present module as to whether the same can be used to serve the purpose.

(Point Closed)

6. ADC formalities -

The above subject has been discussed in the earlier PTFC meeting where it was informed by the trade that they are required to take NOC for various consignments from ADC. In the past, NOC's were granted by the ADC on the Check List, whereas now, it is issued only against the Bills of Entry which are resulting in delay of 1 to 2 days.

The Chairperson requested the participants to raise the issue in the CCFC meeting.

(Point Closed)

7. Long Standing Containers -

The Chairperson informed the participating members that the directions have been issued to all the ACs/DCs in charge of Assessment Groups that they shall attend to the representatives of the CFSs between 9.30 a.m. to 1.30 p.m. on every Monday to discuss and resolve the issues pertaining to the Long Standing Containers.

(Point Closed)

THE FOLLOWING POINTS WERE ALSO DISCUSSED IN THE MEETING:

1. Installation of GPS on the Trailers of the CFSs -

Some of the representatives of the trade requested for the installation of the GPS tracking devices on the trailers of the CFSs which are being used for transportation of the containers between the CFSs and Port as it will stop the pilferage of the cargo during the transit period.

In response to this, the representatives of the CFSs informed that the trailers of the CFSs which are part of the Association are already equipped with this facility.

The Chairperson directed the representatives of the CFSs to send reminders to those CFSs which are not part of their association for installation of GPS tracking devices on their trailers.

(To be transferred to Export PTFC)

2. ADC Bond for dual use items -

The representatives of the trade informed that the Chairperson that ADC wants indent/sale contract from the supplier whereas importer can give yearly bond stating the item name and expected quantity. It is not possible for an importer to get yearly indent/sale contract and there is no possibility to fix supplier details. It was, therefore, requested that the importer may be allowed to submit yearly bond with item description and quantity.

The representative from the ADC replied that the procedure/framework for submitting Bond has been formed after decision from the High Court. If anything has to be changed, they have to refer the matter to their Headquarter.

The Chairperson requested the members to raise the issue before the ADC by written representation.

Shri Gulshan Taneja, Asstt. Drug Controller, JNPT requested the trade to share their problems related to ADC with him.

(Point Closed)

3. Destruction of Cargo –

- (i) The representatives of the trade raised the issue of destruction of various types of cargo as at present they are facing lot of difficulty in the procedural part.

The Chairperson agreed with the representatives that, at present, the method of destruction is complicated and it needs to be simplified. The Chairperson urged the representatives of the FSSAI to provide clarity on the methods of destruction as their Act is silent.

The Chairperson also gave direction to send reference to the Board seeking clarity on the paths of destruction of various types of cargo like food, electronics, steel etc

- (ii) Some of the members proposed taking services of various companies which have captive incinerator facility to address the problem.

The Chairperson assured the members that the matter will be looked into.

(To be transferred to Export PTFC)

4. Cancellation of Bills of Entries –

It was pointed out by the trade that recently a lot of ships were diverted from the Nhava Sheva Port for which prior IGMs were filed and for cargo; Bills of Entry were also filed. However due to diversions, the cargo were brought by another vessel for which another Bills of Entry were filed and the cargo have been cleared but the old Bills of Entry are still pending in the system. They have requested the EDI section to cancel the same. But some of them are still pending. They urged the Chairperson for action in this respect.

The chairperson directed ADC/EDI to resolve the issue.

(Action: ADC/EDI)

5. CFSs not collecting images of Scanned containers from the CSD, regularly –

The participating members informed the Chairperson that the CFSs are not collecting the images of scanned containers regularly from the Container Scanning Division which delays the clearance of cargo from the CFSs.

The Chairperson directed the representatives of the CFSs to collect the images regularly from the CSD.

The Chairperson also informed the members that the department is trying to develop a process for electronically transmitting the images of the scanned containers to the CFSs to resolve the problem permanently.

(Action: ADC/CFS Management Cell/CSD)

6. CFS & Shipping Line Charges –

The trade raised the issue of heavy CFS charges which are increasing the cost of transacting business for them and urged Customs to do something about it.

The Chairperson informed the members that recently, during the Chief Commissioners' meeting with the Top Importers, the participating members complained that the CFSs and Shipping Lines in Nhava Sheva Port are charging so much that it is getting impossible for them to transact business in this Port. As a result they are moving away their businesses to other ports.

The Chairperson stated that every day the department is receiving complaints from the trade regarding the exorbitant charges of the CFSs and Shipping lines.

The Chairperson urged the representatives of the CFSs & Shipping Lines to rationalize their charges and requested them to take up the issue before CCFC.

(Point Closed)

The members of the meeting were informed that the next PTFC meeting shall be held on **Thursday, 24th of September, 2015 after the completion of the Export PTFC meeting**. The Chairperson requested all the Association Members to forward their agenda points, if any, at least **03 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.

The meeting ended with thanks to the Chair.

This issues with the approval of Commissioner of Customs NS-I, III & V.

Sd/- 09.09.2015

**(DR. SUBHASH YADAV)
DY. COMMISSIONER OF CUSTOMS
CENTRALISED APPRAISING MAIN,
NS III, 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 NS II, IV, General and Appeals, JNCH, Sheva.
3. All ADC/JC, DC/AC of Customs (I, III, V), JNCH, Sheva.
4. DC/EDI for uploading on JNCH website.
5. Office Copy.