

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

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

Date: 24.08.2015

**MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE FOR NS I, III & V HELD ON 30.07.2015**

The PTFC meeting held on 30.07.2015 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	Subash Raj Kumar	MANSA
8	D.L. Thakkar	BCHAA
9	Yash Vardhan	VLV CFS
10	Rajendra Coimbatore	Hind Terminal CFS
11	K.M. Tope	MSWC CFS
12	Ganpat P. Karande	BCHAA
13	Paresh K Thakkar	BCHAA
14	R.K. Rubin	AMTOI
15	V K Agarwal	ONIDA
16	Suresh Dalvi	BCHAA
17	Paresh Shah	BCHAA
18	R. Rajasekhar	United Phosphorus Ltd.
19	James Joseph	ULA CFS
20	SaurabhBhagat	ULA CFS
21	AnandShamante	FSSAI
22	Philomena Pereira	WISA
23	Ashwin	GDL/PUNJAB CFS
24	Nama Zaware	Navkar CFS

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	Rajesh Kumar Agarwal	Addl. Commissioner of Customs, JNCH
05	S.K. Vatsa	Joint Commissioner of Customs, JNCH
06	DR. Subhash Yadav	Dy. Commissioner of Customs, JNCH
07	Kuldeep Singh	Asstt. Commissioner of Customs, JNCH

The Chairperson welcomed all the members in the PTFC meeting. Thereafter, the Agenda Points were taken up for discussion:

AGENDA POINTS IN PREVIOUS PTFC MEETINGS HELD ON 25.06.2015:

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

The Study Group consisting of following members who will re-examine the matter and submit its report by the next PTFC.

- (i) Shri Aseem Kumar, Addl. Commissioner of Customs (Docks)- Chairperson
- (ii) Shri Paresh Shah, Representative of BCHHA- Member
- (iii) Shri Jude Fernandes, Indev Logistics CFS- CFS Association- Member
- (iv) Shri Mohan Nihalani- AIIEA Member

(Action: ADC Docks)

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

This matter has been discussed on number of earlier occasions. The latest case law referred by the BCHAA Association is the Hon'ble CESTAT Order no. A/133/15/CB dated 10.12.2014 arising out of O-in-A No. NGP/EXCUS/000/APPL/ 051/13-14 dated 27.03.2014 passed by Commissioner of Central Excise & Customs (Appeals), Nagpur in case of M/s Suryalaxmi Cotton Mills Ltd. In the instant case, the Hon'ble CESTAT has held that the appellant is entitled for refund claim and the case has been remanded back for *denovo* adjudication.

The Chairperson informed that this matter is under active consideration. Further, the members of the trade were also informed 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 Members informed that ADC, Docks is allowing part delivery of cargo in some cases. Further, they requested that the condition of 24 hours waiting time should be reduced in cases of homogeneous items and time should be taken from the arrival of first container in the port instead of in the CFS.

The ADC (Docks) has been directed by the Chairperson to examine the issue and submit his report by the next PTFC.

(Action: ADC/ Docks)

5. Delay in refund of Special Additional Duty (SAD) raised by Metal Recycling Association of India (MRAI) -

The Representatives of MRAI raised the issue regarding difficulties faced by them in the matter of SAD refund.

The Chairperson informed the representatives of MRAI to take up the specific cases with ADC, SAD refund of the respective section.

(Point Closed)

6. Integration of FSSAI & PQ with ICES system- mismatch in the instruction-

The representatives of BCHAA informed that in some of the import cases, mandatory FSSAI NOC is required but PQ NOC is not warranted. In such cases, the system requires approval on both accounts by the concerned DC/ Docks.

The Chairperson informed that it is a system based problem and the matter has been referred to Board. Meanwhile, ACs have been given manual override powers to help the trade. Chairperson requested the trade to give a list of commodities where the NOCs are not required so that the matter can be taken up with RMD.

(Point Closed)

Fresh Points

- 1. Delay in clearance of project import consignments.**
- 2. Request for system correction.**

The above two points were closed as they were not sponsored by the participants.

(Points Closed)

3. Section 59 - Bond Section-

The representatives of BCHAA submitted that recently the Bond section has been shifted to a new place and there is a space constraint. They informed that at present importer has to submit bond for each consignment separately which causes hardship to them. The representatives requested for the steps from the department for taking one time bond as it will reduce inconvenience to trade as well as pressure on the section.

The Chairperson informed that the department will examine the matter.

(Action: ADC/BOND)

4. Bond department to be digitalized -

The members of BCHAA informed Chairperson that they have to enter a lot of data for all bonding procedures which is time consuming and demanded digitalization by way of local software for simplification of processes.

The Chairperson informed the members that the efforts will be made for getting it digitized.

(Action: ADC/BOND)

5. ADC formalities -

The members of BCHAA informed the Chairperson 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 B.Es which is resulting in delay. They requested to allow NOC on Check List to avoid delay.

The Chairperson informed the members that the issue will be examined by ADC/Group & Docks.

(Action: ADC/Group IIA-F/Docks)

6. Monitoring of other Acts, mass transfer of officers –

- a. AIIEA president, Shri Mohan Nihalani informed that some of the schemes are not uploaded in the EDI system even after a long time which is creating problem for the importers and exporters. The Chairperson informed the members that most of the schemes are uploaded on the system and wherever

the schemes are manual due to EDI constraints, the department has issued Standing Orders for the benefit of the Trade.

- b.** Shri Mohan Nihalani informed the Chairperson that while discharging their duties, Customs is also monitoring other allied acts and every time there is mass transfer of operational officers the trade faces difficulties with the new officers. He desired to know whether there is any standing mechanism for training, sensitizing the new officers. The Chairperson informed the members that the all the standing orders, public notices are uploaded on the JNCH website. Further, the department undertakes regular training of all the newly posted officers.

(Point Closed)

7. Facilitation by J.N. Customs after MOS (Rev.) visit –

Shri Mohan Nihalani wanted to know the steps taken by the department for the benefit of the trade after the meeting with MOS (Rev) last month. The Chairperson informed the members that the department has taken various steps like training, issuing instructions for open house on Mondays for the matter related to Groups with ADC/Groups from 11.00a.m. to 12.00p.m. and for Docks with AC/Docks on Monday/Wednesday/Friday from 11.00 a.m. to 12.00p.m. and with ADC/Docks from 12.00p.m. to 1.00p.m on Mondays. The relevant office orders and public notice have been uploaded on the website.

(Point Closed)

The following points also came up for discussion in the meeting.

8. Long Standing Containers -

The representatives of the CFSs raised the issue of Long Standing Containers in the CFSs. The Chairperson informed the members that all the CFSs should proactively approach the concerned AC/DCs and it should be done as a weekly exercise. Scheduled time slot, as decided by the competent authority, shall be given by AC/DCs to redress the matters of CFSs in respect of Long Standing Containers.

(Action: JC/AM (I))

9. Port Congestion-

The representatives of the trade raised the issue of port congestion as it is causing a lot of hardship to the trade and due to this some of the businesses have moved out of Nhava Sheva Port. They urged Customs to do something about it. The Chairperson informed the members that the Customs is also concerned and this issue is frequently discussed in most of the meetings of JNCH. The matter has, now, been escalated to the level of the Secretary (Revenue) and Secretary (Shipping).

(Point Closed)

10. At end, the chairperson informed the representatives of the trade that JNCH has recently started facility of e-helpline, and requested the trade to make use of it.

11. The members of the meeting were informed that the next PTFC meeting shall be held on **Thursday, 27th of August, 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.

12. The meeting ended with thanks to the Chair.

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

sd/-24/08/2015
(DR. SUBHASH YADAV)
DY. COMMISSIONER OF CUSTOMS
CENTRALISED APPRAISING MAIN,
NS I, III & V, 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.