

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 13.03.2014

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) JNCH

Date : 15.03.2014

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 13.03.2014

The PTFC meeting held on 13.03.2014 was chaired by Ms. Seema Jere Bisht, 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	Omprakash Agrawal	MACCIA
02	Ashish Pednekar	MACCIA
03	Mohan Nihalani. (President)	All India Importers' Exporters' Association
04	Manish Kumar	MANSA
05	R. Rajasekhar.	M/s. United Phosphorous Ltd.
06	R.K. Rubin.	AMTOI
07	Paresh Shah.	BCHAA
08	Nimish Desai.	BCHAA
09	D.L. Thakker.	BCHAA
10	S.K. Gupta	BCHAA
11	Rajesh H. Gosalia. (Member)	COSIA(Chamber of Small Industry Association
12	V.K. Agarwal, GM	ONIDA.
13	Gyan Sarvar	Addl. Commissioner of Customs
14	Pankaj Bodkhe	Addl. Commissioner of Customs
15	Rajesh Kumar Agarwal	Jt. Commissioner of Customs
16	Nilkanth Shelke	Jt. Commissioner of Customs
17	R.K. Singh	Dy. Commissioner of Customs

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

3. Sh. Rajasekhar, from M/s United Phosphorus Ltd. drew the attention of the house on the matter related to delay in receipt of documents from China. He also stated that the quality of documentation from China is very poor. Shri. Mohan Nihalani, President, AIIEA assured that he will take up the matter in the next meeting organised by DGFT with the Consul General of China

4. POINTS RAISED IN PREVIOUS MEETING HELD ON 22.02.2014

4.1. Numerous objections raised at Docks:

The Chairperson informed the Members that if there is a disagreement on the issue of Notification/Classification in Docks and if the issue is not sorted at the AO/Supdt. level then they should approach the DC in charge of Docks, and thereafter ADC/Docks or Commissioner.

(Point closed)

4.2 Assessment of Documents pending finalization of SVB/GATT Valuation :

The Chairperson has stated that the discussion on the matter relating to assessment of documents pending finalization of SVB/GATT valuation may be deferred till the outcome of meeting of Trade with DC/SVB is not placed before her for further necessary action.

(Action – DC/SVB)

4.3 FSSAI :

The Chairperson directed Joint Commissioner, Group I to put a reminder letter to FSSAI on the issue of releasing the pending consignments. The Chairperson also directed Shri D.P. Guha to take stock of the situation and speak to Shri Dave, Advisor, FSSAI about the consignments pending since September 2013.

(Action – JC/Group I)

5. Fresh Agenda Points :

5.1 Registration of First time Importer:

The Members requested the Chairperson that they may be permitted to comply with the procedures laid down in the Public Notice No : 59/2009 dt: 04.09.2009 JNCH before the goods arrive. Presently, the system pops up a message that the importer is a first timer and then a query is raised by the Group AO for compliance of the procedure for registration of first time importer. Shri Nihalani, a member pointed out that there should be a provision in the system to feed the first time importer's details at the time of filing of the B/E.

Mr. Rajesh Gosalia, another member stated that there already exists a provision in EDI which can be used to make entries of the F.no: vide which the first time importer is registered.

Sh. Pankaj Bodhke, ADC asked whether the importer has to register himself again if he wishes to change the Custom House. If so, then there should be a system in place to ensure that once an importer is registered at any of the Custom Houses, then he need not re-register himself again on changing the Custom House.

Sh. Rajasekhar, another member pointed out that the system raises a query regarding first import, sometimes on 2nd or 3rd import also. DC/AM (I) informed that in such cases the importer or CHA can give the first time importer registration File number in reply to department query and

then B/E shall be assessed. The representative from trade requested Chairman to allow completion of file work in case of first time import before arrival of goods.

The Chairperson assured that the matter will be taken up with the Directorate of Systems to insert a column where the first time import registration details can be incorporated in the version 1.5 of the EDI System. The chairperson also emphasised the need for a single registration number for each importer to be valid at all ports. She further directed DC/AM (I) to contact EDI section to check for provision in the present system and whether we can allow file work to be completed before arrival of goods.

(Action – EDI/AM)

5.2 FSSAI :

Nobody from FSSAI was present for the PTFC meeting; however the Chairperson stated that a letter has already been sent to Dr. Dave, Advisor, FSSAI asking him to resolve the pending issues and to conduct a workshop to create awareness regarding the rules and procedures of FSSAI.

Shri. Omprakash Agrawal alleged that food consignments are regularly being cleared from Mundra port and other ICDs, however imports from major ports like Mumbai and Chennai are not being cleared by FSSAI. The Chairperson asked the members as to why the issue was not raised by them during the National Council Meeting. She also directed the Members to inform the FSSAI about the food consignments being cleared at other ports which are otherwise not being cleared at JNCH.

The Chairperson stated that their matter had been taken up by the Chief Commissioner with the Revenue Secretary and CEO FSSAI. Chairperson agreed to refer the matter again.

5.3 NOC from Asstt. Drugs Controller.

Members pointed out that they are facing a lot of problems while seeking no objection from the ADC for their Drugs and Cosmetic consignments. They also pointed out that because the FDA in USA has been examining Drug/Pharma export consignments very strictly hence in retaliation the ADC here has become very strict thereby leading to delays in granting NOCs. Members have also stated that once the ADC has certified an item as “Not a Drug” then for such consignments the Group AO should not give the order for ADC NOC in subsequent consignments.

The Chairperson informed the house that the Drug Controller (India) in consultation with the Ministry of Health and Family Welfare has constituted an Expert Committee to assess the working of the CDSCO Port Offices in disposing off various Importers/Exporters request for grant of NOCs. The Expert Committee is coming to JNCH on 20.03.2014 to meet both the departmental officers and trade and as such members are requested to attend the said meeting for the redressal of their grievances.

The Chairperson agreed to the members view that once ADC has certified an item as “Not a Drug” then for such consignments, orders to verify ADC NOC should not be given. The

members were asked to submit a list of items which have been certified by the ADC as “Not a Drug”. Further Chairperson asked JC/Gr I to contact ADC office for the list of items which require ADC No Objection.

(Action- ADC/AM)

5.4 Streamlining the procedure of provisional assessment in SVB registered cases of Import :

The representative of BCHHA requested Commissioner (I) to simplify the procedure of assessment in case of SVB registered party. They informed Commissioner that the manual record keeping of the consignments is not required as the Continuity Bond is debited in the EDI system. The procedure is causing delay in clearance and demurrage to importer. Commissioner (I) asked the representative to discuss the issue with DC/AM for amicable suggestion to reduce the dwell time in such related party imports. The representatives discussed the issue with DC/AM separately after meeting. DC/AM requested representatives of BCHHA to give their views on the present notified procedure and their suggestion for change in the same. The views of BCHHA are awaited.

(Action–BCHHA, SVB & AM)

5.5 Complaint regarding re-examination of cargo which has been given out of charge by the POs posted at the CFS Gates :

Some members complained that the Preventive Officers posted at the CFS Gates are insisting for re-examination of the cargo which has been given out of charge after due examination by Examiner/ Appraiser and A.C.s/D.C.s.

Shri. Pankaj Bodhke, ADC observed that the same is not the job of Gate P.Os. The Chairperson observed that it should not be done without authority. She asked DC/AM to issue necessary instructions to ADC/PG and ADC Docks so that such incidences are not repeated.

(Action – ADC/PG, AC/PG & DC/DOCKS)

6. Allotment of examination work to Appraisers / Superintendents in Docks :

Members pointed out that number wise allotment of work to Docks/AOs & Suptdts is causing lots of hardships to the CHAs. If 5 B's/E of a single importer are to be examined, then due to bifurcation of work allotment 3 B's/E are to be examined by one appraiser and the rest 2 B's/E have to be examined another appraiser, then their Docks staff have to adjust their timings as per the rounds taken by the different appraisers thereby causing delays in clearing the cargo. They, therefore prayed that in such cases all the B's/E are to be marked to a single appraiser for convenience sake.

The Chairperson observed that in cases where five Bs/E of same importer for similar items is with a particular CHA, then he can make application to concerned Docks/CFS A.C/D.C for allotment of all five Bs/E to a single Appraiser/Superintendent. The A.C.s/D.C.s after

scrutinising the Bs/E shall allot any one of his officers for the examination of all five consignments.

7. Shri. Rajesh Gosalia requested for a copy of the Time Study conducted by the EDI Section. Shri Mohan Nihalani, President, AIIEA also made the same request. He added that efforts should be taken to reduce the dwell time and the documentation problems faced by the importers/CHAs and there should be stringent checks on the massive under invoicing from China and evasion of anti dumping duty. AC/EDI was asked to send a copy of the Time Release Study to BCHAA and other interested PTFC members.

8. The members were informed that the next PTFC meeting is scheduled to be held on 10.04.2014 at 11.30 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 for taking up the issue in the upcoming PTFC meeting.

9. The meeting ended with thanks to the Chair.

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

(R.K. SINGH)
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.