

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 17.7.2014

**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: 31.07.2014

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 17.7.2014

The PTFC meeting held on 17.7.2014 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	Mohan Nihalani. (President)	All India Importers' Exporters' Association
02	Subhash Rajkumar	MANSA
03	Shankar Shinde	R.C.C.I
04	R Rajasekhar	United Phosphorous Ltd
05	Pankaj Saha	V.P/ BCHAA
06	Kartikay Dhanda	Director of Textile Committee
07	Dr K. S. Murlidhar	J.D Textile Committee
08	Anita Hazra	Asstt. Director of Textile Committee
09	Victor Fernandes	Seabird CFS
10	Avinash Buge	JNPT
11	Rajesh Gosalia	COSIA/BCHAA
12	Gurudas Satam	VASCO
13	Manish Kumar	MANSA
14	Laksha Tadadikar	Ameya CFS
15	Milan Desai	BCHAA
16	D.L. Thakkar	BCHAA
17	K.S. Shetty	BCHAA
18	Satish Kumar	Chief Manager SBI
19	Pareesh Shah	BCHAA
20	Rajiv Kapoor	Addl. Commissioner of Customs, JNCH
21	Pankaj Bodkhe	Addl. Commissioner of Customs, JNCH
22	Gyan Sarvar	Addl. Commissioner of Customs, JNCH
23	Nilkanth Shelke	Jt. Commissioner of Customs, JNCH
24	R.K.Singh	Dy. Commissioner of Customs, JNCH
25	D. P.Singh Khushwaha	Dy. Commissioner of Customs, JNCH
26	Piyush Kamal	Asstt. Commissioner of Customs, JNCH

2. Chairperson welcomed all members present in the meeting.

3. POINTS RAISED IN PREVIOUS MEETING HELD ON 12.06.2014

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

Chairperson asked Mr. Shetty from BCHAA as to whether they have given any suggestions for change in SVB procedure at JNCH. Mr. Shetty informed that the issue shall be first discussed with DC/S.V.B and then will be brought to the consideration of Chairperson.

(Action – DC/SVB)

4.2: List of Not a Drug item from Drug Controller:-

Chairperson informed members that the list of “Not a Drug” items submitted by BCHAA has already been circulated among the Docks staff and Appraising Groups –II & IIA-F with suitable directions. It was brought to the notice of Chairperson that Asstt. Drug Controller(ADC) has not provided “Not a Drug” list with covering letter. Chairperson asked Joint Commissioner, Group-II & IIA-F to take up matter with ADC for the said list.

(Action :- Jt. Commissioner , Gr-II & IIA-F)

4.3.1 FSSAI Issue:-

Chairperson observed that everybody is aware about the problem and that importers should opt for storing of goods under Section 49 of Customs Act, 1962 pending FSSAI NOC, which will be allowed by Customs. The representative of BCHAA informed Chairperson that the CFS is not providing space for storing under Section 49 of Customs Act, 1962. The representative of CFSA is informed that the same is due to shortage of covered space and non payment of ground rent of stored cargo in many cases. The Chairperson stated that the CFS should provide space for storing as the same is legal obligation under the Customs Act, 1962. Chairperson asked the members of PTFC to bring to her notice specific cases of not providing space for storing goods under Section 49 of Customs Act, 1962, so that suitable instructions can be issued to erring CFS's. **(Action:- BCHAA & CFSA)**

4.3.2 Clearance Of Food Stuff:-

The members requested Chairperson to take necessary step to resolve the deadlock in clearance of food stuff. The Chairperson observed that the issue is under consideration of this Customs House. The practice being followed at other Customs locations is being ascertained and possibilities are being explored for clearance of goods on the basis of past test reports and after testing from CFL etc. as per the provisions contained in Board Circular No. 03/2011 dated 06.01.2011 containing procedure for clearance of food article. She informed members that the concerned Appraising Group-I has been asked to put up modalities for the same under the provisions of law so that the issue can be resolved within a week or two.

(Action:- D.C/Gr.I)

4.4 Cancellation of OOC and attending Jt. Survey by Customs in RMS

Cleared B/E:-

The Chairperson informed members that there are legal issues in the above matter that need to be seen. She stated that a small study groups shall be formed to give viable suggestion in this

regard, particularly for the RMS cleared goods. The said Study Groups should include one representative of each stakeholder i.e. BCHAA, CFSA, MANSA, CSLA, IAEA etc. She asked Addl. Commissioner, Appraising Main to take necessary action in this regard.

(Action:- Addl. Commissioner, A/M)

4.5 Matter related to Scanning and Scanning charges by CFS:-

Chairperson asked representatives of CFSA as to whether matter related to Scanning Charges and other charges has been taken up by them with their member. The representative of CFSA informed Chairperson that the matter has been taken up at their Association level and steps are being taken to facilitate the trade at JNPT. The members voiced their concern on exorbitant charges by CFS for containers selected for scanning and the denial of choice of CFS by the Steamer Agents. Chairperson made it very clear that no CFS can charge "Scanning Charge". Scanning is a procedure followed in the interest of Nation and Revenue. Hence no question of anybody charging for scanning. The Chairperson observed that the matter regarding exorbitant charges requires immediate attention and action by CFS as the trade is moving to other ports due to high charges levied by CFS which is a loss to all concerned. The representative of Steamer Agent Association (MANSA) informed Chairperson that their charges are available on their websites and choice of CFS is now being given by almost all shipping lines. CFSA was asked to rationalise their charges keeping in mind the interest of the trade.

(Action BCHAA&CFS Association)

4.6 Demand for new scanner at JNCH :-

Chairperson informed members that a new drive through Road Scanner has been approved in principle for JNCH and further action is being taken.

(Point Closed)

4.7 Uploading of Status Test Report on JNCH website :

The Chairperson informed the members that, the status of the Test Report up to May has been uploaded on JNCH website. She further informed that the steps are being taken to upload the status Report of DyCC Test Report on fortnight basis.

(Action: J.C EDI and Jt. Director DyCC)

4.8 RTGS Service charges for SAD Refund:-

The Branch Manager of State Bank of India, Nhava-Sheva Port Project Branch raised a point w.r t service charge of 0.09% i.e SAD Refund Amount . He pointed out that service charge of 0.09% on SAD refund amount had been levied prior to July, 2010. However, the same was discontinued due to objection by an Importer. The Chairperson suggested the officer of SBI to take view / comments/suggestion from all Stakeholders/ Associations and then forward their proposal to Customs for consideration as per the legal provision. The Branch Manager, SBI agreed with the observation of Chairperson and stated that status quo shall be maintained till decision is taken in this regard in PTFC.

(Action :- SBI)

5. New Points :-

5.1 One representative of Steamer Agent Association informed Chairperson that the JNPT

Terminal is not allowing movement of SMTP containers to ICD in cases where the seal is tampered. He informed that the JNPT is asking for no objection from Customs to move such containers to ICD. He added that GTI/NSICT have no such problem. Chairperson stated that JNCH has no role for containers meant for ICD. JNCH cannot give NOC without examination and examining such SMTP containers here is not feasible. The matter is between Steamer Agent & JNPT in respect of SMTP containers. The Representative of JNPT assured Chairperson that the issue shall be resolved after discussion with Steamer Agents.

5.2 Addl. Commissioner Shri Pankaj Bodkhe informed members that the CBEC has set up a team for considering inclusion of all the INCO terms in EDI system and subsequent changes in Valuation Rules. MNSA and Association for Multiple Transport Handling Association have been asked to give exact break up for loading, unloading and handling charges for the same. The above two Association are requested through PTFC to provide the details at the earliest. The request was noted by concerned Association for compliance.

Shri Pankaj Bodkhe, Addl. Commissioner informed members that there is change in provision regarding levy of Education Cess in the Budget Proposal of 2014-15. The same has been incorporated in EDI system but the Importers filing Bills of Entry through internet have not changed their software and are asking Appraising Groups to reassess the Bills of Entry.

Reassessment of Bills of Entry (mostly of more than 50 items) is a time consuming process and is causing increase in pendency. He requested the members either to file Bill of Entry through Service Centre till they upgrade RES Patch or claim refund after paying duty under protest.

6. The Chairperson informed members that Shri Rajiv Kapoor, Shri Pankaj Bodkhe & Shri Gyan Sarvar, Addl. Commissioners have been transferred from JNCH and this may be their last PTFC. Shri Mohan Nihalani, President of AIIEA and Shri Pankaj Saha, Vice President of BCHAA thanked the three outgoing officers for their co-operation and help extended during their tenure in JNCH. Shri Rajiv Kapoor, Addl. Commissioner on behalf of his other two colleagues thanked the members of PTFC for their co-operation and their inputs which helped them in gaining experience and resolving many problems.

7. The members were informed that the next PTFC meeting is scheduled to be held on **14.08.2014 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. **3 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/-

(R. K. SINGH)

**DY. 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.