

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 20.02.2014

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: 03.2014

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 20.02.2014

The PTFC meeting held on 20.02.2014 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	Avinash Buge (Dy. Manager)	JNPT
02	Milan Desai	BCHAA
03	Mohan Nihalani (President)	All India Importers' Exporters' Association
04	Ramakrishnan (Member)	MANSA
05	Subhash Rajkumar	MANSA
06	V.M. Thomas	CSLA
07	R. Rajasekhar	M/s. United Phosphorous Ltd.
08	R.K. Rubin	AMTOI
09	Paresh Shah	BCHAA
10	Subhash Shelar	ULA CFS
11	Nimish Desai	BCHAA
12	Philomena Pereira	BCHAA
13	Pankaj Shah	BCHAA
14	K.S. Shetty	BCHAA
15	Rajesh H. Gosalia (Member)	COSIA(Chamber of Small Industry Association
16	Umang Khosla	Dighi Port Ltd.
17	Manish Kumar	MANSA
18	Deba Prasad Guha	FSSAI, Mumbai
19	Anand Shamante	FSSAI
20	Rajiv Kapoor	Addl. Commissioner of Customs
21	Gyan Sarvar	Addl. Commissioner of Customs
22	Pankaj Bodkhe	Addl. Commissioner of Customs
23	Rajesh Kumar Agarwal	Addl. Commissioner of Customs
24	Nilkanth Shelke	Addl. Commissioner of Customs
25	Ms. Chintha A. Issac	Dy. Commissioner of Customs
26	Md. Shamshad Alam	Dy. Commissioner of Customs
27	Surendra Malik	Dy. Commissioner of Customs

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

3. At the outset, Shri Mohan Nihalani and all other members of PTFC felicitated Shri Rajiv Kapoor, Addl. Commissioner of Customs on receiving a certificate of appreciation from WCO.

4. The Chairperson clarified that rumours that JN Port will be closed for two weeks (to install a crane) are false and a Public Notice to this effect is being issued by JNPT. The Chairperson assured the members that the JN Port will not close before 31st March, 2014.

A Time Release Study was conducted for the period January to June 2013 as per the Board's directions. Accordingly, a power point presentation on the subject was presented by Shri Surendra Malik, Asstt. Commissioner of Customs (EDI)

5.1. The Presentation was prepared based on the sample study taken from 1st to 7th January, 2013 regarding dwell time taken for processing of B/E. For RMS B/E the average time taken for payment of duty is 65.80 hours. The Chairperson asked the CHA/Importers to look into the matter and create awareness to make duty payment at the earliest. The Chairperson asked the BCHAA to take special efforts to find out the dwell time taken between the offloading of the cargo from the vessel to reaching the CFS. The BCHAA stated that they have a software in place to verify whether a particular container has reached the CFS or not. The Chairperson said that a collective effort is needed to bring down the dwell time for payment of duty from 65 hours to 24 hours.

5.2 In RMS facilitated Bs/E the average time taken is 76.27 hours from payment of duty to registration of goods. The Chairperson asked the members as to why it takes so long to get the registration done. The Chairperson expressed her concern that the 2nd check Bs/E takes 43 hours whereas the RMS Bs/E takes 65 hours. The Chairperson stated that efforts are being made to find out why the RMS facilitated Bs/E are coming for registration after 120 hours. The BCHAA pointed out that one reason to the delay could be because of the procedure of "no examination without Delivery Order." The members were of the view that study of July 2013 onwards would show much less dwell time as the D.O. problem had been solved by them. The Chairperson asked the members to appraise/educate their importer to reduce the dwell time by paying the duty at the earliest.

5.3 Mr. Rajsekhar, a member pointed out that the delay from the Bank is due to payment of stamp duty physically whereas there is no stamp duty in other states except in Maharashtra. There is no stamp duty levied on Bills of Exchange in other countries. Most of the times demurrage is incurred due to delay in getting the original documents. On an average, it takes about four working days to collect the original documents from Bank. He also pointed out that the Shipping documents arrive much later after the arrival of goods for cargo imported from China.

5.4 The Chairperson pointed out that a large number of B/E are pending in the queue of query to importers and post assessment for payment of duty in the Bank List in the EDI System. She stated that a Public Notice 5/2014 dated 13.02.2014 has been issued asking the Customs

Brokers/trade to take necessary action wherever required to liquidate the pendency from both these categories.

6. 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.

7. POINTS RAISED IN PREVIOUS MEETING HELD ON 09.01.2014

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

The Chairperson has asked AC/SVB to discuss the matter relating to assessment of documents pending finalization of SVB/GATT valuation with ADC/SVB and few members of BCHAA to arrive at a consensus solution.

(Action – ADC/SVB)

7.2 Container Scanning :

It was pointed out by the members that CFS's are not collecting the CSD scanned images wherever there is a mismatch before 2 to 3 days, resulting in the examination of goods being delayed for want of co-relation of the goods with the scanned images. As per Public Notice 100% examination is ordered for suspicious container by DC/Docks. In this regard, ADC/Docks pointed out that all scanned containers are not 100% examined but except for suspicious containers (image) and only 7 to 8% are picked for scanning. The importer pointed out if one of the 10 containers is found suspicious the remaining 9 containers are also 100% examined. The Commissioner directed ADC/Docks to clarify the issue of examination with the AC/DC posted in Docks and resolve the issue.

(Action – ADC/Docks)

8. FSSAI :

8.1. Shri D.P. Guha, of FSSAI explained that there is a time lag in replying to the queries and seeking appointments for the reason that the importers are not directly logging into the FSSAI systems to seek clarification/appointments.

Shri D.P. Guha stated that there were around 280 samples lying with them mostly pertaining to formulated foods. As an example he stated that in one item there were eggs but which had the vegetarian logo pasted on the cargo. He also stated that there is shortage of manpower in their department which would be sorted out within a weeks time. There is also a long list of industrial intermediates, which has been sent to New Delhi for examining/clarifying the issue of allowing the imports of such industrial intermediates.

8.3. The members pointed out that a large number of consignments are pending since September, 2013 for want of FSSAI No Objection.

8.4. Shri Mohan Nihalani, stated that the importers should not suffer for the faults in the procedures/systems followed by FSSAI.

The Chairperson has 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)

9. The members were informed that the next PTFC meeting is scheduled to be held on 13.03.2014 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.

10. The meeting ended with thanks to the Chair.

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

Sd/-

(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.