

MINUTES OF THE PTFC MEETING HELD ON 27.09.2012

COMMISSIONER OF CUSTOMS (EXPORT)
JAWAHARLAL NEHRU CUSTOM HOUSE,
NHAVA SHEVA TAL. – URAN, DIST. RAIGAD

F. No. S/12-Gen.-02/12-13 AM(X)

Date:05 .10.2012

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The monthly meeting of Permanent Trade Facilitation Committee (PTFC) was held on 27.09.2012 in the Conference Hall at the 5th floor of the Custom House. The meeting was presided over by the Commissioner of Customs (Export), JNCH. The following members attended the meeting:

Sr. No.	Name and Designation	Sr. No	Name and Designation
01	Shri Shankar Shinde, Raigad Chamber of Commerce & Industry	09	Shri K Ramakrishnan, MANSA
02	Shri Avinash B.Buge, JNPT	10	Shri Subhash Rajkumar, MANSA,
03	Shri K.M.Tope ,MSWC CFS	11	Shri Selva Fernando, MANSA
04	Shri Mohan Nihalani.President AIIEA	12	Shri Jacob Thomas, Punjab Conware
05	Shri Dinesh L.,BCHAA	13	Smt.Philomena Pereira, BCHAA
06	Shri Jude Fernandes , Indev Logistics	14	Shri Ajit Singh, ULA (Sr. Manager)
07	Shri Dhananjay J.,MSC INDIA	15	Smt. Shyamali Banarjee, Jt. Director, FIEO
08	Shri Paresh Shah, BCHAA	16	Shri Rajesh Bhatia, Director FIEO

2. The following officers from the Department side attended the meeting:-

Sr. No.	Name and Designation	Sr. No	Name and Designation
01	Shri Rajiv Kapoor, Addl. Commissioner of Customs (Export)	04	Smt. Chintha Anna Issac, Dy. Commissioner of Customs AM (X)
02	Shri Gyan Sarvar, Addl. Commissioner of Customs (Export)	05	Shri. Anil Chaudhary, A.O
03	Shri Pankaj Bodkhe, Joint Commissioner of Customs (Export)		

3. The Commissioner welcomed all the members and the meeting began by taking up the pending issues first.

4. The following points that were kept open in the last PTFC meeting held on 30.08.2012 were taken up for the discussion:-

4.1 Point: The Raigad Chamber of Commerce had earlier (PTFC meeting held on 26.04.2012 and subsequent meetings thereafter) requested that Goods may be allowed to be examined even without Delivery Order.

Reply: In reply, the Commissioner stated that after receiving negative comments from the CFS association, the matter has been taken up with Chennai Customs. Reply is awaited. Reminder has been sent on 24.08.2012. Shri Mohan Nihalani, President, AIIEA suggested that since the matter had all India ramifications hence the matter may be taken up with the Board. The suggestion of Shri Nihalani was accepted by the Chairman.

Point Open (ADC/AM)

4.2 Point: The members of the BCHAA re-iterated the point raised by them in the PTFC meeting held on 26.04.2012, 24.05.12 and on 28.06.2012 that the current EDI system selects the packages randomly for examination however it fails to differentiate between a package and a container, as a result of which the goods from several containers are picked up for examination pertaining to a single shipping bill.

Reply: The Commissioner replied that although this Commissionerate has already taken up the matter with the DG (Systems) however no reply has been received. He suggested that the issue may be taken up with the DG (Systems) by the various Federations of the members since the issue has all India ramifications.

Point Open (System Manager)

4.3 Point: Raigad Chamber of Commerce, raised a point (in the meetings held on 28.06.2012 and 30.08.2012) that the system is not updated for certain newly added items to the VKGUY scheme hence their members are facing problems

Reply: The Commissioner replied that although this Commissionerate has already taken up the matter with the DG (Systems) however no reply has been received. Shri Shanker Shinde, Member, Raigad Chamber of Commerce then stated that he had already met the System Manager who has assured to solve the issue shortly. The Commissioner then suggested that since the issue will be resolved by the System Manager hence the point maybe considered as closed. The members agreed to the suggestion.

Point Closed

4.4 The Cotton Textiles Export Promotion council (TEXPROCIL) members had earlier raised an issue that DFIA Licences of their members were not getting registered. The DGFT says that the licence has been transferred to Customs yet the same is not available on the Customs site. In such a situation, the exporter has to run from pillar to post for no fault of his reply. In reply to this point, Additional Commissioner Shri Rajiv Kapoor stated that he had already discussed this issue

of non transmission of licenses from DGFT to Custom House through ICE GATE with Shri Dhiraj Rastogi, Additional Director ,Systems. It was clarified that whenever the licence shows error code as “00”, then the license details may be referred to the helpdesk of ICEGATE at the e-mail address helpdesk@icegate.gov.in. The issue will be looked into by Systems Directorate and rectification done if the system shows any other error code,then the matter has to be taken up with DGFT for removal of errors. The section/Group is not in a position to resolve such issues. It was also suggested that the matter may be taken up with the DGFT. Shri Mohan Nihalani.President AIIEA then assured the members that the issue will be taken up with the DGFT in the next meeting.

Point Closed

4.5 The TEXPROCIL members also stated that drawback claims of M/s. Shankesh Industries and M/s. Vitthal Textiles Pvt. Ltd. are pending for a long time.

Reply; The Commissioner replied that Drawback claim of M/s. Vitthal Textiles Pvt. Ltd. has been processed and forwarded to the bank. As regard, M/s. Shankesh Industries, 9 out 13 claims have already been sanctioned and have been sent to the bank while remaining 4 are being processed. To this, the TEXPROCIL members stated that they have been informed by the concerned exporters that they have not received the drawback amount. The Commissioner then requested the members to check up with the Bank again since the Drawback claims have already been processed and the remaining also will be processed shortly.

Point Closed

4.6 Shri Mohan Nihalani, President had earlier vide letter dated 17.08.2012, submitted a point that some Officers were denying the Exporters the facility of prior exports and were insisting on the production of the original DFIA even though the para 4.12, Foreign Policy 2009-2014 permits the same. He stated although the issue had been resolved at the Customs level, the members were still facing some problems with the EDI system.

Reply- In reply Additional Commissioner Shri Rajiv Kapoor stated that this matter was also discussed with Shri Dhiraj Rastogi, Additional Director, Systems and he has assured to look into the issue.

Point Closed

5. The meeting then proceeded with the Commissioner reminding the members that although the Customs has started the 24X7 after vide facility however the response was not encouraging from the trade side. He requested all the members that they should create awareness among their members and encourage them to utilize the facility to the optimum.

Shri Paresh Shah, BCHAA, then raised an issue that though the morning shift starts at 8 o`clock, however the officers are arriving late and the work effectively begins at 10.30 only.

Reply; The Commissioner then stated that instructions will be issued to the Officers to be punctual in attending office.

Point Closed (ADC/P & E)

5.2 Shri Paresh Shah also raised the issue that the Officers posted for stuffing of export cargo were insisting on payment of Overtime Charges for goods to be stuffed after 6 PM. The members were of the opinion that since the new shifts have been fixed from 8 am to 8 pm, then the demand of payment of overtime were not justified.

Reply; In reply, the Commissioner stated that as the issue involved revenue, the members may give their representation in writing so that the matter can be taken up with the appropriate authorities.

Point Closed (ADC/AM)

6. Shri Mohan Nihalani, President AIIEA then proposed that as per the recommendations of Dr. Kelkar Committee, the Commissioner should form a Committee where all the stake holders are made members (including DGFT) and that their attendance in the meetings may be made compulsory and the minutes of the meetings held may be made binding on members of all the departments.

The Commissioner assured to look into the matter.

Point Open (ADC/AM)

7. Shri Pankaj Bodkhe, Joint Commissioner then invited the attention of all the members to the fact that lately there has been a spurt in the smuggling of Red Sanders from JNPT. He stated that when a case is detected, many times the intelligence wings of the Department have been unable to nab the real culprits because they are not traceable. This usually happens because the Importers/Exporters and the CHAs whose names appear on the bill of entry/shipping bill filed for importing/exporting these consignments, often claim that the said documents were not filed by them and that their name or the name of their firm has been misused by some unscrupulous elements to file such documents

8. He stated that importers/exporters and CHAs have been directed to visit the ICEGATE website (www.icegate.gov.in) daily and check the summary of bills of entry/shipping bills filed by them/ in their name from 'IEC wise summary report' and 'CHA wise summary report' menu available on the website, respectively and to convey the details of the bills of entry or the shipping bills which were not filed by them, but are shown against their name in the said summary reports immediately to the office of the concerned Commissioner of Customs, JNCH. It has also been observed lately that representatives of Foreign buyers have been able to book the containers on telephone. When such containers are intercepted, the representative/person who has booked the container simply disappears. This would not happen if the steamer agents/shipping lines/CHA/exporters strictly follow the guidelines stipulated in **P.N.No.15/2012 and 17/2012.**

9. He also informed the members that the Department is working on the concept of auto-mail, i.e. whenever any S/Bill or any B/E is filed by any person, an e-mail will automatically be sent to the registered e-mail of the concerned person/company however until the system of auto e-mail is developed, the members should inform/sensitize their members of the importance of following the KYC norms.

The meeting ended with vote of thanks to the chair.

The next PTFC meeting will be held in the same venue on 25.10.2012 at 11.30 A.M.
This issue with the approval of Commissioner of Customs (Export)

Sd/- dtd. 05.10.12
(RAJIV KAPOOR)
Addl. Commissioner of Customs
Appraising Main (Export)

To
All concerned, by email.

Copy submitted to:-
1.Chief Commissioner of Customs, Zone II .
2.Commissioner of Customs (Import)
3. Systems Manager, EDI
4. All Addl./Joint Commissioners (Exports), JNCH
5. All DCs/ACs (Export), JNCH
6. Copy to master file