



सीमाशुल्कआयुक्त (एनएस -III) कार्यालय
OFFICE OF THE COMMISSIONER OF CUSTOMS, NS-III
मूल्यनिरूपणमुख्य (आयात) APPRAISING MAIN (IMPORT)
जवाहरलालनेहरूसीमाशुल्कभवन, न्हावाशेवा,
JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA- SHEVA
ता. उरण,, TAL-URAN, जिलारायगड /RAIGAD -
400707, महाराष्ट्र MAHARASHTRA
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F.No. S/22-Gen-44/2017-18 AM(I)

Date :13.01.2018

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE HELD ON 25.01.2018.**

The PTFC meeting held on 25.01.2018 was chaired by Shri Vijay Singh Chauhan, Commissioner of Customs, NS-V, Shri Subhash Agrawal, Commissioner of Customs, NS-IV and Shri Utkaarsh Tiwari, Commissioner of Customs, NS-G. The meeting was attended by the following members/participants of trade:-

Sr. No.	Names (Smt./Shri/Ms./Mrs.)	Organization/Association/Designation
1	Ashish Pednekar	BCBA
2	Mohan Nihlani	AIIEA
3	Hiren Ruparel	BCBA
4	Tarun Goel	DRT CONCOR
5	Paresh Shah	WISA
6	Bhakshi Md. Hanif	MANSA/SAMSARA
7	Gururaj Kulkarni	DRT CONCOR
8	RaghavUchil	AMTOI
9	Mansih Kumar	MANSA
10	Umesh Grover	CFSAI
11	Laksha Tadadikar	CFSAI
12	Shankar Shinde	BCBA
13	Mrs. Ganguly	AWCBA
14	Ganpat P. Kavade	BCBA
15	V.K. Aggarwal	ONIDA
16	Ashish Chandra	SPEEDY
17	Capt. Sunny Williams	SPEEDY
18	RoshanIrani	AWCBA
19	S. C. Mohanty	MSWC CFS
20	Rajashekhar R.	UPL
21	Kiran Ugale	MSWC
22	Salim Shikalgar	CFSAI
23	S. Srinivas	CFSAI
24	Vinay Tandel	SPEEDY
25	Satyajeet Patra	ZIM/STAR

26	Anirban Ghosh	GTI
27	Prashant Mhatre	GTI
28	Sachin Parab	GTI
29	Om Prakash Agarwal	MSWA
30	Karunakar S. Shetty	BCBA
31	Sarfarz A. Khan	MACCIA
32	Ashok Saini	BCBA
33	Nirav Thakkar	24X7 Logistics Pvt. Ltd.
34	Girish Mhatre	AMEYA CFS
35	Manish Kumar	MANSA
36	Philumena Pereira	MACCIA

Following Officers from the department attended the meeting:-

Sr. No.	Names (Shri/Smt./Ms.)	Designation
1.	Dhirendra Lal	Addl. Commissioner of Customs, JNCH
2.	R. P. Khandelwal	Addl. Commissioner of Customs, JNCH
3.	Nikhil R. Meshram	Addl. Commissioner of Customs, JNCH
4.	Shamshad Alam	Addl. Commissioner of Customs, JNCH
5.	Alok Srivastava	Joint Commissioner of Customs, JNCH
6.	Kunal Kashyap	Joint Commissioner of Customs, JNCH
7.	S. Veeramuthu	Deputy Commissioner of Customs, JNCH
8.	Yudhast Kumar	Deputy Commissioner of Customs, JNCH
9.	Shweta Yadav	Deputy Commissioner of Customs, JNCH
10.	O. P. Yadav	Asstt. Commissioner of Customs, JNCH

2) The Addl. Commissioner of Customs, Appraising Main (Import), started the discussions related to the Agenda points of the meeting.

OLD POINTS

Point no. 1 to 6 represented by BCBA

Point no 1:-It is represented by the trade that SO No 33/2017 to be applicable for import covered under 100% EOU, DEEC, EPCG Advance Authorization and clear instruction to be issued to avoid any confusion.

Fact on the Matter:- The Chair informed the trade that the matter has been examined. Accordingly, a Standing Order no. 04/2018 dated 07.02.2018 has been issued to streamline the processing of requests of waiver of charges for late presentation of bill of entry.

[Point Closed]

Point no 2:- It is represented by the trade that there is increase in clearance of consignments requiring FSSAI NOC due to waiver being stopped. All shipments are subjected to testing. This has led to increase in dwell time i.e. 12-14 days.

Fact on the Matter:- The Chair informed the trade that recently two Public Notice nos. 09/2018 dated 12.01.2018 and 12/2018 dated 19.01.2018 have been issued, wherein a list of various items have been published, which are not subjected to FSSAI NOC. Moreover, the matter has been escalated to CCFC for further redressal.

[Point Closed]

Point no 3:- It is represented by the trade that the charges being recovered by DRT CFS are not as per their Public Tariff and very much on higher side, thus increasing transaction cost. It has been requested to take suitable action against DRT CFS for subletting to 3rd party which has already been represented by BCBA vide their letter no BCBA/GK/779/2017 dated 21.12.2017.

Fact on the Matter :- The Chair informed the trade that the audit of the DRT CFS was conducted by the Officers of CCSP Cell, JNCH, wherein it has been found that the said CFS has rented out the import warehouse amongst the three companies namely M/s. AFS Logistics International Pvt. Ltd., M/s. Global Logistic Solution India Pvt. Ltd., M/s. Gateway Maritime Pvt. Ltd. Moreover, as per the discussions and the papers collected during the course of audit, it was found that the above said three companies, to whom the space is rented out, pay a fixed monthly rent to the DRT CFS. Moreover, it has been found that the said CFS does not collect the charges directly from the importer but the same is collected by the above three companies on their letter head, which is found to be higher than what is paid to the said CFS. Further, the CFS has not taken permission from the Commissioner of Customs, Nhava Sheva General, JNCH.

The above action on the part of the CFS amounts warrants action under the regulation. Further action, i.e. issuance of Show Cause Notice in this regard to the CFS, is under process for violations of the HCCAR, 2009 and shall be issued shortly.

[Action: DC/ CCSP Cell]

Point no 4:- It is represented by the trade that due to stoppage of operations in CWC Impex Park, the importers are facing difficulty in clearance of consignments already landed there, as they are required to make all arrangement of handling on their own.

It is suggested that all the existing containers should be transferred to other CFS which are operative in en-block manner to enable the clearance. Trade should not be made to pay any additional cost for shifting & handling.

Fact on the Matter:- The Chair informed the trade that the above situation has arisen due to termination of contract between the CFS and the vendor on

28th October, 2017 as the said contract was not renewed by the vendor. During the meeting, it has been assured by the CFS Manager that if any of the importers approaches the CFS or send mail their request on cwccfsimpexpark@yahoo.co.in, then they will provide the logistics support to deliver the containers to the party. The Chair directed the DC/ CCSP Cell co-ordinate with the management of CWC Impex Park in this regard.

[Action: DC/ CCSP Cell]

Point no 5:- It is represented by the trade that ZIM Line are refusing to issue Advance E Delivery Order for DPD/CFS as per PN 27/2017.

Fact on the Matter :- The Chair informed the trade that the ZIM Line has started to issue Advance E Delivery Order and the same was accepted by all the representative present in the meeting.

[Point Closed]

Point no 6 represented by Sh Mohan Nihalani, president, AIIEA

Point no 6:- With regard to examination charges and Terminal charges it has been accepted by the department that the speedy CFS has indulged in overcharging and have agreed to refund the said amount. Merely refunding the amount overcharged is not enough. Accordingly, Customs Audit is required to be done about the rates charged by the said CFS in the matter of DPD containers. Shri Nihalani reiterated that strong punitive action must be taken against the said CFS. Moreover, he has also requested for the copy of the said Audit Report.

Fact on the Matter:- The Chair informed the trade that the audit of M/s. Speedy CFS has been done by the Officers of CCSP Cell and during the audit, CCSP team randomly checked & reconciled the invoices, which were enclosed with the complaint letter, with the tariff card of the CFS. He further informed that during the scrutiny, some discrepancies have been found. However, Shri Ashish Chandra, representative of the Speedy CFS denied all the allegations.

The Chair informed the trade that due process is taking its course and appropriate action will be taken in due course. The Chair further informed that copy of the said audit report will be given to Mr. Nihalani, once it is completed.

[Action: DC/CCSP Cell]

NEW POINTS

Point no. 1 to 3 represented by BCBA

Points represented by BCBA

Point no 1: It is represented by the trade that all EPCG Bs/E are being recalled and re-assessed provisionally due to some technical difficulties in system. We kindly request you to rectify the issue on priority as all the imports are linked to manufacturing and export.

Facts on the matter:- The Chair informed the trade that ICES 1.5 system was not showing debited IGST in duty foregone columns of the ICES 1.5 system and the LUT bond amount calculated by system was also not included the IGST duty, hence the matter was taken up with DG Systems. Now the system is showing debited IGST amount in the column of CVD forgone and LUT Bond is also being calculated and debited correctly, but the item ledger option of license management menu of the ICES 1.5 system is not being debited from the duty saved amount (BCD+IGST). In the case of default by EPCG License holder, the duty forgone amount is demanded which is ascertained from the item ledger option in the license management menu of 1.5 ICES system. Therefore, it is mandatory that the duty forgone amount should be debited in item ledger option of License Management menu of 1.5 ICES System. The Chair further informed that since the issue is having all India repercussion, the same has been taken up with DG Systems to sort out the issue.

[Point Closed]

Point no 2: It is represented by the trade that local testing of the imported material is being carried out as per the testing labs decided by ADC. This is leading to delay in generation of test reports.

The trade requested that the testing of imported local test samples should be carried out as per the importers choice of laboratory which is approved by ADC (whether Govt. or Pvt.).

Facts on the matter:- The Chair informed the Trade that as per rule 40 of Drugs & Cosmetics Act & Testing guidelines of CDSCO guidance documents 2011, imported drugs should be forwarded by ADC for testing to CDL/CDTL/RDTL/Govt. approved Pvt. testing laboratory depending on case to case basis.

[Point Closed]

Point no 3: It is represented by the trade that for import consignments which are facilitated under RMS, where sample to be tested by any PGAs, permission for the same is being given at the level of Addl. Commissioner. This is resulting in delay in clearance and increase of dwell time for RMS facilitated BE.

The Trade requested that in case of RMS facilitated Bs/E which require withdrawal of samples by PGAs, permission for opening of the container should be given by the concerned DC/ Docks.

Facts on the matter:- The Chair informed that an Standing Order no. 06/2006 dated 22.02.2006 was issued for implementation of RMS system in import. Para 8 of the said SO stipulates that “*docks officers may examine a consignment even if it is directly selected for OOC by the RMS, if they have valid reason for doing so. However, such examination should be done only after bringing the case to the notice of the ADC/JC (Docks). In case of accredited clients, it would require written approval of the Commissioner.*”

The Chair further informed that drawal of samples, which are to be tested by any PGAs is a routine work and accordingly, it should be provided

that the jurisdictional DC/Docks may give permission in this regard. The SO will be modified suitably.

[Action: DC/Appraising Main (Import)]

Point represented by Sh Mohan Nihalani, president, AIEA

Point no 4:- It is represented that any official sending a communication is to provide his/ her telephone number and email ID, besides name, for the sake of instant communication. This is also mandated in the rules stipulated by the PMO. However, in both the communications regarding this notice as well as the minutes this aspect is missing.

Fact on the Matter :- The Chair informed the trade that every communication invariably bear the telephone no. and the email-id of the Section. Also, e-mail ID and Phone no of all Group "A" officers are available on JNCH website in public domain. The Chair urged all officers to scrupulously comply with this suggestion.

[Point Closed]

3. The members of the meeting were informed that the next PTFC meeting shall be held on **22.02.2018 at 11:30 AM** at conference Hall, 7th Floor, JNCH. **All the Association members were requested to forward their agenda points, if any, at least 07 working days in advance by e-mail to Appraising Main (Import) Section on appraisingmain.jnch@gov.in for taking up the issue in the upcoming PTFC meeting.**

4. The meeting ended with thanks to the Chair.

5. This issues with the approval of the Commissioner of Customs, NS-III.

6. Minutes are placed on JNCH website and also being sent through emails to the members.

Sd/-

(N. Balram)

Deputy Commissioner of Customs
Appraising main (I), JNCH
(Tel: 022-27244837)

To,

All the Members of PTFC (through email)

Copy to (through email)

1. The Chief Commissioner of Customs, Mumbai Zone-II, JNCH, Sheva.
2. The Principal Addl. Director General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, Room No.138/139, New Custom House, Ballard Estate, Mumbai – 400 001 (mzu-dgtps@gov.in).
3. The Ombudsman, Indirect Taxes, Mumbai.
4. All Commissioners of Customs, Zone-II, JNCH, Sheva.
5. All ADC/JC, DC/AC of Customs (I, III, V), JNCH, Sheva.
6. DC/EDI for uploading on JNCH website.
7. Office Copy.