



सीमाशुल्कआयुक्त (एनएस -III) का 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,महाराष्ट्रMAHARASHTRA**

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F.No. S/22-Gen-44/2017-18 AM(I)

Date : .05.2018

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION**  
**COMMITTEE HELD ON 26.04.2018.**

The PTFC meeting held on 26.04.2018 was chaired by Shri Vijay Singh Chauhan, Commissioner of Customs, NS-V, Shri Subhash Agrawal, Commissioner of Customs, NS-III and Shri Utkaarsh R. Tiwaari, Commissioner of Customs, NS-G. The meeting was attended by the following members/participants of trade:-

Sr. No.	Names (S/Shri/Ms./Mrs.)	Organization/Association/Designation
1	Mohan Nihalani	AIIEA
2	Hiren Ruparel	BCBA
3	Ganesh N.	CDSO ADC(I)
4	James Joseph	CFSAI
5	V. K. Pancham	FSSAI
6	Paresh Shah	WISA
7	Raghav Uchil	AMTOI
8	Manish Kumar	MANSA
9	Manish D. Mhatre	MANSA
10	Venkat Narayan	CFSAI
11	R Rajasekhar	UPL
12	Mrs. Ganguly	AWCBA
13	Gaupat P. Korade	BCBA
14	Vinayak B. Aparaj	BCBA
15	Laksha Tadadikar	CFSAI
16	S.Srinivas	CFSAI
17	Roshan Irani	AWCBA
18	Vinay Pathak	BCBA
19	Neelesh Datir	AILBIEA
20	Kiran Ugale	MSWC
21	Unvi Nair	MANSA

Following Officers from the department attended the meeting:-

Sr. No.	Names (Shri/Smt./Ms.)	Designation
1.	R. P. Khandelwal	Addl. Commissioner of Customs, JNCH
2.	Dhirendra Lal	Addl. Commissioner of Customs, JNCH

3.	Shamshad Alam	Addl. Commissioner of Customs, JNCH
4.	Nikhil R. Meshram	Addl. Commissioner of Customs, JNCH
5.	Pritee Chaudhary	Joint Commissioner of Customs, JNCH
6.	Alok Srivastava	Joint Commissioner of Customs, JNCH
7.	Kunal Kashyap	Joint Commissioner of Customs, JNCH
8.	Rajiv Shankar	Joint Commissioner of Customs, JNCH
9.	Rohit Singla	Joint Commissioner of Customs, JNCH
10.	Kunal Anuj	Deputy Commissioner of Customs, JNCH
11.	S.K. Pandey	Assistant Commissioner of Customs, JNCH
12.	Jiji Jacob	Assistant Commissioner of Customs, JNCH

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

### **OLD POINTS**

**Point No. 1:- Filing of normal bills of entry in disguise of advance bill of entry-** The Chair invited the attention of the committee towards the said case detected during the Time Release Study, 2018, wherein it was revealed that some importers/custom brokers had filed normal bills of entry as advance bill of entry (without IGM) and later getting it regularized in system to evade late filing charges leviable in terms of Notification No.26/2017-Customs (NT) and 27/2017-Customs (NT) both dated 31.03.2017.

It was further informed by the Chair that Show Cause Notice in these cases will shortly be issued. Accordingly, the Chair advised the trade/ Customs Brokers to approach to the PCA section immediately and voluntarily pay the late filing charges in these cases before issuance of Show Cause Notice to avoid harsher penalty in these cases.

**(Action: BCBA & all the concerned importers and Customs Brokers)**

### **Points represented by BCBA**

**Point no 2:-** It is represented by BCBA that they are facing difficulty to get status of delivery at terminals as contact numbers of terminal are always found to be busy. The trade requested that SMS system should be started by all terminal for status of shipments.

**Facts on the matter:-** The Chair informed the Trade that except JNPT port terminal, the other terminals have informed that they provide the online tracking facility of imported containers with the help of which the exact status of the import containers can be ascertained conveniently. The Chair, therefore, informed that as there is already online facility in place, SMS facility may not be required. The Chair directed the DC/ P(G) to ascertain immediately as to whether such online facility is presently being provided by JNPT port terminal or not.

**[Action: DC/ P(G) & JNPT Port Terminal]**

**Point no 3:-** It is represented that they are facing difficulty to view balance in their PD Account. In view of increase in DPD, it should be viewed at the moment of login.

**Facts on the matter:-** The Chair informed the Trade that except JNPT port terminal, the other terminals have conveyed that they are undergoing some changes after which the facility of online checking the PD status can be initiated. The Chair directed the DC/ P(G) to take up this matter with Port Terminals for

speedy action. As no reply was received from JNPT port terminal, the DC/ P(G) was asked to pursue JNPT.

**[DC/ P (G) & Port Terminals]**

**Point no 4:-** It is represented that some certificate codes like EPR (Extended Producer Responsibility) are not available in E-Sanchit code list. The trade requested that the Groups may give order for verification at the time of OOC.

**Facts on the matter:-** The Chair informed the Trade that the matter has been mailed to Saksham Seva, New Delhi and ICEGATE helpdesk. The Chair directed DC/ EDI to put up reminder and follow up the matter. However, the trade may use the certificate code related to “**Product specification Report**” having code “**006000**” till the matter is resolved.

**[Action: DC/EDI]**

**Points represented by CFSAI**

**Point no 5:-** It is requested by CFS Association of India that Bank Guarantee may be returned of AEO compliant CFSs.

**Facts on the matter:-** The Chair informed the Trade that as soon as the CFS submits the supportive documents pertaining to Authorised Economic Operator status, the Bank Guarantees are being returned to respective banks for cancellation. It was further informed that the CCSP Cell has processed all the 07 such cases, wherein, the CFSs had submitted the supportive documents pertaining to AEO status. The Chair advised Other CFSs representatives to apply for AEO-LO.

**[Point Closed]**

**Points represented by MANSA**

**Point no 6:-** It is represented that in the past Containers destined to various ICDs were selected for scanning by means of Mobile / fixed Scanners. After the issue was taken up by MANSA representatives JNCH in consultation with the RMS (Risk Management Department) and Directorate of Systems had stopped such scanning except the Containers destined to ICD Mulund. These containers are selected always for mobile scanning but the Containers of Scrap Cargo, Department marks it for fixed scanning though it is chosen for mobile scanning by the system. As fixed scanning exists at a sight which is 12 km away from the Port. It is to be carried out under Customs escort which results in payment of additional charges for escorting and overtime on any working day only. Shipping Agents/Lines have to engage trailer to transport the container to and fro resulting in additional costs for scanning. In addition there are other charges incurred like Port storage, transportation, vendor service etc. For arranging this drill there is a need to obtain Custom permission and other scanning formalities resulting in engaging additional hand for doing this work by Ship Agent/Line. To eliminate this additional cost, the following suggestion is submitted for consideration:

A] Scanning should be done by mobile scanner only and if need arises 100% examination of the cargo may be conducted at ICD Mulund.

**OR**

B] Shipping Line should be allowed to move the Container from Port to the Fixed Scanning sight (12 km away at CWC Distripark CFS) without insisting on levy of charges for escort, overtime and any special permissions to be granted. You may consider obtaining an undertaking from Shipping Line / Agent that they will bring back the Container to the Port after the scan. The security of the

Container can be guaranteed by the intact seal and verification at the time of gating out / in the Port. Also Terminal should charge only one shifting charge instead of present system of two SSR charges. It should also be considered that such ICD Containers moved for fixed scanning should be done on top priority basis without necessitating staying in the queue for 24 to 72 hours which would render to incur additional charges.

**Facts on the matter:-** The Chair informed the Trade that the matter has been examined and it has been decided that there is no need for preventive escort in case of such scanning by fixed scanners.

**[Point Closed]**

**Point no 7:-** It is represented that IGM for all import containers to be discharged at gateway port is filed by the shipping line under the customs code of the said gateway port. Many a times shipping lines are requested by POL Shipper / Importer to make some corrections in IGM details, the amendment application is submitted by the shipping lines to the gateway customs as per simplified JNCH facility notice 47 / 2016 & CBEC Circular 14 / 2017. Earlier ICD Customs were making corrections in their local IGM basis on amendment approval of the gateway customs. Amendment was done by the ICD Customs only when containers were railed out for the ICDs before the amendment request was submitted to the shipping lines. Amendment was required to be done at one customs location only which was accepted by the other customs houses. But since last one year some ICD customs (Hyderabad, Aurangabad, and Ahmedabad etc.) are not making corrections in their local IGM basis of gateway customs approval, Shipping lines / importers are asked to submit amendment application again at ICD Customs. Even CBEC Circular 14 / 2017 is also not followed by these ICD customs houses; they adjudicate all the cases even in no fraudulent intention / no revenue implication cases also. Logically customs amendment / adjudication exercised by any customs house should be accepted by all respective customs houses. There is no logic in carrying out same amendment activity at multiple Customs Houses.

**Facts on the matter:-.** The representative from MANSA submitted representation with some specific cases. The Chair directed DC/ Import Noting to examine the same and take up the matter with the jurisdictional Custom Houses/ ICDs.

**[Action: DC/Import Noting]**

**Point no 8:-** It is represented that as per Board circular no. 20/2017 & JNCH Public Notice 70 / 2017, the online facility for generation of rotation number from ICEGATE was implemented 8 months back. There are few mandatory fields which are required to generate rotation number from ICEGATE. One of the mandatory fields is "Shipping Agent Code" which doesn't appear to those shipping lines who are not able to generate online rotation number under their ICEGATE login IDs.

As mentioned in MANSA's letter submitted to EDI department on 18<sup>th</sup> August 2017, following may be the possible reasons for some mandatory fields not appearing to few S/Lines.

- Some shipping lines may be registered as Shipping Line only; hence, shipping agent code is not reflected to those shipping lines.
- Some may be registered as Shipping Agent Only, Hence shipping line code is not reflected to those shipping lines.

This issue was discussed in the PTFC meeting held on 27<sup>th</sup> July 2017 where MANSA was guided to put up notes on this issue by mentioning names of the shipping lines/agents that are facing this problem and submit it to Jt. Commissioner, Preventive General. This point was wrongly minuted which stating

some shipping lines are not following JNCH PN instead of the system issue which was raised by our members. Also there is an issue with the present online rotation screen / rotation receipt which doesn't show vessel name. It shows IMO number of the vessel only. Many a times name of the vessel is changed by the new owner. The IMO number remains same in all vessel related documents. Sometimes transmission of vessel data from PCS Server to Customs server is delayed which is not visible to shipping lines. Due to this reason rotation number is generated for the wrong vessel name (old vessel name) which shipping lines get to know at the time of submission of sailing report by the boarding officer. ICEGATE /DG System should be requested to add vessel name also in rotation application form & rotation receipt generated from ICEGATE system.

**Facts on the matter:-** The Chair informed the Trade that the said point was also raised in the last CCFC meeting. The Commissioner of Customs (General) assured the Trade that the matter will be examined at the earliest. The Chair directed the DC/ P(G) to co-ordinate with EDI section and resolve the same before the CCFC meeting.

**[Action: DC/ P (G) & DC/EDI]**

**Points represented by Shri Mohan Nihalani, President, AIIEA**

**Point no. 8- Identification vis-a-vis official communication.**

It is noted that even in spite of directions given- officials are still not mentioning their identity and contact particulars. A case in point is this very communication regarding the Minutes. Corrective measures are required.

**Facts on the matter: A** Standing Order no. 55/2015 dated 21.12.2015 was earlier issued for such compliance. Moreover, an Office Note dated 23.04.2018 is also issued wherein it has been instructed to all the officers that instructions contained in SO 55/2015 should scrupulously be followed.

**[Point Closed]**

**NEW POINTS**

**Points represented by BCBA**

**Point no 1:-** It is represented by BCBA that it has been noticed in many cases that bill of entry is routed to any of the PGAs even then the Group Appraising Officers insist for NOC from PGAs.

**Facts on the matter:-** The representative of BCBA explained the matter that Group Officers give examination orders to "verify PGA NOC, if not waived by system", which is understood by the Docks Officer as NOC is to be verified even if it is not selected by SWIFT. The Chair informed the Trade that NOC must be verified if selected by SWIFT and not waived. Moreover, the Chair requested the BCBA to submit copies of such bills of entry, wherein PGA NOC was insisted even after it was waived by the PGAs, to examine the matter.

**[Action: BCBA]**

**Point no 2:-** It is represented by BCBA that Sample which are sent for test by FSSAI to any nominated labs, NOC is given by the FSSAI authorities in system. Trade is facing difficulties in selling the goods as buyer are insisting for copy of test report that the goods are duly released by FSSAI are tested and are of standard quality. Test reports should be given to Customs Broker/ Importer through mail at the time of release itself.

**Facts on the matter:-** The authorized representative of FSSAI informed the Committee that FSSAI NOC for Food items are issued based on parameters tested by NABL Laboratories. In Online FSSAI (FICS) system, when Laboratories complete the analysis, then they upload the report in the system and NOC is issued online. It was further informed that NOC/NCC can be viewed by CHA/Importer from their login id of FSSAI (FICS) and presently there is no provision to furnish Test report to CHA/Importer. The authorized representative further informed that they had taken up the matter to higher authorities in this regard.

**[Action: DC/ CCO]**

**Point no 3:-** It is represented by BCBA that Allied Agencies to be requested to issue SOP for those Bills of Entry which are not reflecting in their systems.

**Facts on the matter:-** The Chair had directed that the matter may be escalated to CCFC for further discussion.

**[Action: DC/AM(I)]**

**Point no 4:-** It is represented by BCBA that Certain CFSs are still not issuing E invoices online, invoices are forwarded only on demand.

**Facts on the matter:** The Commissioner of Customs (General) informed the Trade that most of the CFSs, barring some Govt. owned CFSs, are issuing the E-invoices online and the situation has been considerably improved in last 6 months. The Chair directed the CFSs to provide flow chart for generating the E-invoices online.

**[Action: CFSAI]**

**Point no 5:-** It is represented by BCBA that Charges pertaining to DRT CFS are being collected by 3<sup>rd</sup> Party.

**Facts on the matter:-** The Chair informed the Trade that the CCSP Cell has issued Show Cause Notice to DRT CFS in the said matter.

**[Point Closed]**

#### **Points represented by All Women Customs Brokers Association**

**Point no 6:-** It is represented that Shipping lines are not following PN No 01/2017 regarding choice of CFS by stating that the PN No.01/ 2017 has been challenged and the matter is *sub judice*. Therefore, till the disposal, they as line will continue to maintain our procedures for such 3<sup>rd</sup> party CFS IGM filing which has to be submitted 72 hours prior filing IGM failing which we have no choice but to file IGM to their line nominated CFS. Further, Shipping Lines required original bill of lading, advance charges to be paid, security deposit payable through demand draft. Shipping lines charge additional cost for choice of CFS other than nominated CFS. Shipping line refuse to give choice of CFS as they have nomination contract with CFS which is nothing but Kick back to shipping line by CFS authority.

Also, Director General of Shipping had issued DGS Circular no. 1 of 2016 according to which 25 head were pointed out and DGS had instructed shipping lines not to levy those 25 charges but shipping lines do not follow the same they have made a list of such charges will submit on the PTFC day.

**Facts on the matter:-** The Chair informed that the matter has been raised in the last CCFC meeting. The Chair directed that the matter may be taken up in the next CCFC meeting.

**[Action: DC/ Appg. Main(I)]**

### **Points represented by Shri Mohan Nihalani, President, AIIEA**

**Point no 7:-** It is represented by Shri Mohan Nihalani that the report in respect of Inspection of Speedy CFS No: S/5-Gen-254/17-18 CCSP Cell is undated. Further the said report brings out the unprofessional manner in which the said CFS is run. Some examples are, such as faulty and inadequate CCTV cameras, Staff not well versed in handling the said equipment and inadequate back up. Shockingly the boundary wall has a large hole. All the above point to security breaches.

It is clearly mentioned in the said Tender Documents and the Final Work Contract that the charges mentioned therein are all inclusive. In spite of this fact the said CFS has charged illegally extra for Transportation etc. This is a clear breach of contract. It is necessary that these illegally collected extra charges be duly refunded to the said Importers.

Also it was requested that the said CFS be penalised for such overcharging.

**Facts on the matter:-** The Chair informed that the Audit report has been issued with the approval of competent authority and it will be submitted to the Chief Commissioner of Customs, JNCH. Accordingly, the Chair advised Shri Nihalani to raise his objections before the Chief Commissioner.

**[Point Closed]**

**Point no 8 :-** It is represented by Shri Mohan Nihalani that the PN No. 57/2018 dated 10.04.2018 regarding procedure in relation to delivery of DPD containers, Designation of CFSs is welcome as it does away the monopoly of a particular CFS is concerned. However it is imperative that Customs must take due care so as to ensure that the said valuable goods are in safe hands.

Also proper monitoring of the concerned charges is required to prevent profiteering. It is the valid concern of the Government not only to reduce the dwell time but also bring down the transaction cost. This PN puts a heavy burden on CFS operators and Steamers Agents and other service providers to play fair.

**Facts on the matter:-** The Chair informed that the said Public Notice no. 57/2018 dated 10.04.2018 has been issued in order to provide level playing field to all the CFSs and the importer's choice for CFS selection is available to all the DPD containers.

**[Point Closed]**

### **NEW POINTS RAISED DURING THE MEETING**

**Point No. 9:-** It is represented by BCBA that the containers having unaccompanied baggage are directly moved to the designated Speedy CFS from port in spite of the same are selected for scanning. Thereafter it is being sent to fixed scanner as against the normal procedure, wherein the containers selected for scanning, are first scanned and thereafter sent to the CFS. It causes considerable delay in clearance. It is also informed that even if some of the containers selected for scanning, are not scanned and diverted for 100% examination u/s DC/ Docks, the CFS is collecting scanning charges

**Facts on the matter:-** The Chair directed the DC/ CCSP Cell to look into the matter and submit a report in this regard.

**[Action: DC/ CCSP Cell]**

**Point No. 10:-** It is represented by the Trade that there is some confusion regarding production of hard copies of documents after implementation of e-sanchit facility. The Trade requested to issue guidelines regarding necessity of production of hard copies of import documents at the time of assessment/ clearance.

**Facts on the matter:-** Public Notice No. 83/2018 JNCH dated 17.05.2018 has been issued in this regard.

**[Action: DC/ Appg. Main (I)]**

3. The members of the meeting were informed that the next PTFC meeting shall be held on **31.05.2018 at 11:30 AM** at conference Hall, 7<sup>th</sup> 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](mailto: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/-**

**(Sharad Ranjan)**

Asstt. Commissioner of Customs  
Appraising main (I), JNCH  
(Tel: 022-27244869)

**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](mailto: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, JNCH, Sheva.
6. DC/EDI for uploading on JNCH website.
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