



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 :19.04.2018

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE
HELD ON 28.03.2018.**

The PTFC meeting held on 28.03.2018 was chaired by Shri M.R. Mohanty, Commissioner of Customs, NS-II, Shri Vijay Singh Chauhan, Commissioner of Customs, NS-V, and Shri Utkaarsh R. Tiwaari, 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	Mohan Nihlani	AIIEA
2	Hiren Ruparel	BCBA
3	Amit Singh	DP World
4	Sanjeev Kabbur	DPW
5	Bhakshi Md. Hanif	MANSA/SAMSARA
6	Hitesh Shah	DPW
7	RaghavUchil	AMTOI
8	Manish Kumar	MANSA
9	Chetana Badheka	AWCBA
10	Venkat Narayan	CFSAI
11	Shankar Shinde	BCBA
12	Mrs. Ganguly	AWCBA
13	Victor Fernandes	MANSA
14	V.K. Aggarwal	ONIDA
15	Laksha Tadadikar	CFSAI
16	S.Srinivas	CFSAI
17	Roshan Irani	AWCBA
18	S. C. Mohanty	MSWC CFS
19	Neelesh Datir	AILBIEA
20	Pravin Surve	MNS
21	Vishwas Bhosle	MNS
22	D K Tewari	CSCA
23	Subhash Rajkumar	MANSA
24	V.M.Thomas	CSLA
25	Norman Fernandis	CSLA
26	Nimish Desa	WISA
27	Paresh K.	BCBA
28	Philomena Pereira	MACCIA
29	Ganpat Piraji Korade	BCBA

30	Om Prakash Agrawal	MSWA
31	Heiko Mohn	CSCA

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.	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.	Sandeep Yadav	Deputy Commissioner of Customs, JNCH
10.	Pallavi Gupta	Deputy Commissioner of Customs, JNCH
11.	Kunal Anuj	Deputy Commissioner of Customs, JNCH
12.	S.K. Pandey	Asstt Commissioner of Customs, JNCH
13.	Safruddin Ahmed	Asstt. Commissioner of Customs, JNCH
14.	Jiji Jacob	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:-It is represented that 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.

Fact on the Matter :-It is informed by DC/CCSP Cell that audit of M/s. Speedy CFS has been completed by the CCSP Cell and the copy of the said report has been provided to Shri Mohan Nihalani.

[Point Closed]

Point no 2: It is represented 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 RMS facilitated BE's which require withdrawal of samples by PGAs, permission should be given by the DC Docks.

Facts on the matter:- The matter was examined and it was decided to suitably amend the concerned Standing Order no. 06/2006 dated 22.02.2006. Accordingly, Standing Order no. 08/2018 dt. 27.03.2018 has been issued, wherein it has been stipulated that such permission can be granted by the concerned DC/AC (docks).

[Point Closed]

Point no 3:-It is represented that there are several instances of imports of wooden products wherein as per the Customs Tariff the UQC is "Kgs", whereas the unit price of transaction is on the basis of CBM, Pcs etc. The trade suggest that this CBM should be considered at the time of examination of the consignment.

Facts on the matter:- The Chair informed the trade that as the UQC for such items is “Kgs”, the same needs to be followed scrupulously.

[Point Closed]

NEW POINTS

Points represented by BCBA

Point no 1:- It is represented that in some cases where 1st importer fails to clear consignments, goods are sold to some other importer but NOC for clearance is denied by 1st importer. Though 1st importer is not in position to clear the goods yet he does not allow second importer to clear the same. The trade requested to issue necessary guidelines for clearance by 2nd importer in lieu of NOC by 1st importer.

Facts on the matter:- The Chair informed the Trade that the guidelines has already been issued for change / amendment in the name of consignee vide Facility Notice No. 47 of 2016 dated 15.03.2016, issued by the then Principal Commissioner of Customs (Gen), JNCH. The Chair reiterated that these guidelines are unambiguous and are being followed for processing any request for change / amendment in the name of consignee, received from shipping line.

[Point Closed]

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:- It has been informed by the Chair that the suggestion has been communicated to all terminals. Reply is awaited

[Action: DC/P(G) & Port Terminals]

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:- It has been informed by the Chair that the suggestion has been communicated to all terminals.

[Action: 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:- It has been informed by the Chair that the matter has been taken up with the DG/ System, New Delhi.

[Action: DC/ EDI]

Points represented by Bombay Metal Exchange

Point no 5:- It is represented by Trade that one of their members had cleared one small consignment of 1 ton Cobalt Briquette from JNPT Port. They had engaged carrier Shri Pansare Transport for onward delivery at their Bhiwandi Godown. The said carrier had paid Illegal tax of Rs.1700/-. Previously, they were charging Rs.800/- then increased to Rs.1200/- and now Rs.1700/-.

Facts on the matter:- It has been informed by the Chair that the matter is related to alleged illegal tax collection by private association and such issues could not be resolved in the PTFC Meeting. If required, the aggrieved person may approach local administration in this regard.

[Point Closed]

Points represented by CFSAI

Point no 6:- It is requested by CFS Association of India that Bank Guarantee may be returned of AEO compliant CFSs.

Facts on the matter:- The Chair directed DC/CCSP and DC/AEO to examine the matter and take necessary action.

[DC/CCSP and DC/AEO]

Points represented by MANSA

Point no 7:- 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:- It is informed by the Chair that a Public Notice no. 154/2017 has been issued regarding "*Selection and scanning of Mulund ICD bound containers at JNCH*", wherein detailed procedure on the subject matter has been prescribed. However, he directed the DC/EDI & DC/ P(G) to submit report regarding the process undertaken for scanning and escorting charges respectively.

[Action: DC/ CSD & DC/ P(G)]

Point no 8:- 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 Chair suggested that specific cases may be referred so that the matter could be examined. Necessary action will be taken, if required.

[Action: MANSA]

Point no 9:- 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 18th 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 27th 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:- It was informed that the matter has already been taken up with DG/System. The Chair directed DC, Preventive (G) to co-ordinate with EDI section and follow up the matter with DG/System.

[Action: DC/PG and DC/EDI]

Points represented by Shri Mohan Nihalani, President, AIIEA

Point no. 10- 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: 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. An office note is also being issued for compliance in this regard.

[Point Closed]

3. The members of the meeting were informed that the next PTFC meeting shall be held on **26.04.2018 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/-

(Jiji Jacob)

Asstt Commissioner of Customs

Appraising main (I), JNCH

(Tel: 022-27244860)

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.