



सीमाशुल्क आयुक्त (एन एस -I,IIIऔर V) का कार्यालय
OFFICE OF THE COMMISSIONER OF CUSTOMS, NS-I,III&V
मूल्यनिरूपण मुख्य (आयात) APPRAISING MAIN (IMPORT)
जवाहरलाल नेहरू सीमाशुल्क भवन, न्हावा शेवा,
JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA- SHEVA
ता. उरण,, TAL-URAN, जिला रायगड /RAIGAD - 400707,महाराष्ट्र
MAHARASHTRA
(e-mail: appraisingmain.jnch@gov.in Telephone No.022-27244979)

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

Date : 18.12.2017

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE HELD ON 30.11.2017.**

The PTFC meeting held on 30.11.2017 was chaired by Shri M.R. Mohanty, Commissioner of Customs, NS-II and Shri Utakarsh Tiwari, Commissioner of Customs, (G). The meeting was attended by the following members/participants of trade:-

Sr.	Names	Organization/Association/Designation
1.	Dushayant Mulani	BCBA
2.	Roshan Irani	AWCBA
3.	Chitna Bhadega	AIWCBA
4.	Christine Glenn	AIWCBA
5.	Shankar Shinde	BCBA
6.	R. Rajasekhar	UPL
7.	Nielesh Dalir	AILBIEA
8.	Philomena Pereira	MACCIA
9.	Raghav Udil	AMTOI
10.	Chetan Kotah	PICES ASSOCIATION
11.	Capt. S hulliaam	Speedy CFS
12.	Umesh Grover	CFSAI
13.	Umesh Shetty	CONTINENTAL CFS
14.	Jude Fernandis	CFSAI
15.	Navneet Lamba	GDL CFS
16.	Vinayak B.	BCBA
17.	Shashi Paul	DDC(I)
18.	Venkat Narayanan	(CFSAI)
19.	Sumeet Tanwar	APMTCFS-CFSAI
20.	S.Srinivas	SEABIRD CFSAI
21.	Ranji	CONTINENTAL CFCF
22.	Salal Shaikh	HAMUSA

23.	Vinay Tandel	SPEEDY
24.	MD Feroz	Al haq
25.	Vinay Painak	BCBA
26.	S. C. Mohanty	MSWC
27.	Mohan Nihalani	AIIEA
28.	Paresh Shah	WISA
29.	Nimish Desai	WISA
30.	Manish Jain	KML
31.	Sunil Kr. Chauhan	KML
32.	Ashok Saini	BCBA
33.	Nirav Thakher	BCBA
34.	Salim Shikalgai	CFSAI
35.	Prafulla Parel	BCBA
36.	Saurabh Bhagat	MICT

Following Officers from the department attended the meeting:-

Sr. No.	Names (Smt./Shri/Ms.)	Designation
1	Dhirendra Lal	Addl. Commissioner of Customs, JNCH
2	R. P. Khandelwal	Addl. Commissioner of Customs, JNCH
3	Md. Shamshad Alam	Addl. Commissioner of Customs, JNCH
4	Ms. Pritee Chaudhary	Jt. Commissioner of Customs, JNCH
5	Alok Srivastava	Jt. Commissioner of Customs, JNCH
6	Rohit Singla	Jt. Commissioner of Customs, JNCH
7	Rajiv Shankar	Jt. Commissioner of Customs, JNCH
8	S.Veeramuthu	Dy. Commissioner of Customs, JNCH
9	Ranjana Chaudhary	Asstt. Commissioner of Customs, JNCH

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

Old Points

Points No. 1:-

It is informed that RMS Cell insisting for EIR copy for scanning as there is P. N. 26/2017 & 165/2016 for DPD containers.

Action taken:-

The Chair informed the trade that the issue is under consideration and directed the ADC/RMS Facilitation Cell to develop the necessary SOP for smooth clearance of cargo.

[Action: ADC/RMS Facilitation Cell, NS-III]

Points No. 2:-

It has been informed by Shri Mohan Nihalani that Speedy CFS is overcharging in case of DPD Containers.

Action taken:-

The Chair informed the trade that alleged instances of overcharging have been examined by the department. The details are as under:

- (i) It has been found that the said CFS was charging as per prescribed rates towards pick-up the containers from the terminal to the CFS and one day ground rent. The excess amount of Rs. 104.04 was due to increase in the tax rate from 15% to 18%.
- (ii) It has been found that the said CFS has overcharged towards customs examination charges. In the instant case, only two containers were selected for examination, whereas the CFS had collected customs examination charges towards all the 10 containers and thereby collected excess amount of Rs. 4304.34. The General Manager, Speedy CFS has agreed to refund the excess amount to the importer.
- (iii) M/s. GTI terminal had raised an invoice of Rs. of Rs. 8907/- to the said CFS in respect of DPD containers diverted to the CFS, for customs clearance after stipulated 48 hours for collection of ground rent. However, it has been found that an amount of Rs. 26716.38 (an excess amount of Rs. 16206/-) has been collected by the CFS. The said CFS has conveyed that excess amount was collected due to data entry error and they have agreed to refund the said amount to the client.

The Chair informed the Trade that if similar instances of overcharging is reported then the same would be examined and stringent action will be taken against CFSs under the Handing of Cargo in Customs Area Regulations, 2009.

[Point Closed]

Points No.3:-

It is informed by the trade that in case of shipments of Pharma products which are imported on re-export basis, the ADC authorities are insisting on providing Shipping Bills Nos., to give NOC. We suggest that re-export takes place at a later date and hence the NOC for import should be given without insisting for shipping Bill No.

Fact on the matter:

The representative of Assistant Drug Controller (ADC) informed that they are in the process of starting practice of accepting an undertaking on importer's letter head. It was further submitted by ADC that the undertaking in the subject matter should contain specific clause stating that the importer shall re-export the whole quantity of drugs imported and the concerned shipping bill will be referred to ADC for obtaining export NOC.

[Point Closed]

New Points

Points No.1:-

It is represented by the trade that Import of perishable products such as apple, dates, etc. are facing delay in clearance due to difficulty in getting timely appointment with FSSAI for certificate of Analysis and have requested to appointment should be given immediately as the import of perishable products stands risk of getting deteriorated due to delay.

Fact on the matter:

The Authorized Officer, FSSAI informed the Chair that the appointment for drawing of samples is given after scrutiny of applications and payment of applicable charges on the same day. He informed that the testing of the samples is done in accredited labs and it takes around at least one week time to get the test reports. He further informed that as soon as the confirmatory test report is fed in the system, the Bs/E are automatically released by FSSAI without manual intervention. Therefore, he asserted that the delay is not on their part but due to the laid down procedure. He further, informed that they are unable to reduce the dwell time of one week in this matter. The Chair expressed his displeasure over dwell time being taken by the FSSAI and directed that the matter may be escalated to CCFC for further discussion.

[Action: DC/Appraising Main (Import)]

Points No. 2 :-

It is represented by the trade that during the time of sending samples for testing, appraising officers are asking for multiple parameters to be tested with DYCC. This is leading to delay in clearance of imported consignments, particularly pertaining to synthetic waste (Group III). They have requested that at the time of sending the samples for testing only relevant parameters be asked.

Fact on the matter:

The trade informed the Chair that 15 Parameter are being asked by the Group Officer and only 02 parameters are being replied by the DyCC which is sufficient for policy angle as well as Revenue angle. The Chair informed the trade that classification of synthetic/ acrylic waste require multiple test as stipulated in Note 1 of Chapter 55 and matter is being examined so as to ascertain the minimum parameters which are required to be ascertained by way of testing.

[Action:DC/Group III]

Points No.3 :- It is represented by the trade that unrelated items being marked to PGAs which have no connection with the imported items. They have suggested to take up issue with Single Window Authorities to ensure that only related items are marked to the concern PGAs.

Fact on the matter:

The Chair informed the trade that on contrary, FSSAI authorities have reported that various imported items which come under the purview of FSS Act are not marked to them by the system. The Chair directed to escalate this issue in CCFC meeting for further discussion.

[Action: DC/Appraising Main (Import)]

Points No.4 :- It is represented by the trade that an erroneous entry in CBEC Notification No 50/2017 (Sr. No. 169) is noticed. In CBEC Notification, the rate of duty indicated is 7.5% whereas the standard rate of duty and duty reflected in the system is 5%. They have suggested that to take up the issue with CBEC to rectify the situation and bring clarity regarding the actual rate applicable for the items under CTH 28.

Fact on the matter:

The Chair informed the trade that the matter has already been forwarded to DG (system) and TRU for necessary action and directed the EDI/JNCH to monitor the issue till it is resolved.

[Point Closed]

Points No.5 :- It is represented by the trade that there is delay at R Scanning Facility at CWC Distripark. Sometimes it takes as much as 3 to 5 days for some containers and trade incurring monetary loss. They have requested to consider issuing standing instruction that in case the pendency increases to 200 containers, permission for 100% examination as per PN 107 of 20.10.2010 should be given. Further, they have suggested to introduce registration/token system so that unscrupulous vehicles could not break the queue.

Fact on the matter:

The Chair informed the trade that a meeting in this regard has been conducted by JC/CSD with the stakeholder. The AC/CSD informed the trade that CSD has been taking all possible measures to reduce the delay in scanning at R-scanner by working to the full capacity of the scanner. Whenever any delay in scanning occurs on account of the Scanner being non-operational for more than 04 hours, the containers selected are being diverted for 100% examination under DC/AC's supervision in their respective CFS in lieu of scanning, in terms of PN 107/2010 dated 20.10.2010. The AC/CSD further informed the trade suitable steps have been taken to tackle with the problem of queue breaking.

The Chair informed the trade that these problems would be sorted out once the new scanner is installed in recent future.

[Point Closed]

Points No.6 :- Container Freight Stations Association of India (CFSAI) have raised the issue regarding E Invoice and E payments facility. CFSAI has informed that they have prepared for implementation of this facility. However, many CBAs have send requests to Member CFSs to work on manual system and get Proforma invoice as an e-mail attachment and also prefer to pay CFS charges by cheque.

Fact on the matter:

The Chair informed the trade that there is a digital platform available and trade has demanded advance invoicing for a long time and CFSAI has promised to do it. The Chair encouraged the trade to start using this facility.

[Point Closed]

Points No.7:- Container Freight Stations Association of India (CFSAI) has raised the issue of deplorable condition of road at JNPT location and has sought JNCH's intervention to take up the matter with CIDCO & NHAI.

Fact on the matter:

The Chair informed the trade that this matter doesn't come under the preview of PTFC, therefore, it may be escalated to CCFC for further discussion.

[Action: DC/Appraising Main (Import)]

Point No. 8. Shri Mohan Nihalani has represented that their country's ranking in "Ease of Doing Business" has improved by 30 points. However, in so far the "Customs component is considered it has slipped from 140 to 146. Their analysis shows that there is still harassment and delay at the cutting edge and operational level and have suggested that every case of delay should be SUO MOTO investigated by the senior officials.

Fact on the matter

The Chair informed that every complaint of harassment and delay is thoroughly investigated and appropriate action is taken by the Department.

[Point Closed]

3. The members of the meeting were informed that the next PTFC meeting shall be held on 28.12.2017 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/-

(S. VEERAMUTHU)

Deputy Commissioner of Customs
Centralized Appraising main (Import)
NS-I, III & V JNCH/022-27244779

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.