

**OFFICE OF THE COMMISSIONER OF CUSTOMS (NS-IV)
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F.No. S/12-Gen-02/2017-18 AM(X)

Date: 04.01.2018

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE
(EXPORT) HELD ON 28.12.2017.**

The PTFC meeting held on 28.12.2017 was chaired by. Shri M. R. Mohanty, Commissioner of Customs, NS –I & II. The meeting was also 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	Ajjay Aggarwal	BALAJI MOBITECH PVT. LTD.
4	Paresh Shah	WESA
5	Bhakshi Md. Hanif	MANSA/SAMSARA
6	James Joseph	CFSAI/GDL
7	Raghav Uchil	AMTOI
8	Mansih Kumar	MANSA
9	Umesh Grover	CFSAI
10	Venkat Narayan	CFSAI
11	Shankar Shinde	BCBA
12	Mrs. Ganguly	AWCBA
13	Dushyant Mulani	BCBA
14	V.K. Aggarwal	ONIDA
15	Laksha Tadadikar	CFSAI
16	Milan Desai	WISA
17	Roshan Irani	AWCBA
18	S. C. Mohanty	MSWC CFS
19	Neelesh Datir	AILBIEA
20	Navneet Lamba	GDL CFS
21	Salim Shikalgar	CFSAI

Following Officers from department also attended the meeting:–

Sr. No.	Names (Shri/Smt./Ms.)	Designation
1.	Subhash Agrawal	Commissioner of Customs NS-IV
2.	V. S. Chauhan	Commissioner of Customs NS-V
3.	Dhirendra Lal	Addl. Commissioner of Customs, JNCH
4.	Nikhil R. Meshram	Addl. Commissioner of Customs, JNCH
5.	Shamshad Alam	Addl. Commissioner of Customs, JNCH
6.	Pritee Chaudhary	Addl. Commissioner of Customs, JNCH
7.	Rohit Singla	Joint Commissioner of Customs, JNCH
8.	Alok Srivastava	Joint Commissioner of Customs, JNCH
9.	Rajiv Shankar	Joint Commissioner of Customs, JNCH
10.	Kunal Kashyap	Joint Commissioner of Customs, JNCH
11.	S. Veeramuthu	Deputy Commissioner of Customs, JNCH

12.	Yudhast Kumar	Deputy Commissioner of Customs, JNCH
13.	O. P. Yadav	Assistant Commissioner of Customs, JNCH
14.	Shweta Yadav	Assistant Commissioner of Customs, JNCH

2. Deputy/Assistant Commissioners of Customs, in charge of Import/Export Docks under JNCH, also attended the meeting.

3. At the outset, the Chairman welcomed all the members. The Commissioner NS-V and Commissioner NS-IV informed about the upcoming time release study to be undertaken from 01.01.2018 to 07.01.2018 for the import and export consignments respectively and requested to co-operate in the exercise. The agenda points relating to Import Commissionerate were discussed first, and then following agenda points of the Export/General commissionerates were deliberated upon.

4. The discussion & decision in respect of Agenda points pertaining to NS-G, NS-II & NS – IV Commissionerates are as under:-

OLD POINTS

Point No. 1: Opening of RMS containers for inspection as per process erstwhile prevalent on random opening of self-sealed containers:-

Request: There have been instances when shipments under RMS, the containers are directed to be opened for inspection as per the process erstwhile prevalent on random opening of self-sealed containers. This procedure needs to be reviewed in the revised context.

Discussion: As regards containers stuffed/sealed under physical supervision of Central Excise/GST authorities, instructions would be issued by NS-G Commissionerate. Further, it was communicated that the self-sealed containers, if selected for examination by the system, will continue to be examined in the CFS, till the examination facility is not available in the Parking Plazas.

[Issue closed]

Point No. 2: Permission to use bottle seals for some time with respect to a few ISO where the LID are not large enough to match the required diameter of RFID seals:- in such cases request was to continue use of bottle seals for some time till modifications in the lids are done.

Request: Permission to use bottle seals for some time with respect to a few ISO where the LID are not large enough to match the required diameter of RFID seals. In such cases, the trade requested to permit to continue use bottle seals for some time till modifications in the lids are done.

Status: Vide Board Circular No. 51/2017, the Board has extended the deadlines to implement the RFID E-Seal. Accordingly Public Notice no. 160/2017 dated 27/12/2017 has been issued.

Discussion: As the deadline for mandatory E-sealing has been extended by Board, there is no immediate issue. However, necessary steps have to be taken by the shipping lines and exporters for providing necessary specifications to e-seal vendors.

[Issue closed]

Point No. 3: RFID containers once LEO is issued and if the container is shutout, process that is needed to be followed has to be prescribed.

Request: RFID containers once LEO is issued and if the container is shutout process that is needed to be followed has to be prescribed.

Status: The detailed procedure has been described in the PN 03/2017.

Discussion: The procedure has already been prescribed in the PN 03/2017 dated 09.01.2017.

[Issue closed]

Point No. 4: Hazardous cargo in ISO tanks as sampling in the customs area pursuant to an open order was not practical we were advised to dispatch the same under excise supervision, in the current context under RFID Sealing it will be essential to have the process redefined.

Request: Hazardous cargo in ISO tanks as sampling in the customs area pursuant to an open order was not practical and exporters were advised to dispatch the same under excise supervision, in the current context under RFID Sealing it will be essential to have the process redefined.

Status: Hazardous cargo is dealt as per the Public Notice 46/2017 dated 31/03/2017.

Discussion: The issue of delay because of scanning of hazardous cargo of categories other than 5.8 & 9 was discussed and it was informed that more scanners are coming up and the export consignments are being given priority for scanning.

[Issue closed]

Point No. 5: Requirement of Form E -13 for export cargo at time of entry of goods at Parking Plaza and for generation of LEO.

Request: Endeavour of creation of Parking Plaza was to facilitate smooth processing of export cargo. The Officers should not insist on Form E – 13 for export cargo at time of entry of goods at Parking Plaza and for generation of LEO (Reference PN No. 73/2017).

Status: At the time of entry of the container inside the Parking Plaza, the Gate Officer is not insisting on Form 13. Only at the time of granting of LEO, Form 13 is being insisted because after LEO generation, container should not unnecessarily wait outside the Customs Premises/Port Area posing such containers vulnerable for fraudulent activities/risks. Exporters are advised to plan their exports in such a way that their containers reach the port at the closest possible dates of shut out with some additional time to avoid the eleventh hour rush. Hence it is in the interest of the exporters to seek LEO with Form E 13.

Discussion: The container cannot move to the port, even after Let Export Order, unless the officer allows the same in the port system. For permitting the movement in the port system, the Form E 13 is necessary. However, representatives of trade were advised to suggest some alternative ways in order to dispense with the requirement of Form E 13 before grant of LEO, but also to ensure that containers don't leave parking plaza, unless Form E 13 is obtained.

[Attn. DC/Parking Plaza]

Point No. 6: Procedure for examination/opening of containers in case of instructions in EDI system.

Request:- There is requirement of laying down procedure for examination/opening of containers in case of instructions in EDI system.

Discussion: The issue has already been discussed at point No 1 and 4.

[Issue closed]

Point No. 7: Concerns with Electronic Sealing of Containers in terms of Public Notice No. 26/2017 with regard to frozen sea food :-

Request: The trade members informed that examination of cargo would take place at port in ambient conditions which could mean high temperature and dusty dirty conditions. The temperature during summer can exceed 45 degrees Celsius. As one opens the container hot air rushes in. This hot air would condense around the cartons of frozen fish and damage the cartons. The air would cause condensation which would refreeze on the refrigeration units affecting the efficiency of the refrigeration unit. In all probability the container would arrive at destination 5 to 10 degrees higher

than the stipulated minimum temperature, and this would result in rejection by overseas health authorities. There are also possibilities of wind-blown dust as well as insects entering the container. It is requested to review procedures and exempt frozen fish products from the examination at port or continue with old system of sealing containers under supervisions of their officers or any other procedure may be followed.

Status:Public Notice No. 35/2017 deals with the export of factory stuffed refrigerated containers. In case of electronically self sealed containers, the container has to be taken to CFS for examination as per PN 35/2017 till further procedure is established.

Discussion: The requisite infrastructure for examination of cargo contained in refrigerated containers is yet to be provided by the CFSs and till then there is no option but to use the existing facilities. **[Issue closed]**

NEW POINTS

Point No. 8: Examination Order may be waived on viewing CCTV footage of stuffing:-

Request: The trade member requested that on undertaking from shipper, stuffing is under surveillance of CCTV and system generated examination order may be waived on viewing CCTV footage.

Status: This issue of waiver of system generated examination order was taken up in the last PTFC meeting and is pending as old Point No 1, 4 and 6.

Discussion: The issue has already been discussed at point No 1 and 4.

[Issue closed]

Point No 9:Refer Containers to be allowed in the port after LEO:-

Request: The trade member informed that refer containers are permitted to enter port 48Hrs prior cut off, which is very short. After obtaining LEO, the refer container is out from the Parking Plaza and if for any reason, the same could not enter the port, it has to return to Parking Plaza, where no plugging facility is available and it is difficult to maintain the temperature of the cargo.

Status: Public Notice No. 03/2017 provides a procedure.

Discussion: The procedure has already been prescribed in the PN 03/2017 dated 09.01.2017.

[Issue closed]

Point No 10:LEO should be granted within 1 hour of documents submission:-

Request: The BCBA requested that for timely processing of export documents, the LEO should be granted within 1 hour of submission of documents with the officers at Parking Plaza.

Status: In the Parking Plaza the documents are being attended on first come first serve basis. For the convenience of trade and to reduce the dwell time, Parking Plaza are being manned 24 * 7. In case of normal rush, the total time taken by Customs, i.e., from documents submission to Gate Officer to LEO generation, takes less than 30 minutes and in case of refer containers this is even lesser as these are attended on priority basis.

Discussion: The trade demanded to post more staff in Parking Plazas for speedy clearance. The matter was discussed and no specific instance of delay in grant of LEO by the Customs was brought to the notice. The staff is being used optimally and the service at Parking Plazas is being provided round the clock. However, the issue would be examined.

[Attn. DC/Parking Plaza]

Point No 11:The Registration and LEO of Shipping Bill should be granted without Form E 13:-

Request: The BCBA had made a request that the registration and LEO of Shipping Bill should be granted without waiting for Form E 13 and this will reduce the dwell time for exports.

Status: This issue was taken up in the last PTFC meeting and is pending as old Point No 5.

Discussion: The issue has already been discussed at point No. 5.

[Issue closed]

5. The members of the meeting were informed that the next PTFC meeting shall be held on **25.01.2018 at 11.30hrs at Conference Hall, 7th Floor, JNCH**. The Chairman requested all the Members to forward their agenda points, if any, at least **07 working days in advance** on Fax No. 022-27241256 or by e-mail to Appraising Main (Export) Section on apmainexp@jawaharcustoms.gov.in for taking up the issue in the upcoming PTFC meeting.

6. The Chairman wished Happy New Year to all the participants.

7. This issues with the approval of the Commissioner of Customs, NS-IV.

Sd/-

(R. P. KHANDELWAL)

Addl. Commissioner of Customs,
Appraising Main (Export),
NS-IV, JNCH.

To,All theMembers of PTFC.

Copy to:-

1. The Chief Commissioner of Customs, Mumbai Customs Zone-II, JNCH, NhavaSheva.
2. The Principal Commissioner of Customs, NS-I, JNCH, NhavaSheva.
3. The Chief Commissioner of Customs, Directorate General of Taxpayer Services, CR Building, IP Estate, New Delhi 110 109.
4. The Pr. Addl. Director General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, Room No. 138/139, New Custom House, Ballard Estate, Mumbai.
5. The Commissioner of Customs (NS-G & IV, II, III, V), JNCH, NhavaSheva.
6. All ADC/JC, DC/AC of Customs (N.S.-Gen, II & IV), JNCH, NhavaSheva.
7. DC/Appraising Main (Import), JNCH.
8. AC/EDI for uploading on JNCH website.
9. Office Copy.

**AGENDA POINTS FOR MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE (EXPORT) TO BE HELD ON 28.12.2017.**

OLD POINTS

Point No. 1: Opening of RMS containers for inspection as per process erstwhile prevalent on random opening of self-sealed containers:-

Request: There have been instances when shipments under RMS, the containers are directed to be opened for inspection as per the process erstwhile prevalent on random opening of self-sealed containers. This procedure needs to be reviewed in the revised context.

[Attn. DC/Parking Plaza]

Status: As promised by the Commissioner(G) in the meeting, the containers stuffed/sealed under physical supervision of Central Excise/GST authorities are exempted from examination.(As reported by NS-G).

Point No. 2: Permission to use bottle seals for some time with respect to a few ISO where the LID are not large enough to match the required diameter of RFID seals:- in such cases we may be permitted to continue use bottle seals for some time till modifications in the lids are done.

Request:Permission to use bottle seals for some time with respect to a few ISO where the LID are not large enough to match the required diameter of RFID seals.In such cases, the trade requested to permitto continue use bottle seals for some time till modifications in the lids are done.

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Point No. 3: RFID containers once LEO is issued and if the container is shutout, process that is needed to be followed has to be prescribed.

Request: RFID containers once LEO is issued and if the container is shutout process that is needed to be followed has to be prescribed.

[Attn. DC/Parking Plaza]

Status:The detailed procedure has been described in the PN 03/2017. For specific cases, separate instructions will be issued.

Point No. 4: Hazardous cargo in ISO tanks as sampling in the customs area pursuant to an open order was not practical we were advised to dispatch the same under excise supervision, in the current context under RFID Sealing it will be essential to have the process redefined.

Request:Hazardous cargo in ISO tanks as sampling in the customs area pursuant to an open order was not practical and exporters were advised to dispatch the same under excise supervision, in the current context under RFID Sealing it will be essential to have the process redefined.

[Attn. DC/Parking Plaza]

Status:Hazardous cargo is dealt as per the Public Notice 46/2017 dated 31/03/2017.

Point No. 5: Requirement of Form E -13 for export cargo at time of entry of goods at Parking Plaza and for generation of LEO.

Request: Endeavour of creation of Parking Plaza was to facilitate smooth processing of export cargo. The Officers should not insist on Form E – 13 for export cargo at time of entry of goods at Parking Plaza and for generation of LEO (Reference PN No. 73/2017).

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Status:At the time of entry of the container inside the Parking Plaza, the Gate Officer is not insisting on Form 13. Only at the time of granting of LEO, Form 13 is being insisted because after LEO generation, container should not unnecessarily wait outside the Customs Premises/Port Area posing such containers vulnerable for fraudulent activities/risks. Exporters are advised to plan their exports in such a way that their containers reach the port at the closest possible dates of shut out with some additional time to avoid the eleventh hour rush. Hence it is in the interest of the exporters to seek LEO with Form E 13.

Point No. 6: Procedure for examination/opening of containers in case of instructions in EDI system.

Request:- There is requirement of laying down procedure for examination/opening of containers in case of instructions in EDI system.

[Attn. DC/Parking Plaza]

Status:All the containers stuffed / sealed under physical supervision of Central Excise/GST authorities are exempted from examination. However, self-sealed containers are subjected to examination in case of EDI Instructions. .

Point No. 7: Concerns with Electronic Sealing of Containers in terms of Public Notice No. 26/2017 with regard to frozen sea food :-

Request: The trade members informed that examination of cargo would take place at port in ambient conditions which could mean high temperature and dusty dirty conditions. The temperature during summer can exceed 45 degrees Celsius. As one opens the container hot air rushes in. This hot air would condense around the cartons of frozen fish and damage the cartons. The air would cause condensation which would refreeze on the refrigeration units affecting the efficiency of the refrigeration unit. In all probability the container would arrive at destination 5 to 10 degrees higher than the stipulated minimum temperature, and this would result in rejection by overseas health authorities. There are also possibilities of wind-blown dust as well as insects entering the container. It is requested to review procedures and exempt frozen fish products from the examination at port or continue with old system of sealing containers under supervisions of their officers or any other procedure may be followed.

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NEW POINT

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