

# MINUTES OF PTFC MEETING (EXPORT) HELD ON 24.02.2015

OFFICE OF THE COMMISSIONER OF CUSTOMS (N.S.-IV)  
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA  
TAL: URAN, DIST-RAIGAD, MAHARASTRA-400707.

F. No. S/12-Gen-40/2014-15 AM(X)

Date: 19.03.2015

## MINUTES OF PTFC MEETING (EXPORT) HELD ON 24.02.2015

The monthly meeting of Permanent Trade Facilitation Committee (PTFC) (Export) was held on 24.02.2015 at 11.30 AM in the Conference Hall at the 7th floor of the Custom House. The meeting was conducted by Shri S.H. Hasan, Commissioner of Customs (N.S. – II & Gen), JNCH.

### The following members of trade attended the meeting:

Sr. No.	Name and Designation	Sr. No.	Name and Designation
01	Shri Milan Desai.	05	Shri R.K.Robin.
02	Shri Hiren Ruparel, BCHAA	06	Shri Paresh Shah, BCHAA
03	Shri Suresh Dalvi, Indian Seaways	07	Shri Rajesh Gosalia, BCHAA.
04	Shri Philomena Pereira, WISA	08	Shri Manish Kumar, MANSA

### 2. The following officers of the Department attended the meeting:-

Sr. No.	Name and Designation	Sr. No.	Name and Designation
01	Shri Subhash Agrawal, Commissioner of Customs (N.S.-IV).	04	Shri A.K. Goel, Joint Commissioner of Customs.
02	Shri A.J.Verma, Addl. Commissioner of Customs.	05	Shri O.P.N.Singh, Deputy Commissioner of Customs.
03	Dr. Ashir Tyagi, Addl. Commissioner of Customs.		

3. The Commissioner welcomed all the members and the meeting commenced with taking up the pending issues.

### 4. The following old points from the last PTFC meeting held on 29.01.2015 were taken up for discussion:-

**Point 4.1:** MANSA vide their letter dt. 17.06.2014 has raised a point in respect of difficulties faced in getting the Shipping Bills amended/split and consequent delay in filing of EGM filed in the case of shutout/part cargo loading. With reference to the [P.N 36/2004](#) dated 08.07.2004 they have stated that the procedure of amending/splitting Shipping Bill as prescribed in the said P.N is time consuming. They have requested to re-visit the terms/requirements as required to be followed as per the [P.N. 36/2004](#) and to simplify the procedures therein.

Reply: MANSA has been requested to come up with legally sustainable modalities that can be considered while amending the earlier [P.N. 36/2004](#) dated 08.07.2004. The issue would then be examined in detail in consultation with DC/ EDI and DC/Export Docks to work out a suitable solution.

**(Action DC/EDI & DC/Export Docks)**  
**(Point Closed)**

**5. The following fresh points came up for discussion in the present PTFC meeting:**

Point 5.1: Shri Nimish Desai, Western India Shippers' Association (WISA), vide e-mail dated 07.02.2015, raised an issue regarding present procedure for SEZ clearance. It was informed that as per the present procedure a Bill of Entry is filed in SEZ and assessed by the officers of Customs/Excise posted there. Thereafter, the same is forwarded to JNCH-the gateway port in a sealed envelope for making necessary endorsements for forwarding the goods to concerned SEZ. However, before that, IGM is required to be amended from 'local cargo' to 'SMTP' by obtaining amendment request from the shipping line. This is a major impediment in smooth clearance since shipping lines invariably puts forth unreasonable and untenable conditions and also demand exorbitant money to issue an amendment request. He has further informed that the contract between shipper and the shipping line is only up to the gateway port and not to the SEZ. Even after amending the IGM based on the shipping line's request, the goods are transported under customs punch seal and onus lies on the importer not on the shipping line for safe transit. The goods are moved neither under carrier's bond nor custodian's bond. He has requested for dispensation from shipping line's amendment request as it increases transaction cost.

**Reply: The matter was taken up with Import Noting section. DC/Import Noting in the regards has informed that:**

a) It has been observed that the shipping line while filing the IGM, files wrong port code. For eg. the port code for Kandla SEZ and Kandla Port are different. Many a time the shipping line would enter the port code for Kandla Port in the place of Kandla SEZ code, this section has been asking the party to get the port code amended in the IGM as the incorrect port code cannot be regarded as proper filing of the IGM and hence needs to be corrected by way of amendment. Similarly, in number of cases the port code is mentioned as local or INNSA whereas the goods are destined for some SEZ.

b) Section 30(1) of the Customs Act, 1962 stipulates that the person in-charge of the vessel may deliver to the proper officer, an Import General Manifest prior to the arrival of the vessel. The person in-charge of the vessel is the shipping line or its authorized agent. Section 30(13) allows for the amendment of the import manifest. However, the amendment is to be done by the person responsible for filing the manifest.

c) CBEC vide [Circular No. 13/2005-Cus](#) dated 11.03.2005 has characterized change of port of discharge as a minor amendment and hence does not require adjudication. All such requests for changes should come from shipping lines as they are responsible for the correct filing of the IGM.

In view of above stated reasons DC/ Import Noting has informed that the request to allow amendment in the IGM, based on the request by the importer, without involving the shipping line

is contrary to the provisions of Section 30(3) of the Customs Act, 1962.  
**(Point closed)**

**Point 5.2:** Shri Nimish Desai, Western India Shippers' Association (WISA), vide e-mail dated 18.02.2015 has raised issue that Shipping lines are not co-operating with regard to importers' choice of CFS. WISA has referred to the [Facility Notice 69/2011](#) dated 03.05.2011 issued by Commissioner of Customs (Import) which allows the importers to request for permission to move the containers to CFS of their own choice rather than the carrier nominated CFS. WISA vide their letter dated 08.01.2015 written to the Chief Commissioner of Customs, Mumbai Zone-II had requested for intervention in the matter.

**Reply:** WISA has been requested to take up the issue with the Directorate General of Shipping and the concerned authority of Jawaharlal Nehru Port Trust.  
**(Point closed)**

**Point 5.3:** An issue regarding non-availability of Preventive Officers at gate resulting in delay in passing-in of containers at CFS was raised by a member of MANSA.

**Reply:** Addl. Commissioner of Customs, Preventive (General) was asked to issue instructions regarding round the clock posting of Gate POs wherever required and to issue directions to officers against leaving the gate before arrival of the relieving officer.

**(Action ADC/PG)**

**(Point Closed)**

**Point 5.4:** A member of BCHAA represented that permission for self-sealing of the containers has to be renewed every year. As per the system requirements for renewal complete set of documents are required to be submitted as if for a fresh application. The trade desires that the yearly renewal be dispensed with and suitable modification in the system be made.

**Reply: Matter was taken up with FSP Cell. DC/ F.S.P Cell in the regards has informed that:**

a) For renewal of self sealing permission, only a covering request letter along with acknowledgement of intimation letter to the jurisdictional Central Excise informing about the renewal of the self sealing is required.

b) There is no provision of renewal of self sealing on yearly basis in any of the Board's Circular issued in this regard. However, as informed by EDI, the uploading of the IEC in the system, which is mandatory requirement for filing of Shipping Bill under self sealing, can be done for a maximum period of one year only and it has to be uploaded in the system again after the expiry of the said period. As such, renewal of self sealing permission has to be done on an yearly basis.

**(Action ADC/FSP Cell)**

**(Point Closed)**

**Point 5.5:** A member of BCHAA raised an issue regarding display of names, telephone numbers of officers posted in view of [Public Notice No. 49/2014](#) dated 24.12.2014 issued in respect of 24x7 Customs Clearance Facility.

**Reply:** Addl. Commissioner of Customs, Preventive (General) was asked to upload the names

and telephone number of officers on the website of JNCH. He assured that the list would be uploaded immediately.

**(Action ADC/PG)**

**(Point Closed)**

**Point 5.6:** Member of PTFC raised a point regarding delay in obtaining test report from DYCC. He also made a suggestion as to whether the same can be uploaded on the website of JNCH.

**Reply:** The matter has been taken up with Joint Director, DYCC to work out the possibilities, if any, to resolve the issue.

**(Action Jt. Director, Labs, (DYCC)**

**(Point Closed)**

**Point 5.7:** A member of PTFC raised an issue regarding monitoring of finalisation of provisionally assessed export shipping bills.

**Reply:** The matter is under consideration and comments are being sought from DC/ Docks. A monthly report of pending Shipping Bills will be sought from all Export Docks.

**(Action ACs/DCs, Export Docks)**

**(Point kept open)**

6. The next PTFC meeting is scheduled to be held on Thursday, 26.03.2015 at 11.30 AM in Conference Hall, 7th Floor, JNCH. The PTFC members/trade representatives are requested to forward their agenda points, if any, well in advance on Fax No. 022-27243245 or by E-mail to Appraising Main (Export) Section on [amx24082012nhavasheva@gmail.com](mailto:amx24082012nhavasheva@gmail.com) for taking up the issue in the upcoming PTFC meeting.

7. The meeting ended with thanks to the Chair.

8. This issues with the approval of Commissioner of Customs (N.S.-II & Gen), JNCH.

**Sd/-**

20.03.2015

(ALOK AGARWAL)

Joint Commissioner of Customs

Appraising Main (Export), JNCH

**To,**

All the Members of PTFC by e-mail

**Copy to:-**

1. The Chief Commissioner of Customs, Mumbai Zone-II, JNCH, Sheva.
2. The Commissioner of Customs (N.S.-Gen, II & IV), JNCH, Sheva
3. All ADC/JC, DC/AC of Customs (N.S.-Gen, II & IV), JNCH, Sheva.
4. AC/EDI for uploading on JNCH website.
5. Office Copy.