

MINUTES OF PTFC MEETING (EXPORT) HELD ON 28.11.2013

OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT)
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA
DISTRICT-RAIGAD, MAHARASTRA

F. No. S/12-Gen-23/13-14 AM(X)

Date: 1.12.2013

MINUTES OF PTFC MEETING (EXPORT) HELD ON 28.11.2013

The monthly meeting of Permanent Trade Facilitation Committee (PTFC) (Export) was held on 28.11.2013 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 (Export), JNCH.

1. The following members of trade attended the meeting:

Sr. No.	Name and Designation	Sr. No.	Name and Designation
01	Shri Mohan Nihalani, President AIEEA	11	Shri R.K. Rubin, AMTOI
02	All India Importer Exporter In.	12	Shri V. M. Thomas
03	Shri R. Rajasekhar, VP (Commercial), M/s. United Phosphorus	13	Shri Avinash Buge, DM, JNPT
04	Shri K.S. Shetty, BCHAA	14	Shri Subhash Rajkumar, MANSA
05	Shri Ramakrishnan, MANSA	15	Ms Archana Roy
06	Shri Paresh Shah, BCHAA	16	Shri D. L. Thakker, BCHAA
07	Shri V. K. Agarwal, GM, EXIM	17	Shri R.C. Subramanian, APMT CFS
08	Shri Victor Fernandes	18	Shri K. M. Tope
09	Shri Vincent Fernandes	19	Shri J. Venkateswarlu, GTN Industries Ltd.
10	Shri Suresh Parkeek, M/s Technocraft Industries		

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

Sr. No.	Name and Designation	Sr. No.	Name and Designation
01	Shri. V. Rajendran, Addl. Commissioner of Customs,02 Appraising Main (Export)		Shri Aseem Kumar, Addl. Commissioner of Customs, (Export)
03	Shri S. Anantha Krishnan, Addl. Commissioner of Customs,04 (Export)		Shri Ashish Mishra, Dy. Commissioner of Customs, Gr.7I, EGM Cell
05	Shri Chetan Lama, Dy. Commissioner of Customs, 06 Appraising Main (Export)		Shri Sachin Sawant, Dy. Commissioner of Customs, DEEC

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

4. The following old points from the last PTFC meeting held on 24.10.2013 were taken up for the discussion:-

4.1 Point: BCHAA vide letter dated 23.09.2013 informed about shortage of Examination staff (Supdt & PO) at Punjab CFS. They have stated that number of S/Bs for Docks stuffed shipments have increased and only 03 Supdt. & 03 P.Os are available due to which work is getting delayed. Representative of AMTOI stated that due to heavy volume at Punjab Conware which includes On Wheel Factory Stuffing & Self Sealing containers apart from docks stuffing, the work is delayed which results in clogging of cargo.

Reply: Commissioner had asked ADC/Export to give the figures of volume of cargo for Docks stuffing to ascertain the requirement of staff. After assessing the situation an additional Examiner has been posted to speed up the work.

Point closed (ADC/DOCKS)

4.2 Point : BCHAA vide letter dated 23.09.2013 informed that they were receiving complaints from members that recently few Gate Officers (P.O) have changed regular procedure for gate in of Self Sealed containers for On Wheel examination at CFS creating hardship. Since the said point was not clear Commissioner had asked BCHAA to elaborate the point by giving details which will be examined. BCHAA vide letter dated 23.10.2013 submitted a flow chart of the procedure followed for Gate in of containers for On wheel examination at the CFSs. And requested to allow self sealed container at CFS for On Wheel Examination with exporters seal and Shipping Line Seal may be placed at CFS after Customs Out of Charge, so as to avoid change in seal no and re-filing of ACD to avoid shutout.

Reply: Commissioner stated that the procedure for the Gate Officer is to verify the Exporter's self sealing seal & the Shipping Line seal as mentioned on Invoice and give an endorsement that the seal are intact at the time of gate-in. After this "Seal Intact" endorsement adding any seal on the container or making any addition on the documents is wrong and procedurally incorrect. It is pertinent to mention here that the request for affixing the seal/mark entry of Shipping Line Seal at a later stage, after the examination, can't be given for the simple reason that the documents may have to be altered after the Gate – In – Officer's endorsement. In the flow chat provided the suggestion that the Shipping Lines Seal being put up at the CFS after On Wheel Examination is actually in correct and without the knowledge of the Gate – In – Officer. The requirement of advance cargo declaration 72 hours prior to sealing is a requirement of the Shipping Lines. Customs procedures can't be compromised with to facilitate this.

Point closed (DC/PG)

4.3 Point: AIIEA vide e-mail dt. 19.10.2013 stated that, there is urgent need for better co-ordination between Customs & DGFT, Mumbai in the matter of "fulfillment of Export obligation". It is observed that the related EODCs are not available on time to Customs, resulting in pendency and sometimes issuances of Show Cause Notices to the Exporters. This is not fair to the Exporters as they fulfilled their Export obligations, but due to lack of co-ordination between

Customs and Licensing Authorities they are put to legal difficulties. It has also been noticed that sometimes, the said EODCs are sent to Customs Mumbai-1

Reply – Commissioner informed that a letter to Addl. Director General, DGFT was sent on 18.11.2013 raising the concern of the trade.

Point closed (ADG/DGFT)

4.4 Point: Shri Suresh Pareek of M/s. Technocraft Industries (India) Ltd vide e-mail dated 15.10.2013 has informed that, to apply on-line with DGFT, Mumbai for Chapter-3 related licenses, they are not getting EDI Shipping Bills in Shipping Bill repository since 30.09.2011 and has requested to look into the matter. Shri Suresh Kumar Pareek vide their e-mail dated 25.11.2013 has stated that his point was not understood and considered properly. He further states that his issue was “The S/Bs which are generating in IEC No 0388023091 on daily basis in EDI server of the Nhava Sheva Port, are not transmitting to DGFT server through ICEGATE wef 30.09.2011. The request letter was also submitted to AC, EDI on 30.05.2013 & 24.10.2013 to re-transmit. Hence the point is not still resolved and requested to put up the issue again in the coming PTFC meeting, being not resolved and hence to be treated still as NOT CLOSED.

Reply – Commissioner informed that on successful filing of EGM against Shipping Bill, System transmits the detail of Shipping Bill to ICEGATE very next day. Then ICEGATE transmits the details of the Shipping Bill to concerned licensing authorities like DGFT. And further whenever EDI section receives request regarding re-transmission of Shipping Bill, they immediately transmit the said Shipping Bills to ICEGATE and issue related file Number. After getting point of Shri Suresh Kumar Pareek, Commissioner informed that only specific Shipping Bills related to Advance Licence, EPCG, DFIA etc are transmitted on line. Shipping Bills related to reward scheme eg. FPS, FMS & VKGVY have recently stated getting transferred online to DGFT. Before that print out copies of Shipping Bills were being submitted to DGFT. Other Shipping Bills such as Free Shipping Bills, Drawback Shipping Bills are not transferred.

Point closed (DC/EDI)

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

5.1 Point : TEXPROCIL vide their letter dated 27.11.2013 e-mailed on same date has taken up the matter of Pending Drawback claims of GTN Industries Ltd. In the letter they had stated that the drawback claim of Rs 1807455.00 remained pending since 2008 despite persistent follow up. However, the customs have issued a letter stating that the claim is time barred.

Reply – Since the e-mail received on the eve of PTFC meeting on 27.11.2013 the same was not included in the agenda of the meeting. However, Shri J. Venkateswarlu of GTN Industries Ltd. requested for his point to be heard. On his request, the matter was included in the agenda of the meeting. Shri J. Venkateswarlu, GTN Industries Ltd. stated that M/s GTN Industries submitted supplementary drawback claim after revision of drawback scheme on time as prescribed, however department informed them that their supplementary claim is time barred. Commissioner asked Shri J. Venkateswarlu of GTN Industries Ltd. to meet DC/DBK with all relevant

documents in support of his claim and assured that necessary steps will be taken to solve the issue amicably as per the laid down procedures. DC/DBK informed that M/s GTN Industries Ltd. have submitted the documents which is being analyzed as the case pertains to year 2008 and will take some time.

Point closed, (DC/Drawback)

6. The next PTFC meeting is scheduled to be held on 26.12.2013 at 11.30 hrs in Conference Hall, 7th Floor, JNCH. The PTFC members/trade representatives are requested to forward their agenda points, if any, well in advance i.e. by 18.12.2013 on Fax No. 022-27243245 or by E-mail to Appraising Main (Export) Section on 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 (Export), JNCH.

-Sd-

(V. Rajendran)

**Addl. 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 (Export), JNCH, Sheva
3. All ADC/JC, DC/AC of Customs (Export), JNCH, Sheva.
4. AC/EDI for uploading on JNCH website.
5. Office Copy.