

MINUTES OF PTFC MEETING HELD ON 27.12.2012

COMMISSIONER OF CUSTOMS (EXPORT)
JAWAHARLAL NEHRU CUSTOM HOUSE,
NHAVA SHEVA TAL. – URAN, DIST. RAIGAD

F. No. S/12-Gen.-02/12-13 AM(X)

Date: 08.01.2013

MINUTES OF PTFC MEETING HELD ON 27.12.2012

The monthly meeting of Permanent Trade Facilitation Committee (PTFC) was held on 27.12.2012 in the Conference Hall at the 5th floor of the Custom House. The meeting was presided over by the Commissioner of Customs (Export), JNCH.

The following members attended the meeting:

Sr. No.	Name and Designation	Sr. No.	Name and Designation
01	Shri Shankar Shinde, Raigad Chamber of Commerce & Industry	13	Ms. Shaji Krishnakutty
02	Shri R Rajasekhar, Vice President	14	Shri K.N.S. Raju, Dy. Manager, SBI, Nhava Sheva.
03	Shri Mohan Nihalani, President AIIEA	15	Shri Anil Singh
04	Shri Paresh Shah Chairman Export Committee (BCHAA)	16	Ms. Binita Suvarna
05	Shri Philomena Pareira	17	Shri Ramakrishna, MANSA
06	Shri Kiran Rambhia, V.P. BCHAA	18	Shri V.M. Thomas.
07	Shri D.K Tewari, CSLA	19	Shri Shantanu Bhadkamkar
08	Shri V.K. Agarwal	20	Smt. Shyamali Banerjee
09	Ms. Archana Roy	21	Shri D.L. Thakker, BCHAA
10	Shri K.S. Shetty	22	Shri Pankaj Shah, V.P., BCHAA
11	Ms. Sujata Uchil	23	Shri Prashant Pote
12	Shri Murli Iyer, FIEO	24	Shri Shailesh Bhatia

2. The following officers from the Department side attended the meeting:-

Sr. No.	Name and Designation	Sr. No.	Name and Designation
01	Shri Rajiv Kapoor, Addl. Commissioner of Customs (Export)	04	Shri. D.P.Singh, Dy. Commissioner of Customs AM (X)
02	Shri. Anjani Kumar, Addl. Commissioner of Customs (Export)	05	Shri. Rajesh Kamble, A.O Appraising Main (Export)
03	Shri. Gyan Sarvar, Addl. A Commissioner of Customs (Export)	06	Shri Ram Milan, Examiner, Appraising Main (Export)

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

4. The following old points that were kept open in the last PTFC meeting held on

22.11.2012 were taken up for the discussion:-

4.1 Point: The Raigad Chamber of Commerce had earlier (PTFC meeting held on 26.04.2012) requested that Goods may be allowed to be examined even without Delivery Order.

Reply: The Commissioner of Customs (Export) stated the Facility Notice No 65/2012 dated 05.12.2012 is issued in this regard and he would like to have ground level feedback from various stake holders.

Point Open (ADC/AM)

4.1. A Point: Shri Shankar Shinde of the Raigad Chamber of Commerce thanked the Commissioner for prompt issuance of Facility Notice in this regard. However, he informed that some CFS's are not co-operating in following the said Facility Notice.

Reply: The Commissioner stated that Deputy Commissioner of Customs, CFS Management Cell has been directed to look into matter of non-cooperation from CFS.

Point Closed (ADC/CFS Management Cell)

4.1. B Point: Shri Deepak Tewari of CSLA (Container Shipping Lines Association) informed that the Insurance Companies have stated "We will not insure any cargo which has been tendered for examination without legitimate Delivery Order issued by the Shipping Lines."

Reply: Commissioner informed that the purpose of the Facility Notice is to facilitate examination only and delivery of cargo will be done only after production of D.O. by the consignee to CFS. Shri Rajiv Kapoor, Additional Commissioner of Customs (Appraising Main, Exports) stated that any such concern should have been brought to the notice of The Commissioner of Customs (Export) as the issue has been raised in the PTFC Meeting for more than a year and even all the stake holders were requested for comments. He stated that any such legal concern will be definitely looked into. He however requested that the concerned stake holders should submit their concerns in writing.

Point Open (ADC/AM)

4.1. C Point: Shri Deepak Tewari of CSLA (Container Shipping Lines Association) informed that the Insurance Companies are expressing their concerns over third party examining the Cargo and also requested that Customs needs to take due diligence in verifying the ownership of the consignment before allowing goods to be examined.

Reply: The Commissioner of Customs (Export) explained that there is no third party examination. Goods are examined by Customs in the presence of consignee/ importer or their representative CHA. Shri Rajesh Kamble, Appraising Officer (Appraising Main, Exports) informed that in past also Shipping Companies have been issuing examination Delivery Order or

final Delivery Order as per the needs of the Consignee. An examination Delivery Order was being issued merely for the limited purpose of examination and final Delivery Order was issued on completion of all legal requirements. Any such concerns expressed by shipping lines on behalf of the Insurance Companies should have come up in earlier cases also. Shri Shailesh Bhatia of M/S Bhatia Shipping stated that the Facility Notice issued by the Commissioner of Customs (Export) needs to be honored and made functional as it is for facilitation of trade.

Point Closed (ADC/AM)

4.2. Point: The BCHAA raised the issue that although Customs has started the 24X7 operation, shipping companies and steamer agents are not willing and providing 24X7 facilities to the trade. Shri Ramakrishnan, MANSA apprised that meeting of President MANSA and President BCHAA has taken place in recent past to resolve this issue and its minutes are expected.

Reply: Shri Rajiv Kapoor, Additional Commissioner of Customs (Appraising Main, Exports) stated that it has been instructed by the Ministry to facilitate 24X7 operations; Shipping lines too have to gear up for 24X7 operations. MANSA is expected to reply, whether it is prepared to co-operate for the same. In the event they don't shift to 24x7 operations, the Commissioner of Customs (Export) will have to take up the issue with the Ministry of Finance, who in turn will be requested to take up the issue with the concerned Ministry of Shipping to ensure that all stake holders shift to 24x7 operations.

Point Open (ADC/AM)

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

5.1. Point: Shri Pankaj Shah, V.P, BCHAA raised the issue regarding delay in assessment in EPCG consignments i. e Group 7 G. and particularly Import of furniture by hotel industry.

Reply: Shri Rajiv Kapoor, Additional Commissioner of Customs (Appraising Main, Exports) stated there was an issue with the consignments of Furniture which are required to give details in terms of relevant P.N. issued by Import Commissionerate, JNCH. As the details are not provided, the goods sometimes have to be sent for first check. Any other case may please be brought to the notice of the Commissioner of Customs. The Commissioner of Customs informed that specific cases may be brought to his notice.

Point Closed (ADC/AM)

5.2. Point: Ms Shyamali Banerjee of FIEO (Federation of Import Export Organization) thanked the Commissioner of Customs (export) and Additional Commissioner of Customs (Drawback) for resolving many issues related to Drawback. However, she raised the issue regarding some drawback claims still pending in query mode.

Reply: The Commissioner of Customs (Export) stated that a Public Notice No 66/2012 dated 06.12.12 has been issued to address drawback claims pending in query mode. Shri Rajiv Kapoor, Additional Commissioner of Customs (Appraising Main, Exports) stated that in terms of the P.N,

the cases which are in query mode and document are not produced for more than six month, shipping bills will be processed at zero drawback, without affecting the right of the exporter to claim the drawback amount by filing supplementary claim subsequently.

Point Closed (ADC/AM)

â€¢ The meeting ended with vote of thanks to the chair.

â€¢ The next PTFC meeting will be held in the same venue on 24.01.2013 at 11.30 A.M.

â€¢ This issue with the approval of the Commissioner of Customs (Export).

Sd/08.01.2013

(RAJIV KAPOOR)

Addl. Commissioner of Customs

Appraising Main (Export)

To

All concerned, by email.

Copy to:-

1. The Chief Commissioner of Customs, Zone II.
2. The Commissioner of Customs (Import)
3. The Systems Manager, EDI
4. All Addl. /Joint Commissioners (Exports), JNCH
5. All DCs/ACs (Export), JNCH