

# **MINUTES OF PTFC MEETING (IMPORT) HELD ON 21.11.2013**

**OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT),  
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA,  
POST – URAN, DIST. RAIGAD, MAHARASHTRA-400 707**

**F.No. S/22-Gen-09/2013 AM (I) JNCHÂ Â Â Date : 11.12.2013**

## **MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 21.11.2013**

<b>Sr. No.</b>	<b>Names</b>	<b>Organization/Association/Designation</b>
	<b>(S/Shri)</b>	
01	Vijay Agarwal	Metal Recycling Association
02	Hiten Mehta	Metal Recycling Association
03	V.K. Agarwal	M/s. Mirc Electronics Ltd.
04	Rajesh Gosalia	COSIA / BCHAA
05	Paresh Vanade	J. M. Baxi & Co.
06	Milan Desai	BCHAA
07	Nana Zaware	Navkar Corpn. Ltd.
08	Subhash Shelar, Dy. Manager	ULA CFS
09	Ashish Kumar Jha, Dy. Manager	ULA CFS
10	Manish Kumar	MANSA
11	Vilas Bawaskar	Pan Asia Line
12	Subhash Rajkumar	MANSA
13	V.M. Thomas	CSLA
14	Dhananjay Jawadekar	MANSA
15	Capt. Deepak Tewari	CSLA
16	Nimish Desai	BCHAA
17	R. Rajasekhar	M/s. United Phosphorus Ltd.
18	R.K. Rubin	AMTOI
19	Shankar Shinde	Raigad Chamber of Commerce & Inds.
20	Ms. Philomena Pereira	BCHAA
21	K.S. Shetty	BCHAA
22	A.B. Buge	JNPT
23	Paresh Shah	BCHAA
24	Dinesh Thakker	BCHAA
25	K.M. Tope	MSWC CFS
26	Jude Fernandes (Sr. V.P.)	INDEV
27	Umesh Shetty	Continental CFS
28	Umang Khosla	Dighi Port Ltd.
29	Jayant Kumar	Asstt. Drug Controller, JNCH

30	Arvind Hiwale	Drug Inspector, O/o. ADC(I), JNCH
31	V.M. Borikar	CDSCO, WZ, Mumbai
32	Naresh Ojha	FSSAI
33	Anand Shamante	FSSAI
34	Aish Kumar	FSSAI
35	Dr. T.K. Sahu	Animal Quarantine
36	Rajiv Kapoor	Addl. Commissioner of Customs
37	Gyan Sarvar	Addl. Commissioner of Customs
38	S. Anantha Krishnan	Addl. Commissioner of Customs
39	Aseem Kumar	Addl. Commissioner of Customs
40	Ms. Chintha A. Issac	Dy. Commissioner of Customs
41	Md. Shamshad Alam	Dy. Commissioner of Customs

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The PTFC meeting held on 21.11.2013 was chaired by Ms. Seema Jere Bisht, Commissioner of Customs (Import) and attended by the following members/participants and Officers from JNCH, Nhava Sheva :

2.The Chairperson welcomed all the members present at the meeting.

3.Thereafter, minutes of the PTFC meeting held on 25.10.2013 were discussed and accepted.

**POINTS RAISED IN PREVIOUS PTFC MEETING HELD ON 21.11.2013 :**

**4.1:Double Recovery of Interest in respect of Ex-bond Bills of Entry:**

The Chairperson informed that the matter is being pursued with D.G./Systems to make the necessary amendments in the Board's Circular/ICES 1.5.

**(Point Closed)**

**4.2: Sealing of individual packages by Shed Superintendents in respect of LCL consignments:**

No specific data has been submitted by any member to ADC/Docks till date on this issue.

**(Point Closed)**

**4.3: Necessary changes required in the System in respect of Notfn. No.190/78 (specifically meant only for Transformer Oil), wherein many items under Chapter 27 are being assessed with duty under RMS Scheme:**

The Chairperson informed that the matter is being pursued with TRU and D.G./Systems to make the necessary amendments in ICES 1.5.

**(Action – ADC/EDI Section)**

#### **4.4:Numerous objections raised by the Customs Examining Officers and Appraisers:**

ADC/Import Noting has held separate meeting with the Trade representatives on the issue.

**(Point Closed)**

#### **4.5: Assessment of Documents pending finalization of SVB/GATT Valuation :**

The Chairperson informed the Members that the delay in registration of SVB applicants is beyond the control of J.N.C.H.; however the matter is being pursued with N.C.H., Mumbai.

**(Point Closed)**

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#### **4.6:Delay in granting Inward Entry:**

MRAI submitted a representation highlighting such instances. The Chairperson opined that apparently there seems to be no delay as such; however, the issue will be examined at length by ADC/P(G) in the light of the representation received.

**(Action – ADC/P (G))**

#### **4.7 to 5.2: Amendments in IGM, Delay & Penalty:-**

Capt. Tiwari, CSLA informed the Members that as per their (CSLAâ€™s) policy, whoever applies for the amendment has to bear the Penalty.Â If the Shipping Company makes a request to Customs for amendment in IGM, the Shipping Company is certainly liable for the Penalty; however, if the Importer/Customs Broker makes such request, the Penalty has to be borne by them and Shipping Companies are no way concerned with the same.

This was vehemently opposed by the representatives of Importers and Customs Brokers.Â It was pointed out that even though the very cause of amendment arose due to negligence of Shipping Companies, the request for amendment had to be made by Importers/Customs Brokers, who were the actual sufferers who had to bear not only the cost of Penalty, but the heavy demurrage charges also; that the Importers/Customs Brokers reluctantly agreed to pay the Penalty amount only because they cannot afford any further delay which will ultimately result in more demurrage charges for them.

The Chairperson intervened and advised CSLA and the other Shipping Companies to be careful and try to avoid any reason for amendments as far as possible.Â Â It was also advised that the Importers/Customs Brokers should not be subjected to bear the burden of Penalty without any valid reasons.

Capt. Tiwari agreed to convene a meeting of all the Shipping Companies to find an amicable solution to the issue.

**(Point Closed)**

**5.3: Charges levied by NSICT for late submission of SMTP:**

No one was present from NSICT to reply on the issue. The Chairperson directed A.D.C./Import Noting to write to NSICT asking them to be present in the next meeting.

**(Action – ADC/Import Noting)**

**M/s. J.J. Polyplast Ltd.**

**Non-implementation of Facility Notice No. 21/2008 read with Facility Notice No. 69/2011 by the Shipping Lines, in respect of movement of import cargo in containers from Port to CFS:**

The Members reiterated that the problem still persists and the importers are still forced to move the containers to the CFSs with whom the Shipping Companies have separate contracts, instead of the CFS of the importer's choice.

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The Chairperson once again asked the trade to bring to the notice of ADC (Import-Noting) where Shipping Lines have refused to follow the Facility Notice. ADC/Import Noting has been directed to take penal actions on specific complaints against the defaulting Shipping Lines.

**(Point Closed)**

**6. FRESH AGENDA POINTS RECEIVED FROM BCHAA :**

**6.1: Delay in SAD Refunds:**

The Chairperson assured the Members that the payment of SAD Refunds is being expedited.

**(Point Closed)**

**6.2: SVB related cases:**

This point is already under action as per Point No. 4.5 above.

7. The representatives from **FSSAI AND Animal Quarantine** had also participated in the Meeting.

**FSSAI:**

The Members pointed out that most of the times, the Sample Drawing Officers from FSSAI are

inaccessible on phone and physically unavailable, which results in delay in clearance of the consignments.

It was requested by Customs Brokers/Importers that the task of "sample collection"™ for FSSAI Tests may be entrusted to Customs so as to avoid delay.

It was also highlighted that FSSAI invariably insists on 100% sampling for each and every "batch"™ of a same product, even if result is available from the previous test. The Members requested that such practice should be immediately stopped.

The FSSAI representatives assured that the issues will be looked into and that it will be ensured that FSSAI officers are available for sample collection on every day basis.

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#### **ANIMAL QUARANTINE:**

Dr. T.K. Sahu from Animal Quarantine pointed out that many a times, unnecessary items, such as Finished Products are being forwarded to them for the purpose of NOC.

He requested that Notfn. No.794/2008 dated 28.03.2008 issued by the Ministry of Agriculture may be referred to in this regard. ADC/Docks is asked to draw attention of the field officers to this Notification.

8.The members were informed that the next PTFC meeting is scheduled to be held on **12.12.2013 at 11.00 hrs** in the Conference Hall adjacent to the Office of the Commissioner of Customs (Import), 5th Floor, JNCH. The Chairperson requested all the Association Members to forward their agenda points, if any, well in advance i.e. **10 days in advance** on Fax No. 022-27243245 or by E-mail to Appraising Main (Imp) Section on [appraisingmain.jnchimp@gmail.com](mailto:appraisingmain.jnchimp@gmail.com) for taking up the issue in the upcoming PTFC meeting.

9.The meeting ended with thanks to the Chair.

10.This issues with the approval of Commissioner of Customs (Import), JNCH.

Sd/-  
(CHINTHA ANNA ISSAC)  
DEPUTY COMMISSIONER OF CUSTOMS  
APPRAISING MAIN (IMPORT)  
JNCH.

**To,  
All the Members of PTFC**

Copy to:

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