

MINUTES OF THE MEETING (Export) OF HELD ON 24.10.2013

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: 07.11.2013

MINUTES OF PTFC MEETING (EXPORT) HELD ON 24.10.2013

The monthly meeting of Permanent Trade Facilitation Committee (PTFC) (Export) was held on 24.10.2013 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.

The following members of trade attended the meeting:

Sr. No.	Name and Designation	Sr. No	Name and Designation
01	Shri P.N. Tandon, Dy. Director, Textile Committee	14	Shri S.G. Pathy, Dy. Director, Textile Committee
02	Shri A.K. Dhawan, Asstt. Director, Textile Committee	15	Ms. Shyamali Banerjee, FIEO
03	Shri Mohan Nihalani, President AIIEA	16	Shri Avinash Buge, DM, JNPT
04	Shri K.S. Shetty, BCHAA	17	Shri Sarfaraz A. Khan, BCHAA
05	Shri Ashish Pednekar, MACCIA	18	Shri Om Prakash Agrawal, MACCIA
06	Shri Paresh Shah, BCHAA	19	Shri D. L. Thakker, BCHAA
07	Shri R. Rajasekhar, VP (Commercial), M/s. United Phosphorus	20	Shri R.K. Rubin, AMTOI
08	Shri Subhash Rajkumar, MANSA	21	Shri Paresh Nagda, G.S. Exports
09	Shri Ramakrishnan, MANSA	22	Shri Kiran Rambhia, BCHAA
10	Shri Jacob Thomas, GDL	23	Shri R.C. Subramanian, APMT CFS
11	Shri Srinivasan Naidu, IOPEPC	24	Shri K.C. Anandraj, AMTOI
12	Capt. R. Raghav, DGM, Seabird CFS	25	Shri Milan Desai, BCHAA
13	Shri Suresh Pareek, 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, Appraising Main (Export)	02	Shri. Aseem Kumar, Addl. Commissioner of Customs, (Export)
03	Shri S. Anantha Krishnan, Addl. Commissioner of Customs,	04	Shri Ashish Mishra, Dy. Commissioner of Customs, Gr.7I, EGM Cell

	(Export)	
	Shri Chetan Lama,	Shri Sachin Sawant,
05	Dy. Commissioner of Customs,	06 Dy. Commissioner of Customs,
	Appraising Main (Export)	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 26.09.2013 were taken up for the discussion:-

4.1 Point: Shri Mohan Nihalani, President, AIIEA informed that as discussed in previous PTFC meetings the Insurance companies have still not given any assurance on the issue of insuring such cargo which will be tendered for examination in terms of Facility Notice No. 65/2012 dt. 05.12.2012.

MANSA vide e-mail dt. 18.10.2013 referred to the said subject, wherein they stated that BCHAA and AMTOI have clarified that the subject matters have been resolved after discussion with CSLA & MANSA and their members are getting containers examined without D.O as per P.N 65/2012. Further, they have stated since it is an import related issue it has been discussed and resolved in Import PTFC meeting and point was accordingly treated as closed. Therefore, the said point in the minutes may be treated as closed.

Shri Ashish Pednekar from MACCIA mentioned that, as stated by MANSA at present the said system of examining the containers without D.O as per P.N 65/2012 is going smoothly and as an when any issue will arise the same will be raised in the next meetings.

Reply: Commissioner informed that since it is understood that the issue is being resolved amongst the stake holders and as such no new issues have arisen, the point is closed and will be taken up as a fresh point if any new issue comes up before the next meeting.

Point Closed (AIIEA, BCHAA, CSLA & MANSA)

4.2. Point: BCHAA stated that Point No. 4.6 of the previous PTFC meeting may not be closed since still there is abnormal delay in getting Test Reports from Textile Committee. They also requested that the authorities of Textile Committee may also be called for the PTFC meetings.

Reply: Commissioner (Export) informed that, a letter to Secretary, Textile Committee was forwarded on 17.10.2013 informing the issues relating to forwarding of samples and delay in receipt of Test Reports. The date of the PTFC meeting was also informed to them and it was also requested to nominate officials from Textile Committee for attending the PTFC meeting on regular basis. Accordingly, the Officials from Textile Committee were present for the PTFC meeting.

The Officials of Textile Committee informed that from April 2013 they have evolved a system wherein 91% of Test Reports are given within 4 to 5 working days of receipt of samples. The reasons for delay are mainly because of non-payment of the charges by CHAs, importers &

exporters. It was informed that Trade can use the Advance Depositing Scheme for the payments wherein the delay of non-payment can be avoided. They further informed that an Electronic Display has been put up at their Prabhadevi Office in Mumbai which displays the present status of the Test Reports of samples and the reasons for pendency. Trade can also know the status of their Test Report of their consignments telephonically.

Shri Paresh Shah of BCHAA stated that there is no proper system of sample collection by the Textile Committee. Only few CHAs have the passbook facility and then also the reports are received only after 4 to 5 working days. Instead of the Electronic Display at their office at Prabhadevi, there should be online services wherein the present status of the Reports can be accessed to so that the exact problem could be identified.

Commissioner asked the officials of Textile Committee to evolve some procedure along with the trade so that the report can be issued early and dwell time of exports is reduced and since the officials will now be attending the PTFC meetings on a regular basis there may be improvements after this meeting and the problems faced by the trade may be resolved.

Point Closed (ADC/AM (X))

4.3 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 directed ADC/Export to give the figures of volume of cargo for Docks stuffing to ascertain the requirement of staff. It was informed that before the next PTFC meeting the situation will be reviewed and staff will be diverted from other points where volume is low. The assessment will be done before the next meeting.

(Point Open, ADC/Export Docks, Punjab Conware)

4.4 Point: BCHAA vide letter dated 23.09.2013 informed that they are 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.

Reply : Commissioner stated that, since the aforesaid letter was only received just before the meeting, the subject matter will be examined and will be discussed in the next meeting.

(Point Open, ADC /Preventive(G))

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

5.1 Point : Indian Oilseeds & Produce Export Promotion Council (IOPEPC) vide e-mail dated 09.10.2013 have raised issues with regard to pending drawback claims in respect of M/s. G.S. Exports & M/s. Premji Ghellabhai & Co.

Reply – Commissioner stated that, DC/Drawback has stated that Drawback claims of M/s. Premji Ghellabhai & Co. were duly processed in respect of six Drawback Shipping Bills. However, the payments were returned by the bank as per the reasons “Invalid Sender to Receiver Info. No Sp” and the same may be claimed manually after submission of requisite documents. It was also informed that DC/Drawback who was present in the meeting may be directly contacted to resolve the issue.

With regard to pending claims of M/s. G.S. Exports, it was verified that their pending DBK claims may not be processed owing to the blockage of their IEC due to non-submission of proof of realisation of exports proceeds in terms of CBEC per Circular No. 05/09 dt. 02.02.2009 vide F.No. S/12-Gen-243/12 DBK. When representative of M/s. G.S. Exports stated that the BRCs have been submitted to Drawback Section, Commissioner directed DC/Drawback to look into the matter and informed representative of M/s. G.S. Exports to contact DC/Drawback to resolve the issue.

Point closed, (DC/Drawback)

5.2 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.

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.

Point closed (DC/EDI)

5.3 Point : MANSA vide e-mail dt. 18.10.2013 has referred to to P.N 36/2004 wherein they have stated that the procedure of amending/splitting Shipping Bill as prescribed in the said P.N is time Consuming. Also as per JNCH Office Order No.02 dt. 21.06.2012 in view of ICES 1.5, system is automatically picking up vessel name/rotation No. from the EGM and hence it is not necessary to amend the vessel name/rotation No. on the documents. MANSA has therefore sought clarification on the said subject. BCHAA along with MANSA requested to amend the P.N 36/2004 in view of the cumbersome procedure for amending/splitting Shipping Bills.

Reply – Commissioner informed that the issue needs to be examined in detail and therefore requested MANSA to give full details of the procedure along with the solution jointly with BCHAA, which will be taken up in a separate meeting apart from PTFC meeting. If required, the said P.N can be amended after studying the matter.

Point closed (MANSA)

5.4 Point : MANSA vide e-mail dt. 18.10.2013 has stated that they have noticed that on almost all the vessels there are Factory Stuffed containers arriving in without LEO Shipping Bills leading to de-manifestation/de-listing them from the loading list for want of LEO Shipping Bill resulting additional cost to Trade & inconvenience in Port Operations. Hence, they have requested to look into the matter and streamline the intake of Factory Stuffed Containers with LEO Shipping Bills only as prescribed in P.N 52/2009 & 02/2013 dt. 10.01.2013.

Reply – Commissioner informed that, as per the aforesaid Public Notices no containers should be allowed into the port without proper LEO Shipping Bills. The Officers posted at various CFS/Buffer Yard and Terminal Gates are also directed to follow the instructions laid down in the Public Notice/Standing Order strictly. With regard to export containers of exempted category mentioned in P.N 52/2013 Pt.6-C which are allowed direct entry into the port, the Shipping Agents should ensure that no containers should be loaded on any vessel without proper LEO Shipping Bill.

Point closed, DC/FSP & Preventive (G)

5.5 Point : AIIEA vide e-mail dt. 19.10.2013 has stated that, the Notification No. 31(RE-2013)/2009-14 dt. 01.08.2013 stipulates strict correlation between the inputs used in the manufacture of Exported Product and the inputs imported, or sought to be imported. This applies to all schemes where duty exemption is to be availed, more specifically in case of every Advance Authorisation /DFIA. In the circumstances the said notification stipulates that the relevant Shipping Bill be duly endorsed to reflect the description of the said inputs at all. Hence, it has been requested to confirm that the related Shipping Bills are being duly endorsed and also to articulate the parameters of such endorsements for guidance of Trade.

Reply – Commissioner informed that, as per aforesaid DGFT Notification, the exporter has to indicate the specific name/description of the inputs used in manufacturing of the export product. Further, at the time of discharge of export obligation or at the time of Redemption, the concerned R.A (DGFT) will verify and ensure that only those inputs, which have been specifically indicated in the Shipping Bill, are allowed for import. Therefore, it appears that as per the above Notification, Exporter is required to indicate the correct input on the Shipping Bill.

Point closed, DC/DEEC & DFIA

5.6 Point : AIIEA vide e-mail dt. 19.10.2013 stated that recently at an interface held at Arshiya FTWZ-SEZ it was revealed that the Customs Officers posted at the said facility were available only for 2-3 hours in a day, which led to lot of delay and consequent loss to the Trade and therefore has requested to post full time Officers.

Reply – Commissioner informed that, the Arshiya FTWZ-SEZ is under the Administrative Control of Development Commissioner. The Officers posted at Arshiya SEZ including the Deputy Commissioner are on a full time basis. No other charge has been allotted to the concerned D.C, hence he should be available at Arshiya SEZ during the full working hours. In case of any further problems with regarding to non-availability of officer, Addl. Commissioner, SEZ may be contacted.

Point closed, ADC & DC/SEZ

5.7 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 will be written to Addl. Director, DGFT informing the problems faced by exporters and DG (Systems), New Delhi will also be requested to resolve the issue.

Point open, DC/AM(X)

5.8 Point : AIIEA vide e-mail dt. 19.10.2013 raised an issue of non-receipt of Shipping Bills by the Licensing Authorities. The Exporters are told that this is a problem of ICEGATE. The same problem arises in the reverse when amendments to Licenses are transmitted from the Licensing Authorities to Customs.

Reply – Commissioner informed that, as stated earlier, the ICEGATE transmits the details of the Shipping Bill to concerned licensing authorities like DGFT automatically. 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.

Point closed, DC/EDI

6. As the meeting began to conclude, Shri C.S. Prasad, Chief Commissioner of Customs, Mumbai Zone-II presided over the meeting and welcomed all the trade members present at the meeting. Chief Commissioner informed that RMS in Exports is going to be launched in the 2nd week of December. He stated that in Imports there is a system of Role of Assessment prior to Examination of goods at Docks. In Exports there is a disconnect between the Assessment Officer and Examining/LEO Officer as there is no location/CFS wise assessment. This may create further problems in RMS of Exports. Therefore, he made a suggestion that if exports assessment and examination are done in the same location/CFS, the export work will be facilitated and will benefit trade and industry. It was therefore informed to the trade to think over the subject and the inputs & suggestions may be given to the department so as to frame the procedures and instructions in agreement with the trade. After 15-20 days another meeting in this regard may also be held to finalise the issue.

7. The next PTFC meeting is scheduled to be held on 28.11.2013 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. 10 days in advance 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.

8. The meeting ended with thanks to the Chair.

9. This issues with the approval of Commissioner of Customs (Export), JNCH.

Sd/-07.11.2013

(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.