

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 04.08.2014

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-33/2014-15 AM (I) JNCH

Date: 02.09.2014

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE HELD ON 14.08.2014

Sr. No.	Names(S/Shri)	Organization/Association/Designation
01	Mohan Nihalani. (President)	All India Importers' Exporters' Association
02	Subhash Rajkumar	MANSA
03	V.K Agarwal	G.M (EXIM) Mirc Electronics Ltd. (ONIDA)
04	<u>Arvind R Hiwale, Drugs Inspector</u>	Office of ADC (Import) , CDSCO
05	D.L. Thakkar	BCHAA
06	L.V Shah	BCHAA
07	Paresh Shah	BCHAA
08	Sailesh Bhatia	AMTOI
09	R Rajasekhar	United Phosphorous Ltd
10	Kiran Rambhia	BCHAA
11	Ashish Pednekar	MACCIA
12	Avinash Buge	JNPT
13	Rajesh Gosalia	COSIA/BCHAA
14	Milan Desai	BCHAA
15	Anand Bhole	Hyundai
16	Nimesh Desai	NHD Forwarders
17	V. Rajendran	Addl. Commissioner of Customs, JNCH
18	Aseem Kumar	Addl. Commissioner of Customs, JNCH
19	S. Anantha Krishnan	Addl. Commissioner of Customs, JNCH
20	Nilkanth N. Shelke	Jt. Commissioner of Customs,JNCH
21	R.K Singh	Dy. Commissioner of Customs,JNCH
22	Vishal Malani	Dy. Commissioner of Customs,JNCH
23	Piyush Kamal	Dy. Commissioner of Customs,JNCH

The PTFC meeting held on 14.8.2014 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. Chairperson welcomed all members present in the meeting. Chairperson introduced the three new Additional Commissioners namely Sh. V. Rajendran, Sh. S. Anantha Krishnan and Sh. Aseem Kumar to the members of PTFC and informed them about the charges being held by them.

3.POINTS RAISED IN PREVIOUS MEETING HELD ON 17.07.2014

3.1 Assessment of Documents pending finalization of SVB/GATT Valuation:

The representative of BCHAA informed Chairperson that they have submitted their representation for change in SVB procedure at JNCH today i.e. 14.08.2014 to D.C. SVB. Chairperson asked D.C. SVB and D.C. Appraising Main to examine the issue and submit their suggestion within two weeks so that she can take call on the issue.

(Action:- D.C. SVB & Appraising Main.)

3.2: List of Not a Drug item from Drug Controller:-

D.C. Appraising Main informed Chairperson that as per the direction the fresh list of “Not a Drug item” has been taken in soft copy and forwarded to Addl. Commr. Docks and Jt. Commissioner Gr. II & II A-F. However the list of “Not a drug Item” from Astt Drug Controller has not yet been received. Astt Drug Controller present in the meeting informed Chairperson that the list is being studied and some items are yet to be approved as Not a Drug by competent authority. The Chairperson asked Astt Drug Controller to at least send the list of items which has already been approved with covering letter. She asked the members to approach Additional Commissioner Docks in case of any difficulty in this regard.

(Action :- Astt. Drug Controller; Additional Commissioner Docks)

3.3 FSSAI Issue & Clearence of Food Stuff:-

The members informed Chairperson that due to the rigid stand of FSSAI many renowned products like Lindt Choclates etc have withdrawn their product from India. Chairperson asked the members to submit the problems being faced on this issue in writing to her, so that she can take up the matter with the Ministry and CBEC. She informed the members that the JNCH is taking action as per law in case of clearance of food items as per the past test reports. One of the member informed Chairperson that the officer posted in Docks are not accepting the past test report of identical product from the same supplier when the product is of different grammage. Chairperson observed that the same should be accepted as the weight will not change the composition of the product. She asked the member to properly explain the issue with the labels of the product to officers and bring the matter to the notice of AC/ADC Docks in case of difficulty.

(Action:- BCHAA & Members of other Associations)

3.4 Cancellation of OOC and attending Jt. Survey by Customs in RMS Cleared B/E:-

The Chairperson informed members that the study group is being formed to give viable suggestion in this regard, particularly for the RMS cleared goods. The said Study Groups should include one representative of each stakeholder. She asked Addl. Commissioner, Appraising Main to take necessary action in this regard.

(Action:- Addl. Commissioner, A/M)

3.5 Matter related to Scanning and Scanning charges by CFS:-

The members of BCHAA submitted the bills raised by various CFS for their services which showed that one of the charges is scanning charges besides scores of other charges. Chairperson informed the members that matter will be taken up with the concerned authority for seeking explanation of CFSs on the issue of illegal charges and for taking appropriate action as per law. The representatives of CFS were not present in the meeting . Sh Nihalani informed Chairperson that the transaction cost is hiked because of charges of Agencies other than Customs i.e. mainly Shipping Line and CFS. He observed that all the charges should be under one umbrella as is being done in countries like Sri Lanka. Members of BCHAA informed Chairperson that the hike in CFS Charges is due to subletting of space within the CFS. Chairperson informed the members that the CFS cannot do the same without the prior approval of Commissioner of Customs. She asked the members to bring this issue to the attention of Commissioner (Export) in Export PTFC so that he can take appropriate action in this regard.

Chairperson observed that ideally there should be some amount of uniformity in the charges for various services and that the same should be fixed by a committee of all stakeholders.

(Action BCHAA&CFS Association)

3.6 Uploading of Status Test Report on JNCH website :

The Chairperson informed the members that the status of the Test Report is being uploaded as reported by the EDI section of JNCH. Members do not have any further issue on the above matter.

(Point Closed)

3.7 RTGS Service charges for SAD Refund:-

The members informed Chairperson that they have received the proposal of manager SBI and are studying the matter. Sh. Nihalani stated that his association oppose such charges. Chairperson stated that status quo shall be maintained till decision is taken in this regard in PTFC.

(Action :- SBI and member Associations)

3.8 Sealing of Containers meant for ICD at JNPT Terminal:

The Representative of MANSA informed Chairperson that the JNPT Terminal has not allowed movement of SMTP containers where seal is broken or non-existed) to ICD despite of decision

in the last meeting that Customs No Objection is not required. The Steamer Line has to affix fresh seal and inform concerned ICD/CFS. The representative of JNPT informed Chairperson that they are awaiting clarification in writing from Customs as per their discussion with Customs officials. Sh. Aseem Kumar, Additional Commissioner Docks stated that Transshipment Regulation prescribes sealing by Steamer Agents in such cases. Chairperson informed that the matter will be referred to Commissioner (Export) for clarification/directive in this matter. She asked D.C. Appraising main to take up the matter with PG Cell/Commissioner (Export).

4. New Points

4.1 Shortlanding of Containers:

The Representative of M/s Mirc Electronics informed Chairperson that they filed B/E for three Containers as per the Advance IGM and B/E was assessed after filing of Final IGM. After payment of duty and at the time of taking delivery they came to know that only two containers were discharged. He stated that how this has happened even after checking by Customs at the time of filing final IGM and that there should be some procedure to avoid the same. The representative of Shipper Association informed that the IGM is filed before arrival of vessel for discharge after Entry Inwards is granted and Customs has got no role in the physical stocktaking of containers as the same is on declaration of Master of Vessel and/or the Shipping Agent. Chairperson informed the member that in such cases the Steamer Agent has to approach Customs for amendment in IGM so that B/E can be re-assessed for actual quantity before Out of Charge. The members informed Chairperson that IGM amendment is taking more than a week time. D.C. import Noting informed that the amendment is allowed within two days. Chairperson observed that the IGM amendment ordinarily should not take more than a day.

4.2 ADD on CPT:

The representative of Mirc Electronics informed Chairperson that ADD on CPT has expired but the examination instruction shows "Check ADD". The officers at Docks are referring such consignments to Group which is causing unnecessary delay. The Chairperson observed that the authority for taking out the instruction from CCR is with RMD and System Directorate. She asked the member associations to take up the matter with these Departments and informed that the same will be taken up by JNCH also. Chairperson asked Additional Commissioner Docks to issue proper instruction to officers posted at Docks in this regard to avoid delay in clearance.

4.3 Verification of Cash Payment Receipt:

The members of BCHAA informed Chairperson that the verification of Revenue Deposit slip is causing delay. Sh. Shelke, Jt. Commissioner informed the members that the process has been adopted as cases of forgery had been detected. He informed that all payments except R.D. for SVB cases are being accepted electronically on system only. BCHHA to ensure that payment by manual challan is done only in rare and unavoidable cases. Chairperson observed that the verification has been started as the Customs is left with no option. She informed the members that the matter is being taken up with D.G. System so that R.D. Payment can also be brought in EDI. She asked members to give suggestions in this regard so that the delay can be avoided. BCHAA assured that they will submit their suggestion.

(Action: Jt. Commr. EDI & BCHAA; other Associations.)

4.4 The member of BCHAA informed Chairperson that in the new 1.5 system the officers posted at Docks are sending the B/E to EDI Appraiser for converting Prior to Final B/E whereas the same can be done at Docks itself. The Chairperson asked the member to submit in writing detailing the whole issue so that required action can be taken.

Chairperson asked members to submit all System related issues so that matter can be taken up with D.G. System for appropriate solution.

(Action: BCHAA; Jt. Commr. EDI)

4.5 Congestion at JNPT for transport of SMTP containers:

The members informed Chairperson that there is delay of 20-25 days in transport of containers to ICD Tughlakabad. The representative of MANSA informed Chairperson that the delay is due to unavailability of rakes. The Chairperson asked the members to take up matter with CONCOR. The member inquired as to whether in case of exigency the Customs will allow SMTP to Local. Chairperson informed member that the same can be considered on application by Steamer Agents/Port Terminals

5.The members were informed that the next PTFC meeting is scheduled to be held on 11.09.2014 at 11.30 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. 3 days in advance on Fax No. 022-27243245 or by E-mail to Appraising Main (Imp) Section on appraisingmain.jnchimp@gmail.com for taking up the issue in the upcoming PTFC meeting.

6.The meeting ended with thanks to the Chair.

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

(R. K. SINGH)
DY. 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.