



OFFICE OF THE COMMISSIONER OF CUSTOMS (NS I, III & V)
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA
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F. No. S/22-Gen-189/2015-16 AM (I)

Date: 06.03.2017

MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE HELD ON 27.02.2017.

The PTFC meeting held on 27.02.2017 was chaired by Shri Shrawan Kumar, Commissioner of Customs, NS-III, Shri Subhash Agarwal, Commissioner of Customs, NS-G and NS-IV and Shri M. R. Mohanty, Commissioner of Customs, NS-II. The meeting was attended by the following Members/Participants of trade:-

| Sr. No. | Names (Smt./Shri/Ms.) | Organization/Association/Designation |
|---------|-----------------------|--------------------------------------|
| 1 | Vinayak B. Aparaj | BCHAA |
| 2 | Kiran Rambhia | BCHAA |
| 3 | Ashish Pednekar | BCHAA |
| 4 | Hiren Ruparel | BCHAA |
| 5 | Mohan Nihalani | AIIEA |
| 6 | K S Shetty | BCHAA |
| 7 | Kishore Parulekar | MSA |
| 8 | Shankar Shinde | RCCI |
| 9 | Ganpat Korede | BCHAA |
| 10 | V. K. Agarwal | ONIDA |
| 11 | R. Rajasekhar | UPL Ltd. |
| 12 | Nimish Desai | WISA |
| 13 | Milan Desai | WISA |
| 14 | Paresh Shah | WISA |
| 15 | Manish Kumar | MANSA |

| | | |
|----|-----------------|---------|
| 16 | V. M. Thomas | CSLA |
| 17 | Arun Hegde | CSLA |
| 18 | Sumeet Tanwar | CFSAI |
| 19 | Neelesh Datir | AILBIEA |
| 20 | Venkt Narayan | CFSAI |
| 21 | Kaushal Thakker | BCHAA |
| 22 | Vinay Pathak | BCHAA |
| 23 | K. A. Agnihotri | MSWC |
| 24 | M. B. Malik | BCHAA |

Following Officers from department attended the meeting:-

| Sr. No. | Names (Smt./Shri/Ms.) | Designation |
|---------|-----------------------|-------------------------------------|
| 1. | Dhirendra Lal | Addl. Commissioner of Customs, JNCH |
| 2. | S. C. Gangar | Addl. Commissioner of Customs, JNCH |
| 3. | Vijay Risi | Addl. Commissioner of Customs, JNCH |
| 4. | Nikhil Meshram | Addl. Commissioner of Customs, JNCH |
| 5. | Rahul Nagare | Addl. Commissioner of Customs, JNCH |
| 6. | Akhilesh Pandey | Addl. Commissioner of Customs, JNCH |
| 7. | Jagdish Sharan | Addl. Commissioner of Customs, JNCH |
| 8. | Pritee Chaudhary | Joint Commissioner of Customs, JNCH |
| 9. | C.P.S. Chauhan | Dy. Commissioner of Customs, JNCH |
| 10. | D. S. Rana | Dy. Commissioner of Customs, JNCH |
| 11. | S. S. Chinchpure | Asst. Commissioner of Customs, JNCH |
| 12. | Sunil T Badkar | Asst. Commissioner of Customs, JNCH |

2) At the outset, the Chairman welcomed all the members.

3) The Addl. Commissioner of Customs, Appraising (Main) (Import), thereafter, announced the following facilitation measures for Ease of Doing Business carried out by the department since the last PTFC meeting held on 25.01.2017.

- i) Public Notice No.12/2017 JNCH dated 31.01.2017 regarding 'Procedure for DPD Clients filing warehouse Bills of entry and taking delivery of goods from Terminals to bonded warehouse without going to CFS'.
 - ii) Standing Order No.04/2017 JNCH dated 02.02.2017 - 'Partial modification in the Standing Order No.79/2016 JNCH dated 26.12.2016 on the subject of 'Delay of more than 20 days in presentation of Bill of Entry along with all requisite documents for assessment, registration, examination or out of charge'.
- 4) Thereafter, the Agenda points were taken up for discussion.

Old Points

Point No.1:- Suggestion for successful implementation of PN No. 164/2016 regarding Mandatory Noting of Advance Bill of Entry

- a) Amendment procedure needs to be simplified for Example
 - _ Master Bill of Lading should not be insisted for Amendment as Shipping Lines are refusing to provide copy of Master Bill of Lading to the trade.
 - _ On Number of occasions, Shipping Lines file the IGM only with Master BL details by omitting the House BL. In such cases, amendment in the IGM should be permitted by Dy. Commissioner upon importers request for adding the House BL.
- b) Shipping Lines / NVOCCs need to provide Advance Invoice with all freight related charges for preparation of Import Bill of Entry. At present, on number of occasions, the Bill of Entry in advance is not possible to prepare in absence of freight details.

This point is also very important for efficient functioning of Direct Port Delivery.
- c) Shipping Lines should file the manifest at least 5 days in advance to reduce the dwell time.

Action taken:-

Point wise action taken is as under:-

- (a) The Chairman informed the members of the trade that Master Bill of Lading is a necessary document for allowing amendment and without Master Bill of Lading original owner of the goods cannot be identified and department is asking for a copy of the same only.
- (b) Advisory to shipping lines has already been issued to issue E-delivery order and E-invoice in advance and specific cases of non-compliances may be brought to the notice of Customs for further necessary action.
- (c) Section 30 of Customs Act 1962 requires shipping line to file IGM prior to arrival of vessel. Shipping lines have been requested to file IGM as early as possible.

{Action: Point 1(a) ADC/Import Noting}

{Point 1 (b) and 1 (c) Closed}

New Points:

Point No.1:- Various clarifications regarding DPD

DPD is one of the landmark features of Ease of Doing Business introduced by JNCH. To make it successful we suggest the following:-

- E form 13 submission is additional paper work and should be done away with.
- Custom Broker should be allowed to maintain P.D. Account with the Terminals.
- Custom Brokers employees should be provided with yearly passes to obtain DPD. A suitable Facility Notice should be issued to all stakeholders by Custom authorities. All 3 Port terminals should follow uniform procedures and common procedure/SOP. This should be widely circulated to trade for transparency.
- Loading of containers should be done in such a manner that door of the container should always be on the rear side of the vehicle.
- All Port terminals should raise billing invoice immediately on container/consignment wise. At present, bills are raised fortnightly. This is causing tremendous inconvenience to the trade.

- JNPT terminal is not stacking containers separately. This is leading to delay in DPD consignments and Custom Brokers are made to run pillar to post inside terminal for tracing and locating the containers.
- Delay in handling of containers and clearance at Speedy CFS. Lack of infrastructure at Speedy CFS is also deterrent for timely clearance.
- Nodal Officers required at each terminal with contact details 24x7 at the gate of terminals.

Action taken:-

The Chairman informed that as the above mentioned points pertain to Port Terminals and Shipping lines, the same will be taken up in forthcoming CCFC meeting.

DC Speedy will be appointed as nodal officer in cases relating to handling and clearance of containers at Speedy CFS.

Advisory will be issued shortly to port terminals regarding loading of DPD containers.

(Action: ADC/Import Docks)

{(Action: ADC/Appraising Main (Import))}

Point No.2:- Simplification required for prior to final regularization of IGM

It was requested that prior to final regularization of IGM be done for entire IGM and not for each individual item.

Action taken:-

This suggestion was agreed to for implementation. It was informed that this issue may have to be taken up with DG (Systems).

(Action: ADC/EDI)

Point No.3:- Information regarding 'RMS Facilitation Centre'

It was requested to provide name and contact details of Officers posted at RMS cell in advance for entire month.

Action taken:-

The posting order of the Officers posted at 'RMS Facilitation Centre' is already being issued on Friday on a weekly basis along with their contact details.

(Point Closed)

Point No. 4:- Issue regarding System directing Bill of Entry for PGA NOC.

In case where waiver has been granted in EDI system under Single Window from PGA, it is observed that at time of out of charge, system is directing for PGA NOC once again. It is requested to rectify the system issue as the print out of Bill of Entry is reflecting the waiver from any PGA NOC.

Action taken:-

This issue will be taken up with Commissioner (Single Window). However, in the mean time instructions are being issued in this regard that if at the first place, PGA NOC waiver has been granted by the system and later at the time of out of charge an instruction asking for PGA NOC pops up in system, the same shall be ignored.

(Action: ADC/EDI)

Point No. 5:- FSSAI and PQ insisting on Manual hard copy of the Bill of Entry.

FSSAI and Plant Quarantine are insisting on manual hard copy of Bill of Entry to view details, the same should be available online to all PGAs in case of ADC.

Action taken:-

The Chairman informed that above mentioned point pertains to PGAs and will be taken up in forthcoming CCFC meeting.

(Point Closed)

Point No. 6:- Issues relating to packing material in case of de-stuffed delivery.

In case of de-stuffed deliveries obtained by Importers, the packing material and pallets are the property of Importers and hence these should be permitted along with de-stuffed import deliveries.

Action taken:-

The Chairman asked to call for a report from CFSs and DC Docks regarding practice being followed in the above mentioned cases so that an appropriate decision can be taken on the matter.

(Action: ADC/CFS Management Cell)

Point No. 7:- Irrational charges being levied by CFSs

With the efforts of JNCH for Ease of Doing Business, reducing transaction cost of dwell time are nullified due to irrational charges being levied by CFSs for clearance of LCL consignments. It was informed that considerable complaints have been received from members of trade regarding high handed approach of CFS. It was requested that there should be uniform practices and charges to be levied by CFS for LCL shipments as there is total lack of transparency at present.

Action taken:-

The Chairman asked the members of the trade to provide details of specific instances of the above mentioned cases for appropriate further action.

(Point Closed)

Point No. 8:- Choice of CFS

Violation of Public Notice No.01/2017 by Shipping Lines. It has been brought to the notice that for choice of nomination of CFS Shipping Lines are still charging nomination fees thus violating provisions of Public Notice No.01/2017. Hence, it is requested to take suitable action for proper compliance.

Action taken:-

The Chairman asked the members of the trade to provide details of specific instances of the above mentioned cases for necessary action.

(Point Closed)

Point No. 9:- Goods Purchased on High Seas sale by DPD Importer.

B/E to be filed in Advance to avail DPD is done. All the required papers for High Seas allow prior to arrival of vessel are submitted in Import department. In absence of Manual IGM Copy in Import department procedure is not completed. B/E is ready by DPD approved importer, but due to non-completion of High Seas allow procedure, direct port delivery within time frame is not possible and are on hold for Speedy movement. It is requested that High Seas procedure to be completed and allowed without insisting on Manual IGM to avail DPD. However same may be regularised once physical copy of IGM is available at Import department if required.

Action taken:-

The Chairman informed that HSS procedure is to be completed on the basis of details present in the system and manual copy of the IGM will not be insisted. Instructions in this regard will be issued shortly.

(Action: ADC/Import Noting)

Point No. 10:- Special service request (SSR), Additional service request (ASR) or Interchange number request (ITR) not to be insisted by terminals for DPD delivery within time frame & containers lying at terminal.

Many Shipping lines are still facing difficulty in filing IAL (Import Ad List) for preferred CFS code with the terminal. Importer is not able to take DPD as terminals are insisting for ASR/SSR/ITR from respective Shipping line which takes time. (Change of CFS code in IGM/IAL to preferred CFS code / speedy CFS). This result in holding of containers after 48 hours.

If containers are with time limit of 48 hours is over, same is assigned to SPEEDY CFS form movement. In such cases, terminals are not insisting for SSR/ASR/ITR. It is requested that DPD to be allowed with OOC done and other valid papers produced by eligible importer without insisting SSR/ASR/ITR from shipping line, or to be done by Terminals directly. Filing of DPD CODE and preferred CFS Code (Staking Code) to be visible to the trade.

Action taken:-

The Chairman informed that as the above mentioned points pertain to Shipping lines, the same may be taken up in forthcoming CCFC meeting.

(Point Closed)

Point No. 11:- Requirement of physical form 13 by JNPT & NSICT/NSIGT be reviewed.

Many shipping line surveyors have their office scattered at various locations to collect form 13 is causing hardship to the trade. It is requested that requirement of Form 13 be done away with or be transmitted online with release of D/O.

Action taken:-

The Chairman informed that as the above mentioned points pertain to Port terminals, the same may be taken up in forthcoming CCFC meeting.

(Point Closed)

Point No. 12:- Bill of entry under examination due to assessment, scan hold etc, allowed to be moved to preferred CFS area.

If B/E is picked up by system for assessment & examination, scanning hold and examination may please be allowed to be moved to preferred/designated CFS like normal CFS movement without insisting of out of charge. It is requested movement of containers to preferred/designated CFS may be allowed against assessed B/E with examination order/Scan hold.

Action taken:-

The Chairman informed that consignment pertaining to B/E marked for assessment & examination are allowed to be moved to the preferred/designated CFS, if the importer informs the name of the preferred CFS to the Shipping line in time. This issue is already covered under Public Notice No.16/2017.

(Point Closed)

Point No. 13:- Re-print of B/E, debiting of Bond and FTA certificate on Saturday.

In case of assessed B/Es, if print is stuck up for technical reasons, need to re-print order from EDI, if there is any amendment in B/E after assessment, same is not visible and need re-print form EDI. In case of Advance B/Es, if there is any minor correction as per IGM (other than IGM amendment) such correction menu is only with DC. (Generally done by concern group DC) Bond debiting of assessed B/Es. In case of SVB-PD bond/EPCG/Advance authorisation/Warehouse bond, if bond debiting is balance same is not being done on Saturday. FTA certificate, certificate of origin (SAFTA/AFTA etc.) not verified pertaining to B/E filed on Friday and print generated late evening, OOC cannot be done till Monday. It is requested to consider and make arrangements for all above at JNCH for clearance of goods on week end Saturday.

Action taken:-

The Chairman informed that the issue will be examined.

{{(Action: ADC/Appraising Main (Import))}}

5) The members of the meeting were informed that the next PTFC meeting shall be held on **30.03.2017 at 11:30 AM at Conference Hall, 7th Floor, JNCH**. All the Association members were requested to forward their agenda points, if any, at least **07 working days in advance** by e-mail to Appraising Main (Import) Section on appraisingmain.jnch@gov.in 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 the Commissioner of Customs, NS-III.

-Sd/-

(C. P. S. Chauhan)

**Deputy Commissioner of Customs
Centralized Appraising main (Import)
NS-I, III & V JNCH
022-27244779**

To,

All the Members of PTFC.

Copy to:

1. The Chief Commissioner of Customs, Mumbai Zone-II, JNCH, Sheva.
2. The Principal Addl. Director General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, Room No.138/139, New Custom House, Ballard Estate, Mumbai - 400 001 (mzu-dgtps@gov.in).
3. The Ombudsman, Indirect Taxes, Mumbai.
4. The Pr. Commissioner/All Commissioners of Customs, Zone-II, JNCH, Sheva.
5. All ADC/JC, DC/AC of Customs (I, III, V), JNCH, Sheva.
6. DC/EDI for uploading on JNCH website.
7. Office Copy.