



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: 21.02.2017

**MINUTES OF MEETING OF THE PERMANENT TRADE FACILITATION
COMMITTEE HELD ON 25.01.2017.**

The PTFC meeting held on 25.01.2017 was chaired by Dr. John Joseph, Chief Commissioner of Customs, NS-I, Shri Shrawan Kumar, Commissioner of Customs, NS-III, Shri Subhash Agarwal, Commissioner of Customs, NS-G and NS-IV, Shri Vijay Singh Chauhan, Commissioner of Customs, NS-V and Shri M R Mohanty, Commissioner of Customs, NS-II. Smt. Sungita Sharma, Pr. ADG (Vig.) West Zone, Mumbai and Ms. Chintha Anna Issac, Joint Commissioner (Vig.) West Zone, Mumbai were also present as a special Inviters. The meeting was attended by the following Members/Participants of trade:-

Sr. No.	Names (Smt./Shri/Ms.)	Organization/Association/Designation
1	V. K. Agarwal	ONIDA
2	Neelesh Datir	AILBIEA
3	Vinayak Apsat	BCHAA
4	Paresh Thakkar	BCHAA
5	Venkat Narayanan	CFSAI
6	James Joseph	CFSAI
7	S. Srinivas	CFSAI

8	Manish Kumar	MANSA
9	Subash Rajkumar	MANSA
10	Chetna M Badheka	AIWCBA
11	Roshan Irani	AIWCBA
12	Laksha Tadadikar	CFSAI
13	Umesh Grover	CFSAI
14	Ganpat Korede	BCHAA
15	Nimish Desai	WISA
16	Paresh Shah	WISA
17	R. Rajasekhar	CROP CARE
18	Shankar Shinde	RCCI
19	Hiren Ruparel	BCHAA
20	Dushyant Mulani	BCHAA
21	Karunakar Shetty	BCHAA
22	Omparkash Agrawal	MSWA
23	Mohan Nilani	AIIEA
24	Mark Fernandez	Sylvester & Co.

Following Officers from department attended the meeting:-

Sr. No.	Names (Smt./Shri/Ms.)	Designation
1.	Dr. Ashir Tyagi	Addl. Commissioner of Customs, JNCH

2.	Dhirendra Lal	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.	C.P.S. Chauhan	Dy. Commissioner of Customs, JNCH
9.	Dinbandhu Diwakar	Dy. Commissioner of Customs, JNCH
10.	D. S. Rana	Dy. Commissioner of Customs, JNCH

2) At the outset, the Chairperson welcomed all the members and mentioned various steps taken by the JNCH for 'Ease of Doing Business'. Chairman started deliberations on functioning of Container Scanning System at JNCH. The Pr. ADG/Vigilance, Smt. Sungita Sharma informed that Directorate of Vigilance is doing a system study on the functioning of container scanning and discussed the issues related to functioning of Container Scanning System at JNCH. Detailed discussion was made on following points-

- appropriate location for installation of the Container Scanning System
- measures to be taken to minimize interference,
- how to improve System related issues with help of Risk Management Division
- ways to maximize utilization of the Scanning System
- Strengthening of Container Scanning Division
- Integration of scanned images to ICES 1.5 module etc.

Trade was further requested to provide feedback/suggestion/study reports on this issue. Thereafter, Chairperson directed to initiate the discussions on the agenda of the meeting.

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 29.12.2016.

- i) Public Notice No.183/2016 JNCH dated 29.12.2016 regarding 'Intimation of updation of WCO Harmonized System of Nomenclature & Steps taken for its smooth implementation'.
- ii) Public Notice No.05/2017 JNCH dated 12.01.2017 regarding 'Partial Modification to the Public Notice No.127/2016 JNCH dated 16.09.2016 - Reduction in no. of documents required to be submitted for Registration with Port authorities'.
- iii) Public Notice No.06/2017 JNCH dated 12.01.2017 regarding 'OOC procedure and norms of scanning & examination for RMS facilitated containers (other than DPD)'.
- iv) Standing Order No.03/2017 JNCH dated 20.01.2017 - 'OOC procedure and norms of scanning & examination for RMS facilitated Containers: Instructions for follow up action where examination reveals mis-declaration, etc.'

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 reply is as under:-

(a) For any amendment in favour of new buyer (Importer) on High Sea Sales, a House Bill of Lading (HBL) is required to be filed along with following documents.

- High Sea Sale agreement duly notarized
- Non-negotiable copy of bill of lading
- High Sea Sale invoice
- IEC copy of both buyer and seller
- Letter of confirmation of sale/purchase from both seller and buyer
- Authority letter to CHA

The copy of MBL is required to ascertain the link between original importer and new buyer and to load 2% value addition on the sale and another 2% in every subsequent sale in case of multiple buyers.

HBL is a replica of MBL and issued by shipping line to Freight Forwarder or NVOCC operator. To avoid any mistake HBL is generally issued on back side of MBL.

Therefore the request of trade that MBL should not be insisted for amendment appears not feasible.

(b) The trade to request shipping line/NVOCCs to provide advance invoice with all freight related charges.

(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: ADC/Import Noting)

Point No.2:- Suggestion for successful implementation of PN No 161/2016 for Direct Port Delivery

- a) For successful roll out of Direct Port Delivery, all Custom Brokers should be provided common entry pass for all the 3 terminals without requirement of going through CISF. The validity of these passes should be up to the validity of the CB Licence as being done in case of other Custodians.
- b) Advance Invoicing and Advance release of Delivery Order to be made mandatory by Shipping Lines / NVOCCs & Forwarders.
- c) Nodal Officer needs to be provided by Customs with authorization to deal with cases pertaining to scanning related issues.

Action taken:-

Point no. a) and b) has been referred to CCFC meeting for discussion. In respect of point no. c) Assistant Commissioner of Customs, CSD is the Nodal Officer.

(Point Closed)

Point No.3:- Suggestion for successful implementation of PN No 165/2016

- a) Timely availability of container scanning list to be provided at the RMS Facilitation Centre at PUB.
- b) Incase if the container is chosen for scanning and OOC for such Bill of Entries has been obtained, the concerned Dock Dy./Asstt. Commissioner should be able to cancel the OOC and permit examination.
- c) There should be validation created in the Customs EDI system wherein once a container is chosen for scanning, OOC for such Bill of Entries should not be generated. Mapping of container scanning list needs to be done with the Customs EDI System.

Action taken:-

In respect of point no.3 (a), the scanning lists are being E-mailed regularly and the hard copy of the same is displayed on the notice board at the RMS Facilitation Centre at JNCH.

In respect of point no.3 (b), request for OOC cancellation may be routed directly from DC/Docks to DC/EDI to simplify the procedure. Further, instruction in this regard has already been issued vide Public Notice No. 06/2017 JNCH dated 12.01.2017.

In respect of point no.3(c), The proposal required integration of RMS and ICES which is already under the active consideration of DG/System & RMD.

(Point Closed)

Point No. 4:- Visibility of CFS Code in IGM Menu at ICEGATE.

At Nhava Sheva, there are more than 30 CFS operating and at times, one shipping Line is moving containers to multiple CFS. Trade has to approach Shipping line or CFS once it is moved. At times it delay's clearance process. It was requested that CFS code is part of IGM filed by shipping line but it is not visible to the Trade on Ice-gate to be made visible.

Action taken:-

The ICEGATE has already been informed regarding the issue.

(Point Closed)

New Points:

Point No.1:- Difficulty faced in Integration of HSN code in EDI System.

As per the recent guidelines issued by CBEC, few HSN codes have been changed with effect from 1st January, 2017. Many members are facing problems in filing of Bill of Entry as per the new HSN code.

Request: 1) We kindly request that HSN directory be accurately updated in the EDI System to avoid rejection.

Request: 2) For Such cases, the condition for Mandatory Advance Noting in terms of PN No 164/2016 dated 30.11.2016 should not be applicable

Action taken:-

In respect of Request: 1) CTH/CETH directory has been updated as per changes in HSN 2017. Discrepancy, if any, as and when brought to the notice the same will be corrected immediately.

In respect of Request: 2) Any specific matter may be brought to the notice of the ADC/EDI.

(Point Closed)

Point No.2:- Required updation of SAPTA Notifications in the EDI System

The New SAPTA Notification No 46/2011 are effective from 1st January 2017, however, the same are not updated in the EDI system, thus causing delay in clearance.

Action taken:-

The updation of "SAPTA notification no. 46/2011" will be done by Chennai Customs. Any Discrepancy in this regard may be brought to the notice

of ADC/EDI immediately to convey it to Chennai Customs for updation of the same.

(Point Closed)

Point No.3:- Slow working of EDI system / RMS

Members are facing difficulty in processing export consignments due to technical error in EDI system which has resulted in status of Shipping Bill being reflected as "pending for RMS".

Request 1): We kindly request you to represent the matter for resolving the system related problem.

Request 2): Whenever in such cases where system is down, manual assessment and manual LEO be permitted.

Request 3): We kindly request that assessment of SB be carried out till 10.00 PM to facilitate the export

Action taken:-

Request 1): The issue has already been forwarded to DG systems.

Request 2) and Request 3) will be addressed by ADC/Appraising Main (X).

(Point Closed)

Point No. 4:- System study by West Zonal Unit, DG (Vigilance) on container Scanning during Import and Export.

System study of issues related to container scanning during Import and Export by DG (Vigilance), WZU, Mumbai. Officer concerned and member of Trade are requested to list out issues related to container scanning during Import and Export.

Action taken:-

Issue already discussed and minuted in the minutes issued by Commr. (Export), NS-IV.

(Point Closed)

5) The members of the meeting were informed that the next PTFC meeting shall be held on **23.02.2017** at **12:00 hrs** at **Conference Hall, 7th Floor, JNCH**. The Chairman requested all the Association Members to forward their agenda points, if any, at least **05 working days in advance** on Fax No. 022-27243245 or by e-mail to Appraising Main (Imp) 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

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.