

OFFICE OF THE COMMISSIONER OF CUSTOMS (NS-IV)
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA
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F.No. S/12-Gen-40/2014-15 AM(X) Part-II

Date: .09.2016

MINUTES OF PERMANENT TRADE FACILITATION COMMITTEE
MEETING (EXPORT) HELD ON 25.08.2016

The monthly meeting of Permanent Trade Facilitation Committee (PTFC, Export) was held on 25-08-2016 at 11.30 AM in the Conference Hall at 7th Floor of the Jawaharlal Nehru Custom House. The meeting was Chaired by Shri Shrawan kumar, Commissioner of Customs, NS-III, Shri Vijay Singh Chauhan, Commissioner of Customs, NS-V, Shri Subhash Agrawal, Commissioner of Customs, NS-IV and Shri M.R. Mohanty.

2. The following members of trade attended the meeting:

Sr. No.	Names (Smt./Shri/Ms.)	Organization/Association/Designation
1	Paresh Shah	BCHAA
2	Shankar Shinde	RCCI
3	Nimish Desai	WISA
4	Gaupat Korade	BCHAA
5	Raghav Uchil	AMOTI
6	Norman Fernandez	CSLA
7	Omparkash Agrawal	MSWA
8	Vinayak B Aparaj	BCHAA
9	Laksha Taledikar	CFSAI
10	Umesh Grover	CFSAI
11	Chetna M Bhadeka	WCBFF
12	Mohan Nihalani	ALLEA
13	Salim Shikalgar	CFSAI
14	Venkatram Narayanan	CFSAI
15	Prasant Barawkar	MSWC CFS
16	Suresh Dalvi	BCHAA
17	Hiren Ruparel	BCHAA

18	R. R. Rubin	AMTOI
19	V. K. Agrwal	ONIDA
20	Chris Glen	AQUARIUS
21	Roshan Irani	SHY SHIPPING
22	Mr. Ganguly	M/S LEENA FORWARDS
23	Hemant Paresh	BME LTD.
24	Ashok Bafna	BME LTD.
25	D. L. Thakkar	BCHAA
26	Yash Vardhan	CFSAI
27	Umesh Shetty	CFS
28	Subash Bangar	TRANSINDIA CFS
29	Santosh Shetty	CFSAI
30	Kajasekhar	CROP CARE
31	S.M. Salian	ALLCARGO
32	Rajesh G.	BCHAA
33	Vikas Raorane	J.M. BAXI
34	Millan Desai	BCHAA
35	Yugandhar Naik	CINLES
36	James Josheph	CFSAI
37	Neelesh Datir	ALLBIEA

3. The following officers of the Department attended the meeting:-

Sr. No.	Names (Smt./Shri/Ms.)	Designation
1	Vijay Risi	Addl. Commissioner of Customs, JNCH
2	Dhirendra lal	Addl. Commissioner of Customs, JNCH
3	Nikhil Meshram	Addl. Commissioner of Customs, JNCH
4	Akhilesh Pandey	Addl. Commissioner of Customs, JNCH
5	Rahul R. Nangare	Addl. Commissioner of Customs, JNCH
6	S.C. Gangar	Addl. Commissioner of Customs, JNCH
7	Jagdish Sharan	Addl. Commissioner of Customs, JNCH
8	Tapan Kumar	Dy. Commissioner of Customs, JNCH
9	Sandeep GM Yadav	Dy. Commissioner of Customs, JNCH
10	Amit Kumar	Dy. Commissioner of Customs, JNCH
11	Vipul Gupta	Dy. Commissioner of Customs, JNCH
12	B.S. Mangat	Dy. Commissioner of Customs, JNCH
13	S.D. Jambotkar	Dy. Commissioner of Customs, JNCH

13	Sachin Sankpal	Dy. Commissioner of Customs, JNCH
14	Priyadarshika Srivastava	Dy. Commissioner of Customs, JNCH
15	Jayaraman S.	Dy. Commissioner of Customs, JNCH

4. At the outset, the Chairperson welcomed all the members and directed to start the deliberations on the agenda of the meeting. The agenda relating to Import Commissionerate were discussed first, and then following agenda of the Export Commissionerate were deliberated upon

5. Thereafter, the Agenda points were taken up for discussion.

NEW POINTS

Point No. 1 : MEIS Shipping Bill Transmission problem

Background: BCHAA has referred DGFT PN No. 47/2015 dated 08.12.2015 wherein it was decided by DGFT that all the Shipping Bills where the scheme box has not been ticked as () in the Shipping Bill, shall be transmitted by CBEC to DGFT for the period 01.04.2015 to 30.09.2015. However, as per information gathered from trade / their members, the transmission of Shipping Bills have not taken place as required. As the transmission has still not commenced, they have requested to issue a PN in this regards for the benefit of Trade.

Discussion: The members were informed that all the shipping bills where declaration of intent “Y” has not been marked and “N” has been ticked inadvertently in the ‘reward item box’ while filing shipping bills in Customs for exports made between 01.06.2015 to 30.09.2015, shall be transmitted by CBEC to DGFT. In the case of non-transmission of Shipping Bill to DGFT, the individual cases may be brought to the notice of JNCH so that list of such

Shipping Bills may again be provided to System Directorate.

Point closed

Point No. 2: Transmission of Advance Authorization License with convertible currency and INR.

Background: BCHHA had made a representation to System Directorate, New Delhi, regarding Hardship being faced by Exporters for Transmission of Advance Authorization License with convertible currency and INR on Customs EDI System. In this regard, they had received a reply from Mr R. Anath, Deputy Director, Director General (System), stating that Necessary changes have been incorporated on 28-06-2016 in the EDI System in consultation the DGFT. However, it is being experienced that the changes have still not being incorporated in the EDI System. They have requested to look into this matter and represent with Directorate of System to effect the necessary changes as follows:

- a). Debit Foreign Currency only in the License, from overall value of license and stopping of INR debits as is stipulated in Handbook of Procedure 2015 -2020 in Para 9.01 (C).
- b). Only quantity should be debited on individual item level instead of value in terms of para 4.26 (C), which states an Advance Authorization shall inter-alia specify aggregate CIF Value of Imports.

Discussion: The members were informed that the matter is being taken up with System Directorate for incorporation of necessary changes in this regard and also advised them to pursue the matter directly with System Directorate in their individual capacity.

(Action: BCHAA & DC/EDI)

Point No. 3: Removal of mandatory warehousing requirements for EOUs, STPIs, EHTP etc.- Amendment to Notification 52/2003- Customs dt. 31.03.2003.

Background: BCHAA has brought notice on the major impetus for Make in India, as CBEC has announced landmark reforms in 100 % EOUs, STPIs, EHTPs schemes 100 % EOUs, STPIs, EHTPs schemes vide Circular no. 35/2016 – Customs dated 29-07-2016. They have requested to operationalize the said CBEC

Circular and issue a PN on urgent basis giving point wise operating procedure as per the new CBEC Circular.

Discussion: The members were informed that the Public Notice No. 111/2016 and Standing Order No. 47/2016 both dated 19.08.2016 have already been issued by Commissioner of Customs NS-IV in this regard and available on JNCH website.

Point closed

Point No. 4:- Abnormal charges for issuance of DO for LCL cargos

Shipping Companies are levying abnormal charges for issuance of DO for LCL cargos under various heads which often equal or even more than DO charges for clearance of FCL cargos. This leads to exploitation of importers. M/s Bombay Metal Exchange Ltd. has requested to standardize or regulate appropriate levies as per tonnage.

Discussion: It was advised to come with specific details of such cases of non-transparent abnormal charges levied by Shipping Lines and to raise the matter raised in next CCFC.

(Action: CCO& M/s Bombay Metal Exchange Ltd.)

Point No. 5: Container Damage Charges.

Many times shipping lines exploit importers by penalizing them for damaged container at the time of returning the containers, even if it's not his fault. Who knows if the container was already damaged at the handing over for de-stuffing.

Discussion It was advised to come with specific details of such cases of non-transparent abnormal charges levied by Shipping Lines and to raise the matter raised in next CCFC

(Action: CCO& M/s Bombay Metal Exchange Ltd.)

Point No. 6: CFS are charging Transport as well as Fuel Charges: Under what pretext are these charges being levied?

Discussion: The members were advised to give representation having specific details, so that the matter may be taken up with M/s CFS Association of India.

(Action: M/s Bombay Metal Exchange Ltd)

Point No. 7: - Weigh Bridge calibrations by CFS.

Background: Weigh Bridges are not standardized and there is an inconsistency in weights due to improper maintenance and management. This discrepancy in weighing results in a shortage which is actually not there but which is sent to the buyer who sometimes rejects the consignment / and or makes a short payment. A penalty should be imposed on discrepant weigh bridges and the CFS should be made liable for this lapse.

Discussion - It was informed that concern of member will be addressed, however for taking any action against CFS, specific input is needed. In periodical inspection of CFSs, proper Weigh Bridge calibrations and maintenance is also important criteria. These cases will also be referred to department of Weight and Measurement.

Action: (DC/CFS Management Cell, M/s CFS Association of India & M/s Bombay Metal Exchange Ltd.)

Point No.8: At JN port CFSs play a important role in clearance both for Import and Export. For quite some time the PTFC meetings are discussing issues connected with overcharging and other unhealthy practices being followed by some CFSs. It was informed that such issues are also discussed at the port CCFC meetings. But it seems not much headway is being made. It was suggested that the Chief Commissioners be armed with proper powers to impose heavy penalties on such recalcitrant CFSs. It was also desired that the Minutes of such CCFCs be mailed to the members of the PTFCs so as to enable the trade to move other ministries correlated to foreign trade in order to seek proper solution to this very major hurdle/problem which is hindering the smooth working of the country's foreign due to the usurious practices of some CFSs.

Discussion: The members were informed that the minutes of CCFCs and PTFCs are uploaded on JNCH website periodically. One can easily assess these minutes for one's reference. Directions were also given to email the minutes to the email address provided by representative.

6) The members of the meeting were informed that the next PTFC meeting shall be held on 23.09.2016 **at 11.30hrs at Conference Hall, 7th Floor, JNCH.** The Chairpersons requested all the Association Members to forward their agenda points, if any, at least **05 working days in advance** on Fax No. 022-27244959 or by e-mail to Appraising Main (Exp) Section on apmainexp@jawaharcustoms.gov.in for taking up the issue in the upcoming PTFC meeting.

7) The meeting ended with thanks to the Chair.

8) This issues with the approval of the Commissioner of Customs NS-IV.

Sd/-

(Jagdish Sharan)

Additional Commissioner of Customs

Appraising Main (Export)

To,

All the Members of PTFC by e-mail

Copy to:-

1. The Chief Commissioner of Customs, Mumbai Customs Zone-II, JNCH, Nhava Sheva.
2. The Principal Commissioner of Customs (NS-Gen & II), JNCH, Nhava Sheva
3. The Chief Commissioner of Customs, Directorate General of Taxpayer Services, CR Building, IP Estate, New Delhi 110 109.
4. The Pr. Addl. Director General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, Room No. 138/139, New Custom House, Ballard Estate, Mumbai.
5. The Commissioner of Customs (NS-I/III, IV/V), JNCH, Nhava Sheva.
6. All ADC/JC, DC/AC of Customs (N.S.-Gen, II & IV), JNCH, Nhava Sheva.
7. DC/Appraising Main (Import), JNCH.
8. AC/EDI for uploading on JNCH website.
9. Office Copy.

