

मुख्यसीमाशुल्कआयुक्त का कार्यालय, मुंबई अंचल-II
 OFFICE OF THE CHIEF COMMISSIONER OF CUSTMS, MUMBAI ZONE II
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F.No. S/V-30-Misc-01/2019-20/CCO M-II 'A' Cell
 DIN No.-20211279OC000051565C

Date: 03.12.2021

MINUTES OF CCFC MEETING HELD ON 30.11.2021

The Customs Clearance Facilitation Committee (CCFC) meeting was held on 30.03.2021 via Webex. Shri M. K. Singh, Chief Commissioner of Customs, Mumbai Customs Zone-II, Nhava-Sheva presided over the Meeting. The List of participants in the Meeting is attached.

The Chairman welcomed all the participants and requested them to forward their agenda points well in advance before the scheduled date of the meeting for more meaningful discussions.

2. Agenda points raised by BCBA.

2.1 Issues faced under CAROTAR.

a. It was pointed out by BCBA that all mandatory documents for COO Verification under CAROTAR are uploaded in e-sanchit and the time limit mentioned in the Notification for CAROTAR may be adhered to complete the verification process. It was further suggested that once system has verified COO pertaining to same supplier; same country of import, same product, order's for verification may be overruled for at least 6 months by JNCH Authority.

Response: The Chairman informed that the genuine difficulties are being addressed at Commissioner level, however for the sake of uniformity, an S.O.P. be worked out by Pr. Commissioner of Customs (NS-I) in consultation with other Commissioners.

(Action: Pr. Commissioner NS-I)

b. Field formations needs to follow Custom instructions laid down by instruction no. 18/2021 dated 17.08.2021 which states that, mechanical exercise to send all such RMS interdicted consignment to CBIC for verification should be avoided and in terms of para 3.2 of the Custom Instruction No. 18/2021 only if there is reason to believe that imported consignment does not meet the declared criteria verification be resorted to. Only cases of specific information which is required may be referred for verification. Most importantly

verification for the same products and supplier, other BE should not be referred for verification in terms of Customs Instruction No. 18/2021 dated 17.08.2021.

Further on many occasions at the time of out of charge a message "Contact System Manager" is received by the OOC officer which causes delay. This message may be made to appear at the time of assessment.

Response: First issue is concerned in the response to point (a) above. With reference to second issue, the Chairman informed that it is a system generated message for Out of Charge Officer, however the Members may give a list of those items wherein such messages are being wrongly generated by the system, so that issue can be taken up with Systems.

(Action: BCBA, Commissioner NS-I & NS-III)

2.2. Unwanted Examination orders by FAG Officers:

Unwanted examination orders are being given by FAG officers, like drawl of samples even in cases where it is not required. It was suggested that such unwanted examination orders should be over ruled by the TSK Counter.

Response: The Chairman informed that Officer in TSK cannot make a decision in this matter and only Assessing/Examining Officers have to look into the issue that too only when the examination order prescribed by FAG are clearly inappropriate or absurd. Members were asked to give details of such unwanted examination orders and the FAGs raising such orders so as to take up the matter appropriately.

(Action: BCBA)

2.3 Issues faced under Faceless Assessment

a. At present members are facing considerable issues for delay in assessment ranging from 2-7 days at various locations.

b. Several unwanted queries in very high number are being raised. Queries like submission of documents even if they are uploaded in e-sanchit, uploading SVB orders which is visible to officer on system, query for test when PTR is available are being frequently raised. The quality of queries need to be monitored.

c. Incorrect examination orders are being given causing delay. In many cases 100% examination is ordered with certain condition like presence of specific officers at the time of examination. On many occasions for re-import consignment and second hand machinery consignment, where first check examination is sought by Custom Brokers/importer Bill of Entry are assessed under second check by the FAG locations.

Suggestion:

- i). It is suggested that there could be a common template for examination order on a national basis considering product specific requirements.
 - ii). Carrying out rectification of examination order be kindly carried by PAG within couple of hours at DC level.
- d. Several times Bill of Entry kept aside on Low Priority causing delays.

Response: The Chair informed that Common templates have been worked out by different NACs. As regards incorrect examination order and B/E being kept under low priority for longer period, members were asked to share specific details for appropriate resolution. It was informed by Pr Commissioner NS-I that at JNCH these aspects are closely monitored. The Chair also informed that the assessment work is being monitored so as to bring end of the day pendency to almost Nil. This will ensure that assessment decisions are not delayed.

(Action :BCBA)

2.4 Difficulty in utilization of C.O. Certificate for more than 1 B/E:

As per ICES advisory 17/2021 one CO cannot be used for more than one Bill of Entry. Due to recent disruptions in Shipping occasions arise when one CO has to be utilized in more than one Bill of Entry. The system does not accept such multi B/E utilization

Response: The matter was discussed in detail and it was found that it requires systemic solution which would permit part utilization of C.O. Certificate. BCBA was asked to send their representation and suggestions so that it can be examined and forwarded to D.G. Systems for consideration.

(Action: BCBA)

2.5 Discrepancies in Consignments related to FSSAI and PQ

Any discrepancies in labelling or ingredients are being forwarded by these agencies to their head offices for review when this can be addressed at Zonal offices.

Response: The matter could not be discussed as the representatives from these agencies were not present in the meeting. It was decided that a detailed

representation be sent by BCBA and these issues would then be taken up with both these agencies. These agencies may be directed to attend CCFC without fail in future.

(Action : BCBA, CCO)

3. Agenda Points raised by CSLA:

3.1 Duplication of work in IGM Amendment for ICD Shipments and Short landing amendments:

CSLA pointed out that if there is any error in IGM relating to import containers of ICDs, before railing of containers, amendment is submitted at gateway customs. However even after approval of amendment by the gateway Customs the amendment is required to be done again at ICD Customs.

Also, when containers are short landed the application for short lading approval is submitted at gateway customs to delete the containers from the manifest. Even after amendment approval of short landing at gateway customs stakeholders are asked to submit amendment application again at ICD Customs In import ICD shipment case.

Response: As the issue relates to ICDs, CSLA and MANSA representative were asked to submit a representation on this issue for being taken up appropriately.

(Action: CSLA & MANSA)

3.2. SCMTR filing issues:

There are several technical issues observed during testing/parallel filing process of SCMTR which are yet to be resolved. It was requested that DG System /CBIC should be requested to have resolution of all the technical queries.

Response: It was decided that CSLA will provide a detailed note on this issue to Commissioner (Gen.) who would examine it for taking up with the DG/Systems for resolution .

(Action: CSLA & MANSA, Commissioner NS G)

4. Agenda Points raised by CFSAI:

4.1. Hazardous goods (Import/Export) threshold limit to be followed by CFS for the containerised storage:

The applicable Hazardous Goods threshold limits under Schedule II under column (4) needs to be considered for CFS instead of column (3) of

Schedule II and the procedure of additional Haz-cargo certification, which incidentally is a requirement only by JNCH and not at any other locations as CFSs are following the guidelines prescribed by MPCB and other issuing authorities can be avoided.

Response: Chairman desired to know in detail the distinction between Column II and Column IV of the Schedule referred to and their respective applicability. The CFSAI informed the Chair that they would represent this issue in person and discuss the matter for further course of action.

(Action: CFSAI)

4.2 Issuance of Notification for period of 10 years as per Customs Circular 33/2016:

There were 6 -7 CFSs which were eligible for 10 year permission but were given permission for 5 years only during pandemic due to difficulties related with inspection. Their period should be extended to ten years.

Response: CFSAI was asked to submit the list of those 6-7 CFSs whose CCSP permission is to be extended for further action. Commissioner (Gen.) to examine the issue for resolution.

(Action: CFSAI/Commissioner {NS-Gen.})

4.3. Procedure to be followed for all types of Scrap:

CFSAI vide letter dated 23rd December, 2020 vide Ref: CFSAI/JNCH/84/2020-21 had made submission requesting to review the instructions issued vide F. No. S/JNCH-D-27/2020-21 Disp (A) that Member CFSs can dispose the goods which are legally imported & where the importer has filed the Bills of Entry. In cases of illegal import & where importer has not filed the Bills of Entry, this issue was discussed with Commissioner (General) on 13.10.2021 also and CFS explained that as custodians they are entitled for disposal of such scrap. Review of Disposal Guidelines for such goods was sought.

Response: The matter needs to be examined with reference to the background of issuing the said instructions. Commissioner (NS-Gen.) to examine the issue and see whether any review of disposal guidelines is required.

(Action: Commissioner (NS-Gen.))

4.4. Expediting the decision of Hold containers withheld by Various Investigation agencies:

CFSAI requested that a list of 1678 containers that are put on hold by various investigating agencies CIU, Court Case, Custom Hold, Docks, DRI, MPIU, NSPU, R&I Police & SIIB has been given by them and their disposal should be expedited.

Response: As per the records of Disposal Section at present there are now 1082 containers on hold by various investigating agencies, out of which 722 containers are kept on hold by JNCH, Nhava Sheva. Remaining are kept on hold by other investigating agencies viz. DRI, M&P, R&I etc. For the container under hold by Commissionerate. It was informed that follow up with other agencies was being done.

As regards container under hold by investigating units of JNCH it was decided that the concerned Commissioners will act in close coordination with respective CFSs for expeditious release of containers.

(Action: CFSAI, Commissioners [NS G, NS II, NS V])

4.5. SCMTR Compliance issues:

The CFSs are not able to fully implement SCMTR due to pending issues/system errors which are not within the scope of CFSs and they are solely dependent on ICEGATE.

Response: The Chair informed the Member that the SCMTR Cell is looking into the issue and wherever required referring it to System. However, for quick redressal JNCH would request DG/System to send a team of officers from System to resolve these issues.

(Action: Commissioner [NS-Gen.])

4.6. Cost of destruction of cargo declared by FSSAI, ADC, AQ, PQ not fit for human consumption, destruction cost to be borne by Custodian Para 2(xi) of Board Circular 49/2018 & JNCH PN 19/2019 (CFSAI). This should be modified and Merchant & the Shipping Line who are the primary parties involved under the contract should pay for it. CFSAI has already taken up the matter with JNCH as well as CBIC with a request to consider reviewing the Para 2(xi) of Board Circular 49/2018 & make necessary amendments in the circular.

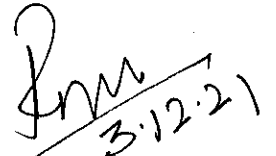
Response: As the issue has already been taken up by the Custodians with CBIC, no action is required. As per the present instructions, Custodians shall bear the expenses. This point thus stands closed.

4.7. Expeditious Disposal of Uncleared/Unclaimed RED sanders lying with custodians:

There are close to 75+ RED sanders containers that are lying uncleared/unclaimed for several years and their clearance should be expedited

Response: The CFSAI was informed that this matter is under active consideration.

5. The Chairman thanked all the participants and emphasized that with the transformed role of Customs from an Enforcement Agency to an agency playing greater role in trade facilitation, it is the duty of all stakeholders to assist in ensuring that no illegal goods/consignments are brought or cleared from this port.


3.12.21

(Rajiv Ranjan)

Additional Commissioner (CCO)

Copy to:

- 1) PS to Zonal Member/Member (Customs), CBIC, New Delhi, Mumbai
- 2) All Pr. Commissioners/Commissioners, Nhava Sheva
- 3) All members of CCFC
- 4) DC/EDI (for uploading on website)
- 5) Office Copy

Annexure-I

List of Representatives from PGAs and other stakeholders:

Sr. No.	Name	Name of the PGAs/Stakeholders	Attendee e-mail	Present/ Absent
1	Shri PG Rao Deputy Manager (CT)	JNPT	pgrao@jnport.gov.in	P
2	Shri Hiren Ruparel	BCBA	25108048144@appraisingmaini mport.webex.com	P
3	Shri Karunakar S Shetty	MACCIA	ksshetty@shipair.in	P
4	Shri Nimish Desai	WISA	nimish@nhdesai.com	P
5	Shri V. Rajappan, Asst. Drug Controller	CDSCO	cdscojnpt@gmail.com	P
6	Shri Sunil Vaswani	CSLA	csla@bombaychamber.com	P
7	Shri Sharda Phadtare	CIDCO	sharda.phadtare@gmail.com	P
8	Ms. Rekha	CSLA	csla@bombaychamber.com	P
9	Shri Salim Shikalgar	CFSAI	salims@ictpl.net	P
10	Shri Umesh Grover	CFSAI	sg@cfsai.in	P
11	Bakshi Md Hanif	MANSA	bakshi@samsarashipping.com	P
12	Manita Umesh Churi	CDSCO	import.accmumbai@gmail.com	P
13	Shri Atul Jahagirdar	CFSAI	atul.jahagirdar@hindterminals. com	P
14	Shri Manish Kumar	CSLA, MANSA	manisha.kumar@msc.com	P
15	Capt Jasbir Singh	CFSAI	jasbir_s_bom@poseidanship.co m	P
16	Shri Jacob Thomas	CFSAI	jacobt@ictpl.net	P
17	CDSCO West Zone	CDSCO	wzmumbai@cdsco.nic.in	P
18	Mrs. Leena Ganguly	AIWCBA	leenaganguly@shreemahadev.co m	P
19	Shri B S Khati, Wildlife Inspector	WCCB	rddwr@wccb.gov.in	P
20	Ms Sheetal Ahluwalia	AIWCBA	sheetal@keshavlalkalyanji.com	P
21	Shri Kiran Rambhia President	BCBA	kiranrambhia@gmail.com	P
22	Shri Paresh Thakkar	BCBA	pareshthakkar1808@gmail.com	P
23	Shri Mark Savio Fernandes	BCBA	sylvesterindia@gmail.com	P
24	Shri R. K. Rubin	AMTOI	rkrubin@transconfreight.com	P

25	spsanjay1968		spsanjay1968@gmail.com	P
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31		GTI, APM TERMINAL	bosco.fizardo@apmterminals.com kamal.jain@apmterminals.com	A
32		NhavaSheva International Container Terminal NSICT	barrington.fernandes@dpworld.com	A
33		FICCI (FEDERATION OF INDIANCHAMBERS OF COMMERCE & INDUSTRY)	deepak.mukhi@ficci.com	A
34		CII (CONFEDERATION OF INDIAN INDUSTRY)	kaushlendra.sinha@cii.in	A
35		FIEO (FEDERATION OF INDIAN EXPORT ORGANISATION)	sharda.corporation@gmail.com harpreetmakol@fieo.org	A
36		FFFAI (FEDERATION OF FREIGHT FORWARDERS ASSOCIATION OF INDIA)	fffai@fffai.org samir@ahd.jbsindia.com	A
37		INDIAN MERCHANTS CHAMBER	imcpresident@imcnet.org, arvind.pradhan@imcnet.org, imc@imcnet.org.	A
38		All India Association of Industries	sangeetaj@aiaaiaindia.com rajk1802@gmail.com	A
39		Regional Plant Quarantine Station	rpqfstm@nic.in	A

Departmental Officers:

1. Shri U. Niranjana, Pr. Commissioner NS-I
2. Shri Istikhar Baig, Commissioner, NS-Gen, IV & Audit
3. Shri Kulkarni Narendra Vishwanath, Commissioner, NS-II & III
4. Shri Dharendra Singh Garbyal, Commissioner, NS-V
5. Shri Rajiv Ranjan, Addl. Commissioner, CCO.