



मुख्य सीमाशुल्क आयुक्तकार्यालय, मुंबई अंचल II
OFFICE OF THE CHIEF COMMISSIONER OF CUSTOMS, MUMBAI ZONE II
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MINUTES OF CUSTOMS CLEARANCE FACILITATION COMMITTEE (CCFC) MEETING
HELD ON 10.01.2018 AT JNCH

The Meeting of Customs Clearance Facilitation Committee (CCFC) was held on 10.01.2018 at 11.00 A.M. in the Conference Room, at the 6th floor of the Jawaharlal Nehru Custom House, under the Chairmanship of Shri Vivek Johri, Chief Commissioner of Customs, Mumbai Zone-II.

2. Following personnel from Regulatory Agencies and representatives of various stakeholders attended the meeting:

Sr. No.	Name of the Organization	Name of the Representative & Designation (S/Shri)
1.	CISF	Dr. C. Dhananjaya Naik, Sr. Commandant
2.	JNPT	Dr. C. Unnikrishnan Nair, Chief Manager (T)
3.	GTI	Avinash Kalie, AGM, Ops
4.	GTI	Prashant Mhatre, AGM, Ops
5.	PSA/ BMCTPL	Capt. Mrityunjay Dhawal, Head Ops
6.	PSA/ BMCTPL	Atul Jahangirdar, Manager
7.	DP WORLD-NSICT/NSIGT	Ajay Moghe, GM Ops.
8.	DP WORLD-NSICT/NSIGT	Sanjeev Kabbur, Manager
9.	FSSAI, WR, MUMBAI	P. Muthumaran, Director
10.	FSSAI, WR, MUMBAI	V. K. Pancham, Dy. Director
11.	FSSAI, WR, MUMBAI	Shailesh B. Nimbodkar, Onsite Manager
12.	TEXTILES COMMITTEE	Kartikay Dhanda, Director Lab.
13.	TEXTILES COMMITTEE	Dr. K. S. Muralidhara, Jt. Director
14.	TEXTILES COMMITTEE	Shailaja Soorej, Quality Assurance Officer
15.	O/o ADC	Ravindra Shripad, Drug Inspector I/c
16.	RFCL	R. B. Sharma, Asstt. Director
17.	PQ	Dr. G. K. Bumker, Asstt. Director
18.	AIWCBA	Roshan Irani, Core Member
19.	AIWCBA	Ms. Ganguly, Core Member
20.	AIWCBA	Ms. Chetna, Member
21.	BCBA	K. S. Shetty, Sr. Vice President
22.	BCBA	Hiren Ruparel, Member MGM. Committee
23.	BCBA	Ganpat P. Karade, Member MGM. Committee
24.	CSLA	Aniruddha Lele, Director, Ops
25.	CSLA	Sagar Dange, DGM
26.	CFSAI	Capt. Nishit Joshi, Vice President
27.	CFSAI	Perey Vapiwala, Vice President

28.	CFSAI	Venkat Narayanan, E.A.
29.	MANSA	Subhash Rajkumar, Member
30.	WISA	Paresh Shah, Member
31.	WISA	Nimish Desai, Member
32.	AILBIEA	Neelesh Datir, Secretary
33.	MOL (I) Pvt. Ltd.	Subhash Dongre, Manager
34.	Custom Broker	Shobha Verma
35.	Navkar CFS	Nama Zawane
36.	AMTOI	R K Rubin, Vice President
37.	Hind Terminals	Jeetendra V. Kadu, Sr. Manager
38.	SRCO	Harth Fernandes, Director
39.	Hapag Lloyd	Samir Pathak, Sr. Manager
40.	Hapag Lloyd	Gladys D'Souza, Dir.

The Department was represented by the following officers:

Sr. No.	Name of the Representative & Designation
1.	Shri M. R. Mohanty, Commissioner of Customs, NS- I & II
2.	Shri V. S. Chauhan, Commissioner of Customs, NS-V
3.	Shri Subhash Agrawal, Commissioner of Customs, NS-III & IV
4.	Shri Utkaarsh Tiwaari, Commissioner of Customs, NS-Gen
5.	Shri Dharendra Lal, Addl. Commissioner of Customs, CCO
6.	Ms. Pritee Chaudhary, Joint Commissioner of Customs
7.	Shri Alok Srivastava, Joint Commissioner of Customs
8.	Shri Kunal Kashyap, Joint Commissioner of Customs
9.	Shri Rohit Singla, Joint Commissioner of Customs
10.	Shri Rajeev Shankar, Joint Commissioner of Customs
11.	Shri Shaileshkumar D. Jambotkar, Dy. Commissioner of Customs, CCO
12.	Dr. Gurbaz Sandhu, Dy. Commissioner, RMS Facilitation Centre
13.	Shri Yudhast Kumar, Dy. Commissioner of Customs, P(G)
14.	Shri C. P. S. Chauhan, Dy. Commissioner of Customs, DPD Cell
15.	Shri S. R. Adate, Commissioner of Customs, CCO
16.	Shri Girish Kapoor, Supdt.(P)/ CCO
17.	Shri A.V. Deshmukh, Supdt.(P)/PSO

3. The Chair welcomed all the members and the Meeting started with introduction of all present for further discussions.

4. The meeting started with an important announcement by Shri Vijay S. Chauhan, Commissioner (NS-V) regarding the Time Release Study (TRS) for January, 2018. The TRS was being conducted for a period 01.01.2018 to 07.01.2018, with the objective to analyse the time taken to clear the goods, on a differential basis, both in terms of the document & the commodity and the processes involved. As per the data collected upto 07.01.2018, 14973 Bills of Entry were filed, out of which 9210 were Advance BEs. Till 09.01.2018, 41.34% of all BEs filed, were given Out of Charge and rest about 59% were still pending for clearance. Also it has been found that, in most of the cases, assessment has been completed but either the goods were pending for want of payment of duty by the Trade, or they are pending with some of the PGAs for test reports. He informed the Chair that the last TRS for July 2017 shows that it took an average of 165 hours for clearance of goods in case of normal filing of BE, but it took only 99

hours, in cases where the Advance BE was filed. He stressed that despite this advantage, the Trade is not filing Advance BE and simultaneously, he urged the Trade to opt for the same.

The Chair suggested forming a committee, comprising members from BCBA and other associations, to ascertain the reasons for not filing Advance BE by the Trade. To this, Commissioner (NS-V) informed that this issue is already included as a part of the study, he has initiated and the outcome of the same will be put up before the Chair.

(Action: Commissioner (NS-V), BCBA)

5. Then, Shri Girish Kapoor, Superintendent/CCO made a power point presentation in respect of Dwell Time performance of Trade, Custom and PGAs for the month of December, 2017.

6. Dwell Time Study for December, 2017:

A study was made on the basis of the EDI data of December, 2017 vis-à-vis November, 2017 and December, 2016. The Facilitated and Non-facilitated Bills of Entry were studied separately to analyse the time taken by Customs, Trade and Participating Government Agencies (PGAs). The findings of the same are as follows:

- i. In case of RMS facilitated Bills of Entry for the month of December, 2017, the average time taken by Customs for clearance (including assessment and from registration to out of charge) was 4hours& 45 minutes, whereas, the Importers/Custom Brokers took around 141 hours& 05 minutes. Out of total time of 145 hours& 50 minutes, the Customs has taken only 3% of the total time and the trade (Importers/CBs) accounted for 97% of the total time.
- ii. Similarly, as per time release study for 'non-facilitated' Bills of Entry, which are assessed by the Assessing Groups, for the month of December, 2017, time taken by the Customs is just 16% (27 hours & 22 minutes); whereas trade (Importers/CBs) have taken 84%(141 hours & 58 minutes) of the total time. The time taken by Customs from filing of Bill of Entry to Assessment is 22 hours 34 minutes and from Registration to Out of Charge (OOC) is 04 hours 48 minutes. Similarly, the time taken by trade from assessment to payment of Customs Duty is 86 hours 53 minutes and from payment of Customs Duty to Registration of goods is 54 hours 43 minutes.
- iii. The comparison of the dwell time data for December, 2017 vis-à-vis December, 2016 revealed that, there is a significant improvement of 44.88 hours in December, 2017 from Entry Inward to Out of Charge. Similarly, comparison of the dwell time data of December, 2017 vis-à-vis November, 2017 indicated that, there is slight increase of 0.24 hours in December, 2017 from Entry Inwards to Out of Charge.
- iv. **DWELL TIME PERFORMANCE OF PGA FOR ISSUANCE OF NOC:** On the basis of random sampling of the Bills of Entry, for the month of December, 2017, the average time taken by various PGAs for issuance of NOC is as follows:
 - a) **FSSAI:** The average time taken by FSSAI for release of provisional NOC was 5.6 days. The best case scenario was 04 days and the worst case was of 07 days.
 - b) **AQ:** In case of AQ, all consignments were released on the same day on execution of 'NO USE BOND' by the importers. The NOC was granted on the same day in all cases.
 - c) **PQ:** The average time taken by PQ for release of provisional NOC was 2.1 days; and the best case scenario was NOC on the same day and the worst case was 06 days.
 - d) **ADC:** In case of ADC also, the NOC was granted on the same day in all cases.

- e) **Textile Committee:** The average time taken by TC for release of NOC was 8.9 days- the best case being 07 days and the maximum time taken for granting NOC 11 days.
- f) **WLRO:** The NOC was granted on the next day in all cases.

Thereafter, pending issues from earlier CCFCs were taken up for discussion.

7. Pending issues from the previous CCFC:

i. Rationalization of DPD Charges by Port Terminals:

In the previous CCFC meeting, the issue was discussed and it was informed that Terminals are charging for DPD containers as under:

Terminal	20 Ft. Container	40 Ft. Container
TAMP notified charges	1688/-	2532/-
JNPT	1688/-	2532/-
GTI	1800/-	2700/-
NSICT & NSIGT	2212/-	3318/-

The Chair observed that, there should be parity in pricing, otherwise it is going to impact the DPD scheme adversely, as the saving of the importers will further be reduced. The representatives of NSICT and NSIGT have informed that, TAMP Tariff Guidelines do not provide for equalization of rates across different Terminals having variance in revenue and cost model. It was pointed out that, there is a case pending before Bombay High Court, where the TAMP charges have been challenged. The Chair opined that the terminal operators may educate the Trade about the TAMP charges and try to address the issues raised by them. The representatives of JNPT and GTI informed that they have already issued advisories to educate the Trade about the TAMP charges.

Commissioner (NS-IV) pointed out that, the NSICT and NSIGT are charging much higher rates as compared to GTI and JNPT. The representatives of NSICT & NSIGT, however expressed that the reason for the same is that there volumes are very low as compared to the other Terminals. Commissioner (NS- IV) advised NSICT and NSIGT to lower their rates, to attract more DPD clients. They, in reply, informed the Chair that they will contact their management and seek clarity on the issue. Commissioner (NS-IIIV) opined the matter may be taken up with the Ministry of Shipping. The Chair gave his nod and directed to go ahead.

(Action: Commissioner (NS-IV), NSICT & NSICT)

ii. On-wheel Examination of DPD containers:

In the previous CCFC meeting, the issue was discussed with the PGAs and the Terminal Operators. The Chair directed that, in case the PGAs are not in position to depute adequate manpower for drawing of samples, they can consider Customs Officers to draw samples on their behalf. It was also informed that, the NSICT and NSIGT have agreed to provide space for the on wheel examination.

The representatives of the PGAs, in a meeting dated 06.11.17 with Commissioner (NS-IV), expressed that they are ready for this facility, however for final approval, they need to take up the issue with their higher authorities. Commissioner (NS-IV) informed the Chair that, so far no official communication has been received from the PGAs. The Chair directed

the PGAs to submit an official communication regarding the decision taken by their higher authorities within one week. The representatives of JNPT requested for an SOP to be issued by PGAs, so that necessary arrangements can be made for drawing of samples well in advance. The Assistant Director, RFCL requested the Chair that a meeting needs to be arranged between their higher authorities and CBEC, to arrive at a logical conclusion for the same. The Chair agreed and directed Commissioner (NS-IV) to pursue the matter with CBEC & Ministry of Fertilizers.

The issue of providing space was also discussed with the Terminals to which the representatives of GTI had responded that they are discussing the issue with JNPT to provide additional space. The representatives of JNPT authorities, in principle, agreed to provide space and assured to take necessary steps at the earliest. The Chair then directed the Terminals to respond in writing for sharing space for on-wheel examination and also directed PGAs & Commissioner (NS-IV) to issue a SOP, in the matter, within one week.

(Action: Commissioner (NS-IV), Terminals)

iii. Mandatory issuance of e-Delivery Order/Advance DO:

In the previous CCFC meeting, it was informed that, out of 23 Shipping Lines, operating at JNPT, except 2, all are issuing e-DO. However, the CHA representatives informed that, most of the Shipping Lines are issuing DO in PDF format which cannot be considered as e-DO. The Chair expressed his displeasure, and directed the Commissioner (NS-Gen) to have meeting with Shipping Lines and CBs to ascertain progress on this issue and implement it in time bound manner. Commissioner (NS-Gen) informed the Chair that a meeting dated 06.10.17 with the stake holders. It was decided in this meeting that, the Shipping Lines and CFSs shall issue e-DO/ e-invoicing/ e-payment mandatorily for all the payments above the amount of Rs. 2 Lakhs and Rs. 1 Lakh respectively. The representatives of CSLA confirmed that except 2-3 shipping lines, all others are complying with the instructions of the DG Shipping and Customs. The Trade however expressed that the Shipping Lines who are using third party platform like ODEX for e-payment, should consider realisation of payment right from the moment the money is transferred from the Importer/CB to the designated third party platform. Other issue of worry is that the 3rd party platform is charging Rs.150/- + GST, from the CBs, for the online transactions made through it. Also the Trade, as of now, is not comfortable with the idea of making e-payment mandatory. They need some transition period for the same. Therefore, they requested the Chair that there must be some SOP by the CSLA/MANSA to be followed. The representatives of CSLA responded that an SOP is being prepared in consultation with DG (Shipping), Special Secretary (Logistics) and JNPT. The said SOP will cover the aspects like DPD process, non- DPD process, issuance of delivery order and acceptance of payment. The Chair opined that the SOP should also cover the aspect of documents to be uploaded by the Importers/Exporters.

In conclusion, the Chair opined that it should be implemented in a phased manner and the payment systems also needs to be stable. The Chair directed to collect the data regarding the usage of e-payment platform by the trade and review it in the next CCFC meeting. The Chair directed the CSLA to issue the aforesaid SOP within a week.

(Action: CSLA, Trade Representatives)

iv. Invoicing problem with Container Freight Stations (CFS)

In the previous CCFC meeting, the Trade informed that, many CFSs were not implementing e-Invoices and e-Payments. The Chair directed Commissioner (NS-Gen) to hold meeting with the CFSAI and CB Association within ten days time.

The CFSAI representatives informed the Chair that, the all the CFSs, who are registered with them, are complying with the instructions of e-invoicing. However, some (4-5%) CFSs

are controlled by PSUs and they might not be issuing Advance Invoices. The Trade representatives again stressed that some CFSs registered with CFSAI too, are not complying with the instructions. The Chair directed the BCBA and other CB associations to submit a list of such CFSs. He also directed Commissioner (NS-Gen) to look into the matter and further directed to take up the matter with the CFSs not registered with CFSAI.

(Action: Commissioner (NS-Gen), CFSAI, BCBA)

v. Assigning a common single DPD code for all Terminals:

This issue was again discussed in the meeting, with the Commissioner (NS-IV) explaining that, at present all three Terminals are allotting different codes (mostly 3-digit, alphabetic) to the DPD clients. For availing DPD facility, the DPD clients are supposed to submit advance intimations to the Shipping Lines. The Department is expecting that, for the DPD importers, the options should remain permanently in the system and intimation should be required only for no-DPD delivery. However, the representatives of CSLA submitted that it is not possible for them to introduce this facility, unless all DPD clients are assigned common single code for all Terminals. Commissioner (NS-IV) conducted a meeting with the representatives of the Terminals, wherein they had expressed their in-principle agreement to this facility. But due to problems like duplicity of DPD code, allotment of DPD codes to the already registered clients, they are finding it difficult to assign a common single code for DPD clients.

Commissioner (NS-IV) suggested that, Customs itself or any one of the Terminals may be allotted the work of assigning fresh codes to all the existing clients and those, who are to be registered. These fresh assigned single codes then, may be shared with rest of the Terminals. The other measure can be that, the codes used by any one Terminal say JNPT, may be used by the other Terminals. It was suggested to adopt alpha-numeric codes for DPD clients, as this type of codes are not in use by any of the Terminals so far. JNPT informed that regarding alpha-numeric codes, they will contact their finance team and also informed that, there is a meeting scheduled on 11.01.2018 of all the Terminals and the said issue will be discussed in the meeting to arrive at mutual consensus. The Chair directed the outcome of the meeting to be informed to this office by 15.01.2018, so that a decision can be taken as to who will do the work of assigning common single DPD code.

(Action: Commissioner (NS-III & IV), Terminals)

vi. Difficulty faced in execution of Dual-use Bond with ADC:

The issue was discussed again in the meeting, with the Chair asking the ADC officials about the mechanism of enforcement of Dual-use bonds by them. The ADC representatives explained the mechanism. The Chair opined that, the mechanism presently prevalent with the ADC is very cumbersome, as many documents are still submitted manually by the Trade. The Chair directed the Commissioner (NS-II) to conduct a meeting with the higher authorities of ADC, so that a system of electronic exchange of requests/ documents and test reports may be introduced.

(Action: Commissioner (NS-I& II), ADC)

vii. Procurement/ Installation of container scanner at Port area:

In the previous CCFC meeting, the Chair directed the Terminals to finalize the location for installation of the Mobile scanners. The other formalities, such as obtaining NOC from AERB and security clearance from MHA etc. will be taken up by IPA. The representatives of JNPT informed that IPA, has issued the letter of Intent (LoI) to M/s. Smiths Detection (Asia Pacific) Pte. Ltd., Singapore for procurement of 7 nos. of mobile X-ray Container Scanners. Work order will be placed shortly. It is also informed that location for installation of scanner for JNPCT scanner, in JNPCT is finalized and that for NSICT and GTI, it is expected to be

finalized shortly. A meeting of Terminal operators with the Chief Commissioner, JNCH was held on 03.01.2018. In the meeting, the Chair directed Terminals to invite the officials of Atomic Energy Regulatory Board (AERB) on 05.01.2018, to identify suitable location as per AERB specifications.

The representatives of JNPT informed that, as GTI has expressed its inability regarding space availability, they have identified suitable space within JNPT. They will be offering this space to GTI on lease basis. For NSICT & NSIGT, JNPT is unable to finalize a suitable space due to traffic movement restrictions, dedicated rail corridor etc. CM (T), JNPT suggested the option of installing the scanner outside the gate of NSICT. However, Commissioner (NS-IV) pointed that the scanner should ideally be inside the Terminal. The Chair directed the Terminals to have a meeting on 11.01.2018 and finalize the identification of the space for GTI and NSICT/NSIGT scanner.

(Action: Terminals)

viii. Utilization of Parking No. 1 allotted to Customs

The issue was discussed in this meeting also and the CM (T), JNPT informed the Chair that, the matter has been resolved.

(Action: Point Closed)

8. New Points:

i. Pilot Implementation of paperless processing under SWIFT/ Extension of e-SANCHIT application:

The Commissioner of Customs (NS-IV) informed that, this zone has issued a Public Notice No. 162/2017 dated 29.12.2017, to kick-start the project. Technically, there is no problem in utilizing this facility. The Trade is able to file, upload the documents, and get OOC through this facility. But it has been observed that, a very few Importers/Exporters are using this facility. The representatives of BCBA confirmed this fact and assured the Chair that, wide publicity will be given to this project, to make the Trade aware of this facility. They also informed that they will organize a seminar on this issue and they would invite some of the senior Custom Officers from JNCH to deliver a lecture in that proposed seminar. The Commissioner of Customs (NS-IV) gave his nod to this proposal and asked BCBA to fix the date for the said seminar.

(Action: BCBA & other CB associations)

ii. Incentivizing the DPD containers, cleared within 24 hours:

The Commissioner of Customs (NS-IV) suggested that Importers who are clearing the DPD consignments within 24 hours, as against the fixed time- limit of 48 hours, may be given more incentives by the Terminals. The representatives of the Terminals responded that, it is practically not possible for them to reduce the charges. They can explore other options of incentivising the DPD Importers by some other way, like providing a 'Green Channel' facility to DPD containers etc. The Chair directed the Terminal to raise this issue with their management and come back with some concrete proposal.

(Action: Terminals)

iii. Invoices for DPD charges raised by Terminals:

For payment of the port related charge, only 05 banks have been authorised through which the Trade can remit charges. The Trade representatives asked for inclusion of all the PSBs, for this purpose. The representatives of JNPT informed that last month, on the request of the trade, 02 more banks have been included. They also informed that they may include

more banks as per the request of the Trade. The Chair suggested that the payment through RTGS may be accepted till the time more banks are included.

(Action: JNPT)

iv. Maximum time for evacuation of DPD containers (Port to declare):

The Commissioner of Customs (NS-IV) informed the Chair that the Trade has raised a concern that there is no certainty about the time that a trailer would take to fetch a DPD container after it enters a terminal. Therefore, they suggested to have a fixed time frame or standards in which the DPD containers must come out of the Terminals. The Commissioner of Customs (NS-IV) suggested a time limit of two hours may be fixed to finish the container pick up process. The representatives of the Terminals informed that there are some procedures required to be done before the container comes out of the gate, which increases the time taken by the trailers to come out of the gate. The Chair directed to look into the issue and inform what procedures are required to be followed and how this time can be reduced.

(Action: Commissioner (NS-Gen), Terminals)

v. One time intimation (CSLA):

The Commissioner of Customs (NS-IV) informed that DPD clients are supposed to submit advance intimation of 72 hours for each consignment. He suggested that the shipping lines may take only one intimation that may be treated as permanent unless it is subsequently changed. The Chair directed to move to a system in which an Importer is not supposed to give advance intimation for each consignment and directed CSLA to include this issue in the proposed SOP. The Commissioner of Customs (NS-IV) suggested starting it with 100 Importers in the beginning.

(Action: CSLA)

vi. Procedure for collection of Transaction Deposit, Invoice Collection etc.:

All India Liquid Bulk Importers & Exporters Association (AILBIEA), vide letter dated 20.11.17, informed that, JNPT has issued a Circular No. JNP/FIN/2017/1044 dated 13.10.2017. Vide this circular; JNPT has been demanding a deposit for using port facilities which is demoralising. They have informed that by doing so JNPT is in fact desisting users from using this port. The chair suggested JNPT resolve the matter at the earliest.

The representatives of JNPT informed that the Chair that the matter has been resolved.

(Action: Point closed)

vii. Delay in evacuation of containers by CFS:

Chief Manager (Traffic), JNPT vide his letter dated 04.01.2018, has informed that, some CFSs are evacuating containers after severe delay which is adversely affecting yard efficiencies and increasing dwell time. The dwell time of SBF CFS for the last 03 months is 4.69, 2.73 & 3.50 hrs respectively, whereas the same for JNPCT is 1.80, 0.97 & 1.20 hrs respectively.

The Chair directed CFSAI to take up the matter with individual CFSs.

(Action: CFSAI, JNPT)

viii. Lack of necessary testing equipments by TC:

The Deputy Commissioner of Customs (Gr.III), JNCH informed that, the report of TC for testing of samples, is based on the parameters indicated in the test memo sent by the Assessing Group. In significant number of cases, in respect of testing of specific fabrics like a fabric to be classifiable in 5903, the test report of Textile Committee indicates that 'coating

cannot be ascertained'. This results in delay in clearing the cargo, since either the Importer challenges the findings of the TR and requests for retesting or produces additional evidence of composition from the suppliers' end. The matter has been taken up with the TC, but they have expressed their inability to specifically ascertain the nature of coating in some cases owing to lack of necessary testing equipment.

The representatives of TC informed the Chair that they have necessary testing equipment. However, for some specific cases, if trade agrees to pay higher fee they may consider to buy high-end machines to speed up testing. They also requested the Chair that certain samples are pending with them for the want of certain information/ payment from the Trade side. The Commissioner of Customs (NS-V) directed them to share the details of such samples with Customs and they will take the action required.

(Action: Point Closed)

ix. Issues related to valuation of PVC fabrics by TC:

The Deputy Commissioner of Customs (Gr.III), JNCH, informed that, valuation of PVC fabrics is determined on two parameters i.e. thickness and whether the fabric is plain, printed or embossed (Embossed fabric being the costliest). In some cases, where the TC report has indicated that the fabric is embossed, the same has been challenged by the Importers on the ground that the fabrics pattern is so because of the manner in which it has been woven rather than being embossed.

The issue was discussed along with the point no. 8 (viii) above.

(Action: Point Closed)

x. Non Food items showing status as FSSAI Pending:

The FSSAI, vide their email dated 28.12.2017, has informed about following issues:

- a) The non-food items showing status as 'FSSAI Pending' on copy of Bill of Entry but the same is not exchanged with FSSAI. Such consignments should be cleared at Customs end.

The issue pertains to the FSSAI application which shows the FSSAI pending even for specific food items that do not require it. The Chair directed to prepare the list of such items and asked to resolve the matter accordingly.

- b) The food items which are not exchanged through Single Window and shows status as 'FSSAI Pending'.

The Chair pointed out that, for these issues, there is a separate meeting scheduled on 10.01.2018 afternoon. The matter will be discussed there and the outcome of the meeting will be shared with Trade afterwards.

(Action: Commissioner NS-III in coordination with RMD)

xi. Delay in FSSAI NOC in respect of perishable products:

In the PTFC meeting dated 30.11.2017 chaired by the Commissioner of Customs, NS-II & NS-Gen, JNCH; the BCBA raised the issue that, there is delay in clearance of Import of perishable products such as apple, dates etc., due to difficulty in getting timely appointment with FSSAI for certificate of Analysis and thus, they have requested that appointment for the same should be given immediately as the Import of perishable products stands risk of getting deteriorated due to delay.

During the meeting, the Authorized Officer, FSSAI informed the Chair about the procedure laid down for grant of NOC in these cases and also informed that it takes around at least one week time to grant NOC for the same. He further informed that they are unable to reduce the dwell time of one week in this matter. The Chair expressed his displeasure over dwell time being taken by FSSAI and directed that the matter may be escalated in this CCFC meeting.

The Chair pointed out that, for these issues, there is a separate meeting scheduled on 10.01.2018 afternoon. The matter will be discussed there and the outcome of the meeting will be shared with Trade afterwards.

(Action: Point closed)

xii. Marking of unrelated items to PGAs:

In the PTFC meeting dated 30.11.2017, the BCBA raised the issue that, unrelated items are being marked to PGAs which have no connection with the imported items. They have suggested taking up the issue with Single Window Authorities to ensure that only related items are marked to the concerned PGAs. During the meeting, the Chair informed the trade that on the contrary, FSSAI authorities have reported that various imported items which come under the purview of FSSAI Act are not marked to them, by the system. The Chair directed that the matter may be escalated in this CCFC meeting.

The issue was scheduled to be discussed in meeting with FSSAI in a separate meeting on 10.01.2018 afternoon.

(Action: Point closed)

xiii. FSSAI should not insist on amending the description in the BE for non food items:

The BCBA vide their letter dated 02.01.2018 raised the issue that, FSSAI should not insist on amending the description in the BE for non-food items. The end-use details for the same are already available. This is defeating the endeavour of Single Window for timely clearance.

The Commissioner of Customs (NS- IV) briefed the matter to the Chair. There are certain non-food items that are used for industrial purpose and thus should not fall under the preview of FSSAI. FSSAI authorities requested the Chair to discuss the issue in the meeting scheduled on 10.01.2018 afternoon. The Chair accepted the request.

(Action: Point closed)

xiv. Sample testing by FSSAI:

The BCBA vide their letter dated 02.01.2018 raised the issue that, at present, FSSAI is insisting on testing of each and every shipment. They suggested that random testing should be carried out by FSSAI instead of selecting each and every sample for testing.

The chair opined that after introduction of SWIFT, RMS is already in place and FSSAI is part of it.

(Action: FSSAI)

xv. Deplorable condition of road at JNPT:

In the PTFC meeting dated 30.11.2017, the CFSAI raised the issue of deplorable condition of road at JNPT location and has sought JNCH's intervention to take up the matter with CIDCO & NHAI. During the meeting, the Chair informed the trade that, the matter may be escalated in this CCFC meeting, as this doesn't come under the purview of PTFC meeting.

Trade informed the Chair that CIDCO & NHAI have already started that repair of roads on highways but there is a lot to be done on the access roads to CFSs which are not on highways. The Chair directed Commissioner (NS-Gen) and JNPT to look into the matter.

(Action: Commissioner (NS-Gen), JNPT)

xvi. Delays at R Scanning Facility at CWC Distripark:

The CFSAI vide their letter dated 29.12.2017 has raised the issue that, there is perpetual problem and delays in scanning and in the last 3 months alone, the frequency of delay and long queues of TTs has increased. Such containers, on getting permissions by the association, are cleared under DC/AC docks supervision as per P. N. No. 107/2010 dated 20.10.2010. But as soon as the permission is withdrawn, the backlog increase as the scanner being old and

obsolete cannot handle the number of containers selected for scanning. It is therefore, requested to issue standing instructions that, in case, the pendency increases to 200 containers, permission for 100% examination as per P.N. No. 107/2010 dated 20.10.2010 should trigger.

It was informed by the Joint Commissioner, CSD, JNCH that regular monitoring by the administration is being done for speedy clearance of R scan bound containers.

(Action: Commissioner (NS-III))

xvii. EDI of movement of containers to Consignee's choice of CFSs:

The CFSAI vide their letter dated 29.12.2017 has raised the issue that, as per JNCH Facility Notice No. 69/2011, any Importer can intimate respective Shipping Line for the choice of CFS, 72 hours prior to vessel berthing and containers are allowed to be moved to the mentioned CFS with normal prevalent CFS custom clearance procedure. Shipping Lines share the IGM details with the respective CFS through EDI which enables CFSs to make preparations and terminal system update prior actual arrival of container at CFS. However few Shipping Lines are not sharing the Import containers details nominated by Importers, resulting in delays in the movement of containers from Port terminals to CFS. It is requested that an office order/ P.N. may be issued in this regard.

The Additional Commissioner of Customs, EDI, JNCH opined that this issue can be resolved through the message exchange facility between ICEGATE and CFSs, to be implemented shortly. The Chair agreed to his view. Also the Commissioner (NS-IV) encouraged the Trade to shift to DPD mode, as DPD clients are not facing this problem.

(Action: Point Closed)

xviii. Longstanding containers put on hold in CFSs, by investigating agencies:

The CFSAI, vide their letter dated 29.12.2017, has raised the issue of long-standing containers that are put in hold by various Government agencies like SIIB, DRI, which are lying in their member CFSs since 2001.

The Commissioners (NS-Gen) & (NS-III) informed the Chair that they are segregating such containers' data and sending the lists to the agency concerned, to expedite the matter for early disposal of the same. The Chair fixed the timeline of 15 days to finalize the lists and raise the matter with the agency concerned.

(Action: Commissioner (NS Gen), (NS- II) and (NS-III))

xix. Issues raised by All India Women Customs Brokers Association (AIWCBA):

AIWCBA vide their email dated 29.12.2017 has raised the following issues:

- a) Every Shipping Line will issue e-DO, trade does not recognize third party. Recently, it is noticed that most Shipping Lines are using third party for issue of e-DO.

The issue was discussed already above with point no. 7 (iii).

(Action: CSLA, Trade Representatives)

- b) Collection of blank cheque by Shipping Lines for factory stuffed containers which is against trade practices.

The CSLA informed that they are strictly against such practices and requested to inform them if any such practice is in place. They further assured the Chair to take up the matter with concerned CFS and resolve the issue.

(Action: CSLA)

- c) All Cargo CFS collected H & T charges against the tariff i.e. Rs.37000/- from Port to CFS.

The Chair listened to the Trade and opined that this is a specific case and it may be dealt by the Commissioner (NS-Gen) separately. The Chair directed the CFS Management Cell to look into this issue.

(Action: Point Closed)

- d) APM CFS retains back original Bill of Entry, which is a Customs document, after delivery, thereby harassing Importers.

The Chair asked them to submit details of such cases to CFSAI. He directed CFSAI to look into the matter and take necessary action to stop such practices.

(Action: CFSAI, Trade Representatives)

- e) Shipping company issues DO in the name of Trans-India whereas CFS issues receipt in the name of All Cargo. This is clear case of License sublet. CFS assured to look into the issue.

The Chair listened to the Trade and directed that this case may be investigated by the Commissioner (NS-Gen) separately.

(Action: Point Closed)

- f) The Shipping Lines collect KYC. However, whenever Custom Broker approaches for next DO, each time he has to carry a photo copy, which is a waste of paper. This should be discouraged.

The Chair asked them to submit details of such cases to CSLA. He directed CSLA to look into the matter and take necessary action to stop such practices.

(Action: CSLA, Trade Representatives)

- g) Government mandates Import/Export trade to work 24x7. Shipping company timings for delivery order is only up to 03.00 pm, also Saturday & Sunday are holidays for them. Difficulties are being faced to contact them during their non-working hours, even in the cases of emergencies.

The issue was discussed already above with point no. 7 (iii).

(Action: CSLA, Trade Representatives)

- h) Shipping companies issue invoices very late. There is a delay of at least a day. Custom Brokers have to leave all work aside and continuously keep following up with Shipping Lines.

The issue was discussed already above with point no. 7 (iv).

(Action: Commissioner (NS-Gen), CFSAI, BCBA)

- i) Exchange rates of some Shipping Lines keep changing. Therefore, after reaching Shipping Lines, often there is a difference in payment to be made. Shipping Lines use this as an excuse to refuse DO.

The issue was discussed already above with point no. 7 (iii).

(Action: CSLA, Trade Representatives)

xx. Visibility of Import Advance List:

Western India Shippers Association (WISA) vide their email dated 03.01.2018 raised the issue that, at times, request filed for DPD to Shipping Line is either missed or not considered resulting in last minute hassles for ASR/ SSR. During week end, this is difficult as most Shipping Line/ Terminals do not support. It is requested that submission of IAL on JNCH website to be mandatory for all IGMs at least 3 days prior to berthing enabling to get time

for rectification in DPD request for change of code if any. Any change in IAL may be permitted to DPD Importer with log in id and password allotted by the Terminals.

The Commissioner of Customs (NS-IV) informed that every Shipping Line is supposed to upload its IAL on JNCH website. But some Shipping Lines are not uploading all their IALs on JNCH website. He directed the CSLA to ensure the enforcement of the same. The Chair directed the Commissioner (NS-IV) to monitor the same through DPD Cell, JNCH.

(Action: CSLA, DPD Cell)

xxi. Email intimation with required documents to be accepted by all Shipping Lines:

WISA vide their email dated 03.01.2018 raised the issue that, there are few Shipping Lines (Maersk, Safmarine, NYK etc.) are insisting to send DPD intimation, either on private portal or on own portal. At times, they are getting rejection on various grounds such as, requirement of original B/L, permission of DPD from Terminals etc. It was requested that all Shipping Lines should accept intimation by email as per P.N. No. 110/17 & without insisting any extra documents with auto acknowledgement.

The Chair pointed out that the matter has already been discussed and it was agreed by Shipping Lines to start implementation of P.N. No. 110/17. The Chair directed the Commissioner of Customs (NS-Gen) to look into the matter and report reasons for delay in implementation of the same.

(Action: Commissioner (NS-Gen), CSLA)

xxii. Pilferage of Goods from containers with in Nhava-Sheva Port area:

WISA vide their email dated 03.01.2018 raised the issue that, there are cases of pilferage of goods from containers, while in transit from Terminal to CFS, with seal intact. There is Public Notice in place for movement of containers from terminals to CFS, on GPS fitted trailers only. CFS to monitor the movement of containers and if there is any delay or diversion noticed, it should be properly checked, weighted. Discrepancy found or noted should be immediately reported to all concerned before delivery.

The Chair pointed out that the matter is very serious and he has received several complaints regarding the matter. The Chair directed that while conducting the audit of CFSs, it may be verified whether the CCTVs are installed in CFSs, boundaries are properly secured and other such parameters. He also urged CFSAI to take it up with all its members. CFSAI informed that they are already in coordination with Police to increase patrolling to check pilferage. It was also informed that most of the CFSs have trailers fitted with GPS, to check any inordinate re-routing of the trailer. It was requested to Chair to take up the matter with Police, from Customs side. The Chair agreed and directed Commissioner (NS-Gen) to take up the matter with Police.

(Action: Commissioner (NS-Gen))

xxiii. Increase in container shifting charges:

The representatives of the Terminals requested that it has been two years since the shifting charges were last fixed. They requested that the facilities offered by the Terminals have increased multi-fold in the past two years and it is time to increase the charges also.

The Chair directed the Terminals to list out details, in the next two days, of facilities provided or to be provided in lieu of increasing charges. The same may be shared with the Trade to have discussions and arrive at a conclusion.

(Action: Terminals, Trade representatives)

xxiv. IGST Refunds:

The Chair raised the issue that Shipping lines have been instructed to file the EGMs but still a substantial number of EGMs, have not been filed. He directed the CSLA to ensure that all the EGMs are filed. Secondly, in large number of cases EGM errors are reported.

The Commissioner of Customs (NS-Gen) informed the Chair that, as per the feedback from DG (Systems), there are variety of errors like wrong mention of Port Code, date of LEO later than date of sailing etc. It was pointed out by them that unless these errors are removed, they are unable to process IGST Refunds. He sought cooperation of Shipping Lines to remove such errors to push IGST Refunds. CSLA ensured to provide full cooperation in the matter.

The Chair directed the Commissioner of Customs (NS-Gen) to share the details of data of EGM filing with CSLA for early action regarding the same.

(Action: Commissioner (NS-Gen), CSLA)

9. The Meeting ended with vote of thanks to the Chair.

This issues with the approval of the Chief Commissioner of Customs, Mumbai Zone-II.

Sd/- (27.02.18)

(Monika Yadav)

Deputy Commissioner of Customs,
Chief Commissioner's Office,
JNCH, Nhava-Sheva.

Copy to:

1. Member (Customs), Member (Zone), CBEC, New Delhi
2. All Pr. Commissioner/Commissioner of Customs, JNCH, Mumbai Zone-II
3. DC/EDI, JNCH (with a request to upload the minutes on website)
4. All members of CCFC Meeting (via e-mail)
5. Officers concerned
6. Office Copy