



सीमाशुल्क आयुक्त कार्यालय (एन. एस. -II)
OFFICE OF THE COMMISSIONER OF CUSTOMS (NS-II),
मूल्यनिरूपण मुख्य (निर्यात) APPRAISING MAIN (EXPORT)
जवाहरलाल नेहरू सीमाशुल्क भवन/
JAWAHARLAL NEHRU CUSTOM HOUSE, शेवा SHEVA,
तालुका TAL-उरण/URAN, जिला/DISTRICT- रायगड RAIGAD,
महाराष्ट्र MAHARASHTRA-400707, (ई-मेल email
apmainexp@jawaharcustoms.gov.in
दूरभाष Telephone No: 022-27242700)

फ. सं/F.No.S/12-Gen-03/2022-23 AM(X)JNCH Pt. XXI दिनांक/Date: .12.2023

दिनांक 01.12.2023 को सम्पन्न 'स्थायी व्यापार सुविधा समिति' (निर्यात) की बैठक का कार्यवृत्त
MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE (EXPORT)
HELD ON 01.12.2023

The PTFC meeting held through physical mode on 01.12.2023 was chaired by Shri. P.N. Pandey, Principal Commissioner of Customs (NS-I) and attended by Shri. D.S. Garbyal, Commissioner of Customs (Gen), Shri Sonal Bajaj, Commissioner of Customs (NS-V), Shri Ashwini Kumar, Commissioner of Customs (NS-III) and Shri Sanjeev Kumar Singh, Commissioner of Customs (NS-II) .

2. The meeting was attended by the following members/participants of the trade: -

क्रमसं./ Sr. No.	नाम(सर्वश्री/सुश्री/श्रीमती) Names (S. Shri /Ms./Mrs.)	(सगठन/सघ/पदनाम) Organisation/ Association	Mode of attendance in PTFC
1	Rajasekhar	UPL	Physical
2	Manish Kumar	CSLA/MANSA	Physical
3	Jacob Thomas	CFSAI	Physical
4	S. Srinivas	CFSAI	Physical
5	Umesh Grover	CFSAI	Physical
6	Salim Shukalgar	CFSAI	Physical
7	Nimish Desai	WISA	Physical
8	Nirav Thakkar	BCBA	Physical
9	Sanjay Shingote	BCBA	Physical
10	Karan Rambhia	FFFAI	Physical
11	Ashu Saini	BCBA	Physical
12	Harsh Laosia	BCBA	Physical
13	Gaupat P. Korade	BCBA	Physical
14	Sanjeev Harale	BCBA	Physical
15	Kiran Rambhia	BCBA	Physical
16	Shankar Shinde	FFFAI	Physical
17	Hiren Ruparel	BCBA	Physical
18	Dushyant Mulani	BCBA	Physical
19	Maruti R. Gadge	BCBA	Physical
20	Rajendra K. Salve	CPP Divvya	Physical
21	Sajid B. Shaikh,	Godrej & Boyce	Physical
22	Kamal S. Shah	BCBA	Physical
23	Paresh Shah	NISA	Physical
24	Subhash Bangar	CFSAI	Physical
25	OmPrakash Agrawal	MACCIA	Physical
26	Venkatram Narayanan	CFSAI	

3. विभाग की ओर से निम्नलिखित अधिकारियों ने बैठक में भाग लिया: -

Following Officers from the department attended the meeting: -

क्रमसं./ Sr.No.	नाम(सर्वश्री/सुश्री/श्रीमती) Names(Shri /Ms./Mrs.)	पदनाम Designation
1.	Shri Prasanna V. Pattanashetti	Addl. Commissioner, Customs

2.	Shri Tariq Mabood	Addl. Commissioner, Customs
3.	Shri Mahender Kumar Aggarwal	Addl. Commissioner, Customs
4.	Shri K.K. Prasad	Addl. Commissioner, Customs

EXPORT COMMISSIONERATE

4. Shri Mahender Kumar Aggarwal, Additional Commissioner of Customs, NS-II, JNCH started the discussion on the agenda points of the meeting related to the Export Commissionerate.

A. AGENDA POINTS PROPOSED BY BRIHANMUMBAI CUSTOM BROKERS ASSOCIATION (BCBA):

- (i) **Undue objection being raised by the field formations at the stage of verification process :** We would like to bring to your kind notice that as per **Circular No. 41 / 2017-Customs Quote & Circular No. 36/ 2017-Customs Para 2f** : In case, the RFID seals of the containers are found to be tampered with, then mandatory examination would be carried out by the Customs Authority.

प्रतिक्रिया/Response: The Chair directed BCBA representative to submit the specific data-mismatch case and relevant data. The chair also stated that on submission of the same, the data-mismatch issues will be examined and a suitable action will be taken.

(Point Closed)

(ii) Proper infrastructure in Examination Centre at Parking Plaza:

There have been various initiatives in the Centralized Parking Plaza for smooth clearance of factory sealed/self-sealed export container. In view of 24x7 Custom Clearance and endeavor for Ease of Doing Business, we request that the following facilities be provided in the Centralized Parking Plaza.

- 1) Scanner
- 2) Kiosk Machine
- 3) Labour
- 4) Forklift

This move will ensure faster clearance of export cargo and will reduce the dwell time for clearance and the transaction cost.

प्रतिक्रिया/Response: The Chair directed CPP representative to increase the number of Labor, Forklift and to install the scanner and Kiosk Machine as soon as possible.

(Action: CPP)

B. AGENDA POINTS PROPOSED BY CDSO(CENTRAL DRUGS STANDARD CONTROL ORGANIZATION) . Agenda points are as below:-

- (i) Banned drugs under Section 26A by Government vide various GSR are not applicable for manufacturing and export if permitted by competent authority, however on various occasions, custom officer stop the consignment even after getting NOC from O/o ADC(I).

- (ii) Different drugs may have different names in various Pharmacopoeias, however on various occasions, custom officer stop the consignment even after getting NOC from O/o ADC(I).
- (iii) It is observed on some instances that pharmaceutical product were exported without O/o ADC(I) NOC with different or similar name other than actual product name viz. Sildenafil base instead of Sildenafil Citrate.
- (iv) GMP certificate is not a legal document for manufacture, sale and distribution of pharmaceutical products, however on various occasions, custom officers stop the consignment even after getting NOC from O/o ADC(I).
- (v) Medical Devices and IVD are regulated as per provisions of Medical Devices Rules, 2017, which may have different risk based parameters and methods to assure quality, safety and efficacy of the products However on various occasions, custom officer stop the consignment even after getting NOC from O/o ADC(I).
- (vi) Labelling requirements of raw material, finished formulation, cosmetics, natural products, Medical Devices and IVDs are different and regulated vide separate rules, however on various occasions, custom officer stop the consignment even after getting NOC from O/o ADC(I).

प्रतिक्रिया/Response: The Chair stated that the points raised by the CDSCO are of general in nature and there should be specific details of shipping Bills so as to examine the issue properly. Further, the point will be taken up in the next PTFC meeting. **(Action: AM-X)**

C. **AGENDA POINTS PROPOSED BY CONTAINER FREIGHT STATION ASSOCIATION OF INDIA (CFSAI):-**

- (i) **Export Dock Stuffing activity to be carried 24x7** - We refer to JNCH PN 21/2017 dated 24th Feb 2017 (copy attached) which clearly states that no MOT charges would be collected at CFSs exclusively to 24*7 ports for services rendered within the CFSs. It is understood from our Members that Export dock stuffing activity is not carried 24*7 as per JNCH PN 21/2017 and is permitted only till 6 P.M. In line of ease of doing business and to facilitate the trade it is requested JNCH give clear directions to dock officers posted at CFS to have the export stuffing process conducted 24*7.

प्रतिक्रिया/Response: The Chair stated that the customs staff is ready to be more flexible for working late in the evening (beyond 6pm and 8pm) for exceptional cases but it is not possible for each consignment to facilitate late in the evening beyond 8pm and 10pm. The trade is also requested to start and cooperate the clearance work in the morning and to use the time between 10am to 4pm. In many cases even after registration the CHA representative do not present for the examination and clearance. A separate meeting will be held for this purpose to examine the issue.

(Action: Export Docks)

GENERAL COMMISSIONERATE

5. Shri Krishana Kumar Prasad, Additional Commissioner of Customs, JNCH started the discussion on the agenda points of the meeting related to the General Commissionerate.

A. AGENDA POINTS RAISED BY CSLA

(i) Process includes NOC from ICD locations etc:

It is requested that the process followed by JNCH for the reworking of containers, especially reefers, may kindly be simplified & expedited, particularly for perishables, so as to avoid delays/ cargo damage. The current process involves securing NOC from ICD locations, etc., which takes about 2 to 3 working days depending upon the ICD location.

We suggest that reworking & sealing of the container be please allowed on priority, under the supervision of customs, without waiting for the NOC from the ICD, while the export movement be allowed once the NOC is received from the concerned ICD, to ensure cargo safety & timeliness.

At the last PTFC meeting held on 26/10/23, the Principal Commissioner, Mr. P.N. Pandey, was kind enough to say that JNCH would examine this suggestion. Meanwhile, he also requested CSLA to send a separate Write-Up to JNCH in the matter which CSLA did as below on 7th Nov 2023.

प्रतिक्रिया/Response: The Chair stated that wherever there is a need of shifting or reworking for a reefer container containing perishable cargo due to malfunction or any other genuine reason, the permission can be granted. However, the shifting/ re-stuffing will be done with the permission of DC/Docks and under preventive supervision while the export movement be allowed once the NOC is received from the concerned ICD.

(Point closed)

B. AGENDA POINTS RAISED BY IMC

(i) Traffic Problems on the route from Panvel to JN Port:

We request if the Commissioner of Police, in charges of Navi Mumbai, be invited to attend PTFC and CCFC Meetings to resolve the chaotic Traffic Problems on the route from Panvel to JN Port and outbound from JN Port on a daily basis.

All users would have encountered and seen that despite there being beautiful 4 lane roads, Lorries and container trailers occupy all the lanes simultaneously, which leads to slowing down in movement of traffic and numerous accidents with loss of lives as well.

We can enclose pictures, however confident that this situation is seen by all who travel to JN Customs and Port.

प्रतिक्रिया/Response: The Chair stated that the matter will be taken up with the Commissioner of Police, in charges of Navi Mumbai.

(Point closed)

(ii) **Exploitation of EXIM industry:**

Exim Industry get daily exploited at all the CFS's when they have to clear LCL Cargo. The EXIM trade is forced to pay Rs. 1900 per tempo to locals, in lieu of which clearance is not permitted, thereby creating law and Order problems and increasing handling cost.

We enclose copies of the receipts issued, which have no legal Bonafides, other than by breaking the Law of the Land and exploitation of the EXIM Industry. We enclose herewith copies of the same for ready reference.

We look forward to the above points being included in the Agenda and being resolved.

प्रतिक्रिया/Response: The Chair stated that the matter does not come under the purview of Customs.

(Point closed)

C. **AGENDA POINTS RAISED BY Container Freight Stations Association of India (CFSAI)**

(i) **Challenges faced in Scanning of Containers at Scanner (D2) located outside BMCT D2(BMCT)-Drivethru.**

As per the scanning list generated by NCTC, Containers earmarked for scanning are either routed to Drive Through Scanner (D-1) near PUB or Drive Through Scanner(D 2) outside BMCT Gate. Whilst BMCT is in close proximity of D-2 Scanner, all other Terminals are closer to DI located near PUB. If the containers exiting from say any of the other 4 terminals (GTI, NSCICT/GT & NSFT) & they are earmarked for scanning at D-2 Le. near BMCT, they need to take a fairly big detour and that too through normally congested roads. This adds to further congestion and the deliveries to the Importers get delayed, apart from adversely impacting TTs productivity & "turn-around-time" In order to address the issue, we suggest JNCH may consider following:

- a) Containers exiting from BMCT may be routed to D-2 & from other Terminals be routed to D-1 scanner.
- b) If that is not feasible, Containers exiting from other 4 terminals be allowed to use the only inter-connecting gate from BMCT to other.
- c) terminals which is not allowed for CFS TTs in normal course. This should be permitted by BMCT for TTs carrying containers for scanning and they would exit from BMCT gate to easily access D-2 Scanner. Informatively Inter- terminal movement and transfer is permitted by all other terminals.

प्रतिक्रिया/Response: The Chair stated that the matter will be taken up with NCTC.

(Point closed)

(ii) **A UCC cargoes under section 48 of Customs Act, 1962-subjected to auction for more than four times and crossed one year:**

On the subject matter, reference to Board Circulars, as per Para 3(vi) of Public Notice No. 65/2005 dated 13.12.2005 (Board's Circular No.50/2005 dated 01.12.2005 and No. 52/2005 dated 19.12.2005) is drawn which states:

"cargo which has been subjected to auction for more than four times and crossed one year should be released to the highest bidder without considering the bid price".

Board vide Circular No. 49/2018-Cus dated 03.12.2018 has once again reiterated that in the fourth auction shipments/lots are to be necessarily sold for the highest bid regardless of the reserve price fixed. In the event of the shipments/lots not being disposed of in the first auction, subsequent auction/ tender should be conducted in a time bound manner and such shipments/lots should be taken up in the next auction. Custodian shall furnish shipment/ lot wise bids received in respect of each auction to the jurisdictional Commissioner of Customs for approval. Further, if these goods remain unsold and pass into the category of landed more than one-year prior, the concerned custodian can sell the same following the independent procedure as detailed in para 3 of CBIC Circular No. 50/2005-Cus. However, even for such goods the requisite NOC from Customs will be obtained by the concerned custodian following the procedure laid down in Circular No. 49/2018- Cus dated 03.12.2018.

This however is not happening in JNCH for last many years (since 2016), and several representations in PTFC and CCFC meetings have been made. A list of such containers subjected to multiple auctions (more than 4 and wherein 1 year has elapsed) and the bids have been consistently rejected by the Disposal department of JNCH is being compiled.

We request that JNCH may consider allowing disposal of goods within 1 year after 4 auctions are conducted in line with Board Circulars and being implemented by all other commissionerates's.

प्रतिक्रिया/Response: The Chair directed CFSAI to submit the details and stated that the matter will be examined by Disposal section and suitable action will be taken.

(Action: Disposal Section)

(iii) E-auction of seized confiscated goods by JNCH by customs

It is submitted that Investigating agencies seize the cargoes basis mis-declaration of goods etc and these continue to remain on hold for years lying uncleared and unclaimed in CFSs. JNCH may please consider issuing clear directions and SOP in place through PN for expeditious disposal of said cargo.

JNCH may advise a time frame for the investigating agencies to complete their formalities and accord the permission for release of cargo. Basis the release order obtained from the respective agency CFSs can proceed ahead with disposal section in listing the cargoes in forthcoming auction.

प्रतिक्रिया/Response: The Chair stated that the matter will be taken up with the investigating agencies and the issue will be examined by Disposal section, NS-Gen.

(Action: Disposal Section)

(iv) **Request for holding JNCH Container Task Force (CTF) meetings periodically: CTF meetings were regularly conducted:**

CTF Meetings were being held regularly till early 2020, however post pandemic, very few CTF meetings have been hosted and that too on CFSAI/ trade request. Since the genesis of CTF stems from the CBIC Circular No. 11 of 2006-Cus dated 16.02.2006 & Instruction dated 22.07.2010, which inter-alia stipulates that each customs formation is to constitute a 'Special Task Force' to conduct a comprehensive review of the list of all consignments indicated as uncleared / unclaimed detained. Informatively CTF has a mention in the Special Task Force been defined as one of the functions/ Department on JNCH website also.

These interactive meetings in form of CTF have proved to be beneficial both to the Customs as well as the concerned stakeholders, namely CFSs Shipping Lines etc as all UCC files get reviewed threadbare. The concerned officers in disposal section attending the meeting furnish the updated status, and delays either by custodian or INCH, if any, get sensitized and corrective steps are taken expeditiously as meeting is Chaired by Commissioner (General),

It is requested that INCH may consider conducting CTF meetings within a specified time frame. Further, JNCH may also consider sharing the list of officers posted in Container Task Force / CTF department to highlight the day to day difficulties faced by the Custodian to expedite the process of the disposal.

प्रतिक्रिया/Response: The Chair stated that the next meeting will be held in December 2023 and CTF Meetings will be held regularly.

(Point closed)

(v) **In-situ Disposal of Perishable goods by biodegrading- Issues with BARC:**

As sensitized in the PTFC Meet and also during 3-4 meetings with Addl. Comm & Comm (Gen) on the issue, we have submitted that earlier, BARC who have been assisting CFSAI members by developing an environment friendly, economical mode of destruction of perishables by biodegradable in-situ process. BARC have been providing the bacteria as well as on completion certificates and finally issuing NOC as per SOP developed jointly by BARC-JNCH-CFSAI in 2016. Since last few months, this activity has come to a grinding halt. With the intervention of JNCH, BARC as a onetime exercise cleared the pending lots and issued NOCs 8 months back. Now for over last 3-4 months this activity has come to stand still apparently in absence of BARC's internal approvals. As on date 293 number of containers are pending for biodegradable destruction of goods in our member CFSs. JNCH has taken up the issue at our request, however a senior level fresh

intervention by JNCH with BARC may assist in breaking the impasse as both JNCH & BARC being Governmental organizations.

प्रतिक्रिया/Response: The Chair stated that the matter is already being take up with the BARC and the department is putting best efforts to resolve the issue.

(Point closed)

6. The members of the meeting were informed that the mode and date of conducting next PTFC meeting shall be informed well in advance. 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 (Export) Section** on apmainexp@jawaharcustoms.gov.in for taking up the issue in the upcoming **PTFC meeting**.
7. The meeting ended with vote of thanks to the Chair.
8. This issues with the approval of the Commissioner of Customs, NS-II.
9. Minutes are placed on JNCH website and also being sent through emails to the members.

hwb
18/02/2023

(A.L Sajeeb Hussain)

सहायक आयुक्त, सीमाशुल्क/Asst. Commissioner of Customs,
मूल्यनिरूपण मुख्य(निर्यात)/Appraising Main (Export),
जेएनसीएच, न्हावा शेवा-II/ JNCH, Nhava Sheva-II.

सेवा में /To,

1. पीटीएफसी के सभी सदस्यों को ई मेल के माध्यमसे /All the Members of PTFC(through email)
प्रतिलिपि/Copy to : (ई मेल के माध्यम से):
- 1) मुख्य आयुक्त, सीमाशुल्क, मुंबई अंचल-II/Chief Commissioner of Customs, Mumbai Zone-II;
- 2) प्रधान अपर महा निदेशक, करदाता सेवा महानिदेशालय, मुंबई/The Principal Add. Director
General, Directorate General of Tax Payers Services, Mumbai Zonal Unit, room No
138/139, New Custom House, Mumbai-400001 (mzu-dgtps@gov.in);
- 3) लोकपाल , अप्रत्यक्ष कर, मुंबई/The Ombudsman, Indirect Taxes, Mumbai;
- 4) सीमाशुल्क आयुक्त, मुंबई अंचल-II/ Commissioner of Customs, Mumbai Zone-II;
- 5) सभी अपर/संयुक्त आयुक्त, जेएनसीएच, न्हावा शेवा /All ADCs/JCs JNCH, Nhava Sheva;
- 6) सभी उप/सहा. आयुक्त, जेएनसीएच, न्हावा शेवा /All DCs/ACs JNCH, Nhava Sheva;
- 7) महा/उप आयुक्त, ईडीआई, जेएनसीएच, न्हावा शेवाको अवलंब वेबसाइट में अपलोड करने के
लिए/AC/DC, EDI, JNCH, Nhava Sheva, for uploading on JNCH website;
- 8) कार्यालय प्रति/Office Copy.