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OFFICE OF THE CHIEF COMMISSIONER OF CUSTOMS, MUMBAI ZONE II
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MINUTES OF CUSTOMS CLEARANCE FACILITATION COMMITTEE
(CCFC) MEETING HELD ON 21.05.2024

The Customs Clearance Facilitation Committee (CCFC) Meeting was held on 21.05.2024. Shri Rajesh Pandey, Chief Commissioner of Customs, JNCH, Mumbai Customs Zone-II, Nhava Sheva presided over the meeting.

The following officers of the Department attended the meeting: -

Sr.No.	Name	Designation
1.	Shri Dhirendra Singh Garbyal	Commissioner, NS-General and NS-I
2.	Shri Sanjeev Kumar Singh	Commissioner, NS-II
3.	Shri Ashwini Kumar	Commissioner, NS-III
4.	Shri Dipak Kumar Gupta	Commissioner, NS- IV
5.	Shri Sonal Bajaj	Commissioner, NS-V
6.	Shri Mahender Kumar Aggarwal	Addl. Commissioner of Customs, CCO
7.	Shri Venugopal Aiyer	Assistant Commissioner of Customs, CCO
8.	Shri P. Shravan Kumar	Assistant Commissioner of Customs, CCO

The following PGAs/Stakeholders attended the meeting:-

Sr. No.	Name	Name of the PGAs/Stakeholders

1	Dr. K.U. Methekar	FSSAI
2	Shri Rajesh Kumar Verma	CDSCO
3	Shri Balram Meena	Plant Quarantine
4	Shri Shankar Shinde	FFFAI
5	Shri Manish Kumar	CSLA/MANSA
6	Shri Bakshi Md. Hanif	MANSA/CSLA
7	Shri Sunil Vaswani	CSLA
8	Shri Jacob Thomas	CFSAI
9	Shri Umesh Grover	CFSAI
10	Shri Nimesh Desai	WISA
11	Ms. HarpreetMakol	FIEO
12	Shri DushyantMulani	BCBA
13	Shri HirenRuparel	BCBA
14	Shri Ganpat P. Korade	BCBA
15	Shri Sanjeev Harale	BCBA
16	ShriTej Contractor	BCBA
17	Shri Harsh Lapsia	BCBA
18	Shri Subhash N. Dongre	ONE-Line/CSLA
19	Shri Ravi D Raw	JNPA
20	Shri Abhay K. Khare	JNPA
21	Shri SachinMhatre	D P World
22	Ms. Leena Manna	D P World

The Chief Commissioner warmly welcomed all the participants to the CCFC, emphasizing its significance as a platform to comprehensively assess customs clearance procedures. He highlighted that while discussions with various stakeholders like associations, individuals, and Customs Brokers are routine, the CCFC uniquely convenes everyone in one place. This collective gathering fosters the exchange of perspectives and facilitates identifying common issues that can be addressed collaboratively. The Chief Commissioner underscored the aim to enhance the Customs clearance experience, streamline procedures, refine processes, and promptly address any identified areas for improvement.

The Chief Commissioner thereafter briefed about the issues which were raised before the Chairman CBIC and Member CBIC, during their visit to JNCH on 10th May 2024, like increased queries, increase in 100% examination orders being given by officers, Bills of Entry lying unattended by FAG Offices etc. It was mentioned that this % has gone up to around 28.29%. To reduce the query %, the documents which are required to be submitted to avoid the queries, were identified

last year and suitable Standing Orders and Public Notices were issued for guidance of officers as well as trade. It has resulted in reduction of query % and had come down to around 22.23%. However, in recent months, this percentage has again gone up to around 28-29%.

The Chief Commissioner said that the responsibility is not only with the officers but also the CB's are as much responsible for submitting complete documents timely and properly. He requested that the documents, as received from the importers before submitting on ICEGATE, should be thoroughly scrutinized the CBs. The Bills of Entry and Shipping Bills should be filed, when the documents are complete and valid. However, cases have been noticed with obvious discrepancies, even the fonts were different in a single document in some cases. The Chief Commissioner informed that the documents were filed by taking a chance. Basic responsibility of scrutiny cannot be wished away by the Custom Brokers. The obvious discrepancies viz. overwriting, different types of fonts of different size can be seen by Custom Brokers.

Further, the Chief Commissioner proposed that if the trade is ready to take up a TRS type exercise, the same can be taken up and orders can be issued. The officers shall take a proactive approach as they do during TRS. He further stated that we can have a TRS type Drive for the next 3-4 weeks. Representatives of BCBA, CFSAI, CSLA etc. supported enthusiastically. BCBA suggested about Facilitating Manufacturers, Status holders, MSMEs and AEOs as that would definitely be a big help towards facilitation of compliant trade. The issue of absence of categorical code for documents in E-Sanchit was also raised. The Chief Commissioner requested to persuade the top importers and top exporters of JNCH to become AEOs. The goal should be that all top 25 Importers and top 25 exporters become AEO's

With the above, the floor was opened for discussion of agenda points.

• **DISCUSSION ON ACTIONABLE POINTS AS PER MINUTES OF CCFC MEETING DATED 11.01.2024**

1.1 IDPMS/EDPMS not reflecting BE and SB details (Para 1.7 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

- i. Asstt. Commissioner/CCO, Shri Venugopal Aiyer informed that the problem of receipt of Foreign Exchange not getting reflected against Shipping Bill is due to System issues at the RBI end and the same has been taken up with Directorate General of Systems/Board.
- ii. As far as the proposal from the Trade about issuance of manual certificate by Customs is concerned, it was requested that a formal proposal may be submitted. The same shall be examined and appropriate course of action shall be taken.

[Point - Closed]

1.2 *Container scanning for LCL cargo (Para 1.8 of the minutes of CCFC Meeting dated 1.01.2024).*

• **RESPONSE:**

Asstt. Commissioner/CCO, informed that in this regard, A Public Notice No. 25/ 2024 dated 07.03.2024, has already been issued by Commissioner NS-I.

[Point Closed]

1.3 *Up-gradation of Testing Laboratories (Para 1.15 of the minutes of CCFC Meeting dated 11.01.2024).*

• **RESPONSE**

- (i) In the recent months, efforts have been made to enhance the transparency in functioning of the CRCL, JNCH. A module has been developed to provide the status of test sample and test report through an email and an SMS sent to the importer or his representative. Also, a kiosk has also been set up, which was inaugurated by the Chairman, CBIC during his recent visit to JNCH. The kiosk provides an alternative method to those stakeholders who have not provided their email ID or mobile number, at the time of drawl of sample.
- (ii) Meanwhile, the CRCL, JNCH has identified a list of items, which it can test and thereafter provide a report, within a period of 2-6 days.
- (iii) FSSAI, Textile Committee and other PGAs may also consider working in similar manner for transparency in testing process.

[Action: FSSAI, Textile Committee]

1.4 Amendments in BL Number, Container Number and all non-revenue amendments (Para 1.16 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

Assistant Commissioner/CCO, informed that Public Notice 13/2024 dated 23.02.2024 has been issued by Commissioner NS-I.

[Point Closed]

1.5 Issue related to Faceless Assessment/System (Para 1.17 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

In this regard, instructions have been given to the officers about the above said matter.

[Point Closed]

1.6 Non availability of CVD Notification No. 01/2023 dated 04/05/2023 in the System (Para 1.20 of the Minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

AC/CCO informed that this issue was referred to the System Manager, Chennai who informed that the ICES will capture the 'Customs (CVD) Notification', if it is declared properly at the time the filing of Bill of Entry. While filing the Bill of Entry, the importer has to declare certain information under <SBEDUTY> tag for 'Customs (CVD) Notification.' In this regard, Directorate General of System has issued Advisory No. 28/2023, on 25.11.2023. The Chief Commissioner of Customs requested the BCBA to circulate this Advisory among the trade partners (importer and exporter). BCBA committee assured to do the same.

[Action :BCBA]

1.7 Expediting the decision of Hold containers withheld by various Investigating agencies – As on date approximately 1331 containers of 23 Member CFSs are on hold by various investigating agencies (Para

1.25 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

This point is also included as a fresh Agenda point and will be discussed at that time.

[Point Closed]

1.8 Auction of UCC cargoes mandatory after 4 Auctions - However NOC for disposal is not forthcoming despite multiple auctions (Para 2.1 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

The Committee was informed that wherein multiple auctions have been conducted and still adequate bids have not been received, all such matters are proposed for re-valuation by government approved valuers to ascertain the actual realizable value in accordance with the current market condition and status of the goods. Hazardous and perishable items are being taken on priority for disposal.

[Point Closed]

1.9 Disposal of export longstanding containers lying in various CFSs for a long period - "one-time request for disposal" is pending (Para 2.2 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

The trade was informed that a Public Notice No. 26/2023-24 dated 07.03.2024 has been issued and the process in this regard is being monitored.

[Point Closed]

1.10 Disposal of 102 Un-cleared/Unclaimed Red Sanders lying with Custodians (Para 2.3 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

The trade was informed that in this regard, the matter is being pursued with Pr. Director General of Directorate of Revenue Intelligence, New Delhi for further action.

[Point Closed]

1.11 Non-intrusive examination to be conceptualized for export cargo (Para 3.1 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

AC/CCO informed that the purpose of scanning and examination are completely different and hence, omnibus instruction is neither warranted nor feasible. However, keeping in view various factors such as AEO status, nature of goods, nature of RMS instructions, etc. Scanning is allowed in lieu of open examination on case-to-case basis.

[Point Closed]

1.12 Review Examination Orders for Vaccines, Perishable cargo (Para 3.3 of the minutes of CCFC Meeting dated 11.01.2024).

• **RESPONSE:**

Matter can also be raised to the level of Commissioner, if required. Further, no communication has been received from NCTC. The Chief Commissioner suggested that whenever any such instance arises, then the Trade can inform the concerned Additional/Joint Commissioner of Customs, Docks for early resolution. The concerned Commissioner can also be approached in this regard seeking intervention. Further, in the next meeting the NCTC Officers will also be invited to the meeting.

[Point Closed]

1.13 Request for scanning of Containers at Terminals only (Para 3.4 of the minutes of CCFC Meeting dated 11.01.2024).

7. **RESPONSE:**

The matter was pursued with NCTC for the above agenda point. Due to the lack of AEO flag in IGM, the marking of such container to specific scanner located inside the terminal is not possible. However, in case of advance Bill of Entry filed by AEO, the NCTC will be able to direct such container to the scanner located inside the terminal.

[Point- Closed]

1.14 Delay in clearance for testing of samples (Para 3.5 of the minutes of CCFC Meeting dated 11.01.2024).

- **RESPONSE:**

Public Notice No. 34/2022-23 dated 17.06.2022 is being reviewed individual tariff item wise in coordination with other FAGs. Once it gets finalized, the same will be informed accordingly.

[Action: NS-I (Gr. I/IA)]

1.15 Post arrival amendments should not result in re-assessment of the Bill of Entry (Para 3.9 of the minutes of CCFC Meeting dated 11.01.2024).

- **RESPONSE:**

Public Notice No. 13/2024 dated 23.02.2024 has been issued by Pr. Commissioner NS-I in this regard.

[Point Closed]

1.16 Option required to download IGM & EGM acknowledgment on ICEGATE portal (Para 4.2 of the minutes of CCFC Meeting dated 11.01.2024).

- **RESPONSE:**

The matter was discussed in detail with the stakeholders and the issue has been referred to Directorate General of Systems, New Delhi vide email dated 05.04.2024 for early resolution. The same will be followed up.

[Action: NS-I]

FRESH AGENDA POINTS RECEIVED FROM THE VARIOUS AGENCIES, STAKEHOLDERS AND TRADE.

2. REGIONAL PLANT QUARANTINE STATION, MUMBAI

2.1 *Non referral of Agricultural commodities for PQ clearance as suggested by DA&FW under Risk Management System.*

- **RESPONSE:**

AC/CCO informed the Committee that the matter has already been referred to NCTC, DGARM through email dated 02-05-2024.

[Point- Closed]

2.2 *The consignments which are under investigation by any agencies of Customs (SIIB, CIU etc.) may be intimated to PQ department before referring for PQ NOC.*

• **RESPONSE:**

Chief Commissioner assured that this point will be examined and required action will be taken by the investigation agencies of Customs (SIIB, CIU etc.).

[Action : NS-IV]

2.3 *The Agriculture commodities which are not listed in Plant Quarantine (Regulation of Import into India), 2003 should not be allowed to be imported into India.*

- It was informed that the Agriculture commodities which are not listed in Plant Quarantine Regulation 2003 are being rejected by PQ department itself and hence it is not allowed to import in India.

2.4 *The consignments like processed items which does not require plant quarantine clearance are being referring for PQ NOC, which interns delay in timely release of said consignments.*

- It was informed that the PQ NOC required on any commodity in any Bill of Entry as per interface of interface of PQ System through SWIFT system & RMS. However, the point raised would be examined.

2.5 *PQ NOC needs to be obtained manually if the agriculture commodities waived off by ICEGATE due to system error. The same may be intimated to PQ department to avoid ambiguity in routine clearance work.*

• **RESPONSE:**

The trade raised the issue of location of PGAs and requested that offices of

PGAs should be near Customs as per the understanding of the Single Window system implementation. The PQ office is not nearby Customs and is inconvenient for carrying samples. The Chief Commissioner directed that NS-General Commissionerate will request all Heads of PGAs to approach JNPA for locating their offices near the Port. The trade also requested for making alternate arrangement for payment to PQ to avoid delays in clearance. The Chief Commissioner informed that all payments are being brought to a single platform and the deadline for the same is 30.06.2024. The Chief Commissioner further informed that the problems PGAs working on independent systems will also be resolved after implementation of Customs Integrated System (CIS) which has a target date of launching in December 2025.

[Point Closed]

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3. CONTAINER SHIPPING LINES ASSOCIATION (CSLA)

3.1 *Long Standing Containers:*

It was informed that the issue of long standing containers has been discussed several times in the past, in the PTFC, CCFS & CTF (Container Task Force) meetings. In this regard, data of such containers is provided to the JNCH regularly by the CFSAI every month. However, the instructions contained in Board Circular 50/2005 issued for disposal of such containers, is not being followed resulting in congestion of space at the CFSs as well as non-availability of these containers for Indian exports. Storage of such containers also increases the cost of logistics. It was also recommended that JNCH restart holding CTF meetings at least every quarter with all the stake-holders & agencies to help monitor & expedite the clearance of long-standing containers, particularly containers pending beyond 6 months. It was also proposed that a time limit should be set for Destuffing of cargo and release of such containers to the concerned lines so that these could be used for Indian exports.

• **RESPONSE:**

- As per data in respect of long standing containers, as received from CFSs, the unsuccessful shipments/lots even after third auction, shall be considered for fourth auction against the fixed reserve price. Further there are many lots that are getting no bid at all. At present, there is no provision in respect of lots, which are not getting bid. Emphasis is given on holding CTF meeting on regular basis with all the stakeholders & agencies to expedite the clearance of

long-standing containers. Further with regard to the goods meant for destruction, 222 cases are pending for NOC from of BARC. Further, in case of 95 cases of non-perishable goods, the MPCB has denied to provide NOC for destruction. MPCB has been approached in this matter to conduct a meeting with the stakeholders and sort out the issue of destruction of non-perishable goods. In case of Reefer containers, BARC has issued the NOCs for destruction in case of 47 consignments vide their letter dated 10.04.2024. Out of 47 Reefer Containers, 20 Containers have been disposed off by the way of destruction. 13 containers are under hold of various investigation agencies. 11 containers are pending for destruction for Group NOC, 2 containers are pending for FSSAI NOC and 1 container is pending for PQ NOC.

- The suggestion of trade to conduct special drives for disposal of long standing containers was assured to be considered by the chair.

[Action NS-General (Disposal)]

3.2 SCANNING ISSUE:

The containers destined for ICDs are selected for Mobile & D scanning. One of the D scanners is outside the port gate. In order to avoid huge additional charges, presently ICD destined Containers, marked for D-1 scanning, are allowed for mobile scanning inside the port terminal in the working days. As D-2 scanning option is available inside BMCT terminal as well, the ICD destined Containers of other port terminal selected for D scanning should be allowed for D scanning at BMCT terminal. The trailer carrying scanning selected containers should be allowed to bring containers at D-2 scanning site at BMCT & vice versa through internal express / TP 3 road basis on SMTP / IGM hard copy document & customs scanning list. As per standard process the scanning stamp (CLEAR/ SUSPICIOUS) may be given on SMTP / IGM hard copy. This additional option will reduce at least two days of dwell time on weekends and assist faster evacuation of containers. At the last PTFC meeting, the Commissioner of Customs (General), Shri D.S. Garbyal, advised if the ICD destined containers were not being marked for the mobile scanner, the same should be brought to the notice. Further, it was informed that D-scanning, JNCH had written to NCTC to allow such containers to be scanned at BMCT. If this too did not happen then the concerned line should bring this matter to the attention of JNCH. As of now, the situation still persists & hence this request once again for an early resolution.

RESPONSE:

Since, the selection of the containers for scanning and scanning location pertains to NCTC, the same was pursued with NCTC with the request that all

ICD destined containers to be scanned at DTCS-BMCT (DT-02)/Mobile Scanner (MXCS) only to resolve the issue. It is learnt that no ICD destined containers are being selected for D-1 scanning. However, if so, it may be brought to the knowledge of CSD so that NCTC can be apprised of the matter.

[Action: NS-III(CSD)]

3.3 DOMESTICATION:

For domestication permission (Goods to be shifted from Imported container into Domestic container) - this matter was raised at the PTFC meeting in January 2024. While the Commissioner of Customs, NS-I was kind enough to allow / instruct his officers to grant permission, it was requested that the similar process may be followed by the other Commissionerate also.

RESPONSE:

It was informed that a Public Notice will be issued in this regard wherein the concerned AC/DC Docks will allow such transfer of cargo from EXIM longstanding containers to domestic container on the basis of the NOC from the concerned investigating agency or groups. The Commissioner of Customs (General) advised that in case the request is not getting resolved at the level of AC/DC (Docks), the same may be brought to the notice of the concerned Commissioner. The Chief Commissioner of Customs, JNCH suggested that the Public Notice should be followed and wherever there are any instances that the same is not followed, it may be brought to the notice of the concerned Commissioner.

[Point Closed]

4. Brihanmumbai Custom Brokers Association (BCBA)

IMPORT

4.1 Delay in assessment:

On regular basis trade is facing delay in assessment. Irregular working of AEM and limited role of TSK are not able to help the trade. Suitable escalation mechanism needs to be created if the Bills of Entry are not assessed within 24 hours.

RESPONSE:

Guidelines pertaining to the assessment under FAG are being judiciously adhered to by the officers working under the Groups. AEM grievances received are being attended to in orderly manner, It is being ascertained that no Bills of Entry are pending at the end of the day. Further, officers are

ensuring that no Bills of Entry are pending for processing under FAG, at 1.00 pm, 5.00 pm and 8.00 pm i.e end of the day.

TSK is immediately forwarding the grievances received through emails to the concerned port/concerned section & further pursuing it till issue gets resolved as per standing order No 18/2020 dated 14.07.2020. Further, a compilation is also being sent to F.A. Roll out group on regular basis.

The Chief Commissioner of Customs, JNCH suggested to send a proposal to the Board for taking up the issue with the DG System for making necessary arrangement in the work flow.

[Action: NS-I{AM(I)} & TSK]

4.2 Monitoring of high number of queries and multiple queries to be avoided.

The numbers of queries have gone up considerably. On many occasions officer tends to raise 3 queries in a bill of entry which is leading to piecemeal approach towards resolution. On certain occasions, it is also experienced that after replied FAG officer often push bill of entry back to PAG where another query is raised by PAG Officers.

RESPONSE:

In relation to Bills of Entry under Group, the assessment depends on various parameters and specifications. In absence of the requisite information, it is utmost necessity to raise queries. Further, to minimize the number of queries, the members of trade should be educated on the importance of providing information in a standardized format including details such as exact description with all the specifications, Test Reports, BIS certificate and other necessary compliances which are necessary for the completion of assessment. Further, in respect of the issue of multiple queries, the officers are ensuring that no piece-meal queries are raised, and all queries are conveyed to the CB or the importer in single query itself. Second query is raised only in cases where the matter remains unaddressed by virtue of first query. On receipt of the Bills of Entry from FAG, PAG raises the relevant queries only as there is no other mechanism available with the Group officers to communicate with the trade.

The Commissioner of Customs, NS-I, JNCH suggested if any query is raised at the Ex-bond stage, the same is not acceptable and the same may be brought to the notice of the concerned Commissioner of Customs.

[Action: NS-I(AM(I))]

4.3 Examination orders:

4.3.1 *There are considerable difficulties faced by trade and industry due to wrong examination order being given by FAG officers. Standard Examination order given by systems should not be altered by FAG/ PAG officers. At present there have been several instances wherein FAG officers have been overriding the standard examination.*

Response:

No Standard Examination orders given by the system are being altered by the officers. Additional orders or instructions are given, if found necessary, with the approval of the competent authority. Many a times, RSS are needed to be forwarded for testing. Accordingly, additional examination orders are given along with the standard test queries to be forwarded to Textile Committee or CRCL etc. Assessment officers are following instructions issued by the Chief Commissioner Office dated 18.01.2023, wherein the queries related to certain mandatory documents are not raised. Instead, suitable examination orders/ instructions are given to the officers at Docks. Generally, no alterations are being made by the Assessing Officers. However as required in light of certain Standing Order, Public Notices for verification of certain aspects of the submissions made by the importer in e-Sanchit, at times additional examination instructions are needed to ensure the aforesaid compliances.

[Point Closed]

4.3.2 *100% examination orders are being given very frequently and in certain occasions Examination orders are given to check mis-declaration and concealment.100% examination to be prescribed only in certain cases such as second-hand goods, re-import or where there is some intelligence alert by any agencies. Even in the cases of AEO Tier 1, 2 & 3, such Examination orders are given.*

RESPONSE :

The purpose of the 100% examination orders is to verify the goods and other declarations made by the importers. Further, AEO Tier 1, 2 & 3 are not exclusively exempted from 100% examination by any notification or standing order, however, it is ensured that no vague 100 % examination orders are given.

The examination percentage stipulated vide the standard examination orders is not being altered. However, in certain cases wherein the importer has resorted to first check in cases of incomplete information available with them for assessment, the officers in certain cases have to order for 100 % examination. In other matters, whenever the RMS instructions mandate for 100% examinations, officers have to adhere to the same.

[Point Closed]

4.3.3 *There are several occasions for example in the RMS facilitated bills of entry where no examination is prescribed, the RMS targets prescribed for detailed examination to be carried out. This nullifies the RMS facilitation.*

RESPONSE:

In case of RMS facilitated bills of entry, at times as per the requests of the importer for First Check, Sampling, Custom Valuation, etc., examination is prescribed. No examination order is being prescribed in supersession of RMS facilitation Orders bill without valid reason and approval.

[Point Closed]

4.3.3 *The NCTC (erstwhile RMD) should not give general alert without specific intelligence. Even for consignment imported regular and by reputed importers also such alerts are received to check misdeclaration and concealment. Alerts from NCTC should be reviewed on urgent basis to avoid such harassment to the trade.*

RESPONSE :

The matter pertains to NCTC.

[Point Closed]

4.3.4 *Examination Orders, where officers are prescribing 100% examination order in wrong manner, may kindly be rectified at DC level in PAG.*

RESPONSE :

No such instances have come to light.

[Point Closed]

4.4 Recall and Re-assessment of Bills of entry in case of incorrect assessment.

We request that there are many instances wherein during assessment at FAG, the FAG Officer denies the benefit of exemption notification and also enhance the assessable value without raising query.

RESPONSE:

Any re-assessment is undertaken only after raising specific query and after consent of the importer. In cases where any exemption notification benefit is denied or any enhancement of value takes place, without the consent of the importer, an opportunity is given for hearing in the virtual mode as per the Board's instructions vide F.No.390/Misc/3/2019-1C dated 27.04.2020 and a speaking order is issued by the assessing Group within 15 days in terms of Section 17(5) of Customs Act, 1962. Further, the Assessing Officers have been sensitized on the issue and directed to raise query before denying exemption notification or enhancing assessable value. However, no such instance has been noticed. All the Examination Order amendments and other actions are being taken under the purview of the recently issued Public Notice No. 13-2024 and the Board's Advisory No. 32/2020-Cus dated 13.09.2020 read with Board's Circular 40/2020 Customs dated 04.09.2020, wherein the process has been defined at various levels. Any specific instances of apparent error may be brought to the notice of Concerned Commissioner. The conveners of the respective NACs may be approached through email.

[Action: NS-I (AM(I)-all Groups]

4.5 SPEAKING ORDER NOT BEING ISSUED:

On various occasions, due to change in assessment carried out by FAG Officers, speaking order is seldom issued. For any query for example valuation, classification, denial of exemption notification etc., speaking order should be issued on immediate basis to observe procedure of the principle of natural justice in terms of Section 17 of Customs Act 1962.

RESPONSE:

The issue has already been discussed at para-4.4.

[Point Closed]

4.6 Bill of Entry being kept aside on Low Priority:

Provision to keep aside the bill of entry should be withdrawn on urgent basis. This provision is totally non-transparent against the basic principle of transparency and predictability. We request suitable amendment to CBIC circular no.45/2021.

RESPONSE:

The Bills of Entry are being kept on Low priority only in very selective instances viz. (i) for approval to push to PAG, as the officer is unable to attend to any other bill of entry in the queue, (ii) for pending amendment, (iii) pending for adjudication proceedings, (iv) requires verification related to various parameters viz. classification, valuation, notifications benefits and other mandatory compliances etc. The number of Bills of Entry, that can be set aside, is already minimal, and the removal of this provision, shall not be beneficial. A certain discretion at the level of assessing officer is essential for ensuring better assessment practice. Subsequently, it is being ensured by the officers that no Bills of Entry are set aside without proper reason. Further, the Bills of Entry, which have many items (for e.g. 200 to 300 items) and need to be examined thoroughly, are kept aside as it requires more time for assessment and sometimes such Bills of Entry get stuck due to system error. Thereby, such Bills of Entry have to be kept aside for processing the next one.

[Action: NS-I (AM(I)-all Groups]

4.7 Delay in clearance of import consignments due to delay in testing of samples by DYCC:

- ***Reducing procedure and timelines for drawing of samples and submission of the same for testing.***
- ***Robust monitoring of time taken by DYCC to test the samples and provide test reports.***
- ***Monitoring the reports given by DYCC especially in cases where there is variance as compared to Cargo Analysis Report.***

RESPONSE:

Against the previous timeline of three days, after the introduction of the QR system and streamlining the procedure, the samples are sent to the laboratory on next day and are being received by the laboratory on the same day. All the

samples pertaining to First Check, AEO, Second Check Live B/E, Liquid Cargo in Bulk etc. are tested and reported within 2-6 working days. For other samples also, all the Assistant Chemical Examiners and Chemical Assistants have been instructed to do the testing at the earliest. In the fourth quarter of F.Y. 2023-24, Saturdays were made working to reduce the pendency. Time taken by the laboratory is regularly reviewed by the senior officers. Efforts are being made to get more manpower from CRCL New Delhi to deal with the pendency issues. In case of exigencies viz. non-availability of reagents, breakdown of instruments etc., the delay may occur or if the sample is received with trade name (without proper description/chemical composition). All the tests are done scrupulously in the Laboratory. The samples where there is a variance as compared to cargo-analysis report the importer has legal recourse. The trade suggested that all the PGAs to adopt the similar policy viz. Bar code, so that the status of test report may be known to the importer. The same was accepted for consideration.

[Action: NS-V(DYCC)]

4.8 Tremendous increase in containers being selected for scanning.

The trade claimed that they were facing substantial delay in clearance due to increase in number of containers being selected for scanning.

The scanning machines do not have the sufficient capacity to scan the number of containers being selected.

RESPONSE:

The scanning list is auto generated from ICEGATE. Once the Shipping Lines / Shipping Agents file the IGM and entry inward is granted by Customs. The import containers which are to be scanned are selected by the Container Selection Module (CSM)(NCTC) of the RMS on the basis of risk parameters/targets. Hence, the issue raised by the CSLA comes in the purview of RMS/NCTC. Further it is informed that there is no delay in scanning on the part of CSD. However, due to some technical glitch, the list of containers selected for scanning for 02 IGM could not be generated which resulted in little congestion at port. Public Notice No. 15/2013 dated 07.05.2013 and Public Notice 31/2021 dated 30.03.2021 already issued in this regard. The matter was appraised to NCTC and same was attended without delay. As on

date, there is no delay in scanning and containers are being scanned in approx. 01-02 hrs. after issuance of EIR slip.

[Point Closed]

4.9 Delay in clearance due to want of EIR Copy

EIR copies should be available online in EDI system. Consignments should not be held up for want of physical copy of EIR. This should be integrated with ICEGATE/ EDI systems and do away with manual interference.

RESPONSE:

The integration of scanning image verdict with ICEGATE/ICES 1.5 has been done by ICES1.5. However, in case of mobile scanner, there are certain technical glitches, which are being looked into by ICEGATE/ICES 1.5 in coordination with vendor Smith Detection. Once complete integration and stabilization is tested, the presentation of physical copy of EIR copy will be phased out through a public notice. Till such time, presentation of physical copy of EIR copy will be continued.

[Action: NS-I (EDI)]

4.10 Proposal to Amend PN No 42/2023 for Examination of HAZ cargo:

- ***Discuss the need to issue a suitable advisory to amend PN No 42/2023 concerning the examination of hazardous (HAZ) cargo categorized under Class 5, Class 8 and Class 9.***
- ***Consider allowing the examination of HAZ cargo in the presence of CFS (Container freight Station) personnel who possesses a certified training certificate for handling HAZ cargo.***
- ***Evaluate the feasibility and implications of instructing CFS to prominently display the certificate of handling HAZ cargo, alongwith a list of personnel who hold the certification.***

RESPONSE:

The JNCH Public Notice No. 42/2023 dated 17.05.2023 has been issued from NS-I, JNCH which requires presence of expert supervision of trained personnel provided by the Importer. The trade is requested to bring specific cases/incidence of difficulty in implementation of para 2 of the Public Notice.

The name of expert person is to be displayed in the CFS.

[Action: NS-I, AM(I)]

4.11 Streamlining Query Resolution Process for FAG Bill of Entry

- *Review the challenges encountered when multiple queries are raised by the officer during the processing of FAG Bill of Entry.*
- *Discuss strategies to avoid delays in clearance by assessing the Bill of Entry at FAG itself, rather than passing it to PAG after repeated queries.*
- *Explore potential measures to improve efficiency and reduce the time taken to resolve queries, ensuring timely document clearance and smoother operational flow.*
- *All FAG Bills of Entry should not be allowed to push to PAG without permission from concerned Commissioner of Customs.*
- *Any additional examination order, if not approved by Joint/ Additional Commissioner, should not be considered as an Examination Order.*

RESPONSE:

This issue has been discussed in **Point No. 4.2.**

[Action: NS-I(AM(I)]

4.12 Addressing Issues with ICEGATE Functionality

Online amendment modules need to be strengthened and made robust. Due to frequent downtime of online amendment module, trade is required to approach the Service Centre. Further, whenever there is a downtime of online module, the Service Centers should be appropriately provided with man power to avoid the delay being faced at present. Service Centers should be available in all Clusters of CFS's.

RESPONSE:

It is informed that matter has been escalated to ICEGATE via email dated 14-05-2024 for the earliest resolution.

[Action: NS-I(EDI)]

EXPORT

4.13 Gate Automation / Universal RFID Reader for ease of process of Export clearances

- ***In view of Digital India initiative of Govt. of India, we suggest that fully automated gates should be made available in the CPP, where full automation of the gates should be tested by automation engineers using live truck traffic which will include optical camera recognition (OCR), license plate recognition cameras and CCTV cameras for gate clerks.***
- ***The factory stuffed containers are coming with different types of RFID seals of different manufacturers and it takes more time to read the RFID seals with different RFID readers, which delays the process of clearance.***

RESPONSE:

Under the umbrella of ease of doing business, JNCH is committed towards more facilitation and hassle-free customs clearance. Universal RFID reader is aimed at improving the accuracy of E-seal verification, non-editable verification, integration with ICEGATE, more accurate NCTC/RMS instructions based on mis-match of the e-seal data and faster clearance. NCTC, which is the nodal agency for e-seal has to take a lead in this regard. In the meantime, in JNCH, efforts have been made to unify the different e-seal software in one hand-held reader. As of now, this unified device has been employed at all the 8 Gates of the Parking Plaza. These units will seamlessly interface with CPP software. ANPR Camera for the number plate and container number reading, weighment software has already been installed. The integration of the Hardware with the ICEGATE is still in process. The secured data exchange between CPP software and NCTC/ RMS/ ICEGATE server through an API link is crucial. In this regard, detailed technical discussion was done by the CPP Administration with Delhi ICEGATE office on 10th April, 2024. The matter is being actively pursued by the CPP.

[Action: NS-II (AM(X)-CPP]

4.14 Priority clearance for accredited and AEO Exporter / Status Holders / Manufacturers

With a view to progress with NEEV (Nhava Sheva Export Encouragement Vision) initiative and to support the export trade, the following is being suggested

- ***Priority for Assessment and Examination (if not***

facilitated) – Ref. PN 117/2018 scope to be enhanced and implemented.

- **As available on import side, SB of AEO status holders should be provided priority through EDI System.**
- **Priority to provide LEO.**
- **Routine queries to be avoided.**
- **Exemption from Drawl of Samples as per CBIC Circular No 5/2017-Cus dated 28.02.2017.**

RESPONSE:

Board has constituted a committee headed by Commissioner NS-II to examine all aspects of export module of ICES. The Committee has submitted its report and a few recommendations have already been implemented in ICES. DG System is working on the recommendations of this report.

[Action: NS-II (AM(X))]

4.15 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 containers.**
- **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.**
 - **Scanner**
 - **Kiosk Machine**
 - **Labour**
 - **Forklift**
 - **Facility for examination of refrigerated cargo**

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

The above amenities and equipment should be provided by CPP Authorities.

RESPONSE:

In this regard, a committee was formed under the leadership of AC/ CPP for giving suggestions regarding infrastructure development at CPP. The various facilities available at CPP are as follows:-

- a. The foundation work for installation of scanner at CPP garage is in progress.

- b. Kiosk machine is already installed at CPP.
- c. CPP has sufficient labour available in the open examination shed and whenever there is a need of extra labour, the same is arranged.
- d. There are 02 forklift machines in working condition.
- e. CPP is under process of developing the facility for examination of refers cargo in the open examination shed.

[Action: NS-II (AM(X)-CPP]

5. DP World

5.1 *Implementation of fixed Universal Seal Readers at Terminal Gates with integration into the terminal gate automation system to eliminate the manual checking of customs seals for export containers.*

RESPONSE:

The issue has already been addressed under Agenda Point 4.13.

5.2 *Issuance of PN in line with PN.15/2013 to facilitate the evacuation of SMTP containers wherever there is a delay in receipt of the scanning list for a particular vessel.*

RESPONSE:

PN No. 15/2023 do not differentiate between CFS bound container and ICD bound transshipment cargo as followed necessary communication will continue to be ICD location once scanning list is made available by CSM Module for detailed examination at respective ICD's.

[Point Closed]

6. Any other point with permission of Chair.

CDSCO certificate for equipment

RESPONSE:

With the permission of the chair, the issue of CDSCO certificate for equipment, imported for hospitals, in the last minutes a public notice was to be issued by the CDSCO. The Chief Commissioner of Customs requested the ADC/CDSCO Officer to issue such public notice. The ADC also requested the trade to submit all the documents, as per list finalized, through email which

has already been published through the circular separately for import and export.

[CDSCO]

7. The Chairman thanked all the participants.
8. This issues with the approval of Chief Commissioner of Customs, Mumbai Customs, Zone-II, JNCH, Nhava Sheva.

(Venugopal S. Aiyer)
Asstt. Commissioner of Customs CCO,
JNCH, Nhava Sheva, Mumbai Customs
Zone-II

Copy to:

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