

मुख्य सीमा शुल्क आयुक्त कार्यालय अंचल- I
Office of the Chief Commissioner of Customs, Mumbai Zone II
जवाहरलाल नेहरू सीमा शुल्क भवन, Jawaharlal Nehru Custom House,
शेवा, उरण, रायगढ, महाराष्ट्र, Sheva, Uran, Raigad, Maharashtra-400707

F.No. S/V-30-Misc-01/2019-20/CCO M-II 'A' Cell
DIN No. DIN-20210378NW00000C4AB

Date: 31.03.2021

MINUTES OF CCFC MEETING HELD ON 24.03.2021

The Customs Clearance Facilitation Committee (CCFC) meeting was held on 24.03.2021 at 04.30 PM. It was held via Webex. Shri Rajiv Talwar, CCC, Nhava Sheva chaired it. The attendees list is at Annexure-I. Shri S. K. Mall, Commr was moderator.

2. Shri Dipin Singla, Addl. Commr. presented the agenda informing that previous CCFC of this Zone was conducted on 06.04.2020 in which Pr. Chief Commissioner, Mumbai Zone I and Chief Commissioner, Mumbai Zone III had also participated. Due to ongoing Covid-19 pandemic the CCFC points were taken up in PTFC meetings. Hence, the fresh agenda points now received are taken up.

CFSAI

3.1 *Auction of uncleared/ unclaimed and other long-standing containerized cargo through single vendor MSTC:*

As per CBIC Circular No. 49/2018, all un-claimed/uncleared cargo lying with the Custodians needs to be disposed of by e-auction only through MSTC. Earlier, the disposal was being done smoothly through private e-auctioneers registered with JNCH. Since, last 5-6 months although CBIC and JNCH has fast tracked auction process for UCC and even MSTC has also been cooperating and doing their best, however, they submit that permitting private e-auctioneers in addition to MSTC would be advantageous in expediting auctions for all CFSs as this is an ongoing process. CFSAI also stated that the issue has been taken up with the Board as the number of bids via MSTC are very limited at times and leads to monopoly.

Decision: It was appreciated that the process stands fast tracked with all round cooperation from relevant entities. The CFSAI can convey issues separately to Commr, General who would examine them for appropriate redress within the parameters of the CBIC circular.

(Point closed)

3.2 *Procedure to be followed for all types of Scrap:*

CFSAI represents to allow CFSs to dispose goods which are imported legally without any violation of rules and regulations set by Indian Customs. Further they had submitted that JNCH instructions need to be followed in cases of illegal import where the importer has not filed the Bills of Entry or the Bills of Entry filed but not assessed by the concerned appraising group in absence of mandatory documents like PSIC and actual user certificate. They seek a review and revised instruction with respect to above.

Decision: In the light of it being informed that the matter is addressed in PTFC (Export) meeting held on 26.02.2021, it was decided that issue is not for the CCFC.


(Point Closed)

3.3 *Mobile Scanning of containers 2X2 on a 40'trailer.*

CFSAI informed that with respect to Mobile scanners, CFSs would need to work out with terminals for 1x20' container only. They sought JNCH's intervention with terminals as CFSs do enblock evacuation of import containers from Terminals and are not privy to the information at the CY, whether these containers would be routed through scanners or otherwise. They also sought JNCH's intervention in initiating a dialogue with concern stakeholders namely, Terminals & CFSs in resolving this issue.

Decision: It was noted that scanning of containers is done both for safeguarding revenue and from national security perspective. Based on capability and technical specification, the issue shall be resolved by Pr. Commr. N.S.-III who would expeditiously discuss with all stakeholders (Trade, Port Authority and others, RMCC & Systems) and devise appropriate SOPs with regard to mobile scanners taking all relevant aspects including facilitation harmoniously into account.

(Action: Pr. Commr/NS-III)

 31/3/21

CSLA**4.1 IGM amendment for ICD shipments to be done at one location only:**

Presently when ICD shipment is short landed on any ship, short landing formalities is completed first at gateway port and thereafter the same process is done at the concerned ICD as well. Similarly, when there is any error in the IGM for ICD Import shipment, some of the ICD location insists trade bodies to complete amendment at both the locations, while some ICDs allow amendment at the ICD only. This process takes one to two months at times. Therefore, requested JNCH to assist by taking up this issue with Board so that the amendment/ short landing process of ICD shipments can be done at just one of the locations.

AND

4.2 IGM amendment process through the online system:

CSLA informed that this issue was discussed one year ago as well. It was informed in the PTFC meeting then that a tender was approved to develop online amendment portal. Request update on this process.

Decision: It was observed that SCMTR has begun. The matter would be dealt in terms of its Regulation 8. CSLA informed that the amendment pre-arrival of vessel is clear in SCMTR, but not so for amendment post-arrival of vessel. It was decided that CSLA will provide a Short Note on the issue to Commr. General who would examine it for taking up with Systems, if necessary. The matter would be reported up in the PTFC.

(Point Closed)

4.3 Port clearance permission to be issued electronically as per JNCH PN 67/2020:

Although JNCH PN 67/2020 is already in place in this regard, but due to lack of clarity/undefined process/no SOP the boarding department/preventive office department at JNCH is unable to issue port clearance permission as per the new process. The access of the proposed email ID should be given to the existing officer at JNCH who is presently allotting PC number through the manual register and approved port clearance permission should be communicated to the shipping line through an email message/electronically within a specific timeline on the same email id through which application is submitted. JNCH is requested to issue SOP in this regard to implement the process as stated in PN 67/2020. Also request the existing process may please be continued till new process is streamlined.

Decision: It was observed that the PN 67/2020 was issued "till lockdown was over". However, a Working Group jointly chaired by Commissioner/General and Pr. Commissioner/NS-I (in-charge of EDI) would examine the issues by consulting relevant stakeholders and submit report and recommendations by 01.05.2021 for further consideration. Working Group may co-opt members.

(Action: Commr./General and Pr. Commr./NS- I)

4.4 EDI Shipping Bills from Customs to Shipping Lines:

CSLA informed that the electronic PDF Shipping bill & e-gatepass document must be issued instantly, max within 15-20 mins and a provision should be made to share electronic PDF shipping bill & e-gatepass data with the shipping lines through EDI file in order to make this process complete paperless and faceless. The EDI sharing of shipping bill data with shipping lines will greatly reduce EGM errors and expedite IGST refund process as well. Manual print out of electronic PDF shipping bill/Gate pass document should not be allowed in normal cases when customs online system is working perfectly.

Decision: In light of the Pr. Commr, NS-III informing that request is received in PTFC meeting on 26.02.2021 and conveyed to Systems, it was decided that issue is not for CCFC.

(Point closed)

DS 31/3/21

WISA*5.1 CFSs to adopt system based processes instead of physical internal processes:*

WISA informed that CFSs processes remain the same as pre-pandemic days and that CFSs adopt to System based process for following:

- a) Import charge invoice must be self-generated by users through their website or to be mailed to Importer/CB on a written request by mail.
- b) All payment to be made either online through their website or by NEFT/RTGS transfers and be accepted on submission of UTR number.
- c) Maximum possible manual processes such as container grounding requests, seal cutting etc. to be system driven eliminating physical interaction.
- d) Though the Customs department has eliminated physical printouts, entire trade is being made to carry physical printouts of ICEGATE/ICES generated gate pass and OOC copies. The trade is made to carry printouts of 8-10 pages instead of erstwhile 3-4 pages.

Decision: It was observed that it was imperative to have tangible progress by CFSs in moving forward to adopt more technology driven or online processes that provide better services to their clients and minimize physical interaction. It was informed that the matter shall be addressed via PTFC. Accordingly, it was directed that the matter receive priority attention in the PTFC mechanism.

(Point Closed)

BCBA*6.1 Validity of DPD for all ports in India:*

BCBA stated that DPD helped to reduce cost and deliveries. As per Boards circular 29/2019 dt 05.09.2019 DPD is eligible to AEO T- I, II, III clients and to those importers having an import volume of 25 container load (FCL) TEU's through a particular port or otherwise in a preceding financial year. To promote DPD, we request that DPD should be valid for all ports in India issued by any custom house. Also, the same should be flagged in ICES screen that importer is a DPD Client.

The Chair had informed that the importer operating at different ports has to complete various formalities related to DPD at different ports.

Decision: It was decided that BCBA may take up the issue with Board as matter is governed by Circular No. 29/2019 dated 05.09.2019.

(Point Closed)

6.2 Acceptance of NSC/FC as security deposit:

Any provisional assessment by customs, there are provisions to accept security deposit, but ICES have provisions to accept BG only. Module for NSC/Fixed deposits may also be developed for the same. It is requested to issue advisory as provisions for keeping fixed deposits and NSC in cash section.

Bank Guarantees issued with validity date and auto renewal clause are not accepted by TSK Cell, they requested to accept the same as it is renewed automatically.

Decision: It was observed that the Bank Guarantees are neutral securities, whose use is consistent with simplicity of working for both trade and department. Hence, these need to be continued. Other instruments may be presented by parties to relevant bankers for obtaining BG.

Insofar as issue of acceptance of certain type of BG by TSK is concerned, it shall be examined by Pr. Commr N.S.-III in light of Instructions issued by the Board. If suggestions are not acceptable, the reasons for that would be conveyed in the PTFC meeting in April 2021.

(Action: Pr. Commr/NS-III)

Handwritten signature and date: 31/3/21

6.3 *List of Out of Scope items:*

BCBA informed that as per recent advisory issued by ICES all CTHS related to FSSAI, PQ, ADC, AQ etc many products are not covered under any PGA's. They requested list of out of scope items to be sent to Customs every month. This will help ICES to delete from mandatory compliance and clearance will be faster.

WISA added that the Single Window was introduced 6-7 years back, PGA and Single Window team agreed to review the list more often. For example, PQ is showing only 1 item in the list. There are no transparent lists or out of scope list was not reviewed continuously.

Deputy Director, FSSAI informed the meeting that the updated list of out of scope is already available on their website. The representative of AQ stated that there are no out of scope items and they have been continuously reviewing it.

Decision: It was observed that prima facie, CCRs being CTH based and description column in Bill of Entry being non-standard character field, exclusion of PGA Out of Scope items from CTH based CCR at the level of ICES may not be technically feasible at present. However, BCBA and WISA are welcome to send a short Note on the problems faced by them, based on which Pr. Commr/NS-I would write to PGAs to review out of scope items list at the earliest.

(Action: BCBA, WISA, Pr. Commr/NS-I)

6.4 *DFIA*

Goods cleared under DFIA/Advance Authorization are assessed provisionally with Bond and BG as there is system fault which is delaying shipments. Members have to recall BE for cancellation of Bond and BG and if goods assessed at FAG they have to request PAG to push BE to FAG for removal of Bond and BG. The CB representatives have to personally visit the Appraiser for assessment. The stakeholders had also raised this issue with DG Systems.

Pr. Commr NS-III informed the Chair that the importer has an option to select 0% BG at the time of filing of Bill of Entry with DFIA claim. If these parameters are not met, the system would naturally assign the highest rate of BG which is 100%. This option should be explored while filing the BE.

Decision: To minimize room or need for visit to Customs office, the possibility of amendment module/option may be explored with the DG Systems, if reasons are reported by BCBA as to what prevents the exercise of 0% BG option by them at time of BE filing.

(Action: BCBA & Pr. Commr/NS-III)

6.5 *Faceless/Examination Orders.*

BCBA had received feedback from members that the examination orders are given by FAG that goods may be released only after NOC from Addl./Joint Commissioner.

Decision: It was observed that no specific instances are brought to notice.

(Point Closed)

6.6 *Verification of COO certificate through QR Code.*

BCBA informed the Chair that COO certificates issued by Japan and South Korea are issued with Bar code. In case signatures are found in system, verification through Barcode may be done.

Decision: It was observed that the verification through Bar Code has already been instructed by Board w.r.t. COO from South Korea, and JNCH Public Notice No. 23/2021 dated 24.03.2021 is issued. If similar provision is available for Japan in the relevant agreement, matter could be referred to Board.

(Action: Pr. Commr/NS-I)

AS 31/3/21

6.7 *Import of hazardous cargo.*

BCBA informed the Chair that large no. of Hazardous products i.e class 3.5,6,8,9 etc. These are highly flammable and cannot be opened for examination. They requested that the system should identify and same may be incorporated in CCR instructions. Since examination orders are given for open and examination, due to same, consignments are getting delayed for clearances.

Decision: It was decided that Pr. Commr/NS-I shall again flag this issue to DG Systems. In the meanwhile, examination of hazardous cargo, in the suitable cases, is being waived by the jurisdictional Commissioner.

(Action: Pr. Commr/NS-I)

6.8 *Amendment of non-revenue bearing fields in Bill of Entry.*

BCBA informed that the amendments i.e. Container no., Seal no, LCL to FCL, BL no, etc where revenue implications are not there, module may be developed where without recall of BE, same can be done at DC level. PN no. 32/2020 may be referred, in which role is given for AC for waiver of Late penalty without recall and reassessment of BE.

WISA informed that at present functionality exist with DC Group to amend BL number. This functionality may be extended for other non-revenue bearing amendments.

The Pr. Commr NS-III informed the Chair that there is no provisions/functionality with PAG prior to assessment. For post assessment, DC, Group can amend BL, etc. and same may be extended for other non-revenue bearing amendments. In FAG scenario, Bills of Entry are not available with PAG officer till the assessment is over; re-calling is the only option for any changes.

Decision: It was decided that BCBA and WISA may submit details of existing functionality which they view can be extended (supplemented by exhaustive positive list of non-revenue bearing amendments) to Pr. Commr. N.S.-I, who would examine the matter for making reference to Systems for considering developing suitable functionality to enable DC to amend the BE without re-calling.

(Action: BCBA , WISA & Pr. Commr/NS-I)

6.9 BCBA informed that they had received feedback from members regarding BE assessed at FAG are without any knowledge of importer i.e. Notf benefits are denied and BsE are assessed. BE filed under Advance Licenses, advance license are removed and BE are assessed under payment of duty. Members have to approach PAG for forwarding BE to FAG for reassessment. This leads delay in clearances.

BCBA requested to develop a facility to share grievance on real time basis in Faceless Assessment at National level.

Decision: If BCBA have the details of Bills of Entry where benefits are denied without informing the importer, these be shared. For developing national level facility for grievances in FA, BCBA may take up the matter with DG Systems.


(Action : BCBA)

6.10 For oil imports under CTH 2710, System is picking up CVD against Notf. no. 190/89 which is for Hydraulic Oil, for goods other than Hydraulic oil also. BsE are to be recalled at PAG or FAG for reassessment of deletion of above notification which causes delay.

Decision: It was informed by Pr. Commissioner/N.S.-I that the issue has been already flagged by another Zone to DG Systems. Hence, no further action in CCFC.

(Point Closed)

7. The meeting ended with expression of gratitude to the attendees.


(Dipin Singla) 21/3/21
Additional Commissioner (CCCU)

Copy to:

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

Annexure

Representatives from PGAs and other stakeholders:

1. Dr. K.U. Methekar, Deputy Director, FSSAI
2. Sh. Shailesh Nimbalkar, On-site Manager, FSSAI.
3. Dr. Sonia, Quarantine Officer, AQCS
4. Smt. Sunita Thakur, Quarantine Inspector, AQCS.
5. Sh. Vignesh, Quarantine Inspector, AQCS
6. Sh. V. Rajappan, Asst. Drug Controller, CDSCO.
7. Sh. B.S. Khati, Wildlife Inspector, WCCB.
8. Sh. Balram Meena, Asst. Director, RPQS.
9. Sh. Sanjay Kumar Rudra, Asst. Commandant, CISF.
10. Sh. P. G. Rao, Deputy Manager (CT), JNPT.
11. Sh. Arun Aravindakshan, DP World-NSICT/NSIGT
12. Sh. Ajay Moghe, DP World-NSICT/NSIGT.
13. Sh. Sanjeev Kabbur, DP World-NSICT/NSIGT
14. Sh. Mark S. Fernandes, IMC.
15. Sh. Harpreet Makol, Asst. Director, FIEO-WR.
16. Sh. Sangeet Jain, All India Association of Industries.
17. Sh. Sunil Vaswani, CSLA.
18. Sh. Manish Kumar, CSLA.
19. Capt. Iyyer, MANSA.
20. Md. Hanif Bakshi, MANSA.
21. Sh. Paresh Vaivade, MANSA.
22. Sh. Shailendra Penkar, MANSA.
23. Sh. Umesh Grover, CFSAI.
24. Sh. Sunil Vaswani, CFSAI.
25. Sh. Neelesh Datir, AILBIEA.
26. Sh. Paresh Thakkar, BCBA
27. Sh. Dushyant Mulani, BCBA.
28. Sh. Hiren Ruparel, BCBA.
29. Sh. Ganpat Korade, BCBA.
30. Ms. Sheetal Ahluwalia, AIWCBA.
31. Mrs. Leena Ganguly, AIWCBA.
32. Sh. Paresh Shah, WISA.
33. Sh. Nimish Desai, WISA.
34. Sh. Ashish Pednekar, MCCA.
35. Sh. Karunakar Shetty, MCCA.

Departmental Officers:

1. Sh. U. Niranjana, Pr. Commissioner NS-I.
2. Sh. S. K. Vimalanathan, Pr. Commissioner NS-III.
3. Sh. Rajesh Kumar Mishra, Commissioner, NS-V.
4. Sh. Sunil Kumar Mall, Commissioner, NS-Audit/Gen/NS-II.
5. Sh. Dipin Singla, Additional Commissioner, CCCU.
6. Sh. Raguram K, Joint Commissioner, NS-Gen.

AS 31/3/21