

	<p>सीमाशुल्क प्रधान आयुक्त का कार्यालय (एनएस-1) OFFICE OF THE PR. COMMISSIONER OF CUSTOMS (NS - I), मूल्यनिरूपण मुख्य (आयात)/APPRAISING MAIN (IMPORT), जवाहरलाल नेहरू सीमाशुल्क भवन, न्हावाशेवा, ता .उरण, JAWAHAR LAL NEHRU CUSTOM HOUSE, NHAVA- SHEVA, TAL- URAN, जिला-रायगड/RAIGAD-400707, महाराष्ट्र/MAHARASHTRA (e-mail: appraisingmain.jnch@gov.in) (Telephone No.022-27244979)</p>
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दिनांक /Date: - 23-02-2026

दिनांक 29.01.2026 को सम्पन्न 'स्थायी व्यापार सुविधा समिति' (आयात) की बैठक का कार्यवृत्त

MINUTES OF THE MEETING OF THE PERMANENT TRADE FACILITATION COMMITTEE (IMPORT) JANUARY 2026 HELD ON 29.01.2026

The PTFC meeting held in physical mode on 29.01.2026 was chaired by Shri Yashodhan Wanage, Pr. Commissioner of Customs (NS-I), and attended by Shri Vijay Risi, Commissioner of Customs (NS- III) and Shri Anil Ramteke, Commissioner of Customs (NS-V)

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

क्र.सं./Sr No.	नाम (सर्वश्री/सुश्री/श्रीमती) Names (Shri/Ms./Mrs.)	(संगठन/संघ/पदनाम) Organisation/Association
1	Faiz Sayyed	DPW (NSIGT)
2	Sunny Williams	CFSAI
3	Umesh Grover	CFSAI
4	Manish Kumar	CSLA/MANSA
5	Nimish Desai	WISA
6	Maruti Gadge	BCBA
7	Harsh Lapsia	BCBA
8	Mark S Fernandes	Sylvester & Co.
9	Ganapat Korde	BCBA
10	Ravi D. Rao	JNPA
11	S. Srinivas	CFSAI
12	Rajeev Varadkar	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.	Raghvendra Singh	Additional Commissioner of Customs
2.	Venkatesh S.	Additional Commissioner of Customs

3.	Dr. Parul Singhal	Joint Commissioner of Customs
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All participants were welcomed by Shri. Yashodhan Wanage, Pr. Commissioner of Customs.

Dr. Parul Singhal, Joint Commissioner of Customs, NS-I, JNCH, with the permission of the Chair, presented the Agenda points pertaining to Import.

4. BCBAके द्वारा उठाया गया कार्य बिन्दु /AGENDA POINTS RAISED BY BCBA:

कार्यबिन्दु संख्या/POINT NO. 1. Issuance of demand of Penalty along with Consultative Letter: Consultative mechanism for recovery of duty differential and interest is a dispute resolution mechanism conceptualized under TFA article for recovery of duty without litigation.

As per pre-consultative regulation 2018, recovery of duties is in terms of section 28(1) through consultative process.

However, feedback has been received that, a penalty is also been demanded even when importer agrees to pay differential duty along with interest.

Suggestion: It is suggested that penalty should not be recovered for any recovery being made when a Consultative memo is issued to importers for recovery of differential duty and interest u/s 28(1). Section 28(4) or any other penal provisions should not be invoked at this stage.

प्रतिक्रिया/Response: Cases Involving bona fide errors (Section 28(1))- Audit has observed that some incorrect declarations were made due to genuine mistakes, without any intention to evade duty. There is no evidence of fraud, suppression, or wilful misstatement. Such cases are covered under Section 28(1) of the Customs Act, 1962. A Consultative Letter may be issued at the pre-show-cause stage, allowing the importer to voluntarily pay the applicable duty along with interest. This facilitates resolution in accordance with law without invoking penalties unnecessarily.

Cases involving repeated or deliberate misstatements (Section 28(4)) – Audit has also identified cases where incorrect declarations were made repeatedly, indicating deliberate non-compliance. These constitute wilful mis-statement and suppression of material facts, falling under Section 28(4) of the Customs Act, 1962. While the consultative mechanism is traditionally aimed at voluntary compliance, issuing a Consultative Letter under Section 28(4) can strategically encourage the importer to resolve the matter early by paying duty, interest and penalty equivalent to 15% of differential duty, avoiding prolonged litigation. Therefore, the department may issue a Consultative Letter under Section 28(4), clearly stating that it does not waive the department's right to impose penalties, but promotes voluntary settlement in the public interest.

(बिन्दुसमाप्त/ Point Closed)

कार्यबिन्दु संख्या/POINT NO. 2. Manual marking of Bills of Entry for PGA NOC:

We have received feedback from members that in particular cases, where the BE is not routed by Single Window for PGA NOC, the Shed Examiner / Officers are insisting on PGA NOC, and are requiring PGA NOC to be obtained, despite the same not being routed through Single Window. In an era where the system has been enabled suitably, we are seeking clarity on whether such over-riding instructions from Shed / Examining officers may be permissible especially when Customs are working towards Single Window Integration and Seamless Transparent and Traceable movement of Bill of Entry through the system.

प्रतिक्रिया/Response: Trade is requested to provide the specific case where officer has requested for PGA NOC for examination if such case warranted PGA NOC.

(बिन्दुसमाप्त/ Point Closed)

कार्यबिन्दु संख्या/POINT NO. 3. SIMS Portal issues delaying clearance – levy of penalty:

SIMS portal issues are causing delays in clearance. This has been discussed earlier in several meetings, and a favorable view has been taken towards levy of token penalty. Reference may be made to Point 8.2 of NCH CCFC minutes dated 16.09.2025, wherein levy of token penalty was agreed and being followed at NCH. We request support from your office towards ensuring that the penalties being levied for compliance challenges of SIMS due to System Issues must be nominal without causing injury to the Importer.

प्रतिक्रिया/Response: The Competent Authority for the SIMS Portal is the Ministry of Steel. Multiple efforts have been made to communicate this matter to the Ministry of Steel. The final authority on matters related to SIMS rests with the Ministry of Steel.

Meanwhile, with regard to the penalty levied for SIMS compliance, it has been reduced to a nominal rate, as assured.

(बिन्दुसमाप्त/ Point Closed)

कार्यबिन्दु संख्या/POINT NO. 4. PQ/AQ – Delay in issuance of PGA NOC:

PGA authorities are not issuing NOCs in a timely manner, resulting in delays as Custom Brokers are required to personally visit PGA offices. We request that PGA NOCs be issued online.

प्रतिक्रिया/Response: In this regard, Swift 2.0 has been introduced to ensure smooth and timely clearance of consignments. Meanwhile, this office is making continuous efforts to coordinate with the PGAs to resolve the issue at the earliest.

(बिन्दुसमाप्त/ Point Closed)

5. Sylvester & Co. के द्वारा उठाया गया कार्य बिन्दु /AGENDA POINTS RAISED BY Sylvester & Co.:

कार्यबिन्दु संख्या/POINT NO. 1. Concerns regarding timely clearance of Short Landed Cargo

We were assured that a fresh Public Notice would be issued. We await receipt of Public Notice, so that stands resolved.

प्रतिक्रिया/Response: Public Notice is under Process.

(Action: AM(I))

कार्यबिन्दु संख्या/POINT NO. 2.

Validity of the Test Report at present is for a period of 6 months. For example, if the Test Report on 10th January it will be valid till 9th of June.

This interpretation, off late, is causing a lot of delay in clearance of Import consignments and consignments are being subjected to adjudication, even though the Test Report are valid at the time of shipment and at the time of filing of the Bill of Entry.

The practice and procedure prevailing is that Previous Test Reports/RTR which are valid at the time of Shipment/Bill of Lading date and Bill of Entry date, the PTR were accepted and there was never any issues raised. Unfortunately, now a days it appears, that the Officers of RMS Section, are stating that the Reports are not valid and referring Bills of Entry for adjudication.

We will be grateful, if it could kindly be confirmed, that the Test Reports which are valid at the time of shipment and at the time of filing of Bill of Entry, the same are valid and shall not be queried at the time of physical release of the Cargo.

प्रतिक्रिया/Response: Trade is requested to be pre-planned regarding the expiry of PTR. In cases where the Previous Test Report (PTR) is approaching its expiry, a sample shall be collected from the last consignment for which PTR is valid for 6 months for re-testing so that the new Test Report may be issued for next 6 months provided that there is no change in the supplier name, product, and manufacturing unit in the upcoming import

consignments.

(बिन्दुसमाप्त/ Point Closed)

7. The meeting ended with a vote of thanks to the Chair.
8. This issues with the approval of the Pr. Commissioner of Customs, NS-I.
9. Any amendments to these minutes be provided within the next five working days.
10. Minutes are placed on the JNCH website and also sent through emails to the members.

(Atul Choudhary)

उपायुक्त,सीमाशुल्क/Deputy Commissioner of Customs,
मूल्यनिरूपणमुख्य(आयात)/Appraising Main (I),
जे.एन.सी.एच.,न्हावाशेवा/ JNCH, Nhava Sheva.

सेवामें /To,

पी.टी.एफ.सी. केसभीसदस्योंकोई-मेलकेमाध्यमसे /All the Members of PTFC (through email)

प्रतिलिपि/Copy to :(ई-मेलकेमाध्यमसे)

1. मुख्यआयुक्त,सीमाशुल्क,मुंबईअंचल-II/Chief Commissioner of Customs, Mumbai Zone-II;
2. प्रधानअपरमहानिदेशक,करदातासेवामहानिदेशालय,मुंबई/The Principal Addl. 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,अप्रत्यक्षकर,मुंबई/The Ombudsman, Indirect Taxes, Mumbai;
4. प्रधान सीमाशुल्कआयुक्त/ सीमाशुल्कआयुक्त, मुंबईअंचल-II/ Pr. Commissioner/ Commissioner of Customs, Mumbai Zone-II;
5. सभीअपर/संयुक्तआयुक्त,जेएनसीएच,न्हावाशेवा | All ADCs/JCs JNCH, Nhava Sheva;

6. सभीउप/सहा.आयुक्त,जेएनसीएच,न्हवाशेवा | All DCs/ACs JNCH, Nhava Sheva;
7. सहा /उपआयुक्त, ईडीआई,
जेएनसीएच,न्हवाशेवाकोअविलंबवैबसाइटमेंअपलोडकरनेकेलिए | AC/DC, EDI, JNCH, Nhava Sheva, for uploading in JNCH website;
8. कार्यालयप्रति/Office Copy.