



IS15700:2005 Cft No.SQ/L-6000140

वित्त मंत्रालय

MINISTRY OF FINANCE

राजस्व विभाग

DEPARTMENT OF

REVENUE

OFFICE OF THE COMMISSIONER OF CUSTOMS,
CHENNAI-II

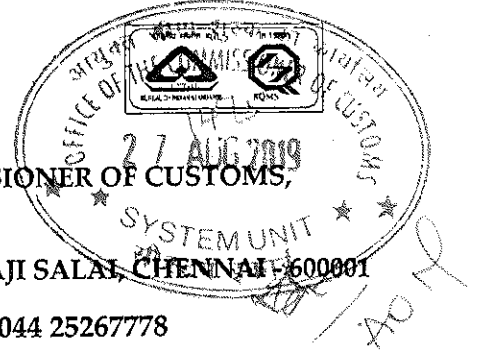
आयुक्त सीमाशुल्क का कार्यालय, चेन्नई - II

सीमाशुल्क गृह, 60, राजाजी सालै, चेन्नई -
600001

CUSTOM HOUSE, 60, RAJAJI SALAI, CHENNAI-600001

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F.No. S.Misc./29/2017-AM(IMPORT).Pt-II

Date: .08.2019

MINUTES OF THE PERMANENT TRADE FACILITATION COMMITTEE MEETING HELD ON 13.08.2019 AT 4.00 PM AT COMMISSIONER'S CONFERENCE ROOM, O/O THE COMMISSIONER OF CUSTOMS, IMPORT COMMISSIONERATE, CUSTOM HOUSE, CHENNAI.

Shri R. Srinivasa Naik, Commissioner of Customs, Import Commissionerate chaired the meeting and welcomed the members.

The following members from the Trade Associations attended the meeting.

S/Shri/Ms.

Sl. No	Name	Designation
1	Aleemuddin A.S.	Treasurer - CCBA
2	D. Siva Kumar	EC Member - CCBA
3	S. Siva Sankar	EC Member - CCBA

The following officers of Import Commissionerate attended the meeting.

S/Shri/Ms.

Sl. No	Name	Designation
1.	K.K. Suja	Addl. Commissioner
2.	K. Aravind	Dy. Commissioner
3.	N. Kavitha	Dy. Commissioner
4.	J. Ilango	Dy. Commissioner
5.	P. Raghava Rao	Asst. Commissioner
6.	D. Srinivas	Asst. Commissioner
7.	N. Narasimha Prasad	Asst. Commissioner
8.	Jose Varghese	Asst. Commissioner
9.	Aruna Venkateshan	Appraiser
10.	N. Goutham Shekhar	Examiner

The following agenda points submitted by the Chennai Custom Brokers' Association were taken into cognizance and discussed in brief during the PTFC meeting under the chairmanship of Commissioner.

Point No. 1:

CCBA representative requested that Amendment Cell may cater its services to all sections of importers which are currently available only for AEO clients.

Reply to 1: To this Commissioner informed the CCBA representatives that a new Facility Circular shall be issued for extension of facilities of Amendment Cell to all facilitated Bills of Entry of all importers

Point No. 2:

The bills filed claiming Notification no. 050/2017 Serial No. 311 have to be filed and kept pending until Import Certificate is obtained. Instead, the bill may be processed and Import Certificate may be verified by the officer issuing OOC.

Reply to 2: Commissioner informed the CCBA representatives that the Import Certificate is a pre-condition to the board's notification in order to claim the benefit and the condition cannot be waived or altered.

Point No. 3: Late Filing Charges:

Point No. 3a:

CCBA representative informed that when manifest is filed with errors by the Shipping Lines or forwarders or when the line numbers are not split by the forwarders immediately, the importer /CB is unable to file the bills of entry within the specified time. In such cases late filing penalty be waived as it is beyond the control of Importer/CB. Otherwise, if required, such penalty amount may be imposed on the Shipping Lines or Forwarders.

Reply to 3a: Commissioner informed the CCBA representatives that as per the wordings in para 3 of the notification no. 36/2018-NT dated 11.05.2018, Joint. /Addl. Commissioner is the proper officer and it is discretion of the proper officer to consider such cases where manifest filed wrongly and the situation is beyond the control of the importer / CB and take a decision about waiver of late filing charges.

Point No. 3b:

CCBA representative informed that processing of waiver of late filing charges in file takes atleast two working days and requested that alternatively, the bill may be processed and cleared and simultaneously file may also be moved for waiver. In case of waiver of late filing charges, an automated process of refund within 7 or 10 days without any refund application may be implemented.

Reply to 3b: The issue of delay in processing waiver of late filing charges was discussed in previous meeting also and the officers may process these files expeditiously. The request of CCBA for an automated process of refund within 7 to 10 days was not considered.

Point No. 4:

Inadvertently, when declaring the country of origin as South Korea, if North Korea is chosen, the process of amendment is taking long time from 7 to 10 days. And this amendment has to be done in EDI section only after movement of file to them. The CCBA representatives requested that a simplified process of amendment of such cases may be provided and also requested that the role for amendment be shifted to Group AC/DC for easy and speedy clearances.

Reply to 4: To this the Commissioner informed the CCBA representatives that it is the duty of Customs Broker to ensure that they file the bill of entry correctly with utmost care. However, DCs/ACs have been directed to process the amendment requests without any delay.

Point No. 5:

If there is mismatch between shipping countries i.e. Origin Country and Origin of Item, then the Bill of Entry is being assessed as First Check. For example, if a shipment originates from Singapore and the goods are of Chinese origin then the Bills of Entry would show the origin of shipment as Singapore and at item level the origin will be shown as China, because the goods are of Chinese origin, but since the supply originated from Singapore the Bill of Entry will show country of origin as Singapore. CCBA representatives requested that this type of bills should not be given First Check as a routine manner.

Reply to 5: To this the Commissioner informed the CCBA representatives that First Check Assessment is not being given to such Bills as routine manner. The Bills are being given First Check only in case of any clarification or in case of any alerts.

Point No. 6:

All Bonds given for registration of licences must be registered only as NATIONAL BOND. This will reduce recalling and reassessment of bills of entry. For example if a licence is registered in INMAA1 and goods landed at INKAT1, then in all such cases bills must be recalled and reassessed as the Bond executed at INMAA1 will not reflect at INKAT1. CCBA requested that only NATIONAL BONDS be registered to avoid such problems so that it will ease the clearance process.

Reply to 6: Commissioner informed the CCBA representatives that it is an option given to the importers to either furnish a National Bond or a Specific Bond. CCBA was requested to educate the importers about the benefits of the national bond to avoid delays in documentation.

Point No. 7:

CCBA representatives informed that, alerts are being given in system against Customs Brokers for requirement of details or documents from the importers or exporters; that this hampers the work of CB resulting in the work being stopped for other clients also. Earlier, on similar issue, matter was taken up with the Chief Commissioner in Open House Meeting held on 15.12.2005 for which the minutes were issued by way of Facility Circular no. 05/2006 dated 13.02.2006. Point no. 4 of the circular states that the alert affects only that particular importer. Hence, the CCBA requested that the alerts should be restricted to the particular importer or exporter and not on Customs Broker.

Reply to 7: To this the Commissioner informed the CCBA representatives that alerts are being issued by Audit Commissionerate for want of certain documents or details from the Importer / Exporter or Customs Broker. Therefore, the matter may be taken up with the Audit Commissionerate.

Point No. 8:

When goods are cleared under FTA, the classification of goods is mentioned on the FTA certificates. When the department does not agree to the classification mentioned on the FTA, the HSN is changed and benefit of FTA is being denied. In this regard, CCBA re-iterated that,

- a) All FTA notifications, HSN is restricted to 4 digits and 6 digits
- b) A product globally should be under one classification. Product should be classified for what the product is and should not be classified keeping only on REVENUE angle.
- c) CCBA also mentioned Article 24 of Agreement On Trade In Goods Under The Framework Agreement On Comprehensive Economic Cooperation Between The Republic Of India And The Association Of Southeast Asian Nations

Article 24

(a) *In case of a dispute concerning origin determination, classification of products or other related matters, the Governmental authorities concerned in the importing and exporting*

Parties shall consult each other with a view to resolving the dispute, and the result communicated to the other Parties.

(b) Where no mutually satisfactory solution to the dispute is reached through consultations, the Party concerned may invoke the dispute settlement procedures under the ASEAN-India DSM Agreement.

In case of disagreement with classification on the certificate, CCBA requested to extend the benefit of notification under FTA.

Reply to 8: It is noticed that CTH given by the supplier doesn't match with the CTH in India. It was clarified that even if the CTH is revised at the time of assessment, if the revised CTH is eligible for FTA, the benefit should be extended. For this purpose, Board's Circular no. 9/96 dated 13.02.1996 may be referred.

Point No. 9:

SVB are finalised by the Department. CCBA representatives requested that the department that finalises should incorporate these details in the ICES so that the importers/CB need not submit SVB order for each and every shipment.

Reply to 9: To this the Commissioner informed that SVB Orders are available in intranet and assured that the matter will be examined. Commissioner also suggested that this matter may be raised in CCFC meeting also.

After the brief discussions on the agenda points submitted by the CCBA, the Commissioner enquired the representatives if there are any difficulties faced in Faceless Assessment which was implemented vide Public Notice No. 59/2019 dated 07.08.2019. The representatives from CCBA informed the Commissioner that there are no difficulties faced so far.

The meeting was concluded by the Chairperson by thanking all the members who were present in the meeting.



(D. SRINIVAS)

ASSISTANT COMMISSIONER OF CUSTOMS
APPRAISING MAIN
CHENNAI-II

To
All Trade Associations

Copy Submitted to:

1. The Chief Commissioner of Customs, Chennai Zone for kind information.
2. The Commissioner of Customs (Chennai II/III/IV/VII and VIII)

Copy to:

1. All ADC/JC/DC/ACs in Chennai II Commissionerate.
2. The Assistant Commissioner of Customs, EDI – for uploading in Chennai Customs Website/Intranet of the Zone.
3. The Enquiry Section, Chennai – VIII.