



आयुक्तसीमाशुल्क(चेन्नैIV)काकार्यालय

OFFICE OF THE COMMISSIONER OF CUSTOMS (CHENNAI IV)

24/13
23.12.2019
33/12/2019

F.No.S.Misc. 14/2019-Appg.Main (Ch-IV)

Date: 20.12.2019

Minutes Of Monthly Review Meeting Held With The Group 'A' Officers On 10.12.2019 At 14:30 P.M. At Conference Room, Krishna Block, Customs House, Chennai.

The Monthly review meeting of Group 'A' officers of Chennai IV Commissionerate was held by the Commissioner Smt. Sudha Koka on 10.12.2019 to review the performance in various items of work in the month of November-2019.

2. The following group 'A' officers of Chennai-IV Commissionerate attended the meeting:

Shri./Smt.

- i. V.Pazhaniyandi, Joint Commissioner
- ii. G.Nagarju, Dy.Commissioner
- iii. Shyam Sundar S P, Dy.Commissioner
- iv. R. Vasudevan, Asst.Commissioner
- v. D.K.Lakshmisha, Asst.Commissioner
- vi. T.E.Srikanth, Asst.Commissioner
- vii. Divya M, Asst.Commissioner
- viii. K.Keshava, Asst.Commissioner
- ix. H.L.Srinath, Asst.Commissioner
- x. Superintendents and Appraisers of Drawback, EDC, EPCG, UCC, Legal, Review and ARC

The following items of work are reviewed:

3. Drawback:

- i. It is observed that an amount of Rs 1497.60 crore is disbursed as Drawback up to Nov. 2019 which is 6% increase over previous financial year. The IGST Refund disbursed is 3312 Crore which is 31% decrease compared to the previous financial year. There are 1636 AIR DBK bills pending for more than one month out of which 673 are beyond six months and 573 are between three and six months, 392 are between one and three months. It is submitted by Drawback section that there are some bills which are not processable

because the ICES system is showing a technical error. AC Drawback is directed to look into pendency and get these pendency cleared.

- ii. It is reiterated that AC Drawback is responsible for pendency in drawback for more than one month either in AIR Drawback bills or Brand Rate Drawback bills. The bills pending in drawback queue shall be disposed off within one month if Brand Rate Fixation letter is not submitted by the exporter. An option shall be given to the exporter to file a supplementary claim when the Brand Rate Fixation order is received by the Exporter.

Action- AC (Drawback)

4. Section 74:

- i. It is observed that total 21 Claims are disposed in the month of November, 2019 still leaving 171 cases pending, there are 78 claims pending for more than three months and 58 claims between one to three months.
- ii. Section 74 Drawback claims disposal has not improved despite several directions for the disposal of pendency. The pendency disposal is too slow causing inconvenience to trade. New AC section-74 has taken charge in December, 2019. It is already directed in the meeting of October 2019 that all cases beyond three months shall be disposed of by 16th December 2019. The direction appears to be not complied with. It is again directed that all cases of section-74 Claims beyond three months shall be disposed of by 31 December 2019.
- iii. Section-74 Drawback Section shall be responsible for processing the files in the time bound manner. The claims pending beyond one month shall be disposed of by 31.01.2020. JC shall monitor the disposal of Section 74 Claims as per the schedules prescribed.

Action-AC (Drawback Section-74)

5. e-BRC cases up to 31.03.2019 :

- i. It is already observed in the previous review meeting that there are about 11000 SCN pending for reconciliation with e-BRC particulars for period up to 31.03.2014. Only 44 cases are reconciled or adjudicated in November, 2019. The progress of reconciliation in these cases is very slow. JC shall set up a BRC cancellation cell and get the reconciliation for all the cases up to 31.03.2014 completed by 28.02.2020. A weekly progress report on reconciliation or adjudication shall be sent to commissioner at every Monday of the week.

Action-JC and AC (Drawback)

6. e-BRC pending from 1.04.2014:

- i. It is observed that in large number cases, Bank Realization data is not uploaded by Bank on EDPMS platform of RBI by the AD Bank resulting in non reconciliation of Bank realization particulars with respect to large number of shipping bills. The IEC wise information of top 100 to 200 exporters shall be forwarded to the exporters concerned and exporters shall be sensitised to get the data updated by AD Bank on EDPMS .Whenever BRC information of large number of shipping bills is not available, drawback alert shall be placed to safeguard the revenue and exporter have to be contacted thorough mail for submission of information on ICES platform through EDPMS.
- ii. It shall be noted that with effect from 01.04.2014 updation on EDPMS platform alone is the proof of realization of foreign exchange. Reconciliation of sale proceeds for drawback bills prior to 01.04.2014 and after 01.04.2014 shall be given utmost priority and work shall be completed by 28.02.2020. JC shall closely monitor the e-BRC reconciliation as per time line prescribed whenever the reconciliation details are not available, SCN notice shall be issued and adjudicated in time bound manner.

Action- JC and AC (Drawback)

7. EPCG:

- i. It is observed that 5422 cases are reported to be pending EODC out of which 364 orders were issued up to the month. 121 SCNs were issued in the month of November and 1166 cases are pending with R.E and the number of remaining cases where action is due is 3892. Total numbers of SCNs issued are 450 out of which only nine are adjudicated up to November-2019. AC (EODC) shall give the breakup of SCNs pending with various authorities. All adjudication related to SCNs pending for more than three months shall be completed by 31.01.2020 by all authorities concerned and the compliance shall be reported to the Commissioner on 07.02.2020.
- ii. It is noted that in 123 cases where O-in-O against the importer is issued by DGFT levying penalty for non-compliance with the EPCG scheme. Only 27 SCNs are issued by the section. Similarly, in 145 cases of EPCG, DGFT issued SCNs out of which only 10 cases are covered by SCNs by this office. In 129 cases of O-in-O and SCNs issued by DGFT, EPCG section has yet to process the SCNs issue. This work shall be completed by 31.01.2020. A special SCN cell shall be setup by JC for completion of this work in time.
- iii. The total No. of bonds calculated up to Nov 2019 is 1256 which is 77.15% more than the corresponding previous financial year in which 709 bonds were cancelled. The amount realised was Rs. 43.55 crores in EPCG against

18.21 crores for previous financial year marking an increment of 139.15%.

Action- JC and AC (EPCG)

8. DEEC:

- i. 4171 cases are reported to be pending under advance authorisation. 430 cases are closed on evidence of EO fulfilment which is noteworthy performance by DEEC section. The disposal of SCNs is slow and 280 SCNs are still pending adjudication. The AA section and AC are directed to process the SCNs pending for more than three months for issue of final orders by the competent authority. The SCNs pending for more than three months shall be adjudicated by 31.01.2020 and compliance shall be reported by 07.02.2020.
- ii. The total No. of bonds calculated up to Nov 2019 is 1194 which is 10% decrease than the corresponding previous financial year in which 1322 bonds were cancelled. The amount realised was Rs. 36.66 crores in DEEC against 23.66 crores for previous financial year marking an increment of 55%.

Action- AC (DEEC)

9. UCC:

- i. It is observed that 3293 lots are pending for disposal even after directions after review meeting in October that CFS wise pendency shall be monitored. No such monitoring has been done by JC or DC(UCC). It is directed that DC (UCC) shall cause disposal by every CFS every month. If any CFS has not kept the lots ready for auction in any month, necessary action shall be taken. The delay in timely disposal will result in loss of revenue and hence there is an urgent need to monitor the disposal closely. It is also noted that the directions given in the minutes of meeting dated 18.11.2019 are not followed by DC (UCC) and no action has been taken to remind the various enforcement agencies to notify the present status of detained containers. DC (UCC) shall put up CFS wise pendency in UCC and ensure auction by every CFS every month.

Action – JC and DC (UCC)

10. ARC:

- i. There are discrepancies in reporting of the CESTAT cases and also Commissioner Appeals. The same shall be reconciled and case wise details shall be put up to the Commissioner by JC on 27.12.2019. The realisation of

arrears in confirmed demand is ten Lakhs which is very dismal performance in arrears recovery. JC shall take measures to realise arrears target for the financial year. The fresh arrears arising out of O-in-Os issued by various sections shall also be carefully monitored by the ARC. The pending cases before Commissioner Appeals and CESTAT and the pre deposit on these cases shall be monitored and the pre deposit amount shall be taken towards arrears recovery. The action towards write up of un-recoverable arrears pending upto 31.12.2019 shall be completed by 31.01.2020.

Action – JC and AC (ARC)

11. Review:

- i. It is observed by the Commissioner that review files are being put up within one week or in some cases with in one day of expiry of review period. It is directed that the cases for review shall be put up within one month before the expiry of review period. The decision on review of the orders shall be communicated on all O-in-O s issued up to JC level by the review section to the concerned section.

Action – AC (Review)

12. Legal:

- i. The orders in writ petition are not being put up immediately after receipt of certified copy to the Commissioner. It may be noted that a decision about writ appeal has to be taken within one month of receipt of writ petition. Hence legal section is directed to put up the orders received of writ petition immediately to the Commissioner through JC for taking preliminary view on filing a writ appeal or otherwise.

Action – AC (Legal)

13. It is directed by the Commissioner that Joint Commissioner shall ensure completion of various items of work as indicated above.

14. The above directions in clearing various items of work shall be treated as target set by the reviewing authority for the month of December-2019 and January-2020 for the purpose of performance appraisal of the officers concerned.

15. This issues with the approval of the Commissioner of Customs, Chennai-IV.

V. Pazhaniyandi
20/12/11

(V.PAZHANIYANDI)
JOINT COMMISSIONER OF CUSTOMS
CHENNAI-IV

Copy submitted to:

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

Copy to:

1. All JC/DC/ACs in Chennai IV Commissionerate.
The Assistant Commissioner of Customs, EDI....for uploading in Chennai Customs Website/Intranet of the Zone