



भारतसरकार

GOVERNMENT OF INDIA

सीमासुल्क आयुक्त (पत्तन) कार्यालय

OFFICE OF THE COMMISSIONER OF CUSTOMS (PORT)

सीमासुल्कसदन, १५१/, स्ट्रैन्डरोड, कोलकाता ७००००१ -

CUSTOM HOUSE, 15/1, STRAND ROAD, KOLKATA 700001

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Minutes of the Trade Facilitation Committee Meeting (TFC) held on 26.06.2019 at 12:00 Hrs in the Board Room of Custom House, Kolkata

The Trade Facilitation Committee Meeting was held in the Board Room of Custom House, Kolkata on 26.06.2019. The meeting was presided over by the Commissioner of Customs (Port).

The Chair welcomed all the members present in the meeting.

Following issues were discussed in the meeting:

A. Agenda Points submitted by CCHAA:

1. The representative of CCHAA stated that, as per Public Notice Nos. 49/2015 and 47/2016 issued by Kolkata Customs, part delivery of the consignments are allowed subject to certain conditions. They requested to confirm if the provisions are still valid. He argued that at present divergent practices are prevalent at different CFSs.

Response/Decision:

The Commissioner stated that the subject Public Notices allowing part delivery in certain circumstances are still effective/valid and are applicable to all CFS's. The part delivery of the consignments is permitted provided that all the containers have landed in Kolkata Port and applicable duty is paid. However, the importers/Custom House Agents should not delay to clear the remaining containers and take out of charge in system as delay in clearing the remaining containers would significantly increase the dwell time of Kolkata Customs.

[Action: DC/AC, CFSs]

2. The representative of CCHAA informed that Trade is facing difficulty with regards to de-stuffing and storing of cargo in CFS. At times it becomes necessary for the cargo to be de-stuffed and stored in the shed and/or in domestic containers so that the foreign containers maybe returned to the shipping lines. The main reason being cargo subject to test and non-payment of duty, non-availability of original documents, logistical issues regarding transport of containers to importers Go-down etc. Such storing are usually on a short term

o/e

basis as the ground rent at the CFS is much higher than other private warehouses.

They requested to allow de-stuffing and storing of goods after out of charge in the CFS (if CFS can have earmarked areas).

Response/Decision:

The Commissioner stated that the consignments/cargos may be de-stuffed and stored inside the CFS after Out of Charge in the clearly demarcated and securely segregated area made specifically for this purpose by the CFSs (CFSs should make applications to the Commissioner for this facility).

[Action: DC/AC, CFSs]

B. Agenda Points submitted by ASIC:

1. The representative of ASIC requested to hold a workshop on SCMT like it had been hosted at Mumbai & New Delhi to create awareness and clarify doubts of stakeholders.

Response/Decision: The Commissioner stated that, training on SCMT is scheduled on 01.07.2019 from 11:00 AM at NACIN, Kolkata. In this regard, an e-mail dated 24.06.2019 has been sent to ASIC.

2. The representative of ASIC informed that Implementation of ICEGATE BOND Module – AUTO DEBIT & CREDIT is yet to commence for gate module. The bonds used for import/export cargo are not getting debited and re-credited within the timelines due to some system issue.

Response/Decision:

The Commissioner stated that upon arrival/landing of containers at Kolkata Port, the applicable Bond amount automatically gets deducted/debited from the Continuity Bond. However, to re-credit the respective Bond amount, the MLO is required to submit proof of export of the container within a period of six months. On submission of the said proof of export to the concerned section, the Bond amount is manually re-credited by the proper officer at the said Section (Container Cell). Containers arriving/landing at Kolkata Port can be re-exported through any port in the country and therefore a module is required to be incorporated in the ICES/EDI System. At present there is no such module for auto re-credit of the said Bond. The matter has been communicated to DG Systems. The implementation of the same may take some time. He directed the Superintendent of Container Cell to expedite the process of re-credit of Bond under intimation to concerned MLOs. He also directed the Superintendent to convene a meeting with concerned MLOs/stake holders on this issue within one week (A SOP will be issued on bond re-credit before next TFC meeting).

[Action: DC/AC, Container Cell/SPS]

3. The representative of ASIC stated that there is a pending NECHAA court case and interim order by Kolkata High Court on resuming ICCD. He informed that the members seek clarity and guidance from Customs.

Response/Decision:

The Commissioner stated that against the order an appeal has been filed by the department in High Court, Kolkata. In the meantime, simultaneous operation of ICCD and ECTS procedure can be carried out. In case of opting for ICCD procedure, the Customs Brokers are required to submit letters of Nepalese Importers authorizing the use of ICCD and not ECTS.

4. The representative of ASIC submitted that more information is being sought by member Shipping Lines with regard to the letter F.No.S186-70/2013A(N)Pt. issued by DC Nepal & Bhutan Unit. He informed that only container numbers have been provided in the letter but for searching the old data dating back to 2012 is a cumbersome process as most of the data are already archived by the system automatically. To effectively retrieve the relevant data, the respective MLO names and vessel voyage details would be required to prepare the information/list sought by Customs.

Response/Decision:

The Commissioner directed the Deputy Commissioner (Nepal Bhutan Unit) to look into the matter.

[Action: DC, Nepal Bhutan Unit]

5. The representative of ASIC requested for more clarity & SOP regarding PN 10/2019.

Response/Decision:

The Commissioner stated that Public Notice 47/2019 dated 21.06.2019 has already been issued on Public Notice 10/2019 dated 30.01.2019 bringing clarity on the issues. Continuity Bonds of MLOs are already maintained by Customs and following the process shouldn't be a problem. The Commissioner directed the concerned officer of EDI to convene a meeting with the MLO/stake holders in this regard within one week.

[Action: DC/AC, EDI]

6. The representative of ASIC requested for implementation of CBIC Circular No. - 49/2018 - Customs at Kolkata & Haldia.

Response/Decision:

The Commissioner enquired DC (SDC) about this issue. DC (SDC) stated that on the basis of Circular No. 49/2018-Customs, a Public Notice No. 120/2018 dated 04.12.2018 has already been issued and the same is being implemented by Kolkata Customs. The Commissioner stated that Kolkata Port has much lesser uncleared/unclaimed cargo compared to other major Ports in India. During the meeting, the representative of NACFS requested for implementation of UCC

software by all CFS. DC (SDC) stated that in this regard an advisory dated 09.05.2019 vide F.No. S32-01/2017SDC has already been issued. The Commissioner directed DC (SDC) to convene a meeting on this issue with all CFS members and issue a Public Notice in this regard. He said that CFSs may send monthly lists of such uncleared cargo.

[Action: DC, SDC]

7. The representative of ASIC requested for providing online Port Clearance for vessels upon submission of requisite documents as laid down.

Response/Decision:

The Commissioner stated that the matter is being taken up with the DG Systems, CBIC to provide necessary fields/provisions in the system (ICES) for online Port clearance.

[Action: DC/AC, EDI]

The meeting ended with vote of thanks to the chair.

This issues with the approval of the Commissioner of Customs (Port).

Am
16/7/19

(Amrendra Narayan)

Addl. Commissioner of Customs (Port)
Custom House, Kolkata

F. No. S60 (Misc)-07/2011 A (G) Pt-VI
Dated: 01.07.2019

Copy to:-

1. Sr. PS to the Chief Commissioner of Customs, Kolkata. — *SD* 02/07/19
2. PA to the Commissioner of Customs (Port) — *SD* 02/07/19
3. Sr. PA to the Commissioner of Customs (A&A) — *SD* 02/07/19
4. All ADCs/JCs, CCO/(A&A)/Port — *M* 27/19
5. All DCs/ACs, Port
6. D. C. (EDI) – for uploading in the Kolkata Customs website — *SD* 2/7/19
7. All participants.
8. Guard File.