



कार्यालय: प्रधान आयुक्त सीमाशुल्क, मुन्द्रा,
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Minutes of Permanent Trade Facilitation Committee (PTFC), Customs Clearance Facilitation Committee (CCFC) and Public Grievance Committee (PGC) Meeting

Minutes of the meeting of Permanent Trade Facilitation Committee (PTFC), Customs Clearance Facilitation Committee (CCFC) and Public Grievance Committee (PGC), Customs Mundra held on 18.04.2018 at 11.30 A.M. at Mundra Custom House under the chairmanship of Shri Sanjay Kumar Agarwal, Commissioner of Customs, Mundra.

The meeting was attended by the following:-

1. Shri G. P. Meena, Additional Commissioner, CH, Mundra
2. Shri Joginder Singh, Deputy Commissioner, CH, Mundra
3. Shri Rajesh Tripathi, Deputy Commissioner, CH, Mundra
4. Shri M S Meena, Deputy Commissioner, CH, Mundra
5. Shri Sharvan Ram, Deputy Commissioner, CH, Mundra
6. Shri Dharmraj Khatik, Deputy Commissioner, CH, Mundra
7. Shri Nagendra Kumar Trivedi, Assistant Commissioner, CH, Mundra
8. Shri Rajesh Rai, Assistant Commissioner, CH, Mundra
9. Shri Naresh K. Saini, Deputy commissioner, Mundra
10. Shri Raj Kumar Meena, Superintendent
11. Shri Kaushik Joshi, APSEZ, Mundra.
12. Shri Dinesh Gupta, President MCBA Mundra
13. Shri Pankaj Thakker, Partner Krishna Shipping & Allied Services, Mundra
14. Shri Parmod , Treasurer MBCA, Mundra
15. Shri Harichand Thaiwar, EC Member MBCA, Mundra
16. Shri Rajeev Kashyap, Director Kashyap Shipping P. Ltd Mundra
17. Shri Pankaj Goyal PCT, Mundra
18. Shri Ajay Kumar Dagchi, General Manager ZIM Line Mundra
19. Shri Satish Kumar Naik, AVP JJ.Sec/ MPSAA/ J.M. Baxi
20. Shri Sanjay Gadekar, Dy. GM Saudra United Limt., Mundra
21. Shri Sandeep Rajwanshi Gen. Manager Honycomb CFS
22. Shri Percy Vapivala, Dir. Honycomb CFS, Mundra\
23. Shri Prakash Tulsiani, ED Allcargo Logistic (CFS), Mundra
24. Shri Sandeep Bhagia, GM Seabird CFS, Mundra
25. Shri Umesh Grover, Sec. General CFSAI, Mundra
26. Shri Hiren Ruparel, Director Sharon Enterprises, Mundra
27. Shri Mitesh Sharanghi, G.M, Parkas Marin Agency, Mundra

28. Shri Inderpal Singh, V.P. MSC, Mundra
29. Shri Nishit Joshi, VP CFSAI Mundra
30. Shri Ram S Madhav, Member CSLA Mundra
31. Shri Capt. Samir Ghosh, Member CSLA Mundra
32. Shri Harohr, Member MAERSR, Mundra
33. Shri Jaibhasker, RM MAERSR, Mundra
34. Shri Dr. Suresh Kumar, Asst. Dir. Plant Quarantine Station, Mundra
35. Shri Binit Sharma, Head of Equipment, Mundra
36. Shri Gaurav Khedkar, Manager cus service MAERSR Line, Mundra
37. Shri Dharma Rao, Branch Manager Velji Dosabhai & Sons Pvt. Ltd., Mundra
38. Shri Naresin Vinus, Sr. Executive Sap Global Logistic, Mundra
39. Shri Bhavin Tharaan, Dir. Swayam Shipping, Mundra
40. Shri Gagan Singh, Branch Manager CMA CGM, Mundra
41. Shri Kapil Gupta, OPS. CMA CGM, Mundra
42. Shri Vinod Kawyari, B.M. Trans Assian Shipping Pvt. Ltd., Mundra
43. Shri Hansh Soni, Executive Trans Assian Shipping Pvt. Ltd., Mundra
44. Shri Jagon Patel, GM. APSEZ Ltd. Mundra
45. Shri Sachin Garg, GM. OPS. MICT Pvt. Ltd. Mundra
46. Shri Jatin Khadwala, Manager OPS. CMA CGM, Mundra
47. Shri Capt. Kumar Paritosh, GM. APSEZ, ACMTPL, Mundra
48. Shri Vivek Nishant, AM. Ashutosh CFS, Mundra
49. Shri Bhaven S. Thakkar, Dir. Ashutosh CFS, Mundra
50. Shri Ashutosh Maheshwari, VP- Corporate Saurashtra CFS, Mundra
51. Shri Sanjay Singh, Manager APSEZ, Mundra
52. Shri Eswash Rao, Proprieter Sriram Mundra
53. Shri H.A Vaishav, Sr. Manager Rishi Shipping, Mundra
54. Shri Amul Joshi, Marketing Manager Rishi Shipping, Mundra
55. Shri PC. Agarwal, Manager Parveen Bhatt & Sans. Mundra
56. Shri RP. Singh, Partner Rishi International Logistics, Mundra
57. Shri Khubchand Singh, Partner Parveen Bhatt & Sans. Mundra
58. Shri Arun Kumar Mishns, Quavantine Insp. Animal Quavantine Certification, Mundra
59. Shri Dr. Vishal, Managing Director Landmark CFS Pvt Ltd. Mundra
60. Shri GKSS Bhargav, Dy. General Manager Landmark CFS Pvt Ltd. Mundra
61. Shri Cdr. Yogesh Dutt, VP. OPS. – HTPL, Mundra
62. Shri Raghav Agarwalla, Company Slave Saurashtra, Mundra
63. Shri Thakkar Shariest, Manager NFPL, Mundra
64. Shri Lalitendu Mohanty, GM. Allcargo Logistic Ltd. Mundra
65. Shri Sandeep Trehan, GM. CFS Transworld & TG Terminal, Mundra
66. Shri Madan Singh, Manager-OPS HAPAG-LLOYD Pvt. Ltd., Mundra
67. Shri Koshi Chacko, Manager-OPS MSC Agency (I) Pvt. Ltd., Mundra
68. Shri Sujit Nair, Manager-OPS One India, Mundra
69. Shri Jawb fernandis, G.M. Yang Ming Line, Mundra
70. Shri Sibi George, D.M. Evergreen Line, Mundra
71. Shri N.K. Jagadeesh, Branch Manager DOCL (INDIA) Pvt. Ltd., Mundra

72. Shri L Mohanty, Allcargo CFS, Mundra
73. Shri Hemchandra B. Yadav, Shivam Seatrans Pvt. Ltd.
74. Shri Manoj Kotak, Secretary, MCHAA
75. Shri Dinesh Gupta, President, MCHAA
76. Shri K K Dubey, Insynergy SCS Pvt. Ltd
77. Shri Kaushik Joshi, APSEZ, Mundra.
78. Shri Sandeep Trehan, Transworld CFS/TG-Terminal, Mundra
79. Shri Sandeep Rajwanshi, Honeycomb CFS, Mundra.
80. Shri Suresh Mutang, Honeycomb CFS, Mundra
81. Capt Rohit Batra, Mundra CFS, Mundra
82. Shri G Bhargan, Landmark CFS, Mundra
83. Shri H C Tharwani, Aditya Marine Ltd.
84. Shri K M T V Sujana, Act Shipping Ltd
85. Shri Rajeev Kasyap, Kasyap Shipping Ltd.
86. Shri Bhavin Thakkar Swayam Shipping Ltd.
87. Shri Tushar P Harsora, J M Baxi (SCI).
88. Shri Mukesh Parmar, PMA.
89. Shri Prithviraj Rathore, MSC Agency.
90. Shri Jatin, CMA CGM.

At the outset, the chairman welcomed all members present in the meeting. After that the Agenda Points were discussed in detail and the point-wise minutes of the PTFC meeting are as under:

Sr. No.	Points raised in PTFC, CCFC and PGC meeting	Reply given by the Chairman
Points received from Mundra Custom Broker Association		
1	All CFS, Terminal, Shipping Lines & CB should associate to Port Clearance System Electronically to support paperless work, success GOI (Government of India) dream project of improving ease doing of the business.	The stakeholders may make a submission of their preparedness so that the matter may be taken up with DG (Shipping).
2	The GOI after consultation with stake holder have decided to implement Electronic Delivery order systems as prerequisite, the Custodian and shipping line has to adopt the E-Invoice followed by E Payment and should have technical capability of implement an Electronic Messaging system for the receipt of E-Delivery order, It is humble submission to your good office as Execution Machinery for proper implementation of guideline contained in Circular No 24/2015 Dated 14.10.2015 and supported by an instruction dated 27.03.2018 issued by Ministry of Shipping of India to improve GOI dream project, the ease of doing business in India.	The Chairman replied that E-Delivery Order (E-DO) is now mandatory in view of Ministry of Shipping order issued from F. No. 14033/372017-PD-V dated 27/03/2018. The representatives of the Shipping lines also agreed that after filing IGM, they will issue advance invoice and e-DO for those importer/CB who having PD account with them.

3	Similarly the Empty Park where Shipping line prefer to store their empty boxes after factory de-stuffing and store their import of empty container to support subsequent export movement from Mundra port, these empty park owner should also be directed to generate E-Invoice, and being capable of receiving E payment and should have support system for receipt of electronic delivery order to export movement which is essential to support the GOI dream project of improving ease of doing business.	The Chairman asked the representative of Shipping lines/agents about the issue and they replied that Empty Park are issuing manual invoices and also receiving payment in cash (as charges are nominal). The Chairman directed them to provide for issuing E-Invoice and receive E-payment.
4	The levy of charges by CFS in form of tariff rates is on higher side compared to other charges levied by other CFS located in various Customs location providing the similar kind of service to Import/Export Trade. The said grievances has been referred to PGRC, Chairman on various occasion but still remaining unsolved and CFS Authority have not shown any kind of positive sign to revise their tariff and it is now therefore department to adopt the stringent policy against CFS who are charging exorbitantly to compel them to levy charges according to general rates prevailing at other Customs Import/Export Location. In addition to this, it is also to submit to your good office that the storage charges are also very high and CFS applies weekly jumping tariff even they do not have sufficient warehouse space to store import cargo on monthly rental in a case where testing or observance other agency parameter consumes enormous time.	The Chairman replied that fixation of Tariff is right of Custodian and therefore no interference is warranted. However, number of representation in this regard has been received from stakeholders and therefore a study was carried out by the AG Section and the matter has already been forwarded to the Chief Commissioner's Office for onward submission to Board. Further, the chairman replied that Tariff chart of the CFSs are available on their websites and importers are free to select CFS as per their convenience.
5	CFS is still unable to justify the levy of Lift on / Lift off /weightment Charges which are on higher side as compare tariff levied at all India level, CFS is not at all eligible for levy of Ground Rent Charges since they do not have any kind import cargo storage facility to support the import cargo which require times of clearance, and even they should be compel to provide monthly Storage Charges instead of jumping tariff where matter is pending before Customs/ Investigating agency for issuing clearance no objection certificate.	The Chairman replied that if any cargo is put on hold by the Customs for some reason and nothing objectionable is found in investigation, the Department is writing to the Custodian to waive off the charges. For uniformity, now such communication would be sent by Appraising General Section of Custom House.
6	The matter of Customs working on 24 X 7, extension of working of assessment group on all Saturday, has been reported and under consideration before your good office and suitable order for Implementation at Mundra Customs location, commensurate with Public Notice No.065/2017 dated 26.05.2017, issued by Hon'ble Commissioner of Customs JNCH is requested. It is also to mention that the strength of other Allied Agencies is also required to be enhanced since the working period of these agencies is restricted to 10 AM to 5 PM on five working days (Monday to Friday). Mundra Port is functional under 24X7 in terms of instruction contained in the CBEC Circular	The Chairman accepted the point and replied that suitable Public Notice in the matter will be issued. The Chairman also directed the Shipping lines/Shipping agents to keep their offices open on Saturdays (Except 2 nd Saturday).

	No. 19/2014 dated 31.12.2014 and as per Para 3 all the agencies concerned with the export/import process are also required to work 24x7 to support the Import/Export movement.	
7	The tanks terminals are located inside the Port Area at Mundra and they receive the cargo into their terminals according to quantity/commodity mentioned in an Import General Manifest filed by the Shipping Line operating for Liquid Bulk Import. The terminal is authorized to receive the cargo according to the IGM as approved by Proper officer of Import (Import Section) thus taking individual discharge permission of cargo is a duplication of work, hence it should be discontinued since the goods will be unloaded and stored with Port Area Limit. Any vessel calling at Mundra Port Location is always subject inspection by R & I Section and the discharge is permitted after verifying all the facts declared in IGM. Furthermore it is requested to permit flow less direct delivery of duty paid bulk cargo once it is out of charge by proper officer of Dock Examination, i.e. without insisting any additional permission from any other Customs Department and quantity of delivery is always on the basis of Bills of Entry and Bills of entry is filed in accordance with IGM., The Preventive Officer (PO-DP) can verify the quantity of import delivery w.r.t. BOE out of charged by proper officer of DE	The Chairman replied that the issue needs thorough examination requested the CB Association to provide a detailed write-up on the issues involved.
8	CFS and terminal should adopt stringent procedure for revenue collection in form of charges against import / export handled, and under all circumstances they should entertain only CB/Importers/Exporters against all sort of charges recoverable as per particulars of party mentioned on the import / export shipment documents.	The Chairman replied that the CFSs/Shipping Lines/Agents are bound to collect payment through authorised person only. Any instance of non-compliance may be brought to the Notice of Additional Commissioner (AG) with evidences.
9	The CFS authority's is demanding irrelevant permission to be obtained from proper office of customs posted in their CFS viz. _____, Which cause unneeded delay after all importer is sufferer who have to bear extra cost of heavy detention/demurrage charges.	The Chairman replied that the CB Association need to specify the nature of permission asked by CFS to understand the question.
10	The cases where value of imported goods has been enhance for assessment of duty subject to provision contained in Section 17 of the Customs Act 1962, An order-in-original summarizing the finding and reason of enhancement should be issued within fifteen days from the date of assessment.	The Chairman replied that in case where the value enhancement is not accepted in writing by the importers or their representatives, the issuance of speaking orders within fifteen days from the date of re-assessment of the bill of entry or the shipping bill is a legal requirement as per Sub-section 5 of Section 17 of the Customs Act, 1962. Any instance of deviation may

		be brought to the notice of Additional Commissioner (Group).
11	The uniform practice has been adopted for examination of all import consignments. Which is carried out on basis of CFS weightment receipt? Irrespective of fact that goods declared are in SET's, Unit's, SQM, Litre etc. as per tariff. Even in a case where, Individual weight is ascertainable for verification of excess weight whether actually landed or not is not observed in absence of instructions /guideline from your good office.	The Chairman replied that the importer is not agreeable to determination of excess quantity on the basis of CFS weightment receipt, then he can request for determination of quantity on the basis of 100% examination.
12	The Excess weight found in particular Bills of Entry should be allowed to pay on pro-rata basis i.e. on average value of whole consignment instead individual highest value contained in the Bills of Entry., if there is no gross excess landing is seen and cases where it is possible to verify quantity or specific intelligence.	The Chairman replied that the issue is under consideration and necessary instructions to the field officers will be issued.
13	The Public Notice No. 09/2015 issued by Mundra Commissionarate states that wherever there is an excess landing of goods more than 5%, the same is required to be adjudicated. In this context, your kind attention is Invited to recent judgment against OIO was issued by Mundra Customs vide OIO No. MUN/CUS/OOC/APP /092-099/15-16 where cargo was released after imposing Fine and Penalty. The said OIO was challenged before appellate authority and order was set aside by the Commissioner (Appeal) vide order no. C11245 to 11252/15-16 which is accepted by Mundra Customs Authority. We now therefore request your good office to provide suitable instruction to treat the matter of excess landing beyond 5% as per judgment provided and it is requested to discontinue the process of adjudication as requested earlier vide our letter dtd. 13.12.2016.	The Chairman replied that in case the importer is not satisfied with the determination of excess quantity on the basis of weightment envisaged in P. N. No. 09/2015, then he can request for determination of quantity on the basis of 100% examination and depending upon of the outcome of examination, action, if any, required can be taken.
14	The Hon'ble High Court Judgment No. SCA/1490/2007/34/34 Dated 24.02.2010 has given clear verdict on stamp duty. This is not required on imported goods in a case where Importer is same in BOE as shown in B/L & IGM. The CFS Authorities have very adamant approach and they are insisting for Stamp duty payment for all cases even they do not accept the undertaking from Importer where they are ready to provide stamp duty on next working days where Delivery orders are issued and received beyond normal banking hours.	The Chairman replied that the issue is in the domain of state authorities. However if any representation in this regard from the stakeholders is received, the same will be sent to the State authorities.
15	Now-a-days there is regular slow connectivity observed on ICEGATE and as a consequence most of the importers have to suffer from Penalty charges for late filing as well as the charges of demurrage/detention. A suitable Public Notice may	The Chairman replied that recently the speed has improved. However, as and when there is failure of connectivity Custom House is issuing Public Notices to waive off penalty

	kindly be issued wherein not only the penalty may be waived off but also the charges levied by CFS and Shipping line for particular period should be put aside.	charges for late filing of Bills of Entry. As per the provisions of the Customs Act, 1962, the Bill of Entry is to be filed by the next day of vessel arrival. Even if there is some delay due to ICEGATE issues, it cannot result in demurrage/detention charges by CFS/Shipping lines as the free days allowed by them are normally upto 3 days.
16	There is an urgent need of second lease line at PUB and it should be installed without any further delay as oftenly connectivity of EDI System is down at PUB and the import / export clearance work get stuck and it remain continued till 2-3 days.	The Chairman replied that issue has already been taken up with the Directorate of Systems and necessary action will be taken as per the directions received in this regard.
17	Assessment and verification of documents, including defacing important documents as well as debiting bond and license are work of apprising groups, but it is seen that most of these work is passed on Dock Examination by way of examination order or examination instructions, which cause delay in clearance.	The Chairman replied that most of times the CB representative are not able to produce the original required documents at the time of assessment and therefore the Groups pass on the verification work at the end of Docks, which reduce the dwell time as well as physical interface with the officers. Further, the Chairman requested the stakeholders to upload the necessary documents by using e-SANCHIT.
18	Every CFS should be equipped with the CMC Staff and Printers. Presently the print out of the shipping bills and bills of entry are carried out at 3 CFS against 13 CFS.	The Chairman replied that all CFSs are equipped with Printer. However, it was observed that due to lack of CMC staff, CFSs are unable to provide printing facility. The Chairman directed to the CFSs to appoint their staff for the purpose and necessary permission will be granted by the department after due verification of requests received from CFSs.
19	The assessment of duty of Import cargo is completed at the time of assessment of Into Bond (W/H) BOE. hence Bills of Entry filed under X-Bond should process under RMS flawlessly.	The Chairman requested the CB Association to provide a detailed representation on the issue, so that the same may be taken up with RMD.
20	In most of the Import cases, Line is nominating their CFS to conduct import /export operations viz., stuffing /destuffing in the CFS premises completely under control of an employee's /equipment of the CFS. Still responsibility of damages occur to container has been recovered from exporter/importer. Necessary intervention of executive machinery is much needed to fix the responsibility, moreover many among this people are uncontrolled element who even do not provide supporting repairing bills in case where	The Chairman asked the representatives of Shipping Lines to respond. They informed that as per the contract the cost of damage due to improper stuffing of cargo is to be borne by shipper. In view of the discussion during the meeting, it was decided that each instance is to be examined on the basis of facts involved and no general directions

	importer / exporter agrees to pay the damages occurred to container during taking container for factory stuffing / de-stuffing. This point needs proper directives / guideline to CFS / Shipping line, as development of Exim Trade largely rely upon controlling of incidental / transaction cost.	can be issued.
21	The flow chart of process to be observe before applying for Warehousing of goods at Mundra Customs location required to be issued on priority as every other day Bond section of Customs House Mundra turn up with an additional requirement of papers while applying permission for warehousing of goods. Further move the presentation of duty paid challan is to be discontinued, seeking out of charge of ex-bond bills of entry together with duty challan copy is needless as every details of payment has incorporated and available on ICEGATE and everybody is very well aware that system cursor while not move to next queue until the complete assess duty together with interest has been paid online. Similarly if Ex-bond Bill of Entry filed under advance authorization they are also insisting to produce advance authorization prior to granting out of charge, whereas advance license manual debit has been discontinued from 28.09.2016 by Ministry of Finance, Drawback Division issued under File No.605/30/2015-DBK (Instruction). The situation demands introduction of uniform bonding practices to be observed for warehousing to adopt simplification in procedure and save dwell time as every additional paper requirement consumes 2/3 days in routine as majority of importers are located outside Kutch Region.	The Chairman ascertained from the Supdt (Bond) whether duty paid challan copy is asked by the Section while clearing ex-bond B/E. To this he replied in negative. The Chairman then asked CB Association to bring any such instance in the notice of the Additional Commissioner (Bond) for remedial action. On the issue insisting to produce advance authorisation at the time of ex-bond, it was explained by the Supdt (Bond) that in case such authorisation not submitted at the time of assessment of Into bond warehousing B/E, then the Appraiser (Group) puts a remark to verify at the time of ex-bonding. He also explained that it is insisted only at the time of first ex-bond B/E of the warehoused consignment and not in subsequent ex-bond B/E.
22	Examination of Export factory stuffed container selected by the system for examination including AEO client should be as per CBEC Circular No. 026/2017 dated 1 st July, 2017 & Circular No. 041/2017 dated 30 th Oct, 2017 as per para 5.	The Chairman replied that the matter will be appraised to the RMD as the selection is made by RMS.
23	The End-Bloc movement as on date is decided by the Shipping Line. Most of the cases it is seen that some of the CFS's are overburdened with work load and they unable to bring the end block movement in time which is the main cause constant increase dwell time graph at Mundra as well as transaction cost. The many CFS's are working much below their capacity, equilibrium level and sitting idle. Therefore Importer should be allowed to move their container according to their choice of CFS and over burden CFS may relieved from burden of work, by this way importer will save from incurring addition transaction cost and the time consumed may be saved. It is humbly requested to kindly issue suitable Public Notice in this regard.	The Chairman replied that facility to opt 'preferred CFS' has already been notified vide Facility Notice No. 12/2017-18 dated 15/12/2017.

24	<p>The GOI is on constant effort to reduce dwell time, and Mundra Customs authorities is performing well towards achieving the dwell time goal set by GOI, but the day by day performance of CFS is ruining the situation which have direct impact overall dwell time for clearance. Therefore certain changes required to introduce to achieve good dwell time position viz., curtail en-block movement time to maximum three days instead of approx week time. There is now urgent need to introduce the Tariff Authority of Major Port which decides the scale of rates for many operator / agency involved in Port operation and CFS operator should now be brought under the umbrella of TAMP which is the appropriate agent decides the scale of rates on the basis of expenses justified by the supporting. The CFS operator should also be instructed for strict observance of the provision of Cargo Handling Rules 2009 and collection of demurrage/detention charges for goods which are seized /detained by Customs Authorities should be according to guideline contained in the Handling Rules.</p>	<p>The point is general in nature and does not raise any specific issue.</p>
25	<p>The practice of issuing manual queries by the proper officer's should be curtailed, which unnecessary creates delay and the importer has to suffer from detention/demurrage charges it is requested that if the officers have any doubt and need any justification in support of assessment, then query should be uploaded on system and ensure piecemeal query/frivolous query on the Shipping Bills / Bills of entry by Field formation to be avoided as per directives given under Board Circular No 20/2004 Dated 27.2.2004.</p>	<p>The Chairman replied that the query is raised by the assessment Group only in system. However, if at the time of examination any document is required, the same cannot be called by raising a query in system. Therefore, the Docks Officer make query in file to check/verify the same.</p>
26	<p>It is also noticed that some personal who are working for one CHA firm also handling un-authorized Customs related work for various Shippers & other authority's, may be beyond the knowledge of CHA Firm. The person representing more than one CHA firm should be asked for Valid Customs Pass / other required documents at every stage which will help to control mal practices and reduces chances of frauds/anti-national activities.</p>	<p>The Chairman replied that any person can visit Custom House. However, as far as Customs work is concerned, Officers of Custom House are entertaining only authorised Card Holders. Any instance of deviation may be brought to the notice of Additional Commissioner (CB).</p>
27	<p>The option of movement of Import laden container shall be allowed to the Importer's choice CFS, we also raised grievance in past PGC meetings but still awaiting for suitable Public Notice in this context.</p> <p>The representatives of Shipping Lines also informed that they having contract with more than 06 CFSs and the same provides enough opportunity to the importers</p>	<p>The Chairman replied that facility to opt 'preferred CFS' has already been notified vide Facility Notice No. 12/2017-18 dated 15/12/2017. However, representations have been received from importers that the Shipping lines are imposing additional conditions to allow the facility. The representatives of Shipping lines were asked to respond.</p>

		After discussion, it was agreed by the representatives of the Shipping lines that they would not impose any additional condition on exercising such option by importer, if they have not imposed such condition for imports through Neva Sheva and Chennai Port.
28	The CFS should be given clear direction to dispose the export left over cargo where there are chances to attract the grain/ granary weevil and other pest which can cause significant damage to other export cargo lying in the same export shed. A time to time pest control measure to be applied by them to protect the fresh cargo from possible chances of catching weevils.	The Chairman replied that CFSs are bound to follow the provisions of HCCAR, 2009 which covers safety of cargo in all respect. Any instance of deviation may be brought to the notice of Additional Commissioner (AG).
29	The Food stuff cargo which is prone the catching grain / granary weevils / pest, arriving for CFS Stuffing if ready in all aspect should be permitted for direct stuffing to save valuable cargo from possible damage by pest and to avoid chances of rejection of cargo at discharge port due to weevils / pest if any noticed by their Phythosanitary Department.	The Chairman directed the CFSs to make proper arrangement for stuffing of perishable and valuable cargo.
30	The CFS Operator should be directed to provide their Policy to settle the damage claim in the event of damage occur to cargo while handling or during storage of import/export goods under their Custody.	The Chairman directed the CFSs to put their damage claim policy on public domain and clarified that the CFSs are not authorised to impose any hidden conditions. Any instance of deviation may be brought to the notice of Additional Commissioner (AG).
31	We also requesting for kindly issue Simplification of procedure with details of required documents, formation, and proper way of procedure for all section to avoid additional dwell time and paperless environment.	The Chairman replied that department is committed to reduce requirement of physical documents and welcomed the suggestions, if any, in this regard.
32	We have also requested for shifting of the main terminal gate to Rangoli parking to avoid additional dwell time, transaction cost & accidents.	The issue was discussed in detail with the representative of Port authority. The Chairman replied that the Rangoli Gate is beyond the Customs notified Area and roads from that gate lead to CFSs and SEZ units also and therefore, Customs check at entry cannot be shifted to Rangoli Gate.
Point received from Container Freight Station Association		
1	As per PN-52, any DPD container which is not delivered in 48 hours from the time of discharge, and also if the importer has not specified any CFS – prior to discharge., then in such cases the DPD boxes will be automatically moved to either MICT CFS or EXMIN PARK. It is requested that this condition be re-looked	The Chairman replied that this provision was made looking to operational requirement of the Terminal operators. However, once the facility stabilises, the matter would be reviewed, if needed.

	into and all CFSs are granted LEVEL Playing filed. The above condition will forcefully not give any option to DPD importers and will result into undue favour to particular CFSs.	
2	The CFSs are in receipt of letters from various customs – desks, instructing the CFSs to waive the Ground Rent / Storage charges for import containers. It is requested that if any such instructions are to be issued, the same may be issued by Hon. Commissioner of customs – as it was decided previously. This has been also minuted in that particular meeting, after which such instructions had stopped. However, it has been noticed that such instructions are being issued quite regularly and in most of the cases.	The Chairman replied that henceforth such waiver instructions will be issued only by the Appraising General Section of Custom House to bring uniformity in examining such requests from the importers.
3	Auction Containers back Log and delays	The Chairman replied that directions have already been given to the DC (Disposal) for speedy disposal.
4	The CFSs are in receipt of letters from customs, instructing the CFSs to de-stuff the containers. There are quite a few cases where the cargo clearance is held up due to various requirement or clearance from various departments (PPQ, other certificates etc). In such cases, the CHA arrange to get us a letter from customs to de-stuff the cargo and store it till clearance of same.	The Chairman replied that in cases PPQ NOC is warranted, de-stuffing permission can not be granted as the cargo requires fumigation. However, in cases wherein NOC from other agencies e.g. FSSAI NOC is warranted, de-stuffing permission can be granted.
5	While dealing with CHAs, based on the consistency of the volumes & quantum of amount for handling charges incurred, the CFSs grant cheque facility to the CHAs. In such a situation, in case when the cheques are dis-honoured by bank (particularly because if Insufficient funds), the CFSs find it very difficult in chasing the CHA to recover the dues. In some cases, the CFSs have even gone to the extent of filing legal cases to recover their legitimate dues. (However, this is also a lengthy process – again particularly because the concerned / authorised signatory of the CHA does not appear for hearings). It is requested that in cases where the Legal Cases have been initiated against any particular CHA, the matter be reported to Hon. Principal Commissioner's office, and appropriate action be initiated the defaulter party. The CFSAM is of the view that Hon. Commissioner of Customs intervenes and stall further customs related work (filing of bill-of-entry or shipping bill).	The Chairman replied that the CFSs are free to initiate legal action in case of cheque bounce/dis-honoured. No departmental intervention is needed. Further, the Chairman requested to provide the complete details of such cases to ascertain the role of CHA for remedial action.
Points received from Mundra Port Shipping Agents Association		
1	PN. No. 51/2017-18- Consignee's choice of CFS	Discussed at point no 27 of point

		raised by CB Association.
2	DPD related issue	Discussed at Point no. 1 of point raised by CFS Association.
3	Auction Containers back Log and delays	Discussed at Point no. 3 of point raised by CFS Association.
4	Import containers seal missing issues	The Chairman replied in such cases, action as in case of seal mismatch is required to be taken.

The meeting ended with vote of thanks to the Chairman.

This issues with the Approval of the Commissioner of Customs, Mundra.

hiredy
07/05/18
(G. P. Meena)

Additional Commissioner

F. No. VIII/48-25/AG/CHM/2015-16

Date: 07/05/2018

Copy to:-

1. The Chief Commissioner, Directorate General of Taxpayer Services, C R, Building, IP Estate, New Delhi – 110109.
2. The Chief Commissioner of Customs, Gujarat Zone, Ahmedabad.
3. PA to Principle Commissioner of Customs, Custom House, Mundra.
4. Additional Commissioner (Group) of Customs, Custom House, Mundra.
5. Additional Commissioner (DE/DP) of Customs, Custom House, Mundra.
6. All Deputy/Assistant Commissioners of Customs, Custom House, Mundra.
7. The Chamber of Commerce and Industry, Kutch/Gandhidham.
8. Mundra Customs House Broker's Association, Mundra.
9. Kandla Customs House Broker's Association. Gandhidham.
10. Mundra Shipping Agent Association.
11. M/s Adani Logistics Ltd. APSEZ, Mundra.
12. Container Freight Station Association, Mundra.
13. Notice Board.