



भारत सरकार

GOVERNMENT OF INDIA

सीमा शुल्क मुख्य आयुक्त का कार्यालय, कोलकाता क्षेत्र

OFFICE OF THE CHIEF COMMISSIONER OF CUSTOMS, KOLKATA CUSTOMS ZONE

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**MINUTES OF THE CUSTOMS CLEARANCE FACILITATION COMMITTEE (CCFC)
MEETING HELD ON 17.06.2020 (THROUGH WEB CONFERENCING)**

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The meeting of the Customs Clearance Facilitation Committee (CCFC) of Kolkata Customs Zone was held on 17.06.2020 at 12:00 Hrs. under the Chairmanship of Shri Pramod Kumar Agrawal, Chief Commissioner of Customs, Kolkata Customs Zone . In view of the Government directives on account of the threat of COVID-19, the meeting was conducted via Web Conference.

The following officers/representatives attended the meeting:-

Sl. No.	Name & Designation (Shri/Ms)	Organisation
1.	Shri Rajesh Jindal	Commissioner of Customs (CCP)
2.	Shri Vishwanath	Additional Commissioner (CCO)
3.	Shri Amrendra Narayan	Additional Commissioner(Port)
4.	Shri M.A.Ansari	Additional Commissioner(CCP)
5.	Shri Sydney D Silva	Additional Commissioner(AP & ACC)
6.	Shri D Satish	Joint Commissioner(Port)
7.	Shri S.K. Mohapatra	Joint Commissioner of Customs
8.	Shri Basant Kumar	Joint Commissioner of Customs
9.	Shri Santosh Sharan	Deputy Commissioner of Customs
10.	Shri K J Malakar	Superintendent of Customs
11.	Shri Rupam Bandyopadhyay	Preventive Officer
12.	Shri Pramod Srivastava	NACFS
13.	Shri Mannu Choudhary	CCHAA

14.	Shri Sujit Chakraborty	BNCCI
15.	Shri Ashutosh Jaiswal	Century CFS
16.	Shri Subburaj M	Deputy Director, FSSAI

The Chairman welcomed all the members and opened the conference for discussion.

Issue 1	<p>Sponsored by National Association of Container Freight Station (NACFS):</p> <p>a) <u>DPD Policy :</u></p> <p>Presently in all location of India the DPD policy is managed by Custom having one department with set of officer, present policy is being managed from KOPT. Hence as all India practice we should also have the same. This is to be done for Kolkata and Haldia. The DPD Policy is handled by Kolkata Port Trust themselves whereas in all other major Ports of India the DPD Policy was made and controlled by Indian Customs. So in Kolkata the DPD Policy is to be created and handled by Kolkata Customs. At the various stages the DPD policy was time to time amended in consultation with the Trade bodies and for the convenience of importers and presently the DPD policy broadly being followed as below :-</p> <p>i) Present DPD policy by KOPT is in case importer did not clear the from port with 7 days, CFS's will have to come to Custom house with the letter of consignee and line then it is amended to for removal and importer need to pay Rs 1000/- per Line no.</p> <p>ii) The purpose of making DPD CFS to have control and commercialize so that Trade have charged reasonably and additional cost to CFS can be avoided.</p> <p>iii) The importer through its CHA agent submits the details to a nominated CFS name in advance for use of specific CFS. This process is controlled by the JC/AC Port and accordingly the DPD containers are removed to those CFSs. In case there is no detail from the consignee or CHA, JC/AC and Dock have their own discretion to send the import containers to any of the DPD CFSs after observing formalities. In major Ports of India if the importers or his agent unable to clear consignment of containers within 48 hours the same is to be removed to DPD CFS as per the formalities above.</p> <p>iv) The latest Public Notice on DPD Policy is issued by the MNCH, Mumbai vide No. 57/2018 dated 10.04.2018 wherein you will find elaborative details about the formalities to be observed for DPD containers for transferring it to CFS.</p> <p>b) <u>Amendment issue for nominating CFS :</u></p> <p>There is no charges of Amendment for nominating CFS in all over India so the amendment charges and its process to be dealt at Port, moreover we request for a paperless and faceless model to be implemented.</p> <p>c) <u>Shipment to Bangladesh by coastal route from CFS:</u></p> <p>Can CFS receive cargo and stuff into Container in CFS and get LEO for export thru KoPT</p>
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to Bangladesh by all routes Rail, Road & River.

d) **Export to Bangladesh by River route:**

Export to Bangladesh by River route India Bangladesh Protocol Route (IBPT) from ICD Durgapur also to be allowed.

**Remarks of
Department**

➤ DPD means Direct Port Delivery. At Kolkata Customs we are implementing DPD in true spirit. The meaning and objective of DPD is faster clearance and lesser cost borne by the importers. Saving of time and cost is the true objective behind DPD. DPD is available to all importers having Customs AEO Status, 100% EOU, SEZ and Nepal and Bhutan bound containers. (P.N. 04/2018 Pt. 2) This facility is available only to Full Cargo Load (FCL) Containers covered under RMS facilitated bills of entry (P.N. 04/2018 Pt. 4).

At the time of filing IGM, dest-code is required to be kept blank. However, if these cargoes are not cleared from Port Terminal within permissible period the same are to be moved to CFSs of Importer choice (P.N. 35/2018 Pt. 2).

Shipping Lines require "advance intimation" of at least 72 hours from importer availing DPD Facility, therefore, it is mandatory on the part of each DPD Client to give "advance intimation" of at least 72 hours to Shipping Line, Terminal Operator/Port Authority and concerned CFS indicating:

- i. Details of consignment;
 - ii. "DPD Client Code" allotted by Terminal Operator/Port Authority;
 - iii. Preferred CFS and its Code;
 - iv. Commitment to pay all applicable charges and take delivery as "DPD";
- (P.N. 04/2018 Pt. 7).

In this entire process there is no discretion available to Port Authorities to move Containers on its own will/choice.

If these cargos are not cleared from the Port Terminal within permissible period the same are to be moved to CFSs of Importer's choice. Only in the cases where choice of the CFS is not received from the Importers/Customs Brokers, MLO's/ Shipping Lines/Steamer Agents are at liberty to choose the CFS for the removal. In such cases, it shall be the duty of the concerned Importer or concerned CFS Operator or MLO's/ Shipping Lines/Steamer Agents, as the case may be, to get the IGM amended after paying applicable amendment fees with the approval of Asst/Deputy Commissioner of Customs (Import Noting). (P.N. 35/2018 Pt. 2). Any amendment in mandatory fields of IGM is an amendment and hence charges are applicable as per Notification 36/2017 dated 11/04/2017.

➤ In this regard, it is to mention that CFS as specified by the Chief Commissioner of Customs, Kolkata, can receive cargo and stuff into Container in CFS and get LEO for export to Bangladesh through ICP Petrpole and Gede RSin accordance with Circular No.

	<p>52/2017-Customs dated 22.12.2017 as amended by Circular No. 32/2018 – Customs dated 17.09.2018. Recently, permission has been granted to CONCOR CFS at Majerhat, for export of cargo Bangladesh via ICP Petrapole (by Road & Rail) and Gede RS (by Rail) in Containers and closed bodies trucks</p> <p>➤ In this context, the export through riverine route to Bangladesh, is allowed provided that Shipping Bills is filed and assessed at LCS TT Shed. In case, Shipping Bill is processed at ICP Durgapur, the export can take place through Sea Route only.</p>
Direction of the Chair	<p>For point (a) & (b) : The chair has directed the President, NACFS to approach Shri D Satish, Joint Commissioner (Port) and Shri Basant Kumar, Joint Commissioner (Port) and to discuss the matter pertaining to the practices being followed in different Custom Houses regarding DPD policy and amendment for nominating CFS issue. If required, the existing Public Notices may be amended under intimation to the Chief Commissioner of Customs, Kolkata Customs Zone.</p> <p>For point (c) : The chair has directed that interested CFS may submit concrete proposal to the Commissioner of Customs (Prev.) for shipment of cargo to Bangladesh by coastal route from CFSs. In this regard, after evaluation of the proposal by the competent authority, decision may be taken by the department.</p> <p>For point (d) : The matter has been discussed and it has been stated that the export through riverine route to Bangladesh, is allowed provided that Shipping Bill is filed and assessed at LCS TT Shed and if Shipping Bill is processed at ICP Durgapur, the export can take place through Sea Route only. For further clarification/proposals, the President, NACFS may give a written submission to the Commissioner of Customs (Prev.)</p>
Action to be taken by :	<p style="text-align: right;">Shri D Satish Joint Commissioner (Port) Shri Basant Kumar Joint Commissioner (Port) Commissioner of Customs (Prev.)</p>
Issue 2	<p>Sponsored by Calcutta Customs House Agents' Association (CCHAA)</p> <p>a) <u>Shipping Lines:</u> They should come out with Trade Notice about their working procedures in this Lockdown period with respect to time frames in issuing Delivery Orders and extension of Slot Letters. Further, they should not charge their customers due to their inefficiency and delay in providing delivery orders.</p> <p>b) <u>All the PGAs:</u> All PGA should publish their SOP at this forum for a better understanding of the current procedures to be followed by all CHAs and importers. Also, they should highlight what facilitation they have provided to the trade like Customs and ports during this lockdown</p>

	<p>period.</p> <p>c) <u>SEZ:</u> For SEZ related import cargo - at the time of processing of Import documents at SEZ the IGM may be checked at the Ice Gate once and for all. We CBs should not need to come to the import Noting department for manual checking of IGMs</p> <p>d) <u>RFID Seal:</u> Any Custom Broker company having AEO status and having Warehouse on his own should be allowed to SEAL for Exporter in his premises as facilitation to the Export community under Ease of Doing Business.</p>
Remarks of Department	<p>➤ The issue is not under the jurisdiction of Customs. However, shipping lines may be conveyed the concerns of trade.</p> <p>➤ PGAs may be requested to provide the details of steps taken by them for facilitating trade during this lockdown period.</p> <p>➤ <u>Falta SEZ:</u> Falta SEZ is a Non-EDI Port operating under NSDL SEZ online system, which is yet to be completely integrated with the EDI system (Ice Gate) in so far as Port Customs is concerned. The Bills of Entry of Kolkata Seaport after assessment at Customs Falta SEZ are forwarded by the CBs/FSEZ Units to the Noting Section of Custom House for IGM verification. This verification is done only for the cargo imported through Port, however in Air Cargo Complex no such IGM verification is carried out as they are able to view the Bills of Entry and Shipping Bills because of proper integration of the NSDL system with the EDI system at ACC.</p> <p><u>Import Noting Port:</u> The processing for B/E is as follows: The B/E for import cargo of SEZ is accessed in SEZ zone by the superintendent and B/E no. is given or filed there. After this, the B/E is sent to Imp noting dept for noting the same manually, tallying with the original copy of IGM which is filled by the S/A, manually in I/N dept. While noting, all the documents related to shipment are checked thoroughly and kept in record for future investigation (if required). For specially, "High SEA- SEZ import shipment, the contact bond between buyer and seller, consent letter from the same, invoice and other related documents are checked and recorded in the register. Again, as per order of Joint Commissioner in connection with file no.S31-169/2010(I/N) dated 19.11.2010, the 5th copy of B/E is sent to I/N dept within 45 days from the date of noting or assessment, which was kept in custody in I/N for future investigation.(court case /DRI case). During the lockdown period, the SEZ-B/E has been noted with the ICE-gate copy as the IGM was not filled in I/N dept for non- supply of IGM paper details from MLO to shipper. The ICE -gate copy (hard copy) has been kept in custody.</p>

	<p>➤ As per Board circular 26/2017-Customs dated 01.07.2017, on the basis of fulfillment of certain conditions, the exporters (not Custom Brokers) are to be given the permission for self-sealing.</p>
Direction of the Chair	<p>For point (a) & (b) : The issue of Shipping Lines and PGAs have been discussed. The Chair has directed Trade to take up the matter with Shipping Lines and PGAs. Trade may also approach ADC (Port) to discuss the problem faced by them. Further ADC (Port) may convey the concerns of Trade to the Shipping Lines and PGAs.</p> <p>For point (c) : The Chair has directed ADC(Port) to take up the matter with DG (System) as EDI (Air Cargo) is already integrated with NSDL for export/ import through Airport.</p> <p>For point (d): The Chair is of the opinion that as per Board Circular 26/2017-Customs dated 01.07.2017 on the basis of fulfillment of certain conditions, the exporters (not Custom Brokers) are given the permission for self-sealing.</p>
Action to be taken by :	Additional Commissioner of Customs (Port)
Issue 3	<p>Sponsored by CFS Balmer Lawrie:</p> <p>a) Unclaimed cargo –For chemicals which required NOC from ADC for disposal/auction, ADC has sent letter that there are no link documents and returning the samples. The link documents are related to licenses etc which as a custodian we cannot provide. Since we do not have these documents Customs should help us in find ways to issue NOC.</p> <p>b) We are facing issue with getting clearance AQ and FSSAI. Some consignments like raw leather, Nitrosol fertilizer are rotting. FSSAI items like alcohol, olive oil etc are with us for very long time</p>
Remarks of Department	<p>➤ Point number (a) purely relates to ADC, which is an independent agency. (Regarding UCC with respect of chemicals, since no specific mention has been made the matter cannot be taken up for further action at Customs end. However, the ways to issue NOC might be worked out by joint inspection of the long pending goods be carried out with all the stake holders viz. Customs, custodian, shipping line, Importer, allied agency(s) or the likes. It's also mention worthy that since the long pending goods relates to manually filed B/Es, the same could not be processed by ADC for technical shortfall at their end).</p> <p>➤ Point number (b) also does not relate to Customs. (Since AQ and FSSAI are independent agencies Customs can only request them as Nodal agency to accord permission for clearance and no further. The matter has to be dealt with by the custodian as per laid down procedure.)</p>
Direction of the Chair	The issues were not discussed during the meeting as the representative of CFS Balmer Lawrie was unable to join the conference. If the remarks of the Department do not serve the

purpose, the matter may again be raised in the next CCFC meeting.

Issue 4

Sponsored by Wildlife Crime Control Bureau (WCCB), Eastern Region:

- a) **Log in issue in SW platform/CBIC by the SSOID user bearing ID no. 70001058, Biswajit Saikia**, TA of this office is yet to be resolved. In this connection, email has been sent to the Sakshak Seva on 18.05.2020 and REMINDER-II has been sent to Saksham Seva on 04.06.2020 with a copy to the Customs mail ID edi-port-cuskol@gov.in. This is also submitted that, no online NOC could be proceeded by the user after the allotment of role due to this issue.
- b) **Log in issue in SW platform/CBIC appstore by the SSOID user bearing ID no. 70001059, Dr. K.K. Sarma, WLI**. Dr. Sarma is getting trouble to generate RSA token code after registering in the Satyapan. This is also submitted that, no online NOC could be preceded by the user after the allotment of role due to this issue.
- c) **Export documents/details of animal/plant parts used in the consignment** are not reflected in some shipping bill numbers in SW online platform.
- d) **Older SB/BE numbers remained reflected** in the online system even after when it generate a pop up window mentioning "No such SB exists". This is generally shown in case of a SB/BE withheld for shortfall of the details/documents.

Remarks of Department

- Point No. (a) & (b): The above issues have been brought to the knowledge of EDI Section. The technical glitch occurring with respect to the mentioned users is required to be observed to provide a resolution. It is requested to provide details of the issue faced by the users to the resident engineers in Custom House Kolkata through email or by coming to the department physically.
- Point No. (c) & (d): The mentioned issued will be taken up with Sakham Seva/DG Systems.

Direction of the Chair

The issues were not discussed during the meeting as the representative of Wildlife Crime Control Bureau (WCCB), Eastern Region did not join the conference. If the remarks of the Department do not serve the purpose, the matter may again be raised in the next CCFC meeting.

Issue 5

Sponsored by Superintendent, Foreign Post, Kolkata

- a) **Disposal of huge number of item kept detained by customs at FPO Kolkata since long** : The matter has been discussed in several meetings and communicated earlier but yet remains to be settled. The list of such items are given as under :-

<u>Product</u>	<u>Total number of items detained by Customs</u>
EMS (Import + Export)	274
Parcel (Import + Export)	1283
Letter Mail (Import + Export)	3454

Total

5011

- b) **Taking over of considerable number of items, declared confiscated by Customs** : In the past, a considerable number of items have been ordered to be confiscated by customs authorities, but are awaiting taking over. The details of such items are as under :-

	EMS	PARCEL	LETTER MAIL	TOTAL
2016	0	2	38	40
2017	15	7	291	313
2018	4	47	27	78
2019	1	0	28	29
Total	20	56	384	460

Moreover 59 parcels from Hong Kong (containing watches), detained by DRI/SRI and 22 parcels from Cambodia (containing cigarettes) are still lying undisposed and awaiting to be taken over by Customs.

Note: Commissioner of Customs (Port), Kolkata letter no.: S121-143/2017 SIB(Pt-I) / 448 dtd 18.03.2019. The parcels are still awaiting to be taken over / seized by DRI / SRI.

- c) **Request for Speedier Decision Making in respect of items awaiting response from sender** : Whenever any Export item is detained by Customs authorities for want of inadequate documentation, CR memo / notice is issued to the sender. This process consumes much time and in many cases the sender fails to respond. This results in the accumulation of such mails as the decision making process often gets abnormally delayed. Hence it is suggested to allow 'retuned back to sender' of such items.

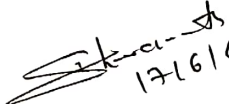
Remarks of
Department

- Most of the import parcels, specially LMA (which itself in considerable number), containing Adult toys, Drone/Unmanned Aerial Vehicles etc. which are restricted/ Prohibited as per the policy guideline of FTP, 2015-20, are already under various stages of adjudication, however an exhaustive list consisting of details of these parcels in a prescribed form has been sought for from FPO but till date no such list is provided by FPO. In case of export parcels containing medicine, plant products etc., NOC required from PGAs. In such cases, parcels come under purview of requirement of such documents and therefore CR (Custom Retained) memo issued to the concerned importer/exporter. Further, it is being brought to the notice that in cases of clearance of old parcels, postal authority demands requisition for placement of parcel before custom authority which take considerable time, may be because of shortage of staff at the end of postal authority. Therefore, postal authority may be requested to provide old parcels on priority basis.
- • **Disposal of 59 (fifty nine) seized parcels (Hong Kong), Contents:-** Wrist Watch Only 59, not 65 Hong Kong post air parcels are there which contains almost 2000 wrist watches.

	<p>The case has already been handed over to SIB. It has been learnt from DC (SIB) that after investigation, the Show cause notices have been issued to the parties and Personal hearing are being given. After adjudication, the parcels will be taken away from postal authorities for further action.</p> <ul style="list-style-type: none"> • <u>Disposal of 22 (twenty two) seized parcels, Contents: Tobacco:</u> The matter was handed over to SIB for investigation. SIB investigated and returned the file with comments that initiation may be taken for seizure/confiscation of the goods. However, 11 (eleven) Show cause notices have already been issued. Out of 11 (eleven) SCNs, 07 (seven) SCNs were returned to this office undelivered. Another attempt has been made to issue the 07 SCNs afresh. PH memo in case of 04 SCNs have been issued for adjudication proceedings. After Adjudication, goods may be disposed of immediately. <p>➤ The exporter should write to concerned AC or DC, and with permission of concerned AC the parcel may return back to sender only. It is also informed that in last few months more than 600 parcels of export has been cleared/ returned to sender by Customs Officials posted at PAD after last CCFC meeting.</p>
Direction of the Chair	<p>The issues were not discussed during the meeting as the representative of Foreign Post, Kolkata did not join the conference. If the remarks of the Department do not serve the purpose, the matter may again be raised in the next CCFC meeting.</p>

The meeting ended with a vote of thanks to the Chair.

This issues with the approval of the Competent Authority.


17/6/20

(Vishwanath)

Additional Commissioner of Customs
Chief Commissioner's Office
Kolkata Customs Zone

F. No. VIII (48)-45/CCO/KOL/CUS/CCFC/2016 Pt-1

Dated: 17.06.2020

Copy to:

1. The Sr. PS to the Chief Commissioner of Customs , Kolkata Customs Zone
2. The Principal Commissioner of Customs (A&A)
3. The Principal Commissioner of Customs (Port)
4. The Commissioner of Customs (Prev.)
5. The Additional/Joint Commissioner of Customs (Port/A&A/CCP)
6. All Concerned.
7. DC(EDI) for uploading in Kolkata Customs Web Page.