



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 25.08.2020 (THROUGH WEB CONFERENCING)**

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The meeting of the Customs Clearance Facilitation Committee (CCFC) of Kolkata Customs Zone was held on 25.08.2020 at 03:30 PM 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 Deep Shekhar	Principal Commissioner of Customs(A & ACC), (Port)
2.	Shri Rajesh Jindal	Commissioner of Customs (CCP), W.B.
3.	Shri Vishwanath	Additional Commissioner (CCO)
4.	Shri Amrendra Narayan	Additional Commissioner(Port)
5.	Shri M.A.Ansari	Additional Commissioner(CCP)
6.	Shri Sydney D Silva	Additional Commissioner(AP & ACC)
7.	Shri P.C.Nayak	Additional Commissioner(Port)
8.	Shri D. Satish	Joint Commissioner(Port)
9.	Shri Basant Kumar	Joint Commissioner(Port)
10.	Shri Santosh Sharan	Deputy Commissioner of Customs(CCO)
11.	Shri K. J. Malakar	Superintendent of Customs (Prev.)

12.	Shri Rupam Bandyopadhyay	Preventive Officer
13.	Shri Subburaj	Deputy Director, FSSAI
14.	Shri Pramod Srivastava	NACFS
15.	Shri Mannu Choudhary	CCHAA
16.	Shri Prabhat Srivastava	WBCHAS
17.	Shri Ashutosh Jaiswal	Century CFS
18.	Shri S A Rahman	CGM-ER(CONCOR)
19.	Shri Shyam Narayan Singh	Drugs Inspector, Asstt. Drug Controller(I)
20.	Shri Sisir Mondal	Pollution Control Board
21.	Dr. Jimlee Sarmah	Quarantine Officer, AQCS
22.	Shri Prasenjit Gupta	Sr. Traffic Manager, Haldia Dock Complex
23.	Dr. Saumen Mapdar	Textile Committee

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

Issue 1	<p><u>Sponsored by Container Corporation of India Ltd. (CONCOR) :</u></p> <p>a) In reference to export to Bangladesh by rail from CFS-Majerhat, Bangladesh Railway allowed to accept Side door containers. These containers are being sealed by ECTS as per PN no 47/2020 the export containers to be sealed with ECTS. Presently two ECTS seals are being affixed in the both side of container door by M/s Transecure. Since container door is opened at one side at Benapole for destuffing of cargo, CONCOR proposes to affix only one ECTS seal instead of two and the other side may be locked by CONCOR's own OTL or may be welded by CONCOR to ensure the safety of cargo enroute.</p> <p>b) Request to expedite the Auction of Confiscated cargo for 12 containers. These containers arrived at CONCOR CFS during 2015 & 2016.</p>
Remarks of the Department	<p>➤ Point No. (a). The matter has been discussed during the meeting. Pr. Commissioner of Customs (Port) has mentioned that Para 4.1 of Circular 52/2017 specifically provides for movement of export cargo under Electronic Cargo Tracking System (ECTS). PN no 47/2020 has also been issued based on this circular. Accordingly, the railways containers are being sealed by ECTS. On the above issue, a letter dated 24.07.2020 has already been written to the Board seeking clarification.</p> <p>• Point No. (b) : The matter has been discussed during the meeting. Pr. Commissioner of Customs (Port) has mentioned that out of the 12 containers, 11 containers contain goods declared as "Old and Used Readymade Garments" and remaining one contains "Buggy Parts: Oil</p>

	Seal & Others". All the containers are in the process of inspection & valuation by the department empanelled Valuer.
Direction of the Chair	<ul style="list-style-type: none"> • The Chair has mentioned that the matter has already been referred to board for clarification. The chair has further emphasized that the welding on one side of the container has to be on Permanent basis and any temporary welding will not be acceptable. Matter to be followed up. • The Chair has referred to the points mentioned by the Pr. Commissioner of Customs (Port) and the confiscated cargo for 12 containers will be auctioned once the process of inspection & valuation will be done by the department empanelled Valuer. Matter to be followed up.
Action to be taken by	Pr. Commissioner of Customs (Port)
Issue 2	<p><u>Sponsored by Calcutta Customs House Agents' Association (CCHAA) :</u></p> <ul style="list-style-type: none"> a) Haldia Dock Weighing Machine not working for last than 3 months. b) In Nepal import cargo there's a list of sensitive cargo notified from a long time which needs to review, wherein if any cargoes are imported under that list the cargo is not getting cleared in a routine manner. It's required permission from higher officers for CTD processing. c) Haldia Customs Dock office is in a dilapidated condition after Amphan cyclone with no separate room for Jetty Sircars & Dock CHAs.
Remarks	<ul style="list-style-type: none"> • Point No. (a): The matter has been discussed during the meeting. Pr. Commissioner of Customs (Port) has mentioned that Haldia Dock Weighing Machine is not under Customs control. It is also learnt that out of four weighing machine, two are working. In response to the enquiry of the Chair regarding the inoperative condition of the weighing machine, the representative of the Haldia Dock Complex, Shri Prasenjit Gupta, Sr.DTM has informed that there are some ongoing legal issues and the matter is lying at Court and also intimated that the matter will be resolved as soon as the Court's judgment comes. • Point No. (b): The matter has been discussed during the meeting. Pr. Commissioner of Customs (Port) has mentioned that list of sensitive item under para 9 of the Import Procedure of the Memorandum to the Protocol to the Treaty of Transit between India and Nepal was revised vide Kolkata Customs Public Notice no. 137/99 dated 27.12.1999. which is reproduced below: <i>"9. The Sensitive Goods, as specified by the Government of India from time to time with prior intimation to His Majesty's Government of Nepal, shall be covered by an insurance policy or a bank guarantee and or such legally binding undertaking to the satisfaction of the Commissioner of Customs. Calcutta, in the manner indicated below :</i>

	<p><i>(c) Goods moving by Road in trucks other than those mentioned at sub paragraph (b) above shall be covered by an insurance policy or a bank guarantee, at the option of the importer, for an amount equal to the difference between the market value of the goods in India and their c.i.f. value."</i></p> <p>The Customs Transit Declarations (CTDs) are assessed at Custom House and forwarded to docks only after submission of insurance policy by the Nepal importer or his authorized agent and approval of the same by the AC/DC. Nepal Unit. On few occasions, it is seen that documents submitted for assessment does not include the insurance policy/ bank guarantee. Submission of insurance policy may lead to delay in processing of Customs Transit Declaration.</p> <ul style="list-style-type: none"> • Point No. (c) : The matter has been discussed during the meeting. Pr. Commissioner of Customs (Port) has stated that the Haldia Dock Custom Office is being provided by Haldia Dock Authority to Customs as per provisions of law. The present condition of the same is not up to the mark for a long time and it has already been reported on several occasions to the competent authority. It is also learnt that Haldia Dock Authority has agreed to provide a new office space to Customs. As and when, it will be available, the request of the trade body will be looked after in due course.
Direction of the Chair	<ul style="list-style-type: none"> • The Chair has directed Shri D Satish, Joint Commissioner of Customs (Port) to write a letter to Deputy Chairman, Haldia Dock Complex and General Manager, Traffic, Haldia Dock Complex with a request to resolve the issue at the earliest. Further, the Chair has also stated Shri Prasenjit Gupta, Sr. Deputy Traffic Manager, Haldia Dock Complex to take up the issue with his higher authority to sort out the issue. • The Chair has referred to the provisions mentioned in the Public Notice no. 137/99 dated 27.12.1999 as mentioned by the Pr. Commissioner of Customs (Port) and further directed Pr. Commissioner of Customs (Port) to re-examine the issue and amend the Public Notice, if required. • The Chair has referred to the points as mentioned by the Pr. Commissioner of Customs (Port) that Haldia Dock Authority has agreed to the proposal of Customs for providing new office space. However, the Chair has directed Shri D Satish, Joint Commissioner of Customs (Port) to follow up the issue with the Haldia Dock Authority.
Action to be taken by	<p>D Satish, Joint Commissioner of Customs (Port) Pr. Commissioner of Customs (Port) D Satish, Joint Commissioner of Customs (Port)</p>
Issue 3	<u>Sponsored by PDP Group:</u>

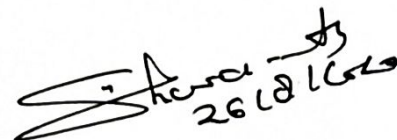
	<p>a) No tolerance in weight is given to imports at Petrapole. We have been reported that Custom Duty is charged on difference of weight of 300 kg in a consignment of 50200 kg and on difference of weight the SAFTA benefits was also not given. Normally tolerance of wt of 0.5% is allowed considering weighing scale measurements differs place to place as per Physics.</p> <p>b) Registration of MEIS Licenses are not done on day to day basis at Petrapole. Instead the unwanted documents are demanded resulting in delay. A proper guideline to be issued to time bond the registration.</p> <p>c) ECTS seal is mandatory for export by railways and road from Majerhat CFS / ICD for export to Benapole, Bangladesh. However, when cargo movement is taking place via Indian Railway in various types of wagon, then ECTS seal is not required. If ECTS seal is required for the safety, security and tracking of cargo for exports by road/ rail from Majerhat CFS/ ICD, then it should also be made mandatory to put ECTS seal on Indians Railway wagons. Our request is to either implement ECTS seal in all cases or remove ECTS seal and put up RFID E-Seal for all movement</p>
Remarks	<ul style="list-style-type: none"> • Point No (a) : The matter has been discussed during the meeting. Commissioner of Customs (Prev.) has stated that the issue is under examination. Such relaxation cannot be given in general. However in case of volatile or bulked goods the same can be allowed by the jurisdictional DC/AC as per his best judgment. ➤ Point No (b): The matter has been discussed during the meeting. Commissioner of Customs (Prev.) has stated that no delay has been observed so far. However specific case / instances may be brought to the notice of this office for suitable action. ➤ Point No (c): The matter has been discussed during the meeting. Commissioner of Customs (Prev.) has stated that the matter has been taken up with the Indian Railway vide letter F. NO. VIII(48)124/Cus/P/WB/Tech/Misc. Corres/2019 dated 14.08.2020 to put ECTS/RFID seal on the Railway goods wagon being exported through LCS Ranaghat.
Direction of the Chair	<ul style="list-style-type: none"> • The Chair has referred to the comments of the Commissioner of Customs (Prev.) and also requested to Shri P.K.Shrivastav to give a written submission to Commissioner of Customs (Prev.) mentioning the instances of Circular/Order/PN of any other Custom House wherein tolerance of weight of the consignment has been considered. • The Chair has referred to the comments of the Commissioner of Customs (Prev.) and also requested to refer specific case/ instance to CC(P) regarding delay in registration of MEIS Licenses.

	<ul style="list-style-type: none"> The Chair has stated that ECTS has been made mandatory for such export consignment. However, the matter has been taken up with DRM, Eastern Railways, Sealdah Division, Kolkata & Katihar, Bihar to put ECTS/RFID seal on the Railway goods wagon.
Action to be taken by	Commissioner of Customs (Prev.)
Issue 4	<p><u>Sponsored by West Bengal Custom House Agents' Society :</u></p> <p>a) There are notifications of Office of Jute Commissioner saying that each import packages of Raw Jute and Jute Goods should have marking as per their notification and that is being followed but in some cases it was observed that a portion on marks is missing or not correctly written and in that case the importer is asked to pay fine and penalty. We believe that in the days of finding ways of "Ease of doing Business" this kind of error which is actually committed by the Supplier, should be given opportunity of correction to importer by allowing them to correct the error of marking by re-marking the packages at Petrapole itself instead of fine & Penalty. The relevant notification in this connection may please be seen in Jute Commissioner website.</p>
Remarks	<p>➤ The matter has been discussed during the meeting. Commissioner of Customs (Prev.) has stated that as per Compulsory Compliance Requirements (CCR), Jute and Jute Products are allowed subject to registration with Jute Commissioner, vide notification dated 20.09.2019 issued by the Jute Commissioner, Kolkata, at the point of origin at the production stage.</p>
Direction of the Chair	<ul style="list-style-type: none"> The Chair has stated that the permission to be obtained from the Jute Commissioner before correcting the error of marking by re-marking the packages. The Chair has also stated the representative of West Bengal Custom House Agents' Society to discuss the matter with Commissioner of Customs (Prev.) and resolve the issue at the earliest.
Action to be taken by	Commissioner of Customs (Prev.)
Misc. issues raised during CCFC meeting(i)	<p>Issue raised by Shri P K Shrivastav :</p> <p>Request for issuance of guidelines for disposal of Old/Unclaimed/ Uncleared cargo</p>
Direction of the Chair	<p>The Chair has stated that disposal of of Old/Unclaimed/ Uncleared cargo is under highest priority of the department. Disposal drive is also going on in mission mode and guidelines regarding the same has already been issued. He further directed Shri Amrendra Narayan, Additional Commissioner of</p>

	Customs (Port) to look into this matter and resolve the same at the earliest.
Action to be taken by	Shri Amrendra Narayan, Additional Commissioner of Customs (Port)
Misc. Issues (ii)	Issue raised by Shri Sisir Mondal, WB Pollution Control Board: Illegal import of Sulphuric Acid(contaminated) in the Haldia Dock. However, the representative of the Haldia Dock Complex, Shri Prasenjit Gupta, Sr.DTM has informed that the Sulphuric Acid is not being imported illegally in the Haldia Dock Complex.
Direction of the Chair	The Chair has directed Shri D Satish, Joint Commissioner of Customs (Port) to invite Shri Sisir Mondal and discuss the matter and take corrective measures, where required.
Action to be taken by	Shri D Satish, Joint Commissioner of Customs (Port)
Misc. Issues (iii)	Shri S.A.Rahmna, CGM, CONCOR(ER) has raised the issue regarding permission of Import by container train from Bangladesh
Direction of the Chair	Chief Commissioner has appraised the CGM, CONCOR that the matter is being pursued at appropriate level in the Ministry.

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

This issues with the approval of the Competent Authority.


26/8/2020

(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: 26.08.2020

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.