



**OFFICE OF THE COMMISSIONER OF CUSTOMS**  
**Custom House, Cochin.**

**Willingdon Island, Kochi – 682 009**

**Tel: 0484-2668068/2668390. PBX:0484-2666861 to 6864. Fax: 0484-2668468**

**CIRCULAR NO. 20/2011**

Subject: **Public Grievance Committee** – Minutes of the meeting held on  
29.11.2011 – Reg.

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A Public Grievance Committee meeting was held at the Conference Hall of the Custom House, Cochin at 3:30 P.M. on 29.11.2011. Shri. Vijay Kalsi, Commissioner of Customs chaired the meeting.

The following members of the committee were present:

1. Shri. Alan Jose, Cochin Custom House Agents Association
2. Shri Abraham Philip, Indian Chamber of Commerce & Industry

The Commissioner welcomed the members to the meeting and requested them to place on record grievances, if any, well before the scheduled date of the meeting as this would ensure a more meaningful discussion and effective redressal of grievances.

Stating that the G-Card examination has not been conducted for quite some time, the Custom House Agents Association requested the Chair that the exam be held on a more regular basis preferably, at least once in a year. Responding to the request the Deputy Commissioner (I&B) informed the meeting that a notification announcing the next examination is already in pipeline and the same would be issued shortly.

**[Action: D.C. (I&B)]**

Raising a second issue, it was pointed out by the trade that while the jurisdictional Central Excise authorities were insisting that the A.R.Es be brought in sealed covers some Customs officers at the Container Cell were reluctant to seal the covers enclosing the ARE Forms. The Commissioner responded to state that instructions will be issued in this regard and opined that printed covers may be made available for easy despatch of the AREs.

**[Action: DC (Docks)]**

Pointing out that there is a severe shortage of Appraisers at the Air Cargo Complex, the trade grieved that a single Appraiser on the import side was resulting in substantial delay in cargo clearance. Citing a case wherein a single consignment took 18 days for

clearance, the Custom House Agents Association prayed that an additional Appraiser be posted for import clearance. The Association pointed out that the sole objective behind import through air was to facilitate speedy availability and therefore such delays need to be addressed immediately. The Chair while enquiring about the prompt attendance of officers already deployed at the Air Cargo Complex directed the Additional Commissioner to examine the matter. The Additional Commissioner pointed out that one of the primary factors behind slow clearance was the system migration which has still not stabilised.

The Trade pointed out that cashew imports were earlier permitted under RMS and that however currently this is not the case. It was requested that necessary corrections may be incorporated at the Customs House level so as to include the same in RMS. The Asst. Commissioner (Imports) however responded to state that inclusion under RMS is possible only if such importers first qualify as ACP clients.

Commissioner reiterated that the trade had a very important role in ensuring that officers are not initiated into corrupt practices. He requested the trade to bring up any such instances of corruption noticed by them.

The Customs House Agents Association pointed out that there has come about a substantial reduction in the number of export containers, that the number is less by over a thousand containers during the previous month, that in their opinion Customs and Port are not trade friendly, that while trading through Tuticorin Port has been on the rise, the rigid stand adopted at the Cochin Port has resulted in various exporters shifting their operations to Tuticorin. The Association pointed out that the restrictions imposed in the case of High Sea Sales have also resulted in shift of cargo away from the Cochin Port.

Responding to the same, Commissioner opined that facilitating trade cannot be at the cost of revenue; either of the Centre or State, that high sea sales cannot be permitted post arrival of the vessel and that the insistence on filing of a letter intimating High Sea Sale prior to arrival of the ship was not irrational. The Deputy Commissioner (Prev.) pointed out that as substantial issues of sales tax evasion are involved, the procedure cannot be diluted.

The representative of the Indian Chamber of Commerce and Industry pointed out that lately there is substantial delay in receiving Drawback, that in Tuticorin, drawback is received within 48 hours and that filing of CENVAT declaration is being insisted in Custom House. The Assistant Commissioner (Drawback) responded to state that subsequent to the termination of the D.E.P.B, there has come about a surge in the number of drawback claims and that CENVAT declaration is being insisted only in cases where there is a remark that availment of credit has not been verified.

**[Action: A.C (Drawback)]**

The Indian Chamber further pointed out that delay in getting Export Promotion Copies still persists. Responding to the same the Additional Commissioner pointed out

that E.G.M errors cannot be attributed to Customs since manifests are filed by the Steamers, that it is for the trade to locate the mistake and correct the same and that as of now, there is no delay in issue of EP Copies.

The Chamber observed that in cases where SIIB investigation is initiated; there is substantial delay in finalising proceedings. Commissioner responded to state that the concern of the trade is well taken, that however, the percentage of checks by SIIB is minimal and that even in cases where contravention is suspected, provisional release of goods is offered.

**[Action: A.C (SIIB)]**

The Chamber further pointed out that in the case of voluminous imports under RMS, provision may be made for limiting the seal verification to a select few containers, so that seal verification can be done at the ICTT itself. It was stated that currently all containers are required to be shifted to the docks for such seal verification. Commissioner promised to examine the matter.

**[Action: D.C (Docks)]**

The Custom House Agents Association called to attention a recent requirement which stated that all import containers are to be weighed and pointed out that currently no facilities are available at the Ernakulam Wharf for such weighment. Commissioner responded to state that the directions are from the Board and that therefore it is a legal requirement which has to be complied with. Commissioner pointed out that if in case there is any practical difficulty in ensuring weighment of such containers a report shall be called for from the DP World/Port authorities.

**[Action: D.C. (I&B)]**

Since no other points came up for discussion, the Chair declared the meeting closed. The date of the next meeting of the PGC will be intimated in due course. Points for discussion, if any may be forwarded at the earliest. Clarifications may be had at the telephone no. 2667040 or by email [cochincustoms@gmail.com](mailto:cochincustoms@gmail.com)

F.No. S65/06/2006 CCU Cus.  
Dated: 13.12.2011

*Sd/-*  
**(VIJAY KALSI)**  
**COMMISSIONER OF CUSTOMS**

To

1. The President  
Cochin Custom House Agents Association,  
I.G. Road, W/Island, Cochin-682 009.
2. The President  
Indian Chamber of Commerce & Industry,  
Indian Chamber Road,  
Cochin- 682 002.
3. The President  
Kerala Chamber of Commerce and Industry,

Chamber Corner,  
Shanmugham Road,  
Cochin – 682 031.

4. The Development Commissioner  
Cochin Special Economic Zone  
Kakkanad, Cochin – 682 037.
5. The President,  
Cochin Steamer Agents Association,  
“Maritime House”, I.G.Road, W/Island, Cochin-3.
6. The Regional Director  
Export Promotion Council for EOUs and SEZs  
CSEZ Administrative Building  
CSEZ P.O., Kochi – 37.
7. The President  
Kerala State Small Industries Association  
2<sup>nd</sup> Floor, Veekay Towers  
Beerankunju Road, Kochi – 682 018.
8. The Air Cargo Agents Association of India,  
C/o Cargomar Pvt. Ltd., BBTC Building,  
Subramanian Road, W/Island,  
Cochin 682 003
9. The Emirates Shipping Agencies (India) Pvt. Ltd.,  
1<sup>st</sup> Floor, ‘HINA HOUSE’, KPK Menon Road,  
W/Island, Cochin – 682 003.

Copy to:

1. The Chief Commissioner of Customs, Kerala Zone, Cochin.
2. All D.Cs / A.Cs / Appraisers.

(ATTESTED)

(KOSHY ABRAHAM)  
SUPERINTENDENT OF CUSTOMS (CCU)