

Minutes of the Permanent Trade Facilitation Committee
meeting held on 17.10.2022

The Meeting of the Permanent Trade Facilitation Committee was held at 3.30 a.m on 17.10.2022 at EDI Conference Hall in Custom House. Shri. P. Jaideep, IRS, Commissioner chaired the meeting.

The following officers of Customs were present.
S/Shri./Smt.

1. P. Jaideep, IRS, Commissioner
2. Rajeswari R. Nair, IRS, Addl. Commissioner.
3. P. Senthil Kumar, IRS, Joint Commissioner.
4. Rajesh Jacob, IRS, Asst. Commissioner.
5. Beena Vas S, IRS, Asst. Commissioner.
6. Marykutty Chacko, IRS, Asst. Commissioner.
7. P.Vijay Kumar, IRS, Asst. Commissioner

The Trade and other Partner Government Agencies (PGAs) related to trade was represented by S/Shri./Smt. :-

1. Manikandan, Asst. Director, Spices Board
2. George Abraham, Coir Board
3. K. G.Gireendrababu, Consolidated Association of Cochin
4. P. S. Selveraj, Consolidated Association of Cochin
5. Vipin R Menath, Traffic Manager, Cochin Port Trust.
6. Anil Kumar, Dy. Traffic Manager, Cochin Port Trust.
7. K.Suresh Babu, Sr.Traffic Manager, Cochin Port Trust
8. Dhanya K N, AO, FSSAI
9. Biju.R, Manager,CFS Petta
10. Unnikrishanan.V.S, CFS MIV
11. Prakash Iyer, Kerala Steamer Agent Association
12. Sasi kartha, Kerala Steamer Agent Association
13. Sajith. D, General Manager, CIAL
14. Girish Shekhar, D. P. World
15. Kuruvilla Xavier, D. P. World
16. Rajceev M. C., F.I.E.O, Cochin
17. Akhila V. P., E.I.A
18. Josemon M. D., KSIE CFS
19. A A Fernandez, Cochin Customs Broker Association
20. Alex. K. Ninan, Seafood exporters Association

At the outset, the Chair welcomed the members to the meeting. The points taken up for this meeting are as follows:

Points received in writing for discussion:

Point 1: SCMTR Regulations (Kerala Steamer Agents' Association KSAA):

KSAA raised the issues faced by them in respect of SCMTR Regulation 2018. Before the regulation came into force the members were being imparted a registration Certificate from Customs stating the type of registration and validity. But now they are not being provided with the same. The trade (KSAA) requested the facility of Providing the Registration Certificate upon the request sympathetically. Further, the trade requested a contact list of the shipping companies registered under SCMTR with business codes and validity of registration for records if possible.

The Chair directed the AC (I&B) to clarify the issue. The AC (I&B) clarified that the details of the registration certificate are available on the Dashboard provided under the login and may be downloaded. In respect of the physical copy of the registration certificate, the chair

instructed the trade to submit the copy issued at other customs stations to this office so that a considered decision may be taken in this regard.

The AC (I&B) clarified that SCMTR particulars being third-party information are accessible only to individuals. The CBIC uses reasonable security practices and procedures, as mandated by applicable laws of India, to protect personal and sensitive personal information.

Point 2: Meeting of Airport Trade Facilitation Committee (Cochin Customs Brokers' Association, CCBA):

CCBA pointed out the issue that the Airport Trade Facilitation Committee meetings have not been held for the last two years and pleaded to convene on regular basis to address the issues related to the airport.

The Chair noted the issue and assured that Customs will shortly hold a PTFC meeting possibly by the middle of the upcoming month. The Joint Commissioner ACC/Airport may co-ordinate.

Point 3: Inviting application for G Card Examination (CCBA)

CCBA raised the issue of the non-conduction of a G card examination at this Custom House, that the Custom House, Cochin has not invited applications for G cards after 2019. Other Custom stations are inviting applications for the G card examination regularly. CCBA pleaded to do the needful for conducting a G card examination at Cochin as many aspirants are waiting to appear for the examination to start their career in the logistics sector.

The chair informed the trade that applications for the G-Card Examination shall be invited soon. Necessary steps will be taken for conducting the exam at the earliest.

Point 4: Customs Broker License-Extension of validity to LIFETIME (CCBA)

CCBA pointed out the amendment in CBLR 2018 vide CBIC Notification No. 62/2021-Cus (NT) to extend the validity of Customs Brokers' Licenses up to a lifetime. Further, the trade put forth that, based on this, other Custom Houses have already issued letters granting LIFE TIME validity to the Customs Brokers' license issued under their jurisdiction. In Custom House, Cochin similar circular may be issued.

The chair informed the trade that the digital licenses are being issued as a part of CBLMS that will sort out the problem of license-extension validity.

Point 5: EGM Errors/Missing (CCBA)

The CCBA raised the issue of the improper filing of EGM by the shipping lines/forwarders/authorized representatives even after providing the required details to shipping companies which delays drawbacks and the GST claim process. In case of multiple shipping bills in a container, the shipping agents file one or two correctly and the rest of the shipping bills are not updated, resulting in EGM errors.

This entails amendment of the EGM resulting in delay and additional expenses of Rs. 1000/-. This is currently being borne by the shippers for no fault of theirs and in many cases, the shippers will refuse to make this payment, which adds the financial burden of Customs Brokers.

The CCBA requested the chair that necessary instructions may be issued to shipping lines to submit the details correctly and if there is any error,

Customs Brokers may not be penalized and the same may please be collected from the shipping lines.

The Chair advised that procedure, as laid in Regulation 5 of SCMTR and PN 07/2018 issued by this office, may be followed in this regard. This office will also arrange a training session as was reportedly done in the past. Further, the trade may sort out the issue by arriving at a consensus after mutual discussion. The Joint Commissioner EDI to organize a refresher on frequently encountered errors and how to correct them.

Point 6: Parking Fees at IGTPL (CCBA)

The CCBA raised the issue of penalizing for parking the export-stuffed container vehicles in the port by IGTPL, even though valid reasons are there for parking. In many, cases the vehicles have to be parked due to issues like delays in getting SEZ4 forms from shipping lines, ICEGATE downtime, etc. DP World is currently charging Rs. 2,000/- per day for this.

IGTPL may avoid penalizing the trade for parking due to genuine reasons.

The representative of DP world informed the chair that they had earlier intimated to Customs about the truck's overstay which is causing them parking problems, space constraints, and safety issues. And thus they started charging the overstay trucks beyond 24 hours for operational convenience. The Chair directed the DP World and the trade that they may settle the issue bilaterally.

Point 7: 100% examination for products imported regularly (CCBA)

The CCBA also raised the issue of 100% examination orders of regular import consignments (HDPE Granules). The trade is regularly importing this from UAE from the same supplier, for the last 5 years through Cochin. 100% examination order causes additional expenditure and delays the manufacturing process. The trade requested the chair to look into the matter to avoid delay in clearance.

The trade brought to the notice of the chair that items being regularly imported is also being cleared subject to Testing, Sampling, test report, etc. causing an undue delay.

The Chair acknowledged the specific instance cited and assured support in finding the exact reason for the said consignments being repeatedly selected for examination and addressing it.

Import consignments are examined at Docks by the RMS instructions and the open examination order in the concerned Bill of Entry.

Point 8: Imported Cargo damage at CONCOR CFS (CCBA)

The CCBA also raised the issue of the damage to de-stuffed and stored food products (cashew kernels) at CONCOR CFS pending Customs Clearance. The cargo was being damaged by rats and insects, which made the cargo unfit for human consumption thereby causing huge financial loss to the importer. The trade requested urgent intervention to avoid such a situation and directed CFS to do the needful to avoid such mishaps in the future.

The Chair requested the Manager, CONCOR to clarify the issue and it was ascertained that there is no importer to claim such a loss. The Chair directed the CCBA to refer to the claim of the importer with concerned officials of CONCOR to resolve the issue.

Point 9: Refund of TDS by ICTT & CONCOR (CCBA)

CCBA has also pointed out that the Deduction of TDS is mandatory. However, CONCOR is insisting on payment in full and once the TDS certificate is given then they will give a refund. This is an unnecessary practice and CONCOR /ICTT should follow the normal laid-down statutory process and refund the TDS to the Customs Brokers/shippers/Importers at the earliest.

The Chair requested the Manager of Concor/ICTT to examine the issue. The concerned assured that the issue will be forwarded to the head office for redressal.

Point 10: EDI Filing under Section 74 (CCBA)

The CCBA also pointed out the request submitted during August 2022 for permission of re-export shipment under sec 74 to be processed manually was kept pending to issue a Public Notice directing all these shipping bills to be filed through EDI only. The trade requested to look into the matter and do the needful to issue a Public Notice at the earliest.

The Chair advised the trade that they should not wait for issuing the Public Notice for filing the Shipping Bill. However, the draft PN is already approved and Public Notice will be issued the next day. On 18.10.2022, PN No. 07/2022 was issued.

Point 11: Bill of Lading draft correction (CCBA)

The CCBA also complained that certain shipping lines (Hapag-Llyod) are not giving chance to correct the Bill of Lading draft, even though provisions are there for corrections up to the vessel sailing or at least upto manifest closing. Even if the corrections are given in time, they are collecting amendment charges against maiden correction too. For BL submission, shipping lines are collecting charges under various heads like amendment charges, late submission charges, etc. The trade requested the Chair to consider the issue positively and allow the applicable time for BL draft correction.

Many of the shipping lines have no contact persons at Cochin and for any query/assistance, members have to send mail and wait for their reply or contact their back office which is difficult to get at most times. The trade requested the Chair to instruct shipping lines to maintain a contact point at Cochin and share their details among the trade.

The Chair advised that the trade may convey the issue to the concerned shipping lines. However, it was assured that this office will endorse the trade's concerns.

Fresh points brought in the meeting

Point 1: Unable to get Customs Export Data for Coir Export (Coir Board)

The representative of the Coir Board raised the issue of non-reporting of data on the export of coir from this Customs since June onwards. The Coir Board has been getting the data on export of coir for more than 14 years from all ports.

The Coir Board was advised to consult the data sharing policy of the CBIC for obtaining data.

Point 2: Issues with ICEGATE Registration.


The trade put forth that the ICEGATE PAN verification module was under maintenance, due to this exporters were not able to apply. Later, after submission, the applicant waited for 4-5 days to get a response which sometimes leads to rejection as well. The trade requested the chair to take up the matter with the Board to get speedy approval of ICEGATE registration.

The Chair directed the trade to share the screenshot error with EDI to resolve the issue in consultation with the Saksham Seva.

Since no other points were raised by the members for discussion, the chair concluded the meeting by thanking members. He also mentioned that some instances have come to the notice that 100% EOU and Advance Authorization License holders who have claimed exemption under Notification Nos. 78/2017 Customs dated 13.10.17 and Notification No. 79/2017 Customs dated 13.10.2017 subsequently opting for the provisions of Section 16(3) (b) and availing IGST Refunds overlooking Rule 96(10)(b). The chair advised the members to sensitize all concerned, that such exporters claiming refund of IGST paid on goods or services should not have availed the benefits under these notifications. He emphasized that availment of refund through this ineligible route may result in penal consequences.

The date for the next meeting of the Permanent Trade Facilitation Committee will be intimated through the Custom House website www.cochincustoms.nic.in Points for discussion, if any, may be sent. Inquiries if any may be made at the telephone number 0484-2667040 or by mail at ccu@cochincustoms.gov.in or ccucochin@gmail.com.

This is issued with the approval of the Commissioner of Customs (Chairman PTFC)


(राजेश्वरीआर. नायरी) **Rajeswari R. Nair**
अतिरिक्तसीमाशुल्क आयुक्त **Additional Commissioner of Customs**