



मुख्य आयुक्त सीमा प्रधान मुख्य आयुक्त सीमा शुल्क का कार्यालय
OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF CUSTOMS
 मुंबई जोन -I, दूसरी मंज़िल, नवीन सीमा शुल्क भवन ,बेलाई इस्टेट,
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Unit IVA

13-02-2023

**MINUTES OF THE CUSTOMS CLEARANCE FACILITATION COMMITTEE
 (CCFC) MEETING HELD ON 28.02.2022**

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The 10th meeting of the Customs Clearance Facilitation Committee (CCFC) for Mumbai Customs Zone-I for the financial year 2022-23 was held on 30.01.2023 at 04.00 PM in Conference Hall, 2nd Floor, New Customs House, Mumbai under the Chairmanship of hon'ble Shri. Pramod Kumar Agrawal, Principal Chief Commissioner of Customs, Mumbai Zone-I.

2. The following officers/representatives attended the meeting: -

Sr. No.	Name of Officer/Representative	Organisation & Designation
1	Chetan Kumar Jain	Commissioner (Export), Mumbai Zone-I
2	Kiran Verma	Commissioner (Import-II), Mumbai Zone-I
3	Vivek Pandey	Commissioner (Import-I), Mumbai Zone-I
4	Ashok P Kothari	Commissioner (Audit), Mumbai Zone-I
5	Rajesh Kothari	ADC, Export, Mumbai Zone-I
6	Vishal Sanap	ADC, SIIB (I), Mumbai Zone-I
7	Rajiv Magoo	ADC, Import-I, Mumbai Zone-I
8	SB Deshmukh	ADC, General, Mumbai Zone-I
9	RK Singh	ADC, PCCO, Mumbai Zone-I
10	Meghana Moghe	JC, Import-II, Mumbai Zone-I
11	Eishvaryesh Bhardwaj	JC, PCCO, Mumbai Zone-I
12	Devashya Jyoti Jyotirmay	DC, Export, Mumbai Zone-I
13	Dr Meva Ram Ola	DC, Docks, Mumbai Zone-I
14	Akshay Patil	DC, EDI, Mumbai Zone-I

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15	Gurtesh Matharu	DC, General, Mumbai Zone-I
16	P. V. Sudhir	NIC Co-ordinator, Mumbai Zone-I
17	Mahesh Tripathi	Director
18	Manish Patadir	CFO
19	Tushar Sharma	Dy. Director/BIS
20	Chirag Kumar Gajjar	Assistant Director/BIS
21	Siddhesh Shigwan	Asstt. Manager, MbPA
22	Mark S Fernandes	Chairman, IMC
23	Dushyant Mulani	President, BCBA
24	Jayant Lapsia	AILBEA
25	Sorab Engineer	Advisor, BCBA
26	Paresh Thakkar	BCBA
27	Manohar Patyarne	BCBA
	Harsh J. Lapsia	BCBA
	Ravi Mehrotra	BPCL
	B. Timothy	All India Importer & Exporter Association
	Vaishali Kulkarni	COSIA & Advisor

3. At the outset, the Chairman extended his greetings and welcomed all the members of PGAs, BCBA, AILBIEA and other stakeholders/trade partners of Mumbai Customs, Zone-I to the first CCFC meeting of this Zone of the calendar year 2023.

4. The Chairman stated that some points which were flagged by NCTF (National Committee on Trade Facilitation) were discussed with trade partners during last CCFC meeting held on 30.0.2023 and enquired Shri. R. K. Singh, Additional Commissioner, PCCO regarding compliance of the same. Shri. R. K. Singh, Additional Commissioner, PCCO informed with respect to many points flagged by NCTF, trade partners had assured to submit their suggestions. However this office has not received any such suggestions as on date. He further stated that in respect of delay in payment of Customs duty by Importers/Customs Brokers after assessment with respect to green channel cargo i.e. RMS facilitated cargo, BCBA was supposed to undertake a meeting with selected importers and other members of their association. On being enquired by the Chairman, Shri Dushyant Mulani, president, BCBA informed that they have collected relevant data from Customs. They are studying the same in order understand the difficulties and reasons for delay in payment of duty with respect to facilitated cargo. He further mentioned that post budget, they will be holding one such meeting with selected

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importers. The Chairman asked BCBA to include Customs in the said meeting for inclusive discussion. Shri Dushyant Mulani appreciated the proposal and assured that in the said proposed meeting, they will invite Customs also for inclusive discussion.

5. Shri. R. K. Singh, Additional Commissioner stated that another point which were discussed during last CCFC meeting i.e. PGAs should set defined timeline for clearance of goods and issuance of NOC and out of scope items to be updated in system. Shri Dushyant Mulani stated that new HSN directory has been revised on 01.01.2022 and the present lists available in websites of PAGs are not matched with it. The Chairman requested representative of PGAs to upload the updated out of scope items list on their website.

6. The Agenda Points were then taken up for discussion by the Chairman/Principal Chief Commissioner, Mumbai Zone-I as given below:

Agenda Point 1 :

Lack of clarity as to which items are covered under the BIS requirement and which are not covered. It is requested that goods not covered by the BIS requirement must be incorporated in the Customs EDI System, so that all documents are not marked when examination is ordered, subject to BIS verification, or if only the list of items covered under the BIS requirement could be published and circulated to the Trade and Industry.

Before the discussion began, the Chairman pointed out that there is a website for BIS which is accessible to not only customs and other government agencies but also to other stake holders including exporters and importers, where detailed guidelines are available on the website. The Chairman invited the BIS authorities present during the meeting, Shri. Tushar Sharma, Deputy Director, BIS and Shri. Chirag, the Assistant Director, BIS to come forward and comments on the the issues raised by the Members of the Trade and Chambers.

Regarding Point 1 above, Shri. Shri. Tushar Sharma, Deputy Director, BIS clarified that on the website of BIS details such as the scheme wise ISI mark, Scheme registration mark and scheme code, and scheme wise products which are under compulsory certification are readily available and they offered to share the website with concerned officer. The said website i.e. "mubo1@bis.gov.in" was later shared with officers of PCCO by the BIS officials. For Products which are under Compulsory certification, there is a section which is available on the homepage of the website itself, so when you click on it, for electronic goods and non-electronic goods one can see the

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scheme wise list along with the name and Indian Standard number of the product and the Government Gazette Notification Quality Control Order by which it has been made mandatory . This is particularly relevant for example in cases of Steel, for different types of steel which require compulsory certification, in the Gazette Notification it has been specified HSC code wise as to which Steel is covered and which is not covered under the said notification. They further informed regarding a BIS APP which is available in Android which can be downloaded and it is a one stop solution which gives clarity as to which products are covered under BIS. It was further intimated by R K. Singh, ADC that compulsory compliance like BIS is also available on ICEGATE, where one has to go to ICEGATE and click on the Compliance Information Portal (CIP) window then again click the window of Trade guide on imports and then a screen opens where one has to give the CTH, description and Country of Origin and thus one can obtain full information including about BIS applicability/requirement.

Agenda Point 2

At present, the Custom Examination officers are demanding BIS certificate for item which are not covered or have been imported as a complete system, eg. if one imports a vehicle safety system, the department insists that BIS certificate be produced for various individual components, in lieu of which clearance are withheld and importers threatened by issuance of SCN and penalties being imposed.

Shri. R. K. Singh, ADC opined that we require specific cases regarding the point. The BIS authorities also stated that they require specific information since they cannot comment on generic components and require manufacturing details specifications of the product.

Agenda Point 3

There needs to be a BIS nodal officer appointed, and their contact details including mobile numbers to be circulated, so that the Trade & Industry/importers could easily connect and address their problems and clearance are not delayed for days on end.

The Principal Chief Commissioner requested the BIS official present during the CCFC meeting to ensure that a BIS nodal officer is appointed and the contact details of the concerned officer intimated to this office on priority basis.

Agenda Point 4

The procedure for applying a BIS certificate, though applied by the importer in India, is so cumbersome, that hundreds of agents and touts are floating around and demanding huge sums for

obtaining BIS certificates within 2 to 3 days, which is nothing short of exploitation.

The BIS authority clarified that they do not encourage any manufacturers or their Indian representatives to directly approach any touts or consultants. All the information is available on the website and even if they do enquire via phone or email, their officers give guidance. As regards the time norms, the registration applications are received via Portal and as regards the electronic products which are the registration scheme products they have a timeline of issuing licenses within 20 working days if everything is in order and in case there are queries the time period can go beyond the 20 days. As regards non-electronic items which carry the ISI mark and come from abroad they have a foreign manufacturers Scheme, in which the alleged delays occur because of travel restrictions, visa, getting the sample to India for getting it tested etc but they take it up on priority and both the schemes are time-bound. There stated that there is definitely no delay from their side nor any middle men is involved.

Agenda Point 5

Importers suddenly are made aware of their imports being covered under the BIS requirement once their imports arrive in India, this leads to the exploitation, it is requested that so long as cargo has not been issued OOC, and the importer has applied for BIS certificate, no penal action/ proceedings should be initiated. Eg. MRP labels can be affixed prior to OOC being granted, or cargo can be warehoused under Section 49 or Section 58 of the customs Act 1962, without any SCN or penalties being imposed.

Shri. R. K. Singh, Additional Commissioner, PCCO intimated that when the Director, BIS visited New Custom House for training session of Officers, this issues was discussed and it has been explained that BIS registration is mandatory before the goods leave the port of export for India. The Principal Chief Commissioner stated that a Committee consisting of Shri. Rajiv Magoo, Additional Commissioner of Customs (Import-I), Ms. Meghna Moghe, Additional Commissioner of Customs (Import-II) and Director, BIS is formed with immediate effect to examine the issue i.e., where an application for BIS registration has been made but BIS certificate is not received and goods have arrived in the country. The Committee shall, interalia, inform CCFC as to whether in such cases, section 49 permission can be granted by Customs requiring categorically that the goods would be cleared for Home Consumption only after the receipt of BIS certificate or the goods are to be absolutely confiscated in such cases where there is no BIS certificate available, though already applied for and re-exported in case of non-receipt of

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BIS Certificate, as the case may be. He further directed the Committee to submit a report in this regard by 20.02.2023.

The Principal Chief Commissioner informed the Trade that a training session had been carried out by BIS for the Customs Officers and he proposed that a similar training be arranged with the Trade bodies/Importers by BIS also for which the Venue would be provided at New Custom House, Mumbai Zone-I. The BIS authority present agreed with the proposal and stated that the date and time of such workshop shall be intimated so that the Zone-I can arrange the same.

The Principal Chief Commissioner also directed that next time DG/BIS visits Mumbai, he would like a meeting to be scheduled with various Associations so that policy matters could be taken up with DG/BIS.

Agenda Point 6

A Customs Broker being a pure Agent who is making payments for reimbursable charges on behalf of the importer/ exporter will have following two options for making the payment and obtaining the credit in GSTN Account of either importer/ exporter or Customs Broker himself.

- a. **As a pure Agent, Customs Broker shall make the payment of MbPA charges by providing the GSTN number of importer/exporter. MbPT will need to upload the GSTN Account of importer, exporter provided for availing input tax credit. This is in terms of para 33 of Notification No.10/2017, Central Tax, issued by Ministry of Finance.**
- b. **Where the Customs Broker is taking the input tax credit in his GSTN Account, the details for the same would be provided by the Customs Broker at the time of invoicing/billing. This will be more relevant for cases such as DDU, DDP, Turnkey etc.**

The matter pertains to MbPA, however since the MbPA representative present during the meeting was unaware of the refund issue, the matter could not be pursued further. However the Principal Chief Commissioner directed the Trade to submit all points of MbPA and Customs jointly where MbPA plays a major role and informed that he would be calling for a meeting with the Chairman, MbPA before the next CCFC meeting by mid-February so that all the issues can be resolved. He also directed that a representation/letter be sent by the trade to the Chairman, MbPA on the above issues for redressal.

Agenda Point 7

Erratic Login problem with ICEGATE, submission of BE and SB not happening. Goods registration and query reply still not working. Amendments are delayed due to error 507. Status updation not happening. Multiple login needs to be re-instated. Multiple user

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login which was available in ICEGATE 1.5 version is disabled in new Version 2.0. This is great difficulty for Customs Brokers in filing more documents at a time. This is causing tremendous issues since considerable tasks which are carried out parallelly such as E-sanchit, status checking, IGM module etc have to be done from the same login. This is delaying the submission of Bills of Entries. Request kind intervention to mitigate the issues under ICEGATE Version 2.0 and till such time the above mentioned issues are resolved request for waiver of late submission charges which are being incurred due to erratic functioning of ICEGATE/EDI system, at the level of Dy. Commissioner of Customs.

Shir. R. K. Singh, ADC commented that the said matter has already been taken up by the Trade with DG Systems and the only point relating to Customs is whether the late submission charges can be waived off or not. The Principal Chief Commissioner stated that waiver of late submission charges will be considered in consultation with Board and DG Systems. The Principal Chief Commissioner also suggested a meeting with DG Systems or the ICEGATE Team in February after Budget for discussion and resolving all such system related matters at one go.

6. The Principal Chief Commissioner then requested that the issues faced by Trade for discussion during CCFC Meetings should be forwarded to the Principal Chief Commissioners Office at least a week before the impending CCFC meeting. He further intimated that in future the active participation of all PGAs would be ensured in the forthcoming CCFC meetings. Shri. Sorabh Engineer then raised a point regarding withdrawal of samples in cases of free Shipping Bills despite existence of Board's Circular and the Principal Chief Commissioner directed Commissioner (Export) to issued a Notification clarifying the same by the next week.

7. Commissioner (Import-I) informed the Trade present during the CCFC meeting that the Zone will be focusing on finalization of provisional Bills of Entry as SAADHIT Target and it is seen that the submission of requisite documents is long pending from trade in several cases of SVB, Project imports and provisional Bills of Entry. He further mentioned that the expeditious submission of these documents by Importers will aid in finalization of the Bills of Entry. Principal Chief Commissioner also reminded trade regarding Public Notice issued regarding the "Samvaad se Samadhan", which can be taken up for legacy pendency and informed that the intention is to finalize maximum number of Provisional Assessment Bills of Entry by March 2023. Trade assured that such lists of pending documents would be provided

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on priority basis.

8. The meeting with a vote of thanks by the Chair.

This issues with the approval of Principal Chief Commissioner, Mumbai Zone-I.

RAVINDRA KUMAR SINGH
ADDITIONAL COMMISSIONER

Copy to:

1. Under Secretary, (CUS IV), CBIC, North Block New Delhi
2. All Commissioners of Customs, Mumbai Zone I
3. All the Members of CCFC Meeting by email
4. BCBA, Mumbai by email
5. AC/EDI (with a request to upload the minutes on the Zonal website)
6. Office Copy

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