

	<p>प्रधान मुख्यआयुक्त सीमाशुल्क का कार्यालय, OFFICE OF THE PR. CHIEF COMMISSIONER OF CUSTOMS, मुंबईजोन -I, दूसरी मंज़िल, नवीन सीमाशुल्क भवन, बेलार्ड इस्टेट, MUMBAI ZONE-I, 2nd FLOOR, NEW CUSTOM HOUSE, BALLARD ESTATE, मुंबई/ MUMBAI- 400 001 Phone No. 022-22620091, Email: ccu-cusmum1@nic.in</p>
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13-02-2023

**MINUTES OF THE MONTHLY REVIEW MEETING HELD AT 12:45
PM ON 31.01.2023 BY THE CO-CONVENERS OF NATIONAL
ASSESSMENT CENTER - FAG-6 WITH THE MEMBERS OF THE NAC –
FAG-6 GROUP**

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1. The monthly review meeting of NAC FAG-Gr.-6 was started immediately after meeting with Sectoral Association i.e. ELCOMA in online mode at 12:45 PM on 31.01.2023 under the chairmanship of Shri Pramod Kumar Agrawal, Principal Chief Commissioner of Customs, Mumbai Zone-I and Smt. Jane K. Nathaniel, Chief Commissioner of Customs, Thiruvananthapuram Zone, as Co-convener of NAC FAG-Gr.6 with the Nodal Pr. Commissioner/ Commissioner of NAC-FAG-6.

2. The following members of NAC – FAG-6 have attended the meeting:

S. No.	Name (Shri/Mrs./Ms.)	Designation	Email
1	T.V. Ravi	Commissioner, Mundra	commr-cusmundra@nic.in talla.ravi@nic.in
2	K.S.V.V. Prasad	Commissioner, Chennai	ccchennaizone.tn@nic.in prasad.ksvv@gov.in
3	Shiril Saroj	Commissioner, ACC, Mumbai	import.acc@gov.in shiril.s@gov.in
4	R.K. Singh	Addl. Commissioner, PCCCO, Mumbai	rks.irs@gov.in
5	S. Kesava Narayana Reddy	Addl. Commissioner, Chennai	Sk.narayana@gov.in ccchennaizone.tn@nic.in
6	Mukesh Kumari	Addl. Commissioner, Mundra	mukesh.irs09@gov.in commr-cusmundra@nic.in
7	Piyush Katiyar	Jt. Commissioner, Kolkata Port	Prcommr-apkolcus@gov.in piyush.katiyar@gov.in
8	Ruchi Bisht	Jt. Commissioner, Tugalakabad	ccu-cusdel@nic.in ruche.bisht81@gov.in
9	Eishvaryesh Bhardwaj	Jt. Commissioner, PCCCO, Mumbai	ccu-cusmum1@nic.in

3. Shri P. K. Agrawal, Pr. Chief Commissioner of Customs, Mumbai Zone--I again welcomed the members of NAC(FAG-6) present in the web meeting.

4. Shri P. K. Agrawal, Pr. Chief Commissioner of Customs, Mumbai

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Zone-I inquired Mrs. Ruchi Bisht, Jt. Commissioner, INTKD6 about compliance on following decisions of last meeting-

- a. Clarification from BIS as to whether BIS approval is mandatory for import of parts of toys, toys in CKD and for toys sample. Mrs. Ruchi Bisht, Jt. Commissioner, INTKD6 informed the Chair that BIS in their clarification mentioned that the matter may be referred to Ministry of Electronics & IT (MeitY). Accordingly, they have written a letter to MeitY seeking their opinion on the matter. The reply from MeitY is awaited.
 - b. Identification of item where extreme variation in declared value has been noticed- Mrs. Ruchi Bisht, Jt. Commissioner, INTKD6 informed the Chair that they have identified one such item i.e. furniture where extreme variation in declared value has been found. They were conducting market enquiry in this aspect for detail reports to be shared with other FAGs of NAC6.
5. Shri P. K. Agrawal, Pr. Chief Commissioner of Customs, Mumbai Zone - I reiterated that each FAG should share good practices in respect of classification/valuation as this office has not received the same till date.
6. Shri P. K. Agrawal, Pr. Chief Commissioner of Customs, Mumbai Zone – I requested all FAG members to start discussion on the points raised by sectoral association ELCOMA , prior to the present meeting, one by one.
7. Shri T.V. Ravi, Commissioner, Mundra mentioned that a Metal Core Printed Circuit Board (MCPCB) is a type of PCB that has a metal material as its base for the heat spreader portion of the board. He further mentioned that as per the Chapter Note 8 of Chapter 85, it is evident that only those Printed Circuits that are formed on an insulating base, should fall under CTI 8534 0000. However, MCPCB has a metal material as its base. Therefore, the same is not covered under purview of definition of PCB under CTH 8534 as it is having metal base. PCB is used in all types of electronic equipment whereas MCPCB is mainly used in LED lighting industry. In LED lights, heat generation is very high due to the use of LED (Light Emitting Diode). For stable functioning of LED lights, this heat needs to be dissipated otherwise the LED light might stop functioning after some time due to high temperature in the LED casing. Hence, metal is used as base for PCB designed for LED lights and this metal helps in dissipating (conducting) the generated heat through it and help in stable and long-time functioning of LED light without fail.

As per HSN Explanatory Notes of Chapter 94, Chapter Heading 9405

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also covers parts of luminaries and lighting fittings, illuminated signs, illuminated name-plates and the like, not more specifically covered elsewhere.

The metal core of MCPCB of LED light helps in dissipating the generated heat during functioning of LED light. Therefore, it is considered as parts of LED light and same can be classified under CTH 9405 (Parts of LED lights).

All Nodal Pr. Commissioner/Commissioner of FAGs agreed with view of Shri T.V. Ravi, Commissioner, Mundra and informed the Chair that they are presently classifying MCPCB under CTH 9405 only. The Co-convenor Shri P. K. Agrawal, Pr. Chief Commissioner of Customs, Mumbai Zone-I informed all GAG Commissioners that there is an order of Hon'ble CESTAT on the issue in favour of the Association. He asked to ascertain the status of CESTAT order, i.e., whether the subject order is accepted by the department or an appeal against the same is contemplated and/or filed. He further asked all Commissioners of FAGs to share their view on the issue vis-à-vis Hon'ble CESTAT Order in writing so that further necessary action in the matter can be taken.

8. In respect to another point raised by the association (ELCOMA), i.e., import of LED 5050, the Chair directed the members to wait for the detailed submission on the part of ELCOMA in the matter and thereafter, a discussion will be conducted on the same.

In respect to the problems faced by the Association regarding faceless assessment, the chair highlighted that unwarranted queries and general examination orders are areas of great concerns and each nodal commissioner should closely monitor these areas in their respective commissionerates.

9. Shri R. K. Singh, Addl. Commissioner/PCCO, Mumbai Customs Zone-I presented a power point presentation related to data for the month of December, 2022 and January 2023 (up to 29.01.2023) with respect to no. of 1st, 2nd & 3rd queries and time taken for assessment of Bills of Entry by the Nodal Members of NAC-FAG- The Chair expressed his satisfaction over overall improvement in the performance of all FAGs except Delhi Air Cargo (INDEL4). He noticed that the performance of INDEL4 has been below par of national average in almost all areas for the period December 2022 to January 2023 (till 29.01.2023) and asked to bring the same to the notice of Chief Commissioner of Customs, INDEL4.

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11. With permission of the Chair, Shri K.S.V.V. Prasad, Commissioner of Customs-Chennai-II (Imports) raised following issues:

a) Classification of 'Wooden Stand for displaying black board' - Shri K.S.V.V. Prasad, Commissioner of Customs-Chennai-II (Imports) stated that there is classification dispute in respect of Wooden Stand for displaying black board as whether the same will be classified under CTH 9610 or under 9403. He read out the description of goods as mentioned under CTH 9610 and 9403 as below:

9610 – Slates and boards, with writing or drawing surfaces, whether or not framed

9403 – Other furniture and parts thereof

Shri S. Kesava Narayana Reddy, Addl. Commissioner, Chennai read out relevant HSN Explanatory Notes of the above mentioned CTHs. Shri K.S.V.V. Prasad, Commissioner of Customs-Chennai-II (Imports) opined that the impugned goods i.e. 'Wooden Stand for displaying black board' – basically a type of school furniture items should be classified under CTH 9403 and not under CTH 9610. Both the Co-conveners and all members of FAGs discussed the matter in the light of CTH descriptions and relevant HSN Explanatory Notes and all the members of NAC-FAG-6 were of the view that the impugned goods i.e. 'Wooden Stand for displaying black board' – a type of school furniture items may be classified under CTH 9403 and not under CTH 9610.

b) Insertion of an alert in RMS instruction for ineligible claim of Notification benefit under Project Import - Shri K.S.V.V. Prasad, Commissioner of Customs-Chennai-II (Imports) informed that as per the Project Import Regulations, the new projects registered after 30.09.2022 under Project Import attract BCD @ 7.5%. He further mentioned that as the date of registration of Project Import license seems to be not integrated in to ICES System, some of the B/Es in case of project registered post 30.09.2022 may get facilitated by RMS at lower rates of duty. He therefore, requested that a suitable alert in ICES System in this regard may be inserted. The Chair asked him to send a detailed letter on the matter and also to sensitize DGARM and NCTC for necessary action.

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

13. This issues with approval of the Co-conveners of NAC FAG-6.

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RAVINDRA KUMAR SINGH
ADDITIONAL COMMISSIONER

Copy to:

1. Under Secretary (Cus-IV), CBIC, New Delhi
2. All Nodal Pr. Commissioner/Commissioner of NAC FAG-6
3. EDI, NCH for uploading the minutes on website of Zone-I