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|  | <p>प्रधानआयुक्त सीमाशुल्क (सामान्य) कार्यालय<br/> <b>OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS (GENERAL)</b><br/> कार्मिक एवं स्थापना अनुभाग, नवीन सीमा शुल्क भवन, बलार्ड एस्टेट, मुंबई-<br/> 400001<br/> P&amp;E Section, New Custom House, Ballard Estate, Mumbai- 400 001<br/> (Tel: 022 - 2275 7738), Email id: <a href="mailto:p.estt-mum-cus-zone1@gov.in">p.estt-mum-cus-zone1@gov.in</a></p> | <br>आज़ादी का<br>अमृत महोत्सव |
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Date: 01.2024

### **Minutes of the JCM meeting held on 09.01.2024 at 16:00 Hrs**

The JCM meeting for the quarter ending December, 2023 was held on 09.01.2024 at 16:00 Hrs in the Conference Hall under the Chairmanship of **Shri Pramod Kumar Agrawal, Principal Chief Commissioner of Customs, Mumbai Zone-I**. The meeting was attended by the following officers/representatives:-

| <b>Sr. No.</b>                         | <b>Name of the Officers</b>    | <b>Designation</b>   |
|--|--------------------------------|--|
| 01                                     | Shri Sunil Jain                | Pr. Commissioner of Customs(G), Mumbai Zone-I                        |
| 02                                     | Shri Rajeev Magoo              | Commissioner of Customs, PCCO, Mumbai Zone-I                         |
| 03                                     | Dr. Kundan Yadav               | Additional Commissioner of Customs, P&E, Mumbai, Zone-I              |
| 04                                     | Shri Arvind Ghuge              | Additional Commissioner of Customs (PG), Mumbai Zone-I               |
| 05                                     | Shri S.C.Nanda                 | Deputy Commissioner of Customs, P&E, Mumbai Zone-I                   |
| 06                                     | Shri S Suresh Kumar            | Asstt. Commissioner of Customs, CHS, Mumbai Zone-I                   |
| 07                                     | Shri Ajit Nair                 | Asstt.. Commissioner of Customs, PCCCO, Mumbai Zone-I                |
| 08                                     | Shri Ratnesh Masih             | Superintendent of Customs, CHS(Admin), Mumbai, Zone-I                |
| 09                                     | Shri Atul Upadhyay (JS), Supdt | The Mumbai Customs Preventive Service Association                    |
| 10                                     | Shri Gyan Prakash, Appraiser   | The Mumbai Customs Appraising Officers' Association                  |
| 11                                     | Shri Hemant K Dalvi, Driver    | The Mumbai Customs Preventive Service Vehicles Drivers Association   |
| 12                                     | Shri Santosh S. Pednekar       | Mumbai Customs Group C Officers Union (Hawaldar Cadre)               |
| 13                                     | Shri R.M.Salve                 | Mumbai Customs Group C Officers Union (Hawaldar Cadre)               |
| 14                                     | Shri S.K. Salgaonkar           | Mumbai Customs Group C Officers Union (Hawaldar Cadre)               |
| 15                                     | Shri Uday S Kundar             | All India Central Government Canteen Employees & Workers Association |
| 16                                     | Shri Mahendra G. Surve         | All India Central Government Canteen Employees & Workers Association |
| Other attendees list as per Annexure-A |                                |  |

2. The Chair, welcomed all the Participants to the meeting and sought their wellbeing. The chair asked the status of action taken on the directions given in last JCM Agenda Points. The chair also appreciated the officers of P&E Section for their dedication and hard work. The meeting agenda points proposed by the participating associations of Mumbai Customs were placed before the chair for discussion. The chair expressed his satisfaction to find very few agenda points as compared to that of one year before. The chair was informed by the representative of all concerned association that maximum of their grievances/issues have been duly redressed. The chair thanked to all and permitted the current agenda point.

3. The following Points were discussed in the meeting:

### **1. AGENDA POINT SPONSORED BY MUMBAI CUSTOMS GROUP C OFFICERS UNION (HAVALDAR CADRE)**

#### **1.1 Issue of Bakkals and other Equipments to newly recruited Havaldars:**

##### **Discussion:**

- The chair was informed that partial order of Emblem Belt Pin, Ladies Batch Pin (Belt), Customs Emblem Chest Pins and Cap Badges was received. However, the order delivered was not up to the departmental standards and the same has been returned to the vendor.
- Further, CHS Section informed that 100 Emblem Belt Pin are expected to be delivered by tomorrow i.e., 10.01.2024 for distribution.
- Remaining accessories are under process for procurement and subsequent distribution.

**(DC/CHS)**

#### **1.2 In House training for newly recruited Havaldars:**

##### **Discussion:**

- The chair was iformed that newly recruit Havaldars have been provided the weapon training. However, their behaviour and response to their seniors is not observed disciplined. Therefore, the chair was suggested to provide further training on behaviour aspects to these newly recruited Havaldars.
- The chair instructed to study this issue and propose the remedy.

**(Group C Estt)**

## **2. AGENDA POINT SPONSORED BY MUMBAI CUSTOMS PREVENTIVE SERVICE VEHICLES DRIVERS ASSOCIATION**

### **2.1: Shortage of Drivers in Mumbai Customs Zone – I, II & III, request to recruit new staff car drivers.**

#### **Discussion:**

- The Chair was informed that there are 28 vacancies available for the post of Driver-III and the same has been forwarded to the Employment Exchange, New Delhi for publishing the advertisement.

**(Point Closed)**

### **2.2: DPC for promotion to the post of Staff Car Driver (Special Grade) as per the DOPT's guidelines vide O.M AB-14017/10/2014 –Estt.(RR)(3104937) dated 04.07.2014 issued especially for the Staff Car Driver cadre which mentions that 03 years of qualifying service is required for promotion to the post of Staff Car Driver (Special Grade) from Staff Car Driver(Grade-I)**

#### **Discussion:**

- The Chair was informed that the DPC for promotion to the grade of Staff Car Driver (Special Grade) both for the vacancy year 2023 and 2024 has already been conducted and eligible officers have been promoted.

**(Point Closed)**

### **2.3: Four(04) departmental Vehicles which are in the process of condemnation which is likely to be completed soon. It is requested that Four(04) new departmental Vehicles should be purchased.**

#### **Discussion:**

- The Chair was informed that the Pre-mature condemnation process of the Four(04) vehicles has been started and intimated to RTO with subsequent reminders, to conduct inspection of the said vehicles. However, till the condemnation

process is complete, acquisition of Four(04) new departmental vehicles in lieu of the present Four(04) vehicles earmarked for condemnation, cannot be initiated. Further, this office is going to purchase the SUV types of Vehicles.

- The Chair was also informed that the recruitment process of drivers has started.

**(Point Closed)**

**2.4: There are 30 hired vehicles in the department and due to shortage of petrol fund several problems are faced as such as non-functioning of vehicle. As a solution to this it is suggested that out of these 30 hired vehicles at least four(04) hired vehicles may always be kept STAND BY at all times for official uses**

**Discussion:**

- The Chair was informed that there are 24 hired operational vehicles, and the rest vehicles are hired as staff cars by Audit Commissionerate and CAAR. Two Vehicles are kept on standby from the hired vehicles, which are chosen randomly from time to time. However, it is not feasible to keep 4 vehicles on standby as most of the vehicles out of the above mentioned 24 are being utilized by different sections/commissionerates.
- The Chair was informed that this office is in the process of purchasing the SUV types of Vehicles and once it is completed will look into the above suggestion.

**(Point closed)**

**2.5: MACP of Sh. Jayendra Koli, Driver may be conducted at the earliest.**

**Discussion:**

- The Chair was informed that Departmental Screening Committee (DSC) for MACP in the cadre of Ministerial officers including Driver was held on 18.10.2023 and EOO No. 343/2023 was issued. Shri Jayendra Koli, Driver's name was deferred in the MACP which was held on 18.10.2023 and will be considered in the upcoming DSC in the month of January 2024 as the officer will be completing 30 years of service for 3<sup>RD</sup> MACP.

**(Point Closed)**

**3. Agenda point sponsored by All India Central Government Canteen Employees & Workers Association**

**3.1: MACP may be given on time as earliest as possible.**

**Discussion:**

- The Chair was informed that the DSC for MACP in the cadre of Ministerial officers including Canteen Staff was held on 18.10.2023 and EOO No. 343/2023 was issued. Next DSC will be conducted in the month of January 2024.

**(Point closed)**

**3.2: Two promotion post of Canteen Clerk may be filled urgently.**

**Discussion:**

- The Chair was informed that, the 02 post of Canteen clerk has been filled up by promotion for the vacancy year 2024.

**(Point closed)**

**3.3: Store Keeper Manager Promotion may be given as the earliest.**

**Discussion:**

- The Chair was informed that the post of Assistant –Manager-cum-storekeeper been filled up by promotion for the vacancy year 2024.

**(Point closed)**

**3.4: Status of the under processing recruitment of canteen attendant Discussion:**

- The Chair was informed that this office had advertised 03 vacancies for the Canteen Attendant. In response, this office receipt of 966 applications. The same are under process.

**(Point Closed)**

#### **4. Agenda point sponsored by Mumbai Customs Preventive Service Association**

##### **4.1: Opening/Tie up with a School for the children of the officers at Navi Mumbai:**

###### **Discussion:**

- The Chair was informed that a meeting with respect to the same was held on 21.12.2023 in the chairmanship of Pr. Commissioner. The Chairman directed to conduct a survey so as to know the actual requirement of seats at each standard so that agreement shall be signed accordingly.

**(CHS Section)**

##### **4.2: To expedite the process of providing laptops to group B Officers:**

###### **Discussion:**

- The Chair was informed that the Laptops will be procured by the Directorate of logistics, CBIC and will be distributed by nodal officer i.e DC/EDI, NCH. Accordingly, EDI Section has already requested Directorate of Logistics to intimate the status of procurement of laptops to Group B officers of Mumbai Customs Zone-I so as to enable this section to distribute the same. However, no reply in this respect has been received from Directorate of Logistics.
- The chair was further informed that requirement of Laptops was asked by the board and reply w.r.t the same was already forwarded to board. Once it provided distributed the same.
- The chair informed to the association that the laptops may be expected to be received before March, 2024 for distribution.

**(Point closed)**

##### **4.3: Transfer of preventive Officers for posting at Delhi Airport on deputation:**

###### **Discussion:**

- The Chair was informed that the working strength of Preventive Officers is 660(46%) against sanctioned strength of 1430, out of which 59 Preventive Officers have been promoted as

Superintendent in the month of December, 2023. As per guidelines issued on 15.06.2020 by the Principle Commissioner of Customs(Gen) regarding loan and deputation transfer:

*"To balance the needs of administrative efficiency and the interest of officers and staff, the Inter Zonal transfer in a particular cadre shall ordinarily be considered, if the working strength is not less than 65% (including officers on loan and deputation) of the sanctioned strength after such transfer."*

It is also stated that at present, most of the direct recruited preventive officers have not completed their probation period and hence they do not seem eligible for deputation posting.

**(Point Closed)**

**4.4:Restoration of Feeder Cadre Seniority of Shri Nirmal Kumar Meena promoted vide EOO No. 282/2022 date 20.12.2022.**

**Discussion:**

- The Chair was informed that the matter would be examined and put up for perusal and further directions.

**(P&E Preventive)**

**4.5:Arrears for the specific period i.e., from 01.04.2021 to 01.04.2023, under Non Functional upgradation to the Grade of Level-09(5400/-) granted vide Establishment Order No. 96/2023 dated 27.03.2023.**

**Discussion:**

- The Chair was informed that the NFU granted vide EOO No. 96 of 2023 dated 27.03.2023. it has been issued as per the stipulated guidelines mentioned under Board's letter issued vide F.NO. A.26017/98/2008-AD.IIA dated 21.11.2008,11.02.2009 and 16.09.2009.
- The Chair was further informed that the Pay bill section has processed the 4 bills on 13.11.2023 and sent to PAO for sanctioning the same. However, PAO has raised the objection and returned the bills on 05.12.2023 with remark" NFU is granted after 4 years of regular service, as per DOR OM dated 16.09.2009".As the matter in dispute, pay bill section has stopped drawl of arrears in respect of all remaining Officers who have been granted NFU as per Order No. 96/2023 dated

27.03.2023 after completion of four years of service from the deemed date of promotion of Supdt.

- The Chair directed to examine the matter and do needful.

**(P&E Preventive)**

## **5. Agenda point sponsored by Mumbai Customs Appraising Officers' Association**

### **5.1: Long pending representation regarding consideration of vacancies of Appraisers computed as a result of Audit of post based roaster and vacancy registers vide report dated 19.12.2017.**

#### **Discussion:**

- The Chair was informed by Association that the as per the DoPT O.M 36012/2/96-Estt. Dated 02.07.1997, the Post based roster were required to have been maintained from 02.07.1997. Therefore, the PBRs should be implemented from 02.07.1997 and not from 01.07.2002. The PBR has not yet been finalized even after 20 years. Further, Comments on Audit of post based roaster and vacancy register maintained by P&E Section is still pending.
- The Chair was informed by concerned section that the departmental Audit committee submitted a report to ADC/P&E vide letter No S/5-218/2015 P&E (Admin) (Part) dated 19.12.2017 alongwith 256 pages book wherein they have pointed out various discrepancies in the Post Based Roaster (PBR) of Appraising Officer.
- The main issue pointed out by the Audit committee is regarding the distribution of the sanctioned posts among the feeder cadres. This office strictly follows the Recruitment Rules of Appraiser 1988. The vacancies arising during the penal year are distributed among direct and promotee in the ratio of 1:1. The vacancies reserved for the promotee quota is further distributed among the feeder cadres i.e. Examiners, Preventive Officers and Office Superintendents in the ratio of 75:20:5 respectively. The Post Based Roster applied for the distribution of post among General, SC & ST. The instructions regarding distribution of vacancies among feeder cadres are contained only in the Recruitment Rules & Board's letter F.No. A-12018/8/87-Ad.II(A) dated 30.03.1998.
- Further, the DPC was informed that as per the minutes of DPC for the promotion of the Assistant Commissioner from the



feeder cadres i.e. Superintendent of Central Excise, Supdt. Of Customs (P), and Appraiser of Customs in the ration of 13:2:1, the Board has also followed the same procedure.

- The report submitted by the committee does not contain legal back up for the procedure suggested by the committee. Therefore, a letter dated 13.03.2018 was forwarded to the Addl. Commissioner of Customs, Committee for the Audit of PBRs and Vacancy Registers for calling for clarification to apply the procedure laid down by the committee. The reply dated 16.03.2018 in this regard has been received from one of the member of the Audit Committee and the same did not give any additional information. **Since the Audit Committee failed to submit any legal evidence to consider their suggestions, therefore, it was decided to conduct the DPC as per the existing procedure"**
- Further, Roster table in response of **"examine the audit report and furnish comments"** submitted that "this work is a herculean task and not feasible to verify by one officer (as this report was prepared by a committee of 09 members). For verifying this PBR report, a committee/STF should be formed of minimum 4 dedicated/suitable members of different cadre. In view of above, the proposal is being examined in light of the policy in the subject matter and further action will be taken after the outcome of the same.
- The Chair directed to examine the matter and form the committee for match the figures of PBR report.

**(P&E Appraising)**

## **5.2: Pending representations of Appraising officers to review the Seniority list as per catch-up rule.**

### **Discussion:**

- The Chair was informed that a letter dated 02.01.2024, was forwarded to CAT Cell seeking total cases filed in the subject matter in Tribunal/Higher Court and departmental stand in such cases. CAT Cell vide their reply letter dated 02.01.2024 submitted that total 03 cases were filed before CAT Chandigarh on the subject matter. Further, in respect of Departmental Stand, it was advised to seek the same from P&E Section. Accordingly, a letter dated 04.01.2024 was forwarded to P&E (Prev) NCH to seek departmental stand in such cases. The reply is still awaited and further action will be subject to the outcome of the reply received from P&E (Prev) side.
- The chair informed that since the matter is pending in CAT, no comments would be provided in this matter.

**(Point Closed)**

### **5.3: Mutual Zonal transfers:**

#### **Discussion:**

- The Chair was informed by association that they received grievances from its members regarding issues related to travelling. Various ailing members face genuine problems while travelling to the farthest zones from their homes, which in Mumbai is itself a herculean task. The association requests for the introduction of Mutual Zonal transfer amongst three zones, which would in no way hamper the working strengths of any of the Mumbai Customs Zones.
- The Chair was informed by concerned section that transfer and posting in the grade of Examiner and Appraiser is governed by standing order No. 09/2017 dated 25.04.2017 wherein there is no option available for mutual transfer on the basis of proximity of the residence and health issue.
- In view of the above, the chair disapproved the request for mutual transfer.

**(Point Closed)**

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

Yours faithfully,

**(Harish R. Rao)**

Deputy Commissioner of Customs  
P&E,NCH,Mumbai Zone-I

Copy to:-

1. The Under Secretary, Central Board of Indirect Taxes & Customs, New Delhi.
2. The Pr.Chief Commissioner of Customs, Mumbai Zone-I, II & III.
3. The Pr.Commissioner of Customs General/Import-I/Import-II/Export/Audit New Custom House, Mumbai-I.
4. The Addl. Commissioner of Customs, Preventive General, NCH, Mumbai-I.
5. The Dy.Commissioner of Customs, Preventive General, NCH, Mumbai – I.
6. TheDy.Commissioner of Customs, CHS, NCH, Mumbai – I
7. TheDy.Commissioner of Customs, EDI, NCH, Mumbai – I

I/1697087/2024

8. The Chief Account Officer, Preventive Pay Bill Section, New Custom House, Mumbai-I.
9. The Superintendent of Customs(P), Preventive P&E, NCH, Mumbai-I for necessary action.
10. The Superintendent of Customs(P), PSO, NCH, Mumbai-I.
11. The Superintendent of Customs(P), Vigilance Section, NCH, Mumbai-I.
12. The Appraising Officer, Appraising P&E, NCH, Mumbai – I.
13. The ACAO/AO, P&E Section for necessary action.
14. Group C Estt. office
15. All Association of Mumbai Customs, NCH, Mumbai-I.
  - a. The Mumbai Customs Preventive Service Association.
  - b. The Mumbai Customs Appraising Officer Association.
  - c. The Mumbai Customs Ministerial Officer's Association.
  - d. The Mumbai Customs Group 'C' Officers Union.
  - e. The Mumbai Customs Preventive Vehicle Drivers Association.
  - f. The Mumbai Customs Departmental Canteen Employees Association.
16. The EDI Section for uploading