



भारतसरकार

GOVERNMENT OF INDIA

सीमासुल्क आयुक्त (पत्तन) काकार्यालय

OFFICE OF THE COMMISSIONER OF CUSTOMS (PORT)

सीमासुल्कसदन, १५१/, स्ट्रैंडरोड, कोलकाता ७००००१ -

CUSTOM HOUSE, 15/1, STRAND ROAD, KOLKATA 700001

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Minutes of the Trade Facilitation Committee Meeting (TFC) held on 20.03.2019 at 1600 Hrs in the Board Room of Custom House, Kolkata

The Trade Facilitation Committee Meeting was held in the Board Room of Custom House, Kolkata on 20.03.2019. The meeting was presided over by the Commissioner of Customs (Port).

The Commissioner of Customs (Port) welcomed all the members.

Following issues were discussed in the meeting:

A. Agenda Points submitted by CCHAA:

1. De-stuffing of foreign containers.

The representative of CCHAA informed that with reference to P.N.49/2015 (para (i)) and S.O. No. 23/2012 of Kolkata Customs (Port), clarity is needed in respect of following cases-

(a) Where cargo has not been given out of charge and importer wants to de-stuff the container in the warehouse of CFS.

(b) Where out of charge has been obtained, yet the importer wants to de-stuff the cargo into the warehouse of CFS and release the foreign container to save container detention charges.

Response/Decision:

The Commissioner (Port) stated that as per CBIC's instructions issued from F. No. 450/95/2012-Cus IV dated 20.11.2012, the "Importers have the option to avail the facility u/s 49 of Customs Act, 1962. Further, Importer may exercise the option to de-stuff goods from foreign containers and keep the same in the CFS/ICD including in empty domestic containers therein under Customs supervision for subsequent clearance as per law".

The above instruction of the Board allows de-stuffing and storage of non duty paid containerized goods in the CFS including in empty domestic containers.

Further Section 49 is also applicable in cases of uncleared goods. There is no provision for warehousing of customs cleared cargo in CFS, as their status is only as Custodian and not as a warehouse.

2. Export of Iron ore from India.

The representative of CCHAA informed that with reference to export of Iron ore from India to China in bulk, duty is chargeable if Fe content is >58%. Hence, provisional assessment is done and cargo tested before finalization. They requested that if the need of issuing Bank Guarantee with the Provisional Duty (PD) bond may be waived. They also informed that some Custom Houses have already waived off the necessity to issue Bank Guarantee.

Response/Decision:

The Commissioner (Port) inquired the SCP, Export on this issue. The SCP, Export informed that Iron Ores having less than 58% Fe content attracts 0% Customs Duty whereas Iron Ores having Fe content of 58% or more attracts Customs duty @ 30% ad valorem. To safeguard the Government Revenue, Shipping Bills of Iron Ores are being assessed provisionally against PDTBs backed by Bank Guarantee of differential duty under Section 18 of Customs Act'1962.

Under such circumstances, waiving of Bank Guarantee will not be feasible. Customs duty has to be safeguarded through B.G.

B. Agenda Points submitted by NACFS:

1. IGST refund could not be made for the exports taken place from ICD Durgapur to Bangladesh by road. ICD Durgapur is regularly exporting various goods to Bangladesh by road but unfortunately the exporters could not get any refund till date for all of their exports made from ICD Durgapur. We have detail discussion on these points at various occasions by the exporter as well as with the Customs and we understand that Gate Module as it is available with Gateway Kolkata is not available at Petrapole. Thus an appropriate action has been taken through DG System but we await the outcome. Latest letter given by one of the exporters is attached herewith for your ready reference.
2. At Petrapole, no tolerance is being given for difference of weight for import coming from Bangladesh, moreover the difference if found 300 KGs more no duty benefit also given. These difference is plus minus 0.5% which is normally accepted everywhere.
3. Why holidays are being observed as per Bangladesh' holiday calendar for Import and export.

Response/Decision:

The Commissioner (Port) stated that all the points pertain to CCP. He advised the concerned representative of NACFS to take up the matter with the Commissioner

(CCP). However, in this regard a mail has been sent from EDI (Port) to Saksham Seva and DG (Systems) to resolve the issue urgently.

4. During the course of the meeting, the representative of NACFS informed that all CFSs except CWC and CONCOR have agreed to use UCC software for speedy tracking of uncleared and unclaimed cargo. He requested the chair to take necessary actions to make the use of UCC software mandatory by all CFSs.

The Commissioner (Port) stated that a PN/Advisory in this regard would be issued.

[Action: DC/AC, SDC]

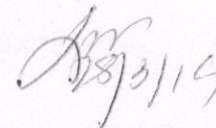
The meeting ended with the vote of thanks to the Chair.

This issues with the approval of the Commissioner of Customs (Port).

Annexure: Attendance list.

F. No. S60 (Misc)-07/2011 A (G) Pt-VI

Dated: 28.03.2019



(Amrendra Narayan)

Addl. Commissioner of Customs (Port)
Custom House, Kolkata

Copy to:-

1. Chief Commissioner of Customs, Kolkata.
2. Principal Commissioner of Customs (A&A)
3. Commissioner of Customs (Port)
4. Commissioner of Customs (Preventive)
5. All Additional Commissioners CCO/(A&A)/Port
6. All JCs (A&A)/Port/Preventive
7. ACs/DCs, Port/Airport/Preventive
8. D. C (EDI) – for uploading in the Kolkata Customs website
9. All participants.
10. Guard File.