



भारतसरकार

GOVERNMENT OF INDIA

सीमासुल्क आयुक्त (पत्तन) कार्यालय

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 13.02.2019 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 13.02.2019. 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. The representative of CCHAA informed that Pumping Guarantee is required to be executed by importers for getting discharge permission of imported goods, mainly bulk, from vessel to their nominated shore tanks pending assessment of Bill of Entry. The objective of this guarantee is to safeguard the applicable duties to be received by Customs within stipulated days but now as per PN No. 117/2018 dated 03/12/2018 by Kolkata Customs, importer has to pay the entire Customs duty based on IGM/BL quantity and then only discharge permission is allowed by the Customs. Hence in changed scenario, submission of Pumping Guarantee has lost its relevance and should be discontinued especially for AEO status holders.

**Response/Decision:**

The Commissioner of Customs (Port) asked the SCP, Oil Section to clarify on the matter. SCP, Oil Section informed that Section 45 of the Customs Act, 1962 stipulates various responsibilities and bindings of the Custodian regarding storage and handling of import/export/transshipment cargo. The pipelines through which bulk cargo is transported from Vessels to Shore Tanks lie outside the Customs area. As the cargo passes through outside of Customs area and final quantity and final duty liability is also ascertained only after final Ullage Report or Shore Out Turn Report, Pumping Guarantee is required. This is also in line with Section 33 of the Customs Act, 1962 and Board's Instruction F. No. 473/19/2009-LC, dated 9-5-2011.

The Commissioner (Port) stated that the document is an Undertaking and it doesn't appear to cause any inconvenience to the importer.

2. The representative of CCHAA informed that the PSU companies are making request (some have requested by communicating to the Commissioner of Customs (Port)), for accepting Customs overtime/supervision fees through on line mode i.e. NEFT as per CVC guidelines instead of paying through Demand draft/Pay-order.

**Response/Decision:**

The Commissioner (Port) asked the Chief Accounts Officer if the same can be implemented. The CAO informed that he will look into the matter and report back. The SCP, Oil Section informed the Commissioner (Port) that Chennai has started taking MOT fees online. However, there is no instruction from CBIC in this regard.

The Commissioner stated that the matter will be analyzed and within a short period relevant Public Notice will be issued. He also instructed to check with other Custom Houses.

[Action: Chief Accounts Officer]

**B. Agenda Points submitted by RPQS during the course of meeting:**

1. The representative of PQ (ER) informed that certain consignments are not getting referred to RPQS and those are being cleared by Customs without NOC from PQ.

**Response/Decision:**

The Commissioner (Port) stated that consignments requiring NOC from PGAs are communicated online through SWIFT. If they have any issues they should refer the matter to Nodal Officer, Single Window, New Delhi. The contact of Nodal Officer was given to representative of PQ (ER).

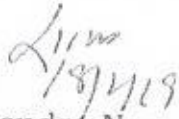
The meeting ended with the vote of thanks to the Chair.

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: 18.02.2019

  
(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.