



[ESTD. 1962]

# Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

FFFAA/REP/ 140 /2020

17.11.2020

Shri Sandeep Bhatnagar  
Member Custom  
Central Board of Indirect Taxes and Customs  
North Block,  
New Delhi 110 001

Respected Sir

## **Sub. : Points for Faceless Assessment**

In continuation to our letter no. FFFAI/LETTER/135/2020 dated 22.10.2020 and further to our discussion for improving the dwell time for clearance we herein give following points faced by trade and industry in Faceless Assessment along with suggestions.

### **1) Measures to increase advance noting of BE**

We are enclosing herewith detailed analysis as per attached annexure regarding difficulty and suggestion to enhance the advance noting.

#### **Suggestion:**

- a) To avoid the delay in clearances, it is suggested that Importers / CB should be allowed carry out the amendments prior to goods registration.
- b) Effective use of SCMTR should help to resolve the issues of amendment which do not impact the assessment.
- c) For part shipments, short shipment, it is suggested that;
  - Part cargo should be allowed to clear as per the examination instruction complied with and a gate pass for part cargo is issued.
  - The balance cargo on arrival the IGM be incorporated on the same Bill of Entry and the same exam process is done with final print out.
  - Refund if any arising out of such cases should be refunded back suo moto in time bound manner
  - For duty payment CBIC can create ledger of each importer, so that debit/credit can be done in routine manner, this will reduce time consuming procedure of refund. This will also help in case of part shipment and can be adjusted easily in next shipment. It is observed that due to delay in duty payment by importer the dwell time is increasing for clearance of cargo, this ledger will help to reduce the time gap.





## 2) First check examination

At present with introduction of Faceless, trade is facing considerable instances of first check examination being prescribed even for cases where it is not warranted. We appreciate the endeavour of CBIC by giving certain guidelines for giving first check examination in terms of CBIC Circular No 45/2020 Para 2.3.

Besides, consignments of scrap, importers seek first check for verifying the content, instances to check the physical condition of the goods etc, the other instances where first check is normally resorted to is FOC consignments, second hand consignments, temporary imports, PGA requirement etc.

There is a need to give clear cut guidelines to follow the above CBIC circular.

## 3) Difficulties faced in Faceless

- a) At present trade is still facing delay of 3-7 days for assessment of be at various location across the country.
- b) It is suggested that to ensure timely clearance and improve the dwell time, Bill of Entry which are pending for 48 hours after submission may kindly be assessed on priority and mechanism may kindly be created in the EDI system to control the delay.
- c) System should re-route such Bills of Entry to another FAG officer for priority assessment.
- d) There is an urgent need to depute Nodal Officer at each PAG/FAG locations, with email ID and cell number to address the difficulties faced by trade under Faceless. At present, various locations across the country have only Senior Officers as Nodal Officers, who are not approachable by trade for redressal. Some locations have also appointed Jr. Officers in TSK counter as Nodal officers. They are also not able to help the trade for delay.
- e) Unwanted queries, repeated queries, First Check orders examination order, etc., is delaying the clearances. Even after query reply it some takes 4-5 days for Bill of Entry to be completed.

**Suggestion:** There is need to check number of queries, avoidance of piecemeal query & time-wise requirement of completion of Bill of Entries immediate after query reply.

- f) Recalling / Reassessment of Bill of Entry is causing considerable delay since the files are marked up to Commissioner Level for permission.

**Suggestion:** Further for any in the examination order, the same may kindly be carried out by PAG at the level of Deputy Commissioner instead of the present situation where the files are sent up to Commissioner Level for reassessment.





[ESTD. 1962]

# Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

- g) Carrying out amendments in Bill of Entry is again very time consuming and files are sent to Commissioners level for approval at various locations. Routine amendments which require re-assessment due to part shipment short shipment, 100 % BG removal, rectification of wrong examination orders, etc., are still being marked upto Commissioner level at certain locations.

**Suggestion:** We request that normal amendments should be carried out at PAG with Deputy Commissioner. Rectification of wrong examination orders given by FAG Officer also needs to be carried out by PAG at the level of Deputy Commissioner instead of the present situation where the files are sent up to Commissioner level for reassessment.

- h) There are various Bills of Entry which are given target instructions that appear at the time of giving final OOC. We kindly request that target instructions if any, should be highlighted to importers / CB immediately upon submission of BE or at the time of assessment, instead of giving the target instructions at the time of final OOC.
- i) This is delaying the clearances since it takes atleast 4 – 5 days to overcome the target instructions. In the cases where the Bill of Entry are filed with CAROTAR benefit initially, but later on when the importer is paying the duty on merit, even in such cases system is asking for defacement of country of origin certificate and also generating alert at the time of final OOC.
- j) Unilateral enhancement of value , changing of classification, denying of exemption notification, without raising a query is being resorted to.  
We request that due process of law needs to be followed up in such cases.
- k) For sake of transparency ICEGATE Portal may kindly display the status of Bill of Entry filed at each PAG with following parameters:
- | Sr. No. | No. Of B/E filed | No. Of B/E assessed | Queries Raised | Pending for assessment |
|---------|------------------|---------------------|----------------|------------------------|
|---------|------------------|---------------------|----------------|------------------------|

#### 4) Issues for clearances under CAROTAR

While the endeavour for ensuring detailed scrutiny of consignment under CAROTAR is well understood, we request that there is urgent need to streamline certain processes.

- a) Availability of online uniform judicial bond / master bond will help considerably.
- b) Reducing the number of steps for acceptance of bond. At present, files are sent to Commissioner level for acceptance of bond. Further, there are multiple steps that one has to undergo to get the bonds accepted for consignments to be cleared on provisional basis under CAROTAR, which need to be reduced.
- c) When an importer is executing Bond and BG, the EDI system still gives the target instruction to shed AO which needs to be removed.





[ESTD. 1962]

# Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

We look forward for your kind support to trade and industry in addressing the above issues in order to improve the dwell time for clearance of import consignment after introduction of Faceless.

Thanking you,

Yours truly,

For Federation of Freight Forwarders' Associations in India

**Sd/-**

A.V.Vijayakumar

Chairman

