



Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

FFFAI/MINUTES/027/2021

06.02.2021

Minutes of 7th Executive Committee Meeting held on 05th December, 2020 on virtual platform

A) Members Present

S.No	Office Bearers	Representing Association	Attendance
1	Mr. A.V. Vijayakumar - Chairman	Chennai CHA Association	07/07
2	Mr. Shankar Shinde - Chariman - Elect	Nashik CHA Association	07/07
3	Mr. P.S.Atrey - Vice Chairman	Delhi Custom Brokers' Association	07/07
4	Mr. Rajesh Verma - Vice Chairman	Ludhiana CHA Association	05/07
5	Mr. Vinod Sharma - Vice Chairman	Pune CHA Association	07/07
6	Mr. Sudip Dey - Vice Chairman	Calcutta CHA Association	05/07
7	Mr. Alan Jose - Vice Chairman	Cochin CHA Association	07/07
8	Mr. Dushyant Mulani-Honorary Secretary	Brihanmumbai CB Association	07/07
9	Mr. Sudhir Agarwal - Honorary Treasurer	Nagpur CHA Association	06/07
10	Mr. S. Ramakrishna - Imm.Past Chairman	FFFAI	07/07
	Executive Committee Members	Representing Association	Attendance
11	Mr. Kartik A. Pancholi	Ahmedabad CHA Association	05/07
12	Mr. Sarfaraz Khan	Aurangabad CHA Association	07/07
13	Mrs. Philomena Pereira	Aurangabad CHA Association	04/07
14	Mr. B.N.Rajmoghon	Association of CHA -Thiruvananthapuram	07/07
15	Mr. Suresh Kumar	Association of CHA -Thiruvananthapuram	07/07
16	Mr. S. Nanda Prakash	Bangalore CHA Association Ltd	07/07
17	Mr. Karunakar Shetty	Brihanmumbai CB Association	06/07
18	Mr. Kiran Rambhia	Brihanmumbai CB Association	06/07
19	Mr. Paresh Thakkar	Brihanmumbai CB Association	04/07
20	Mr. Hiren Ruparel	Brihanmumbai CB Association	04/07
21	Mr. Subhash Chandra Ghosh	Calcutta CHA Association	04/07
22	Mr. Mannu Choudhary	Calcutta CHA Association	04/07
23	Mr. S.Nataraja	Chennai CHA Association	06/07
24	Mr. R.N. Sekar	Chennai CHA Association	05/07
25	Mr. R. Kumar	Chennai CHA Association	07/07
26	Mr. Dileep T. Abraham	Coimbatore CH & SA Association	05/07
27	Mr. G. A. Kalyanan Moorthy	Coimbatore CH & SA Association	03/07
28	Mr. Adil Khan	CHA Association Hyderabad	06/07
29	Mr. P.S.Rajkumar	CHA Association Hyderabad	04/07
30	Mr. Puneet Jain	Delhi CB Association	06/07





Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

[ESTD. 1962]

31	Mr. Bhim Singh Jain	Delhi CB Association	04/07
32	Mr. Vaneet Aggarwal	Delhi CB Association	05/07
33	Mr. Jogesh Sethi	Delhi CB Association	04/07
34	Mr. Amit Kumar Jain	Indore CHA Association	04/07
35	Mr. Ramesh Bansal	Kandla CB Association	06/07
36	Mr. Amit Khanna	Kanpur Customs Brokers Association	05/07
37	Mr. Philip C C	Mangalore CHA Association	05/07
38	Mr. Shareef M	Mangalore CHA Association	03/07
39	Mr. A. Prasad	Nagpur CHA Association	05/07
40	Mr. R. K. Mehrothra	Noida Custom Brokers Association	06/07
41	Mr. Vipin Vohra	Noida Custom Brokers Association	06/07
42	Mr. Pradeep Kale	Pune CHA Association	04/07
43	Mr. Rajdeepak Bharagava	Pune CHA Association	05/07
44	Mr. S. Sasikumar	Tuticorin Customs Broker's Assn	05/07
45	Mr. J.Pinto Villavarayar	Tuticorin Customs Broker's Assn	06/07
46	Mr. Shankar Prasad Verma	West Bengal CHA Society	04/07
	Nominee of Associate Members	Port	Attendance
47	Mr. C.S. Nagendra Prasad	Bangalore	07/07
48	Mr. Balu S Govindrajan	Chennai	04/07
49	Mr. M.A.Zahir Hussan	Chennai	04/07
50	Mr. R. Radhakrishnan	Chennai	05/07
51	Mr. T.V.Gopu	Chennai	04/07
52	Mr. Nirav C. Thakker	Mumbai	07/07
53	Mr. Ganpat P.Korade	Mumbai	06/07
54	Mr. Maruti R.Gadge	Mumbai	05/07
55	Mr. S.B.Salian	Mumbai	03/07
56	Mr. Palvinder Singh	New Delhi	05/07
57	Capt. Ashish Samarth	Pune	05/07
58	Mr. A.S.Ramasamy	Tuticorin	06/07
59	Mr. P.Jeyanth Thomas	Tuticorin	06/07
	Advisors	Representing Association	Attendance
60	Mr. Samir J Shah	FFFAI	06/07
	INVITEES		
61	Mr. Sanjeev Harale	Mumbai	
62	Mr. Dinesh Gupta - President	Mundra Asson	





Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

[ESTD. 1962]

B)	Member Not Present -Request for leave of absence received		
	Executive Committee Members	Representing Association	Attendance
1	Mr. Devang Joshi	Ahmedabad CHA Association	03/07
2	Mr. Devendra Thakker	Ahmedabad CHA Association	03/07
3	Mr. Amit Kamat	Goa CB Association	04/07
4	Mr. Dhiren Chhaya	Kandla CB Association	05/07
5	Mr. Kiran D. Nagare	Nashik CHA Association	06/07
6	Mr. Pankaj Lodaya	Pipavav Customs Broker's Assn	03/07
	Nominee of Associate Members	Port	Attendance
7	Mr. Girish N	Bangalore	04/07
8	Mr. Tej Mayur Contractor	Mumbai	05/07
9	Mr. C. Karthikeya Prabu	Tuticorin	05/07
C)	Member Not Present -Request for leave of absence Not received		
S.No	Executive Committee Members	Representing Association	Attendance
1	Mr. Mandava Satyanarayana - Vice Chairman	Kakinada Customs Broker's Assn	06/07
2	Mr. Belli Gowda	Bangalore CHA Association Ltd	03/07
3	Mr. K.N. Shivanna	Bangalore CHA Association Ltd	02/07
4	Mr. Vinayak Aparaj	Brihanmumbai CB Association	02/07
5	Mr. Vishal Dadha	Chennai CHA Association	05/07
6	Mr. S. Balaji	Chennai CHA Association	04/07
7	Mr. V. S. Pradeep	Cochin CHA Association	02/07
8	Mr. Suraj Muraleedharan	Cochin CHA Association	04/07
9	Mr. R. Rajesh Kumar	Coimbatore CH & SA Association	04/07
10	Mr. T. Abhimanyu	CHA Association Hyderabad	04/07
11	Mr. Harjit Singh	Delhi CB Association	05/07
12	Mr. J. A. D'souza	Goa CB Association	03/07
13	Mr. Anurag Vijayvargiya	Indore CHA Association	02/07
14	Mr. Sreeram Bhagawathi	Kakinada Customs Broker's Assn	03/07
15	Mr. Hemchandra B Yadav	Kandla CB Association	03/07
16	Mr. Sandip Mishra	Kanpur Customs Brokers Association	00/07
17	Mr. Narinder M. Prabhakar	Ludhiana CHA Association	00/07
18	Mr. Gurpreet Singh Bains	Ludhiana CHA Association	02/07
19	Mr. Manoj Kotak	Mundra CB Association	02/07
20	Mr. Pramod Soneta	Mundra CB Association	04/07
21	Mr. T.V. Sujan	Mundra CB Association	04/07

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Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

[ESTD. 1962]

22	Mr. Chirag Shah	Pipavav Customs Broker's Assn	02/07
23	Mr. Arun Sharma	Rajasthan CHA Association	00/07
24	Mr. Jagvir Singh	Rajasthan CHA Association	01/07
25	Mr. Sunil Sharma	Rajasthan CHA Association	01/07
26	Mr. R. Sreedhar	Tuticorin Customs Broker's Assn	03/07
27	Mr. K. V. Krishna Kumar	Visakhapatnam Association	01/07
28	Mr. G.Rajesh	Visakhapatnam Association	01/07
29	Mr. P. Babu Rao	Visakhapatnam Association	00/02
30	Mr. Sujit Chakraborty	West Bengal CHA Society	04/07
31	Mr. Swapan Chakraborty	West Bengal CHA Society	00/07
	Nominee of Associate Members	Port	Attendance
32	Mr. Chandrachi B.R.	Bangalore	04/07
33	Mr. Shashidhar V.Hebbar	Bangalore	04/07
34	Mr. R. Lakshimipathy	Chennai	03/07
35	Mr. V.R.R. Bhagawathi	Kakinada	02/07
36	Mr. Sohel Kazani	Mumbai	02/07
37	Mr. Omprakash Agrawal	Mumbai	02/07
38	Mr. J.Manikandan	Tuticorin	05/07
39	Mr. V.Arjun Sankar	Tuticorin	00/07
40	Mr. M.V.Vijay Raghavan	Tuticorin	00/07
41	Mr. L. Cecil Machado	Tuticorin	04/07

Agenda no.1: **Meeting call to order by Hon Secretary.**

Welcome Address by Chairman –FFFAI

Honorary Secretary – Mr. Dushyant Mulani welcomed the Executive Committee Members for the 7th online Executive Committee Meeting and stated that it was planned to have physical meeting but due to travel restrictions imposed by Government it could not be conducted. We hope that we will soon meet physical everyone.

He requested Chairman to address.

Mr. A. V. Vijayakumar extended warm welcome to the Executive Committee Members and Board of Advisor for 7th online Executive Committee Meeting and stated we are not able conduct the physical meeting due to travel restriction imposed by Government of Maharashtra.

Mr. A.V.Vijayakumar read out the Anti-Trust statement to the house. **(Annexure A)**





Agenda no.2: To note and grant leave of absence to all who have intimated

Mr. Dushyant Mulani informed that we have received leave of absence from Executive Committee Members and if the house approves leave of absence can be granted.

The house granted leave of absence to the members who had sought.

Agenda no.3: To confirm the minutes of the 6th Executive Committee Meeting held on 26th September, 2020 for the term 2019-2021. (Already sent by e-mail to members)

Mr. Dushyant Mulani stated that minutes of the 6th Executive Committee Meeting held online on 26th September, 2020 were circulated in advance. He inquired with the house, if there were any observation.

The minutes of the 6th Executive Committee Meeting held online was unanimously approved by the house.

Agenda no.4: To report and discuss action arising out of the minutes of 6th Executive Committee Meeting held on 26th September, 2020 (2019-21)

Mr. Dushyant Mulani read out the action arising out of the minutes of the 6th Executive Committee Meeting held on 26th September, 2020.

He read out the Action arising out of the minutes.

1. *Circular seeking suggestions on Faceless Assessment to be forwarded by FFFAI Secretariat with request to provide the detail in Google form*

Mr. Dushyant Mulani stated that it was heartening to note that for the first time members have responded very well to the feedback which was sought from them. The feedback received from members was converted into detailed representation which was submitted to the Board on 4th October, 2020 and 17th November, 2020. FFFAI had series of meeting with CBIC on Faceless Assessment.

2. *Circulation of important Judgement on Service Tax to respond to notices being received by members.*

Mr. Dushyant Mulani stated that Mr. S. Ramakrishna – Immediate Past Chairman is complete the same in consultant with Service Tax & GSTN department and will be circulate soon.

3. *Problem faced by the members at their location with regard to ICDs/ Seafreight are requested to forward the same to FFFAI*

Mr. Dushyant Mulani stated that we have received feedback from three locations namely, Ludhiana, Pune and Nagpur with regard to issues faced at their location. He requested members to forward the problem faced by them at their respective location as FFFAI is preparing detailed representation for submitting to the Board.





4. *Service Tax Department issuing Service Tax for F.Y. 2013-2014*

Mr. Dushyant Mulani stated that members have shared the notices received by them from Service Tax Department and we will look into the same.

5. *Circulation of CBDT circular on TDS deduction on non-reimbursable expenses to members*

Mr. Dushyant Mulani stated that FFAI has circulated the CBDT circular no. 715 dated 08.08.1995 along with the opinion that TDS should be deducted on agency and non-receipted charges and not on reimbursable, statutory charges.

6. *Tuticorin Customs CBLR Section is asking for Registered Partnership Deed, audited balance sheet in order to authenticate the KYC norms*

Mr. Dushyant Mulani stated that one of the Commissioner at Tuticorin has issued circular asking the members to submit lot of documents like Partnership Deed, Audit Balance Sheet, etc., the documents which are general since this communication understanding given by Tuticorin Association was without DIN number, it seems instructions sought by the Income Tax Department and not by Customs which has been reported by Tuticorin Association.

7. *Representation made by Cochin Association in PTFC meeting to curb the Exporter/ Importer from using intermediaries instead of licensed Customs Broker*

Mr. Dushyant Mulani stated that this points will be discussed in details in the CBLR points.

Mr. A. V. Vijayakumar stated that as per the information service tax department is not issuing any notices but are following up for the notices already issued.

Mr. Alan Jose stated that old show cause notices are pending and closing process is not done. He suggested all the pending service tax issues should be addressed.

Mr. A. V. Vijayakumar replied that it is cause judicial process but if there is undue delay than it can be taken up with the Board for speeding up the process.

Mr. Alan Jose stated that many members have received the show cause notices just before the completion of fifth year of the transaction. The show cause notices were issued but kept pending. He further stated that also there are adjudication which are kept pending for three years without hearing. He suggested taking up the issue with Board.

Agenda no.5: To consider and adopt the Secretarial Report for the year 2019-2020;

Mr. Dushyant Mulani stated that Annual Secretarial report for the year 2019-2020 was circulated to members in advance. He requested members observation on the Secretarial Report for the year 2019-2020.





[ESTD. 1962]

Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

The Annual Secretarial Report for the year 2019-2020 was unanimously accepted and appreciated by the house.

Agenda no.6: To consider and adopt the Income and Expenditure Account, Balance Sheet and Auditors Report for the year ended 31st March 2020;

Mr. Dushyant Mulani read out the agenda and appreciate the efforts put in by the Honorary Treasurer, Secretariat and Auditors M/s. B.M. Mehta & Co., for compiling as during the lockdown period it was tough but they have completed in time. He requested Mr. Sudhir Agarwal – Honorary Treasurer to brief the house.

Mr. Sudhir Agarwal stated financial of FFFAI were circulated to members in advance. He further stated that we tried our best to present the true and fair position of FFFAI accounts. There are one or two issues which needs to be resolved. There is an amount of Rs. 6,56,500/- shown as receivable from Pride Hotel Ltd. The amount has been paid excess to the Pride Hotel Ltd., as FFFAI had committed some rooms but were not utilized. We tried pursuing with the hotel to keep that amount as advance which can be utilize for our meetings but the hotel is not agreeing hence the issue was discussed with our auditors to write off the amount as it is not receivable. The said amount will be written off in the current financial year. He further said apart from that some payment have been missed on account of GST which will be done.

As there were no other observations as regards the Income & Expenditure Account, Balance Sheet for the year ended 31st March 2020, the house unanimously approved the Financial Statements for the year ended 31st March 2020.

Mr. Pradeep Kale congratulated Honorary Treasurer and Secretariat for competing the account in time in the current COVID -19 pandemic situation.

Agenda no.7: To report on activities done

Agenda no.7a: Reports already sent by e-mail – open for brief comments if any:

Mr. Dushyant Mulani informed that Faceless Assessment and CAROTAR, 2020 are the major structural changes which members have undergone into their day to day process for Customs Clearance and was heartening to convey that FFFAI had been fortunate to have Member (Customs), JS (Customs), and Chairman – CBIC for all India open house meeting with members. In fact Member (Customs) had addressed the members twice in the open house meeting which was conducted online

FFFAI is having interaction with CBIC on weekly basis to discuss about the Faceless Assessment and CAROTAR 2020. The representation made by FFFAI are forming center point of discussion because feedback given by FFFAI is from across the locations.

Mr. A. V. Vijayakumar stated that after introduction of Faceless Assessment members had lot of problems which are not yet settled down. FFFAI had three meeting with CBIC Officials and on weekly basis also we are interacting with CBIC. CBIC has been very receptive and trying to correct the issue, but as it is continuous process it will take some time since across India all locations are under Faceless Assessment now.

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Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

He further stated that Board has formed separate team to look into the Faceless Assessment activity only and hardship which is being faced now will be solved definitely and we will have world class custom clearance in the future. He requested members to provide their feedback to FFFAI Secretariat so that it could be addressed to the Board on regular basis.

He added that with regard to CAROTAR 2020 FFFAI conducted two webinars with DG NACIN – Chennai and New Delhi, JS (Customs) and other officials of CBIC. He stated that there is an improvement in CAROTAR 2020 as the RMS Facilitation has increase. He requested members to forward the issue faced with regard to CAROTAR 2020 to FFFAI Secretariat.

Mr. Kartik Pancholi stated that it is almost months we had informed Chairman – CBIC regarding the issues faced by the members in Faceless Assessment and one of the issue is examination in EOU and wanted to know what action has been taken by CBIC on examination for EOU.

Mr. A. V. Vijayakumar responded that one meeting was conducted with Member (Customs) and other officials of CBIC which was attended by 2-3 Office Bearers in which the issue was discussed at threadbare due to which separate team has been set up by the CBIC to look into the issues faced by the trade into Faceless Assessment.

Mr. Dushyant Mulani read out the meetings attended by FFFAI nominees on behalf of FFFAI.

Mr. Dushyant Mulani stated that FFFAI made representation to various authorities. Beside regular communication preparing representation is very intricate exercise activities which takes time but we are trying our best hence requesting your support to give the feedback whenever sought. He further stated that FFFAI has also made representation to CSLA regarding shortage of export containers at the gateway port especially in Northern India.

He said there are three major representations which FFFAI is preparing at present.

- a. Feedback on Draft Merchant Shipping Bill, 2020
- b. Feedback on new Foreign Trade Policy which will be announced in 2021-2026
- c. Feedback on pre-budget tax proposal for 2021-22.

He requested members to kindly give their feedback on the above on urgent basis.

Agenda no.8: **Open brief discussions on:**

Agenda no.8a: **Customs Matters/ CBLR**

Mr. Dushyant Mulani introduced Mr. Joshua Ebenzer and FFFAI is fortunate with present of Mr. Joshua Ebenzer who has really helped FFFAI in making representations. He has attended our conventions, meetings and FFFAI is honoured to have him amongst us. He is working on many project in his new professional avatar, he is practising advocate, consultant and working on lot of software development issues. He requested Mr. Joshua to present the house on Faceless Assessment and present situation in custom clearance along with few Judgements issued.





Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

Mr. Joshua Ebenzer briefed the members about the Faceless Assessment and present situation in Custom clearance along with important case laws and Judgements issued by Honourable High Court, Honourable Supreme Court, Tribunal and CESTAT.

Mr. Dushyant Mulani thanked Mr. Joshua for wonderful analysis of the case laws and judgments. Primarily we will circulate the judgments to our members which will help them;

- a. To deal with query replies of classification
- b. Denying Exemption notification
- c. Unilateral exemption notification
- d. Amendment under Section 149 related issues
- e. Voluntary duty payment related issues
- f. CBLR related issues

Mr A. V.Vijayakumar thanked Mr. Joshua for the detailed presentation which will help our members. He added that the role of Custom Brokers has changed after implementation of TFA.

Mr. Samir J. Shah requested members to read the Manufacturing and Operations in Bonded Warehouse. It has great potential for Customs Brokers to engage their clients in this activities.

Mr. Puneet Jain stated that FAG Officers do not accept the value in spite of giving all the evidence and simply say value needs to be loaded. As per Rule 12 (2) they need to give in writing to the importers for doubting the declared value but instead of carrying out the procedure are asking to take the personal hearing or speaking order from the department.

Mr. A. V. Vijayakumar responded that FFFAI has already taken up the issue stating that loading should be done with the consent of the importer and the second issue is that enhancement of value is resorted without raising the query and they do not issue speaking order.

Mr. Puneet Jain further stated that before loading Officers are not giving in writing to the importer for doubting the declared value. There is an judgment of Honourable Supreme Court in the case of Century Metal Recycling Pvt. Ltd., versus Union of India wherein the Rule 12 has been explained very clearly. The department is missing that step to give opportunity to importer to explain and are informing to take the speaking order or personal hearing.

Mr. A. V. Vijayakumar said while answering the query the Honourable Supreme Court Judgement has been accepted by few of the Officer but few of the Officers are not accepting hence FFFAI has addressed.

Mr. Dushyant Mulani endorsing the view stated that quoting this Judgements quite a bit time it has helped but there are officers who keep on raising the query as is being experienced under Faceless Assessment. He suggested that importer should write letter to concern Commissioner with copy to Chief Commissioner of PAG stating particular Bill of Entry has been filed but FAG Officer is not following the law and has raise the query which is not as per the law, also not accepting the Judgements of Honourable Court. If there is no response received within two days the matter should be addressed to CBIC & Member (Customs) Mr. Sandeep Bhatnagar directly.





[ESTD. 1962]

Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

Mr. S. Ramakrishna stated that most of us does not give contemporaneous imports on Bill of Entry. It is required to be careful while giving contemporaneous import that value which has been cleared at least be near to what has been imported. While uploading the document the nature of contract, if the payment is through LC then that also needs to upload as document which helps in less number of query in valuation.

Mr. Dushyant Mulani stated that FFFAI has been addressing with CBIC on Faceless Assessment for giving specific time limit to the Officers and if Officer is not able to assess the Bill of Entry within the time limit than such Bill of Entry should be facilitated under RMS or should go back with priority to the concerned PAG where the documents are filed. FFFAI has recommend this in each and every representation made on Faceless Assessment.

Mr. S. Ramakrishna stated that in the CAROTAR as soon as the documents are filed, the original Certificate of Origin should be defaced by the TSK though it is their responsibility to upload but from our end we should make sure that defaced Bill of Entry is uploaded then the chances of reviewing the Certificate of Origin becomes limited.

Mr. A. V. Vijayakumar requested members to give their feedback on Faceless Assessment and CAROTAR Rules 2020 though there are lot of improvement in the Faceless Assessment as well as CAROTAR. He further said few FTA comes under RMS now especially in Japan, Korea FTA Certificates are accepted and system selects for RMS facilitation.

Mr. Hiren Ruparel stated that query raised by the FAG should be answered within one hour and should create log book of the queries being raised and answered which should be represented to the Board stating that FAG are issuing so much numbers of queries.

The house informed that recently we are not able to view the query raised earlier and are able to view only the last query raised.

Mr. Dushyant Mulani suggested that it should be represented to the Board for the queries not being viewed and multiple queries which are blatantly raised across the locations. He thanked Mr. S. Ramakrishna for representing the issue and organising interactive meeting with Member (Customs) and Director (Customs).

Mr. Shankar Shinde stated that major issue faced in Faceless Assessment and regular course is amendment process which needs to be represented because even for amendments like note and show wherein containers number or LCL or FCL needs to be amended the manual note sheets are put to Commissioner level to recall the Bill of Entries for amendment. He further stated in the EDI System the process should be simplified.

Mr. A. V. Vijayakumar said the accuracy of data is important which is being informed by the Board every time to us. He added that we will address the issue of minor and major amendment to be carried out easily.

Mr. S. Ramakrishna added that it has already been addressed while discussing with Member (Customs) that we should be able to amend the four major things on our own prior to goods registration.

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Agenda no.8b: **GST/ Service Tax Matters.**

Mr. A. V. Vijayakumar stated that issue forwarded by the members will be taken up with the Board.

Mr. S. Ramakrishna stated the Delhi High Court Judgement is specific for Section 73 (1) in which if there are series of show cause notices issued year on year and if one decision has been accepted or nullified or it has been confirmed then the other show cause notices need not be taken. He further clarified that Section 73(1) states whether it is reimbursable expense or any other service tax matter where series of show cause notices are given under Section 73(1) which also relates to demand of service tax amount and if one show cause is adjudicated or in favour of assessee then rest of the show cause notices need not be taken.

Mr. A. V. Vijayakumar stated that as far as reimbursable charges are concern the circular no.119 was issued on pure agent concept in 2009 and based on that lot of cases settled for the reimbursable expenses as they met the criteria of pure agent concept but at few locations they adjudicated against the assessee and cases are with CESTAT.

He added that most of service tax cases are pending due freight margin which is not settled. He requested members to kindly provide number of cases pending for adjudication and wherever cases adjudicated prefer for appeal.

Mr. Vipin Vohra stated that as far as freight rate difference is concern there are lot of cases which can come in favour of the agents but still there is lot of pendency.

Mr. P. S. Rajkumar stated that they have received show cause notice from GST Department informing to provide the billing invoices, for scrutiny to check if there is any deficiency in payment of service tax. The show cause notice are pertaining to 2016-2017 and 2017-2018 also. All the documents required by the department were provided and audit department had conducted the audit. There was some difference in duty payment which has been paid and certificate has been issued by the audit department stating that case is close but from the range still letters are being received to submit the same details. He queried whether there is any stand by which it could be informed that audit departments has already issued the certificate and the case is close hence will not provide any details again.

Mr. S. Ramakrishna stated that it is the service tax cases but after 1st July, 2017 GST has taken over. The earlier demand of service tax or the audit of service tax which was pending has been settled now hence they have issued you the certificate in writing. He suggested writing letter to the department informing that audit has been completed for the service tax period by enclosing the certificate provided by the department.

Mr. Kartik Pancholi stated range had issued letter to provide documents for 2013-2014 which was provided upon receipt of the letter but after five years again received similar kind of letter from preventive department. The documents were submitted again to preventive department and were informed to approach range office to get the letter, range office refused to issue any such kind of letter or certificate. He further stated that in the show cause notices nothing has been alleged except difference in 26AS. He requested that FFFAI to take up the issue with the Board.





[ESTD. 1962]

Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

Mr. Pradeep Kale stated that at Pune lot of members have received the demand letters. He continued saying that in Service Tax there are guidelines (reimbursable expenses) hence were able to clear the cases but whether there are any guidelines in GST regime for audit.

Mr. A. V. Vijayakumar replied that GST audit has not been started yet. He informed the house that if your turnover is more than 100 crore in 2018-2019, 2019-2020 then you have go for e-invoices from January 2021 onwards. He further added that all the Custom Brokers comes under E invoicing.

Mr. S. Ramakrishna stated to keep two aspect separately,

- a. Service tax whatever was there it is settled if not settled it should be left as it is for further action instead of clubbing with GST.
- b. As far as GST is concern GSTR 2A and GSTR 3B should be reconciled every month or six months as the case may be and keep in records there is will be no issues.
- c. In case within the six months either assessee or the supplier have not paid the service tax to the Government, diligently the credit of GST should be returned back with the interest.
- d. Effective 01st April, 2021 hopefully the original plan of GSTR 1A, 2A ,2B, 3A and 3B the auto reconciliation mode will be implemented then there will be least of problem faced.

Agenda no.8c: **Port related Issues.**

Agenda no.8d: **Sea Freight related issues.**

Mr. Dushyant Mulani stated that agenda no.8c and 8d will be discussed together.

Mr. A V. Vijayakumar informed the house that Draft Merchant Shipping Bill 2020 has been circulated. FFFAI has to submit the feedback latest by 24th December, 2020 hence meeting with Office Bearers and Seafreight Committee will be organised to discuss and make appropriate representation. He further stated that the issue was discussed with Special Secretary (Logistics) also and meeting was conveyed by Special Secretary (Logistics) in which fourteen logistics association participated. The Draft Merchant Shipping Bill 2020 is not only for Seafreight or Airfreight but also for domestic transport, warehousing etc., hence comments have been sought from all the logistics service provider. He requested members to kindly study and give the feedback on the same.

Mr. Paresh Thakkar informed circular has been forwarded to all members to provide the difficulties faced by them but response from the member is awaited.

Mr A. V.Vijayakumar stated that we have received feedback from one or two location, but there is huge demand for export containers, huge demand for space and the freight has increased multifold which is being discussed across the world in the present scenario. He further stated that we have to face this as there is mismatch of import and export. As export has increased about 25-30% for the last three-four months compare to imports which is reduced by 20-22%. Hence there is imbalance of containers, the shipping lines used to reposition the containers from the Indian ports but now they have started repositioning from other countries to India due to which freight has increased multifold, though the charges are paid by the shipper but upfront some Custom Brokers/ Freight Forwarders are investing.





Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

[ESTD. 1962]

Mr. Shankar Shinde stated that we have letter from Ludhiana Association regarding agitation of farmer which is being discussed with CSLA for seeking their support towards the charges being levied on the members for non-returning of containers on time.

He further stated that during the meeting with Port Terminals at Nhava Sheva where the SEZ Containers are being moved to CFS for movement should be directly available from the port terminal as the process for completing the same at Nhava Sheva is taking high dwell time. The issue has been addressed to JN Customs and Port Terminals suggesting them to create the port code. Also the issue of TR Copies was taken up in the PTFC meeting which is also recorded in the minutes.

Mr. Vipin Vohra stated that exchange rate which is being charged by shipping lines on pre-paid business are being quoted in dollars but when the payment is being made to shipping lines they are charges current exchange rate per dollar. He suggested that it should be informed to the Ministry for fixing cap to charge conversion of exchange rate.

He further stated that when seafreight import containers are transferred into the premises of the shipping lines most of the shipping lines are asking for the pay order as security. After returning the containers in three-five days shipping lines takes three months to refund the amount. It should be informed that once the containers are returned the amount collected should be refunded within three to five days.

He added that every shipping lines have started charging other accessory changes on bill of lading under various head apart from freight hence it should be informed that along with freight they can charge only for the one head.

He suggested it should be represented to the Ministry of Shipping to regularize the charges being charged by the shipping lines.

Mr. A. V. Vijayakumar responded that we have already given the representation to Special Secretary (Logistics) and DG Shipping for the charges being charged by the shipping lines.

Agenda no.8e: **Airport and Airfreight related Issues.**

Mr. A. V. Vijayakumar informed that Chennai Association has informed that there is no forklift and handling work force is also not available for which Chennai Association is making representation.

Mr. Dushyant Mulani stated that on behalf of FFAI Mr. Vipin Vohra has represented very well to AERA stating that before bringing out any paper for stakeholder consultation for increase in charges it should be directly linked to;

- a. Infrastructure level at each location whether the custodian has improved or not
- b. Equipment and manpower
- c. Service standards





He suggested representing once again to AERA that they should not come out with increase in cost till the time issues of infrastructure, manpower, service standard are improved at each location.

Mr. Vipin Vohra responded that after taking up the issue with AERA, AERA came up with the consultation paper which contained two hundred pages in which most of issues are related to passenger and very little is mentioned about cargo related issue but every year they come out with increase in rate. He further stated that we tried convince them that there are cargo issues also but unfortunately the terminal operators have got so much hold on AERA that even when the rates are objected they are not recorded in the minutes of the AERA and it is simply mentioned that it was accepted by the trade.

Mr. A. V. Vijayakumar stated that AERA is functioning in this manner only but if we look at the TAMP, if there is any increase in charges it is circulated well in advance to the stakeholders and is discussed on threadbare and on the merit only the charges are increased.

He suggested that whenever we get intimation of revision in tariff it should be represented to AERA and Ministry of Civil Aviation not to club passenger and air cargo. There should be separate stakeholders meeting for passenger related matter and cargo related matter.

Mr Alan Jose stated that in the past we had experienced that minutes of the SCOPE meeting were manipulated by Cochin Port and DP World to their tune. FFFAI had sent representation to that effect and minutes of meeting were modified. In the similar way we have to make strong representation to AERA stating that points discussed are minuted or not corrected recorded in the minutes of the meeting hence it is required to modify the minutes of meeting.

Mr. Vinod Sharma stated that in 2016 AERA had issued order no.10/2016 dated 10.08.2016 in which they had instructed GMAX i.e. Kale Logistics & MIAL to comes up with the solution for Rs. 285/- but GMAX has not come with the solution nor the new rates for last four to five years. He further stated that now GMAX is collecting the charges on House Airway Bill compare to previous year they were collecting on Master Airway Bill. He suggested to take up the issue strongly with respective authority.

Agenda no.8f: **ICD related issues**

Mr. Vinod Sharma informed that we have received point from Delhi stating that Tughlakabad will be increasing the land using charges by CONCOR from 13th December, 2020. They will charge Rs. 5000/- for 20 ft and Rs.10000/- for 40 ft. container. He suggested taking up the issue with CONCOR or respective concerned authority. He further stated that all ICD locations across India TP are submitted on the basis of truck summary from the ICD. The bonded truck leaves the particular ICD go to the gateway ports, gateways ports again feed the data in the system but there are lot of errors, human intervention, and lot of time. If the data is wrongly fed then the shipper, trade do not get drawback, EGM does not get close. In case if the gateway EGM port is closed earlier and ICD EGM is not close then EGM will never get sorted. He suggested that there should some mechanism created in the system whereby when the data is entered by the ICD location it should automatically go to the gateway port.



Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

Mr S. Ramakrishna stated that as the goods arrival process is at the airport hence it is required to feed the data again. FFFAI has given the feedback and based on the feedback given DG System is creating a module by which ICD data will get synchronized with airport, hence no fresh data will be required to be fed into the system of airport.

Mr. Samir J. Shah requested to read the SCMTR again as SCMTR gives different liabilities to different organisation so that recipient has to do it himself. He further stated that drawback has to be given once the goods leaves the custom station and has nothing to do with EGM.

Agenda no.8g: **Association Matters.**

Mr. Dushyant Mulani informed that Mr. Shankar Shinde – Chairman – Elect has been elected as Managing Director of International Federation of Custom Brokers Association (IFCBA) which is proud movement for FFFAI. He further stated that Mr. Shankar Shinde is the second person to get elected as Managing Director after Mr. Shantanu Bhadkamkar. He congratulated Mr. Shankar Shinde on behalf of FFFAI team and requested house to applause for him.

Mr. Shankar Shinde expressed his thanks and stated that it is honour for FFFAI and it is the continuous process. FFFAI should look forward for nomination to such International Institute which benefits our organisation.

Mr. Dushyant Mulani informed that we have received communication from Pune Custom House Agents Association stating that Pune Association had their AGM on 30/10/2020 and new Committee has taken charge. He read out the names of the newly elected Officer Bearers of Pune Custom House Agents Association

Sr. No	Name	Designation
01	Mr. Pradeep Kale	President
02	Mr. Bhagwan Singh	Vice President
03	Mr. S.P.Kulkarni	Secretary
04	Mr. Somnath Joshi	Joint Secretary
05	Sunil Shore	Treasurer
06	Mr. Rajdeepak Bhargava	Committee Member
07	Mr. Sanjay Hemgude	Committee Member
08	Mr. Murli Nagrani	Committee Member

He on behalf of entire Executive Committee Members congratulated all the newly elected Office Bearers and Executive Committee Members of PCHAA and requested them to participate in the activities of FFFAI.

Mr. Dushyant Mulani further informed that Mr. Vipin Vohra has been elected in the Managing Committee main body of PHD Chamber and also been appointed as Co-Chairman of Ministry of Civil Aviation Committee of PHD Chamber. He congratulated Mr Vipin Vohra for the same.





Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

[ESTD. 1962]

Agenda no.9: **To discuss Indian Institute of Freight Forwarders matters: (IIFF)**

Mr. Nirav Thakker stated for the last two months online sessions are going very smooth. The notes were also forwarded to the students. There are six students doing our course who are based out of India.

Agenda no.10: **To approve applications received from Associate and Allied membership of FFFAI**

Mr. Dushyant Mulani informed members that FFFAI had received 12 new applications for Associate membership 11 new applications for Allied membership. He said that the applications were in order and requested the approval of the house for their admittance to the membership of FFFAI.

The house unanimously approved all the applications received for the membership of FFFAI. **(Annexure B)**

Mr. Kartik Pancholi stated that lot of members are approaching Ahmedabad Association stating they would like to become the Allied member of FFFAI and FFFAI is insisting that application should be endorsed by the Ahmedabad Association but Ahmedabad Association has passed resolution that Ahmedabad Association will give endorsement who are member of the Association and not to the non-member of the Association.

Mr. A. V. Vijayakumar replied that it was decided by FFFAI that apart of Custom Brokers we will enroll the MTO, IATA, CFS Operators, Console Agent as Allied member and the application will be routed through the location Association in whose jurisdiction they carry out the business. If we want to amend that clause then it has to be put before the house for approval.

Agenda no.11: **To announce date and venue of next EC Meeting**

Mr. Dushyant Mulani said we are trying for personal meeting as by that time the vaccine should have been distributed.

Mr. A V. Vijayakumar informed that hotel booking has been extended upto March, 2021 and hoped that if the situation improves we will plan next meeting physically.

Agenda no.12: **Any other matter with the permission of the Chair**

Mr. A. V. Vijayakumar informed that we have received message from Mr. Kartik Pancholi enclosing the list of priority vaccine distribution. FFFAI has made representation to Ministry of Social Justice and Empowerment to include the Custom Brokers and their employees in the list of priority vaccine to be distributed and will try that Custom Brokers and Staff get the vaccine in the first batch itself.

Mr. Kartik Pancholi appreciated the immediate action of FFFAI.

Mr. Sudhir Agarwal stated that FFFAI is sending the list of defaulter members to each location with request to kindly support FFFAI in collecting the membership fees. He requested President of Member Association especially major association to support in collecting the dues.





[ESTD. 1962]

Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

Vote of Thanks

Mr. Dushyant Mulani thanked Executive Committee Members to attend the online meeting. He informed that we have good attendance for the 7th Executive Committee Meeting. Chairman has been inspiration for all of us. He further added Faceless Assessment will increase the opportunities to interact, collaborate more among FFFAI 28 locations across the country. This is the time to join hands together. Future is bright, let not be in state of despair as Chairman had cleared mentioned in his Foundation Day message that we will have great future ahead, spending has increasing, manufacturing is increasing hence let us all have faith, be positive and stay safe.

For Federation of Freight Forwarders' Associations in India

Sd/-

Dushyant Mulani

Honorary Secretary

To: All Executive Committee Members of FFFAI

To: All Member Associations of FFFAI

To: All Board of Advisors of FFFAI

To: All Nominees of Associate and Allied Members





[ESTD. 1962]

Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

Annexure – A

Antitrust Statement

“It is my duty to make you aware of your responsibilities in connection with competition/anti-trust Law.

In particular, I would like to remind you that no market agreements have been or will be decided at Managing Committee Meetings of FFFAI whether they involve prices, amounts or areas.

I would also like to make you aware that such behavior also outside of meetings is prohibited otherwise you could cause immense damage to your Federation and/or Company.

Should it be apparent that at a meeting, there is an attempt to make or discuss an open or hidden agreement regarding price, amount or area, I am obligated to intervene and if necessary to break off the meeting.

Should doubt exist whether an activity of FFFAI, to be discussed or decided upon, is admissible according to anti-trust law, I shall have the responsibility to terminate discussion as the Chairman of the Federation.”





Federation of Freight Forwarders' Associations in India

National Apex Body of CUSTOMS BROKERS' ASSOCIATIONS IN INDIA

[ESTD. 1962]

LIST OF NEW ASSOCIATE MEMBERS - 7th E.C. Meeting

Sr No	Name of Members	Applied From	Enclosure	Attested by
1	Milak Warehouse	Kandla	CB License	KCBA
2	Parveen Kumar	New Delhi	CB License	DCBA
3	Active Freight Logistics Pvt.Ltd	Bangalore	CB License	BCHAAL
4	AGX Logistics India Pvt.Ltd	Chennai	CB License	CCHAA
5	Oecl Shipping And Logistics Pvt.Ltd	Chennai	CB License	CCHAA
6	Intercont Multimodal Pvt.Ltd	Mumbai	CB License	BCBA
7	Rudra International	Mumbai	CB License	BCBA
8	Srnk Logistics Pvt.Ltd	Mumbai	CB License	BCBA
9	Star India Container Line Pvt.Ltd	Mumbai	CB License	BCBA
10	Pavithra Impex	Mumbai	CB License	BCBA
11	Yashomangalam Enterprise	Mumbai	CB License	BCBA
12	Grand Slam Express Pvt.Ltd	Mumbai	CB License	BCBA

LIST OF NEW ALLIED MEMBERS - 7th E.C. Meeting

Sr No	Name of Members	Applied From	Enclosure	Attested by
1	Traydo Logistics Pvt.Ltd	Mumbai	MTO Certificate	BCBA
2	Cargo Markating International Pvt.Ltd	Mumbai	MTO Certificate	BCBA
3	Azimar Shipping & LogisticsLLP	Mumbai	MTO Certificate	BCBA
4	Globizz Synergy Pvt.Ltd	Mumbai	MTO Certificate	BCBA
5	GreenTurn Global Logistics Pvt.Ltd	New Delhi	Consol Agent	DCBA
6	Allanca Logistics Pvt.Ltd	New Delhi	MTO Certificate	DCBA
7	Infinity Air & Sea Logistics Pvt.Ltd	New Delhi	MTO Certificate	DCBA
8	EPS Logistics Pvt.Ltd	New Delhi	MTO Certificate	DCBA
9	Freight - Riders Logistics India Pvt.Ltd	Chennai	Consol Agent	CCHAA
10	Lotus Integrated Logistics Pvt.Ltd	Chennai	MTO Certificate	CCHAA
11	Krishko Logistics India Pvt.Ltd	Chennai	MTO Certificate	CCHAA

