OFFICE OF THE CHIEF COMMISSIONER OF CUSTOMS
AHMEDABAD CUSTOMS ZONE
CONVENOR, NAC 4/4A METAL PRODUCTS
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MINUTES OF THE MEETING OF NAC 4/4A (METAL PRODUCTS) - PERIODIC CONSULTATION WITH SECTORAL ASSOCIATIONS CONVENED BY THE CONVENOR OF GROUP 4/4A METAL PRODUCTS / CHIEF COMMISSIONER OF CUSTOMS, AHMEDABAD ZONE HELD ON 31 OCTOBER 2025 AT 15:30 HOURS.

A meeting with Sectoral Associations was held virtually on 31 October 2025 at 15:30 hours under the Chairmanship of Shri Pranesh Pathak, Convenor of NAC 4/4A (Metal Products) and Chief Commissioner of Customs, Ahmedabad Zone, to deliberate on key challenges in customs processes, particularly those arising from faceless assessment, classification complexities, and valuation-related disputes.

2. The following officers and trade representatives attended the virtual meeting. The list has been prepared based on the available records, and any inadvertent omission is unintentional. The Department acknowledges the presence and appreciates the participation of all members/attendees.

Sr. No.	Name (Shri/Ms.)	Designation/Organisation
1	Shri Nitin Saini	Commissioner of Customs, Mundra & Kandla
2	Shri Atul Saxena	Commissioner of Customs, Kolkata
3	Shri Anuj Singh	Commissioner of Customs, Noida
4	Shri Abhinav Yadav	Add.Commissioner, Bhubneshwar
5	Shri Hira Lal	Joint Commissioner, Customs, Ludhiana.
6	Shri Girish Narayan	Gr-4 Mumbai-I
7	Shri Sriram Venkatesh	Assistant Commissioner, Customs, Chennai-II(Import).
8	Shri Mevati Idris	Superintendent, Customs, Ahmedabad
9	Shri Sudip Kumar Dey	Secretary FFFAI
10	Shri Hiren Devendra Ruparel	BCBA
11	Shri Sunny Kocher	Member, FFFAI
12	Shri Bharat Malik	Member, FFFAI

3. At the outset, the Chairman of the Committee extended a warm welcome to all representatives and other stakeholders attending the meeting. He also conveyed festive season greetings. The Chairman then pointed out that there were a total of six agenda points received from the Federation of Freight Forwarder's Association in India (FFFAI), which were to be discussed sequentially during the meeting.

3.1 Agenda Point No 1: The FFFAI highlighted that the Standard Examination order should not be overridden. When examination order is not prescribed by RMS; examination orders are often prescribed by the Officer; in support of his contention, also shared the screen shots of the messages referencing 3 Bills of Entry.

3.1.1 The Chairman apprised that the overriding/overwriting of RMS generated Examination orders is not allowed and it is not done by the FAG officers. Nevertheless, in exceptional and duly justified circumstances, FAG officers may issue supplementary Examination Orders to complement the RMS-generated directives. The Chairman further drew the attention of the members to the Board's Guidelines No. 16/2022-Cus dated 29.08.2022, which unequivocally stipulate that any deviation from the RMS-generated Examination Orders necessitates the prior approval of the concerned Joint or Additional Commissioner. He additionally underscored that DG Systems, through Advisory No. 36/2025 dated 25.06.2025, has reiterated this position, clarifying that while overwriting or overriding such orders is impermissible, the issuance of additional Examination Orders by FAG officers may be resorted to only in exceptional and well-founded cases.

3.1.2 Further, the Chairman requested the concerned Nodal Principal Commissioners/Commissioners to furnish their response regarding the three specific Bills of Entry highlighted by FFFAI.

3.1.3 Shri Anuj Singh, Commissioner, Noida Customs, informed that out of the three Bills of Entry, two had been assessed by the FAG group of their Commissionerate, pertaining to the import of scrap. He further clarified that to ascertain whether the imported scrap was in shredded or unshredded form, an additional Examination Order was issued by the respective FAG group, as such verification could only be carried out through physical examination of the import consignment.

3.1.4 Shri Sriram Venkatesh, Assistant Commissioner, Chennai Customs, clarified that, in respect of the Bill of Entry about which FSSAI had raised a concern, the RMS-generated Examination Order had not been overridden by the officers. However, an additional Examination Order was issued by the FAG officer for the said Bill of Entry under the field label 'Targeted Intervention.' He explained that the consignment comprised metal scrap, and that the additional Examination Order was issued in compliance with the RMS directives, which required verification of the correct classification to determine whether the goods were scrap or tubes and pipes, an assessment possible only through physical examination of the imported consignment.

3.1.5 Shri Sudip Kumar Dey, Secretary, FFFAI, stated that the three Bills of Entry in question did not prescribe examination initially, as these were RMS facilitated. He further added that during the inaugural meeting of the NAC Metals, it was decided that for entries facilitated under RMS, including those related to scrap, physical examination would not be conducted. As the matter was not deliberated upon during his Chairmanship, the Chairman remarked that the previous decision would be verified from the relevant records and taken up for discussion at the next meeting after due examination.

3.1.6. The Chairman also advised the officers that the instructions and guidelines issued by the Board must be scrupulously and uniformly implemented in all cases involving any deviation from the RMS-generated Examination Order, to ensure procedural integrity and uniformity in implementation across all formations.

3.2 Agenda Point No 2: The FFFAI sought Clarification regarding “Date of Arrival” for the purpose of SIMS:

The Chairman apprised that, following deliberations by the NAC during the last meeting held on 28.08.2025 and the issuance of the minutes on 15.09.2025, it was clarified that the date of arrival of the container at the ICDs shall be considered as the date of arrival for SIMS purposes. He further emphasized that this procedure should be consistently followed across NAC 4/4A (Metal Products) formations to ensure uniformity and compliance.

3.3 Agenda Point 3: The FFFAI highlighted that the Bills of Entry should be attended on Realtime basis instead of setting aside on low priority:

3.3.1 The Chairman apprised that Bills of entry are being assessed on a real-time basis by the FAGs. However, in certain cases delay may occur due to various reasons such as incomplete documentation, system queries, or pending clarifications from the importer or other agencies. Such cases are not deferred due to low priority but are kept pending only until the required inputs are obtained. The Chairman further informed that these cases are being closely monitored by the senior departmental officers and the same are expedited as soon as the inputs/clarification is received and the assessment is completed promptly thereafter.

3.4 Agenda Point No 4: The FFFAI highlighted that Burden of assessment should not be shifted to the Shed Officer.

3.4.1 The Chairman apprised that there is no prevailing practice wherein the responsibility of assessment is being transferred to the Shed Officer. However, in the interest of ensuring a fair and accurate assessment, the Assessing Officer may seek verification of specific details from the Shed Officer. He emphasized that nonetheless, if any such instances are observed, the same may kindly be brought to the notice.

3.4.2 Shri Sudip Kumar Dey submitted that the Assessing Officer issues multiple instructions or directives, such as *verifying correct classification, applicability of duty benefits, and country of origin benefits etc*. He added that these multiple instructions often create confusion for the Shed Officer. The Chairman instructed the Nodal Commissionerates to thoroughly examine the matter and ensure that clear and precise directions are issued at the FAGs level to enhance clarity and effectiveness.

3.5 Agenda Point No 5: The FFFAI submitted that the trade and industry wish to comply with Steel Control Order and SIMS. However, there have been numerous cases wherein application of QCO and SIMS is made but

link is not available for application. In some of the case it is observed that this link is available after few days / weeks. Meanwhile the shipment already arrives at the port

3.5.1 The Chairman advised that the issue concerning the application of the Quality Control Order (QCO) and the Steel Import Monitoring System (SIMS) pertains to the Ministry of Steel. Therefore, the matter should be taken up with the appropriate forum of the concerned authority within the Ministry of Steel.

3.6 AGENDA POINT 6: The FFFAI Highlighted the uniformity in Token Penalty in cases of late application of SIMS and NFIMS across all FAGs. It is also informed that since these are data capturing mechanisms, whereby the importer submits data to the respective ministries of their imports, delay in submission of such data should not result in confiscation of goods and levy of redemption fine and penalty thereafter. If at all, penalty is to be levied, it should only be a token penalty and uniform across all FAG's.

3.6.1 The Chairman clarified that there is no scope under the existing legal provisions of the Customs Act to issue directions for the imposition of a uniform penalty across all FAGs. The determination of the quantum of redemption fine rests with the Adjudicating Authority, who exercises inherent discretion as per the facts and merits of each case.

3.6.2 In his response, Shri Sudip Kumar Dey acknowledged that without registration on SIMS or NFIMS, the cargo cannot be imported. He asserted that penalties imposed for late registration on these portals, even if delayed by 2-5 days, amount to several lakhs of rupees, which inadvertently harms trade. He further added that while late filing of the Bill of Entry attracts a penalty of Rs. 5,000 per day, late registrations on the monitoring systems attract penalties in the lakhs. Shri Sudip Kumar Dey requested that a token penalty be decided for late registrations on SIMS and NFIMS to mitigate the adverse impact on trade.

3.6.3 The Chairman reiterated that the determination of quantum of penalty lies within the discretion of the adjudicating authority and, as such, a fixed token penalty amount cannot be prescribed. However, acknowledging the concern raised by the association, the Chairman observed that it may be considered to submit an appropriate representation to the Board to seek suitable directions and clarifications. He suggested that relevant details and inputs in this regard may be furnished by the department officers as well as the trade, and upon receipt of the same, it may be considered to submit a suitable representation to the Board for resolution of the issue at hand. He further advised the departmental officers to exercise due prudence and judiciousness while imposing penalties or fines in such cases.

3.6.4 Further, the house was kept open to all participants for raising any general observations, suggestions, or matters of broader concern for deliberation.

3.6.5 Shri Sudip Kumar Dey highlighted that in High Sea Sales, the Import General Manifest (IGM) date is currently considered as the import date, even though in some cases it precedes the actual arrival of goods by 15-20 days. This practice causes confusion among officers, as sales during this interval are not consistently recognized as High Sea Sales. He proposed that the inward entry date, reflecting the actual physical arrival of goods, should be adopted as the relevant date for High Sea Sales transactions.

3.6.6 In response, Shri Nitin Saini, Commissioner of Customs, Mundra, stated that the Import General Manifest (IGM) date is to be considered as the relevant date for High Sea Sales. However, he added that if any specific case arises where this is contested, it may be referred for further deliberation and an appropriate response.

3.6.7 Shri Hiren Devendra Ruparel, BCBA, expressed his gratitude for the conduct of the meeting and raised an issue regarding the Positive Material Identification (PMI) tests performed for Metal Products. He suggested that once a PMI test has been conducted for a particular importer and supplier, the test result should remain valid for at least six months, thereby eliminating the need for repeated PMI tests within that period.

4. There being no further points for discussion, the Chairman expressed his appreciation for the valuable contributions and active participation of all attendees. He once again extended his New Year greetings to all participants and looked forward to continued collaboration in the coming months. The Chairman also asserted that the trade may feel free to approach the respective Customs authority in case of any grievances or issues. Following these remarks, the meeting was formally concluded.

These minutes are issued with the approval of The Convenor of Group 4/4A(Metal Products)/ Chief Commissioner of Customs, Ahmedabad Zone.

Digitally signed by
JOS FRANCIS VITHAYATHIL
Date: 13-11-2025
17:31:47

Jos Francis Vithayathil

ASSISTANT COMMISSIONER

Copy to:

1. The Under Secretary, Customs IV, CBIC, New Delhi.
2. All Nodal Pr. Commissioner/Commissioner of NAC - 4 & 4A Metal Products ;
3. The Joint Director, DGTS, Ahmedabad;
4. The Joint Director, NCTC, Mumbai.
5. The Member Trade Association/Trade representative:

a. Federation of Freight Forwarders' Associations in India (National Apex Body of Customs Brokers' Associations) 311-313, Mahinder Chambers, W. T. Patil Marg, Chembur, Mumbai – 400 071 (info@fffai.org);

b. Steel Furnace Association of India, CG 16, Hauz Khas Apartments, New Delhi, 110016 (sfaidel@yahoo.com);

c. Inland Importers & Consumers Association, 631, Lane no.11, Sadar Bazaar, New Delhi-110006 (info@iica.org.in);

d. Material Recycling Association of India (mail@mrai.org.in)
e. Noida Customs Brokers Association (rk@rkclearing.in)