



**OFFICE OF THE COMMISSIONER OF CUSTOMS,
NHAVA SHEVA (GENERAL)**

**CCSP Cell, Jawaharlal Nehru Custom House,
Nhava Sheva, Taluka: Uran, Dist.: Raigad,
Maharashtra - 400 707**

E-mail Id: cfs.managementcell@gmail.com

F. No: S/5-Gen-44/2022-23 CCSP CELL
DIN:

Date: 18.05.2023

Notification No. of 2023-24
PUBLIC NOTICE - 43 of 2023

Jawaharlal Nehru Port Authority (JNPA) has issued the letter of Award (LOA) for the work of up-gradation, Equipping, operation, maintenance and transfer of Shallow Water Berth (SWB) facility and Newly Constructed Coastal Berth (CB) through Public Private Partnership (PPP) on 13th October, 2022 to Nhava Sheva Distribution Port Terminal Pvt. Ltd. (NSDTPL) (i.e JM Baxi Ports & Logistics Ltd.) for a period of 30 years from the date of Award of concession. The concession agreement was signed on 15th November 2022 by JNPA with the Nhava Sheva Distribution Terminal Private Limited. As per concession agreement, the Concessionaire (NSDTPL) will assume the custodianship of the Shallow Water Berth facility with back up area of 9.55 Ha. and Newly constructed Coastal Cargo Berth facility with back up area of 9.00 Ha. as the same will be handed over by the JNPA on the date of award of concession. The map/drawing of the Jawaharlal Nehru Port Shallow Water Berth facility and Newly constructed Coastal Cargo Berth facility including the coordinates of back up area which has been handed over to Nhava Sheva Distribution Terminal Private Limited is attached herewith.

The Jawaharlal Nehru Port's Shallow Water Berth is already a Customs notified area under Section 8 of the Customs Act, 1962 Act as a proper landing place for loading and unloading of Containers/cargo vide Notification No. 04/2002 dated 03.05.2002. Further, the Coastal Berth was approved as the proper place for loading and unloading of Coastal Goods under Section 8 of the Customs Act, 1962 vide Public Notice No. 27/2021 dated 26.03.2021. Now, M/s Nhava Sheva Distribution Terminal private Ltd. will carry out Container/Cargo Terminal operations of Shallow Water Berth (SWB) and Coastal Berth in the same premises.

Now, in exercise of the powers conferred on me under Section 45(1) and 141 (2) of the Customs Act, 1962, I, D.S. Garbyal, Commissioner of Customs (General), Jawaharlal Nehru Custom House, Mumbai Zone-II, Nhava Sheva hereby appoint Nhava Sheva Distribution Port Terminal Private Limited to be the Custodian of the imported goods received at the port Terminal of Nhava Sheva Distribution Port Terminal Private Limited (Shallow Water Berth) located inside the Jawaharlal Nehru Port, Taluka- Uran, Dist: Raigad, Maharashtra until these are delivered to the CFSs or are transhipped in accordance with the provision of Chapter VIII of the Customs Act, 1962. Similarly, Nhava Sheva Distribution Port Terminal Private Limited will also be the custodian of the Export cargo brought into said port Terminal till their exportation. Further, the Coastal Berth area will deal the Coastal goods only.

Further, in exercise of the powers conferred on me under Regulation 10 of the "Handling of Cargo in Customs Areas Regulations, 2009" I, D.S. Garbyal, Commissioner of Customs (General), Jawaharlal Nehru Custom House, Mumbai Zone-II, Nhava Sheva hereby appoint Nhava Sheva Distribution Port Terminal Private Limited as a "Customs Cargo Service Provider" for the abovementioned Port Terminals of Nhava Sheva Distribution Port Terminal subject to the following conditions:-

1. The Custodian Nhava Sheva Distribution Port Terminal Private Limited approved as Customs Cargo Service Provider for the said Port Terminals shall abide by all the provisions of the Customs Act, 1962 and the rules of Handling of Cargo in Customs Areas Regulations, 2009, other Regulations, Notifications, Orders issued there under.
2. The duration of the appointment of Nhava Sheva Distribution Port Terminal Private Limited as "Custodian" and "Customs Cargo Service Provider" shall remain for **two (02) years** from the date of issuance of this notification.
3. The Commissioner of Customs (General), JNCH shall have the right to review the approval as "Customs Cargo Service Provider" before the completion of **two years** for failure to comply with any of the Regulations of the "Handling of Cargo in Customs Areas Regulations, 2009" or as per the directions of the Government of India.
4. Nhava Sheva Distribution Port Terminal will submit the copy of MPCB consent after transfer of name in the Nhava Sheva Distribution Port Terminal and till that time Nhava Sheva Distribution Port terminal shall operate the Container Terminal under the responsibility of JNPA as consented by the JNPA vide their letter dated 12.04.2023. At present the MPCB consent is in the name of JNPA and the MPCB Consent is yet to be amended in the name of Nhava Sheva Distribution Port Terminal by MPCB.


18/5/23

(D.S. Garbyal)
Commissioner of Customs (General)
JNCH