OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT) JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA TAL: URAN, DIST: RAIGAD, MAHARASHTRA-400 707.

Date: 29 /11/2010

F. No. S/22-Gen- 276/ 2010AM(I)

STANDING ORDER NO. OOO 77 /2010.

Sub: Procedure for clearance of beached containers:

After the collusion of MSC Chitra and MVK Khaleeja-III, Commissioner of Customs (Export) JNCH had issued a Standing Order No. 43/2010 dated 13.08.2010 regarding procedures to be followed by MSC Agency for the cargo salvaged from MSC Chitra. Vide para 10 of said S.O. (as amended on 13.10.2010), it was prescribed that for the containers which have reached to shore at far off locations, M/s MSC Agency will approach jurisdictional Marine & Preventive Officer for Customs formalities /procedures for clearance of the cargo. M/s MSC Agency (I) Pvt. Ltd vide their letter dated 02.11.10 has submitted that there are many containers which are lying at different beaches in and around Mumbai/ Raigad /Thane district. These containers are in heavily damaged condition and at unapproachable sites and the only way to retrieve there will be to cut /dismantle and remove them from the site. Accordingly, they have requested to grant permission to cut and dismantle containers to bring them to CFS or to allow clearance from the site. M/s. MSC Agency has also submitted that out of 63 containers, 6 empty containers were loaded from JNPT and balance 57 containers were meant for Mundra Port or other countries.

2. The matter was examined. The issue was also discussed in the meeting held on 22.11.10 by Chief Commissioner Zone-II along with Commissioner of Customs (Export) ,JNCH and Commissioner of Customs (P) , New Custom House, wherein Commissioner of Customs (P), Zone III had expressed certain difficulties in prescribing and implementing a procedure for clearance of the beached containers under M & P wing.

bottom cargo in the said IGM, the following procedure is prescribed for the clearance of said cargo lying at different locations:

A: Containers meant for Mundra Port / Other Ports.

- (i) For the containers meant for Mundra Port or other Ports, the shipping line shall file amendment to IGM already filed by MSC Chitra to Import Noting Section in JNCH, dealing theitem as Damage containers No.----- lying at -----.
 - (ii) Since the damaged containers have not been declared in the IGM, manual Bill of Entry shall be filed by the shipping line for the damaged containers lying at various beaches / locations . The description and quantity of the containers shall be as per PSurveyors report which will be submitted to concerned Group. The Shipping Line shall also submit Chartered Engineers Certificate relating to conditions of the containers and present value thereof.
 - (iii) The Bill of Entry shall be presented to concerned group for assessment and for fulfilling any other requirements under Allied Acts. • After the duty is calculated and paid, dummy out of charge shall be given by DC/AC Docks in-charge of Speedy CFS, the containers shall be cleared from the places where the said containers are lying under the supervision of offices of the Marine & Preventive Officer. who will verify the condition of container declared by the Shipping Line Surveyor confirm condition and to the declared to JNCH.

B. Empty containers loaded from JNPT.

These containers were originally meant for export out of country and are backed by a bond for payment of duty executed by the Shipping line for export of the containers. Since the containers have not been exported out of country, the Shipping lines are required to pay full customs duty on these containers as per the established procedure of Container Cell. For ascertaining the value of these containers, the Shipping Line shall provide details like year of manufacture of these containers, date of import into India. The duty shall be paid in terms of the bond executed with Customs and after

payment of duty to the satisfaction of AC(Container Cell), the permission to remove the container would be given by AC(Container Cell) and based upon said permission, these would be allowed to be removed under supervision of Officer of M & P.



4. This procedure is issued with the approval of Chief Commissioner of Customs, Zone-II and Commissioner of Customs, Preventive, Mumbai.

(SUSHIL SOLANKI)
COMMISSIONER OF CUSTOMS(IMPORT)
JNCH,NHAVA SHEVA
To,
All the officers concerned

Copy for information to:

- 1. The Chief Commissioner of Customs,, Zone-II, JNCH.
- 2. The Commissioner of Customs (Export), JNCH.
- 3. http://172.16.180.20/JNCH (EDI Section).

