 <p>सत्यमेव जयते</p>	<p>सीमा शुल्क आयुक्त (सामान्य) का कार्यालय OFFICE OF THE COMMISSIONER OF CUSTOMS (GENERAL) सीमा शुल्क कार्गो सेवा प्रदाता सेल, Customs Cargo Service Provider (CCSP) Cell जवाहरलाल नेहरू सीमा शुल्क भवन, Jawaharlal Nehru Custom House पो: शेवा, ता: उरण, नवी मुंबई ४००७०७, PO: Sheva, Tal Uran, Navi Mumbai-400707 Email: ccsp.jnch@gov.in</p>
-------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

F.No. GEN/4578/2024-CCSP-O/O COMMR-CUS-GEN-NHAVA SHEVA

Date: 23-05-2026

DIN: २०२६०५७८ NU0000 41944F

**SCN NO. 253/2026-27/Commissioner of Customs/CCSP/NS-G/
CAC/JNCH**

**SHOW CAUSE NOTICE ISSUED UNDER REGULATION 12 OF
HANDLING OF CARGO IN CUSTOMS AREAS REGULATIONS, 2009.**

The Container Freight Station (CFS) of M/s Allcargo Terminals Limited (formerly known as M/s Trans India Logistics Park Pvt. Ltd.), situated at Village Khopta, Taluka Uran, District Raigad, Maharashtra – 410206, was notified as a Customs Area under Section 8 of the Customs Act, 1962 vide Notification No. 09/2012 dated 30.08.2012. Subsequently, the said CFS was appointed as a Custodian under Sections 45(1) and 141(2) of the Customs Act, 1962 vide Notification No. 11/2012 dated 05.09.2012 for a period of two years. Thereafter, vide Notification No. 12/2014 dated 15.09.2014, M/s Allcargo Logistics Limited (formerly known as M/s Trans India Logistics Park Pvt. Ltd.) was appointed as Custodian as well as Customs Cargo Service Provider (CCSP) for a further period of five years.

2. Further, M/s Trans India Logistics Park Pvt. Ltd. sold its CFS to M/s Allcargo Logistics Limited and, accordingly, vide CFS Notification No. 13/2016 dated 22.12.2016, M/s Allcargo Logistics Limited was appointed as Custodian and Customs Cargo Service Provider for a period of five years. Thereafter, vide Notification No. 01/2017 dated 13.01.2017, M/s Allcargo Logistics Limited was again appointed as Custodian and Customs Cargo Service Provider for a period of five years from the date of issuance of Notification No. 13/2016 dated 22.12.2016. Subsequently, vide Public Notice No. 103/2021 dated 22.12.2021 and Public Notice No. 04/2022 dated 21.01.2022, M/s Allcargo Logistics Limited was appointed as Custodian and Customs Cargo Service Provider, subject to the validity of its AEO-LO status.

3. Further, pursuant to the demerger of M/s Allcargo Logistics Limited into two entities, M/s Allcargo Terminals Limited was appointed as Custodian and Customs Cargo Service

Provider for a period of five years vide Public Notice No. 64/2023.

4. The activities of the Customs Cargo Service Provider (CCSP) are governed by the Handling of Cargo in Customs Areas Regulations, 2009 (HCCAR, 2009), read with the relevant provisions of the Customs Act, 1962. M/s Allcargo Terminals Limited CFS was appointed as a Customs Cargo Service Provider subject to the following conditions:

(a) "The Customs Cargo Service Provider, M/s Allcargo Terminals Limited, shall discharge all the responsibilities prescribed under Regulation 6 of the *Handling of Cargo in Customs Areas Regulations, 2009*.

(b) "The Custodian, M/s Allcargo Terminals Limited, hereby approved as the Customs Cargo Service Provider for the said CFS, shall be responsible for fulfilment of the conditions prescribed under the *Handling of Cargo in Customs Areas Regulations, 2009* in respect of the Customs Cargo Service Providers working on their behalf or with their permission in the said CFS."

5. As per the Inspection/Audit Plan approved by the Competent Authority in File No. GEN/4578/2024-CCSP, the inspection/audit of M/s Allcargo Terminals Limited was carried out by the team of CCSP officers on 09.01.2025. The said inspection was conducted in accordance with CBIC Circular No. 44/2020 dated 08.10.2020. Based on the observations made by the Inspection Team, a Deficiency Memo dated 30.01.2025 (**RUD-1**) was accordingly issued to the CCSP.

6. Thereafter, vide letter dated 19.03.2025 (**RUD-2**), the CCSP informed that all the deficiencies pointed out earlier had been rectified. In order to verify the same, a follow-up inspection was conducted on 23.04.2025.

During the course of the follow-up inspection, it was observed that certain deficiencies still remained unrectified by the CCSP. It was further noticed that hazardous cargo was not being stored in isolated and designated areas, as required under the relevant provisions of the *Handling of Cargo in Customs Areas Regulations, 2009* and the *Manufacture, Storage and Import of Hazardous Chemical Rules, 1989*. Significant intermixing of hazardous and general cargo containers was observed, with several containers carrying hazardous goods found stored alongside general cargo, thereby giving rise to serious safety and compliance concerns.

6.1. Accordingly, based on the observations made during the follow-up inspection, a Supplementary Deficiency Memo dated 08.05.2025 (**RUD-3**) was issued to the CCSP, duly supported by relevant photographs (**RUD-4**). One major violation was recorded during the said inspection, as detailed below:

“There was significant intermixing of hazardous cargo and general cargo in the CFS.”

7. From the foregoing facts and the relevant provisions of law, it can be inferred that:

i. The permission for handling hazardous cargo in the nominated area measuring 2,649 sq. ft. was renewed vide permission dated 21.04.2025 (RUD-5), issued in File No. GEN/3103/2024-CCSP, and is valid for a period of two years with effect from 20.10.2024. However, during the inspection, it was observed that the CCSP had stored hazardous cargo not only in the permitted area but also in the general area and open space. This constitutes a clear violation of:

a. Para 8 of the said permission, which states: “As the MPCB has included isolated storage of hazardous chemicals in its consent.”

b. Rule 4(b) of the *Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989*, which mandates “isolated storage of a hazardous chemical listed in Schedule 2”.

c. General Condition No. 15 of MPCB Consent No. 0000148457/CR/2212000523 dated 08.12.2022 and valid up to 31.10.2032 (RUD-6).

d. Para 1 of Annexure A of CBIC Board Circular No. 4/2011-Customs dated 10th January, 2011, which states: “The imported goods or export goods which are hazardous in nature shall be stored at the approved premises of the CCSP in an isolated place duly separated from other general cargo.”

e. Regulation 6(1)(i) of the *Handling of Cargo in Customs Areas Regulations, 2009*, which states: “The Customs Cargo Service Provider shall be responsible for the safety and security of imported and export goods under its custody.”

f. Regulation 6(1)(q) of the *Handling of Cargo in Customs Areas Regulations, 2009*, which states: “The Customs Cargo Service Provider shall abide by all the provisions of the Act and the rules, regulations, notifications and orders issued thereunder.”

8. Relevant legal provisions applicable in the subject case:

The relevant legal provisions under the *Customs Act, 1962* and the *Handling of Cargo in Customs Areas Regulations, 2009* applicable in the subject case are summarised as under:

i. As per Section 141(2) of the *Customs Act, 1962*:

“The imported or export goods may be received, stored, delivered, dispatched or otherwise handled in a customs area in such manner as may be prescribed, and the responsibilities of persons engaged in the aforesaid activities shall be such as may be prescribed.”

ii. As per Section 117 of the *Customs Act, 1962*:

“Any person who contravenes any provision of this Act or abets any such contravention or who fails to comply with any provision of this Act, where no express penalty is elsewhere provided for such contravention or failure, shall be liable to a penalty not exceeding four lakh rupees.”

iii. As per Section 158(2) of the *Customs Act, 1962*:

“Any rules or regulations which the Central Government or the Board is empowered to make under this Act may provide that any person who contravenes any provision of a rule or regulation or abets such contravention or who fails to comply with any provision of a rule or regulation with which it was his duty to comply, shall be liable to a penalty which may extend to two lakh rupees.”

iv. Regulation 6(1)(i) of the *Handling of Cargo in Customs Areas Regulations, 2009* states:

“The Customs Cargo Service Provider shall be responsible for the safety and security of imported and export goods under its custody.”

v. Regulation 6(1)(q) of the *Handling of Cargo in Customs Areas Regulations, 2009* states:

“The Customs Cargo Service Provider shall abide by all the provisions of the Act and the rules, regulations, notifications and orders issued thereunder.”

vi. Regulation 11 of the *Handling of Cargo in Customs Areas Regulations, 2009* states:

“The Commissioner of Customs may, subject to the provisions of these regulations, suspend or revoke the approval granted to the Customs Cargo Service Provider, subject to the observance of the procedure prescribed under Regulation 12, and also order forfeiture of security, if any, for failure to comply with any of the provisions of the Act and the rules, regulations, notifications and orders made thereunder.”

vii. Regulation 12 of the *Handling of Cargo in Customs Areas Regulations, 2009* prescribes the procedure for suspension or revocation of approval and imposition of penalty.

9. Investigation and observation

9.1 From the facts brought on record during the course of inspection dated 09.01.2025 and follow-up inspection dated 23.04.2025, it appears that M/s Allcargo Terminals Limited, being a Customs Cargo Service Provider (CCSP) operating the said CFS, failed to ensure proper handling and storage of hazardous cargo in accordance with the provisions of the

Handling of Cargo in Customs Areas Regulations, 2009, the *Customs Act, 1962*, and other allied laws governing storage of hazardous substances. Despite being specifically permitted to store hazardous cargo only in the designated isolated area measuring 2,649 sq. ft., it was observed that hazardous cargo containers were stored in the general stacking area and open spaces alongside general cargo containers. The inspection team also observed substantial intermixing of hazardous and non-hazardous cargo, thereby exposing the Customs area, goods, infrastructure, and personnel to significant safety and operational risks.

9.2 The aforesaid acts and omissions on the part of the CCSP appear to be in contravention of Para 8 of the permission dated 21.04.2025 issued under File No. GEN/3103/2024-CCSP, read with Rule 4(b) of the *Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989*, which specifically mandates isolated storage of hazardous chemicals listed in Schedule II. Further, the said acts also appear to violate General Condition No. 15 of MPCB Consent No. 0000148457/CR/2212000523 dated 08.12.2022 and Para 1 of Annexure A to CBIC Circular No. 4/2011-Customs dated 10.01.2011, which require hazardous goods to be stored in isolated areas duly segregated from general cargo. By permitting hazardous cargo to remain stored in common areas along with general cargo, the CCSP failed to comply with the statutory safety conditions and regulatory safeguards prescribed for handling hazardous substances in Customs Areas.

9.3 It further appears that M/s Allcargo Terminals Limited failed to discharge its statutory obligations under Regulation 6(1)(i) of the *Handling of Cargo in Customs Areas Regulations, 2009*, which casts responsibility upon the CCSP to ensure the safety and security of imported and export goods under its custody. The improper and mixed storage of hazardous cargo with general cargo indicates lack of adequate safety controls, supervision, and compliance mechanisms within the CFS premises. Further, by violating the conditions prescribed under various permissions, circulars, statutory rules, and environmental consent conditions, the CCSP also appears to have contravened Regulation 6(1)(q) of the *Handling of Cargo in Customs Areas Regulations, 2009*, which mandates that the Customs Cargo Service Provider shall abide by all provisions of the Act and the rules, regulations, notifications, and orders issued thereunder.

9.4 In view of the above, it appears that M/s Allcargo Terminals Limited has rendered itself liable for action under Regulation 11 read with Regulation 12 of the *Handling of Cargo in Customs Areas Regulations, 2009* for failure to comply with the provisions of the *Customs Act, 1962*, and the rules, regulations, notifications, and orders issued thereunder. Further, the said acts of contravention also appear to attract penal provisions under Section 117 and Section 158(2) of the *Customs Act, 1962*, for failure to comply with the statutory and regulatory obligations applicable to a Customs Cargo Service Provider operating in a Customs Area.

10. Now, therefore, the CCSP, i.e. M/s Allcargo Terminals Limited, is hereby called upon to show cause to the Commissioner of Customs (General), through the Assistant/Deputy Commissioner of Customs, CCSP Cell, Jawaharlal Nehru Custom House, Nhava-Sheva, Maharashtra, within 30 days from the date of receipt of this Notice, as to why:

- i. Action should not be initiated against them under Regulation 11 of the *Handling of Cargo in Customs Areas Regulations, 2009* for suspension or revocation of their approval/appointment as a Customs Cargo Service Provider;
- ii. Penalty under Regulation 12(8) of the *Handling of Cargo in Customs Areas Regulations, 2009*, read with Section 158(2) of the *Customs Act, 1962*, should not be imposed upon them for contravention of the provisions of the said Regulations and failure to comply with the statutory obligations prescribed thereunder; and
- iii. Penalty under Section 117 of the *Customs Act, 1962* should not be imposed upon them for contravention of the provisions of the *Customs Act, 1962*, and the rules, regulations, notifications, and orders issued thereunder.

11. I hereby nominate the Assistant/Deputy Commissioner of Customs, CCSP Cell, JNCH, to inquire into such of the grounds as are not admitted by the Customs Cargo Service Provider. M/s Allcargo Terminals Limited shall also inform in writing whether they desire to be heard in person or not.

12. Regulation 12 of the *Handling of Cargo in Customs Areas Regulations, 2009* provides the procedure for suspension or revocation of approval and imposition of penalty. Accordingly, consequent upon issuance of this Notice to the Customs Cargo Service Provider:

- (i) The Customs Cargo Service Provider may submit a written statement of defence to the Assistant Commissioner or Deputy Commissioner of Customs, CCSP Cell, as nominated in this Notice, and may also specify in the said statement whether they desire to be heard in person by the said Assistant Commissioner or Deputy Commissioner of Customs.
- (ii) Upon receipt of the written statement of defence from the Customs Cargo Service Provider, or where no such statement is received within the time limit specified in this Notice, the Assistant Commissioner or Deputy Commissioner of Customs, CCSP Cell, may inquire into such of the grounds as are not admitted by the Customs Cargo Service Provider.
- (iii) The Assistant Commissioner or Deputy Commissioner of Customs, CCSP Cell shall, in the course of inquiry, consider such documentary evidence and take such oral evidence as

may be relevant or material to the inquiry in respect of the grounds forming the basis of the proceedings. He may also put questions to any person tendering evidence, for or against the CCSP, for the purpose of ascertaining the correct facts and position of the case.

(iv) M/s Allcargo Terminals Limited shall be entitled to receive a copy of the Inquiry Report submitted by the Assistant/Deputy Commissioner of Customs, CCSP Cell, JNCH. They may file a representation against the said Inquiry Report before the Commissioner of Customs (General), JNCH, within 30 days from the date of receipt of the same.

13. This Show Cause Notice is issued without prejudice to any other action that may be initiated against M/s Allcargo Terminals Limited under the *Handling of Cargo in Customs Areas Regulations, 2009* or under any other law for the time being in force in India. This office reserves the right to amend, modify, alter, or supplement this Show Cause Notice at any stage, as may be considered necessary.

(Unmesh Sharad Wagh)

Commissioner of Customs (NS-Gen),
Mumbai, Zone-II, JNCH.

To

M/s Allcargo Terminals Limited

Container Freight Station, Village Khopta

Taluka: Uran, District: Raigad, Maharashtra – 410 206

Copy to:

1. The Assistant Commissioner of Customs, CAC, JNCH
2. The Assistant Commissioner of Customs, EDI for uploading on website.
3. Office copy

Encl: List of RUDs:

Sr. No.	Name of the Documents	RUD No.
1	Deficiency Memo dated 30.01.2025	RUD-1
2	letter dated 19.03.2025 reply to DM dated 31.01.2025 from CCSP	RUD-2
3	Supplementary Deficiency Memo dated 08.05.2025	RUD-3
4	relevant photographs of mix up of cargo	RUD-4
5	permission dated 21.04.2025 for handling hazardous	RUD-5
6	MPCB Consent No. 0000148457/CR/2212000523 dated 08.12.2022	RUD-6

Digitally signed by
Unmesh Sharad Wagh
Date: 23-05-2026
18:27:31

OFFICE OF THE COMMISSIONER OF CUSTOMS, (NS-GENERAL)

B-205, 2nd Floor, CCSP Cell, Jawaharlal Nehru Customs House,
Post: Nhava Sheva, Taluka: Uran, Dist.: Raigad, Maharashtra – 400 707
E-mail Id: ccsp.jnch@gov.in

To,

Date: 01.25

The Manager
CFS M/s. ALLCARGO TERMINALS LIMITED
Village-Khopta , Tal-Uran , Dist -Raigad

Subject: Deficiency memo w.r.t Inspection/Audit-reg.

In this regard, an Inspection/audit of the CCSP for the F.Y2023-24 was conducted on 09.01.2025 by the team of Officers of the CCSP Cell, JNCH. During the visit and following deficiencies have been observed .

- i. In the cabin at the gate complex for the Gate officer, there is no proper space and sanitization/cleanliness, no internet connectivity, and Air Conditioner is also not working properly. Washroom used by the officers are in pathetic condition with no maintenance and without proper cleaning.
 - ii. The different charges levied by CFS are not displayed at prominent place and also not shown in public domain, it is sent on private email address, whenever anyone enquires about them.
 - iii. Fire drill was asked to be performed during inspection and the response of the firefighting was found to be very poor. When mock fire drill was conducted some of the staffs even failed to reply the answer asked by officers and water pressure was low so that it could reach only upto the height of the 3rd container only and the 4th container in the stack is dry.
 - iv. Entire premises is covered with 233 CCTV Cameras but some of the cameras are placed on very small poll, because of that the view blocks when any vehicle with container parks In front of the camera.
 - v. Some of the lights not working properly in warehouse.
 - vi. 'No smoking' sign boards was hidden, anyone can hardly see them.
 - vii. There was a list of medicines in First Aid kits box, some of them were missing and some of them were expired.
 - viii. There is no facility of crèche available in the CCSP.
 - ix. Space allocated for storage of hazardous cargo within the premises are not having of proper construction including, RCC roofing, flooring.
 - x. proper computerized system for monitoring the location of goods was not found
3. In view of the above, you are directed to rectify the mentioned deficiency at earliest and intimate this office for further action.

Yours faithfully,

(Gurinder Singh)

**Signed by Gurinder Singh
Sohal**

Date: 30-01-2025 15:55:07

Asstt. Commissioner of Customs,
CCSP Cell, JNCH, Nhava Sheva

To

✓ The Assistant Commissioner of Customs
CCSP Cell
Jawaharlal Nehru Custom House
Nhava Sheva

Date : 19th March 2025

Dear Sir

Sub: Deficiency Memo w.r.t. Inspection / Audit – Reg

We are in receipt of your letter on the above-mentioned subject. In respect of the above and in reply ,would like to inform you as under:

i) Thank you for bringing these concerns to our attention. We understand the importance of maintaining a comfortable and functional work environment for our officers

Regarding the issues raised:

- **Cabin Space and Cleanliness:** We acknowledge the need for proper space and enhanced sanitization in the cabin. We have already instructed and coordinated with the relevant team to ensure the area is better organized and maintained regularly.
- **Internet Connectivity:** We have already provided the internet connectivity to Gate officer and always ensuring that the necessary support is provided for uninterrupted communication and efficient work.
- **Air Conditioning:** We are aware of the problem with the air conditioning and will have the unit inspected and repaired as soon as possible to ensure optimal functioning.
- **Washroom Maintenance:** We sincerely apologize for the condition of the washroom which is used by the Custom officers as well as General Trade person also. We will restrict the entry of public and will keep washroom for custom officers only. We will ensure that regular cleaning and maintenance are scheduled to improve the situation.

ii) Displaying of CFS Charges : The schedule of CFS charges for various services has been displayed at Company website www.allcargoterminals.com home page and is accessible to all the trade. In addition to that CFS developed MY CFS Mobile app wherein customers are allowed to take the proforma invoices for their consignments. This schedule is also displayed at our EDI Centre where all the customers are vising.

iii) During the said audit, there was some problem with Fire Mains line and hydrant system was in maintenance and not working properly and hence fire hydrant pressure was found low at that time. Now problem was resolved and fire hydrant system working properly as per fire norms. Due to nervousness security was failed to reply to the question properly which was asked by custom

official during audit. Now motivational training was provided to the security and hope they will be able to reply to the query in future.

iv) Regarding the blockage of view due to vehicles with containers in front of CCTV Cameras mounted on small Polls , would like to inform you that there is operational difficulty in installing CCTV Cameras in Container storage yard and hence we covered yard area through cameras installed on high Masks strategically to cover maximum yard location part from these cameras.

v) Some Of the lights not working in warehouse has been identified and replaced with new lights and now there is proper lux level.

vi) “ NO SMOKING” sign boards relocated and displayed at prominent locations and can be easily seen.

vii) All the first Aid Box filled with latest and valid medicine as per list provided in first aid box.

viii) Facility of Creche is not applicable to our CFS because there are less number of female employees. As per Section 48 of the Factories Act, 1948, Creche facility is applicable to the organisations who employ more than 30 female employees.

ix) Container, itself being an enclosed safe storage structure is not required to be stored in another enclosed storage structure as being mandated by CCSP. It is neither practical nor advisable and is a deviation from any standard prevalent norms. In this regard our CFS Association also done the various correspondence with your office and The Commissioner General as well as Chief Commissioner.

x) We have software called CFSMAG – Enterprise Version wherein all the cargos location within the warehouse is mentioned. For the containers there were RFID tags associated with the containers to locate within the yard is already working. We are also upgrading this system by implementing smart yard concept and tag less operation very soon.

Hope above all will suffice your query.

Thanks and regards

For Allcargo Terminals Limited



Subhash Bangar
AGM -Operations



Container Freight Stations Association Of India

Inspire Cospaces, Chamber #9, Mayuresh Square 7th Floor,
Sector 15 CBD Belapur Navi Mumbai - 400614

Tel # + 91 22 - 46087178 Web: www.cfsai.in CIN: U63031MH2006PTC162883

CFSAI/JNCH/06/2024-25

24th April 2024

The Commissioner (General)
Mumbai Zone II
JNCH, Navi Mumbai

Kind Attn: **Mr. D. S. Garbajal IRS**

Dear Sir,

Sub: Issue pertaining to creation of Additional Infra (Firebrick wall & RCC Roofing / Flooring for storage of Hazardous Containers / Cargoes in CFSs

- Ref: i) JNCH letter dated 1st Feb 2024
ii) CFSAI representation thru' ELP on 23rd Feb 2024
iii) CFSAI representation to CC JNCH 13th March 2024
iv) CFSAI letter to CC JNCH 14th March 2024
v) Submissions in JNCH convened Meeting on 22nd March 2024
vi) CFSAI Letter dated 26th March 2024 covering above submissions
vii) CFSAI submission to CC JNCH 4th April 2024
viii) CFSAI letter to CC JNCH 16th April 2024

Dear Sir,

1) We once gain seek to draw your kind attention to the above correspondences, representations and submission made to you as well as CC JNCH on the instructions issued by CCSP Cell vide their letter dated 1st Feb 2024 instructing CFSS to construct *Additional Infra (Firebrick wall, RCC Roofing and Flooring)* for storage of Hazardous cargoes in CFSs.

2) In this regard, whilst we submitted a detailed response on 23rd February 2024, bringing out the fact that the instructions to create additional Infra as instructed vide JNCH letter is contradictory to CBIC Circular and seeking withdrawal of these instructions. In absence of any response, we approached CC JNCH on 13th March 2024.

3) **CC JNCH after giving a patient hearing and agreeing to our submissions was of the view that the contents of CBIC Circular 40/206 had apparently been misinterpreted by CCSP Cell and assured us that this will be resolved and the instructions will be withdrawn.** The submissions were compiled and submitted vide our letter dated 14th March 2024, to enable CC imitate necessary action.

4) Consequent to above, you convened a meeting of CFSAI & all CFSs on 22nd March 2024. The undersigned reiterated the submissions made which were documented and sent vide our letter dated 26th March 2024 and some extracts are embedded below for easy reference;

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quote

i. "extracts from CBIC 40/2016 quoted in your letter had apparently been misinterpreted and our members were fully compliant with existing infrastructure". In view of aforesaid, we had sought relief for withdrawal of these instructions or at least keep them in abeyance".

ii "The safe distances between buildings and hazardous cargoes other than explosives varies from 3 meters to 30 meters, in various rules and practices, in other ports outside the country. In order to have uniformity, the distance of 30 meters is prescribed to be maintained between hazardous cargo (other than explosives) and administrative buildings. However, the distance of 200 meter as mentioned in CBEC Circular No.4/2011 would be observed between the hazardous cargo (explosive in nature) and the administrative buildings. The distance to be maintained between hazardous cargo and general cargo would be as prescribed in IMDG (International Maritime Dangerous Goods) Code for storage in port areas."

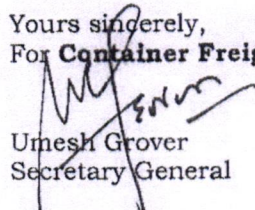
iii "It is pertinent to note that **CFSS & Ports in India do not handle "Explosives" which are termed Class 1 under IMDG Code and as such para 2 as quoted in CCSP letter is not applicable to CFSS.** Explosives, if imported (normally done by Defence establishments) are handled at anchorage and are taken to the consignee's depot & do not enter port or CFS premises"

iv "We again reiterate that **CCSP Cells captioned letter reiterates contents of 4/2011, which have been overridden by CBIOC 40/2016. If applied, it would be in contradiction to SC order"**

v. Having several containers stored together at one location could pose a potential risk to any CFS facility as this would be a big deviation to the normal storage method wherein Hazardous & non Hazardous containers are allowed to be stored adjacent to each other subject to following the segregation table provided by IMDG.

5) Despite providing full clarity & taking up with CC JNCH on 4th April & 16th April 2024, **we understand that CCSP Cell continues to insist on creating additional Infra vide their letter to some of our member CFSS.** We once again seek withdrawal of the instructions issued vide JNCH letter dated 1st February 2024 at the earliest as the deadline given to CFSS to create additional infra is 30th April 2024.

Yours sincerely,
For **Container Freight Stations Association of India**


Umesh Grover
Secretary General

Encl:as stated:

Cc: Chief Commissioner JNCH .. with a request for urgent intervention



Container Freight Stations Association Of India

Inspire Cospaces, Chamber #9, Mayuresh Square 7th Floor,
Sector 15 CBD Belapur Navi Mumbai - 400614

Tel # + 91 22 - 46087178 Web: www.cfsai.in CIN: U63031MH2006PTC162883

CFSAI/JNCH/04/2024-25

16th April 2024

The Chief Commissioner
Mumbai Zone II
JNCH, Navi Mumbai

Kind Attn: **Mr. Rajesh Pandey, IRS**

Dear Sir,

Sub: Our representation on 5th April 2024 - Issue pertaining to creation of Additional Infra (Firebrick wall & RCC Roofing / Flooring for storage of Hazardous Containers / Cargoes in CFSs)

Greetings from CFSAI

- 1) At the outset grateful thanks for meeting us on 5th April 2024. After discussing the agenda on BMCT PGR Billing issue, we took the opportunity to again sensitize the issue related to instructions of CCSP Cell, JNCH to create *Additional Infra (Firebrick wall, RCC Roofing and Flooring)* for storage of Hazardous cargoes in CFSs.
- 2) You will kindly recall, we had made a detailed representation on 13th March 2024 on this matter and after hearing our submissions and finding them logical and correct, you had kindly agreed that the additional infra is indeed not required as the CCSP Cell had apparently misinterpreted the CBIC Circulars. You had assured that you will kindly advise them accordingly to roll back their instructions of creating additional Infra.
- 3) Consequently on 14th March 2024, we made detailed submissions of our representation to you (**copy attached**) and whilst we were hopeful of receiving an advise from CCSP Cell withdrawing their instructions conveyed vide their letter dated 1st February 2024, we were called for a Meeting on 22nd March 2024 convened by Commissioner (General). CFSAI as well as all CFSs were invited. We also documented our submissions vide our letter dated 26th March 2024. (**copy attached**)
- 4) During the meeting CFSAI on behalf of All Members, made submissions yet again, which were duly endorsed by CFSAI Member as well as non-Members. We explained as to why creation of additional Infrastructure of appropriate heat/fire resistant walls and RCC roofing & flooring within the respective CFS facility to store all Hazardous cargoes is not a requirement

1 | Page

by any statutory body and in fact it would be counterproductive and become a huge potential risk for all CFSs. Some extracts from our submissions made are embedded below for quick reference.

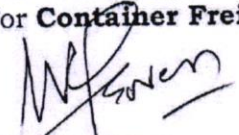
"extracts from CBIC 40/2016 quoted in your letter had apparently been misinterpreted and our members were fully compliant with existing infrastructure". In view of aforesaid, we had sought relief for withdrawal of these instructions or at least keep them in abeyance".

*"The safe distances between buildings and hazardous cargoes other than explosives varies from 3 meters to 30 meters, in various rules and practices, in other ports outside the country. In order to have uniformity, **the distance of 30 meters is prescribed to be maintained between hazardous cargo (other than explosives) and administrative buildings.** However, **the distance of 200 meter as mentioned in CBEC Circular No.4/2011 would be observed between the hazardous cargo (explosive in nature) and the administrative buildings.** The distance to be maintained between hazardous cargo and general cargo would be as prescribed in IMDG (International Maritime Dangerous Goods) Code for storage in port areas."*

"It is pertinent to note that CFSs & Ports in India do not handle "Explosives" which are termed Class 1 under IMDG Code and as such para 2 as quoted in CCSP letter is not applicable to CFSs. Explosives, if imported (normally done by Defence establishments) are handled at anchorage and are taken to the consignee's depot & do not enter port or CFS premises"

5) We now seek your urgent intervention seeking withdrawal of the instructions issued vide JNCH letter dated 1st February 2024 as the deadline given to CFSs to create additional infra is 30th April 2024.

Yours sincerely,
For **Container Freight Stations Association of India**


Umesh Grover
Secretary General

Encl:as stated



Container Freight Stations Association Of India

Inspire Cospaces, Chamber #9, Mayuresh Square 7th Floor,
Sector 15 CBD Belapur Navi Mumbai - 400614

Tel # + 91 22 - 46087178 Web: www.cfsai.in CIN: U63031MH2006PTC162883

CFSAI/JNCH/67/2023-24

26th March 2024

The Commissioner (General)
Jawaharlal Nehru Custom House (JNCH)
Nhava Sheva
Navi Mumbai-400707

Dear Sir,

Kind Attn: **Mr. Dhiren. S Garbyal IRS**

Sub: Meeting in JNCH 22nd March 2024 - Issue pertaining to creation of Additional Infrastructure for Handling of Hazardous Cargoes in CFSs - CCSP Cell JNCH letter dated 1st Feb 2024

Greetings from CFSAI

1. On behalf of our Member CFSs, our sincere thanks for convening a meeting on 22nd March 2024, thereby giving us an opportunity to once again present our serious concerns arising out of JNCH letter dated 1st February 2024. This letter inter-alia directed our Member CFSs to create additional Infrastructure of appropriate heat/fire resistant walls and RCC roofing & flooring within the respective CFS facility to store all Hazardous cargoes.
2. In response to the captioned letter, since we were not aligned with JNCH's views, vide our detailed submissions of 23rd February 2024, we requested you to kindly reconsider your directives issued vide your letter of 1st February 2024 to create additional Infrastructure. Our submission was that the **"extracts from CBIC 40/2016 quoted in your letter had apparently been misinterpreted and our members were fully compliant with existing infrastructure"**. In view of aforesaid, we had sought relief for withdrawal of these instructions or at least keep them in abeyance.
3. During the meeting on 22nd March 2024, we made following submissions before you:
 - i) Since the mater remained unresolved, we approached CC JNCH on 13th March 2024, seeking his kind intervention and made detailed submissions on 14th March 2024.
 - ii) We reiterated all our submissions made to CC JNCH vide our captioned letter, dated 14th march 2024, which are briefly summarised and reiterated below for your convenience:
 - a) CCSP Cell has relied on para 2 of CBIC Circular 40/2016, which inter-alia states :

1 | Page

"As per Guideline 5, CCSP is required to allocate separate space for storage of hazardous cargo within the premises and the same should be of proper construction including appropriate heat or fire-resistant wall, RCC roofing, flooring. Such area shall be situated at a minimum distance of 200 meters away from main office, administrative, customs office building so that the storage of hazardous cargo is in such a manner that it does not endanger the people working in the premises"

b) Extracts quoted above in para 1 & 2 by CBIC refers to their **Circular 4/2011, contents of which were challenged by CFSAI in Hon'ble Bombay HC & thereafter vide SLP in Hon'ble SC.** SC on conclusion of hearing delivered an order in favour of CFSAI in August 2016. Consequent to issuance of SC Order, CBIC issued 40/2016 as fresh Guidelines overriding 4/2011 & meticulously incorporating relevant extract from SC order in the CBIC Circular 40/2016:

"While the WP of CFSAI in HC was pending, a joint Technical Committee comprising of Members from Ministry of Environment and Forest ('MoEF'), Ministry of Shipping, CBEC, Port Trust, etc. ('Committee'), was constituted, to give recommendations on the distance(s) to be maintained between the hazardous cargo and the general cargo in the customs area on one hand and between the hazardous cargo and the administrative building on the other"

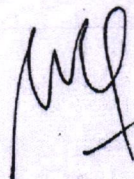
c) Para 5 (b) of the CBIC 40/2016 amply clarifies :

*"The safe distances between buildings and hazardous cargoes **other than explosives** varies from 3 meters to 30 meters, in various rules and practices, in other ports outside the country. In order to have uniformity, the distance of 30 meters is prescribed to be maintained between hazardous cargo (other than explosives) and administrative buildings. However, **the distance of 200 meter as mentioned in CBEC Circular No.4/2011 would be observed between the hazardous cargo (explosive in nature) and the administrative buildings. The distance to be maintained between hazardous cargo and general cargo would be as prescribed in IMDG (International Maritime Dangerous Goods) Code for storage in port areas."***

d) It is pertinent to note that **CFSs & Ports in India do not handle "Explosives" which are termed Class 1 under IMDG Code** and as such **para 2 as quoted in CCSP letter is not applicable to CFSs.** Explosives, if imported (normally done by Defence establishments) are handled at anchorage and are taken to the consignee's depot & do not enter port or CFS premises

e) As mentioned above in para 5 of CBIC Circular, all our member CFSs are strictly observing the distance to be maintained between hazardous cargo and general cargo as prescribed in IMDG (International Maritime Dangerous Goods) Code for storage and have requisite safety and fire precautions in place.

f) CCSP Cells captioned letter reiterates contents of 4/2011, which have been overridden by CBIC 40/2016 as per SC directives. If CFSs are directed to follow above, it would be in contravention to SC order dated August 2016.





g) MPCB is the statutory & competent authority who issues "**Consent to establish**" for hazardous goods when a facility is established and every five years issues a "Certificate" valid for 5 years termed as "**Consent to Operate**". A copy of "consent to operate" is attached for reference.

h) MPCB & not JNCH is the Statutory authority for issuance of Hazardous Cargo certificate. Barring JNCH, no other Custom jurisdiction in India follows the process of issuing of a 2 year validity "hazardous Notification" in addition to respective Valid certificates issued by respective PCBs. Informatively, this practice has started in 2018 and is not mandated by CBIC.

i) The safe distance for storing hazardous goods including explosives on land i.e. Container Depot, CCSP area, Customs notified area etc. (other than port area) for which specific rules exists shall be guided by said rules i.e Gas Cylinder Rules, 2004; the Explosive Rules, 2008; Petroleum Rules, 2002; Static and Mobile Pressure Rules, 1981 etc., as applicable. **However CFSs do not handle "explosives" Class 1 IMDG cargoes**

4. During our submission to your good self, **we also shared demerits and risks of storage all hazardous cargoes at one location, which our member CFSs have been advised vide CCSP Cell's captioned letter.**

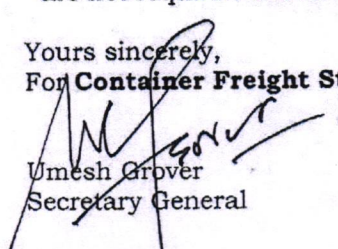
a) Having several containers stored together at one location could pose a potential risk to any CFS facility as **this would be a major deviation to the normal storage method wherein Hazardous & non Hazardous containers are allowed to be stored adjacent to each other and in-line with IMDG Guidelines.**

b) Container, itself being an enclosed safe storage structure is not required to be stored in another enclosed storage structure as being mandated vide CCSP cell's letter. It is neither practical nor advisable and is a deviation from any standard prevalent norm. Our member CSS are aware that storage /warehousing of Hazardous LCL cargoes would need special fire fighting detection system and extinguishing system, as defined in warehousing Rules. Our members mainly store FCL Hazardous cargo containers.

c) In few cases when they receive Hazardous Cargoes in LCL container, they continue to be stored within the containers thus ensuring safe storage.

5. In view of our above submissions, we request you to please review the instructions issued vide your letter dated 1st February 2024, so that our Members are not required to create additional infrastructure.

Yours sincerely,
For **Container Freight Stations Association of India**


Umesh Grover
Secretary General

Cc: Chief Commissioner, Mumbai Zone II, JNCH



Container Freight Stations Association Of India

Inspire Cospaces, Chamber #9, Mayuresh Square 7th Floor,
Sector 15 CBD Belapur Navi Mumbai - 400614

Tel # + 91 22 - 46087178 Web: www.cfsai.in CIN: U63031MH2006PTC162883

CFSAI/JNCH/66/2023-24

14th March 2024

The Chief Commissioner of Customs
Mumbai Zone II
Jawaharlal Nehru Custom House (JNCH)
Nhava Sheva
Navi Mumbai-400707

Dear Sir,

Kind Attn: **Mr. Rajesh Pandey , IRS**

Sub: Issue pertaining to creation of Additional Infrastructure for Handling of Hazardous Cargoes in CFSs - CCSP Cell JNCH letter dated 1st Feb 2024

Greetings from CFSAI

1. This has reference to CCSP Cell, JNCH letter dated 1st Feb 2024(**copy attached**) on the captioned subject, which inter-alia directs all our Member to create additional Infrastructure of appropriate heat / fire resistant walls and RCC roofing & flooring within the respective CFS facility to store all Hazardous cargoes. We responded on behalf of all members on 23rd February 2024. We are thankful to you for kindly meeting CFSAI team on 13th March 2024 and giving us an opportunity to make our submissions, whilst seeking your kind intervention in this sensitive matter.

2. In the captioned letter, CCSP cell has directed all our members to comply strictly with under stated requirement in 3 months. CCSP Cell has relied on g para 2 of CBIC Circular 40/2016, which inter-alia states :

"As per Guideline 5, CCSP is required to allocate separate space for storage of hazardous cargo within the premises and the same should be of proper construction including appropriate heat or fire-resistant wall, RCC roofing, flooring. Such area shall be situated at a minimum distance of 200 meters away from main office, administrative, customs office building so that the storage of hazardous cargo is in such a manner that it does not endanger the people working in the premises"

3. CFSAI & our Member CFSs in a duly convened meeting by Commissioner (General) made following submissions for consideration:

a) That the extracts quoted above in para 1 & 2 by CBIC refers to their **Circular 4/2011, contents of which were challenged by CFSAI in Hon'ble Bombay HC & therefater vide SLP in Hon'ble SC.** SC on conclusion of hearing delivered an order in favour of CFSAI in August 2016. Consequent to issuance of SC Order, CBIC issued 40/2016 as fresh

1 | Page

Guidelines overriding 4/2011 & meticulously incorporating relevant extract from SC order:

"While the WP of CFSAI in HC was pending, a joint Technical Committee comprising of Members from Ministry of Environment and Forest ('MoEF'), Ministry of Shipping, CBEC, Port Trust, etc. ('Committee'), was constituted, to give recommendations on the distance(s) to be maintained between the hazardous cargo and the general cargo in the customs area on one hand and between the hazardous cargo and the administrative building on the other"

Para 5 (b) of the CBIC 40/2016 amply clarifies

*"The safe distances between buildings and hazardous cargoes **other than explosives** varies from 3 meters to 30 meters, in various rules and practices, in other ports outside the country. In order to have uniformity, the distance of 30 meters is prescribed to be maintained between hazardous cargo (other than explosives) and administrative buildings. However, the distance of 200 meter as mentioned in CBEC Circular No.4/2011 would be observed between the hazardous cargo (explosive in nature) and the administrative buildings. The distance to be maintained between hazardous cargo and general cargo would be as prescribed in IMDG (International Maritime Dangerous Goods) Code for storage in port areas."*

- a) It is pertinent to note that **CFSs & Ports in India do not handle "Explosives" which are termed Class 1 under IMDG Code** and as such para 2 as quoted in CCSP letter is not applicable to CFSs. Explosives, if imported (normally done by Defence establishments) are handled at anchorage and are taken to the consignee's depot & do not enter port or CFS premises
- b) As mentioned above in para 5 of CBIC Circular, all our member CFSs are strictly observing the distance to be maintained between hazardous cargo and general cargo as prescribed in IMDG (International Maritime Dangerous Goods) Code for storage and have requisite safety and fire precautions in place.
- c) MPCB is the statutory & competent authority who issues "**Consent to establish**" when a facility is established and every five years issues a "Certificate" valid for 5 years termed as "**Consent to Operate**". A copy of "consent to operate" is attached for reference.
- d) MPCB & not JNCH is the Statutory authority for issuance of Hazardous Cargo certificate. Barring JNCH, no other Custom jurisdiction in India follows the process of issuing of a 2 year validity "hazardous Notification" in addition to respective Valid certificates issued by respective PCBs. Informatively, this practice has started in 2018 and is not mandated by CBIC.
- e) The safe distance for storing hazardous goods including explosives on land i.e. Container Depot, CCSP area, Customs notified area etc. (other than port area) for which specific rules exists shall be guided by said rules i.e Gas Cylinder Rules, 2004; the Explosive Rules, 2008; Petroleum Rules,



2002; Static and Mobile Pressure Rules, 1981 etc., as applicable. **However CFSs do not handle "explosives" Class 1 IMDG cargoes**

4. While our member CFSs are following the mandate of directions provided in the 2016 Circular, they were surprised to receive the letter dated 1.02.2024 from CCSP Cell directing them to construct fire resistant walls on all sides of the area for handling hazardous cargo in compliance to Board Circular No. 04/2011 dated 10.01.2011 (relevant Public Notice No. 08/2011 dated 04.02.2011) and CBEC circular No. 40/2016 dated 26.08.2016 with adequate provisions for suitable entry and exit facilities within a period of 3 months.

Our submissions made so far in meeting as well as our response dated 23rd Feb 2024 to JNCH captioned letter have not received any consideration by CCSP Cell.

5. During our submission to your good self, we shared demerits and risks of storage all hazardous cargoes at one location, which our member CFSs have been advised vide CCSP Cell's captioned letter.

a) CCSP Cells captioned letter reiterates contents of 4/2011, which have been overridden by CBIOC 40/2016. If applied, it would be in contradiction to SC order.

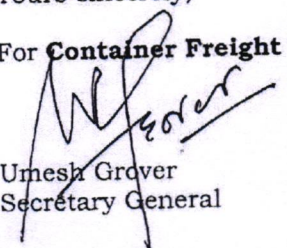
b) Having several containers stored together at one location could pose a potential risk to any CFS facility as this would be a big deviation to the normal storage method wherein Hazardous & non Hazardous containers are allowed to be stored adjacent to each other and in-line with IMDG Guidelines.

c) Container, itself being an enclosed safe storage structure is not required to be stored in another enclosed storage structure as being mandated vide CCSP cell letter. It is neither practical nor advisable and is a deviation from any standard prevalent norm. We are aware that storage /warehousing of Hazardous LCL cargoes would need special fire fighting detection system and extinguishing system, as defined in warehousing Rules. Our members mainly store FCL Hazardous cargo containers, however in few cases when they receive Hazardous Cargoes in LCL container, they continue to be stored within the containers thus ensuring safe storage.

6. In view of our above submissions, we seek your kind intervention in the matter at the earliest.

Thanking you,
Yours sincerely,

For **Container Freight Stations Association of India**


Umesh Grover
Secretary General

Encl: as stated

**OFFICE OF THE COMMISSIONER OF CUSTOMS, (NS-GENERAL)**

B-205, 2nd Floor, CCSP Cell, Jawaharlal Nehru Customs House,
Post: Nhava Sheva, Taluka: Uran, Dist.: Raigad, Maharashtra – 400 707
E-mail Id: ccsp.jnch@gov.in

To,

Date: 08-05-2025

The Manager
CFS M/s. AllCargo Terminals Limited
Village-Khopta, Tal-Uran, Dist -Raigad

Sir,

Subject: Deficiency memo w.r.t inspection/audit-reg.

Please refer to your letter on mentioned subject.

In this regard, a follow-up Inspection was conducted on 23.01.2025 to check the veracity of the response provided by the CCSP by the team of Officers of the CCSP Cell, JNCH.

Accordingly, observations are submitted by the team and following deficiencies have still not resolved by your CFS -

- i. In the cabin at gate complex for Gate officer there is not proper space and sanitization or cleanliness, not internet connectivity, AC is also not working properly.
- ii. Mock Fire drill was not satisfactory as the pressure of water was not sufficient enough that it hardly reaches the level of G+3. When mock fire drill was conducted some of the newly recruited staffs failed to reply the answer asked by officers.
- iii. Entire premises is covered with 233 CCTV Cameras but some of the cameras are placed on very small poll, because of that the view blocks when any vehicle with container parks Infront of the camera thereby may cause security lapse.
- iv. 'No smoking' sign board was hidden, anyone can hardly see them.
- v. There was lot of mix up of HAZ cargo and General cargo in the CFS.
- vi. The CFS will construct the walls to the circumference of the hazardous area and demarcation of the Hazardous cargo area to be made by proper walls for safe handling of Hazardous cargo.

In view of the above, you are directed to rectify the mentioned deficiencies at earliest and intimate this office for further action.

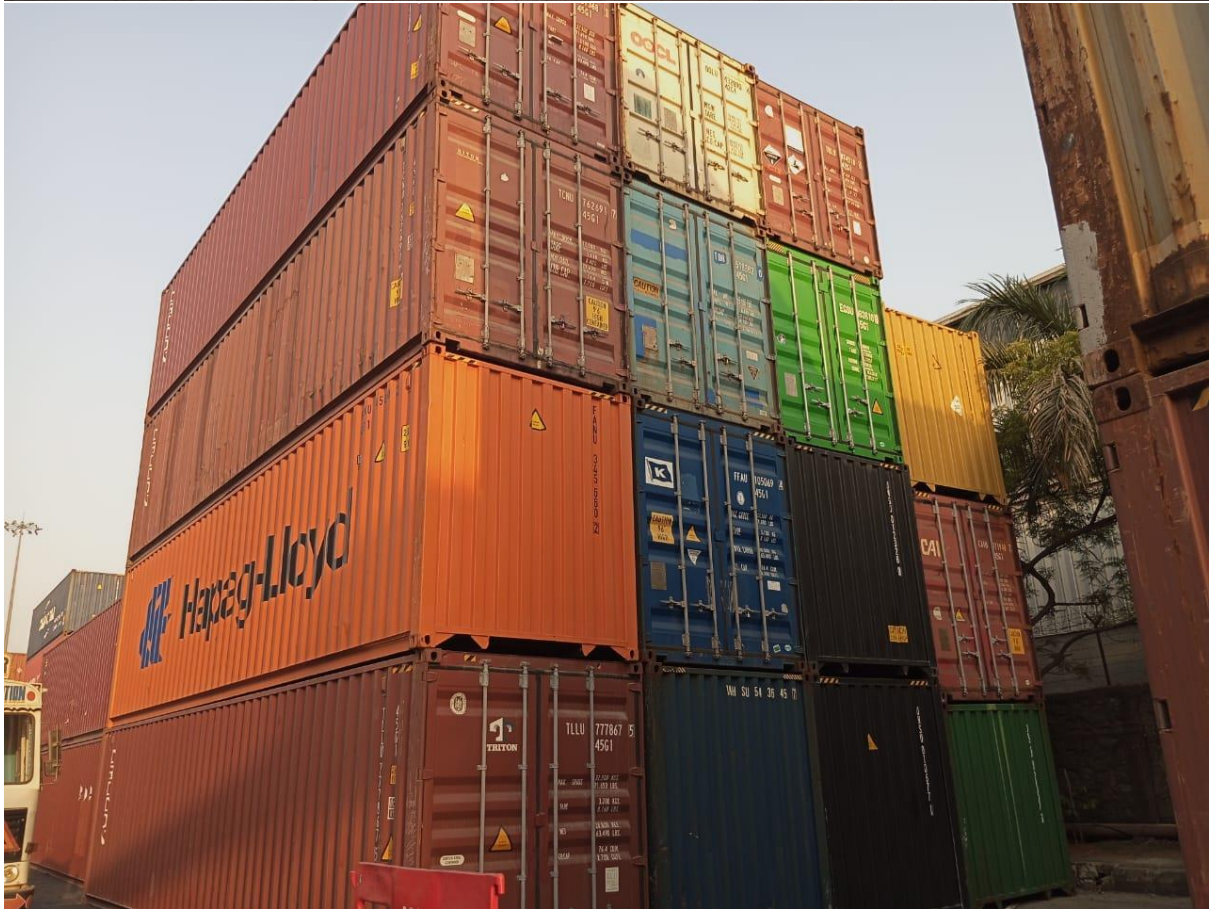
Yours faithfully,

Signed by

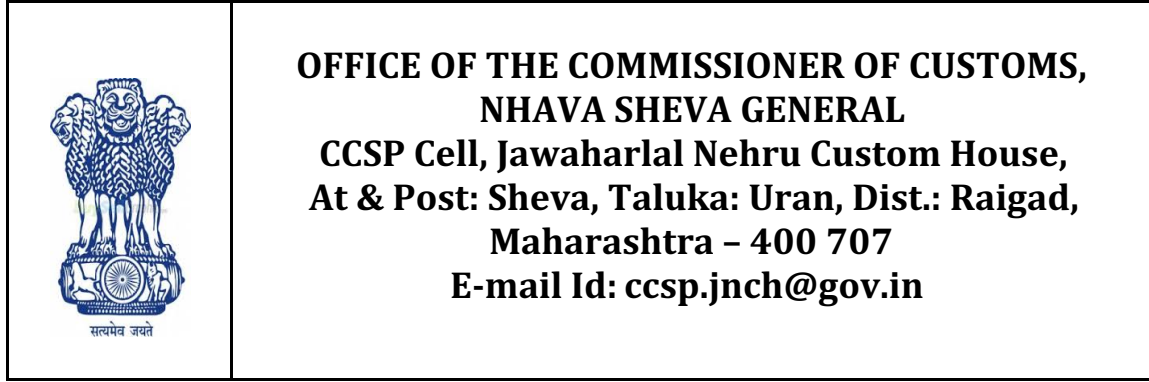
Gurinder Singh Sohal

Date: 08-05-2025 11:34:00
(Gurinder Singh)

Asstt. Commissioner of Customs,
CCSP Cell, JNCH, Nhava Sheva







To,
M/s All Cargo Terminals Limited
Village-Khopta, Post-Koprol, i,
Taluka-Uran, Disst. Raigad, Maharashtra

Gentleman,

Subject:- Renewal of Permission for Handling, Storing, Receipt or Dispatch of import and/or export hazardous cargo at CFS - reg.

Please refer to your application dated 14.08.24 on the above mentioned subject. In this regard it is informed that, the permission for Handling, Storing, Receipt or Dispatch of import and/or export hazardous cargo at the designated premises of the CFS- M/s All Cargo Terminals Limited, is renewed by the competent authority subject to the following conditions:

1. The permission shall be valid for Hazardous cargo upto the threshold limit as mentioned in MSIHC Rules, 1989 and EIA Notification 2006, in the demarcated area (for handling Hazardous cargo) of 2649 Sq. Mtrs. as shown in the map attached with the authorization.
2. The authorization shall be valid for Containerized Hazardous cargo only.
3. The designated areas shall not be used to store any General Cargo.
4. The CFS shall not transfer any hazardous chemical from one container to another within the CFS Premises.
5. The authorization is subject to strict compliance of conditions as laid down in HCCAR-2009 as amended, CBEC Circular No. 44/2020 dated 08.10.2020 and various Rules, Acts mentioned therein and any other amendments done to them from time to time.
6. It is to be ensured that specific Rules like Gas Cylinder Rules, 2004; The Explosive Rules, 2008; Petroleum Rules, 2002; Static and Mobile Pressure Rules, 1981 etc. as applicable are followed.
7. The safety audit and report submission to this office as well as MPCB are made in accordance with the Public Notice 129/2020 dated 07.10.2020 of this Commissionerate.

8. As per the MSIHC Rules, if any CFS exceeds threshold limit as mentioned in Schedule 2 or Schedule 3 they shall have to comply with the rules 7 to 15 and 18 of MSIHC Rules compulsorily. The rules 7 of MSIHC rules, 1989 mandates any industrial activity/isolated storage activity to obtain approval from concerned authorities. As the MPCB has included isolated storage of hazardous chemicals in its consent, management, CFS will need to notify and obtain separate permission from MPCB for whatever quantity they are handling.

9. The authorization shall be valid for 2 years w.e.f. 20.10.24 subject to the validity of MPCB Consent and may be renewed after review.

10. This permission is not valid for cargo falling under Class-1 (EXPLOSIVES) and Class-7 (Radio-active material).

11 The CFS will construct the walls to the circumference of the hazardous area and demarcation of the Hazardous cargo area to be made by proper walls for safe handling to safe handling of Hazardous cargo.

12. Any deviation on part of the CFS in adherence to the stipulated guidelines will result in revocation of authorization without any notice to the CFS Authorities.

This issues with the approval of the Commissioner of Customs, NS-General, JNCH.

Yours faithfully,
Signed by
Gurinder Singh Sohal
Date: 21-04-2025 19:41:11
(Gurinder Singh)
Asstt. Commissioner of Customs
CCSP Cell, NS-General, JNCH

Copy to :

1. The Dy. Commissioner of Customs (in-Charge), CFS M/s All Cargo Terminals Limite -for information and ensure compliance.
2. Office Copy

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 022- 27572739
Fax: 022- 27571586
Website: <http://mpcb.gov.in>
Email:
ronavimumbai@mpcb.gov.in



Maharashtra Pollution
Control Board, Raigad
Bhavan, 7th floor, Sector -
11, C.B.D Belapur, Navi
Mumbai

Date: 08/12/2022

ORANGE/S.S.I ()
No:- Format1.0/RO/UAN
No.0000148457/CR/2212000523

To,
M/s. Allcargo Logistics Limited
Survey No. 7,8,15,56,57 & 58, At Village -
Kacharepada (Khopta), Tal-Uran, Dist Raigad



Sub: Consent to Operate

Ref: Application submitted by industry for consent to operate

Your application No.MPCB-CONSENT-0000148457 Dated 16.09.2022

For: Grant of Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

- The consent to operate is granted for a period up to 31.10.2032**
- The capital investment of the project is Rs.12.59 Crs. (As per C.A Certificate submitted by industry)**
- Consent is valid for activity Container Yard (Container freight station) for total built-up area 10131.09 Sq.m.**

Sr No	Product	Maximum Quantity	UOM
Products			
1	Container Yard (Container freight station) All types of cargo warehousing complex (Handling of all type of containerized/non containerized cargo & storage, which and inside company premises including handling & storage of Hazardous chemicals)	As per order	

Note : This consent is granted subject to condition that at no time threshold quantities should be exceeded the limit prescribed under the MSIHC Rules 1989 & Temporary stack storage should not store the containers beyond the statutory period & should ensure that the container are not damage, so as to prevent any sort of spillage or overflow or discharge of any chemical outside the containers.

4. **Conditions under Water (P&CP), 1974 Act for discharge of effluent:**

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	0	As per Schedule-I	Not Applicable
2.	Domestic effluent	55	As per Schedule-I	Sewage Treatment Plant

5. **Conditions under Air (P& CP) Act, 1981 for air emissions:**

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	1	D G SET (450 KVA)	1	As per Schedule -II
2	2	D G SET (500 KVA)	1	As per Schedule -II

6. **Non-Hazardous Wastes:**

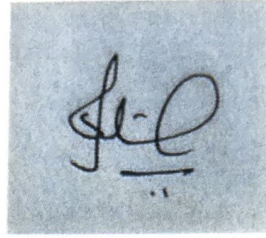
Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	paper, wooden pallets/ Scrap Material	500	Kg/M	Sale to MPCB authorized party	Sale to MPCB authorized party
2	Canteen Waste	2	Kg/Day	Organic Waste Converter	Organic Waste Converter
3	STP Sludge	19.8	MT/A	Use as manure	Use as manure

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:**

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	200	Ltr/M	As per CHWTSDF	CHWTSDF

8. The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
10. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)
11. This consent shall be consider cancelled if industry violates the various environmental laws, rules and regulations.
12. Industry shall comply with the EIA notification, dtd. 14.09.2006 and Amendments thereto and consent shall treat as cancelled if industry violates the same.
13. The consent shall be issued subject to comply with CPCB's letter dated 25.10.2019 regarding mechanism for Environment Management of Critically and Severely Polluted Areas and to comply for consideration of activities/projects in such areas in compliance to Hon'ble NGT Order dated 23.8.2019 in the matter O.A. no. 1038/2018.
14. This consent is issued subject to obtain permission/NOC from Central Ground Water Authority (CGWA) and MIDC in your premises for the use of ground water if any.

15. The Industry shall obtain necessary permission from the Directorate of Industrial Safety and Health (DISH).



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17818a21
9207fd1e

Signed by: D. B. Patil
Regional Officer
For and on behalf of,
Maharashtra Pollution Control Board
ronavimumbai@mpcb.gov.in
2022-12-08 12:59:58 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	100000.00	MPCB-DR-14873	13/10/2022	NEFT
2	150000.00	MPCB-DR-15751	03/12/2022	NEFT

Copy to:

1. Sub-Regional Officer, MPCB, Talaja
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai

SCHEDULE-I
Terms & conditions for compliance of Water Pollution Control:

1. A] Generation - As per your application the treated effluent generation is Nil.
B] Treatment - NA
C] Disposal - NA
2. A] Sewage Effluent Treatment: The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards.
B] The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

Sr.No	Parameters	Standards (mg/l)	
1	Suspended Solids	Not to exceed	50
2	BOD 3 days 27°C	Not to exceed	30
3	COD	Not to exceed	100

- C] The treated sewage shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, sewage shall find its way for gardening / outside factory premises.
3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	60.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	2

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.

SCHEDULE-II

Terms & conditions for compliance of Air Pollution Control:

1. As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) to observe the following fuel pattern:

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
1	DG Set	Stack	4.50	Diesel 6 Kg/Hr	-	SO ₂	0.5 Kg/Day
2	DG Set	Stack	4.50	DIESEL 6 Kg/Hr	-	SO ₂	0.5 Kg/Day

2. The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
3. The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Parameters	Standards (mg/l)	
Total Particulate Matter	Not to exceed	30 mg/ Nm ³
SO ₂	Not to exceed	1.0 Kg/Day

4. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
5. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

SCHEDULE-III
Details of Bank Guarantees:

Sr. No	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Operate	Rs. 1 Lakh	15 Days	Compliance of consent conditions and Operation & maintenance of pollution control system	31.10.2032	28.02.2033

The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days from the date of issue of Consent.

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

SCHEDULE-IV
General Conditions:

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.

11. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
12. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
13. The PP shall provide personal protection equipment as per norms of Factory Act 1948
14. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.

24. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.
25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
26. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
30. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. You shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
32. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.

This certificate is digitally & electronically signed.

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MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office - Navi Mumbai

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Navi Mumbai 400 614

Orange/SSI

RONM/Consent/Amendment/2305000093

Date: 29/05/2023

Amendment


Subject: Change in name of **M/s. Allcargo Logistics Limited**, Survey No. 7,8,15,56,57 & 58, At Village - Kacharepada (Khopta), Tal-Uran, Dist Raigad to **M/s. Allcargo Terminals Limited**, Survey No. 7,8,15,56,57 & 58, At Village - Kacharepada (Khopta), Tal-Uran, Dist Raigad

Ref: 1. Boards consent No:- Format 1.0/RO/UAN No.0000148457/CR/2212000523. dtd.08/12/2022 and valid up to 31/10/2032.
2. Consent Amendment application no. MPCB-CONSENT-AMMENDMENT-0000010870.

Consequent upon the change in name of the industry from **M/s. Allcargo Logistics Limited**, Survey No. 7,8,15,56,57 & 58, At Village - Kacharepada (Khopta), Tal-Uran, Dist Raigad to **M/s. Allcargo Terminals Limited**, Survey No. 7,8,15,56,57 & 58, At Village - Kacharepada (Khopta), Tal-Uran, Dist Raigad at same address mentioned above, the consent originally granted to **M/s. Allcargo Logistics Limited**, Survey No. 7,8,15,56,57 & 58, At Village - Kacharepada (Khopta), Tal-Uran, Dist Raigad under Section 26 of Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of Air (Prevention & Control of Pollution) Act, 1981 and Authorization/Renewal of authorization under rule 6 of the Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016 shall stand changed in the name of **M/s. Allcargo Terminals Limited**, Survey No. 7,8,15,56,57 & 58, At Village - Kacharepada (Khopta), Tal-Uran, Dist Raigad.

All the terms and conditions detailed at ref. no. 01 in the above consent shall remain unchanged.

For & On behalf of
Maharashtra Pollution Control Board


(D. B. Patil) 29/05/23

Regional Officer, Navi Mumbai



To
M/s. Allcargo Terminals Limited,
Survey No. 7,8,15,56,57 & 58,
At Village - Kacharepada (Khopta),
Tal-Uran, Dist. Raigad.

Copy to:
Sub-Regional Officer-Taloja, MPC Board, Navi Mumbai.