

CFS NOTIFICATION No. 16 /2012

**OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT)
JAWAHARLAL NEHRU CUSTOM HOUSE, SHEVA,
RAIGAD, MAHARASHTRA.**

F.No. S/5-Gen-36/08 P &E JNCH Part-I

Date: 07.11.2012

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1. The area admeasuring approx 9 Acres of Container Freight Station of M/s. Vaishno Logistics Yard. located at Jasai, Uran Dist : Raigad, Maharashtra was declared a Customs Area under Section 8 of the Customs Act, 1962 vide Notification No.31/2010 dated 06.10.2010 for a period of 2 Years and M/s. Vaishno Logistics Yard appointed as Custodian and a Customs Cargo Service Provider for that area vide Notification No.32/2010 dated 06.10.2010 issued under Section 45 (1) and 141 (2) of the Customs Act, 1962.

2. Now, in exercise of the powers conferred on me under Section 45(1) and 141 (2) of the Customs Act, 1962, I, Manoj Krishna, Commissioner of Customs (Export), Jawaharlal Nehru Custom House, Mumbai Zone II, Nhava Sheva hereby further extend the Custodianship of M/s. Vaishno Logistics Yard for a period of 5 years starting from 6th of Oct, 2012 for imported goods received at the Container Freight Station, M/s. Vaishno Logistics Yard until these are cleared for home consumption or are warehoused or are transshipped in accordance with the provision of Chapter VIII of the Customs Act , 1962. Similarly, M/s. Vaishno Logistics Yard will also be the Custodian of the Export Cargo brought into said Container Freight Station for examination and stuffing till their exportation through Jawaharlal Nehru Port.

3. Also, in exercise of powers conferred on me under Regulations 10(2) of "Handling of Cargo in Customs areas Regulations, 2009", I Manoj Krishna, Commissioner of Customs (Export), Jawaharlal Nehru Custom House, Mumbai Zone II, Nhava Sheva, having been satisfied that the Custodian M/s. Vaishno Logistic Yard has fulfilled the conditions as prescribed in Regulation 5 of "Handling of Cargo in Customs areas Regulations, 2009" extend the approval of M/s. Vaishno Logistics Yard as a Customs Cargo Service Provider for a further period of 5 years starting from 6th of Oct, 2012 subject to the following conditions:

i. The Custodian of the goods meant for import and export would be required to comply with the provisions of section 45(2) of the customs Act, 1962 as well as the provisions of "Handling of Cargo in Customs areas Regulations, 2009" (as amended).

ii. The Custodian approved as Customs Cargo Service Provider shall also take steps to bring about necessary improvement in the infrastructural facilities and other amenities required to be provided to the trade and also to the Customs Staff, as may be necessitated from time to time, consequent upon the growth in the volume of Import and Export Trade handled at the Container Freight Station to the satisfaction of the Commissioner of Customs (Export).

- iii. Security of Customs Area shall be the responsibility of the Custodian. The cost of the security has to be borne by the custodian.
- iv. The Custodian shall provide access to Customs of all the surveillance cameras installed in the facility. They shall consult the Commissioner of Customs (Export) with regards to the location of cameras in the operational areas.
- v. The Custodian shall also provide a free furnished suitable office premises for Customs with adequate equipments of communications and office furniture.
- vi. Free and suitable transport facilities to be provided for the Customs staff by the Custodian.
- vii. The Custodian shall provide free furnished suitable office space for the Customs Department at the places of clearance of goods.
- viii. The Custodian shall co-operate with Customs in any scheme for automation and technological upgradation of the facility.
- ix. The Custodian shall be vicariously liable with regard to the acts and omissions of its employees that are in violation of the Customs Act, 1962 or any other law for the time being in force that is enforced by Customs.
- x. The Custodian shall bear the Cost Recovery charges of the Customs staff posted at the CFS by the Commissioner of Customs, JNCH, Nhava Sheva.
- xi. Custodian shall make available at least ten percent of the total shed/open area for the goods detained or seized by the Customs as and when required.
- xii. Custodian shall not charge any rent/demurrage on the goods detained/seized/confiscated by the Customs Department under the Customs Act or any other Act for the time being in force. It is to be further stated that when there are longer detention of cargoes and there is lack of adequate space for storing such goods in the Customs area, sufficient space for custody/storage of detained imported/export goods should be provided by Customs Cargo Service Provider (CCSP) as per regulation 5(1) (o) of the HCCAR, 2009 so that detained goods may be stored after de-stuffing from the containers and empty containers be returned to the concerned Shipping Line.
- xiii. In case the Custodian wants to sublet any of the functions inside the Customs area or connected with the Customs area, the same should be done with prior approval of the Commissioner of Customs, JNCH, Nhava Sheva and the Custodian shall remain responsible for the omissions and commissions of the said agency.
- xiv. Duration of appointment shall remain valid upto 5 Years and subject to the satisfaction of the Commissioner of Customs, JNCH, Nhava Sheva. The Commissioner of Customs, JNCH, Nhava Sheva shall have the right to terminate the appointment at any time after assigning specific reasons for the custodian to explain his case.

xv. The Custodian M/s. Vaishno Logistics Yard shall be responsible for fulfillment of the conditions of the regulations prescribed in “Handling of Cargo in Customs Areas Regulations 2009” (as amended) in respect of Customs Cargo Services Providers working on their behalf or with their permission in the said CFS.

xvi. Duration of the extension of Custodianship and status as Customs Cargo Service Provider shall be for 5 Years from 6th of Oct, 2012. The Commissioner of Customs (Export) shall have the right to suspend or revoke the approval at any time after assigning specific reason and giving an opportunity to the Custodian/ Customs Cargo Services Provider to explain his case. for failure to comply with any of the provision of the act and rules, regulations, notifications and orders made there under,

xvii. The appointment shall be reviewed after 5 years or earlier as above from the date of renewal.

Sd/- on 07.11.2012
MANOJ KRISHNA
COMMISSIONER OF CUSTOMS (EXPORT)
JNCH, NHAVA SHEVA