

NOTIFICATION NO. 08 /2012

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

F.No. S/5-Gen-01/09-10 P&E (CFS M. Cell)

Date: 04 .06.2012

**DGHRD/HRM/CSN/CRB/08/2012
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The area admeasuring 41882 SQM of Container Freight Station of M/s. SBW Logistics Pvt. Ltd., located at Gutt No.55, Village-Khairane, Taluka- Panvel , Distt. -Raigad., Maharashtra was declared a Customs Area under Section 8 of the Customs Act, 1962 vide [Notification No. 07 /2012](#) dated 04 .06.2012- .

Now, in exercise of the powers conferred on me by Section 45 (1) and 141(2) of the Customs Act, 1962, I, Rakesh Misra, Commissioner of Customs (Export), Jawaharlal Nehru Custom House, Mumbai Zone II, Nhava Sheva hereby appoint M/s. SBW Logistics Pvt. Ltd. to be the Custodian of the imported goods received at the Container Freight Station of M/s. SBW Logistics Pvt. Ltd admeasuring total area of 41882 SQM 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. SBW Logistics Pvt. Ltd. will also be Custodian of the Export cargo brought into said Container Freight Station for examination and stuffing till their exportation through Jawaharlal Nehru Port, subject to the following conditions:

(1) 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 Rules and Regulations and instructions issued from time to time in this regard.

(2) The Custodian 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).

(3) The Custodian shall –

1. keep a record of imported goods, goods brought for export or transshipment, as the case may be, and produce the same to the proper officer as and when required;
2. keep a record of each activity or action taken in relation to the movement or handling of imported or export goods and goods brought for transshipment;
3. display or make available in any other manner, information of process or movement or handling of imported or export goods and goods brought for transshipment;

4. demarcate separate areas for unloading of imported goods for their storage with respect to the category of importers, nature of goods, place of destination, mode of transportation or any other criterion as the Commissioner of Customs (Export) may specify having regard to the custody and handling of imported goods in a customs area;
5. demarcate separate areas for loading of export goods for their storage with respect to the categories of exporters, nature of goods, examined and sealed containers or other criterion as the Commissioner of Customs (Export) may specify having regard to the custody and handling of export goods in a customs area;
6. not permit goods to be removed from the customs area, or otherwise dealt with, except under and in accordance with the permission in writing of the proper officer;
7. not permit any export cargo to enter the customs area without a shipping bill or a bill of export having been filed with the proper officer;
8. not permit any import cargo to enter the customs area or be unloaded therein without the import report or the import manifest having been filed with the proper officer;
9. be responsible for the safety and security of imported and export goods under its custody;
10. be liable to pay duty on goods pilfered after entry thereof in the customs area;
11. be responsible for the secure transit of the goods from the said customs area to any other customs area at the same or any other customs station in accordance with the permission granted by the proper officer;
12. subject to any other law for the time being in force, shall not charge any rent or demurrage on the goods seized or detained or confiscated by the proper officer;
13. dispose off in the manner specified and within a time limit of ninety days, the imported or export goods lying unclaimed, uncleared or abandoned;

Provided that the period of ninety days may be extended by the Commissioner of Customs (Export) by such further period as may be allowed, on sufficient cause being shown for delay in the disposal;

1. not make any alteration in the entry or exit points or boundary wall without the permission of the Commissioner of Customs (Export);
2. shall bear the cost of the customs officers posted by the Commissioner of Customs (Export) on recovery basis and shall make payments at such rates and in the manner specified by the Government of India in the Ministry of Finance unless specifically exempted by an order of the said Ministry;
3. shall observe the Central Government holidays as followed by the jurisdictional Customs formations and in case of any variation in the working days, intimate the same to the Commissioner of Customs (Export) and the trade, at least seven days in advance, and
4. abide by all the provisions of the Act and the rules, regulations, notifications and orders issued there under.

(4) The Custodian shall not lease, gift, sell or sublet or in any other manner transfer any of the premises in a customs area; or sub contract or outsource functions permitted or required to be carried out by him in terms of these regulations to any other person, without the written permission of the Commissioner of Customs (Export).

(5) The Custodian shall publish and display the schedule of charges for the various services provided by him in relation to the imported or export goods in the customs area.

(6) The Custodian shall within the first week of every month furnish a statement to the Assistant Commissioner of Customs / Deputy Commissioner of Customs (Export) in charge of the Container Freight Station, in respect of all those packages / Cargo, whether imported / export or transshipment which are lying in the Container Freight Station, for more than 30 days.

(7) The Custodian shall provide free furnished office space for the Customs Department. Custodian shall bear the establishment charges of the Customs staff posted for the said Container Freight Station. The Commissioner of Customs (Export) shall decide the number of staff, which is required to be posted considering the work load at the Container Freight Station.

(8) Residential accommodation for the Customs staff posted in the area shall also be provided by the Custodian, wherever, requisitioned by the Commissioner of Customs (Export), Jawaharlal Nehru Custom House.

(9) Free suitable transport from the nearest railway head or suitable point shall be provided for the Customs staff by the Custodian.

(10) The Custodian shall abide by such rules, regulations, instructions and guidelines, as may be issued from time to time by the Central Board of Excise and Customs or any other Authority under the Customs Act, 1962 with regard to the functioning of Container Freight Station or any matter under the Customs Law having a bearing on Import or Export work handled through the Container Freight Station.

(11) Duration of the appointment shall initially remain for **2 years** and subject to the satisfaction of the Commissioner of Customs (Export). The Commissioner of Customs (Export) shall have the right to terminate the appointment at any time after assigning specific reason and giving an opportunity for the Custodian to explain his case. The appointment shall be reviewed after 2 years from the date of issue of this Notification.

(12) Also, in exercise of the powers conferred on me under Regulation 10 of the "Handling of Cargo in Customs Areas Regulations 2009". I, Rakesh Misra, Commissioner of Customs (Export) having satisfied that the applicant M/s. SBW Logistics Pvt. Ltd., located at Gutt No.55, Village-Khairane, Taluka- Panvel , Distt. -Raigad., Maharashtra has fulfilled the conditions prescribed in regulation 5 of "Handling of Cargo in Customs Areas Regulations 2009" approve M/s. SBW Logistics Pvt. Ltd.. as a Customs Cargo Services Provider for CFS M/s. SBW Logistics Pvt. Ltd., located at Gutt No.55, Village-Khairane, Taluka- Panvel , Distt. -Raigad., Maharashtra notified as Customs area vide [Notification No. 07 /2012](#) dated 04.06.2012. .

1. The Customs Cargo Services Provider, M/s. SBW Logistics Pvt. Ltd. shall discharge all the responsibilities prescribed under regulation 6 of "Handling of Cargo in Customs Areas Regulations 2009".
2. The Custodian M/s. SBW Logistics Pvt. Ltd. hereby approved as Customs Cargo Services Provider for the said CFS shall be responsible for fulfillment of the conditions of

the regulations prescribed in “Handling of Cargo in Customs Areas Regulations 2009” in respect of Customs Cargo Services Provider working on their behalf or with their permission in the said CFS.

3. Duration of the approval shall initially remain for **2 years** from the date of issue of approval. The Commissioner of Customs (Export) shall have the right to suspend or revoke the approval for failure to comply with any of the provision of the act and rules, regulations, notifications and orders made there under.

Sd/-

Commissioner of Customs (Export)
JNCH, Nhava Sheva.