

**OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT)
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA**

F. No. S/JNCH-D-61/2010-11 Disp(A)
Date: 21.10.2010

STANDING ORDER NO 64/2010
(Referred / amended vide S.O.No. [21/2011](#))

Sub: Measures for expeditious disposal of unclaimed/uncleared goods ◆
Instructions- reg.

◆◆◆◆◆◆◆◆◆◆ Subsequent to approval of the Action Plan by the Chief Commissioner of Customs, Mumbai Zone-II in respect of expeditious disposal of unclaimed/ uncleared cargo and deliberation thereupon, it has been decided that the examination of uncleared /unclaimed cargo (herein after referred to as ◆cargo◆) will be undertaken first before approaching for NOC from the Appraising Groups/ other sections. A new proforma for submission of information by the CFSs in respect of cargo pending for disposal has, therefore, been devised and is enclosed herewith for circulation.

2.◆◆◆◆◆◆◆◆◆◆ It has further been decided that on receipt of information from the CFS in said prescribed proforma, the Disposal Section shall verify the information contained therein and make entry thereof in a register. After verification of the details in proforma and countersignature by the Asstt. /Dy. Commissioner (Disposal), the said proforma (hereinafter called as Docket) will be returned to the CFS either on the same day or latest by next day, with direction to CFS to arrange for examination of cargo.

3.◆◆◆◆◆◆◆◆◆◆ The CFS will present/ register said Docket with the Docks Appraising staff for examination either on the same day or latest by next day. Docks staff shall conduct examination of cargo daily on regular basis or at a time convenient to them. However, it will be ensured that the examination of the cargo be completed within two days from the date of registration/ presentation of the Docket. The Addl. Commissioner, I/c. Docks is requested to make the plan/ strategy for examination of cargo in such a way that this task is completed by 30th November, 2010 for all the 3500 containers. Examination will be undertaken as per sub-para (v) of Para 3 of Public Notice No. 65/2005 dated 13.12.2005 interalia stipulating that to open and inspect all the containers to ascertain the availability of contents therein, but only 10% goods out of the lot

will be examined. As regards examination of ferrous/non-ferrous goods, it will be ensured that the containers are already scanned and examination will be done as prescribed above. However, 100% examination for ferrous/non-ferrous cargo shall be undertaken at the time of delivery.◆ Docks staff is requested to record clear and legible report with date and also mention CTH. Adoption of this practice will enable the Appraising Groups/ other sections to take quick decision while issuing NOC for disposal of cargo. There may be instances where in NOC can not be granted due to contravention of the provisions of Foreign Trade Policy or for non-compliance of any other provisions of Customs Act. In such a case, Commissioner (Import) shall constitute a cell (or make arrangement as per their convenience) for adjudication of such cases by nominating an adjudicating authority. The cargo of HMS/ waste paper or any other item may fall under this category involving common issue. Therefore, such cases may be clubbed and be decided by issuing common order on priority basis.

4.◆◆◆◆◆◆◆◆ After obtaining the examination report, the CFS will prepare two Xerox copies thereof as duplicate and triplicate and submit the same along with original to the Disposal Section either on the same day or latest by next day. The Disposal Section will enter the date of receipt of Docket in register and keep original and duplicate with them and handover triplicate copy duly signed to the CFS in token of acknowledgment. The Disposal Section will retain duplicate copy of the Docket for records. After segregation of the original Dockets the Disposal Section shall bunch them Groupwise, and send them, within two days of the receipt of such Dockets from the CFS to the Groups under the signature of the Commissioner (Export) to the Commissioner (Import).

◆5.◆◆◆◆◆◆◆◆ On receipt of said Docket containing details of cargo and examination report, the Group will scrutinize the same and issue NOC to Disposal Section within five days of the receipt of the said Dockets. As regards N.O.C from other agencies, namely Port Health Officer /Plant Quarantine Department/Assistant Drug Controller, State Pollution Control Board and others is concerned the same will be obtained by CFS. In the meantime, the CFSs get the cargo valued by two government approved valuers on triplicate copy and submit the report of valuation within 5 days from the date of receipt of triplicate copies from Disposal Section.

6.◆◆◆◆◆◆◆◆ The Disposal Section will enter the date of valuation in their records and after scrutiny thereof grant permission to CFSs for auction of the goods within 2 days from the receipt of valuation/ NOC.

7. ❖❖❖❖❖❖❖❖ On receipt of approval for auction from Disposal Section, the Custodian of the cargo shall immediately prepare plan for auction and complete the same within 15 days of the receipt of permission. The CFSs are directed to afford full inspection of cargo including its contents to the bidders. On completion of auction, CFSs will prepare bid-details and submit the same to the Disposal Section either on the same day or the latest by next day.

8. ❖❖❖❖❖❖❖❖ The Disposal section will scrutinize the records of auction and put up the same for acceptance/rejection to the Commissioner on priority but not later than 10 days from the receipt of auction bid details. The information regarding acceptance of the bids or rejection thereof will be intimated to the CFSs within 2 days.

9. ❖❖❖❖❖❖❖❖ Except the changes as made out in the foregoing paras, all the instructions as contained in P.N. No. 65/2005 dated 13.12.2005 shall be followed by all concerned.

(SUSHIL SOLANKI)
COMMISSIONER OF CUSTOMS (EXPORT)

Encl.: As above.

Copy to:

1. Chief Commissioner of Customs, Mumbai Zone-II
2. Commissioner of Customs (Import), JNCH
3. All Addl. / Joint Commissioners, JNCH
4. Asstt./Dy. Commissioner, I/c. Groups/ Docks, JNCH