

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

F.NO.S/6-BOARDING-(Chitra)-Misc-
11/2010 Date:26.11.2010

STANDING ORDER NO. 75 /2010

Sub: Discharge of MSC Chitra Salvage Containers/Cargo at Belapur Port, Procedure to be followed for further clearance of the same reg.

After the collusion of the MSC Chitra and MV Khaleeja III, 279 containers are retrieved from the sea and brought to the CFSs as per the prescribed procedure. However, there are still about 200 containers which have been offloaded on the barges and could not be brought to the JNPT port due to technical difficulties. The procedure related to the clearance of these containers is as follows.

As per the request of the M/S MSC Agency it is decided that these containers can be offloaded at the Belapur Coastal Port. As per the clarification issued by the Ministry vide F No 401/179/2010-Cus III dated 12 th Nov 2010, this being a exceptional situation, the said containers may be allowed to be offloaded from the barges at Belapur Port under Section 33 of the Customs Act, 1962 by the proper officer that is Commissioner of Customs (Preventive), Mumbai. The permission given to offload the containers at Belapur port will remain valid for a period of 3 months from the date of permission given by the Maharashtra Maritime Board (MMB) or actual period which ever is earliest subject to the safeguards to be taken by the Shipping line as prescribed by the Maharashtra Maritime Board for the security of the containers. Similarly the Shipping line will execute the Bond with office of the Commissioner of Customs (Preventive)

regarding the Custodianship of the goods during storage of the goods at Belapur port so required under the provisions of Handling of Cargo in Customs Areas Regulations, 2009 and transfer of the goods to the designated CFSs. All the discharged containers/goods from the barges at Belapur Port shall be duly received under the supervision of the M&P Officers of Commissionerate of Customs (Preventive). ♦The Shipping line will follow the procedure as decided for the different categories of the goods.

2.2 The Shipping Agent (M/s. MSC Agency (India) Pvt. Ltd.) shall segregate the♦ containers/cargo in following categories:

- i. Export cargo loaded from JNPT.
- ii. Cargo meant for other port.

♦They will submit the details thereof to the Custom officer at Belapur Port with a copy to DC (PG), JNCH. For container/cargo indicated as export cargo, the shipping line should submit the details namely Container Number and concern Shipping Bill to Customs Officers. After the receipt of the containers, the Customs officer at the Belapur port will verify the declaration of the Shipping line.♦♦♦

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3 EXPORT CONTAINERS LOADED FROM JNPT:

3.1 ♦♦ The Export containers found in sound condition with Customs Seal intact shall be brought to the designated CFS. If these are to be exported to original consignees, these goods will be re-examined and if condition of cargo is found to be same as declared, then export would be allowed after amending Shipping Bill for IGM No.. However, if the condition of cargo is found to be different /deteriorated, then the original Shipping Bill shall be cancelled and new Shipping Bill shall be filed. In both cases, the consent of exporter for exporting these goods will be produced to the Custom Officer before grant of L.E.O.♦ ♦If Exporter wants to take the container back to town, then same will be permitted by the AC (Export) of the CFS subject to usual procedure. In the eventuality of exporter neither giving consent for export nor taking back to town, the goods will be disposed of with the permission of Commissioner of Customs (Export), JNCH.

3.2 Export Containers found in sound condition but with seal damaged/broken, the container shall be sealed with agent bottle seal, and brought to the designated CFS. If the exporter decides to export the goods, he shall file a fresh shipping bill after cancellation of the original shipping bill and follow the export procedure. If decision is taken for taking the goods back to town, back to town procedures will be followed. In absence of these two happenings, goods will be disposed of with the permission of Commissioner of Customs (Export), JNCH.

3.3 Export Containers found in damaged condition shall be reworked (reworking means shifting of cargo from damaged container to other empty container) under M&P Officer supervision. Before such transfer of the goods the quantity and the condition of the goods will be ascertained by an independent government approved surveyor. The survey report will be signed by the Customs officer i.e. Inspector and Superintendent at Belapur Port. After sealing the container with agent bottle seal shall be brought to the designated CFS. If the exporter decides to export the goods, he shall file a fresh shipping bill after cancellation of the original shipping bill and follow the export procedure. If decision is taken for taking the goods back to town, back to town procedures is to be followed. In absence of exporter's response, procedure given here in above will be followed.

3.4 For each Export container, a separate serially numbered challan (three copies) will be prepared by the Shipping line indicating container number, Shipping Bill Number, seal number and new container number (if required). The survey report will also signed by the officer. The Custom officer will give forwarding order on the challan and the container will move along with the challan to the designated CFS. The gate officer at the CFS will endorse on the Challan acknowledging the receipt of the container in the CFS. The Shipping line will submit such challan along with survey report to the Boarding office of JNCH. One copy of that challan duly endorsed

by JNCH will also be handed over to custom office at Belapur by the shipping agent as a proof of the same being properly received by JNCH.



4 IMPORT CONTAINERS MEANT FOR FOREIGN PORT AND MUNDRA PORT:

4.1 The Shipping Agent (M/s. MSC Agency (India) Pvt. Ltd.) shall segregate the import containers from others and give necessary declaration regarding the number of containers, Container Number and concern port of discharge to Customs Officers at Belapur and Copy to DC (PG), JNCH. The Shipping line will file amendment to the IGM to the office JNCH for these containers in a manner as decided by Standing Order No.43/2010 dated 13.08.2010 and amendment to Standing Order No.43/2010 dated 13.10.2010. After the receipt of the containers, the Customs officer at the Belapur port will verify the declaration of the Shipping line.



4.2 The import containers found in sound condition with seals intact meant for Mundra Port will be sealed with Customs bottle seal and will be brought to the designated CFS. Import containers found in sound condition with seals broken these containers shall be resealed with shipping agent and customs seal and brought to the designated CFS. Import containers found in damaged condition shall be reworked (which means shifting of cargo from damaged container to other empty container) under M&P Officer supervision. The quantity and condition of the goods to be transferred will be ascertained by an independent government approved surveyor before the goods be transferred to another empty container. The said report will be signed by the custom officer that is Inspector and Superintendent at Belapur Port. The same should be sealed with customs bottle seal and shipping line seal and brought it to the designated CFS.

4.3 Import containers meant for Mundra Port shall be forwarded to the said port after following the SMTP procedure by

import commissionerate. The same procedure will be followed for the containers meant for the foreign port and will be forwarded by following the foreign TP procedures.

4.4 If the goods have been identified with a particular container/importer, and the shipping line is not inclined to forward the cargo to the desired destination, same with a detailed inventory will taken to CFS and be treated as unclaimed/uncleared cargo and shall be processed for disposal like any other imported cargo by the office of JNCH.

4.5 For the each Import container, a separate serially numbered challan (three copies) will be prepared by the Shipping line indicating container number, Port of discharge, seal number and new container number (if required). The survey report will also signed by the officer. The Custom officer at Belapur Port will give forwarding order on the challan and the container will move along with the challan to the designated CFS. The gate officer at the CFS will endorse on the Challan acknowledging the receipt of the container in the CFS. The Shipping line will submit such challan along with survey report to the Boarding office. A copy of that challan duly endorsed by JNCH will be handed over to Custom Office at Belapur by the Shipping Agent as a token of receipt of the same by JNCH within 24 hours.

5 LOOSE CARGO SALVAGED FROM MSC CHITRA PERTAINING TO EXPORT CARGO LOADED FROM JNPT AND IMPORT CARGO MEANT FOR FOREIGN PORT AND MUNDRA PORT:

5.1 The Shipping agent shall identify the cargo as per manifest and segregate the above mentioned import/export cargo. The same shall be loaded in separate containers after keeping a record of the cargo stuffed under M&P Officer's supervision and surveyors in the said containers. The procedure about import and export container as mentioned above will be followed for these containers also at JNCH.

5.2 If the loose cargo is mixed up and it is not possible to segregate then such cargo will be stuffed in container and same will be brought to the designated CFS. For said cargo, shipping line shall file appropriate amendment in the IGM and it shall be further dealt as per law.

6 All the containers/cargo, wherever necessary, will be offloaded at the Belapur port and after reworking (as defined at Para 3.3 and 4.2) will be brought to the designated CFS for further action. The Customs procedure like filling of amendment to IGM, TP procedure, import assessment etc will be carried out at JNCH. The Shipping line will give undertaking that all the safeguards as prescribed by the Maharashtra Maritime Board are followed by them. They will also execute the bond regarding Custodianship of the goods with Customs before moving the containers to the Belapur port. The shipping line will pay the MOT charges to the Commisiioner of Customs (prev). DC/AC posted at the designated CFS shall inform Commissioner of Customs (Export) about the day to day clearance of the above said import / export containers.

7 Any difficulty faced in implementing this Standing Order may be brought to the notice of undersigned.

8 This order is issued in consultation with Commissioner of Customs (Preventive), Mumbai Zone-III, Commissioner of Customs (Import), JNCH, Zone-II and with the approval of Chief Commissioner of Customs, JNCH, Zone-II.

(SUSHIL SOLANKI)
COMMISSIONER OF CUSTOMS (EXPORT)
To
All the Concerned.

Copy to:-

1. The Chief Commissioner of Customs, Mumbai Zone-III.

2. The Commissioner of Customs (Import), JNCH.
3. The Commissioner of Customs (Preventive), Mumbai Zone-III.
4. All the Addl./Jt. Commissioner of Customs, JNCH.