



OFFICE OF THE COMMISSIONER OF CUSTOMS
NO.1 WILLIAMS ROAD, CANTONMENT, TIRUCHIRAPPALLI - 620 001.

C.No.VIII/40/6/ 2011 – Cus.Pol

Dated: 7.12.2012.

NOTIFICATION No.02/2012

(ISSUED UNDER SECTION 8 OF THE CUSTOMS ACT)

Sub: Declaration of Container Freight Station - setting up of CFS by M/s. Western Gateway Cargo Services Pvt. Ltd. 76d, MC Road, Govindapuram village, Ambur as Customs area under Section 45(1) of Customs Act 1962 for handling both import and export cargo— Procedures to be followed - Reg.

In exercise of the powers conferred under section 45(1) of the Customs Act 1962, M/s.Western Gateway Cargo Services Pvt. Ltd. 76d, MC Road, Govindapuram village, Ambur is appointed as the Custodian / Customs Cargo Service provider for receipt, storage, delivery, dispatch or otherwise handling of imported goods and export goods and includes a custodian as referred to in Section 45 of the Customs Act and persons as referred to in sub-section (2) of section 141 of the said Act read with Handling of Cargo in Customs Areas Regulations,2009.

2.0 The Custodian of the goods meant for import and export shall be required to comply with the provisions of Section 45(2) of the Customs Act,1962 and Handling of cargo in Customs area Regulations 2009 as amended, as well as any other Rules and regulations and Instructions issued from time to time in this regard including the following;

- 1) (a) Shall keep a record of Imported goods, goods bought for export or transshipment, as the case may be, and produce the same to the proper officer as and when required;
- (b) Shall 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;
- (c) Shall 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;
- (d) shall 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 may specify having regard to the custody and handling of imported goods in a customs area;
- (e) shall demarcate separate areas for loading of export goods for their storage with respect to the category of exporters, nature of goods, examined and sealed containers or any other criterion as the Commissioner of Customs may specify having regard to the custody and handling of export goods in a customs area;
- (f) shall not permit goods to be removed from the customs area, or otherwise deal with, except under and in accordance with the permission in writing of the proper officer;

- (g) shall 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;
- (h) shall 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;
- (i) shall be responsible for the safety and security of imported and export goods under its custody;
- (j) shall be liable to pay duty on goods pilfered after entry thereof in the Customs area in terms of provisions of sec 45(3);
- (k) The Custodian shall also ensure safe transport of export goods to the port of Shipment and shall be responsible for any pilferage, loss, damage in transit. Similarly he shall 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; The Custodian shall also remain solely responsible for any legal suits arising out of loss, damage, theft etc;
- (l) shall subject to any other law for the time being in force, shall not charge any rent or demurrage on the goods seized or confiscated by the proper officer;
- (m) shall dispose off in the manner specified and within a time limit of ninety days the imported or export goods lying unclaimed, unclered or abonded; Provided that the period of ninety days may be extended by the Commissioner of Customs by such further period as may be allowed on sufficient cause being shown for delay in the disposal
- (n) shall not make any alteration in the entry or exit points or boundary wall without the permission of the Commissioner of Customs;
- (o) shall bear the cost of the customs officers posted by the Commissioner of Customs on cost 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;
- (p) 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 and the trade, at least seven days in advance, and
- (q) shall abide by all the provisions of the Act and the Rules, Regulations, Notifications and Orders issued there under.

(2) The customs cargo service provider approve for custody of imported or export goods and for handling of such goods 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.

(3) The Customs Cargo Service provider shall publish and display the schedule of charges for the various services provided by him in relation to the imported goods or export goods in the customs area.

(4) All goods under storage inside the Customs area have to be duly insured covering value as well as the duty payable on the goods in question.

(5) The custodian shall abide by all the Rules and regulations made under the Customs Act, 1962

(6) The Custodian shall abide by all the conditions laid down vide "Handling of cargo in Customs Area Regulations, 2009" as amended,

(7) For proper discharge of duties the custodian has executed a bond for Rs. 27,00,000/- (Rupees Twenty Seven Lakh only) with indemnity and furnished Rs. 2,70,000/- (Rupees Two lakh Seventy Thousand only) as Bank Guarantee with the Commissioner of Customs, Trichy which should be renewed periodically.

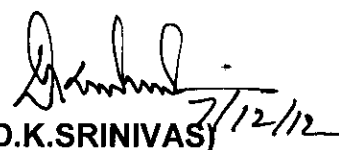
(8) Security of the cargo/equipments/vehicle etc., inside the Customs area shall be responsibility of the Custodian. The cost of the security shall be borne by the custodian.

(9) The custodian shall provide free furnished office accommodation with all amenities to officers of Customs posted to the CFS on cost recovery basis and free suitable transport for Customs staff from the suitable point.

(10) Custodian shall not charge any rent/demurrage on the goods detained by the Customs Department under the Customs Act or any other Act for the time being in force.

(11) Residential accommodation for Customs staff posted in the area shall also be provided by the Custodian, whenever requisitioned by the Commissioner of Customs;

3.0 Duration of the appointment shall initially remain for two years and subject to the satisfaction of the Commissioner of Customs and the Commissioner of Customs shall have the right to terminate the appointment at any time after assigning specific reasons and after giving an opportunity to the custodian to explain his case. The appointment shall be reviewed before the expiry of the initial period of approval of two years and may extend such approval to a further period of five years at a time.



(D.K.SRINIVAS)

(COMMISSIONER OF CUSTOMS)

To

1. M/s. Western Gateway Cargo Services Pvt. Ltd. 76d, MC Road, Govindapuram village, Ambur
 2. The Assistant Commissioner of Customs, Customs Division, Cuddalore
 3. The Superintendent of Customs, ICD, Arakkonam
- Copy submitted to the Chief Commissioner of Customs (Prev.), Trichy
Copy to Shri S. G. Sood, Under Secretary, Ministry of Commerce and Industry, Dept. of Commerce, Infra 1 Section, New Delhi.
Copy to the Manager, Government of India Press, Mayapuri, Ring Road, New Delhi.
(For Publication in Gazette of India)
Copy to the Additional Director, DGHRD(HRM), New Delhi.