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कार्यालय प्रमुख आयुक्त केन्द्रीय उत्पाद शुल्क, सीमा शुल्क एवं सेवाकर, भोपाल
OFFICE OF THE PRINCIPAL COMMISSIONER, CUSTOMS, CENTRAL EXCISE & SERVICE TAX

48, प्रशासनिक क्षेत्र, अरेरा हिल्स, होशंगाबाद रोड, भोपाल

48, Administrative Area, Arera Hill's, Hoshangabad Road, Bhopal (M.P.) - 462 011

F.NO. IV(16) 04/Tech/ICD/BPL/2015-16 499-508

Bhopal, dated 12.01.2016

Notification No.02/2016-Customs

In exercise of the powers conferred upon me under Section 45 (1) of the Customs Act, 1962. I Hemant A. Bhat, Principal Commissioner of Customs and Central Excise, Bhopal hereby appoint M/s. Kesar Multimodal Logistics Pvt. Ltd., Mumbai-400020 to be the custodian of the imported/export goods received at ICD. Powarkheda-461110, Tehsil Hoshangabad, District Hoshangabad (M.P.), for unloading of imported goods for Home Consumption or for warehousing or for being trans-shipped, in accordance with the provisions of chapter VIII of the Customs Act, 1962. Similarly, M/s. Kesar Multimodal Logistics Pvt. Ltd., Mumbai-400020 will also be custodian of export cargo brought into the customs Area at ICD Powarkheda-461110, Tehsil Hoshangabad, District Hoshangabad for stuffing, accountal. Customs examination, transportation and safe delivery of the customs sealed containers at various gateway ports for onward trans-shipment to the port of dispatch, subject to the following conditions:-

- (i) M/s. Kesar Multimodal Logistics Pvt. Ltd., Mumbai-400020 as the custodian of the goods meant for import and export would be required to comply with the provisions of section 45 (2) & (3) of the Customs Act, 1962, as well as the Rules and Regulations made there under and instructions issued from time to time under the Customs Act, 1962.
- (ii) The custodian shall be responsible for proper receipt, accountal, handling, storage and shall be accountable for the loss of imported goods after landing and before clearances as well as the goods meant for trans-shipment and export. They shall also maintain proper record of all such goods including the records of the goods which are cleared with the permission of the Customs Department or disposed off under Section 48 of the Customs Act, 1962 or otherwise as the case may be.
- (iii) The imported/export transshipment goods, which are not cleared for home consumption or warehousing or exported/transshipped within 30 days of unloading thereof or within such further period as the proper officer may allow, or the imported goods, to which the importer relinquishes his title as provided in section 23(2) of the Customs Act, 1962 such goods shall not be sold under the provisions of section 48 of the Customs Act, 1962 by the Custodian without obtaining permission from the proper officer of Customs as required under the section 48 of Customs Act, 1962.

- (iv) The custodian should provide safe, secure and spacious premises for loading/unloading/storing of the cargo. The infrastructure for loading / unloading and storage operations should be designed to handle a minimum traffic of at least 10 TEU per day (two-way). The premises should be so designed that there should be provision for expansion of storage space, office accommodation, handling space, etc. for a period of 10 years.
- (v) Custodian shall provide sufficient modern handling equipment in operational condition for handling the containers and cargo in the area;
- (vi) No alteration of the plan in the accommodation, boundary wall and building, etc. shall be made without the concurrence of the Principal Commissioner of Customs;
- (vii) Insurance of all goods held in the ICD / CFs shall be made by the custodian;
- (viii) Custodian shall abide by all the rules and regulations under the Customs Act;
- (ix) For proper discharge of duties, the custodian shall execute a bond equal to the average duty involved on the goods likely to be stored in the premises for a period of 30 days, supported by a bank guarantee or a Government bond or cash deposit equivalent to 10% of such duty. However, all Central Government and State Government Undertakings shall be exempt from the requirement of furnishing bank guarantee or cash deposit. (Ref: Board Circular No. 128/95-Cus Dt.14.12.1995 as amended by Circular No.37/2003-Cus dated 28.04.2003).
- (x) The custodian shall bear the duty on the goods lost or pilfered from the ICD, Powarkheda-461110, Tehsil & District Hoshangabad.
- (xi) The custodian shall give separate bond with sufficient bank guarantee of the value of the bond towards the duty element of the Export goods transported from the customs area to the gateway port/ any other customs area for export/ transshipment. Custodian would also be held responsible for the duty and for other penalties leviable for the goods lost during transshipment from the said customs area to the gateway port/ other customs area;
- (xii) Security of the premises shall be the responsibility of the custodian subject to the prior approval of the Principal Commissioner of Customs of the arrangements. The cost for the security has to be borne by the custodian;
- (xiii) Custodian shall bear the cost of the Customs staff, posted at the ICD Powarkheda-461110, Tehsil Hoshangabad, District Hoshangabad. The Principal Commissioner of Customs shall decide the number of staff which is required to be posted in the facility considering the workload in the station;
- (xiv) Custodian shall provide free furnished office space for the Customs Department;
- (xv) Residential accommodation for the customs staff posted in the area shall be provided for by the custodian, wherever requisitioned by the Principal Commissioner of Customs;
- (xvi) Free suitable transport from the nearest railway-head or suitable point shall be provided for the customs staff by the custodian {Custodian i.e. M/s. Kesar Multimodal Logistics Pvt. Ltd., Mumbai-400020 to the Deputy Commissioner/Assistant Commissioner & staff posted at ICD- Powarkheda-461110, Tehsil Hoshangabad, District Hoshangabad(M.P.)}.

- (xvii) In the ICD the custodian shall make adequate arrangements for sanitary facilities, water supply and other allied facilities, including canteen facility, for the officers working in the area;
- (xviii) Custodian shall not charge any rent/ demurrage on the goods detained by Customs Department under the Customs Department shall pay the rent to the custodian after the Customs Department shall pay the rent to the custodian after the ownership of the goods vests in the Government after confiscation. The rate of rent for such goods shall be fixed by the Principal Commissioner in consultation with CPWD or local Revenue or Rent Control authorities;
- (xix) In case the custodian wants to sublet any to the functions inside the customs area or connected with the customs area. the same should be done with prior approval of the Principal Commissioner of Customs and the custodian shall remain responsible for the omissions and commissions of the said agency;
- (xx) Duration of the appointment shall initially remain for 5 years and subject to the satisfaction of the Principal Commissioner of Customs. The Principal Commissioner of Customs shall have the right to terminate the appointment at any time after assigning specific reasons and giving an opportunity for the customs to explain his case. The appointment shall be reviewed after every 5 years thereafter.

हेमंत अ. भट

(HEMANT A. BHAT)

PRINCIPAL COMMISSIONER

Copy for information and necessary action:-

1. M/s. Kesar Multimodal Logistics Pvt. Ltd., Mumbai-400020.
2. The Office of the Trade Associations/Chamber of Commerce at Bhopal and Sagar.
3. Joint Secretary(Customs), Central Board of Excise and Customs, North Block New Delhi
4. The Chief Commissioner of Central Excise and Customs, Bhopal Zone, Bhopal.
5. The Assistant/Deputy Commissioner of Central Excise and Customs Division Bhopal-I, Bhopal-II, Sagar-I, Sagar-II, Customs ICD, Mandideep, Raisen with the request that the contents of this Notification may be brought to the knowledge of the Association of Trade, Industry and exporters in their jurisdiction.
6. Webmaster, O/o the Chief Commissioner, Bhopal Zone for necessary action.
7. Webmaster, O/o the Principal Commissioner, Bhopal, for necessary action.

ब.स. सुहाग

(B.S. Suhag)
Additional Commissioner (Tech)

बी. एस. सुहाग B. S. SUHAG

अपर आयुक्त
केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल
A. J. Commissioner
Customs, Central Excise
& Service Tax, Bhopal