



**OFFICE OF THE COMMISSIONER OF CUSTOMS:
NEW CUSTOMS BLDG, NR. BALAJI TEMPLE
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F. No. S/20-112/2013-14/Appg(G)

Date : 11.11.2013

NOTIFICATION No. 10/2013

In exercise of the power conferred by Section 45(1) of the Customs Act, 1962 (52 of 1962), I, K L Goyal, Commissioner of Customs, Kutch Commissionerate, Kandla, hereby appoint M/s. IFFCO Kisan Bazar & Logistics Ltd., having site office at IFFCO Kandla Unit, KANDLA – 370201 (HAVING REGISTERED OFFICE AT 'IFFCO Sadan'), C-1, Dist.Centre, Saket Place, Saket, New Delhi – 110 017) **to be the custodian of Bulk Cargo Jetty at Kandla Port Oil Jetty** notified vide Notification No. 09/2013 dated 11/11/2013 under Section 8 of the Customs Act, 1962 as a landing place for import / export and coastal movement of raw material and finished products of Fertilisers subject to the following conditions: -

- 1) 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 be responsible for proper receipt, handling, storage of goods and shall be accountable for the loss of imported goods after landing and before clearance as well as the goods meant for export / transshipment. They shall also maintain proper record of all such goods including the record of goods which are cleared with the permission of the Customs Department or disposed off under Section 48 or otherwise.
- 3) If any imported / export / transshipment goods are pilfered or lost after unloading in the Customs area while in the custody of the custodian, then in terms of provisions of Section 45(3) of the Customs Act, 1962, they shall be liable to pay duty on such pilfered goods.
- 4) The imported/export/transshipment goods, which are not cleared for home consumption or warehousing or exported / transhipped within 30 days of unloading thereof or within such further time 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.
- 5) The custodian shall provide safe, secure and spacious place for loading / unloading / storing of the cargo.
- 6) The custodian shall provide sufficient modern handling equipment in operational condition for handling the cargo in the notified area.
- 7) No alteration in the plan in the jetty and Customs are etc. shall be made without the concurrence of the Commissioner of Customs, Kachchh Commissionerate, Kandla.

- 8) Insurance of all goods stored at jetty and Customs area shall be made by the custodian.
- 9) The custodian shall abide by all the Rules and Regulations under the Customs Act.
- 10) For proper discharge of duties, the custodian shall execute a bond of Rs.35 crore and Bank Guarantee of Rs. 3.50 Crore with the Deputy / Assistant Commissioner of Customs (AG), Custom House, Kandla before commencing any import / export from said jetty. As and when the volume of work handled increases, the custodian will himself furnish a bond equal to increase in value and bank guarantee / cash security equal to 10% of the bond amount.
- 11) Security of the said jetty and Customs area shall be the responsibility of the custodian. The cost of the security has to be borne by the custodian.
- 12) The custodian shall provide free furnished office space for the Customs department at place of clearance.
- 13) The custodian shall bear the establishment charges of the Customs staff posted for the said jetty. The Assistant / Deputy Commissioner of Customs, Kandla shall decide the staff to be posted considering the workload at jetty.
- 14) Residential accommodation for the Customs staff posted in the area shall also be provided by the custodian, wherever requisitioned by the Commissioner of Customs, Kandla.
- 15) Free suitable transport from the nearest railway head or suitable point shall be provided for the Customs staff by the custodian.
- 16) The custodian shall make adequate arrangement for sanitary facilities, water supply and other allied facilities, including canteen facility, for the officers working in the area.
- 17) 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. However, 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 Commissioner in consultation with CPWD or local Revenue or Rent Control Authorities.
- 18) In case the custodian wants to sublet any of the functions inside the Customs area or connected with the Customs area, the same should be done with prior approval of the Commissioner of Customs and the custodian shall remain responsible for the omission and commissions of the said agency.
- 19) Duration of the appointment shall initially remain for 5 years and subject to the satisfaction of the Commissioner of Customs. Commissioner of Customs shall have the right to terminate the appointment at any time after assigning specific reasons and giving an opportunity for the custodian to explain his case. The appointment shall be reviewed after every 5 years thereafter.


(K L GOYAL)
COMMISSIONER

Copy to : As per mailing list of the Department.