



GOVERNMENT OF INDIA

OFFICE OF THE COMMISSIONER OF CUSTOMS (PREVENTIVE)

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PV
17/01/2018
Supdt.*

NOTIFICATION No. 01/2017

Dated: 03.11.2017

In exercise of the powers conferred upon me under Section 45(1) and 141(2) of the Customs Act, 1962(52 of 1962) read with Regulation 10 of Handling of Cargo in Customs Areas Regulations, 2009(HCCAR, 2009), I, Vinayak Chandra Gupta, Commissioner of Customs(Prev.), Patna, hereby in supercession of Notification No. 02/2016 dated 09.06.2016 appointing M/s. CONCOR as custodian, appoint M/s Balmer Lawrie and Company Ltd., having registered office 21, Netaji Subhas Road, Kolkata-700001 to be the custodian and Customs Cargo Service Provider as defined in Regulation 2(b) of the HCCAR, 2009 of the imported goods received at the Integrated Check Post, Raxaul(Customs Area) until these are cleared for home consumption or warehoused or transshipped in accordance with the provision of Chapter VIII of the Customs Act, 1962. Similarly, M/s Balmer Lawrie and Company Ltd., will also be the custodian and Customs Cargo Service Provider of the export cargo brought into the said Integrated Check Post(Customs Area) for examination and stuffing till their exportation through Land Customs Station, Raxaul subject to the following conditions:-

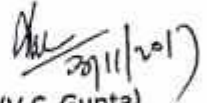
2. The custodian of the goods meant for import and export would be required to comply with the provision of Section 45(2) of the Customs Act, 1962, the provisions of "Handling of Cargo in Customs Areas Regulations, 2009"(as amended) and Rules, Regulations and Instructions issued from time to time in this regard.
3. The custodian approved as Customs Cargo Service Provider shall also take steps to bring about necessary improvement in the infrastructural facilities and other amenities required to be provided to the trade and also the Customs Staff, as may be necessitated from time to time, consequent upon the growth in the volume of Import and Export Trade handled at the Integrated Check Post to the satisfaction of the Commissioner of Customs (Prev.), Patna.
4. The custodian shall:-
 - a) Keep a record of receipt, storage, delivery, dispatch or otherwise handling of imported goods and export goods, as the case may be and produce the same to the proper officer as and when required.

- b) Keep a record of each activity or action taken in relation to the movement or handling of imported or export goods brought for transshipment.
- c) Display or make available in any other manner, information or process or movement or handling of imported or export goods and goods brought for transshipment.
- d) Demarcate separate areas for uploading 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(Prev.), Patna may specify having regard to the custody and handling of imported goods in a customs area.
- e) Demarcate separate areas for loading of export goods for their storage with respect to the categories of exporters, nature of goods, examined and sealed containers or other criterion as the Commissioner of Customs(Prev.) Patna may specify having regard to the custody and handling of export goods in a Customs area.
- f) Not permit goods to be removed from the customs area or otherwise dealt with except under and in accordance with the permission in writing of the proper officer of Customs.
- g) 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 of Customs.
- h) 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 of Customs.
- i) Be responsible for the safety and security of imported and export goods under its custody.
- J) Be liable to pay duty on goods pilfered after entry thereof in the customs area.
- k) 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 of Customs.
- l) Subject to any other law for the time being in force, shall not charge any rent or demurrage on the goods seized or detained or confiscated by the proper officer of Customs.
- m) Dispose of in the manner specified and within a time limit of ninety days, the imported or export goods lying unclaimed, uncleared or abandoned. Provided that the period of ninety days may be extended by the Commissioner of Customs(Prev.) Patna by such further period as may be allowed on sufficient cause being shown for delay in the disposal.
- n) Not make any alteration in the entry or exit points or boundary wall without the permission of the Commissioner of Customs(Prev.) Patna.
- o) Shall provide electronic weigh bridge and other weighing and measuring devices, scanning equipment and computerised system for location and accountal of goods and processing of documents.
- p) Shall provide adequate air conditioned office space and power back up, hardware, networking and other equipments for secure connectivity with Customs automated system and for exchange of information between Customs community partners.
- q) 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(Prev.) Patna, and the trade, at least seven days in advance, and
- r) Abide by all the provisions of the Act and the rules, regulations, notification and orders issued there under and also other laws of the land and rules.

5. The custodian shall not lease, gift, sell or sublet or in any other manner transfer any of the premises in the 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(Prev.) Patna.
6. The Custodian shall publish and display the schedule of charges for the various services provided by him in relation to the imported or export goods in the customs area.
7. The custodian shall within the first week of every month furnish a statement to the Assistant Commissioner of Customs/Deputy Commissioner of Customs, in charge of the Integrated Check Post, in respect of all those packages/cargo, whether imported/export or transshipment which are lying in the Integrated Check Post for more than thirty days.
8. The custodian shall provide free furnished office space for the Customs Department. Custodian shall bear the establishment charges of the Customs staff posted for the said Integrated Check Post. The Commissioner of Customs(Prev.) Patna, shall decide the number of staff which is required to be posted considering the work load at the Integrated Check Post.
9. Residential accommodation for the Customs staff posted in the area shall also be provided by the Custodian, Wherever, requisitioned by the Commissioner of Customs(Prev.) Patna.
10. Free suitable transport from the nearest railway head or suitable point shall be provided for the customs staff by the custodian.
11. The custodian shall abide by such rules, regulations, instruction and guidelines, as may be issued from time to time by the Central Board of Excise and Customs or any other Authority under the Customs Act, 1962, with regard to the functioning of Integrated Check Post or an matter under the Customs Law having a bearing on import or export work handled through the integrated Check Post.
12. Duration of appointment shall initially remain for two years and subject to the satisfaction of the Commissioner of Customs(Prev.) Patna, shall have the right to terminate the appointment at any time after assigning specific reason and giving an opportunity for the custodian to explain his case. The appointment shall be reviewed after two years from the date of issue of this Notification.

13. Notwithstanding anything contained in aforesaid paras, as presently ICP, Raxaul is being made operational by LPAI for examination of export cargo only in view of construction of ICP, Birganj, Nepal not being complete and clearance of export goods, after LEO to take place through existing Border Check Post(BCP) of LCS, Raxaul adjacent to Sirasiya river after taking a detour of about 13-14 km through ICP link road connecting NH-28A through tri-junction, the custodians shall handle work relating to export goods only till the ICP, Birganj in Nepalese side is also made operational.

14. The custodian shall furnish a Bond of Rs. 17.00 Crore immediately as per regulation 5 of HCCAR, 2009.

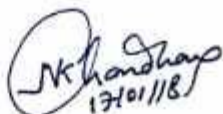

(V.C. Gupta)
Commissioner
Customs (Hqrs.), Patna

Dated: 17.09.2017

C. No. VIII (48)05-22/CUS/TECH/ICP/Rxl/08/Pt/ 448

Copy to:

1. The Chief Commissioner, Customs (P) Patna Zone, Patna for information.
2. The Dy. Commissioner, Land Customs Station, Raxaul for information and necessary action.
- ✓ 3. The Superintendent (Systems), Customs (P) Hqrs., Patna for uploading of the Public Notice at the website of the Commissionerate.
4. Notice Board/Guard file.


Asstt. Commissioner(Tech)
Customs (Hqrs.), Patna