

# notification-no-05-2016

OFFICE OF THE COMMISSIONER OF CUSTOMS (GENERAL)

JAWAHARLAL NEHRU CUSTOM HOUSE

NHAVA SHEVA, TALUKA – URAN

DISTRICT – RAIGAD – 400 707.

F.F.No. S/5-GEN-77/2015-16 CFS M.CellDate:25-08-2016

## NOTIFICATION NO. 05 / 2016

*M/s. Forbes Gokak Ltd. was appointed as “Custodian” of the Import/Export goods received at CFS of M/s Forbes Gokak Ltd. under Section 45(1) of the Customs Act, 1962 vide Notification No. 02/2007 dated 26.03.2007. Later on, the name of the CFS Forbes and Gokak was changed to CFS M/s Forbes and Company Limited vide Notification no.03/2008 dated 02.06.2008.*

*Thereafter, in view of the provisions of “Handling of Cargo in Customs Area Regulations”, 2009 M/s. Forbes & Company Ltd. was again appointed as “Custodian” and “Customs Cargo Service Provider” vide Notification No. 16/2010 dated 12.03.2010 for total area of 60,650 SQM. for a duration of 5 years. Further, M/s. Forbes & Company Ltd. were once again appointed as “Custodian” and “Customs Cargo Service Provider” vide Notification No. 10/2015 dated 16.03.2015 for a duration of 5 years.*

2. *M/s. Forbes & Company Ltd. vide letter Ref. No. F & CL/Mumbai/15-16/Customs/01 dated 03.02.2016 had informed that they have entered into an Agreement for Transfer of Business (ATB) with M/s. T.G. Terminals Pvt. Ltd. (TGPL) on 5<sup>th</sup> January, 2016 for the purpose of transfer of the Container Freight Station undertaking at Veshvi Village from M/s. Forbes to M/s. TGPL on a slump-sale-basis.*

3. *M/s. T.G. Terminals Pvt. Ltd. made an application on 07.03.2016 to the Addl. Secretary cum Chairman, Ministry of Commerce & Industries, New Delhi for the change of Name & Transfer of the Custodian Licences from M/s. Forbes & Company Ltd. to their name. Proposal for change in name & ownership from M/s. Forbes & Co. to T.G.Terminals Pvt. Ltd. was approved in the IMC meeting held on 27.04.2016 as communicated by Department of Commerce, Infra- I Section vide letter No. 16/03/2016-Infra-1 dated 10.05.2016.*

4. *Now, in exercise of the powers conferred on me under Section 45 (1) and 141 (2) of the Customs Act, 1962, I, Subhash Agrawal, Commissioner of Customs (General), Jawaharlal Nehru Custom House, Mumbai Zone II, Nhava Sheva hereby appoint M/s. T.G. Terminals Pvt. Ltd. to be the ‘Custodian’ of the imported goods received at the Container Freight Station of M/s. T.G. Terminals Pvt. Ltd. until these are cleared for home consumption or are warehoused or are transshipped in accordance with the provisions of Chapter VIII of the Customs Act, 1962 for the entire Customs Area of 60,650 SQM. Similarly, M/s. T.G. Terminals Pvt. Ltd. will also be the ‘Custodian’ of the Export cargo brought into said Container Freight Station for examination and stuffing till their exportation through Jawaharlal Nehru Port.*

5. Further, in exercise of the powers conferred on me under Regulation 10 of the "Handling of Cargo in Customs Area Regulations, 2009", I, Subhash Agrawal, Commissioner of Customs (General), hereby approve M/s. T.G. Terminals Pvt. Ltd. as a "Customs Cargo Service Provider" for the entire Customs Area of 60,650 SQM. of the CFS M/s. T.G. Terminals Pvt. Ltd. subject to following conditions:

- i) The Custodian M/s. T.G. Terminals Pvt. Ltd. approved as Customs Cargo Service Provider for the said CFS shall abide by all the provisions of the Customs Act, 1962 and the Rules, Notifications, Orders issued there under including all provisions of "Handling of Cargo in Customs Area Regulations 2009" as amended.
- ii) The duration of the appointment of M/s. T.G. Terminals Pvt. Ltd. as 'Custodian' and as "Customs Cargo Service Provider" shall remain for two (02) years from the date of this notification unless otherwise suspended/revoked/cancelled prior to the expiry of the said period.
- iii) As and when required, the CCSP should provide office space for scanning of Import/Export documents.
- iv) The Commissioner of Customs (General) shall have the right to review the approval as 'Customs Cargo Service Provider' before the completion of two years for failure to comply with the provisions of the Customs Act, 1962 in general and /or of "Handling of Cargo in Customs Area Regulations, 2009" in particular.

Sd/-

(SUBHASH AGRAWAL)

Commissioner of Customs (General),

JNCH, Nhava Sheva.