

**OFFICE OF THE COMMISSIONER OF CUSTOMS (NS-IV)  
MUMBAI ZONE-II,  
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA, TALUKA: URAN,  
DISTRICT: RAIGAD, MAHARASHTRA-400707.**

F. No. S/43-10/2012 PSO JNCH Part IV

Date: 08.06.2017

**PUBLIC NOTICE NO. 73/2017**

**Sub:** Responsibility of the "Port Terminal Operator" to ensure that once any container has entered the Parking Plaza within the prescribed time limit, the vessel is not missed, procedure;

Attention of the Importers, Exporters, Port Terminal Operators, Shipping Lines / Shipping Agents, CFSs coming under the jurisdiction of JNCH, Nhava Sheva and all other stakeholders is invited to the Public Notice No. 163/2016 dated 01.12.2016, Public Notice No. 174/2016 dated 15.12.2016 & Public Notice No. 03/2017, dated 09.01.2017 regarding Standard Operating Procedure consequent to commencement of "Document Processing Area" in the Parking Plaza and Gate Automation for Export & Import through NSCIT/NSIGT, GTI & JNPCT.

2. As prescribed in aforesaid public notices, factory stuffed containers including the self-sealed containers & entitled to Direct Port Entry (DPE) are required to be brought to the "Document Processing Area" in the Parking Plaza of respective Port Terminals, if intended for Direct Port Entry.

3. Issues were raised by exporters that there should be responsibility of the "Port Terminal Operator" to ensure that once any container has entered the Parking Plaza within the prescribed time limit, the vessel is not missed. In this regard, Public Notice No. 03/2017, dated 09.01.2017 prescribed as under:

*However, it is the responsibility of the "Port Terminal Operator" to ensure that once any container has entered the Parking Plaza within the prescribed time limit, the vessel is not missed. In this regard, if required, they may issue advisory prescribing the timelines so that if any container has entered the Parking Plaza within those time lines, its loading on the vessel has to be ensured subject to compliance of Customs Act or any other law.*

4. Thus, in terms of above Public Notice, "Port Terminal Operator" were required to issue advisory prescribing the timelines. Further, such matter was also discussed in recent CCFC meeting and Terminal Operator were again requested to issue suitable advisory. However, it has been observed that inspite of above directions, none of the Port Terminal issued any such advisory.

5. In view of the above, in order to resolve the grievances of trade and also to ensure compliance of directions issued vide Public Notice No. 03/2017, dated 09.01.2017, following procedure is prescribed:

- i. *First, it is the responsibility of the "exporter / Customs Broker" to plan export in such a way so as to ensure that any container entitled for Direct Port Entry has **entered the Parking Plaza** well before the cut off time, so that after completion of customs & Terminal formalities, the container is moved inside the Port Terminal well before the vessel cut off time.*
- ii. *It has been informed that pre-gate approval is accepted / processed in the "Terminal Operating System" till cut-off time of the vessel. Therefore, it is also the responsibility of the "respective Port Terminal Operator" to ensure that once any container has **entered their Parking Plaza AND pre-gate approval is given** in the "Terminal Operating System", the container should not be shut out on the ground of delay unless Trailer carrying such container has not entered inside the Terminal within **4 hours** of pre-gate approval, provided all other formalities are complied with.*
- iii. *If inspite of above requirement, if any consignment is still shutout due to any reason (not due to any lapses on the part of exporter), it would be responsibility of Terminal Operator & shipping line to ensure that the said consignment is exported at the earliest next opportunity, without burdening the exporter any additional cost.*

*[The Physical Cut Off: the container needs to be delivered full to the terminal prior this cut off in order to be accepted by the terminal. Cut Off set by the terminal. Also called the Physical or Terminal/Cargo Closing.]*

6. This, issues with approval of the Chief Commissioner of Customs, Mumbai Zone-II, JNCH. Action to be taken in terms of decisions taken in this Public Notice should be considered as standing order for the purpose of officers and staff.

Sd/-  
**(SUBHASH AGRAWAL)**  
Commissioner of Customs (NS-IV).

To:

1. The Chief Commissioner of Customs, Mumbai Zone-II, JNCH for information.
2. The Pr. Commissioner of Customs, NS-1, JNCH
3. The Commissioner of Customs, NS-G/ NS-II / NS-III/ NS-IV / NS-V, JNCH
4. All Additional / Joint Commissioner of Customs, JNCH
5. All Deputy / Assistant Commissioner of Customs, JNCH
6. All Sections / Groups of NS-G, NS-I, NS-II / NS-III/ NS-IV / NS-V, JNCH
7. The Chairman, JNPT / CEO GTI / CEO NSICT & NSIGT / CSLA / MANSAA / BCHAA / CFSAI.
8. The AC/DC, EDI for uploading on JNCH website immediately.