Circular No . 27/2004-Cus.
April 6, 2004

F.No.434/12/92-Cus.IV
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise and Customs

Subject: Appointment of custodian for Air Cargo Complex and Seaports-regarding

I am directed to invite your attention to Board's Circular No.34/2002-Cus, dated 26.6.2002 vide which a set of guidelines was prescribed for appointment of custodians of Air Cargo Complex and Seaports. Doubts have been raised by the field formations whether these guidelines will apply only to custodianship of new ports and new air cargo complexes or they will also apply to the following cases in respect of already functional ports or air cargo complexes (including courier terminals).

(i)	custodians notified under section 45 of Customs Act, prior to 26.6.2002 and no change in custodia or area after 26.6.2002.
(ii)	custodians notified prior to 26.6.2002 but part or whole of the same premises transferred (on or otherwise) to new custodian on or after 26.6.2002.[E.g. Airport Authority of India (AAI) custodian of Mumbai Air Cargo Complex from a period prior 26.6.2002. They have later 26.6.2002, transferred custodianship for part of the Air cargo Complex to Air India].
(iii)	custodians notified prior to 26.6.2002 but premises extended after 26.6.2002 under the custodianship.

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2. The matter has been examined by the Board and it is clarified that the new guidelines issued vide Board's Circular No.34/2002-Cus, dated 26.6.2002 will not apply to the above categories of cases. However, the conditions and obligations already being discharged by the earlier custodians for such existing air cargo complexes (including courier terminals) or ports should be retained and applied to the new custodians also.

3. Kindly bring the above instructions to the knowledge of all concerned through appropriate Public Notice .

4. Hindi version will follow.

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