

No. 5/4/2007-SEZ
Government of India
Ministry of Commerce & Industry
Department of Commerce
(SEZ Section)

Dated the 26th February, 2009

Office Memorandum

Subject: Administrative structure and process of clearing cargo in ports in SEZs.

The undersigned is directed to say that a need for an administrative set up in ports in SEZs has been considered on the ground that the SEZ scheme allows for the clearance of DTA cargo from ports in SEZs and accordingly the matter has since been examined in consultation with Deptt. of Revenue. It has since been decided to lay down the following guidelines in the matter:

- I. **The administrative set up in SEZ ports**
- (1) Ports will be located in the non processing area of SEZs. There shall be a demarcation from the rest of the SEZ, to be done jointly by the Development Commissioners and the jurisdictional Commissioner of Customs, keeping in view the operational necessities as may be warranted.
- (2) There will be separate entry/exit route duly secured for movement of both export and import DTA cargo from and to the port area and the same would be so isolated from the rest of the SEZ as to prevent any diversion or mixing of DTA and SEZ cargo. There shall be separate storage for SEZ cargo and DTA cargo.
- (3) While the SEZ cargo after being unloaded and duly accounted for be handled by the authorized officer of the SEZ under the provision of SEZ Act/Rule, the DTA export/import cargo will be handled by the Custom formation as may be authorized by the CBEC for this purpose.
- (4) Functions like grant of entry inwards for vessels, rummaging of vessels, preventive control, accountal of cargo, port clearance, transshipment and assessment and clearance of DTA cargo will be handled by the said Custom formation. The assessment and clearance of SEZ cargo will be done by the authorized officer as per the provisions of the SEZ Act/Rules.
- (5) All the provisions of the Custom Act 1962, rules and regulations issued thereunder would apply to the port as demarcated from rest of the SEZ.

2. The process of clearance of cargo in the port in an SEZ will be in accordance with the provisions of the Custom Act, 1962 and the Rules and Regulations thereunder and that SEZ Act and Rules would apply as far as storage, assessment and clearance of identified SEZ cargo is concerned.
3. Consequential changes in SEZ Rules, 06 etc. will be carried out in due course.

Sd/-
(Dr. R.K. Mitra)
Director

To

1. Chief Secretaries of all States/ UTs
2. All Development Commissioners of SEZs
3. Department of Shipping, Ministry of Shipping & Transport
4. DG, EPCES