

F. No. 394/29/2020-Cus (AS)

Government of India
Ministry of Finance
Department of Revenue
Anti-Smuggling Unit (CBIC)

Room No. 501, 5th Floor, Hudco Vishala Building,
R. K. Puram, New Delhi. **Dated 22.02.2021**

To,

All Principal Chief/Chief Commissioners of Customs,
All Principal Chief/Chief Commissioners of Customs(P),
All Principal Chief/Chief Commissioners of Customs & CGST,
Webmaster, CBIC.

Madam/Sir,

**Subject: Policy and Guidelines for setting up of Inland Container Depots (ICDs),
Container Freight Stations (CFSS) and Air Freight Stations (AFSS)-Reg.**

The Board had issued new set of policy and guidelines for setting up of ICDs/CFSS/AFSS vide Circular No. 50/2020-Customs dated 05.11.2020. The said circular laid down various criterion for new approvals, applications and procedures for approval, post approval obligation, regulatory & other compliances, and performance monitoring etc. Post issuance of the Circular, the Inter -Ministerial Committee (IMC) was further reconstituted vide Board's order dated 18.01.2021.

2. Para 5.1.5 of the said circular states that the IMC meeting will be held twice a year. It also prescribed that the jurisdictional Commissioners of Customs and the Members of IMC will furnish their comments/recommendations on the applications received in this regard within 30 days. However, there was no cut-off date prescribed for submitting the applications and there were instances where applications were received just prior to the IMC meeting. Late submission of application poses two challenges. Firstly, there is no sufficient time for the jurisdictional Commissioners and IMC Members to examine the applications and to furnish their comments on the same. Secondly, if an application is not placed in time before the scheduled IMC meeting, the applicant needs to wait for another 06 months for the next IMC meeting which in turn hampers the investment activities of the stakeholders particularly in the logistics sector.

3. Further, on scrutiny of the applications and the comments/ recommendations as forwarded by the jurisdictional Commissioners, it has been noticed that there is no objective evaluation of the proposal and many a times the recommendation of the jurisdictional Commissioner does not provide a holistic picture of the feasibility of the proposal. Accordingly, it is felt that there is a need for structured reporting system which will not only minimize the ambiguity but may also help in automation and online processing in the future.

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4. Accordingly, the following further guidelines are being prescribed:

i. The IMC meeting would be held on quarterly basis as per the following schedule-

Quarter	Cut-off date for receipt application	Receipt of comments from IMC and Customs formations	Date of issuance of Meeting Notice	Date of Meeting
January-March	By 30 th of preceding November	By 20 th of preceding December	By 25 th of preceding December	2 nd Tuesday of January
April-June	By 28 th of preceding February	By 20 th of preceding March	By 25 th of preceding March	2 nd Tuesday of April
July-September	By 31 st of preceding May	By 20 th of preceding June	By 25 th of preceding June	2 nd Tuesday of July
October-December	By 31 st of preceding August	By 20 th of preceding September	By 25 th of preceding September	2 nd Tuesday of October

(in case the 02nd Tuesday of the respective month is a holiday, the next working day will be considered as date of IMC meeting)

ii. All the jurisdictional Principal Commissioners/Commissioners may forward their comments/recommendations on the application for setting of ICDs/CFSs/AFSs as per **Annexure-A** within the time as stipulated above.

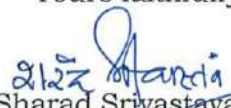
5. The above amendment may be circulated amongst the stakeholders and public at large and the field formations may suitably be sensitized.

6. In the Circular No. 50/2020-Customs dated 05.11.2020, any aspect which is inconsistent with this circular shall be brought to notice for suitable modification. In case of a conflict, the provisions of this circular will prevail.

7. Any difficulties in the implementation of these guidelines may be brought to the notice of the Board immediately.

Yours faithfully,

Encl: Annexure-A


(Sharad Srivastava) 22.2.21
Director (Anti-Smuggling)
Tel. No. 011- 26177519
Telefax-26177-328/572/543

Annexure-A
(to CBIC Circular No. 06/2021-Customs)

Format of reporting for Setting up of an Inland Container Depots/Container Freight Stations/Air Freight Stations by the jurisdictional Principal Commissioner/Commissioner.

1	Name of the Zone	
2	Name of the entity	
3	Entity type:	<input type="checkbox"/> PSU <input type="checkbox"/> Public Ltd. <input type="checkbox"/> Pvt. Ltd. <input type="checkbox"/> Others
4	State of facility proposed	
5	Status of State's infrastructure (as per LEAPP score)	
6	Application for (Mark whichever applicable)	<input type="checkbox"/> ICD <input type="checkbox"/> CFS <input type="checkbox"/> AFS <input type="checkbox"/> CFS to ICD <input type="checkbox"/> Change of location of an existing ICD/CFS/AFS
7	Geographical Zone of facility (Mark whichever applicable)	<input type="checkbox"/> Green <input type="checkbox"/> Blue <input type="checkbox"/> Red
8	Authorized Economic Operator-Logistics Operator Status Holder	Yes/No (If yes, please provide details)
9	Distance from Port <i>[As per Para 4.1.3 of Circular 50/2020-Customs, the development of ICDs within 200kms of a connecting/nearest serving seaport shall be discouraged.]</i>	
10	Distance from nearest ICD <i>[As per Para 4.1.4 of Circular 50/2020-Customs, no Greenfield ICD shall be permitted to be established within 100kms distance from existing ICD.]</i>	
11	Nearest Rail linked ICD <i>[As per Para 4.1.8 of Circular 50/2020-Customs, no approval for Greenfield ICD shall be accorded with more than one ICD directly connected to railway corridors/DFCs.]</i>	



12	Whether CFS linked to ICD ? <i>[As per Para 4.1.10 of Circular 50/2020-Customs, no CFS shall be set up which is linked to an ICD.]</i>												
13	Number of existing ICDs/CFSs and names												
14	Installed capacity of existing ICDs/CFSs in TEUs	<table border="1"> <thead> <tr> <th>Name of the facility</th> <th>Capacity in TEUs</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Name of the facility	Capacity in TEUs									
Name of the facility	Capacity in TEUs												
15	Current capacity utilization of existing ICDs/CFSs in TEUs	<table border="1"> <thead> <tr> <th rowspan="2">Name of the facility</th> <th colspan="3">Capacity Utilization in TEUs for past 03 years</th> </tr> <tr> <th>Export</th> <th>Import</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Name of the facility	Capacity Utilization in TEUs for past 03 years			Export	Import	Total				
Name of the facility	Capacity Utilization in TEUs for past 03 years												
	Export	Import	Total										
16	Future projection of traffic in region for the next 05 years	<table border="1"> <thead> <tr> <th>Year</th> <th>Capacity in TEUs</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Year	Capacity in TEUs									
Year	Capacity in TEUs												
17	Manpower availability												
18	In terms of Circular No. 02/21-Customs dated 19.01.2021, the sanction for cost recovery posts shall be obtained before commencement of operations. Despite posts being sanctioned, till the vacant posts are filled up, whether the formation can deploy manpower from the existing working strength should be clearly mentioned ?												
19	Land Availability <i>[As per Para 4.3.1 of Circular 50/2020-Customs, minimum area required for ICD is 07 hectares , 02 hectares for CFS and 1000 sq. yard for AFS.] 1 hectare = 2.47 acre</i>	The proposed facility meets/doesn't meet the requirement. Remarks if any:											
20	Ownership of land <i>[As per Para 4.3.2 of Circular 50/2020-Customs, the land should either be owned for leased for a period of 30 years.]</i>												
21	Comments on prior experience <i>[As per Para 4.4.2 of Circular 50/2020-Customs, the applicant must have a prior experience of operating as CCSP or should have other trans-border logistics</i>	The applicant meets/doesn't meet the requirement. Remarks if any:											

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	<i>experience.]</i>	
22	Comments on the Detailed Project Report: Whether the claims made by the applicant in support of their application in the DPR are correct ?	(Detailed observation may be given)
23	Any exception to be made for considering the application? If so the details thereof.	
24	Any other notable remarks	
25	Recommendation	Recommended/Not Recommended

Note: All the items shall be filled up objectively; no item shall be left blank and entries like 'no comments' shall be avoided.

Signature of Pr. Commissioner/Commissioner

Name:

Commissionerate:

Counter Signed by

Signature of the Pr. Chief/Chief Commissioner

Name:

Zone:

Signature