

**Department of Commerce
Infra-I Section**

Minutes of the meeting of the Inter Ministerial Committee (IMC) for consideration of proposals for setting up of ICDs held under the Chairmanship of Shri Binoy Kumar, Director General of Supply & Disposal (DGS & D) on 17-10-2017

A meeting of the Inter-Ministerial Committee (IMC) was held on 17-10-2017 in Jeevan Tara Building, Parliament Street, New Delhi under the Chairmanship of Shri Binoy Kumar, Director General of Supply & Disposal, for consideration of proposals as per agenda circulated. Following officials participated in the meeting: -

- I. Shri Sanjay Chadha, Joint Secretary (Infrastructure), Department of Commerce
- II. Shri Prabhas Dansana, ED (TTS), Ministry of Railways
- III. Shri B. Praveen, Director (Infrastructure) Department of Commerce
- IV. Shri D.K. Rai, Director, Ministry of Shipping,
- V. Shri Zubair Riaz Kamili, Director (Customs), CBEC, Department of Revenue
- VI. Shri Angshumali Rastogi, Director, Ministry of Civil Aviation
- VII. Shri R. Rajakannu, Under Secretary, Department

2. Chairman, IMC sought the traffic projection near Ludhiana from the Ministry of Railways in reference to the letter written to the Member (Traffic), Railway Board. Representative of Ministry of Railways informed that the detailed traffic projection would be provided in next 10 days. IMC discussed the following 3 proposals at Kila Raipur, Ludhiana (Punjab) and after detailed deliberations the following decisions were taken:

Agenda No. 01 (Deferred proposal):

Application for setting up of an ICD at Kila Raipur, Dist. Ludhiana, Punjab by M/s Adani Logistics Limited. (F. No. 16/12/2016-infra-I)

Application was circulated to the Ministries/Departments for their comments on 18-07-2016.

The Comments of all 4 IMC members are as under:

Ministry of Civil Aviation vide O. M. dated 04-08-2016 conveyed their "No comments".

Ministry of Shipping vide O.M. dated 24-08-2016 conveyed their "no comments" to offer.

Ministry of Railways vide O.M. No. 2016/TT-III/99/2 dated 30-09-2016 have conveyed their "No objection".

CBEC vide O.M. No. 434/11/2016-Cus-IV dated 09-10-2017 have conveyed their concurrence subject to condition that the developer submits an undertaking to CBEC agreeing to bear cost of recovery charges forever in respect of the customs officials required for functioning of ICD.

The applicant has submitted a registered Joint Development Agreement (JDA) with M/s Adani Logistics Ltd. as lead owner / developer in lieu of Sale deed / Lease deed. M/s Adani Logistics Ltd. is the owner of 18.88 acres of land out of the total 77.41 acres of land. Rest of the land parcels are in the name of M/s VMM Builders Pvt. Ltd. (12.62 acres), M/s AY Builders Pvt. Ltd. (17.96 acres), M/s AY Realtors and Developers Pvt. Ltd. (15.06 acres), M/s YYA Realtors and Developers Pvt. Ltd. (14.16 acres). The applicant informed that the 18.88 acres of land owned by him is not contiguous which is the criteria regarding land as per guidelines. CBEC representative also expressed apprehension regarding the feasibility of notifying such non-contiguous area as a Customs Bonded Area.

The applicant informed that total land of 77.41 acres is in the possession of the applicant and the rest of the land belongs to sister firms of the applicant company with whom they have entered into a Joint Development Agreement. They also informed that the CLU certificate for the entire 77.41 acres of land has been issued by the revenue authorities in favour of the applicant company.

Chairman, IMC decided that the developer may provide a lease deed / sale deed transferring contiguous land in the name of the applicant company covering the requisite custom bonded area and it should be duly registered in the concerned Sub-Registrar's office. If lease deed is provided, the minimum period of lease should be more than 15 years.

Accordingly, applicant agreed to sale / lease deed along with a revised lay out plan and requested that the Lol be issued immediately on submission of the required documents.

IMC approved the proposal for issuance of Lol on submission of sale/lease deed along with revised Lay out plan indicating survey numbers of the entire custom bonded area to be considered for setting up of the ICD which should be contiguous and as per the guidelines with the conditions stipulated by CBEC vide O.M. No. 434/11/2016-Cus-IV dated 09-10-2017 (copy to be enclosed with Lol).

Agenda No. 02 (Deferred proposal):

Application for setting up of ICD at Village Kila Raipur, Dehlon Dist. Ludhiana, Punjab by M/s Hind Terminals Pvt. Ltd. (F. No. 16/26/2016-infra-1)

Application was circulated to the Ministries/Departments for their comments on 24-10-2016.

The Comments of all 4 IMC members are as under:

Ministry of Civil Aviation has conveyed its "No Comments to offer" vide O.M. No AV-29012/9/2016-ER dated 08-12-2016.

Ministry of Shipping vide O.M. No. PD-14033/23/2015-PD-V dated 06-12-2016 conveyed their "No comments to offer".

Ministry of Railways vide O.M. No.2016/TT-III/99/2 dated 27-02-2017 have conveyed their No objection.

CBEC vide O.M. No. 434/11/2016-Cus-IV dated 09-10-2017 have conveyed their concurrence subject to condition that the developer submits an undertaking to CBEC agreeing to bear cost of recovery charges forever in respect of the customs officials required for functioning of ICD.

IMC approved the proposal for issuance of Lol with the condition stipulated by CBEC vide O.M. No. 434/11/2016-Cus-IV dated 09-10-2017 (copy to be enclosed with Lol).

Agenda No. 03 (Deferred proposal):

Application for setting up of ICD at Ahmedgarh, Ludhiana, Punjab by M/s Punjab Logistics Infrastructure (F. No. 16/14/2016-infra-1).

Application was circulated to the Ministries/Departments for their comments on 09-12-2016.

The Comments of IMC members are as under:

Ministry of Civil Aviation vide O.M. No. AV-29012/146/2016-ER dated 21-12-2016 conveyed their "No comments to offer".

Ministry of Shipping vide O.M. No. C1-25021/4/2017-SM dated 28-02-2017 conveyed their No comments.

Ministry of Railways vide O.M. No. 2016/TT-III/99/2 dated 02-03-2017 conveyed their No objection based on In-principal approval issued by Northern Railway's letter No. 86 T/PFT/TGP/PLIL/UMB dt. 13.05.16.

CBEC vide O.M. No. 434/11/2016-Cus-IV dated 09-10-2017 have conveyed their concurrence subject to condition that the developer submits an undertaking to CBEC agreeing to bear cost of recovery charges forever in respect of the customs officials required for functioning of ICD.

IMC approved the proposal for issuance of Lol on submission of the Change of Land Use (CLU) Certificate from the competent authority for remaining 1.30 acres of land out of the 17.31 acres of land proposed with the condition stipulated by CBEC vide O.M. No. 434/11/2016-Cus-IV dated 09-10-2017 (copy to be enclosed with Lol).

Miscellaneous issues

Representative of CONCOR informed that CONCOR has submitted proposals for 'in principle' approval for jurisdiction for setting up ICD at Tihi, Indore, Madhya Pradesh and Bali, Goa to the concerned Commissioner of Customs in the month of June / July, 2017. In view of the revised guidelines regarding submission of In-principle approval of the jurisdictional Commissionerate of Customs, the CBEC may issue direction to the concerned offices for expediting their comments.

CBEC may consider issue of necessary direction to all its field offices to expeditiously process proposals of 'in principle' approvals for ICDs/CFSS/AFSS from the applicant directly and issue in-principle approval to the feasible proposals in accordance with the revised procedure for seeking approval of the IMC.
