

F. No. AV-29012/41/2020-ER
Government of India
Ministry of Civil Aviation
[ER Division]

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B-Block, Rajiv Gandhi Bhavan
Safdarjung Airport, New Delhi - 110034

Dated: 1st April 2020

Order

Subject: **Demurrage payable to the Airport Operator/ Cargo Terminal Operator by a Shipper or Consignee or Carrier or Agent for utilising storage facility at Cargo Terminal for storage of import cargo, goods, unaccompanied baggage, stores, courier bags, express parcels, postal mail, etc. for extended period beyond the stipulated free storage period for clearance or removal from the Airport – regarding.**

Recalling that Ministry of Home Affairs, Government of India has issued Order No. 40-3/2020-DM-1(A) dated 24-03-2020 to impose a complete lockdown in India for a period of 21 days in view of the threat posed by the spread of COVID-19 pandemic, and the Guidelines annexed to the said Order along with the Addenda of even number dated 25-03-2020 and 27-03-2020, which provide for exception to enable the provision of essential air cargo movement which includes postal mail services, express and courier/e-commerce services, and their related airport operations and those of other operational organisations, and which was preceded by a Single Day Lockdown on 22-03-2020;

Therefore, the Government has been working to provide smooth functioning of the airports and airlines, and all their allied services and associated organisations across the country serving international and domestic air cargo movements; and

Recalling further this Ministry's Orders issued vide F. No. AV-16011/3/2016-ER dated 02-12-2016, 31-03-2017, and 14-09-2017 on the reduction of free period for import air cargo to 48 hours;

Observing that all the imported air cargo which had landed on or after 20-03-2020 at airports in India could not be cleared and removed from the airports thereby creating congestion at some of them for no fault of the air cargo community, and caused impediments to the swift clearance and removal from such congested airports of imported essential commodities and relief materials required for handling Covid-19 related issues across the country;

Observing also that air cargo terminal operations are facing unprecedented shock to their business activities, besides currently implementing remedial measures including reduction and suspension of investments even while servicing their debt, leave for staff, etc.;

Therefore, during this critical hour of need for prioritising and facilitating necessary imports of essential commodities and relief materials, in order to maintain proper supply lines

and strengthen the airport operations for their efficient handling, it is felt desirable to encourage the air cargo community to clear the backlog of imported cargo, goods, etc. and remove them from the congested major airports in India immediately. This would require airport operators/cargo terminal operators to extend their support to the air cargo industry.

Further therefore, for all Customs Airports, the following provisions for the treatment of demurrage charges applicable on import air cargo are made herewith:

- A. These provisions shall apply on such imported air cargo:
 - (a) which had landed on or after 20-03-2020, but could not be cleared and removed from all the customs airports by 23:59 hours on the date of this Order, and for which Bill of Entries were filed with Customs and the imported cargo, goods, etc. are lying with or without Customs Out-of-Charge (OOC) in the Custodian Warehouses, and
 - (b) for any delay in clearance and removal from the airport caused by reasons attributable to the aforesaid lockdown measures for the period up to and until 14 April 2020.
- B. Demurrage charges on such imports shall be waived at 50% by the airport operator/cargo terminal operator, provided that the cargo, goods, etc. are cleared and removed from the airport by 23:59 hours on 16 April 2020;
- C. In case such imported cargo is not cleared and removed within these timelines, normal demurrage charges as applicable would be payable.
- D. During this period the airport operators/ cargo terminal operators/ concessionaires shall not impose any other or alternative charge by whatsoever name on the importer or trade agents concerned.
- E. This decision is purely a one-time measure to deal with the sudden and unprecedented disruption caused by the lockdown due to the COVID-19 pandemic.

For the early clearance and removal of bulky and high volume-low weight import cargo, Customs is requested to extend full support and the State Government concerned to allow and facilitate controlled transport and employees, including contracted employees, to the airport and the related warehouses/ destination.



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To,

1. Secretary, Department of Revenue, Government of India

2. Chairman, CBIC
3. Customs Directorates at all Customs airports
4. Commerce Secretary, Department of Commerce, Government of India
5. Special Secretary (Logistics), Department of Commerce, Government of India
6. Chief Secretaries of State Governments/Administrators of Union Territories
7. All stakeholders concerned, through the website of Ministry of Civil Aviation.
8. Chairman, Airports Authority of India
9. CEO, AAICLAS
10. BIAL
11. CIAL
12. DIAL
13. GHIAL
14. MIAL
15. ACHAI
16. APAO
17. ACAAI
18. FFFAI
19. ACFI
20. DACAAI

Copy to:

1. Chairman, AERA
2. Joint Secretary (AAI, AD), Ministry of Civil Aviation, Government of India
3. PPS to Secretary (CA)
4. PS to EA