

Public Notice



Government of India
Ministry of Commerce and Industry
Department of Commerce
New Delhi

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Public Notice No. 15/2004-09

Dated 9th October, 2004

In exercise of powers conferred under paragraph 2.4 of the Foreign Trade Policy, 2004-09, the Director General of Foreign Trade hereby makes the following amendments in Handbook of Procedures (Vol. I).

1. In para 2.32, sub-para 2.32(i) shall read as below :

“Metallic waste, scrap, seconds and defectives, other than those which are of a value below the value specified for any such items by a notification issued in this behalf, and excluding hazardous, toxic waste, radio active contaminated waste/scrap containing radio active material. **Import of metallic waste and scrap shall be permitted in shredded and compacted form only; however, metallic waste and scrap in unshredded and uncompact form may be imported through the major ports (covered by the Major Port Trusts Act, 1963) and the Inland Container Depot at Tughlakabad, New Delhi only. The Customs authorities shall carry out 100% inspection of such unshredded and uncompact materials.**”

2. In para 2.32, the first three lines of the proviso shall read as below :

“Provided in case of import of metal scrap originating from a country affected by **rebellion or war**, the exporter shall furnish the following documents to the Customs at the time of clearance of goods :”

3. Notwithstanding any thing contained above, the consignments, which have already arrived at the ports and which have left their ports of origin will be subject to 100% inspection by the Customs authorities.

Sd/-

(K. T. CHACKO)

Director General of Foreign Trade

Public Notice No. 16/2004-09

Dated 15th October, 2004

In exercise of powers conferred under paragraph 2.4 of the Foreign Trade Policy, 2004-09, and in supersession of Public Notice No. 15 dated 9.10.2004, the Director General of Foreign Trade hereby makes the following amendments in Handbook of Procedures (Vol. I).

1. The existing para 2.32, will be amended to read as follows :

The following items may be imported without a licence/certificate/permission.

(i) Any form of metallic waste, scrap, seconds and defectives, other than those which are of a value below the value specified for any such items by a notification issued in this behalf, and excluding hazardous, toxic waste, radio active contaminated waste/scrap containing radio active material; However, import of any form of metallic waste, scrap referred to above shall be subject to the following conditions :-

- Import of metallic waste and scrap in shredded form shall be permitted through all ports. Such imports will not require a pre-shipment inspection certificate in terms of Appendix-8 at the time of clearance of goods.
- Import of metallic waste and scrap in unshredded, compressed and loose form shall be permitted through the following ports only :
1. Chennai, 2. Cochin, 3. Ennore, 4. JNPT, 5. Kandla, 6. Mormugao, 7. Mumbai, 8. New Mangalore, 9. Paradip, 10. Tuticorin, 11. Vishakhapatnam, 12. ICD Tughlakabad, 13. Pipava, 14. Mundra and 15. Kolkata.

Moreover, in case of such imports the exporter shall furnish the following documents to the Customs at the time of clearance of goods :

(I) Pre-shipment inspection certificate as per the format in Annexure I to Appendix 8 from any of the Inspection & Certification agencies given in Appendix-28 to the effect that :

- The consignment does not contain any type of arms, ammunition, mines, shells, cartridges, radio active contaminated or any other explosive material in any form either used or otherwise.
- The imported item(s) is actually a metallic waste/scrap/seconds/defective as per the internationally accepted parameters for such a classification.

- (c) The country of origin of the metallic waste & scrap.
- (II) Copy of the contract between the importer and the exporter stipulating that the consignment does not contain any type of arms, ammunition, mines, shells, cartridges, radio active contaminated, or any other explosive material in any form either used or otherwise.

In case any agency wishes to be enlisted under Appendix 28, they may furnish an application to the office of the Director General of Foreign Trade with the following documents :

- (a) A brief on the activities of the agency, its history, membership, organisational structure, manpower etc.
- (b) Infrastructural setup, logistics, testing labs etc. for carrying out the inspection of metallic scrap.
- (c) List of companies/agencies for which testing has been carried out.

DGFT will review the performance of the Inspection and Certification Agencies in Appendix 28 on a regular basis.

- (ii) Woolen rags/synthetic rags/shoddy wool in completely mutilated form subject to the condition that mutilation must conform to the requirements as specified by the Customs authorities.
- (iii) PET bottle/waste
- (iv) Import of all types of ships may be made without a licence/certificate/permission on the basis of guidelines issued by Ministry of Shipping and as per the age/residual life norms prescribed by the Ministry of Shipping.

Sd/-

(K. T. CHACKO)

Director General of Foreign Trade

[Issued from File No. 01/89/180/53/AM01/PC-1.A]

**Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
New Delhi**

Policy Circular No. 02/2004-2009

Dated 6th October, 2004

To
All Licensing Authorities
All Commissioners of Customs

**Clarification on the issuance of
Registration Cum Membership Certificate (RCMC)
by Export Promotion Councils**

1. Attention is drawn to Para 3.12 of the Handbook of Procedures (Vol. 1) indicating the allocation of products, etc. for various Export Promotion Councils.

2. It is hereby reiterated that an exporter desiring to obtain RCMC shall apply to the Export Promotion Council that relates to his main line of business as per Appendix 27 of the Handbook of Procedures (Vol. 1). However, the exporter has the option to take the membership of any other Export Promotion Council in addition.

This issues with the approval of Director General of Foreign Trade.

Sd/-

(AJAY SRIVASTAVA)

Joint Director General of Foreign Trade

(F. No. : 01/94/180/11/AM05/PC IV)

**Government of India
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Foreign Trade
New Delhi**

Policy Circular No. 05/2004-2009

Dated 15th October, 2004

To
All Licensing Authorities
All Commissioners of Customs

**Requirement of Type Approval Certificate in terms of
Import Licensing Note No. (7) to Chapter 87 of the ITC(HS)
Classification of Export and Import items, 2004-2009.**

Several representations have been received from the trade seeking clarification on whether a Type Approval Certificate from a country other than the country of origin can be acceptable for the European Union.

It is hereby clarified that the Type Approval Certificate is required to be issued as per EEC directive 70/156/EEC by one of the testing agencies notified in Policy Circular No. 26 dated 9.2.2004. For the European Union, a certificate from the country of origin need not be insisted upon. However, the certificate must come from a signatory country to the 1958 Agreement under WP 29. A list of such signatories is available at web site : www.unece.org

This issues with the approval of Director General of Foreign Trade.

Sd/-

(PRATIMA DIKSHIT)

Joint Director General of Foreign Trade

(Issued from F. No. 01/93/180/1483/AM03/PCIA)