Circular No. 48/2016-Customs

F. No. 450/148/2009-Cus.IV
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

Room No. 229A, North Block,
New Delhi, dated the 26th October, 2016

To,
All Principal Chief Commissioners/Chief Commissioners of Customs/Customs (Preventive)
All Principal Chief Commissioners/Chief Commissioners of Customs & Central Excise
All Principal Commissioners/Commissioners of Customs/ Customs (Preventive)
All Principal Commissioners/Commissioners of Customs & Central Excise

Madam/Sir,

Subject:- Clearance of import of metal scrap-Procedure-regarding

IndiaCode

I am directed to say that the following Circulars have been issued relating to the procedure for clearance of **imported metal scrap namely:-**

(i) 56/2004-Cus. dated 18.10.2004,
(ii) 02/2005-Cus. dated 12.01.2005,
(iii) 10/2005-Cus. dated 22.02.2005,
(iv) 24/2005-Cus. dated 24.05.2005,
(v) 32/2005-Cus. dated 28.07.2005,
(vi) 35/2005-Cus. dated 22.08.2005,
(vii) 28/2007-Cus. dated 14.08.2007

2. The issue has been reviewed in the light of the changed scenario. The Director General of Foreign Trade, Ministry of Commerce and Industry, Government of India has issued a Public Notice No. 38/2015-2020 dated 06.10.2016 (followed by a Corrigendum by way of a Public Notice No. 40/2015-2020 dated 25.10.2016) governing import of un-shredded Metallic Waste and Scrap under Para 2.54 of Handbook of Procedures (2015-2020).

2. With the approval of the competent authority, it has been decided to withdraw the aforesaid Circulars with immediate effect.

3. It has been further decided that the following procedure for clearance of imported metal scrap (both ferrous and non-ferrous) shall be adopted:

(i) Import of metal scrap in shredded form will be permitted through all ports/ICDs/CFSs/LCSs **without any pre-shipment certificate** as per the existing practice.

(ii) Import and clearance of un-shredded compressed or loose metallic scrap, shall be subject to the guidelines issued the Director General of Foreign Trade, Ministry of Commerce and Industry, Government of India under Public Notice No. 38/2015-2020 dated 06.10.2016 (followed by a Corrigendum by way of a Public Notice No. 40/2015-2020 dated 25.10.2016) and as per the following procedure:

(a) The consignments of un-shredded, compressed or loose scrap shall be cleared only through those EDI ports where Risk Management Module is operational. These consignments will be subjected to documentary or physical check on the basis of selection done by Risk Management System.

(b) All the designated sea ports as specified in the DGFT Public Notice No. 38/2015-2020 dated 06.10.2016 are expected to install and operationalize Radiation Portal Monitors and Container Scanners by 31.03.2017 and till such time, the consignments of un-shredded, compressed or loose scrap shall be subjected to scanning based on risk assessment at those ports where such facilities for scanning are currently existing.

(c) Depending upon the congestion at the Port/ICD, the availability of manpower and the antecedents of the importer, the concerned Principal Commissioner/Commissioner of Customs or Principal Commissioner/Commissioner of Central Excise, as the case may be, may permit the importer to remove the sealed container at his own risk and cost to his factory premises under re-warehousing procedure. This would be subject to conditions specified in (a) & (b) above.

4. These instructions may be implemented with immediate effect.

5. The difficulties, if any, in implementing these procedures, should immediately be brought notice of the Board.

6. The above guidelines may be brought to the notice of the Trade immediately through appropriate Public Notice/Trade Notice.

7. Receipt of this Circular may kindly be acknowledged.

8. Hindi version will follow.

(Shaifali G Singh)
Under Secretary to the Government of India
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