

OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT)
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA,
TALUKA URAN, DIST.- RAIGAD, PIN 400 707.

F. No. : S/22-GEN-154/09-10 AM (I)

Dated:- 19/06/2009

PUBLIC NOTICE NO. 37/ 2009

(Referred / amended vide P.N.No. [113/2010](#))

Attention of all importers, CHA, trade and all others concerned, is invited to the Hazardous Wastes (Management, Handling and Trans-Boundary Movement) Rules, 2008 (hereinafter referred to as HWR for the sake of brevity). These Rules have been enacted by the Ministry of Environment and Forests, Government of India, in exercise of powers conferred under Section 6, 8 and 25 of the Environment Protection Act, 1986 (29 of 1986) and in supersession of the Hazardous Waste (Management and Handling) Rules, 1989.

2. Chapter IV of the said Rules, provides in detail the procedure for import and export of Hazardous Waste. Salient features of HWR are:

- (i) All the items listed in Part A of the Schedule-III are restricted and require *Prior Informed Consent* as well as permission from Ministry of Environment & Forest and DGFT Licence.

- (ii) For all Items listed in Part B of the Schedule III, *Prior Informed Consent* is not required. Further, various items listed in the Part B have been categorized into 4 categories, with the attendant conditions attached to each item, which are as under:

Category	Requirement
With two astrics **	Import permitted in the country without any license or restriction
With three astrics ***	Import permitted in the country for recycling/reprocessing by units registered with MOEF/CPCB and having DGFT license.
With four astrics ****	Import permitted in the country by the actual user with MOEF permission and DGFT license.
With no astrics	All other wastes listed in Schedule-III (Part-B) having no Star/s (*) can only be imported in to the country with the permission of MOEF.

3. All provisions of HWR will be strictly adhered to, notwithstanding the earlier practice followed in this Custom House or other Custom Houses.

4. In case of non-compliance of any of the conditions, as per the provisions of Rule 17(2) of the HWR provides

the importer shall re-export the waste in question at his cost within a period of ninety days from the date of its arrival into India and its

implementation will be ensured by the concerned State Pollution Control Board.

In case such goods are not cleared within 30 days of unloading, the matter would be referred to the State Pollution Control Board for necessary action at their end in terms of the aforesaid provision.

5. The importer(s) may apply for availing the option to keep the goods in Public Bonded Warehouse with adequate infrastructure under Section 49 of the Customs Act 1962, to avoid detention and demurrage charges, till the time it is re-exported or cleared, as per the provisions of the HWR.

(A. K. DAS)

COMMISSIONER OF CUSTOMS (IMPORTS)

JNCH, NHAVA SHEVA.