

OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT), MUMBAI-
II, JAWAHAR LAL NEHRU CUSTOM HOUSE, SHEVA,
TAL-URAN, DISTRICT - RAIGAD, MAHARASHTRA - 400707

F.NO. S/22-GEN-23/2004-APPG.(MAIN-IMP.) Date:07/04/2004

STANDING ORDER NO. 23/2004

Sub: Supreme Court directions in Writ Petition (Civil) No. 657 of 1995 on Hazardous Waste - regarding.

The Supreme Court of India in Writ Petition No. 657 of 1995 relating to import, handling and disposal of Hazardous Waste, has passed order dtd. 14.10.2003. The Honble Court has issued various directions for necessary action/implementation by the concerned Ministries/Departments of the Central Government. A brief gist of the instructions are given

1. Where illegal import of hazardous waste have taken place due to non-fulfillment of the Rules, enquiries should be conducted and appropriate action taken against the concerned officers/department.

2. Regarding collection and transportation of used oil from different sources, it has been directed that it should be ensured that they are sold only to registered refiners or recyclers, who also furnish an undertaking to refine or recycle them. Accordingly, in all such cases, customs should ensure that appropriate undertakings are obtained.

3. The Honble Court has further observed that certain illegal imports have already been cleared and found their way to the market. For such cases, the Court has directed the concerned authorities to take action as per law.

4. Regarding hazardous waste already lying in the Ports, the Honble Court has directed that they be either exported, if permissible, or recycled/reprocessed or destroyed, depending on whether such wastes are regulated or banned. Copy of the Hazardous Waste Rules issued by the Ministry of environment and Forests is enclosed.

5. The Court has also directed that before clearance of imported hazardous waste, Customs and Port authorities should ensure that the consignments correspond with the details of authenticated copy of Form 7 sent by the country of export. Copy of the form as prescribed by the MOEF is enclosed.

2. All the officers are directed to ensure strict compliance of aforesaid provisions. Any deviations from these instructions will be viewed seriously.

Sd/-(07.04.04)
(R. SHARMA)
COMMISSIONER OF CUSTOMS(IMPORT)

