

F.No. 8-1/2007-PP.I
Government of India
Ministry of Agriculture
Department of Agriculture & Cooperation

Krishi Bhawan, New Delhi
Dated : 11th December, 2007

OFFICE MEMORANDUM

Subject : Grant of Plant Quarantine clearance in respect of uncleared timber consignment auctioned by Kandla Port Trust on payment on normal quarantine charges.

The undersigned is directed to refer to your communication on the subject mentioned above and to say that agricultural commodities listed in Schedule V, VI & VII of Plant Quarantine (Regulation of import into India) Order, 2003 are allowed for import into India from the countries mentioned against the commodities. The agricultural commodities are listed in respective schedules of PQ Order, 2003 with specific additional declarations and special conditions of import which have to be fulfilled and endorsed on phytosanitary certificate by the National Plant Protection Organisation (NPPO) of exporting country. These additional declarations and special conditions of import are based on import risk assessment which is made on scientific grounds for particular country/ countries. Compliance with these conditions is essential in the interest of biosecurity of the country. The authenticity of the origin of imported material is essential from Plant Quarantine point of view and requires documents such as certificate of origin, Bill of Lading, Phytosanitary Certificate and Import Permit issued by Plant Quarantine Officer prior to release of a consignment, or part thereof, containing agricultural commodity.

In case of consignments abandoned by their actual importers, required documents are often lacking. Due to absence of authenticity of material and chances of hidden pests, there is high risk to the biosecurity of the country, if such material is released. In such cases possibility of bio-terrorism also cannot be ruled out. In view of the above, such imported material may be destroyed by incineration under supervision of Customs and Plant Quarantine officers. Suitable action should be taken against the importers in such cases.

The procedure of auction by customs and thereafter seeking of release or clearance sought by the purchaser of such cargo, allows an indirect entry of plant material/ timber which perhaps otherwise would not be allowed. The phytosanitary risks associated with such consignments are unknown. Instances of seeking clearance in such cases from Plant Quarantine have been on increase and it is desirable that such practices be curtailed.

The timber/ log pieces which remain uncleared from the consignments which have already been released should be treated as waste material and immediately destroyed by the port authorities as part of the good management practices.

However in case of consignments which do not have Import Permit and phytosanitary Certificate (PSC) as per clause 14, chapter-VI of PQ Order, 2003, relaxation of import permit and PSC can be considered subject to compliance of prescribed phytosanitary measures in terms of clause 14(1) & (2) of Chapter VI on payment of fee for Import Permit and fee for plant quarantine inspection at five times of normal rates.

N.K. Sinha

(N.K. Sinha)

Under Secretary to the Government of India

1. Sh. R. Srinivasa Naik, Director (PO), Department of Shipping, Ministry of Shipping, Road Transport & Highways, Transport Bhawan, 1, Parliament Street, New Delhi with respect to your letter no. PT-11033/122/2009-PT dated 24th September, 09.
2. Sh. B.K. Sinha, Commissioner(Export), Office of the Commissioner of Customs(Export), Jawaharlal Nehru Custom House, Nhava Sheva, Taluka Uran, Distt. Raigad, Maharashtra with respect to your letter no. S/JNCH-D-72/08-09 Disp(A) dated 11th September, 09.
3. Sh. Abhilash V., Terminal Manager, Container Corporation of India Limited, CONCOR Bhawan, C-3, Mathura Road, Opp. Apollo Hospital, New Delhi-110044 with respect to your letter no. Concor/wr /ngsm/auction/pq13 dated 22nd October,