

GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(DEPARTMENT OF REVENUE)

New Delhi, the 5<sup>th</sup> May, 2008.

**NOTIFICATION No. 60 /2008-CUSTOMS**

G.S.R --- (E). - In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 52/2003-Customs, dated the 31st March, 2003, published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i) vide number G.S.R. 274 (E), dated the 31st March, 2003, namely:-

In the said notification,-

(i) in the condition (3) of opening paragraph, in sub-condition (d), in clause (I), after sub-clause (ii), for the proviso, the following proviso shall be substituted, namely:-

"Provided that-

(a) where no SION have been notified, the generation of waste, scrap and remnants upto 2% of input quantity shall be allowed;

(b) where additional items other than those given in SION are required as input or where generation of waste, scrap and remnants is beyond 2% of the input quantity, use of such goods shall be allowed on the basis of self-declared norms till such norms are fixed on *ad hoc* basis by the jurisdictional Development Commissioner within a period of three months from the date of self declared norms and the unit shall undertake to adjust the self-declared/ *ad hoc* norms in accordance with norms as finally fixed by the Norms Committee for the unit. The *ad-hoc* norms will continue till such time the final norms are fixed by the Norms Committee;

(c) in case of utilization of a large number of inputs, wide variation in quantum of consumption of inputs or such other factors which render such fixation of SION difficult in the case of a particular unit, the Norms Committee may refer the case to the Board of Approval for a decision.";

(ii) in the paragraph 4, after the second proviso, in the clause (a), for the words "such clearance or debonding of capital goods may be allowed on payment of duty on the depreciated value thereof and at the rate in force on the date of debonding or clearance, as the case may be.", the following shall be substituted, namely:-

"such clearance or debonding of capital goods may be allowed on payment of duty on the depreciated value thereof and at the rate in force on the date of debonding or clearance, as the case may be, if the unit has fulfilled the positive NFE criteria taking into consideration the depreciation allowable on the capital goods at the time of clearance or debonding. In case of failure to achieve the said positive NFE, the depreciation shall be allowed on the value of capital goods in the same proportion as the achieved portion of NFE.";

(iii) after paragraph 13, in the *Explanation*, after serial number (xiii) and entry relating thereto, the following serial number and entry shall be inserted, namely:-

"(xiv) "Norms Committee" means the Norms Committee in the Directorate General of Foreign Trade for recommending Input Output norms and value addition norms to be notified by the Director General of Foreign Trade.".

(F.No: DGEP/FTP/13/2008-EOU & G&J)

Aseem Kumar,

**Under Secretary to the Government of India.**

Note: The principal notification No. 52/2003-Customs, dated the 31<sup>st</sup> March, 2003 was published in the Gazette of India Extraordinary, Part II, section 3 (i) vide G.S.R 274(E), dated the 31<sup>st</sup> March, 2003 and last amended by notification No. 47/2008-Customs, dated the 11<sup>th</sup> April, 2008 published vide G.S.R. 281 (E), dated the 11<sup>th</sup> April, 2008.