

F.No. 465/01/2014-Cus.V
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

New Delhi, Dated 26th July, 2016

To,

All Principal Chief Commissioners of Customs / Customs & Central Excise,
All Chief Commissioners of Customs,
All Chief Commissioners of Customs & Central Excise,
All Directorate-Generals, Chief Departmental Representative,
All Principal Commissioners of Customs,
All Principal Commissioners of Customs & Central Excise,
All Commissioners of Customs,
All Commissioners of Customs & Central Excise.

Subject: Assessment of Bulk Liquid Cargo – regarding.

Kindly refer to the judgment of Hon'ble Supreme Court in the case of Mangalore Refinery and Petrochemicals Limited vs. Commissioner of Customs, Mangalore dated 02.09.2015 [2015 (323) E.L.T. 423 (S.C.)].

2. In the light of the above judgement, the Board has reviewed the Circular No. 96/2002-Customs dated 27.12.2002 & Circular No. 06/2006 dated 12.01.2006 and it has been decided to rescind both these Circulars.
3. In case of all bulk liquid cargo imports, whether for home consumption or for warehousing, the shore tank receipt quantity i.e., dip measurement in tanks on shore into which such cargo is pumped from the tanker, should be taken as the basis for levy of Customs Duty irrespective of whether Customs Duty is leviable at a specific rate or *ad-valorem* basis [including cases where tariff value is fixed under Section 14(2) of the Customs Act, 1962].
4. Further, where bulk liquid cargo is cleared directly on payment of duty without being pumped in a shore tank, assessment may continue to be done as per ship's ullage survey report at the port of discharge.
5. Difficulties, if any, faced in the implementation of above instructions may be brought to the notice of the Board at an early date.
6. Hindi version follows.

(Kshitendra Verma)
Under Secretary to the Govt. of India