

**Instruction No. 13/2017 - Customs**

F.No. 394/150/2014-Cus (AS)  
Government of India  
Ministry of Finance  
Department of Revenue  
Central Board of Excise & Customs  
(Anti-Smuggling Unit)  
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New Delhi, dated 27<sup>th</sup> September 2017

To  
All Principal Chief Commissioners/Chief Commissioners of Customs / Customs (Preventive),  
All Principal Chief Commissioners/Chief Commissioners of Customs & Central Tax/Central Excise,  
All Principal Commissioners/Commissioners of Customs / Customs (Preventive),  
All Principal Commissioners/Commissioners of Customs & Central Tax/Central Excise,  
The Director General, Directorate General of Revenue Intelligence

**Subject: Illegal import of fireworks/crackers - Judgment dated 12.09.2017 of the Hon'ble  
Supreme Court in Writ Petition (Civil) No.728 of 2015 - reg.**

Madam / Sir,

The Directorate of Revenue Intelligence has been, from time to time, issuing alerts regarding sensitization of officers and taking suitable measures to ensure prevention of illegal import of fireworks/crackers of foreign origin.

2. In this context, attention is invited to the Judgment dated 12.09.2017 of the Hon'ble Supreme Court delivered in I. A. No.52448 of 2017 in Writ Petition (Civil) No.728 of 2015 in the matter of Arjun Gopal & ors. Vs UOI & ors. The Apex Court, in the said matter, has *inter-alia* directed the Union of India to take action as under:

*"The Union of India will ensure strict compliance with the Notification GSR No. 64 (E) dated 27th January, 1992 regarding the ban on import of fireworks. The Union of India is at liberty to update and revise this notification in view of the passage of time and further knowledge gained over the last 25 years and issue a fresh notification, if necessary."*

2. The Department of Industrial Development (now Department of Industrial Policy & Promotion), vide Notification G.S.R. No.64 (E) dated 27.01.1992 prohibited the manufacture, possession and importation of any explosive consisting of or containing sulphur or sulphuret in admixture with chlorate of potassium or any other chlorate.

3. The import of fireworks is 'restricted' under ITC (HS) and requires an import licence from the DGFT. Further, till date, no licence to import fireworks has been granted for possession and/or sale under the Explosives Rules, 2008 by Petroleum and Explosives Safety Organization.

4. In view of the above, it is requested that the officers under your jurisdiction may be suitably alerted and appropriate measure may be taken to ensure strict compliance with the Notification GSR No.64 (E) dated 27.01.1992 regarding the ban on import of fireworks.

Yours faithfully,

*Mul*  
27/09/17  
(Rohit Anand)

Under Secretary to the Government of India