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China Trade Deficit May see Red Soon

The appreciation of the Yuan is of "limited help," considering that even with the stable yuan, China is seeing its trade surplus continue to Mrnk. In 2009, the country's surplus fell over 30 percent from the year before; in the first two months of 2010, it dropped another 50 percent compared to January and February 2009.

This month, China's trade balance may even have fallen into the red for the first time since April 2004. The official trade numbers for March are due to be released on 10 April, but Chinese trade officials are hinting at the likelihood of a trade deficit. In the first third of March, China ran a trade deficit of approximately US\$ 8 million, according to Chinese Premier Wen Jiabao.

Chen said that imbalances in global trade and payment are only part of the reason for the ongoing economic downturn. His office maintains that the crisis is more due to structural problems such as the imbalances of world wealth distribution, resource consumption and representation in international financial institutions - in essence, serious imbalance between North and South. He criticised US economic policy as protectionist and warned that erecting new barriers to trade could hamper the global recovery.

United States and European officials have been exhorting China to release the yuan from its fixed peg of 6.83 yuan to the dollar, held steady since mid-2008, in order to help the global economic recovery. Many experts and officials say that the yuan is artificially low and constitutes

an effective subsidy of Chinese exports.

In his comments at the Beijing forum, Chen criticised the US for politicising economic issues. He emphasised China's sovereign rights over its exchange rate, saying it was not a matter to be negotiated between two nations.

China is 'Currency Manipulator'

The U.S. won't create or protect jobs should Chinese products become uncompetitive because those imports will be substituted by goods from other low-cost countries such as Vietnam and India.

Harvard University historian Niall Ferguson called China a "currency manipulator" and urged the U.S. to get support from the Group of 20 Nations to press Beijing to allow the yuan to appreciate.

Premier Wen said this week a planned meeting of Chinese and U.S. officials in May would help "address disputes and problems." He said China's trade deficit for early March was \$8 billion, compared with a surplus of \$7.6 billion last month.

China's dollar purchases to maintain the link have driven currency reserves to \$2.4 trillion and flooded the financial system with yuan. Chinese investors held \$889 billion of Treasuries on Jan. 31, making it the biggest overseas holder of such debt.

Ruble Cut 12th time in One Year to Contain Ruble

Russia's central bank cut its main interest rates for the 12th time in less than a year to resuscitate lending and contain the ruble's gains as the economic recovery stutters.

Policy makers lowered the refinancing rate by a quarter of a percentage point to a record low 8.25 percent and reduced the repurchase rate charged on one- and seven-day central bank loans to 7.25 percent from 7.5 percent, effective March 29, Bank Rossii said in a statement on 25 March. It last cut rates a quarter- point on Feb. 19.

The bank is lowering borrowing costs as signs appear that a recovery has lost momentum following a record contraction in 2009. Industrial production expanded at a slower pace in February and bank loans continued to Mrnk even as lending conditions eased last quarter. Unemployment and slack demand for credit are holding back a rebound, Andrei Kostin, head of VTB Group, Russia's second-largest bank, said on March 2.

Ruble Strength

The repo-rate cut would also be aimed at containing the ruble's strength, which may hurt domestic producers, Novikova said. The ruble has gained more than 17 percent against the dollar since early February 2009 as Urals oil, Russia's chief export blend, rose to as much as \$80.52 a barrel on January 6.

The economy expanded an annual 3.9 in February and shrank a seasonally adjusted 0.9 percent on a monthly basis, Deputy Economy Minister Andrei Klepach said on March 22. Growth is set to pick up next month, he said.

'Marginal Changes'

"All the indicators showed only marginal changes, thereby supporting our opinion that industrial production is stagnating and that the loosening of monetary conditions has yet to improve the situation in the real sector," Anton Nikitin, an analyst at Renaissance Capital in Moscow, said in a note on March 9.

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sion consisting of experts will be set up under this Agreement to identify new business possibilities and also to identify and remove hurdles which could hamper mutual economic cooperation between the two countries. The two sides also decided to set up three Joint Working Groups in the areas of Innovation, Clean Technology and waste management and skill Development and Training.

The Indian Commerce and Industry Minister has been accompanied by a high level business delegation under the leadership of Rajan Bharti Mittal, President of FICCI and included some of the leading industrialists of India. Earlier the two Ministers also chaired a business roundtable on 25th March 2010. Business leaders present from both sides exuded keenness to collaborate in high technology sectors. Mr Sharma observed that areas of infrastructure, clean energy, bio-pharmaceuticals, medical electronics, health and skill development offer enormous potential and stated that the Indian MSME sector and Finnish small industries should use each other's strengths to make India a manufacturing hub for tech-rich industries and invited the Finnish industry to Invest in Institutes of Excellence and skill imparting centres in India. This was an area that India would be keen to commence work on immediately, he said. During the two day visit Mr Sharma also held bilateral talks with Finnish Minister of Economic Affairs and employment Mr. Mauri Pekkarinen, and Dr Paavo Vayrynen, Minister for Foreign Trade and Development on areas of strategic and economic importance for the two countries.

[Source: PIB/MoC&I Press Releases dated 28 March 2010]

Cont'd..1

India Finland Talk Business in Helsinki

India and Finland have signed an Agreement on Economic Cooperation at Helsinki on 26th March, 2010. The Agreement was signed by Mr Anand Sharma, Union Minister for Commerce and Industry from the Indian side and by Dr Paavo Vayrnen, the Minister for Foreign Trade and Development from the Finnish side. Speaking on the occasion, Mr Sharma said that the new Agreement will raise the level of Economic and Trade Cooperation between the two countries to a new and higher level. The Agreement seeks to replace an earlier Agreement which was signed way back in 1967 under the GATT

regime. He said that the world has moved far ahead now and both the countries offer vast areas of opportunity which can be suitably tapped keeping in view the complimentarity of our sectors. The highly organized high-end technology sectors of Finland can develop synergy with the highly skilled and educated work force of India.

The Agreement seeks to deepen the engagement between the two countries through exchanges of investors, information and experts and also by developing opportunities for the two countries by exploring joint economic possibilities in third countries. A Joint Commis-

Russia has lagged behind other central banks in easing monetary policy and will trail them as regulators reverse rate cuts, Bank Rossii said in January.

Global Banks

Australia, Norway, Israel and Vietnam have raised rates since the peak of the global crisis. China and India have increased reserve requirements for banks to avoid stoking unsustainable lending growth, while the U.S. Federal Reserve raised the rate charged to banks for direct loans, signaling an end to emergency measures to supply liquidity to financial markets.

Russian inflation has ebbed, leaving room for rate cuts. Price growth slowed to an annual 7.2 percent in February from 8 percent in January, the lowest rate in nearly 12 years.

Dollar-Rupee rate at NSE Futures

Trade Date	Open Price	High Price	Low Price	Close Price	Daily Settlement Price	Open Interest	No. of Contracts	Value (Rs. lakhs)	RBI Reference rate
29-Mar-10	45.1800	45.1800	45.0525	45.1050	45.0800	339677	1142415	515,243.14	45.0800
26-Mar-10	45.5775	45.5775	45.2325	45.2875	45.2875	522742	28171461	278,042.02	45.3400
25-Mar-10	45.7000	45.7400	45.5125	45.5325	45.5325	561469	26003441	1,85,774.93	45.6300

[Source: NSE and RBI Website]

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- 1 Year Rs. 750 US\$70
- 2 Years Rs. 1400 US\$140
- 3 Years Rs. 2100 US\$200

No Doha Deal in 2010?

The "stocktaking" week kicked off with a formal meeting of the WTO's Trade Negotiations Committee (TNC) - essentially the organisation's full membership. In his opening remarks, WTO Director General Pascal Lamy stopped short of providing a full, detailed review of the state of play of the negotiations, noting that he will offer his assessment of the talks when officials reconvene for a second formal meeting at the end of the week.

Lamy's tone was optimistic, but the push to finalise a new global trade accord before the end of 2010 effectively died several weeks ago. Thanks to the complexities of the global trading system, it would take WTO members roughly nine months to "schedule" all of the tariff commitments that would be required under any new deal. If an agreement were to be in place before the end of the year, trade ministers would need thus to agree on the broad outlines of a trade deal - the "modalities," in WTO parlance - before the end of the first quarter. So when Lamy announced late last month that the stocktaking meeting would be for senior officials only, rather than ministers, it became clear that an agreement on modalities is not within immediate reach.

No one who spoke at the Monday meeting - not Lamy, nor the chairs of the negotiating committees, nor any of the countries that weighed in - made any mention of the 2010

deadline. In fact, no one mentioned any deadline at all.

The chair of the industrial goods talks, Swiss ambassador Luzius Wasescha, provided a similarly downbeat appraisal of his area of the negotiations. "The main gap," in his assessment, is a mismatch in members' levels of ambition. Some members are happy with the balance laid out in the most recent draft text, he explained, but others say that text is "unbalanced" and are arguing for more market access for their industrial exports.

The debate over sectorals - schemes that would slash tariffs on goods across an entire industry - has been particularly fierce. Some rich countries, namely the United States, argue that participation in the schemes should be mandatory, while major emerging economies maintain that they should be able to opt out of any - or all - sectorals as they see fit. Wasescha qualified that progress on the question of sectorals has been made "insofar as substantial technical work has been done by the sponsors of such initiatives." The substantive differences, however, remain.

The chairs of the negotiations on intellectual property, rules, services, dispute settlement, environment, development and trade facilitation also gave evaluations of their groups' proceedings.

US should Move on Doha

The European Union's trade chief took fresh blows at the United States this week for holding up progress in global trade talks at the WTO, while also signalling that the EU is unwilling to make further market access concessions in agriculture.

Speaking at the London School of Economics on Monday, Trade Commissioner Karel De Gucht absolved Europe of responsibility for the Doha Round standstill. "The EU is still the biggest trader in the world ... However, the truth is that negotiations are currently deadlocked because of disagreement between big players other than Europe."

The United States in particular needs to "make a move" and "say what they want," said De Gucht, who was formerly the EU's Development Commissioner before assuming the office of Trade Commissioner in February.

The EU initialled an FTA with Korea in October, and earlier this month talks with Peru and Colombia wrapped up. Meanwhile, the EU is engaged in a range of FTA talks, including with India, Canada, Singapore and China.

Boeing and Airbus both Winners at WTO!

On Tuesday, the World Trade Organisation transmitted a final yet confidential ruling in the long-standing dispute between the US and the EU over the subsidies that Brussels provides to Airbus, the flagship European aircraft manufacturer. Aerospace rivals Boeing and Airbus have both claimed victory following the release of the judgement to officials from the US and EU. The ruling itself, however, remains hidden from the public.

In a press release issued on Tuesday, Airbus stated that the WTO has "rejected 70 percent of the US claims," ruling that the payments challenged had not caused "material injury to any US interest." The panel has "refused the US request for remedies as legally inappropriate," Airbus further claimed.

Boeing rejected this view as "completely false" while appreciating the report as a "powerful landmark judgement that would 'level the competitive playing field once and for all.'"

John Clancy, spokesperson for the EU Trade Commissioner, called for patience. "People shouldn't jump to conclusions or be too hasty in claiming any type of victory at this stage," he said. "Cases like this are never back and white, and this is just one further step in litigation."

Trade experts and insiders, however, were able to shed some light on the findings on "launch aid," one of the EU's support programmes for Airbus. The initiative, which

was a primary target of the US complaint, offers the European aircraft maker risk-free loans under certain conditions. Last September, when a confidential interim ruling was transmitted to the parties, insiders reported that the decision stopped short of saying that European development loans to Airbus as a whole constituted a pattern of aid and damaged Boeing, Bloomberg reported.

Insiders have now confirmed this view, stating that the panel has refrained from labelling launch aid as illegal per se but has decided to assess each loan independently. One such assessment outlined in the ruling found that US\$20 billion in preferential loans for the A380 passenger jet constituted illegal export subsidies, The Wall Street Journal reported.

EU counter claim pending

Though legally unrelated, a pending EU counter claim challenging US state aid to Boeing might further impact the parties' response to the Airbus ruling. "It is only when we get the second report that we will have a sense of how to move forward, including whether we move forward towards a negotiated settlement," Clancy told AFP. A first ruling in that case is expected to be transmitted in June.

A supportive ruling in the counter claim might back the Commission's attempts to negotiate a settlement with the US. "If you do not [negotiate a solution], you end up with a build-up

of retaliatory moves," EU Commissioner for Trade, Karel de Gucht commented.

The EU is expected to appeal the decision issued on Tuesday, which trade experts suggested could result in a final ruling in 2013 at the earliest.

The US and the EU have regularly sparred over aircraft subsidies ever since Airbus became a major market player in the 1980s. In 1992, the two sides signed the Agreement on Trade in Large Civil Aircraft, which imposed disciplines on how the governments could support their aircraft manufacturers. But Washington pulled out of the deal in 2004 and promptly filed suit at the WTO against the EU's support for Airbus. Brussels shot back with its own dispute case a few months later.

CITES Shoots Down Ban on Trade in Bluefin Tuna

In an unexpected blow to the marine conservation community, a proposal to prohibit trade in bluefin tuna was defeated in a vote last week at the 15th Conference of the Parties (COP) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Proponents of the proposal for an Appendix I listing for bluefin - which would have triggered a virtual ban on trade in the species - were shocked that the measure had been scuttled so quickly, especially since both the EU and the US had thrown their support behind the ban in the lead-up to the COP.

Momentum stalled early in talks

Shortly before the start of the COP, the EU had surprised many by announcing that its 27 member states had reached a consensus and would vote for a ban at the Doha, Qatar CITES meeting. A collective European backing of the ban had been widely considered unlikely because the EU holds more than 50 percent of the quota for the total bluefin catch and European countries along the Mediterranean play a major role in the industry.

Other species under the microscope

The bluefin tuna defeat was the first of several major losses for conservationists at the CITES

meeting, which will conclude on Friday. A US-led proposal that would have put an end to international trophy hunting of polar bears was also struck down, as were proposals to restrict trade in seven shark species. Another proposal from the US to add 31 species of red and pink corals to Appendix II was also rejected.

However, one shark species, the porbeagle, was successfully added to Appendix II of CITES, meaning that exporters of the shark will now be required to obtain special permits to prove that the fish were caught in a legal and sustainably managed fishery. Proposals to impose trade restrictions on several reptile and amphibian species were also approved.

EU Pushes Restrictions on Generics in FTA Talks with India

India's Commerce and Industry Minister, Anand Sharma, announced on Monday that the free-trade agreement now under negotiation with the European Union will not harm India's flourishing pharmaceuticals industry.

Médecins Sans Frontières (MSF), the medical advocacy group also known as Doctors Without Borders, voiced one of the most serious critiques of the agreement in a press release two weeks ago. It warned that the intellectual property concessions that the EU is asking India to accept would "seriously hamper access to medicines for millions of people living in the developing world."

India, which supplies 92 percent of the AIDS medicine currently used in developing countries, is widely considered the "pharmacy of the developing world." The industry also supplies other generic drugs at very inexpensive prices to impoverished people worldwide, especially in Latin America, Africa and Asia.

India bowed to international trade rules in 2005 and began granting patents on medicines, but the government has been careful to include measures to limit abusive patenting and protect public health. MSF stated that the agreement, as pushed by the EU, "threatens to impose even higher standards of intellectual property protection, enabling companies to maintain prohibitively high prices on medicines."

A leaked version of the EU-India FTA negotiating text is available online. As it currently reads, it includes several intellectual property measures which would affect access to generic medicines: data exclusivity, extended patent terms and border measures.

Trade negotiations between the EU and India have been ongoing since 2007. Both sides hope to overcome hang-ups on child labour, environment and market access to finalise the agreement in October of this year.

Initiative to Integrate US- India Small Businesses into Global Supply Chain Launched — India-US Trade Policy Forum Framework Signed

Anand Sharma, Union Minister of Commerce & Industry and US Trade Representative, Mr. Ron Kirk, has signed the India-US Trade Policy Forum Framework for Cooperation on Trade and Investment, in Washington on 17 March. The Framework seeks to build on the success of the Trade Policy Forum by facilitating trade and investment flows between the United States and India. Both the Ministers also announced the launch of an initiative "Integrating U.S. and Indian Small Businesses into the Global Supply Chain." This initiative aims to expand trade and job-creating opportunities for U.S. and Indian small and medium-sized companies.

Speaking at the signing ceremony, Mr. Sharma said, "By signing this Framework for Cooperation on Trade and Investment we want to create the right environment to ensure that the relationship brings maximum benefit to the maximum number of people. We will do so by promoting inclusive growth". We also intend to use this Framework to encourage the development and deployment of clean energy and envi-

ronmental technologies as well as to support India's infrastructure growth. Further, we have recognized the contribution and potential of Small and Medium Enterprises in our Trade and Investment agenda by adopting the SME initiative to create fresh opportunities for small and medium enterprises in both the countries and help in integrating them in the Global supply chain."

During his interaction with USTR, Mr. Sharma spoke about the benefits of commencing negotiations on a Totalization Agreement and added that due to the absence of such an agreement, Indian companies in the US were making double payments of social security, without getting any benefits. He also raised the issues of visas for Indian professionals, restrictive trade measures and the need for reform of US export controls to promote high technology trade between India and the US. He also addressed a meeting of the reconstituted Private Sector Advisory Group (PSAG) to the Trade Policy Forum. The members of the PSAG were tasked to work as implementing partners for initiatives undertaken

by the Trade Policy Forum, including the new small business initiative

In a meeting with US Agriculture Secretary Tom Vilsack, the two Ministers discussed cooperation in the field of agriculture that could be leveraged to strengthen agricultural productivity, and promote agro based industry in India. Later in the evening, Shri Sharma addressed the Brookings Institution on "Asia's Unfolding Economic Saga – an Indian perspective". The Minister spoke about the transformation of the global economy, the rise of Asian economies and concluded that their growth did not threaten any other country; on the contrary; this was good for world prosperity and financial stability.

Subbarao Begins India Battle to Contain Inflation

India central bank Governor Duvvuri Subbarao may add to his first interest rate increase since the end of the global recession after falling in danger of being judged too slow to contain accelerating consumer prices.

The next move may come as soon as next month, according to Morgan Stanley and IHS Global Insight. The Reserve Bank of India boosted the benchmark reverse repurchase rate to 3.5 percent from a record-low 3.25 percent and the repurchase rate to 5 percent from 4.75 percent on March 19, saying curbing inflation has become "imperative."

The announcement followed Nomura Holdings Inc. saying the RBI was "behind the curve" after inflation hit a 16-month high and exceeded the rate in all other Group of Twenty economies. Indian stocks and bonds fell on 22 March as investors anticipate higher borrowing costs after the central bank raised interest rates for the first time in almost two years.

"The strength of India's domestic demand will keep inflation fairly high," Jyoti Narasimhan, research director for India at IHS Global in Lexington, Massachusetts, said in an interview. "This is definitely the first of many rate increases to come. We could see another hike in April. Twenty five basis points is not a heroic move."

Global Trend

The quarter-point rise was a down payment on 3 percentage points of increases that the central bank will need to enact this year to stem inflation, according to Goldman Sachs Group Inc.

India followed Australia and Malaysia in lifting borrowing costs this month, while Norway and Israel did so at the end of last year, as the global economy recovered from the worst recession since World War II.

Inflation has returned to Asia as the region leads the global economic recovery. India's wholesale-price inflation rate touched 9.89 percent in February, exceeding the central bank's 8.5 percent forecast by March-end.

Factory output in Malaysia rose 12.7 percent in January. Consumer prices in China rose to a

Cont'd..14

Re-imports for Repairs – Re-importation should Take Place within 10 Years in the Case of Nepal

Ntfn 34 16.03.2010 (DoR) In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. G. S. R. 744(E), dated the 14th

November, 1995 (**No.158/95-Customs, dated the 14th November, 1995**), namely,-
In the said notification, in the Table, against **serial number 1, in column (3), in item 1**, the following proviso shall be inserted, namely,-
"Provided that such re-importation takes place within 10 years from the date of exportation in case of Nepal."
[F. No. 552/02/2006-LC]

Duty Concessions to LDCs under SAFTA Agreement

- Cut to Zero Duty on 180 Lines
- Three Fourth Cut on Another 70 Lines

Ntfn 36 22.03.2010 (DoR) In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.107/2008-Customs, dated the 6th October, 2008, published in the Gazette of India, Extraordinary,

Part II, Section 3, Sub-Section (i), vide number G.S.R. 718 (E), dated the 6th October, 2008, namely:-
In the said notification, in the Table, in column (4),-
(i) for the entry "50%", wherever it occurs, the entry "75%" shall be substituted;
(ii) for the entry "75%", wherever it occurs, the entry "100%" shall be substituted.
[F.No. 354/42/2002-TRU Pt.]

Another 5 Years of Anti-dumping Duty on Injection Presses from China

- Duty Incidence Falls by 10% or so
- Four Excusion Categories Inserted

Ntfn 39 23.03.2010 (DoR) Whereas, in the matter of import of all kinds of plastic processing or injection moulding machines, also known as **injection presses**, having clamping force not less than 40 tonnes (hereinafter referred to as the subject goods), falling under tariff item **8477 10 00** of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in or exported from, People's Republic of **China** (hereinafter referred to as the subject country), the designated authority, in its preliminary findings, vide, notification No. 14/12/2008-DGAD, dated the 10th February, 2009, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 10th February, 2009, had come to the conclusion that-

- (a) the subject goods had entered the Indian market from the subject country at prices less than their normal values in the domestic market of the exporting country;
- (b) the dumping margins of the subject goods imported from the subject country were substantial and above de minimis; and
- (c) the domestic industry had suffered material injury and the injury had been caused to the

domestic industry, both by volume and price effect of dumped imports of the subject goods, originating in or exported from, the subject country;
and had recommended the imposition of provisional anti-dumping duty on all imports of the subject goods, originating in or exported from, the subject country;
And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed provisional anti-dumping duty on the subject goods, vide, notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 47/2009-Customs, dated 12th May, 2009, published in the Gazette of India Extraordinary, Part II, Section 3, Sub-section (i), vide, number G.S.R. 316(E), dated the 12th May, 2009;
And whereas, the designated authority in its final findings, vide, notification No. 14/12/2008-DGAD dated the 31st December, 2009, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 1st January, 2010, has come to the conclusion that-

- a) the subject goods have entered the Indian market from the subject country at prices

15 April is Last Date for Submission of VKGUY Applications

The following Trade Notice was issued by the Zonal Jt. DGFT, New Delhi on 15th March 2010.

Subject: Submission of application in terms of Para 3.13.4 of Policy.

10-TN Trade had filed their applications with CLA, Delhi (DGFT) from 15.01.2010 to 15.02.2010 to avail Duty Credit Scrips under Para 3.13.4 of Foreign Trade Policy, in respect of exports made during the period April to September 2009 i.e., half yearly. Trade is hereby informed that deficiencies in respect of such applications should be met by 15th April 2010, failing which applications are liable to be rejected.

File No. Misc/Trade Notice/AM 10

less than their normal values in the domestic market of the exporting country;

- b) the dumping margins of the subject goods imported from the subject country are substantial and above de minimis; and

- c) the domestic industry has suffered material injury and the injury has been caused to the domestic industry, both by volume and price effect of dumped imports of the subject goods originating in or exported from the subject country;

and had recommended the imposition of definitive anti-dumping duty on imports of the subject goods originating in, or exported, from the subject country;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) read with rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, on the basis of the aforesaid preliminary findings of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under tariff item of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in column (4), originating in the country as specified in the corresponding entry in column (5) and produced by the producer as specified in the corresponding entry in column (7), when exported from the country as specified in the corresponding entry in column (6), by the exporter as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at the rate to be worked out as percentage of the CIF value of imports of the subject goods as specified in the corresponding entry in column (9) of the said Table.

Table

SNo	Tariff Item	Description of goods	Specification	Country of origin	Country of export	Producer	Exporter	% of CIF Value
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	8477 10 00	Plastic Processing or Injection Moulding Machines*	Clamping force equal to or more than 40 Tons and equal to or less than 1000 tons.	People's Republic of China	People's Republic of China	M/s Guanzhou Borch Machinery Co. Ltd	M/s Guanzhou Borch Machinery Co. Ltd	60%
2	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	M/s Zhejiang Sound Machinery Manufacture Co. Ltd.	M/s Zhejiang Sound Machinery Manufacture Co. Ltd.	135%
3	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	M/s Zhejiang Golden Eagle Plastics Machinery Co. Ltd.	M/s Zhejiang Golden Eagle Co. Ltd.	126%
4	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	M/s Ningbo Liguang Machinery Co. Ltd.	M/s Ningbo Liguang Machinery Co. Ltd.	81%
5	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	M/s Ningbo Haixing Plastics Machinery Mfg. Co. Ltd.	M/s Ningbo Haixing Plastics Machinery Mfg. Co. Ltd.	100%
6	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	M/s Hangzhou Tederic Machinery Co. Ltd.	M/s Hangzhou Tederic Machinery Co. Ltd.	68%
7	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	Ningbo Haitian Plastic Machinery Group	Ningbo Haitian Plastic Machinery Group	79%
8	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	Haitian Heavywork Machinery Co. Ltd.	Haitian Heavywork Machinery Co. Ltd.	105%
9	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	Ningbo Haitian Huayuan Machinery Co. Ltd.	Ningbo Haitian Huayuan Machinery Co. Ltd.	76%
10	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	M/s Smargon Plastic Machinery Co. Ltd.	M/s Wenzhou Smargon Import & Export Co. Ltd.	174%
11	8477 10 00	-do-	-do-	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at Sr. No. 1 to 10 above.		174%
12	8477 10 00	-do-	-do-	People's Republic of China	Any country other than People's Republic of China	Any	Any	174%
13	8477 10 00	-do-	-do-	Any country other than People's Republic of China	China PR	Any	Any	174%

*The following shall be excluded from the levy of anti-dumping duty imposed under this notification,

(i) Blow moulding Machines classified under Customs Tariff Classification No. 847730.

(ii) Vertical injection moulding machines

(iii) All electric injection moulding machines wherein the mechanical movements such as injection, mould closing, mould opening, ejection, screw drive, etc. are controlled by indepen-

dent servo motors and having digital control system and without Hydraulic Unit,

(iv) Multicolor / mutlimould machinery for making footwear, Rotary injection moulding machinery for making footwear and footwear sole/strap/heel injection moulding machine classified under the Customs Tariff Classification No. 8453.

2. The anti-dumping duty imposed under this notification shall be levied for a period of five

years (unless revoked, superseded or amended earlier) from the date of imposition of the provisional anti-dumping duty, that is, 12th May, 2009 and shall be payable in Indian currency.

Explanation.- For the purposes of this notification, "CIF value" means assessable value as determined under section 14 of the Customs Act, 1962 (52 of 1962).

[F. No. 354/53/2009-TRU]

Provisional Anti-dumping Duty Imposed on Barium Carbonate from China

Ntfn 37
23.03.2010
(DoR)

Whereas in the matter of imports of Barium Carbonate (hereinafter referred to as the subject goods), falling under sub heading 2836 60 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred as the said Customs Tariff Act), originating in, or exported from, People's Republic of China (hereinafter referred as the subject country or China PR) and imported into India, the designated authority in its preliminary findings *vide* notification No.14/18/2009-DGAD,

dated the 7th January, 2010, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8th January, 2010, had come to the conclusion that-

(a) the product under consideration had been exported to India from the subject country below its associated normal value, thus resulting in dumping of the product;

(b) the domestic industry had suffered material injury in respect of the subject goods;

(c) the material injury had been caused by the dumped imports from the subject country;

and had recommended imposition of provisional anti-dumping duty on the imports of subject goods, originating in, or exported from, the subject country;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 9A of the said Customs Tariff Act read with rules 13 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, on the basis of the aforesaid findings of the desig-

nated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under sub heading of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), originating in the country specified in the corresponding entry in column (4), and

exported from the country specified in the corresponding entry in column (5) and produced by the producer specified in the corresponding entry in column (6) and exported by the exporter specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at the rate equal to the amount indicated in

the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and per unit of measurement as specified in the corresponding entry in column (9) of the said Table.

Table

SNo.	Sub-heading	Description of goods	Country of origin	Country of exports	Producer	Exporter	Duty amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	2836 60 00	Barium Carbonate	China PR	China PR	M/s Guizhou Redstar Developing Co. Ltd.	M/s Guizhou Redstar Developing Import & Export Co. Ltd	200.24	MT	US Dollar
2.	2836 60 00	Barium Carbonate	China PR	China PR	M/s Guizhou Redstar Developing Dalong Manganese Industry Co. Ltd.	M/s Guizhou Redstar Developing Import & Export Co. Ltd	206.26	MT	US Dollar
3.	2836 60 00	Barium Carbonate	China PR	China PR	M/s Guizhou Hongtai Chemical Co. Ltd.	M/s Anhui Garments Shoes & Caps Industrial (Group) Co.	122	MT	US Dollar
4.	2836 60 00	Barium Carbonate	China PR	China PR	M/s China Haohua Chemical Industry Group, Tianzhu Chemical Industry Co. Ltd. (Tianzhu)	M/s China Haohua Chemical Industry Group, Tianzhu Chemical Industry Co. Co. Ltd. (Tianzhu)	147.88	MT	US Dollar
5.	2836 60 00	Barium Carbonate	China PR	China PR	M/s China Haohua Chemical Industry Group, Tianzhu Chemical Industry Co. Ltd. (Tianzhu)	M/s Guangzhou Chemicals import & Export Corporation	121.31	MT	US Dollar
6.	2836 60 00	Barium Carbonate	China PR	China PR	M/s Hubei Jingshan Chutian Barium Salt Corp. Ltd.	M/s Hubei Jingshan Chutian Barium Salt Corp. Ltd.	121.74	MT	US Dollar
7.	2836 60 00	Barium Carbonate	China PR	China PR	Any other than combination at Sr. No.1 to 6.		213.34	MT	US Dollar
8.	2836 60 00	Barium Carbonate	Any other than China PR	China PR	Any	Any	213.34	MT	US Dollar
9.	2836 60 00	Barium Carbonate	China PR	Any other than China PR	Any	Any	213.34	MT	US Dollar

3. The anti-dumping duty imposed under this notification shall be effective upto and inclusive of the 22nd day of September, 2010 and shall be payable in Indian currency.

Explanation. - For the purposes of this notification, rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Minis-

try of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.

[F.No.354/21/2010 –TRU]

said Customs Tariff Act, read with rules 13 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, on the basis of the aforesaid findings of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under sub heading of the First Schedule to the said Customs Tariff Act specified in the corresponding entry in column (2), originating in the country specified in the corresponding entry in column (4), and exported from the country specified in the corresponding entry in column (5) and produced by the producer specified in the corresponding entry in column (6) and exported by the exporter specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at a rate which is equivalent to the difference between the amount mentioned in the corresponding entry in column (8), and the landed value of imported goods in the currency as specified in the corresponding entry in column (10) and as per unit of measurement as specified in the corresponding entry in column (9), of the said Table.

Provisional Anti-dumping Duty Imposed on Coumarin from China

Nftn 38
23.03.2010
(DoR)

Whereas, in the matter of imports of **Coumarin** (herein after referred to as the subject goods), falling under sub heading **2932 21 00** of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (herein after referred to as the said Customs Tariff Act), originating in, or exported from, People's Republic of **China** (hereinafter referred to as the subject country) and imported into India, the designated authority in its preliminary findings vide notification No.14/17/2009-DGAD, dated the 29th January, 2010, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 29th January, 2010, has come to the conclusion that-

(a) the product under consideration had been exported to India from the subject country below normal values;

(b) the domestic industry had suffered material injury on account of imports from subject country;

(c) the material injury had been caused by the dumped imports of subject goods from the subject country;

and had recommended **imposition of provisional anti-dumping duty** on the imports of subject goods, originating in, or exported from, the subject country;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 9A of the

Table

SNo.	Sub-heading	Description of goods	Country of origin	Country of exports	Producer	Exporter	Duty amount	Unit of Measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	2932 21 00	Coumarin of all types	People's Republic of China	People's Republic of China	Yinghai (Cangzhou) Aroma Chemical Co. Ltd.	Yinghai (Cangzhou) Aroma chemical Co. Ltd.	14.02	Kg.	US Dollar
2	2932 21 00	Coumarin of all types	People's Republic of China	People's Republic of China	Jiangyin Baihui . Fragrance Co. Ltd	Jiangyin Baihui Fragrance Co. Ltd.	14.02	Kg.	US Dollar
3	2932 21 00	Coumarin of all types	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at Sl. No. 1 and 2 above		14.02	Kg.	US Dollar
4	2932 21 00	Coumarin of all types	People's Republic of China	Any country other than People's Republic of China	Any	Any	14.02	Kg.	US Dollar
5	2932 21 00	Coumarin of all types	Any country other than People's Republic of China	People's Republic of China	Any	Any	14.02	Kg.	US Dollar

3. The anti-dumping duty imposed under this notification shall be effective upto and inclusive of the 22nd day of September, 2010 and shall be payable in Indian currency.

Explanation. - For the purposes of this notification,-

a. "landed value" means the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3, 8B, 9 and 9A of the said Customs Tariff Act, 1975 (51 of 1975);

(b) rate of exchange applicable for the purposes of calculation of anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962) and the relevant date for determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.

[F.No.354/22/2010 –TRU]

2010, has recommended provisional assessment of all exports of the subject goods made by the said M/s. Kodak (China PR) Graphic Communications Company Ltd., (Producer / Exporter from China PR) till the completion of the review;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid recommendation of the designated authority, hereby orders that pending the outcome of the said review by the designated authority, Pre-sensitized Positive Offset aluminium Plates (PS Plates) falling under Chapters 37,76 or 84 of the First Schedule to the said Customs Tariff Act, produced and/or exported by M/s. Kodak (China PR) Graphic Communications Company Ltd., and imported into India, shall be subjected to provisional assessment till the review is completed.

2. The provisional assessment may be subject to such security or guarantee as the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, deems fit for payment of the deficiency, if any, in case a definitive anti-dumping duty is imposed retrospectively, on completion of investigation by the designated authority.

3. In case of recommendation of anti-dumping duty after completion of the said review by the designated authority, the importer shall be liable to pay the amount of such anti-dumping duty recommended on review and imposed on all imports into India of the subject goods from M/s. Kodak (China PR) Graphic Communications Company Ltd., (Producer / Exporter from China PR), from the date of initiation of the said review.

[F. No. 354/136/2007-TRU]

Anti-dumping Duty Imposed on PS Plates for Printeily Exported by Kodak (China) Graphic Communications Co. Ltd in Review Petition

Ntfn 35
19.03.2010
(DoR)

Whereas in the matter of import of **Pre-sensitized Positive Offset aluminium Plates (PS Plates)** (hereinafter referred to as "the subject goods"), falling under **Chapters 37,76 or 84** of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, **Bulgaria, China PR, Malaysia, Singapore and South Korea** (hereinafter referred to as "the subject countries") and imported into India, the designated authority vide its final findings, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 23rd August, 2007, had come to the conclusion that -

(a) the subject goods have been exported to India from the subject countries below its normal value;

(b) the domestic industry had suffered material injury;

(c) the injury had been caused cumulatively by the dumped imports from the subject countries;

and had considered it necessary to impose

anti-dumping duty on all imports of the subject goods from the subject countries in order to remove the injury to the domestic industry;

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed anti-dumping duty on the subject goods vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 108/2007-Customs dated the 25th September, 2007, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, vide number G.S.R. 627(E), dated the 25th September, 2007;

And whereas, M/s. Kodak (China PR) Graphic Communications Company Ltd., (Producer / Exporter from China PR) has requested for review in terms of rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 in respect of exports made by them, and the designated authority, vide new shipper review notification No. 15/13/2009-DGAD dated the 8th January, 2010, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8th January,

Plastic Waste and Scrap Import

Consumer Scrap not Allowed – Customs should Check Samples Carefully

The following Public Notice was issued by the Commissioner of Customs (Import) Jawaharlal Nehru Customs House on 19th March 2010.

Subject: Import of Plastic Waste and Scrap.

33-PN This has reference to Public
19.03.2010 Notice No. 392 dated
01.01.1997, issued by the
DGFT and Circular No. 20/2002-2007 dated
12.03.2003. As per the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 import of Plastic Waste is allowed with the permission of the Ministry of Environment & Forest (MoEF) Customs authorities have the responsibility to verify the documents, draw random samples prior to clearance of consignment, ensure that the consignment is accompanied by movement document, inform the Ministry about any illegal traffic and take action against the importer for violations under the Customs Act. Under the Rules, the conditions for import of plastic waste are :

- (i) No import of hazardous waste from any country to India for disposal is permitted.
- (ii) Import shall be only for the intended use of recycling or recovery use.
- (iii) No 'Municipal Solid Wastes' or 'Post Consumer Domestic Wastes' or 'Bio-medical wastes' or any other type of Hazardous waste shall be imported along with the plastic scrap. In case of any illegal imports, the consignment will have to be sent back to the exporting country and the importer shall bear the cost of such transportation.
- (iv) Inventory of imported material will be maintained by the unit, including the details of exporter from where imported.
- (v) Record of residue generated while recycling the imported plastic scrap should be

maintained along with the quantity and characteristics of non-recyclable residue. These must be treated/disposed of as per the consent issued from time to time by the State Pollution Control Board in an environmentally sound manner.

(vi) No Objection from MoEF is valid till the validity of the consolidated consent order issued by concerned State Pollution Control Board.

As per the Public Notice No. 392 dated 01.01.1997 samples are required to be drawn from the imported consignments and sent to the nearest laboratory of CIPET for testing. In many cases, even a visual inspection by a layman would reveal that the consignments contain waste and scrap of plastic which has been put to use. Some of the pieces may have on them labels bar codes, tags etc proving that they have been put to use. However, since plastic waste can not be allowed to be imported mixing it with other waste or with plastic waste which is not virgin, as defined in Public Notice No. 392, it is essential that the samples are drawn properly and such pieces containing used plastic waste are invariably included in the samples. Conditions laid down in Hazardous Waste (Management, Handling and Transboundary Movement) Rules 2008 and Public Notice No. 392 dated 01.01.1997, issued by the DGFT need to be strictly adhered to in allowing import of plastic waste and scrap by all the importers including those in SEZs and EOUs.

F. No. S/26-Misc-2505/09-10 Gr. IIC&D

Procedure for Drawback Claim for Gold and Silver Jewellery

The following Public Notice was issued by the Commissioner of Customs (Export) Air Cargo Complex, Mumbai on 24th February 2010.

Subject: - Introduction of drawback on Gold and Silver Jewellery - Procedure for drawback claim.

04-PN Attention of all Exporters,
24.02.2010 Custom House Agents and the
Trade is invited to Notification
No. 175/2009-Customs (NT) dated 27.11.2009 and Circular No. 33/2009-Customs dated 27.11.2009 issued by the Central Board of Excise & Customs. By the said notification, new entries for gold and silver Jewellery and parts thereof have been introduced at Sl. No. 711301 and 711302 of Drawback Schedule. Specific Drawback rates based on content of gold (0.995 or more purity) and silver (0.999 purity) have been prescribed.

2. Drawback for gold and silver Jewellery and parts thereof will only be applicable for exports made through Air Cargo Complex, Mumbai after filing of Shipping Bill at Diamond Plaza Customs Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri & examination thereof by the Customs Jewellery Expert or Appraising Officer / Superintendent to ascertain the quality and the quantum of gold/silver in exported items.

3. The drawback rates provided for gold & silver Jewellery and parts thereof shall not be applicable to goods manufactured or exported in discharge of export obligation against any scheme of the relevant Export and Import Policy or the Foreign Trade Policy of the Government of India which provides for duty free import / replenishment / procurement of gold / silver from local sources.

4. In order to ensure smooth implementation of this, following procedure is prescribed:-

(a) The exporter shall file drawback Shipping Bill in green colour manually at Diamond Plaza Customs Clearance Centre (DPCCC-I / II), Swastik Chambers, 2nd Floor, 391, Lamington Road, Mumbai – 400 004 or Andheri Gem & Jewellery Section, Andheri, as the case may be, in quadruplicate. The form of shipping bill shall be as laid down vide Shipping Bill and Bill of Export (Form) Regulations, 1991. The Shipping Bill should bear the details of exporter's bank account in which they want drawback amount to be credited. The Shipping Bill shall be accompanied by the following documents:-

- (i) Invoice.
- (ii) Copy of export contract / Letter of Credit
- (iii) Packing List
- (iv) GR-1 form in duplicate
- (v) Declaration as prescribed in Annexure-I
- (vi) Certificate of registration with the Gem & Jewellery Export promotion Council, for the exporters registered with that council.

(b) The Shipping Bill must contain item-wise details indicating identification mark as per Annexure-I, including gross weight and net weight

Phyto Clearance/NOC Must for Import of Frozen Green Peas

The following Public Notice was issued by the Commissioner of Customs (Export) Air Cargo Complex, Mumbai on 19th March 2010.

Sub: - Import of frozen green peas.

09-PN Attention of all Importers,
19.03.2010 CHAs & Trade is invited to the
Board Circular No. 39/2004-
Customs dated 03.06.2004 and Instructions F.
No. 450/19/2005 – Cus.IV 2nd April, 2009 regarding implementation of the provisions of phytosanitary requirements under the Plant Quarantine (Regulation of Import into India) Order, 2003.

It is also brought to the notice of all concerns that import of agriculture commodities into India is permitted only after conducting Pest Risk Analysis (PRA) for the commodity and subsequent notification under the Plant Quarantine (Regulation of Import into India) order, 2003. PRA involves detailed study and documentation after consulting various published scientific data/literature to identify pests associated with it, their morphology, behavior, risk posed etc., thereby identifying pests of quarantine impor-

tance to India with prescription of suitable scientific risk mitigation measures. Further, the imported agricultural commodities are subjected to inspection before clearance to ensure freedom from pest and diseases. However, certain instances have come to the notice where consignments of frozen green peas imported from China were released without referring these to the Plant Quarantine authorities. This is of serious concern in view of the risk posed to bio-security of the country as the frozen green peas may be infested with the nematode pest.

Accordingly, it is informed that all import consignments of frozen green peas should be referred to Plant Quarantine authorities without fail for proper inspection, and clearance will be permitted only after no objection certificate/ phytosanitary clearance etc., given by the Plant Quarantine authorities.

F.No. S/3-Misc-App. Main (Export) 01/2010 ACC

of gold content (0.995 or more purity) / net silver content (0.999 purity), as the case may be.

(c) The goods and Shipping Bill shall be presented to the Customs Jewellery Expert Appraiser/ Superintendent at Diamond Plaza Customs Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri, as the case may be. The Customs Jewellery Expert Appraiser/ Superintendent shall examine the goods w.r.t. content of gold / silver and assess the Shipping Bill. The content of gold / silver shall be certified by the Customs Jewellery Expert for drawback purposes.

(d) All Shipping Bills with FOB value more than Rs.10 Lakhs or Drawback more than Rs.1 Lakh shall be countersigned by the Assistant / Deputy Commissioner of Diamond Plaza Customs Clearance Centre (DPCCC-I / II), Mumbai or Andheri Gem & Jewellery Section, Andheri, as the case may be. For this purpose, Customs Jewellery Expert or Appraising Officer / Superintendent shall forward all such Shipping Bills to AC / DC Diamond Plaza Customs Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri, as the case may be, so as to reach him before 5 P.M.

(e) The Jewellery and part thereof shall be packed in steel / tin containers of suitable size only. These containers shall be sealed under the supervision of the Customs Jewellery Expert or Appraising Officer / Superintendent with one time wire seal and also separate serial numbered one time security seal after examination and certification of gold content (0.995 or more purity) / Net silver content (0.999 purity) as the case may be. The serial number of the security seal shall be indicated on the Shipping Bill by the Customs Jewellery Expert or Appraising Officer / Superintendent. After grant of Let Export Order, the goods shall be deposited with the Custodian for completion of export procedure as prescribed in relevant public notices and handing over of the cargo to the airlines for shipment.

(f) The Custodian at Diamond Plaza Customs Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri, as the case may be, will prepare Air Cargo Transfer Manifest (ACTM) in triplicate and the 'Transshipment Permit'. The duplicate, triplicate and Export Promotion copies of the Shipping Bills along with original and duplicate copies of the ACTM will accompany the export cargo. The cargo will then be transhipped by the Custodian to the Air Cargo Complex, Sahar for onward shipment by airlines. Custodian will be responsible for the safe & secure transportation of export parcels from the Diamond Plaza Clearance Centre (DPCCC-I / II) or Andheri Gem & Jewellery Section, Andheri, as the case may be, to the Air Cargo Complex, Sahar.

(g) The cargo will be presented to the Customs Export Freight Officer (E.F.O.) at the Air Cargo Complex, Sahar, who will check the parcels and the wire seal and one time security

seal on the same with the particulars on shipping bills (including serial number of seal), ACTM and then permit the airlines for loading of the goods for exportation under Customs escort. The airlines will acknowledge the receipt of the cargo on the ACTM copies and return the original and the duplicate copy of ACTM to the Custodian, who shall submit the original copy to the DPCCC-I / II or Andheri Gem & Jewellery Section, Andheri, as the case may be, for their records.

(h) After the shipment, endorsement will be obtained on the duplicate, triplicate and E. P. copies of Shipping Bill from Airlines and E.F.O., the Custodian will forward duplicate Shipping Bill to DPCCC-I / II or Andheri Gem & Jewellery Section, Andheri, as the case may be, for connecting with original Shipping Bill and the ACTM. The Custodian will hand over E.P. copy of Shipping Bill to the exporter and Triplicate copy to Customs Batch Office of the Air Cargo Complex, Sahar.

(i) The Triplicate copy of Shipping Bill for export of goods under a claim for drawback shall be deemed to be a claim for drawback filed on the date on which the proper officer of Customs makes an order permitting clearance and loading of goods for exportation under Section 51, and said claim for drawback shall be retained by the proper officer of Customs Batch Office after making such order.

(j) The Exporter/CHA and the officer of DPCCC-I / II or Andheri Gem & Jewellery Section, Andheri, as the case may be, shall ensure that the said claim for drawback (Triplicate copy of S/B) is accompanied by the following documents, namely:-

- (i) Invoice
- (ii) Copy of export contract / Letter of Credit
- (iii) Packing List
- (iv) Declaration as prescribed in Annexure I
- (v) Certificate of registration with the Gem & Jewellery Export promotion Council, for the exporters registered with that council.

(k) The officer-in-charge of Customs Batch Office, ACC, Sahar shall ensure endorsement of EGM and flight details on the Triplicate copy of Shipping Bill. The Triplicate copy of Shipping Bill along with enclosures shall be sent to Drawback Section at ACC, Sahar for processing and sanction of drawback claim.

(l) There shall be specific register at the Customs Batch Office to record receipt of such claims and their dispatch to Drawback Section, as well as register in Drawback Section where these shall be entered and then disposed.

5. For disbursement of drawback amount, the Exporter shall provide to the Assistant Commissioner / Deputy Commissioner (Drawback), Air Cargo Complex, Sahar details of their bank account in which they want drawback amount to be credited. No claim shall be sanctioned unless this information has been provided.

6. The Drawback Section shall sanction and disburse drawback amount by issue of a consolidated cheque on weekly basis for the exporter who has their Bank account with any Branch of the State Bank of India. A consolidated cheque shall be forwarded to SBI, Air Cargo Complex for onward credit to the accounts of the respective exporters. For rest of the exporters, who do not have an account with any branch of the State Bank of India, individual cheque bearing the bank name & account No. shall be issued which shall be dispatched only by registered post / speed post. There will be no hand delivery of cheque under any circumstances.

Any difficulty faced in this regard may be brought to the notice of this office.

F.No. S/3-S.O./P.N-102/2010 DBK(EDI)
Annexure-I

Declaration by the Exporter for export of Gold / Silver Jewellery or parts thereof under claim of drawback

I/we _____ (name of the Exporter) declare that:-

- 1.* The weight of gold / silver declared in the shipment if for 0.995 or more purity of gold or 0.999 purity of silver.
- 2.* The gross weight is more than gold / silver content and the net gold content (0.995 or more purity) / Net silver content (0.999 purity) is _____ and the drawback claim has been restricted to this quantity only.
- 3. The export is not under any other export promotion scheme under which gold / silver is supplied / replenished duty free.
- 4. The item-wise content details in Studded / Kundan / Theva / Meena Jewellery is as under:-

SNo.	Item	Quantity	Value
1.	Gold		
	(a) Gross weight (in grams)		
	(b) Net weight (in grams)		
	(c) Net weight in 0.995 purity		
2.	Silver		
	(a) Gross weight (in grams)		
	(b) Net weight (in grams)		
	(c) Net weight in 0.999 purity		
3.	Gem stones		
	(a) Precious stones (pcs and carat)		
	(b) Semi-precious stones (pcs and carat)		
4.	Diamond (pcs, size and carat)		
5.	Glass (pcs and weight)		
6.	Wax or lac		
7.	Any other material		

Above declaration is true to the best of my knowledge and I shall be held responsible for any discrepancy, if noticed during examination by the Customs.

*Strike out whichever is in applicable.

(Name, address and
Signature of the Exporter)

Brand Rate Shipping Bills Claim

The following Public Notice was issued by the Commissioner of Customs (Export) Air Cargo Complex, Mumbai on 26th February 2010.

Sub: Brand Rate Drawback claims – Disposal of older cases.

05-PN Attention of all Exporters, their
26.02.2010 Custom House Agents and
Trade is invited to the fact that in many cases the exporters had filed drawback shipping bills indicating brand rate of drawback but have subsequently not come forward with brand rate letters from Central Excise authorities accompanied by requisite documents that would enable the processing of such claims. An upto date list of IEC-wise pending brand rate shipping bills is placed at website www.accmumbai.gov.in.

2. Accordingly, in November 2009, this Commissionerate issued individual letters to 78 exporters (accounting for 92% of pending brand rate Shipping bills) giving them the full list of their brand rate drawback shipping bills remaining from 01/01/2004 to 31/10/2009 and requested each such exporter to submit -

- (i) Letters of Central Excise Authorities fixing the Drawback Brand Rates.
- (ii) Such letter-wise statement showing Shipping Bill No. & date, description of export items, FOB value and quantity of export items for each export shipment affected through ACC, Mumbai (separate statement for each Drawback Rate fixation letter).
- (iii) Attested copies of BRCs in respect of the Shipping Bills covered under respective Drawback Rate fixation letter.

3. Despite reminder, a large majority of exporters have not responded. From responses of few exporters it is gathered that pending cases include those in which fixation of Brand Rate by Central Excise authorities was never applied for by the exporter. Certain exporters even requested that their brand rate shipping bills be processed for All Industry Rates. In some cases, exporters are awaiting brand rate fixation letters.

4. In this context, it is seen that in terms of Rules 6 and 7 of Customs, Central Excise and Service Tax Duties Drawback Rules 1995, an application for fixation of Brand Rate has to be filed within 60 days, at best 90 days, from the date of "Let Export Order". Thereafter, Central Excise authority is to follow Board's Circular No.14/2003-Customs dated 6/3/2003 which provides that verification of data given in the application is to be carried out within 15 days from the date of receipt of the Brand Rate application in Central Excise Commissionerate. After that, the Brand Rates are required to be fixed within a period of 10 days from the date of receipt of the verification reports. Further, list of Brand Rate applications and status thereof filed within a fortnight is to be prominently displayed by Central Excise Commissionerate on the first day of the next fortnight on the Notice Board for information of the Trade. Moreover, even references for issue of corrigendum in respect of description of the export item, addition or change

of the port of export and Shipping Bill No. etc are to be considered and disposed off within 3 days from the date of receipt by Central Excise Commissionerates.

5. In other words, the entire process at the Central Excise Commissionerate is expected to end in a period of about 4 months from the date of 'Let Export Order'. The data on Brand Rate claims sanctioned at Air Cargo Complex was analyzed. It was seen that between 01/01/2008 to 08/02/2010, the Brand Rate Drawback sanctioned (on the basis of brand rate letters plus requisite documents) were on an average, 218 days (i.e. 7 months) from date of Shipping Bill. As far as realization of foreign currency is concerned, the maximum period under law is 1 year. If one is reasonable and goes back, not 4 or 7 months but, 1 year, there are, as on 31/01/2009, a total of 8837 brand rate drawback shipping bills claims pending at Air Cargo Complex for which it may be taken that there is no logical reason for their continued pendency.

6. As already stated in some cases exporters responded with plea to sanction All Industry Rate instead of Brand Rate. This was examined. Brand rate application arises in two situations. One is when there is no amount or rate of drawback determined under AIR at all. In such cases All Industry Rate is itself zero. In other situations for AIR to be considered, exporter must make shipping bill wise request for conversion of their Brand Rate claim to All Industry Rate claim and exporter must simultaneously reclassify/declare the exported item(s) under the appropriate specific sub headings of AIR Drawback Schedule and state whether the claim is under 'A' category or 'B' category of AIR Schedule, and if under 'A' category, produce proof from Central Excise authorities about non-availment of Cenvat Credit in the manufacture of the export item. The rate/cap of drawback claimed, relevant to the particular period when export was made has also been claimed/declared by the exporter, shipping bill wise and proof of realization of export proceeds furnished. Unless this is undertaken by exporter, the AIR claim does not exist and cannot be processed. Thus, the following will be pre-condition to considering such request for conversion to AIR claim -

- i) Shipping bill-wise statement showing shipping bill no. & date, description of export items, FOB value of each export item, quantity of export items, classification of export item under appropriate drawback heading of drawback schedule & rate of drawback admissible on the export item during the period of export.
- ii) In case of the claim under "A" i.e. Drawback when Cenvat facility has not been availed in respect of export item, shipping bill-wise certificate from jurisdictional Central Excise authority for non availment of Cenvat facility.
- iii) Attested copies of BRCs of the Shipping

Bills.

7. Keeping the overall facts in view, it has been decided to allow such exporters, as described in para 1 above, whose brand rate shipping bills are pending upto 31/01/2009, time till 20/03/2010 to submit the particulars/documents listed in para 2 or 6 hereinabove, complete in all respects, to the Drawback Section of Air Cargo Complex, Sahar. If received by 20/03/2010, the relevant cases shall be taken for further processing in normal course. Otherwise, the Brand Rate shipping bills upto 31/01/2009 shall be sanctioned for payment at zero rate. In these latter cases, the exporter wise list of shipping bills shall be subsequently placed on the website www.accmumbai.gov.in.

8. Where the Brand Rate shipping bill is sanctioned as above for payment at zero rate, the exporters may file supplementary claims as provided under Rule 15 of Customs, Central Excise and Service Tax Duties Drawback Rules 1995 and within the time period specified therein alongwith particulars/documents listed in para 2 or 6 hereinabove.

9. Difficulty faced in the implementation of this Public Notice may be brought to notice.

F. No. S/3-Misc-09/2010 DBK (EDI)ACC

Procedure of Signing of E.P. Copy of Shipping Bill/ DEP B Bill

The following Public Notice was issued by the Commissioner of Customs (Export) Air Cargo Complex, Mumbai on 5th March 2010.

07-PN Attention of all Exporters, their
05.03.2010 Custom House Agents and
Trade is drawn to the fact that in case of air shipments all copies of shipping bills are generated simultaneously on grant of LEO by Superintendent (Shed) and the practice followed at ACC is that Export Promotion (E.P.) copy of shipping bill is being signed either by Superintendent (Shed) or the E.F.O. of Batch Office even while para 2.8 of Indian Customs EDI Handbook (August 2004) provides that EP copy be signed by a Supdt (of the Shed). It is also the practice that shipment certificate on the ARE-1 is being given by E.F.O. of Batch office. In both these activities, a common basic requirement is the prior assurance that EGM stands correctly filed. It is also noted that exporter representative would have to go to two offices at the ACC if Supdt (Shed) is to sign the E.P. Copy and EFO of Batch Office is to certify the ARE-1.

2. In order to streamline the practice while ensuring that the check of EGM filing is correctly and fully exercised at the level of officer contemplated by the Indian Customs EDI and also trade benefits from having to obtain these items of work at a single office, and on assessment of the work loads, the following procedure of signing of E.P. copy of shipping bill and DEP B copy (in case of DEP B shipping bill) of shipping bill, is prescribed -

- a) After obtaining the printout of shipping bill, the CHA/ Exporter or their authorized rep-

representative shall sign on all copies of Shipping Bill (with Exporter/CHA's representative name and his identity card number being clearly mentioned and visible below his signature) and shall then obtain the signatures of the concerned E.O / P.O. on the Examination report.

- b) Then the Customs copy (accompanied with Examination report, Annexure "C", Check list, Invoice, Packing list and all other documents presented by CHA/Exporter during examination of goods), Exporters copy and Exchange Control Copy of Shipping Bill shall be presented by CHA/Exporter to the concerned Superintendent (Shed) responsible for granting the LEO who, after verifying the documents and appropriate checks, shall affix his seal and signature on Customs copy, Exporters copy and Exchange Control Copy of Shipping Bill at the specified place.
- c) The AC / DC (Admin.) shall designate at least one Superintendent in each Batch for the purpose of signing the E.P. copy and DEPBB copy (in the case of DEPBB shipping bill) of shipping bill.
- d) Once EGM has been filed by the concerned Airlines, the CHA / Exporter shall present E.P. copy and DEPBB copy (in the

case of DEPBB shipping bill) of shipping bill to the designated Superintendent of Batch office.

- e) The designated Superintendent of Batch Office shall verify the fact of EGM having been correctly filed by the Airline from the EDI menu.
 - f) Upon confirming that EGM has been correctly filed by Airline, the designated Superintendent of Batch Office shall affix his dated signature, name and seal on E.P. copy and DEPBB copy (in the case of DEPBB shipping bill) of shipping bill.
 - g) In respect of shipment certificate to be given on the ARE-1, the same shall be given by E.F.O. of Batch office, after similarly ensuring EGM has been filed correctly by Airline and also verifying ARE-1 particulars from the shipping bill.
 - h) Non-filing or incorrect filing of EGM by Airlines shall be informed to CHA/ Exporter to take it up with concerned Airlines and also specifically brought to the notice of DC or AC / Superintendent (EGM Co-ordination) for taking appropriate action under the Customs Act 1962.
3. Difficulty, if any, faced in implementation may be brought to notice.

F. No. S/6-Misc-63(EGM)/10 Export Shed (ACC)

ceeds have not been realized, it is hereby clarified that provisions contained in para 2.25.1 and 2.25.4 of the HBP v.1 (2009-14) would not be applicable to the Drawback scheme. Hence, 'Drawback' would not be payable in cases where export proceeds have not been realised in accordance with the provisions of the Foreign Exchange Management Act, 1999 even if the claim has been settled by ECGC or realisation waived by RBI. Action should be taken for recovery of drawback amount in such cases.

6. A suitable Public Notice and Standing Order may be issued for the guidance of the trade and staff. Difficulties faced, if any, in implementation of the Circular may be brought to the notice of the Board at an early date.

F.No.609/12/2007-DBK

Receipt in Cash Dollars is OK for Service Exports

Subject: Acceptance of cash payments (in Foreign Currency Notes), for the purpose of fulfillment of export obligation (EO) by Service Providers under EPCG Scheme; as well as for eligibility for SFIS scrips.

27-Pol.Cir
25.03.2010
(DGFT)

Representations have been received from Regional Authorities and Service Providers seeking clarification

as to the guidelines for issuance of EPCG Authorization in cases where the Service Provider receives Foreign Exchange in cash from foreign consumers in India; for purpose of fulfillment of EO under EPCG Scheme/as well as for eligibility for SFIS scrips.

2. The matter has been examined and it is clarified that EPCG scheme is eligible for all service providers as listed in Appendix 10 of HBP Vol. I.

3. In terms of RBI guidelines, for services rendered by the Service Provider, the foreign consumers (including NRIs) are permitted to make payment in cash (i.e. in foreign currency notes) over the counter to the service provider, as per limits prescribed by RBI. Such service providers earning foreign exchange by receipt of foreign currency in cash from their customers, would be entitled to count such payments received in foreign currency notes towards export obligation of EPCG. Such earnings of foreign exchange shall also be entitled for SFIS scheme. In such cases, the Service Provider as per RBI rules surrenders the foreign currency notes to Authorized Persons (APs, including the APs' franchises). However, for claiming benefit, of such foreign exchange received in cash by the service provider under the EPCG or SFIS scheme, the Service Provider must maintain a separate register containing the foreign consumers' details, like Name, Passport Number, date and amount of foreign exchange received in cash.

4. This issues with the approval of Director General of Foreign Trade.

Director Drawback says Recover Drawback in All Cases where Export Proceeds have not Come in within One Year of Export – Recover even when FTPolicy Allows

Sub: Recovery of drawback amount on the portion of the FOB value of export not realized by the exporter but compensated by ECGC.

07-CBEC
23.03.2010
(DoR)

I am directed to say that payment of duty drawback is governed by provisions of section 75 of the Customs Act, 1962 and the rules made there under. Section 75 of the Customs Act provides that where any drawback has been allowed on any goods and the sale proceeds in respect of such goods are not realized within the time allowed under the Foreign Exchange Management Act, 1999 such drawback shall be deemed never to have been allowed and the Central Government may, by Rules made under section 75 (2), specify the procedure for the recovery of the amount of such drawback. A procedure has also been laid down under the Customs, Central Excise and Service Tax Drawback Rules, 1995 for recovery of drawback in case of non-realization of export proceeds. Therefore, the amount of drawback paid in all such cases where export proceeds have not been realized has to be recovered.

2. However, it has been brought to notice of the Board that some exporters are resisting recovery of drawback in cases where export proceeds have not been realized citing provisions in Handbook of Procedure (HBP) (Vol.1) of the Foreign Trade Policy (FTP) discussed below.

3. Para 2.25.1 of the Handbook of Procedure (HBP) (Vol.1) of the Foreign Trade Policy (FTP) 2009-2014 provides that payment through ECGC cover would count for benefits under FTP. The FTP 2004-09 (Para 2.25.1 of the HBP v.1) and the FTP 2002-2007 (Para 2.25.3 of the HBP v.1) also had the same provision. The DGFT vide Policy Circular No.12/2002-2007 dated 1.11.2002 had clarified that this provision would also be applicable to exports made or licenses issued prior to 01.4.2002.

4. Further, a new provision has been made in the current FTP (Para 2.25.4 of the HBP v.1, 2009-14) which provides that realization of export proceeds shall not be insisted under any of the Export Promotion Schemes under the Foreign Trade Policy, if the Reserve Bank of India (RBI) writes off the requirement of realization of export proceeds on merits and the exporter produces a certificate from the concerned foreign Mission of India about the fact of non-recovery of export proceeds from the buyer. However, this would not be applicable in self-write off cases.

5. Since the Drawback scheme is governed by the provisions of the Customs Act, 1962 and the Rules made there under which clearly provide that drawback should be recovered if sale pro-

Cosmetics Imports Allowed only through 14 Specified Ports

Subject: Import of Cosmetics under the Drugs and Cosmetics Act, 1940 and Rules made thereunder

08-CBEC I am directed to invite your
26.03.2010 attention to the Board's
(DoR) Instructions vide F.No. 450/08/
2007-Cus.IV dated 22nd

January, 2007 regarding import of drugs under Chemical or generic name and permitting its clearance through specified places under the Drugs and Cosmetics Rules, 1945.

2. In terms of Rule 133 of the Drugs and Cosmetics Rules, 1945, no cosmetics shall be imported into India except through the points of entry specified in Rule 43A of the said Rules. Further, under Schedule "D" to the said Rules read with Rule 43, an exemption has been provided to certain categories of substances from the restrictions under Chapter III of the Drugs and Cosmetics Act, 1940 relating to import of Drugs and Cosmetics. Therefore, a doubt has arisen as to whether import of cosmetics could be permitted through any port in the country under the Drugs and Cosmetics Rules, 1945. The matter was taken up with the Drugs Controller General of India (DCGI) for obtaining necessary clarification.

3. The DCGI has clarified the aforesaid issue. It is stated by them that Rule 133 of the Drugs and Cosmetics Rules limits the import of cosmetics through the points of entry specified under Rule 43A. However, under Schedule "D" to the said Rules, an exemption has been provided for substances not intended for medical use from the provisions of Chapter III of the Drugs and Cosmetics Act and Rules made thereunder. The Act provides for separate definition for 'cosmetic' and 'drug' under Sub-Section 3(aaa) and 3(b), respectively. Hence, they have stated that the phrase 'substances not intended for medical use' would only relate to substances which would otherwise fall under the definition of the term 'drug' under section

3(b) of the Act, but are being imported not for medicinal use or for some other purposes or are of commercial quality and are being labelled indicating that they are not for medicinal use. Accordingly, they had clarified that this exemption does not extend to other categories of products defined under the Act including cosmetics. For the purpose of import of cosmetics, provision of Rule 133 therefore remains applicable.

4. Accordingly, import of cosmetics at points of entry / places other than those specified under Rule 43A may not be permitted as per the provisions of the Drugs and Cosmetics Rules, 1945. The points of entry have been specifically mentioned in Rule 43A such as Chennai, Kolkata, Mumbai, Nhava Sheva, Cochin, Kandla, Delhi, Ahmedabad, Hyderabad and Ferozepur Cantonment, Amritsar, Ranaghat, Bongaon and Mohiassan Railways Stations. If the imports are noticed through Customs stations, other than the one notified as mentioned above, then necessary action may be taken for non-compliance of the Drugs and Cosmetics Rules in respect of such imports.

5. Board's Instructions vide F.No.450/08/2007-Cus.IV dated 22.1.2007 shall apply for import of drugs. In case of import of drugs noticed at places other than those that have been notified under the above Rules, the instruction communicated by Drugs Controller General of India, Directorate General of Health Services vide No.16/6-DC dated 15.6.2007 may be followed.

6. These instructions may be brought to the notice of all concerned by way of issuance of suitable Public Notice / Standing Order.

7. Difficulties, if any, in implementation of the Circular may be brought immediately to the notice of the Board.

F. No.450/182/2009-Cus.IV

Four Days for Textile Committee Sampling – Sample Size

The following Facility Notice was issued by the Commissioner of Customs (Import) Jawaharlal Nehru Custom House on 17th March 2010.

Sub:- Test reports by the Textile Committee.

31-FN There are complaints that test
17.03.2010 reports of textile articles are
received late, causing delay in
clearances and that the importers were not
aware of the test charges to be deposited with
the Textile Committee. In order to reduce the
time lag and streamline the system, the issue
was discussed in the PTFC meeting on
14.01.2010, wherein representative of Textile
Committee was also present, along with other
trade representatives. After discussion, it has
been decided:

1. (a) The samples drawn for testing should be forwarded to Textile Committee on subsequent working day. This will be monitored by Additional Commissioner (Docks).

(b) Textile Committee needs two to four working days to complete the testing, depending upon the test queries and extent of tests involved. Since test charges are decided by the

extent of tests carried out, it is not possible to indicate these before hand. Hence, Trade and CHA's are to enquire with Textile Committee, only after four working days, after drawal of samples.

2. The sample size as below, is sought by the Textile Committee for carrying out the tests; and the trade / officers need to draw samples of following size for test.

SNo.	Sample Type	Sample size
1.	Fabrics (Woven/ Knits)	1 mt. X Full Width
2.	Garments	1 no. (if adult size) 2 nos. (if small or infants)
3.	Yarns	1 bobbin

3. The contents of this notice may please be brought to the notice of all the importers/representatives of the trade.

F.No. S/22-Misc- 30/2009 AM (I)

Submission of Supplementary Information of IGM under ICES

The following Public Notice was issued by the Commissioner of Customs (Import) Jawaharlal Nehru Custom House on 18th March 2010.

Sub: Addition / deletion to IGM filed at the time of Prior Entry and before finalization of IGM.

35-PN Attention of Shipping Lines,
18.03.2010 Shipping Agents, Consol
Agents, Carriers, Multi Modal
Operators, Break Bulk Carriers / Agents, Consolidators, Freight Forwarders, Importers, CHAs and members of trade is invited to Public Notice No. 46/2002 dated 02.08.2002 in respect of filing / submission of Import General Manifest (IGM) under ICES.

2. In this regard, it is informed that para 3.2 of the Public Notice No. 46/2002 dated 02.08.2002 may be read as under :-

3.2 Submission of Supplementary information, requesting for deletion of certain information and / or substitution / amendment of information given earlier, after arrival of Vessel to convert the prior IGM to final IGM in the Service Centre.

(i) After the Office Supdt. / Noting Section has recorded entry inwards, the Shipping line / Shipping agent may submit an application to the Dy. Commissioner (Imports Deptt) of Custom House, with a request to permit filing of any amendment / substitution, addition or deletion of information which was given at the time of filing of prior IGM (vessel details in Part I, cargo & container details in Part II & III) in the Service Centre. Reasons with evidence for entry of additional information, amendment or deletion of information must also be given. The DC / Import will not give a blanket or routine permission and will have to satisfy himself as per Section 30(3) of Customs Act, 1962. After obtaining permission from the Dy. Commissioner (Imports), the declarations will be submitted in the Service Centre by floppy submission. The format and other details for submission of supplementary information by floppy are given in Public Notice No. 47 / 02 Dt. 02.08.2002.

F.No.S/ 3 – Gen – 2525/09 – 10 Import Noting

Only Select Containers for Examination in Customs Sheds, Rest will be Delivered in Port

The following Facility Notice was issued by the Commissioner of Customs (Import) Jawaharlal Nehru Custom House on 22nd March 2010.

34-FN There have been representa-
22.03.2010 tions from the trade that in
some cases goods that are
entitled to Direct Port Delivery are subjected to examination by the RMS system. In such cases they have to move all their containers to the designated CFS even though the examination percentage is anything between 5% to 10%. This leads to delay in the clearance of the whole consignment.

To alleviate the problem faced by the ACP clients, it has been decided to incorporate para 3.11(A) between para 3.11 and 3.12 to Facility

Notice No.63/2008 dated 01.09.2008 :

3.11(A) If an order for examination is given for a Bill of Entry filed by an ACP client entitled for Direct Port Delivery, the importer will produce the Bill of Entry before the AO of the designated CFS. The said AO will indicate on hard copy of the Bill of Entry the container/containers he wishes to examine based on the examination percentage prescribed in the Examination Or-

der. The DPD Superintendent will allow Direct Port Delivery of the rest of the containers on the hard copy of Bill of Entry. The Shed AO will examine the selected containers and subsequently give Out of Charge for all the containers based on the report of the DPD Superintendent on the hard copy of the Bill of Entry.

F.No.S/22-Gen-209/2009 AM(I)

the above LOC. However, if required, the exporter may use his own resources or utilize balances of his Exchange Earners' Foreign Currency Account for payment of commission in free foreign exchange. AD Category-I banks may allow such remittance after realization of full payment of contract value subject to compliance with the prevailing instructions for payment of agency commission.

5. AD Category-I banks may bring the contents of this circular to the notice of their exporter constituents and advise them to obtain full details of the Line of Credit from Exim Bank's office at Centre One, Floor 21, World Trade Centre Complex, Cuffe Parade, Mumbai 400 005 or log on to www.eximbankindia.in.

6. The Directions contained in this circular have been issued under sections 10(4) and 11(1) of the Foreign Exchange Management Act (FEMA), 1999 (42 of 1999) and are without prejudice to permissions / approvals, if any, required under any other law.

Form F Procedure for Gems and Jewellery Unit in SEZ

[Instruction No. 51 – No. D.11/32/2009-SEZ dated 25th March 2010]

Subject: Declaration of Raw material components etc. imported by G & J units in respect of goods to be manufactured by them.

51-SEZ Cir 25.03.2010 In terms of Rule 17 of the SEZ Rules units in the SEZ are required to file a declaration in Form-F while submitting an application for setting up of a unit. The Approval Committee considers the same before granting Approval for issue of LOA.

2. In this connection, the following procedure should be followed by all G&J units in future for bringing in jewellery, broken jewellery etc. for remaking, remelting, repairing, etc.

(A) (i) All units have to declare, at the time of import the nature of the product, i.e. if the jewellery is used, unused, new, broken, with the quantities separately on the import documents for clear identification thereof.

(ii) The officers examining the import consignments will verify that the declarations are filed and wherever necessary open and inspect the consignments after seeking approval of the Development Commissioner. Discrepancies if any found will have to be explained and brought on record.

(iii) Before importing jewellery for such case, units should file a revised Form-F, wherever necessary.

(B) Such unused, used or broken jewellery being brought for remelting, remaking and repairs will have to be recorded on the receipt side in a register to be maintained by each unit,

under separate headings indicating the description and quantity and linking it with the import documents. On the issue/removal side of the register they will keep a corresponding entry for issuance for the purpose i.e. remelting, repairing, remaking and thereafter there should be an entry of date of such removal alongwith quantity and description as also the actual quantity of metal recovered by remelting or the quantity or description of the jewellery remade and the quantity or description of the jewellery repaired alongwith its export particulars, as and when exported. This register to be maintained by the unit should enable the concerned authorities to inspect and ascertain that used/unused/broken jewellery being imported is being properly accounted for remaking, remelting and repairs and export thereafter.

(C) The register being maintained should have serially numbered pages. It should be maintained for each financial year and balances should be struck at the closing of each month so that it would facilitate the concerned authorities to inspect and verify the accounts maintained.

(D) The unused/used and broken jewellery being brought in as raw material for remelting, remaking and repairing has to be stored separately and the quantities in stock as per the requirement prescribed hereinabove should tally with the stock challan/stock taking by the proper officer.

Export Credit of US \$50 mn to Zambia

Sub: Exim Bank's Line of Credit of USD 50 million to the Government of the Republic of Zambia

AP(DIR Srs) Cir.42 25.03.2010 (RBI) Export-Import Bank of India (Exim Bank) has concluded an Agreement dated January 6, 2010 with the Government of the Republic of Zambia making

available to the latter, a Line of Credit (LOC) of USD 50 million (USD fifty million) for financing eligible goods and services including consultancy services from India for Itezhi-Tezhi hydro power project in Zambia. The goods and services including consultancy services from India for exports under this Agreement are those which are eligible for export under the Foreign Trade Policy of the Government of India and whose purchase may be agreed to be financed by the Exim Bank under this Agreement. Out of the total credit by Exim Bank under this Agreement, the goods and services of the value of at least 85 per cent of the contract price

shall be supplied by the seller from India, and the remaining 15 per cent goods and services (other than consultancy services) may be procured by the seller for the purpose of Eligible Contract from outside India.

2. The Credit Agreement under the LOC is effective from March 4, 2010 and date of execution of Agreement is January 6, 2010. Under the LOC, the last date for opening of Letters of Credit and Disbursement will be 48 months from the scheduled completion date(s) of contract(s) in case of project exports and 72 months (January 5, 2016) from the execution date of the Credit Agreement in case of supply contracts.

3. Shipments under the LOC will have to be declared on GR / SDF Forms as per instructions issued by Reserve Bank from time to time.

4. No agency commission is payable under

Thailand 'Satisfied' as Rubber Gains to Record, Minister Says

Thailand, the world's largest rubber exporter, is "very satisfied" with prices that have surged to a record in local-currency terms on strong overseas demand and limited supply, a deputy minister said.

Rubber in baht reached an all-time high this week, while the yen-denominated contract in Tokyo has surged to the highest level since 2008, buoyed by increased demand as the global economy moves out of recession. Drier-than-usual weather in southern Thailand, which has coincided with the annual low- output season, has also spurred the rally.

"The government is very satisfied with rubber prices," Supachai Phosu at the ministry of agriculture and cooperatives said from Bangkok. An 8 billion baht (\$247 million) state fund that may be used to shore up local prices by buying latex from farmers "will be used when prices fall," he said.

Rubber on the Tokyo Commodity Exchange has risen 12 percent this year, touching 314 yen a kilogram on 30 March, the highest price since September 2008. The September-delivery contract was at 310.8 yen (\$3,330 a metric ton).

The May-delivery contract on Thailand's Agricultural Futures Exchange advanced to 114 baht a kilogram, the highest price since the bourse was set up in 2004. The bid/offer spread on the contract was quoted at 114 baht/116.50 baht on 31 March.

The agriculture ministry has asked the state-owned Rubber Estate Organization, which promotes output and exports, to stop building up inventories, said Supachai. The body holds about 500 tons, he said. That's less than 1 percent of forecast output.

Production this year may total 3.1 million tons, with exports of about 2.85 million tons, said Supachai. The figures are right in line with Jan. 13 forecasts from the nation's Office of Agricultural Economics.

Exchange Rates for Customs Valuation

IMPORTS and EXPORTS

The current notification No. 26-Customs(NT) dated 29th March 2010 supersedes notification 17-Customs(NT) dated 24th February 2009.

26-Cus(NT) In exercise of the powers conferred by section 14 of the 29.03.2010 Customs Act, 1962 (52 of 1962), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) **No.17/**

2010-CUSTOMS (N.T.), dated the 24th February, 2010 vide number S.O. 464(E), dated the 24th February, 2010, except as respects things done or omitted to be done before such supersession, the Central Board of Excise and Customs hereby determines that the rate of exchange of conversion of each of the foreign currency specified in column (2) of each of Schedule I and Schedule II annexed hereto into Indian currency or vice versa shall, **with effect from 1st April, 2010** be the rate mentioned against it in the corresponding entry in column (3) thereof, for the purpose of the said section, relating to imported and export goods.

SNo	Currency	Imported Goods		Exported Goods	
		Current	Previous	Current	Previous

Schedule I – Rate of exchange of one unit of foreign currency equivalent to Indian rupees

1	Australian Dollar	41.90	42.20	40.75	40.90
2	Canadian Dollar	45.15	44.95	43.90	43.65
3	Danish Kroner	8.30	8.60	8.00	8.30
4	EURO	61.40	63.75	59.75	62.05
5	Hong Kong Dollar	5.90	6.00	5.80	5.90
6	Norwegian Kroner	7.65	7.95	7.35	7.70
7	Pound Sterling	68.55	72.65	66.75	70.75
8	Swedish Kroner	6.35	6.55	6.15	6.35
9	Swiss Franc	43.00	43.60	41.90	42.35
10	Singapore Dollar	32.80	33.25	31.90	32.35
11	US Dollar	45.90	46.65	45.00	45.70

Schedule II – Rate of exchange of 100 units of foreign currency equivalent to Indian rupees

1	Japanese Yen	49.90	51.45	48.45	50.00
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[F.No.468/5/2010-Cus.V]

Jiangxi Copper Says Demand Growth to Slow on Power Spending Cut

Jiangxi Copper Co., China's biggest producer of the metal, said demand growth will slow this year as the government cuts spending on the power industry by a quarter.

Prices of the metal may drop in the second half as some countries may start to end their stimulus policies, Chairman Li Yihuang said on 31 March at a press conference in Hong Kong.

Chinese copper demand is "weak" now because of lackluster consumption from the power industry, Tongling Nonferrous Metals Group Co. said March 5. Stockpiles in the country reached the highest level since at least 2003 this month.

The company on 30 March posted a fourth-quarter net income of 623 million yuan (\$91 million), compared with a loss of 1.4 billion yuan a year ago, according to figures derived from the full-year statement.

Capital Expenditure

Capital expenditure will increase by 13 percent to 3.4 billion yuan this year, from 3 billion yuan in 2009, Jiangxi Copper said. The company plans to boost copper mine output to 240,000 metric tons in 2011, from 172,000 tons this year, said Tang Delong, president assistant, at the conference.

The smelter and copper miner needs about 464,000 tons of copper ore a year, and its own production accounts for about 35 percent of its needs.

Jiangxi Copper's projects in Peru and Afghanistan, which are expected to start operations in 2014, will increase ore supplies by 400,000 tons, Li said.

The company plans to boost refined copper production by 13 percent this year to 900,000 tons, from 800,000 tons last year, he said. It is still in talks to buy Yantai Penghui Copper Industry, Li said.

Commodity Spot Prices in India – 27-30 March 2010

These commodity prices are taken from Multi Commodity Exchange of India (Mumbai) at 6 pm every day. The weekly prices of commodities from different cities of India will be given in the order of Harmonized System classification.

Commodity Spot Prices covers price movements of 55 commodities (agricultural products and metals) provided on Multi Commodity Exchange of India on a daily basis. This Commodity Spot Prices Table focuses on price movements from 27-30 March.

Commodity	Unit	Market	27-Mar	29-Mar	30-Mar
CER (Carbon Trading)	1 MT	Mumbai	702.5	702.5	701.5
Chana	100 KGS	Delhi	2259	2320	2288
Masur	100 KGS	Indore	3990	4051	4011
Potato	100 KGS	Agra	547.3	570.3	572
Potato TKR	100 KGS	Tarkeshwar	NA	NA	NA
Areca nut	100 KGS	Mangalore	7832	7800	7777
Cashewkern	1 KGS	Quilon	291	295	298
Cardamom	1 KGS	Vandanmedu	1180.3	1193	1190
Coffee ROB	100 KGS	Kushalnagar	60.7	60.5	62
Jeera	100 KGS	Unjha	11942	11942	11942
Pepper	100 KGS	Kochi	14880	14778	14780
Red Chili	100 KGS	Guntur	4595	4595	4595
Turmeric	100 KGS	Nzmbad	11372	11372	11372
Guar Gum	100 KGS	Jodhpur	4775	4650	4625
Maize	100 KGS	Nzmbad	844	844	844
Wheat	100 KGS	Delhi	1212.9	1204.6	1196.2
Mentha Oil	1 KGS	Chandausi	668.7	672.8	669.1
Cotton Seed	100 KGS	Akola	1237	1226	1238
Castorsd RJK	100 KGS	Rajkot	2934.5	2934.5	2934.5
Guar Seed	100 KGS	Jodhpur	2313	2265	2250
Soya Bean	100 KGS	Indore	2011.5	2014	2027
Mustrdsd JPR	20 KGS	Jaipur	513.65	506	506.55
Sesame Seed	100 KGS	Rajkot	5450	5450	5450
Coconut Oil Cake	100 KGS	Kochi	1170	1170	1170
RCBR Oil Cake	1 MT	Raipur	5830	5800	5780
Kapaskhali	50 KGS	Akola	1039	1044.2	1047.6
Coconut Oil	100 KGS	Kochi	5200	5200	5200
Refsoy Oil	10 KGS	Indore	453.8	452.15	453.25
CPO	10 KGS	Kandla	361.1	359.6	360
Mustard Oil	10 KGS	Jaipur	477.9	470.1	472.6
Gnutoilexp	10 KGS	Rajkot	680.7	680.7	683.3
Castor Oil	10 KGS	Kandla	630	630	630
Crude Oil	1 BBL	Mumbai	3627	3627	3704
Furnace Oil	1000 KGS	Mumbai	30279	30362	30284
Sourcrd Oil	1 BBL	Mumbai	3497.5	3476	3410
Brent Crude	1 BBL	Mumbai	3554	3554	3633
Gur	40 KGS	Muzngr	927.1	944.7	944.7
Sugars	100 KGS	Kolhapur	2935	2970	2996
Sugarm	100 KGS	Delhi	3160	3150	3173
Natural Gas	1 mmBtu	Hazirabad	175.6	175.6	176.5
Rubber	100 KGS	Kochi	15451	15670	15674
Cotton Long	1 Candy	Kadi	28540	28530	28550
Cotton Med	1 Maund	Abohar	2754	2757.5	2783.5
Jute	100 KGS	Kolkata	3113	2915	2910.5
Gold	10 GRMS	Ahmd	16361	16365	16365
Gold Guinea	8 GRMS	Ahmd	13089	13092	13092
Silver	1 KGS	Ahmd	26297	26600	26903
Sponge Iron	1 MT	Raipur	19940	20185	20360
Steel Flat	1000 KGS	Mumbai	33230	34980	35460
Steel Long	1 MT	Bhavnagar	28990	30070	30550
Copper	1 KGS	Mumbai	340.15	340.15	351.35
Nickel	1 KGS	Mumbai	1072.2	1079.1	1087.4
Aluminium	1 KGS	Mumbai	99.7	100.3	101.9
Lead	1 KGS	Mumbai	94.75	97.05	96.05
Zinc	1 KGS	Mumbai	101.55	102.6	104.6
Tin	1 KGS	Mumbai	799.25	801.25	822.5

(Source: MCX Spot Prices)

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16-month high of 2.7 percent in February from a year earlier as industrial production grew 20.7 percent in the first two months of 2010, the most in more than five years.

Unscheduled Decision

Still lagging behind India are central banks in the Group of Seven economies with the Federal Reserve and European Central Bank among those waiting for evidence of a more concrete recovery before they reverse record low borrowing costs. Canada may be the first G-7 central bank to shift after data showed its core inflation rate unexpectedly accelerated last month.

Subbarao moved a month before the bank's scheduled April 20 monetary policy meeting after India's industrial output gained 16.7 percent in January from a year earlier, following a 17.6 percent increase in December that was the biggest jump since at least 1994.

The bank will "maintain this tightening path," Morgan Stanley economist Chetan Ahya said in a note on March 19. He expects Subbarao to increase rates by another 25 basis points on April 20. The rates may go up by one percentage point in 2010, including last week's raise, he said.

'Growing Discomfort'

The rate increase will end a rally in the government bond market and the benchmark 10-year note yield may rise to around 8 percent this week, said Indranil Pan, chief economist at Kotak Mahindra Bank Ltd. in Mumbai.

Bonds completed their best week since September on March 19, and stocks had their biggest weekly gain in nine months, after Standard & Poor's upgraded the nation's debt-rating outlook to stable from negative on optimism for economic growth and government plans to narrow the budget gap.

The central bank said economic "recovery is increasingly taking hold" and pointed to the latest industrial production data as evidence of a "revival of private demand."

India's passenger-car sales gained to a record in February amid rising incomes in the world's second-most populous nation. The demand is encouraging Ford Motor Co. and Volkswagen AG to build plants and unveil new models in the South Asian nation.

India's \$1.2 trillion economy, Asia's biggest after Japan and China, may expand 8.2 percent in the next fiscal year, compared with 7.2 percent in the year to March 31, the finance ministry said in February.

Inflation is politically sensitive in a country such as India, where the World Bank estimates almost three-quarters of the nation's 1.2 billion people live on less than \$2 a day.

Opposition parties led by the Bharatiya Janata Party repeatedly stalled proceedings in parliament this month, accusing Prime Minister Manmohan Singh's government of being anti-poor and failing to curb prices.