Postal Regn.No. DL(C)-01/1251/12-14
Licence to Post without Prepayment U(C)-30/12-14
RNI No. 42906/84

WORLD TRADE SCANNER

ISSN: 0971-8095

Single copy Rs. 20 $2

Vol. XXX No 04 **17 - 23 April 2013**

Promoted by Indian Institute of Foreign Trade, World Trade Centre, Academy of Business Studies

Annual subscription Rs 750

World Trade Crashes by 60% in 2012, Grows only 2% Compared to 5.2% in 2011

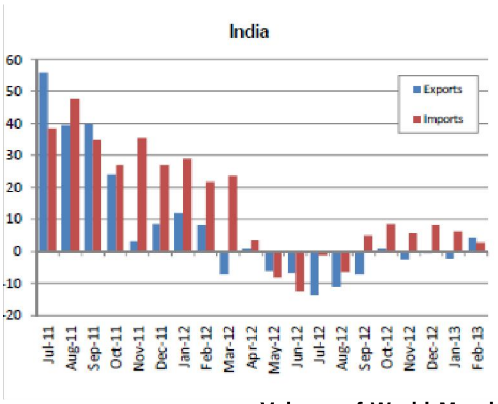
- Weak Europe Pulls Demand Down
- 2013 Forecast 3.3% Based on US Growth
- India Clocks Highest Fall of -3% in Exports and Largest Rise of 5% in Imports, Gains Three Ranks to Become 10th Largest Importer in the World

World trade growth fell to 2.0% in 2012 — down from 5.2% in 2011 — and is expected to remain sluggish in 2013 at around 3.3% as the economic slowdown in Europe continues to suppress global import demand, WTO economists reported on 10 April 2013. "The events of 2012 should serve as a reminder that the structural flaws in economies that were revealed by the economic crisis have not been fully addressed, despite important progress in some areas. Repairing these fissures needs to be the priority for 2013," Director-General Pascal Lamy said.

The abrupt deceleration of trade in 2012 was attributed to slow growth in developed economies and recurring bouts of uncertainty over the future of the euro. Flagging output and high unemployment in developed countries reduced imports and fed through to a lower pace of export growth in both developed and developing economies.

Improved economic prospects for the United States in 2013 should only partly offset the continued weakness in the European Union, whose economy is expected to remain flat or even contract slightly this year according to consensus estimates.

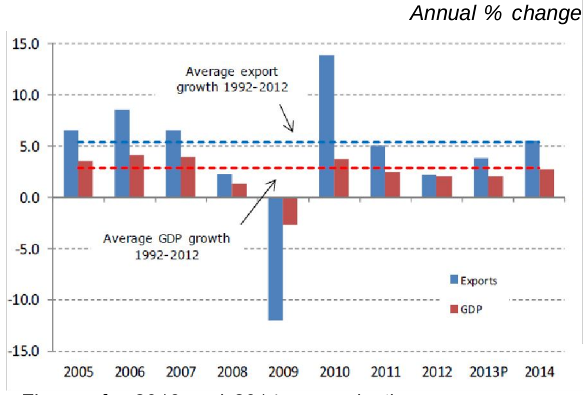
China's growth should continue to outpace other leading economies, cushioning the slowdown, but exports will still be constrained by weak demand in Europe. As a result, 2013 looks to be a near repeat of 2012, with both trade and output expanding slowly, below their long-term average rates.



The preliminary estimate of 2.0% growth for world trade in 2012 is 0.5 points below the WTO's most recent forecast of 2.5% from September 2012. The deviation is mostly explained by the worse than expected second-half performance of developed economies, which only managed a 1% increase in exports and a 0.1% decline in imports for the year. The growth of exports from developing economies (which for the purposes of this analysis includes the Commonwealth of Independent States) was in line with earlier predictions, but the rate for imports was less than expected. WTO economists cautioned that their trade forecasts for 2013 and 2014 were difficult to gauge due to divergent outlooks for the US and EU.

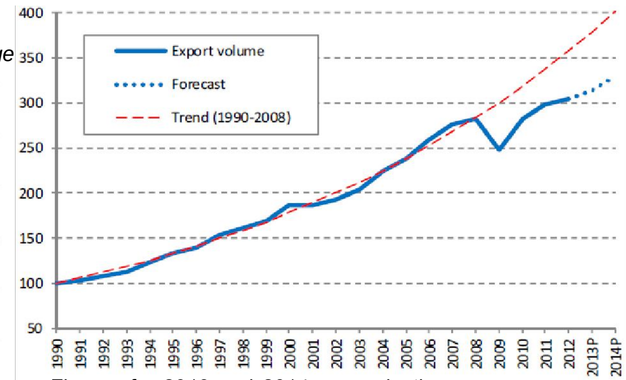
Growth in the volume of world merchandise trade and GDP, 2005-14 [a]

Annual % change



a Figures for 2013 and 2014 are projections
Source: WTO Secretariat.

Volume of World Merchandise Exports 1990-2014[a]
Indices, 1990=100



a Figures for 2013 and 2014 are projections
Source: WTO Secretariat.

New Foreign Trade Policy on 18 Apr 2013

India Keeps 19th Position in World Exports and Moves Up 10th Place in World Imports

Merchandise Trade: Leading Exporters and Importers, 2012

$bn and %

Rank 2012	Rank 2011	Exporters	Value	Share	Annual % change	Rank 2012	Rank 2011	Importers	Value	Share	Annual % change
1	(1)	China	2049	11.2	8	1	(1)	United States	2335	12.6	3
2	(2)	United States	1547	8.4	5	2	(2)	China	1818	9.8	4
3	(3)	Germany	1407	7.7	-5	3	(3)	Germany	1167	6.3	-7
4	(4)	Japan	799	4.4	-3	4	(4)	Japan	886	4.8	4
5	(5)	Netherlands	656	3.6	-2	5	(6)	United Kingdom	680	3.7	1
6	(6)	France	569	3.1	-5	6	(5)	France	674	3.6	-6
7	(7)	Korea, Republic of	548	3.0	-1	7	(7)	Netherlands	591	3.2	-1
8	(9)	Russian Federation	529	2.9	1	8	(10)	Hong Kong, China	554	3.0	8
								retained imports	140	0.8	6
9	(8)	Italy	500	2.7	-4	9	(9)	Korea, Republic of	520	2.8	-1
10	(12)	Hong Kong, China	493	2.7	8	**10**	**(13)**	**India**	489	2.6	5
		domestic exports	22	0.1	33						
		re-exports	471	2.6	7						
11	(11)	United Kingdom	468	2.6	-7	11	(8)	Italy	486	2.6	-13
12	(13)	Canada	455	2.5	1	12	(11)	Canada a	475	2.6	2
13	(10)	Belgium	446	2.4	-6	13	(12)	Belgium	435	2.3	-7
14	(14)	Singapore	408	2.2	0	14	(16)	Mexico	380	2.0	5
		domestic exports	228	1.2	2						
		re-exports	180	1.0	-3						
15	(15)	Saudi Arabia, Kingdom of c	386	2.1	6	15	(14)	Singapore	380	2.0	4
								retained imports b	199	1.1	11
16	(16)	Mexico	371	2.0	6	16	(17)	Russian Federation a	335	1.8	4
17	(17)	Taipei, Chinese	301	1.6	-2	17	(15)	Spain	332	1.8	-12
18	(20)	United Arab Emirates c	300	1.6	5	18	(18)	Taipei, Chinese	270	1.5	-4
19	**(19)**	**India**	293	1.6	-3	19	(19)	Australia	261	1.4	7
20	(18)	Spain	292	1.6	-5	20	(22)	Thailand	248	1.3	8
21	(21)	Australia	257	1.4	-5	21	(20)	Turkey	237	1.3	-2
22	(22)	Brazil	243	1.3	-5	22	(21)	Brazil	233	1.3	-2
23	(24)	Thailand	230	1.3	3	23	(25)	United Arab Emirates c	220	1.2	7
24	(25)	Malaysia	227	1.2	0	24	(23)	Switzerland	198	1.1	-5
25	(23)	Switzerland	226	1.2	-4	25	(27)	Malaysia	197	1.1	5
26	(26)	Indonesia	188	1.0	-6	26	(24)	Poland	196	1.1	-7
27	(27)	Poland	183	1.0	-3	27	(28)	Indonesia	190	1.0	8
28	(28)	Sweden	172	0.9	-8	28	(26)	Austria	178	1.0	-7
29	(29)	Austria	166	0.9	-6	29	(29	Sweden	162	0.9	-8
30		Norway	160	0.9	0	30		Saudi Arabia, Kingdom of	144	0.8	9
		Total of above d	**14870**	**81.2**	**-**			**Total of above d**	**15270**	**82.3**	**-**
		World d	18325	100.0	0			World d	18565	100.0	0

a. Imports are valued f.o.b.
b. Singapore's retained imports are defined as imports less re-exports.
c. Secretariat estimates.
d. Includes significant re-exports or imports for re-export.
Source: WTO Secretariat.

These figures refer to merchandise trade in volume terms, i.e., adjusted to account for inflation and exchange rate movements, but nominal (dollar-value) trade flows for both merchandise and commercial services display similar trends.

In 2012, the dollar value of world merchandise exports only increased two tenths of one per cent (i.e. 0.2%) to $18.3 trillion, leaving it essentially unchanged. The slower growth in the dollar value of world trade compared to trade in volume terms is explained by falling prices for traded goods. Some of the biggest price declines were recorded for commodities such as coffee (–22 %), cotton (–42%), iron ore (–23%) and coal (–21%), according to IMF commodity price statistics.

The value of world commercial services exports rose just 2% in 2012 to $4.3 trillion, with strong differences in growth rates across countries and regions. For example, the US saw its exports of commercial services climb 4% while those of Germany dropped 2% and France's tumbled 7%. On the import side, several European countries recorded sharp declines, including Italy (–8%), France (–10%), Portugal (–16%) and Greece (–18%).

The trade forecast for 2013 assumes 2.1% growth in world output at market exchange rates (unchanged from 2012) based on a consensus of economic forecasters. Risks to the forecast are firmly rooted on the downside and are mostly linked to the sovereign debt crisis in Europe.

Accelerated fiscal consolidation in the US could also undermine the forecast if brinksmanship over budget negotiations between the executive and legislative branches leads to miscalculation. As always, unexpected events such as geopolitical tensions and natural disasters could also intrude to disrupt trade.

On a more positive note, some factors that held back trade growth in 2012 may subside in 2013, including the recent territorial dispute that soured trade relations between Japan and China.

Indicators of production, business sentiment and employment in the first quarter of 2013 paint a mixed picture of current economic conditions. Purchasing managers' indices suggest that the euro-zone downturn may have accelerated despite continued resilience in Germany. At the same time, the US recorded a strong rise in manufacturing, Japan's production growth was less negative, and China and the Republic of Korea showed modest improvements.

Unemployment in the US recently fell to its lowest level since before the economic crisis at 7.6%, whereas the rate for the euro area stands at close to 12%. Together, these indicators point to weak import demand in Europe even as conditions gradually improve elsewhere. In light of the large weight of the EU in world imports (32% in 2012 including trade within the EU, 15% excluding it), this suggests slow growth for trade in the early part of 2013.

Prospects for 2013 and 2014

The outlook for world trade and output in 2013 and 2014 looks unsettled, as positive economic trends have also been accompanied by more worrisome developments.

EU output fell in the fourth quarter of last year as the slowdown in Europe finally touched Germany. Monthly indicators of economic activity in January and February suggest that the German economy remained relatively resilient in the first quarter, but the downturn in the rest of the euro area appeared to be intensifying. Most forecasters expect European economies to remain weak in the first half of 2013 before gaining strength later in the year.

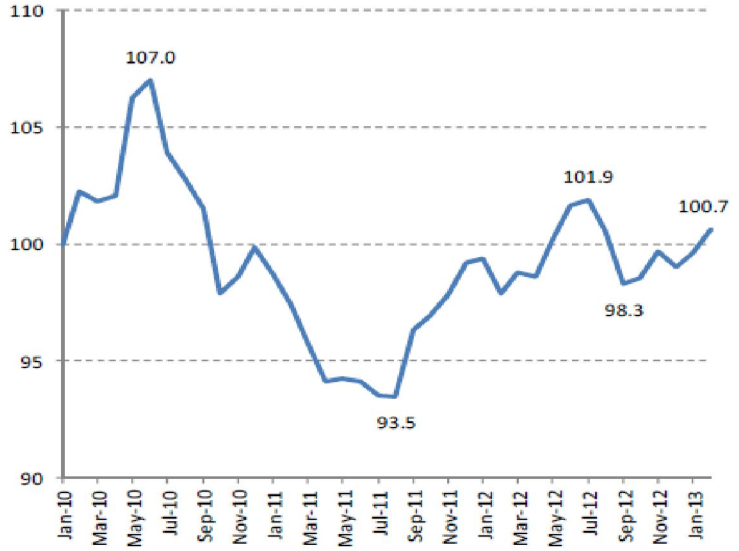
Unemployment is falling gradually and private expenditure is picking up in the US, but automatic government spending cuts set to take effect in 2013 could weigh on growth later in the year. Political gridlock may be easing, which could allow more targeted and less sweeping measures to be agreed, with less risk to a promising recovery. The Federal Reserve has signalled that its most recent program of quantitative easing will not be withdrawn hastily, but as the economy picks up transitioning to a less accommodative policy stance could prove challenging.

Japan's new government has prioritized a sizeable fiscal stimulus package and a more accommodative monetary policy as a way to spur economic growth. The former may test the limits of fiscal policy given the size of the country's public debt – estimated by the IMF to exceed 200% of GDP – while the latter may invite charges of currency manipulation. Stimulus-oriented policies will probably provide a boost to Japanese growth and trade in 2013, but how much remains to be seen.

Although China's exports may be hindered by the slowdown in Europe, increased shipments to the US should partly make up for this. Until recently the EU was China's largest trading partner, but the drop in EU imports in 2012 left it in second place behind the US. China's GDP growth is expected to remain strong compared to the rest of the world in 2013, which should provide support for imports from other countries.

Trade weighted US dollar exchange rate against major currencies, Jan. 2010 – Feb. 2013

Index, Jan. 2012=100



Source: Federal Reserve Bank of St. Louis.

In light of these developments, WTO economists are forecasting a small pickup in world trade volume growth to 3.3% in 2013 from 2.0% in 2012. Exports of developed economies should increase by 1.4% while those of developing economies (including the Commonwealth of Independent States) should rise 5.3%. On the import side, the WTO anticipates 1.4% growth in developed economics and 5.9% in developing economies plus CIS.

Figures for 2014 are provisional estimates based on strong assumptions about the medium-term trajectory of gross domestic product (GDP) and should be interpreted with care. World trade volume growth for that year is expected to improve to 5.0%. Exports of developed and developing economies should increase by 2.6% and 7.5%, respectively. On the import side, developed economies should advance by 3.2% while developing economies should rise 7.4%.

The current forecast could be derailed if certain downside risks materialize. These include revived financial market turbulence related to the euro crisis, commodity price spikes, geopolitical tensions, and rising protectionism.

Trade could still surprise on the upside if Europe returns to growth more quickly than anticipated. However, the most likely result is very similar to last year: a mild recession in the EU restraining exports and imports in both developed and developing economies.

The trade forecast assumes a 2.1% increase in world GDP for 2013, with developed economies growing 1.1% and the rest of the world growing 5.0%. The 2014 projection assumes world output growth of 2.7%, with developed economies advancing 1.9% and the rest of the world growing 5.1%. The output figures above refer to real GDP at market exchange rates based on consensus estimates of economic forecasters.

Additional perspective on the trade forecast

The WTO's forecast of 3.3% growth in merchandise trade for 2013 is below the average rate of 5.3% for the last 20 years (1992–2012) and well below the pre-crisis average rate of 6.0% (1990–2008) (Chart 4). The divergence from the 20-year average narrows in the 2-year-ahead forecast for 2014 (5.0%), but it still remains below average. The difference between the pre-crisis trend and current and projected values for world trade appears to be widening, albeit slowly. If our forecast comes to pass, the gap in percentage terms will be 17.0% in 2013 and 17.8% in 2014.

The state of the world economy and trade in 2012

Economic growth

Economies in the euro area stalled in 2012 and the sovereign debt crisis flared again in the summer, pushing long-term borrowing costs for Italy and Spain above 6% and stoking uncertainty about the future of the common currency (Chart 5). Growth also slowed worryingly in the US in Q4, and Japan slipped in and out of recession during the year. As a result, world GDP growth at market exchange rates dropped to 2.1% in 2012 from 2.4% in 2011. This pace of expansion was below the average of 3.2% for the two decades preceding the financial crisis and also below the 2.8% average of the last 20 years including the crisis period (Table 1).

Policy responses from the European Central Bank and the Federal Reserve appear to have succeeded in easing the sovereign debt crisis and putting US growth on a firmer footing. Borrowing costs in the euro area have returned to manageable levels since September and joblessness in the US has begun to fall, but progress to date remains fragile.

The 2.3% growth in the US was nearly double the 1.2% rate for developed economies as a

World prices of selected primary products, 2000-12

Annual % change and $/Barrel

	2010	2011	2012	2000-12	2005-12
All commodities	26	29	-3	10	10
Metals	48	14	-17	10	10
Food	11	20	-2	7	8
Beverages a	14	17	-19	7	8
Agricultural raw materials	32	23	-13	3	4
Energy	26	36	1	12	11
Memo: Crude oil price in $/barrel b	79	104	105	60	29

a. Comprising coffee, cocoa beans and tea

b. Average of Brent, Dubai and West Texas Intermediate

Source: IMF International Financial Statistics.

India Keeps 6th Position in Service Exporters

Leading exporters and importers in world trade in commercial services, 2012

$bn and %

Rank 2012	Rank 2011	Exporters	Value	Share	Annual % change	Rank 2012	Rank 2011	Importers	Value	Share	Annual % change
1	(1)	United States	614	14.1	4	1	(1)	United States	406	9.9	3
2	(2)	United Kingdom	278	6.4	-4	2	(2)	Germany	285	6.9	-3
3	(3)	Germany	255	5.9	-2	3	(3)	China a	281	6.8	19
4	(5)	France	208	4.8	-7	4	(4)	United Kingdom	176	4.3	1
5	(4)	China	190	4.4	4	5	(5)	Japan	174	4.2	5
6	**(6)**	**India**	148	3.4	8	6	(6)	France	171	4.2	-10
7	(7)	Japan	140	3.2	-2	**7**	**(7)**	**India**	125	3.0	1
8	(8)	Spain	140	3.2	-1	8	(11)	Singapore	117	2.8	3
9	(10)	Singapore	133	3.1	3	9	(8)	Netherlands	115	2.8	-5
10	(9)	Netherlands	126	2.9	-7	10	(10)	Ireland	110	2.7	-5
11	(11)	Hong Kong, China	126	2.9	7	11	(12)	Canada	105	2.6	1
12	(12)	Ireland	115	2.6	2	12	(13)	Korea, Republic of	105	2.6	7
13	(15)	Korea, Republic of	109	2.5	16	13	(9)	Italy	105	2.6	-8
14	(13)	Italy	104	2.4	-1	14	(15)	Russian Federation	102	2.5	16
15	(16)	Belgium	94	2.2	0	15	(16)	Belgium	90	2.2	-1
*** (Others)											
		Total of above	**3640**	**83.7**	**-**			**Total of above**	**3285**	**80.0**	**-**
		World	4345	100.0	2			World	4105	100.0	2

a Preliminary estimates.
b Secretariat estimate.
… indicates unavailable or non-comparable figures.
- indicates non-applicable.
Note: Figures for a number of countries and territories have been estimated by the Secretariat. Annual percentage changes and rankings are affected by continuity breaks in the series for a large number of economies, and by limitations in cross-country comparability.
Source: WTO and UNCTAD Secretariats.

whole in 2012. Japan's increase for the year was also above average at 1.9%, but the EU's growth was close to zero at –0.3%.

Developing countries and the Commonwealth of Independent States (CIS) collectively raised their output by 4.7% in 2012, with Africa recording the fastest growth of any country or region at 9.3%. China was not far behind at 7.8%, while India recorded a 5.2% increase. However, the newly industrialized Asian economies of Hong Kong (China), the Republic of Korea, Singapore and Chinese Taipei registered a disappointing 1.8% increase as slumping European demand penalized their exports.

The next fastest growing region after Africa was Asia (3.8%) followed by the CIS (3.7), the Middle East (3.3%), South and Central America (2.6%), North America (2.3%) and Europe (–0.1%). Aggregate quarterly figures for world GDP growth are not readily available, but such growth likely slowed toward the end of the year as output in the EU contracted in Q4 and US and Japanese growth slowed.

Merchandise trade in volume (i.e. real) terms

The volume of world merchandise trade (as measured by the average of exports and imports) registered an increase of just 2% in 2012. If we exclude years in which trade volume declined, this was the smallest annual increase in a dataset extending back to 1981. Shipments from developed countries grew more slowly than the world average at 1.0%, while exports of developing economies grew faster at 3.3%. On the import side, developed economies dropped 0.1% last year, while developing economies grew at a 4.6% pace.

After seeing its exports shrink by 8.5% in 2011 following the Libyan civil war, Africa rebounded in 2012 to record the fastest export growth of any region at 6.1%. This was followed by North America, where exports rose 4.5% on the strength of a 4.1% increase the US. Asia only managed to increase its exports by 2.8% in 2012 despite 6.2% growth in China's exports. Contributing to the slow growth in Asia were India and Japan, where exports declined by 0.5% and 1.0%, respectively. Other regions that export large quantities of natural resources saw small increases in export volumes, including the Commonwealth of Independent States (1.6%), South and Central America (1.4%), and the Middle East (1.2%). This is to be expected since quantities of primary products tend not to change very much from year to year. The region with the slowest export growth was again Europe at 0.6%, but the EU managed to grow even more slowly at 0.3%.

Africa's imports also grew faster than those of any other region at 11.3%, making it the only region with double digit growth in either exports or imports. This was followed by the Middle East (7.9%) and the Commonwealth of Independent States (6.8%), which took advantage of the high average oil prices in 2012 to boost their export earnings to purchase more imports. Asia's import growth of 3.7% was driven by a 3.6% increase in China. North America's 3.1% rise was slightly stronger than that of the US (2.8%). South and Central America, with import growth of 1.8%, lagged behind all regions other than Europe, which recorded a 1.9% decline in imports.

Merchandise and commercial services trade in value (i.e. dollar) terms

The dollar value of world merchandise exports in 2012 was $18.3 trillion, nearly unchanged from 2011. The stagnation in values reduced the average growth rate for the post-2005 period to 8% from 10% last year. This contrasts with the stronger growth rates of 22% in 2010 and 20% in 2011. Meanwhile, world commercial services exports in 2012 were only 2% higher than in 2011 at $4.3 trillion. The 2012 growth rate for transport services was in line with total world commercial services exports at 2%, while travel services grew faster (4%) and other commercial services grew more slowly (1%)

Commercial services accounted for roughly 19% of total world trade in world goods and commercial services in 2012. However, it should be noted that traditional trade statistics, which measure gross trade flows rather than value added at various stages of production, strongly underestimate the contribution of services to international trade. A joint initiative between the WTO and the Organisation for Economic Cooperation and Development (OECD) has developed new indicators of trade in value added that provide additional perspective on the role of services in world trade.

Some sub-categories of other commercial services grew faster than others. Communications (including postal, courier and telecommunications services) declined by 3%, while construction rose 3% and insurance services increased by 2% in 2012. The biggest decline was observed in financial services (i.e. services provided by banks and other financial intermediaries), which fell 4%. The fastest growing subsector of other commercial services was computer and information services, which jumped 6% in 2012. Royalties and licence fees fell 2%, and other business services (including engineer-

Cont'd..24

Dept of Revenue Issues New CESTAT Appeal Forms for Excise, Customs and Service Tax – Effective from 1 June 2013

Sub: Amendment to CESTAT Appeal Forms.

969-CBEC 11.04.2013 (DoR) The Board has decided to amend/revise the forms for filing appeal in the CESTAT. Accordingly, new forms for Central Excise (E.A.-3, E.A.-4, E.A.-5), Customs (C.A.-3, C.A.-4, C.A.-5) and Service Tax (S.T.-5, S.T.-6, S.T.-7) have been notified vide Notification Nos 6/2013-Central Excise (N.T.), 37/2013-Customs (N.T.) and 5/2013-Service Tax, all dated 10.04.2013 respectively. **These forms have been made effective from 1.6 2013. Therefore, all appeals filed in the Tribunal on or after 1.6.2013 would be in the new form being prescribed.**

(2). The new forms are expected to ensure quick disposal of cases. Additional information sought would lead to faster communication between the Tribunal Registry and the appellant, bunching of cases and would also facilitate creation of a comprehensive database.

3). Salient features of the changes introduced in the new appeal forms are as under-

(i). Presently appeal against the orders passed by Commissioner (Appeals) under sub-section (2) of Section 35 B of the Central Excise Act, 1944 and sub-section (2) of Section 129A of the Customs Act, 1962 are being filed in E.A.-3 and C.A.-3 forms respectively by the department. These forms are also used for filing appeals by the party. Similarly, E.A.-5 and C.A.-5 forms are being used for filing departmental applications against Order-in-Original of Commissioner on the strength of order of the Committee of Chief Commissioner under sub-section (1) of Section 35E of the CEA, 1944 and sub-section (1) of Section 129D of the Customs Act, 1962. While in the Service tax matter, appeals are filed under Section 86 (2) and Section 86 (2A) of the Finance Act, 1994 against orders passed by the Commissioner and Commissioner (Appeals) respectively in a single form S.T.-7. Therefore, to align the forms for filing appeals with that of Service Tax, in the new appeal forms, the appeal against order passed by Commissioner (Appeals) in Central Excise and Customs matter are to be filed in the new E.A.-5 and C.A.-5 forms along with appeal against orders passed by the Commissioner.

(ii). Separate fields have been provided in the new forms seeking details of Assessee Code (PAN based registration number), Location Code (Commissionerate / Division / Range identifier), PAN or UID where PAN is not available. Apart from this, e-mail address, telephone number and fax number of the assessee is also being sought in the new forms. These new fields are intended to facilitate quick communication between the Tribunal Registry and the Appellant and would help in identifying the location code of the assessee in case of shifting of the unit or re-organization of the jurisdiction under which the unit existed earlier. In such cases, the Tribunal Registry was not able to reach to the assessee for service of notices and delivery of orders. Location Codes can be obtained from websites http://cbec.nsdl.com and www.aces.gov.in

(iii). In appeal forms for Customs, IEC (Importer Exporter Code) is to be furnished mandatorily by the Appellant along with the Port Code so as to identify the Port from which the import or export has taken place. These Port Codes are available on ICEGATE.

(iv). In Service Tax forms, a separate field for Premises Code is being introduced for identification of the jurisdictional Commissionerate / Division / Range.

(v). PAN is required to be furnished by the Appellants. In case where PAN is not available and the Appellant is having UID, the same is required to be furnished. This would help in identification / location of persons who are not registered with the Department but are charged with penalty etc.

(vi). It has been decided to introduce a 21 string alphanumeric number along with the date of the Order against which appeal is being filed. All the 140 existing Commissionerates have been assigned pre-figured series and serial numbers have to be filled in for the orders passed by the Commissioner or Commissioner (Appeal) or Commissioner (Adjudication), as the case may be. Some examples of the alphanumeric series are as below-

"AHM-CUSTM-000-COM-034-12-13 DT 02-09-2012. This would mean Order-in-Original No.34 for the year 12-13 passed by Commissioner of Customs, Ahmadabad."

In case of Commissioner (Appeals), the alpha numeric number would consist of APP in place of COM. For example-

"AHM-CUSTM-000-APP-034-12-13 DT 02-09-2012. This would mean Order-in-Appeal No.34 for the year 12-13 passed by Commissioner of Customs (Appeals), Ahmadabad."

To illustrate, first three letters denote the city where the Commissionerate office of the Adjudicating authority is located.

The next 5 alpha string denotes the nature of the Commissionerate i.e. '**CUSTM'** for exclusive Customs Commissionerates, '**EXCUS'** for combined Commissionerates of Excise, Service Tax & Customs, '**SVTAX'** for exclusive Service Tax Commissionerates and '**LTUNT'** for LTU Commissionerates. This part of the code is for the Commissionerate, and NOT for the *subject matter* of the impugned order. Thus, even if the impugned order passed by (or relating to), say, a Central Excise Commissionerate relates to Customs or Service Tax matters, the second part of the code would still read as EXCUS. This is necessary for achieving the desired purpose of Commissionerate-wise indexing of appeals.

The next three numeric strings denote the specific Commissionerate where the first eight strings are not sufficient to identify the Commissionerate. In cases where the first two parts suffice to identify the Commissionerate, this third part will simply be three zeroes, i.e. "000". For example, the code of Ahmedabad Customs Commissionerate would be AHM-CUSTM-000. The code of Allahabad Central Excise Commissionerate would be ALD-EXCUS-000. The reason why 000 has to be kept in the third part even for such Commissionerates is because no field can be left blank in the string. In respect of places having more than one Central Excise Commissionerates, the third part will be 001, 002, 003 and so on. In respect of Commissioner (Adj), this part will be 'ADJ'. In respect of Customs (Preventive) Commissionerates, the third part will be PRV. In respect of Customs Commissionerates in Chennai/Delhi/Mumbai, the codes given in the third part suitably capture the nature of the Commissionerate. For example, CHN-CUSTM-SXP refers to Chennai Customs Sea (Export) Commissionerate (the 'S' in the 3rd part is for Sea and the XP is for Export). Similarly, in the code DLI-CUSTM-AGN for the Delhi [Airport, ACC (Import) and (General) Commissionerate], the third part AGN means 'A' for Airport and 'GN' for General.

Thus, to recapitulate, the first three parts (11-characters long) of the proposed numbering system will uniquely identify the Commissionerate of the adjudicating authority. The next three alpha strings denote the officer who is adjudicating the case. COM would denote Order in Original passed by the Commissioner, APP would denote order in appeal passed by the Commissioner (Appeal) and ADJ would mean order in original passed by the Commissioner (Adjudication).

The next three numeric strings is meant for serial number of the order to be assigned by the office of the Commissioner who is passing the order.

The next four numeric strings would denote the financial year in which the order was passed.

The last 8 empty boxes in the string are meant for the date and year of the order passed.

(vii). Separate entries are being provided in the revised form for demand of duty, fine, penalty and interest.

(viii). In order to facilitate bunching of identical issues separate entry has been provided with subject codes which are being appended to the forms. The Appellant would be required to tick mark the subject in dispute. For example, in a Customs Appeal, Sl. No.16 requires the appellant to choose from the list given under three separate heads of "Import", or "Export", or "General" depending upon the nature of the case.

(4). The above changes may be taken note of by the field formations as well as trade for proper usage of the new forms from 1.6.2013. However, the old forms may continue to be used for a period of three months from the date of coming into effect of the new forms, i.e. till 31.08.2013. **From 01.09.2013 onwards, no appeal shall be filed in the old forms.**

(5). Wide publicity may be given to the new form for the benefit of trade and industry.

(6). The pre-figured alpha numeric numbers for all the 139 Commissionerates and 8 Commissioners (Adjudication) are being uploaded on the websites - http://www.cbec.gov.in under Legal Affairs and http://www.cdrcestat.gov.in

F.No.390/Misc./46/2011-JC

New Form of Appeal in Customs Cases to the Appellate Tribunal – Form No. C.A.-5 Notified

37-Cus(NT) 10.04.2013 (DoR) In exercise of the powers conferred by section 156 of the Customs Act, 1962 (52 of 1962), the Central Government hereby makes the following rules further to amend the Customs (Appeal) Rules, 1982, namely:-

1. Short title and commencement

(1) These rules may be called the Customs (Appeals) (Amendment) Rules, 2013.

(2) They shall come into force on and from the 1st day of June, 2013.

2. In the Customs (Appeal) Rules, 1982 (herein after referred to as the said rules), for rule 7, the following rule shall be substituted, namely:-

"7. Form of appeal or application to the Appellate Tribunal. - (1) An appeal under sub-section (2) of section 129A or an application under sub-section (4) of section 129D of the Act to the Appellate Tribunal shall be made in Form No. C.A.-5.

(2) The appeal or application in Form No. C.A.-5 shall be filed in quadruplicate accompanied by an equal number of copies of the decision or order (one of which at least shall be a certified copy) passed by:-

a) the Appellate Commissioner of Customs under section 128 of the Act, as it stood immediately before the appointed day, or by the Commissioner (Appeals) under section 128A of the Act and a copy of the order passed by the Committee of Commissioners of Customs under sub-section (2) of the section 129A of the Act.

b) the Commissioner of Customs and a copy of the order passed by the Committee of Chief Commissioners of Customs under sub-section (1) of section 129D of the Act. .

3. For Form No. C.A.-3, C.A.-4 and C.A.-5 appended to the said rules, the following Forms shall respectively be substituted, namely:-

[Forms are available at our website www.worldtradescanner.com]

New Form of Appeal in Excise Cases to the Appellate Tribunal – Form No. E.A.-5 Notified

06-CE(NT) 10.04.2013 (DoR) In exercise of the powers conferred by section 37 of the Central Excise Act, 1944 (1 of 1944), the Central Government hereby makes the following rules further to amend the Central Excise (Appeal) Rules, 2001, namely:-

1. Short title and commencement

(1) These rules may be called the Central Excise (Appeals) (Amendment) Rules, 2013.

(2) They shall come into force on and from the 1st day of June, 2013.

2. In the Central Excise (Appeals) Rules, 2001 (herein after referred to as the said rules), for rule 7, the following rule shall be substituted, namely:-

"7. Form of appeal or application to the Appellate Tribunal. - (1) An appeal under sub-section (2) of section 35B or an application under sub-section (4) of section 35E of the Act to the Appellate Tribunal shall be made in Form No. E.A.-5.

(2) The appeal or application, as the case may be in Form No. E.A.-5 shall be filed in quadruplicate accompanied by an equal number of copies of the decision or order (one of which at least shall be a certified copy) passed by:-

a) the Appellate Commissioner of Central Excise under section 35 of the Act, as it stood immediately before the appointed day, or by the Commissioner (Appeals) under section 35A of the Act and a copy of the order passed by the Committee of Commissioners of Central Excise under sub-section (2) of Section 35B of the Act.

b) the Commissioner of Central Excise and a copy of the order passed by the Committee of Chief Commissioners of Central Excise under sub-section (1) of section 35E of the Act.".

3. For Form No. E.A.-3, E.A.-4 and E.A.-5 appended to the said rules, the following Forms shall respectively be substituted, namely:-

[Forms are available at our website www.worldtradescanner.com]

New Form of Appeal in Service Tax Cases to the Appellate Tribunal – Form No. S.T.-5 Notified

05-ST 10.04.2013 (DoR) In exercise of the powers conferred by sub-section(1) read with sub-section (2) of section 94 of the Finance Act 1994 (32 of 1994), the Central Government hereby makes the following rules further to amend the Service Tax Rules, 1994, namely:-

1. (1) These rules may be called the Service Tax (Second Amendment) Rules, 2013.

(2) They shall come into force on and from the 1st day of June, 2013.

2. For Form No. S.T.-5, S.T.-6 and S.T.-7 appended to the said rules, the following Forms shall respectively be substituted, namely:-

[Forms are available at our website www.worldtradescanner.com]

Anti-dumping Duty on Sulphur Black from China by One Year to 10 April 2014 Pending Review

Ntfn 05-ADD 10.04.2013 (DoR) Whereas the designated authority vide notification No. 15/18/2012-DGAD, dated the 4th April, 2013, published in the Gazette of India, Extraordinary, Part I, Section 1 dated the 4th April, 2013 has initiated review in terms of sub-section (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) read with rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (hereinafter referred to as the said rules), in the matter of continuation of anti-dumping duty on imports of 'Sulphur Black', falling under heading 3204 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, the People's Republic of China imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 127/2008-Customs, dated the 3rd December, 2008 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R.831(E), dated the 3rd December, 2008, and has requested for extension of anti-dumping duty for a period of one more year, in terms of sub-section (5) of section 9A of the said Customs Tariff Act pending completion of the review;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the said Customs Tariff Act, 1975 read with rule 23 of the said rules, the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 127/2008-Customs, dated the 3rd December, 2008, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R.831(E), dated the 3rd December, 2008, namely: -

In the said notification, after paragraph 2, the following shall be inserted, namely: -

"3. Notwithstanding anything contained hereinabove, this notification shall remain in force up to and inclusive of the 10th day of April, 2014, unless revoked earlier".

[F.No.354/39/2008-TRU (Pt.I)]

Dept. of Revenue Extends the Date of Submission of Form ST-3 from 15 April 2013 to 30 April 2013

02-ST Order 12.04.2013 (DoR) In exercise of the powers conferred by sub-rule(4) of rule 7 of the Service Tax Rules, 1994, the Central Board of Excise & Customs hereby extends the date of submission of the Form ST-3 for the period from 1st July 2012 to 30th September 2012, from 15th April, 2013 to 30th April, 2013.

The circumstances of a special nature, which have given rise to this extension of time, are as follows:

"Assessees have represented about difficulties in filing returns. While this aspect is being attended to, there should not be any delay and inconvenience to the assessees."

F.No.137/99/2011-Service Tax

Anti-dumping Duty on Sodium Nitrite from EU Extended by Another Year to 10 April 2014 Pending Review

Ntfn 04-ADD
10.04.2013
(DoR)

Whereas, the designated authority vide notification No. 15/1009/2012-DGAD, dated the 23rd March, 2013, published in the Gazette of India, Extraordinary, Part I, Section 1 dated the 23rd March, 2013, has initiated review, in terms of sub-section (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) read with rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (hereinafter referred to as the said rules), in the matter of continuation of anti-dumping duty on imports of 'Sodium Nitrite', originating in, or exported from, European Union imposed *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 49/2008-Customs, dated the 11th April, 2008, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 284 (E), dated the 11th April, 2008, and has requested for extension of anti-dumping duty upto one more year, in terms of sub-section (5) of Section 9A of the said Customs Tariff Act pending completion of the review;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of Section 9A of the said Customs Tariff Act, 1975 read with rule 23 of the said rules, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 49/2008-Customs, dated the 11th April, 2008, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 284 (E), dated the 11th April, 2008, namely: -

In the said notification, after paragraph 2, the following shall be inserted, namely: -

"3. Notwithstanding anything contained herein above, this notification shall remain in force up to and inclusive of the 10th day of April, 2014, unless revoked earlier".

[F.No.354/24/2002-TRU (Pt-I)]

Octagonal Steel Columns for Lamp Posts for Public Street Lighting are Steel Structures in 7308 90 90

Subject: Classification of Octagonal Steel Columns for Lamp Posts and like products.

17-CBEC
11.04.2013
(DoR)

It has come to the notice of the Board that there is lack of uniformity in classification of Steel Columns, poles, towers and articles of like nature under the Customs Tariff Act (CTA), 1975. In order to ensure uniformity in classification of similar / identical goods the issue was examined in Board.

2. Brief description of the goods as an illustration is given below:

Octagonal steel columns, measuring between 4 and 9 metres, presented unassembled with the following elements:

- tubular brackets, 60 mm in diameter, comprising one or more branches equipped with a fixing or fastening device for the lighting sources,

- anchor bolts to attach these columns to the ground, and,

- a pack of accessories to assemble the constituent parts (bolts, nuts, washers).

The columns and their elements are not fitted with electrical devices or with a lighting source.

3. Pursuant to the description of the above mentioned goods, it is inferred that the main two headings which merit consideration for the classification of products at issue is: either heading 94.05 as parts of lamps or heading 73.08 covering metal structures. The other headings which may also be considered for the classification are:

- Headings 73.04, 73.05 or 73.06 as tubes and pipes of iron or steel;
- **Heading 73.08 as structures of iron or steel;**
- Heading 73.26 as other articles of iron or steel; and
- **Heading 94.05 as parts of lamps.**

4. The classification of the products in question as tubes and pipes is ruled out since tubes and pipes or other hollow profiles which are made up into specific identifiable articles or parts of articles are excluded from classification as tubes or pipes, cf. exclusions (f) to heading 73.04, (c) to heading 73.05 and (f) to heading 73.06 in the respective HS Explanatory Notes.

5. The classification of the poles and columns in residual heading 73.26 covering "other articles of iron or steel" is also be ruled out since heading 73.26 only covers products which are not specified or included in a more specific heading of Chapters 72, 73, 82 or 83 or elsewhere in the Nomenclature (the General Explanatory Note to Chapter 73). If there are more specific headings for the classification of the products in question, for instance in this case under heading 73.08 (iron or steel structures) or heading 94.05 (lamps and lighting fittings and parts thereof), then entry in heading 73.26 can not be considered.

6. The view that certain types of lamp posts (for outdoor lighting) without lanterns could be classified in subheading 9405.99 as "other parts of lamps or lighting fittings" is not correct since these poles and columns for out door lighting purposes are not fitted with electrical devices and lanterns so as to be considered as parts of lamps of lighting fittings of heading 94.05. The mere presence of a flange plate, a hole in the centre of the flange plate, an inspection door and a compartment fitted with an earthing lug and an electrical gear component mounting strip, does not take such products out of the ambit of heading 73.08, as the poles and columns at issue are more specifically described in heading 73.08, which refers to **"towers** and **lattice masts**, **beams**, **channels**, truss rod, tubular steel **poles** for electric transmission, **pillars** and **columns"** in the heading text. This issue of classification of "Octagonal Steel Columns for Lamp Posts" was also deliberated by the World Customs Organization Harmonised System Committee and the Amendment to Compendium of Classification Opinions reflects the decisions taken by the 46th Session (September 2010) to classify the articles at issue in harmonised heading 7308.

Anand Sharma Demands Internal Balance in the Trade Facilitation Proposal

- Calls for LDC Package as Part of Bali Ministerial
- Meets Key WTO Ambassadors in Geneva

The Union Minister for Commerce, Industry and Textiles Anand Sharma, in a frank exchange on roadmap to Bali Ministerial with key Ambassadors to WTO in Geneva on 9 April, made a strong pitch for a balanced package for the Ministerial which has the interest of Least Developed Countries (LDCs) and developing nations at its core.

Mr. Sharma said that while India is not opposed to Trade Facilitation, there is a need for an internal balance in the Trade Facilitation proposal with adequate special and differential treatment for developing countries and LDCS and Small and Vulnerable Economies. He also argued for providing technical and financial support to such economies so that they benefit from trade facilitation. The Minister also supported a LDC Package including Duty Free Quota Free market access, which countries like India and China have already implemented, must be part of the Bali package.

Underscoring the fact that emerging economies have to carry a disproportionate burden of poverty and huge income disparities Mr. Sharma said that they therefore merit a special and preferential treatment. The Minister mentioned that India strongly endorses G-33 proposal for food security and flexibility in their public stock holding operations for public distribution system. The interest of subsistence farmers in developing and poor countries have to be recognized and protected, said Mr. Sharma.

Taking note of emerging plurilateral arrangements, the Minister strongly emphasized the need to uphold the centrality of multilateralism and WTO as an institution for creating a rule-based global trading regime.

[Source: PIB (MoC&I) Press Release dated 9th April 2013]

7. In view of the foregoing, it is clarified that the appropriate heading for classification of "octagonal steel columns for lamp posts", as *steel posts for outdoor lighting purposes (public street lighting) and like products is in heading 73.08, as steel structures, and more precisely in the subheading 7308.90*, tariff item 73089090, by the application of the General Rules for the Interpretation (GRI) of Import Tariff, Rules 1 and 6.

[F.No. 528/94/2012-STO (TU)]

Steel Standard for Seconds of Hot Dipped Sheet is IS: 277 and not IS: 227

Corrigendum dated 10 April 2013 to 14-CBEC/05.04.2013

[Corrigendum dated 10th April 2013]

In the Circular No. 14/2013 - Customs dated the 5th April, 2013 issued by Central Board of Excise and Customs, Government of India in the Ministry of Finance (Department of Revenue), in sub paragraph (2) in paragraph (2), for the words "**Electro Galvanized sheets and Galvanized sheets/strips**,", read "**Electro Galvanized sheets and Galvaneeled sheets/strips**".

2. Further the words and number "IS: 227" wherever appearing in the Circular should read as "IS: 277"

[F.No.450/87/2012 - Cus-IV]

Japanese Yen Exchanges Rate for Customs Valuation w.e.f 11 April 2013

36-Cus(NT) 10.04.2013 (DoR) In exercise of the powers conferred by Section 14 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise & Customs hereby makes the following further amendments in the Notification of the Government of India, Ministry of Finance (Department of Revenue) No. 35/2013-CUSTOMS (N.T.) dated the 4th April, 2013 published in the Gazette Of India, Part-II, Section 3, Sub-Section (ii), Extraordinary vide number S.O. 925(E) dated, the 4th April, 2013, namely:-

In the SCHEDULE-II of the said Notification, for Serial No. 1 and the entries relating thereto, the following shall be substituted, namely:-

Schedule-II

SNo.	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
(1)	(2)	(3)	
		(a)	(b)
		(For Imported Goods)	(For Export Goods)
1.	Japanese Yen	55.60	54.15

These rates will be effective from 11th April, 2013.

[F. No. 468/03/2013-Cus.V]

Cont'd..20

ing services, legal/accounting services, management consulting, advertising and trade related services, among others) increased by 2%.

In dollar terms, US exports of financial services declined by 4% in 2012, the United Kingdom dropped 13%, Germany slipped 2% and France plunged 20%. Several other EU countries also recorded double digit declines in financial services, including Austria (-11%), Cyprus (21%), Greece (-29%) and Spain (-11%). Total exports of financial services from Switzerland declined by 8%. Meanwhile, Japan's exports of financial services gained 13% and China's advanced 58%. Finally, the Asian financial centres of Singapore and Hong Kong, China treaded water in 2012 with 0% and 4% growth, respectively.

Overall, developed economies' exports of financial services fell 6% while those of developing economies and Commonwealth of Independent States together rose 3%.

The US dollar appreciated against most major currencies between 2012 and 2013, rising nearly 4% on average according to data from the Federal Reserve Bank of St. Louis (Chart 6). Exceptions include the Chinese yuan, which appreciated 2.4% against the dollar, and the Japanese yen, which was more or less unchanged against the dollar (-0.2%). This would tend to understate the value of some trade flows in 2013 and overstate the magnitude of any declines from 2012, particularly for trade not denominated in dollars (e.g. trade within the EU).

WIndex and DIndex – No. 04 - 17-23 April 2013

***See details in www.worldtradescanner.com**

Customs Valuation Exchange Rates

05 April 2013		Imports	Exports
Schedule I [Rate of exchange of one unit of foreign currency equipment to Indian Rupees]			
1	Australian Dollar	57.65	56.10
2	Bahraini Dinar	148.60	140.20
3	Canadian Dollar	54.35	52.85
4	Danish Kroner	9.50	9.20
5	EURO	70.55	68.75
6	Hong Kong Dollar	7.10	6.95
7	Kenyan Shilling	66.15	62.25
8	Kuwaiti Dinar	196.20	184.85
9	New Zealand Dollar	46.40	45.15
10	Norwegian Kroner	9.50	9.20
11	Pound Sterling	83.15	81.15
12	Singapore Dollar	44.45	43.40
13	South African Rand	6.05	5.70
14	South Arabian Riyal	14.95	14.10
15	Swedish Kroner	8.50	8.25
16	Swiss Franc	58.10	56.45
17	UAE Dirham	15.25	14.40
18	U.S. Dollar	54.90	53.90
Schedule II – [Rate of exchange of 100 units of foreign currency equivalent to Indian rupees **]**			
1	Japanese Yen	55.60*	54.15*

**w.e.f 11.04.2013*

(Source: Customs Notification 35(NT)/04.04.2013)

Owned, Edited, Published and Printed by Arun Goyal and Printed at Mercury Printers, 602 Choori Walan, Delhi
Published from 24/4866, Sheeltara House, Ansari Road, New Delhi 110002. (INDIA) Phone: 2328 1314; Fax: 91-11-23281314
Email:academy.delhi@gmail.com; Website: worldtradescanner.com
This issue contains 8 pages in all