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KPT and JNPT to Put Up \$85mn for Two Terminals and Three Berths in Chabahar Port

- Rival to China Supported Gwadar Port in Pak
- India Moves towards Iran as US Loosens Sanctions
- Entry into Afghanistan and Central Asia thru Iran Proposed
- Energy Intensive Investments in Free Trade Zone

The most noteworthy of the 12 agreements signed between Modi and Iranian President Hassan Rouhani is India's investment of \$500 million into developing Iran's Chabahar port, considered an important entrepôt leading to Afghanistan and onward to Central Asia. Afghan President Ashraf Ghani also later joined the two leaders to sign a trilateral transit agreement that will significantly ease the passage of goods between the three countries and boost trade.

Modi's visit to Tehran is the first by an Indian Prime Minister since 2012, with both countries keen to capitalize on the lifting of U.S. sanctions last year. India is one of the largest importers of Iranian crude oil but built up a \$6.5 billion backlog of payments during the sanctions. India's role in the global condemnation of Iran's nuclear program also soured the bilateral relationship.

Chabahar is located near the Iran-Pakistan border, and is a little over 60 miles from the Pakistani port of Gwadar that is being developed by the Chinese. The proposed transit route through Iran and Afghanistan also appears to be a response to the \$45bn

China-Pakistan Economic Corridor (CPEC) announced last year.

India Ports Global Pvt, a joint venture of the Jawaharlal Nehru Port Trust and the Kandla Port Trust, will invest USD 85 million in developing two container berths with a length of 640 metres and three multi cargo berths.

The Indian consortium has signed the port pact with Aria Banader Iranian.

The Iranian President Rouhani pointed out the challenges arising out of banking channels, which is preventing India from paying the full \$6 billion of past dues from oil exports.

Other potential partnerships inked by the two countries include the construction in Iran by India's National Aluminium Co., investment in an Iran-Afghanistan rail line by Indian state-run engineering company IRCON and several other strategic and cultural exchanges.

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China Export is "Non Standard", EU Parliament Passes Resolution

EU parliamentarians approved a non-legislative resolution last week calling for treating China's exports to the 28-nation bloc in a "non-standard" way until the Asian economic giant meets EU requirements for being deemed a market economy.

The 12 May vote had 546 lawmakers in favour, 28 against, and 77 abstentions.

The text of the resolution highlights the importance of the bilateral EU-China trade and investment relationship, while "stress[ing] that China is not a market economy and that the five criteria established by the EU to define market economies have not yet been fulfilled."

These five criteria specifically involve the level of government intervention in company decision-making and resource allocation; lack of government distortions in "the operation of enterprises linked to privatisation;" the use of non-discriminatory, transparent company laws; an effective, transparent legal system protecting property rights; and a "genuine financial sector which operates independently from the state."

Furthermore, the resolution says that the European Parliament "is convinced that, until China meets all five EU criteria required to qualify as a market economy, the EU should use a non-standard methodology in anti-dumping and anti-subsidy investigations into Chinese imports in determining price comparability."

This provision cites Section 15 of China's WTO accession protocol, which the resolution says allows for applying this "non-

standard methodology," and asks that the European Commission prepare a proposal in this context.

While the current resolution is not a legislative one, the Parliament will have to vote on the Commission's future proposal, as part of the co-decision process that also includes the Council.

Timing

At the time, it agreed to terms regarding how to address price comparability when determining subsidies and dumping, among others. Outlined in Section 15 of the document for accession, these terms allow for China's fellow WTO members to treat the country as a non-market economy in anti-dumping probes, specifically as it relates to determining price comparability under Article VI of the General Agreement on Tariffs and Trade

Crude Down to \$45.72

Crude Oil (Indian Basket) from 18 – 24 May 2016

	18 May	19 May	20 May	23 May	24 May
(\$/bbl)	46.72	45.51	46.67	45.89	45.72
(Rs/bbl)	3126.44	3059.64	3145.62	3090.40	3095.63
(Rs/\$)	66.91	67.23	67.41	67.35	67.71

(Previous Trading Day Price)

Source: Ministry of Petroleum & Natural Gas

(GATT) 1994 and the WTO's Anti-Dumping Agreement.

While WTO members are to use Chinese prices or costs if the producers being investigated can demonstrate that market economy conditions "prevail" in their industry, according to subparagraph (a)(i) of that section, the following subparagraph provides for an alternative methodology if this is not the case, allowing for an importing member to deviate from using a "strict comparison" with Chinese domestic prices or costs.

This must occur if those producers are unable to prove the existence of market economy conditions in their industry. However, a later subparagraph notes that these terms "shall be termi-

nated" once Beijing has established under an importing member's domestic laws "that it is a market economy."

It then notes that, "In any event, the provisions of subparagraph (a)(ii) shall expire 15 years after the date of accession. In addition, should China establish, pursuant to the national law of the importing WTO Member, that market economy conditions prevail in a particular industry or sector, the non market economy provisions of subparagraph (a) shall no longer apply to that industry or sector."

Whether such a change would be automatic, however, has fuelled debate in trade circles, particularly in light of the global steel crisis and China's role as a major trader.

India Opens to Myanmar thru Asean FTA, Normal Trade from 1 Dec 2015

An India Myanmar Business Conclave was hosted by India at Yangon on 18-20 May 2016 as part of its Act East policy. A 25 member business delegation from India attended the Conclave led by Minister of State (Independent Charge) for Commerce & Industry Smt. Nirmala Sitharaman. More than 40 top CEOs from Myanmar also attend the Conclave. This is the first visit of any Minister from India after the new government in Myanmar.

Smt. Nirmala Sitharaman congratulated Myanmar for landslide victory by the National League for Democracy led by Daw Aung San Suu Kyi in the elections held in November 2015. She acknowledged the calibrated and pragmatic stand

of the Government towards a peaceful and orderly assumption of power.

Highlight of the event was a Government-Business Round table on the theme: 'Forging Partnerships'. Speaking in the Roundtable, Smt. Nirmala Sitharaman conveyed that India had opened 96.4% of tariff lines at zero duty for Myanmar under its Duty Free Tariff Preference scheme besides ASEAN India FTA. The transition from barter trade to normal trade wef 1 Dec 2015 was a step forward to boost trade. Similarly, a liberal access was available for Services including a visa fee waiver for Myanmar applicants applying for Indian Business and Employment visas.

Iran India PTA and DTAA

President Rouhani and Prime Minister Modi agreed to strengthen the longstanding trade ties between the two countries by, inter alia, stepping up the momentum of economic engagement through early conclusion of a Preferential Trade Agreement, preferably within a year. The two leaders also directed that Double Taxation Avoidance Agreement and Bilateral Investment Treaty should be concluded before the end of the year.

India fully supports the accession of the Islamic Republic of Iran to the World Trade Organization and the ongoing consensus building efforts among WTO members to reactivate the accession process, consistent with the objective of making the Organization universal and inclusive.

Recognising the key role of effective banking channels for affecting business transactions, both sides welcomed technical discussions between two central banks, hoped for an early conclusion of practical arrangements on the same.

Noting the recent exchanges of business delegations between the two countries and the significance of such exchanges for promoting economic and commercial cooperation, President Rouhani and Prime Minister Modi welcomed the decision of the Confederation of the Indian Industry (CII) to open a regional office in Tehran.

Key Agreements/MOUs signed during the visit of Prime Minister to Iran (May 23, 2016)

S.No	Title of MoU	Description	Signatory from Indian side	Signatory from Iran side
1.	Bilateral contract on Chabahar Port for port development and operations between IPGPL [India Ports Global Private Limited] and Arya Banader of Iran	The contract envisages development and operation for 10 years of two terminals and 5 berths with cargo handling [multipurpose and general] capacities.	Shri Arun K Gupta, Managing Director, IPGPL. To be Counter-signed by H. E. Mr. Alok Srivastva, Additional Secretary, Ministry of Shipping of India	Mr. Ebrahim Yaseri, Managing Director of Arya Banader To be counter signed by H. E. Mr. Saeednejad, Chairman of Ports and Maritime Organization of Iran.
2.	MoU between EXIM Bank and Iran's Ports and Maritime Organization [PMO] on current specific terms for the Chabahar Port project	This MoU is intended for the purpose of credit of USD 150 million for Chabahar port.	Mr. Yaduvendra Mathur, Chairman, EXIM Bank	H. E. Mr Saeednejad, Chairman of Ports and Maritime Organization of Iran.
3.	Confirmation Statement between EXIM Bank and Central Bank of Iran	This confirms the availability of credit up to INR 3000 crore for the import of steel rails and implementation of Chabahar port.	Mr. Yaduvendra Mathur, Chairman, EXIM Bank	Mr. Gholamali Kamyab, Vice Governor of Central Bank of Iran
4.	MoU between ECGC [Export Credit Guarantee Corporation] Limited of India and the Export Guarantee Fund of Iran (EGFI)	The MoU seeks to establish a framework of cooperation between ECGC and EGFI in supporting and encouraging foreign trade and foreign investment between India and Iran and, where appropriate, the supply of goods and services from their respective countries as part of a project to a third country.	Ms Geetha Muralidhar, Chairman & Managing Director, Export Credit and Guarantee Corporation of India.	Mr. Seyed Kamal Seyed Ali, Chairman and CEO of Export Guarantee Fund of Iran
5.	MoU between National Aluminium Company Limited (NALCO) and the Iranian Mines and Mining Industries Development and Renovation Organization (IMIDRO)	The objective is for the two parties to jointly explore the possibility of manufacturing aluminium metal by setting up of a smelter on joint venture basis in Iran and/or entering into tolling arrangements with smelters in Iran or any other form of business collaboration including sale of alumina etc.	Dr T K Chand, CMD, NALCO.	Mr. Mehdi Karbasian, Head of IMIDRO.
6.	MoU between IRCON and Construction, Development of Transport and Infrastructure Company (CDTIC) of Iran	MoU will enable IRCON to provide requisite services for the construction of Chabahar-Zahedan railway line which forms part of transit and transportation corridor in trilateral agreement between India, Iran and Afghanistan. Services to be provided by IRCON include all superstructure work and financing the project (around USD 1.6 billion).	Mr. Mohan Tiwari, Managing Director of IRCON	H. E. Mr Pourseyed Aghaei, Deputy Minister for Railways of Iran

WEEKLY INDEX OF CHANGES

CR and HR Seamless Steel Tubes from China Slapped with \$1k Plus Dumping Duty in Provisional Findings

Ntnf 18-ADD 17.05.2016 (DoR) Whereas, in the matter of Seamless tubes, pipes and hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD (hereinafter referred to as the 'subject goods'), falling under heading 7304 of the First Schedule to the Customs

Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), originating in, or exported from the People's Republic of China (hereinafter referred to as the 'subject country'), and imported into India, the designated authority in its preliminary findings published in the Gazette of India, Extraordinary, Part I, Section 1, vide notification number 14/2/2015-DGAD, dated the 31st March, 2016, has come to the

provisional conclusion that -

(i) the subject goods have been exported to India from the subject country below its normal value, resulting in dumping;

(ii) the domestic industry has suffered material injury due to dumping of the subject goods from the subject country;

(iii) the material injury has been caused by the dumped imports of subject goods from the subject countries,

and has recommended imposition of provisional anti-dumping duty on imports of the subject goods, originating in, or exported from subject country and imported into India, in order to remove injury to the domestic industry;

Table

SNo.	Heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Specification**	Amount	Unit	Currency
1	2	3	4	5	6	7	8	9	10	11
1.	7304	Seamless tubes, pipes and hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6mm or 14" OD*	People's Republic of China	People's Republic of China	Jiangsu Chengde Steel Tube Share Co., Ltd., People's Republic of China	Jiangsu Chengde Steel Tube Share Co., Ltd., People's Republic of China	A-1-1 A-1-2 A-1-3 A-1-4 A-1-5 A-1-6 A-1-7 A-1-8	1,194.60 1,075.28 1,383.44 1,178.73 961.33 1,193.77 1,462.00 1,610.67	MT	US Dollar
										
2.	-do-	-do-			People's Republic of China	People's Republic of China	Yangzhou Chengde Steel Tube Co., Ltd.	Yangzhou Chengde Steel Tube Co., Ltd.	A-1-1 A-1-2 A-1-3 A-1-4 A-1-5 A-1-6 A-1-7 A-1-8	1,194.60 1,075.28 1,383.44 1,178.73 961.33 1,193.77 1,462.00 1,610.67
3.	-do-	-do-	People's Republic of China	People's Republic of China	Any other combination other than Sl. No. 1 and 2		A-1-1 A-1-2 A-1-3 A-1-4 A-1-5 A-1-6 A-1-7 A-1-8	1,194.60 1,075.28 1,383.44 1,178.73 961.33 1,193.77 1,462.00 1,610.67	MT	US Dollar
4.	-do-	-do-	Any country other than People's Republic of China	People's Republic of China	Any	Any	A-1-1 A-1-2 A-1-3 A-1-4 A-1-5 A-1-6 A-1-7 A-1-8	1,194.60 1,075.28 1,383.44 1,178.73 961.33 1,193.77 1,462.00 1,610.67	MT	US Dollar
5.	-do-	-do-	People's Republic of China	Any country other than People's Republic of China	Any	Any	A-1-1 A-1-2 A-1-3 A-1-4 A-1-5 A-1-6 A-1-7 A-1-8	1,194.60 1,075.28 1,383.44 1,178.73 961.33 1,193.77 1,462.00 1,610.67	MT	US Dollar

*The description of goods does not include the imports of the following:-

- (i) Seamless Pipes and Tubes made of cast iron and stainless steel.
- (ii) Seamless alloy-steel pipes, tubes and hollow profiles of specifications of ASTM A213/ ASME SA 213 and ASTM A335/ ASME SA 335 or equivalent BIS/DIN/BS/EN or any other equivalent specifications.
- (iii) Non-API and Premium Joints/Premium Connections/ Premium Threaded (Tubes & Pipes).
- (iv) All 13 Chromium (13CR) Grade Tubes and Pipes.

(v) Drill Collars.

(vi) High pressure seamless steel pipe/tube used for manufacturing gas cylinders by producers approved by the Chief Controller of Explosives, Petroleum and Explosives Safety Organization, Government of India.

Specification	Description
A-1-1	Seamless Tubing, of a kind used in drilling for oil or gas, Carbon/Non Alloy/Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD
A-1-2	Seamless Casing, of a kind used in drilling for oil or gas, Carbon/Non Alloy/Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD
A-1-3	Seamless Mother Hollows, Coupling stock, blanks/ Pup Joints, Carbon/ Non Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD

A-1-4	Seamless Drill Pipes, of a kind used in drilling for oil or gas, Carbon/Non Alloy, hot finished of an external diameter not exceeding 355.6 mm or 14" OD
A-1-5	Seamless Tubes, Pipes and hollow profiles including Line pipes of Carbon/Non alloy steel, hot finished of an external diameter not exceeding 355.6 mm or 14" OD
A-1-6	Seamless Tubes, Pipes and hollow profiles of circular cross section including Line pipes of Carbon/Non alloy steel, cold drawn or cold rolled or cold reduced of an external diameter not exceeding 355.6 mm or 14" OD
A-1-7	Seamless Tubes, Pipes and hollow profiles of circular cross section including Line pipes and Bearing tubes of Alloy steel, hot finished, of an external diameter not exceeding 355.6mm or 14" OD
A-1-8	Seamless Tubes, Pipes and hollow profiles of circular cross section including Line pipes and Bearing tubes of Alloy steel, cold drawn or cold rolled or cold reduced, of an external diameter not exceeding 355.6 mm or 14" OD

2. The anti-dumping duty imposed under this notification shall be effective for a period not exceeding six months (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette and shall be paid in Indian currency.

Explanation.- For the purposes of this notification,-

(a) "landed value" of imports for the purpose of this notification means the assessable value as determined by the customs under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3,

3A, 8B, 9 and 9A of the Customs Tariff Act, 1975; (b) rate of exchange applicable for the purpose of calculation of such 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 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, 1962.

[F. No. 354/47/2016-TRU]

Board Clarifies Transitional Provisions of Duty Free Shops, Ship Stores, Airline Stores under Sec 58A of CA 1962

Subject: Amendment to Ch IX of the Customs Act, 1962 – Insertion of Section 58A – clarification regarding transitional provisions relating to Duty Free Shops/Ship stores/Airline Stores/Diplomatic Stores.

20-CBEC The Finance Act, 2016 has
20.05.2016 inserted section 58 A in chapter
(DoR) IX of the Customs Act. Section
58 A reads as under:

Section 58A. Licensing of Special Warehouses –

(1) The Principal Commissioner of Customs or Commissioner of Customs may, subject to such conditions as may be prescribed, license a special warehouse wherein dutiable goods may be deposited and such warehouse shall be caused to be locked by the proper officer and no person shall enter the warehouse or remove any goods therefrom without the permission of the proper officer.

(2) The Board may, by notification in the Official Gazette, specify the class of goods which shall be deposited in the special warehouse licensed under sub-section (1).

2. The Board has issued a notification under sub-section (2) of section 58A (66/2016– Cus (NT) dated 14th May 2016) notifying the class of goods to which the provisions shall apply. The Board has also notified Special Warehouse Licensing Regulations, 2016 and the Special Warehouse (Custody and Handling of Goods) Regulations, 2016.

3. In order to facilitate the understanding of the transitional provisions by the trade, Commissioners are advised to note the following:

a. Licensees operating warehouses under erstwhile section 57 or 58 and storing goods meant for duty free shops/ship stores/diplomatic stores must apply for a license under section 58A, if they propose to continue to store such goods beyond the transitional period of three months.

b. In order to ensure a smooth and orderly transition, existing warehouses engaged in supply of such goods are allowed to continue operations during the transitional period, under customs lock, for a period of three months.

c. The application under Special Warehouse Licensing Regulation, 2016 must be made within one month w.e.f. 14th May 2016.

d. Any licensee who does not make an application under Special Warehouse Licensing Regulation, 2016, shall not be permitted to store goods meant for the end use notified at serial no. (2) of notification 66/2016-Cus dated 14.5.2016 beyond the said three months.

e. Principal Commissioners / Commissioners are advised that the following time lines may be strictly followed in processing of applications by existing licensees:

(i) Application to be received from existing licensees within one month along with the certificate/undertakings mentioned in sub regulation (1) of regulation 3 of the Special Warehouse Licensing Regulations 2016;

(ii) Commissioners should process the applications within 15 days of receipt. Since the due diligence of existing licenses was carried out while granting the license, there would be no need for verifying compliance to the conditions under sub regulation (2) of regulation 3;

(iii) Licensee shall thereafter comply with the obligations enjoined under regulation 4 within the next fifteen days.

(iv) The license shall be issued immediately thereafter.

4. A question has been raised as to whether a Duty Free Shop in the airport is to be licensed as a warehouse or not. Attention is drawn to the erstwhile chapter IX of the Customs Act where section 62 stated:

Section 62. Control over warehoused goods.-

(1) All warehoused goods shall be subject to the control of the proper officer.

(2) **No person shall enter a warehouse or remove any goods therefrom without the**

Hubei Hongyuan Pharmaceutical Co. Ltd Name Changed to Hubei Hongyuan Pharmaceutical Technology Co. Ltd in Metronidazole Anti-dumping Case

Ntnf 19-ADD In exercise of the powers
19.05.2016 conferred by sub-section (1)
(DoR) read with sub-section (5) of
section 9A of the Customs

Tariff Act, 1975 (51 of 1975) read with rules 18 and 23 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 hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 40/2012-Customs (ADD), dated the 30th August, 2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 657(E), dated the 30th August, 2012, namely:-

In the said notification, in the Table, against serial number 1, in columns (6) and (7), for the existing entries, the following entry shall respectively be substituted, namely –
“M/s Hubei Hongyuan Pharmaceutical Technology Co., Ltd”.

[F.No.354/17/2000-TRU (Pt-III)]

permission of the proper officer.

(3) **The proper officer may cause any warehouse to be locked with the lock of the Customs Department and no person shall remove or break such lock.**

(4) The proper officer shall have access to every part of a warehouse and power to examine the goods therein.

4.1 Further, the erstwhile section 64 stated:

Section 64. Owner's right to deal with warehoused goods. –

With the sanction of the proper officer and on payment of the prescribed fees, the owner of any goods may either before or after warehousing the same –

(a) inspect the goods;

(b) separate damaged or deteriorated goods from the rest;

(c) sort the goods or change their containers for the purpose of preservation, sale, export or disposal of the goods;

(d) deal with the goods and their containers in such manner as may be necessary to prevent loss or deterioration or damage to the goods;

(e) **show the goods for sale; or**

(f) _____

4.2 It may be noted that a duty free shop cannot meet the ingredients of sub-section (2) and (3) of erstwhile section 62 of the Customs Act, or currently, the provisions of section 58A. Similarly, the provisions contained in erstwhile section 64 or as it now stands, do not permit retail sales from a warehouse. From this it flows that a duty free shop located in a customs area should not be treated as a warehouse. In fact, it is a point of sale for the goods which are to be ex-bonded and

removed from a warehouse for being brought to a DFS in the customs area for sale to eligible persons, namely, international passengers arriving or departing from India.

4.3 It is gathered that Duty Free Shop operators store goods in large warehouses in the city and / or in smaller warehouses in and around the precinct of the airport to act as a staging area for replenishing stocks in the duty free shopping area. These warehouses in the city and / or precinct of the airport qualify to be licensed as bonded warehouses as they are capable of being under the lock of customs.

5. It is also clarified that warehouses licensed under section 58A can belong to an importer of ship stores / airline stores / diplomatic stores / duty free shop stores (exclusive use). There could also be warehouses under section 58A which could be catering to several parties engaged in the business of ship stores / airline stores / diplomatic stores / duty free shop stores (non-exclusive). Since it is the end use which determines whether a warehouse is eligible for being licensed under section 58A, there shall be no restrictions on the type of goods that can be stored in such warehouses, as long as they are meant for the end use notified at serial no. (2) of notification 66/2016-Cus dated 14.5.2016.

6. Clarifications have also been sought regarding regulation 3 (1) (e) and the phrase 'recovery of costs'. Recovery of costs, accommodates both fee recovered under the Customs (Fees for Rendering Services by Customs Officers) Regulations, 1998 (Merchant Over Time) or Cost Recovery basis. To determine whether a Special Warehouse will require services of a customs officer on MoT basis or cost recovery basis, the Principal Commissioner / Commissioner will have to determine from the licensee the extent of requirements for services of a customs officer. Guidelines regarding determining where services are to be rendered on MoT basis or Cost Recovery basis are being issued separately.

7. It is requested that interactive sessions may be planned with owners/operators of ship stores/airline stores / diplomatic stores / duty free shops business to familiarize them with the new provisions and ensure a smooth transition.

8. A detailed circular relating to documentary processes with regard to duty free shops/ ship & airline stores / diplomatic stores is being issued separately.

9. Difficulties, if any, should be brought to the notice of the Board.

F.No. 473/05/2015-LC

Allotment of Warehouse Code for Customs Bonded Warehouses

Sub: Allotment of Warehouse Code for Customs Bonded Warehouses.

19-CBEC 20.05.2016 (DoR) Please refer to the changes made in the Finance Act, 2016 to shift towards record based control with respect to Bonded

Warehouses. It is proposed that each warehouse be allotted a unique warehouse code so that importers can declare the warehouse in which goods shall be deposited, at the into-bond bill of entry stage.

2. Hence a module has been developed in ICES to capture details of customs bonded warehouses licensed in each Commissionerate and generate a warehouse code in the system. The business process is annexed to this circular.

3. Any formation of Central Excise, having control over a customs bonded warehouse, but not connected on ICES, is directed to forward the list of warehouses licensed by them to the Principal Commissioner / Commissioner of Customs having jurisdiction over the nearest EDI enabled Customs station latest by 1st June 2016. These warehouses should be registered by the customs



formation following the procedure annexed.

4. Commissioners at EDI locations are requested to complete this exercise for existing warehouses, including those referred by central excise formations, latest by 6th June, 2016 and confirm the same to the Board.

5. It is proposed to publish the unique warehouse code so generated on the ICEGATE website for the information of trade. This activity will start from the 10th June 2016 and shall be completed by the 15th June 2016. From 20th June 2016, declaring the Warehousing Code in the Bill of Entry would become

mandatory for filing Into-Bond and Ex-Bond Bill of Entry. As Ex-Bond Bill of Entries with invalid warehousing code will be rejected, due care may be taken for smooth transition so as to avoid any hardships to the trade.

6. Difficulties relating to I.T. system, if any, may be brought to the notice of National System Manager, ICES (nsm.ices@icegate.gov.in).

[Annexure available at worldtradesScanner.com]

Procedure for Timely Selection of Special Public Prosecutors (SPPs) for Handling CBEC Cases before the Court

[CBEC Instruction F.No. 278A/54/2015-Legal dated 19th May 2016]

Sub: Need for timely forwarding proposal for fresh appointment/extension of tenure of SPPs handling CBEC cases before the Subordinate Courts/Courts of Session and High Court.

The Board vide Instruction dated 29/02/2016 (copy available on CBEC Website) has prescribed the procedure for selection of Special Public Prosecutors (SPPs) for handling CBEC cases before the Subordinate Courts/Courts of Session and High Court Para '2' of the said Instruction dated 29.02.2016, inter alia, provides times line for processing and forwarding the proposal to Board.

2. It has, however, been observed that most of the

Chief Commissioner's send their proposal to the Board after the expiry of the tenure of the said SPPs. In such a situation, the questions are invariably asked about the reasons for such a delay. The M/o Law & Justice has also taken a serious view in some cases and has rejected the proposed extension on account of inordinate delay.

3. You are, therefore, requested to review of the situation regarding SPP's in your Zone and send

Import of Goods for Aircraft Manufacture, SU-30 MKI Aircrafts, AN-32 Transport Aircrafts, Mi-8 and Mi-17, Dhanush, Advanced Jet Trainer and HJT-36 Engines – Entries Omitted from the List

Ntnfn 33 17.05.2016 (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, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 39/96- Customs, dated the 23rd July, 1996, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 291(E), dated the 23rd July, 1996, namely:-

In the said notification,-

(i) in the TABLE, serial numbers 7, 21, 23, 26, 27 and 28 and the entries relating thereto shall be omitted;

(ii) in paragraph 2, for item (ix) the following item shall be substituted, namely:-

“(ix) All goods falling under S. No. 18 and 36 of the TABLE above.”.

[F. No.354/140/2013-TRU]

the proposal for fresh appointment/extension of tenure of SPPs whose tenure is expiring in accordance with the procedure laid down in the said instruction to the Board at the earliest. It is again emphasised that all such proposals of extension of tenure of SPPs must be sent along all relevant documents to Board at least two months before the date of expiry of the term of SPP.

Three Trade Reps Nominated as Members of Sub-Committee for Jewellery Excise Duty Review

• Reports of Excise Raids on Jewellery Establishments come in

Subject: Imposition of Central Excise duty on jewellery - Constitution of sub-committee of the High Level Committee.

1030-CBEC 18.05.2016 (DoR) In continuation to the Circular No. 1025/13/2016-CX dated 22.04.2016 issued vide F.No. 354/25/2016-TRU, the following

trade representatives are nominated as members of the aforesaid Sub-Committee:

- Shri Konal Doshi, past Convenor, Jewellery panel, GJEPC [Mobile-9820124106; Mail- doshi.konal@gmail.com];
- Shri Ashok Minawala, past Chairman, AIGJF [Mobile-9821020011; Mail-ashok.minawala@gmail.com]; and
- Shri Fatechand Ranka, Chairman, All India Action Committee on Jewellery, AIACJ [Mobile-9823082661; Mail-fatechand@rankajewellerspvtltd.com, fatechand@gmail.com].

2. Wide publicity may be given to this circular. F.No.354/25/2016-TRU

DGFT Clarifies Rice Bran Oil is Open for Export without Pack Size Limitation

Effect of this notification: Export of Rice Bran oil in bulk (irrespective of any pack size) has been exempted from the prohibition on export of edible oils.

Subject: Amendment in export policy of edible oils.

08-Ntfn
18.05.2016
(DGFT)

In exercise of the powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No.22 of 1992), as amended, read with Para 1.02 of the Foreign Trade Policy, 2015-20, the Central Government, hereby, makes the following amendments, with immediate effect, to the Notification No17/2015-20 dated 06.08.2015 relating to SI. No. 92 of Schedule 2 of ITC (HS) Classification of Export & Import Items:

(i) Entry at Para 3(g) of the Notification No 17/2015-20 dated 06.08.2015 is amended to read as:
"Rice Bran oil in bulk, irrespective of any pack size."
(ii) Entry at Para 4 of the said Notification is amended to read as:
"Export of edible oils (other than those mentioned in Para 3 of the said Notification) is permitted in branded consumer packs of upto 5 Kgs with a Minimum Export Price of USD 900 per MT."

No Azo Dyes Test for Four More Countries

Effect of this Public Notice: Australia, Canada, Japan and South Korea have been added in the Appendix-2X under Foreign Trade Policy, 2015-20. In addition to countries already included herein, import of Textiles and Textile Articles from these countries is also exempted from testing of samples for presence of Azo Dyes.

Subject: Amendment of Appendix 2 X under Foreign Trade Policy, 2015-20.

10-PN
18.05.2016
(DGFT)

In exercise of powers conferred under Paragraph 2.04 of the Foreign Trade Policy 2015-20, the Director General of Foreign Trade hereby amends the **Appendix-2X** under Foreign Trade Policy, 2015-20 enlisting the countries wherefrom import of Textiles and Textile Articles is exempted from testing of samples for presence of Azo Dyes as per General Notes

10(111) as incorporated vide Notification No.19/2015-2020, dated 4th September, 2015.

Appendix- 2 X

Testing of Textiles and Textile Articles for presence of Azo Dyes will not be required for imports originating from the following countries:

I. European Union (EU) Countries, II. Serbia
III. Poland, IV. Denmark, V. China, VI. Australia, VII. Canada, VIII. Japan and IX. South Korea

Reward Claim Procedure on EDI and Non EDI Shipping Bills under MEIS Simplified

• Long Declaration Substituted by Questionnaire Response

Effect of this Public Notice: The procedure for declaration of intent in Paragraph 3.14(a) of the Handbook of Procedures 2015-20 for EDI is simplified. The marking of tick in pursuance of the earlier Public Notice No.47, dated 8th December 2015 shall be treated as declaration of intent in case of EDI shipping bills. The marking of tick in the appropriate tick boxes are mandatory in EDI shipping bills.

Subject: Marking of Y in the EDI generated Shipping Bills by Exporters would be treated as declaration of intent to claim MEIS benefit

09-PN
16.05.2016
(DGFT)

In exercise of powers conferred under paragraph 2.04 of the Foreign Trade Policy 2015-20, Director General of Foreign

Trade, hereby makes the following amendments in Paragraph 3.14(a) of the Handbook of Procedures 2015-20:

Existing Paragraph

Paragraph 3.14: Declaration of Intent on shipping bills for claiming rewards under MEIS including export of goods through courier or foreign post offices using e-Commerce

(a) Export shipments filed under all categories of the Shipping Bills would need the following declaration on the Shipping Bills in order to be eligible for claiming rewards under MEIS: "**We intend to claim rewards under Merchandise Exports From India Scheme (MEIS)**". Such declaration shall be required even for export shipments under any of the schemes of Chapter 4 (including drawback), Chapter 5 or Chapter 6 of FTP. In the case of shipping bills (other than free shipping bills), such declaration of intent shall be mandatory with effect from 1st June 2015

Amended Paragraph:

Paragraph 3.14: Procedure for Declaration of

Intent on EDI and Non EDI shipping bills for claiming rewards under MEIS including export of goods through courier or foreign post offices using e-Commerce

(a) (i) EDI Shipping Bills: Marking/ ticking of "Y" (for Yes) in "Reward" column of shipping bills against each item, which is mandatory, would be sufficient to declare intent to claim rewards under the scheme. In case the exporter does not intend to claim the benefit of reward under Chapter 3 of FTP exporter shall tick "N" (for No). Such marking/ ticking shall be required even for export shipments under any of the schemes of Chapter 4 (including drawback), Chapter 5 or Chapter 6 of FTP

(ii) Non-EDI Shipping Bills: In the case of non-EDI Shipping Bills, Export shipments would need the following declaration on the Shipping Bills in order to be eligible for claiming rewards under MEIS: "**We intend to claim rewards under Merchandise Exports From India Scheme (MEIS)**". Such declaration shall be required even for export shipments under any of the schemes of Chapter 4 (including drawback), Chapter 5 or Chapter 6 of FTP.

Zero Duty under LDC Withdrawn for Maldives and Samoa

Ntfn 34
19.05.2016
(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 further amendments in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 96/2008-Customs, dated the 13th August, 2008 published vide number G.S.R. 590 (E), dated the 13th August, 2008, namely:-

In the said notification, in the Schedule,-

- i. entries against serial numbers 5 and 21, shall be omitted;
- ii. for the entry against serial number 24, the following entry shall be substituted, namely:-

"Democratic Republic of Timor-Leste"

F. No. 354/189/2005-TRU (Vol II)]

Give Equal Work to All Counsels, Orders Board

[CBEC Instruction F.No. 278A/25/2016-Legal dated 11th May 2016]

Subject: Measures to be taken for equitable distribution of cases among the Sr./Jr standing Counsels and Special Public Prosecutors (SPPs) conducting CBEC cases at different flora.

I am directed to refer to the Board's letter No.278A/43/2007-Legal dated 5.12.2007 regarding guidelines to appoint Sr./Jr. Standing Counsels to handle the litigation of Indirect taxation before the various High Courts/Tribunal/BIFR/AAIFR/DRT and other statutory bodies/authorities and also to regulate their terms and conditions of engagement. Board's instruction F.No. 278A/54/2015-Legal dated 29.2.2016 regarding procedure for selection of Special Public Prosecutors (SPPs) also refers. As per para '4' of Instructions dated 29.2.2016, the concerned Chief Commissioner will ensure equitable distribution of work load to all SPPs in his jurisdiction.

2. In this regard it has come to the notice of the Board that there is an uneven distribution of cases among the Sr./Jr. Standing Counsels as well as SPPs at some zones/places. It is noticed that at some places most of the cases have been allocated to particular Counsel, while the other Counsels are not assigned a single case or have been assigned very few cases by the concerned authorities. Such inequitable distribution of cases among the Counsels engaged by the Department is not desirable as it affects the quality of the litigation work as some Counsels would be overburdened, while others will not have much work. Further, it is difficult to gauge the performance of the Sr./Jr. Standing Counsels/SPPs on panel, if very few/nil cases are assigned to them.

3. Hence, you are requested to ensure that there is a proper and equal distribution of cases among the Sr./Jr. Standing Counsels and the SPPs for effective utilization of their services.

Tariff Value Rises on Gold \$6; Brass Scrap \$26

Tariff Value Falls on Silver \$4; Palmolein \$41; Crude Soyabean Oil \$29 and Palm Oil \$18 to \$47

65-Cus(NT) In exercise of the powers conferred by sub-section (2) of 13.05.2016 section 14 of the Customs Act, 1962 (52 of 1962), the (DoR) Central Board of Excise & Customs, being satisfied that it is necessary and expedient so to do, hereby makes

the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 36/2001-Customs (N.T.), dated the 3rd August, 2001, published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (ii), vide number S.O. 748 (E), dated the 3rd August, 2001, namely:-

In the said notification, for TABLE-1, TABLE-2, and TABLE-3 the following Tables shall be substituted namely:-

"Table-1

SNo.	Chapter/heading/sub-heading/tariff item	Description of goods	Tariff value US \$ (Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	737
2	1511 90 10	RBD Palm Oil	741
3	1511 90 90	Others – Palm Oil	739
4	1511 10 00	Crude Palmolein	751
5	1511 90 20	RBD Palmolein	754
6	1511 90 90	Others – Palmolein	753
7	1507 10 00	Crude Soyabean Oil	776
8	7404 00 22	Brass Scrap (all grades)	2995
9	1207 91 00	Poppy seeds	2533

Table-2

(1)	(2)	(3)	(4)
1	71 or 98	Gold, in any form, in respect of which the benefit of entries at serial number 321 and 323 of the Notification No. 12/2012-Customs dated 17.03.2012 is availed	416 per 10 grams
2	71 or 98	Silver, in any form, in respect of which the benefit of entries at serial number 322 and 324 of the Notification No. 12/2012-Customs dated 17.03.2012 is availed	562 per Kilogram

Table-3

SNo.	Chapter/heading/sub-heading/tariff item	Description of goods	Tariff value (US \$ Per Metric Tons)
(1)	(2)	(3)	(4)
1	080280	Areca nuts	2617

[F.No. 467/01/2016-Cus-V]

Non Payment of Past Service Tax Liability on Religious Pilgrimage thru MEA under Bilateral Arrangement Regularised

25-ST Whereas, the Central Government is satisfied that in the 17.05.2016 period commencing on and from the 1st day of July, 2012 (DoR) and ending with the 19th day of August, 2014 (hereinafter referred to as the said period) according to a practice that was generally prevalent, there was non levy of service tax on the services provided by the specified organisations as defined in clause (zfa) of paragraph 2 of the notification no. 25/2012-Service Tax dated 20th June, 2012, published in the Gazette of India, Extraordinary vide number G.S.R 467 (E), dated the 20th June, 2012, in respect of a religious pilgrimage facilitated by the Ministry of External Affairs of the Government of India, under bilateral arrangement and these services were liable to service tax, which was not being paid according to the said practice.

Now, therefore, in exercise of the powers conferred by section 11C of the Central Excise Act, 1944 (1 of 1944), read with section 83 of the Finance Act, 1994 (32 of 1994), the Central Government hereby directs that the service tax payable under section 66B of the Finance Act, 1994, on the services provided by the said specified organisations in respect of a religious pilgrimage facilitated by the Ministry of External Affairs of the Government of India, under bilateral arrangement, in the said period, but for the said practice, shall not be required to be paid.

[F.No.137/16/2015-Service Tax]

BIG's Weekly Index of Changes No 09/25-31 May 2016

Exchange Rates for Customs Valuation

Rupee Falls 90 paise against Dollar to Rs. 68.05 w.e.f 20 May 2016

77-Cus(NT) In exercise of the powers conferred by section 14 of 19.05.2016 the Customs Act, 1962 (52 of 1962), and in super (DoR) session of the notification of the Central Board of Excise & Customs No. 64/2016-CUSTOMS (N.T.), dated the 05th

May, 2016, 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 20th May, 2016**, 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	Imprted 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	49.35	50.55	47.60	49.25
2.	Bahrain Dinar	184.50	182.10	172.20	171.60
3.	Canadian Dollar	52.25	52.45	50.65	51.35
4.	Danish Kroner	10.35	10.45	9.95	10.15
5.	EURO	76.70	77.40	74.15	75.55
6.	Hong Kong Dollar	8.75	8.65	8.55	8.50
7.	Kuwait Dinar	230.15	228.10	215.35	215.50
8.	Newzeland Dollar	46.10	46.50	44.45	45.30
9.	Norwegian Kroner	8.20	8.30	7.90	8.10
10.	Pound Sterling	99.50	97.85	96.35	95.70
11.	Singapore Dollar	49.40	49.65	47.90	48.60
12.	South African Rand	4.35	4.60	4.10	4.35
13.	Saudi Arabian Riyal	18.50	18.25	17.35	17.30
14.	Swedish Kroner	8.20	8.35	7.90	8.15
15.	Swiss Franc	69.25	70.50	66.85	68.70
16.	UAE Dirham	18.90	18.65	17.70	17.65
17.	US Dollar	68.05	67.15	66.35	66.10
18.	Chinese Yuan	10.45	10.35	10.10	10.15

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

1.	Japanese Yen	62.10	62.90	60.10	61.45
2.	Kenya Shilling	68.75	68.05	64.30	64.30

[F.No.468/01/2016-Cus. V]

Infrastructure Cess Amendments after Finance Act Passage by Parliament

[Infrastructure Cess Notification No. 02 dated 14th May 2016]

In exercise of the powers conferred by sub-section (1) of section 5A of the Central Excise Act, 1944 (1 of 1944) read with section 162 of the Finance Act, 2016 (28 of 2016), the Central Government, 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. 1/2016-Infrastructure Cess, dated the 1st March, 2016, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 255 (E), dated the 1st March, 2016 (hereinafter referred to as the said notification), namely: -

In the said notification,-

- for the words, figures and brackets "sub-clause (3) of clause 159 of the Finance Bill, 2016", the words, figures and brackets "sub-section (3) of section 162 of the Finance Act, 2016" shall be substituted;
- the words, figures and brackets "which clause has, by virtue of the declaration made in the said Finance Bill under the Provisional Collection of Taxes Act, 1931 (16 of 1931), the force of law," shall be omitted;
- for the words, figures and brackets "sub-clause (1) of clause 159 of the said Finance Bill", the words, figures and brackets "sub-section (1) of section 162 of the said Finance Act" shall be substituted.

[F.No.334/8/2016 -TRU]

Money Transfer Agents to Report Online in XBRL System

Sub: Money Transfer Service Scheme - Submission of statement/returns under XBRL

AP(DIR Srs) Attention of Authorised
 Cir.70 Persons, who are Indian Agents
 19.05.2016 under Money Transfer Service
 (RBI) Scheme (MTSS) is invited to
 the A.P. (DIR Series) Circular
 No. 89 dated March 12, 2013 in terms of which all
 Authorised Persons, who are Indian Agents under
 Money Transfer Service Scheme were required to
 submit quarterly statement of the quantum of
 remittances received in the prescribed format.
 2. All Authorised Persons, who are Indian Agents
 under Money Transfer Service Scheme (MTSS)
 are now advised to report the above mentioned
 statement in eXtensible Business Reporting Lan-
 guage (XBRL) system from the quarter ending
 June 2016.
 3. The reporting platform may be accessed at

https://secweb.rbi.org.in/orfsxbrl/. For User name
 and password, Authorised Persons, who are
 Indian Agents under Money Transfer Service
 Scheme (MTSS) are advised to submit the duly
 filled in form (Annex I) through email on or before
 May 30, 2016.
 4. FED Master Direction No. 18/2015-16 dated
 January 1, 2016 is being updated to reflect the
 changes.
 5. The directions contained in this circular have
 been issued under section 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.

[Annexure available at worldtradesScanner.com]

Clean Environment Cess is New Name for Clean Energy Cess

• Both are the same thing
 [Clean Energy Cess Notification No. 01
 dated 14th May 2016]

In exercise of the powers conferred by sections 83 and 84 of the Finance Act, 2010 (14 of 2010), the Central Government hereby directs that any reference to 'Clean Energy Cess', in the rules, notifications, instructions, decisions, or orders, made or issued under the said sections, shall, be construed as refer- ences to 'Clean Environment Cess'.

[F.No.334/8/2016 -TRU]

DGFT Promises Enlargement of MEIS on Funds Receipt from Fin Min

[FIEO Press Release dated 20th May 2016]

The Government is committed to help trade & indus- try in the best possible way and consider them as a stakeholders and partners in the economic revival process of the country said Mr. Anup Wadhawan, Director General of Foreign Trade (DGFT) Govt. of India. He was speaking here in an Interactive Session organized by the Federation of Indian Export Organisations (FIEO) and EEPC India on April 20, 2016. The DGFT said that efforts are to move to fewer footfalls and paper work in its Offices all over India and for seamless flow of trade Government is working on a single window clearance system to ease of doing business. Regarding Merchandise Exports of India Scheme (MEIS), Mr. Wadhawan informed that after announcement of the Scheme on 1st April, 2015, Rs. 4000 crores has further been put in the Scheme covering more tariff lines and markets. As and when Government release further funds for the Scheme, more tariff lines will be considered by the Committee headed by the Commerce Secretary taking into all aspects of the Scheme. Mr. Wadhawan informed that his Department has been taking necessary steps to assist the exporters in their export efforts and announcements of several recent measures are in this direction.

Speaking on the occasion Mr. S C Ralhan, President, FIEO hoped that exports will move into positive territory from June onwards and the continuous down- fall since December, 2014 will come to an end as exports data released for April, 2016, has shown promising results. Mr. Ralhan said that the recent measures announced by DGFT like resolving landing certificate issue, etc. will make the things easy and add to the competitiveness while simultaneously reduce transaction cost. The FIEO Chief urged upon the DGFT to address the problem of simultaneous availment of EPCG and SHIS which has landed many exporters into problem for no fault of their own besides considering release of the Target Plus benefits and Incremental Exports Incentivization benefit for 2013-14 at the earliest. Resolving the issue of separate MEIS application for exports made from each EDI Port is also equally important, Mr. Ralhan added. The Session was attended by more than 80 prominent exporters from the Region who had interaction with the DGFT on the issues being confronted by them in their export efforts and deliberated the issues and suggestions which were given a patience hearing by the DGFT and assured wherever possible he shall try his best to resolve such issues hindering export growth.

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*See details in www.worldtradesScanner.com