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David Cameron Urges EU for Border Control on Labour Inflows to Remain in Europe

David Cameron has told the EU it must reform freedom of movement rules if Britain is to maintain close economic ties with the continent in the wake of the referendum.

In his final meeting with EU leaders before standing down as Prime Minister, Mr Cameron claimed that British voters backed a Brexit because people believe the country has "no control" of its borders.

That could allow Britain to retain access to the single market without having to accept unlimited immigration from the EU.

Jean Claude Juncker, the president of the European Commission, on Tuesday attempted to ban nations from negotiating with the UK until Article 50 - the formal mechanism for leaving the EU - is triggered.

But Eastern European nations - including Poland - want to speak with UK leaders in the hope that a deal can be struck.

Mr Cameron's comments will put the debate over freedom of movement rules at the heart of the contest to become the next leader of the Conservative Party.



Boris Johnson, considered the frontrunner, wants continued access to the single market when Britain leaves the EU and wants an Australian-style points-based immigration system to control the number of foreigners coming to the UK.

In the end, Mr Cameron only secured a one-off temporary reduction in migrants' entitlement to benefits, which was described as "irrelevant" by Eurosceptics.

EU Immigration to the UK

Just over three million EU-born people currently live in the UK, approximately 1.9 million of whom are employed here.

Over the last five years the rate of immigration from the EU has increased by 51 per cent, while non-EU immigration has

fallen eight per cent.

The Migration Observatory figures put this rise down to the introduction of Bulgaria and Romania to the EU. Still, however, the annual number of non-EU immigrants is just higher than those from the EU.

Textile Package Released

Extra Duty Drawback for Garments to Refund VAT, Advance Licence Imports Considered Domestic Inputs in Calculations

The Union Cabinet under the Chairmanship of Prime Minister Shri Narendra Modi has given approval for a special package for employment generation and promotion of exports in Textile and Apparel sector.

The move comes in the backdrop of the package of reforms announced by the Government for generation of one crore jobs in the textile and apparel industry over next 3 years. The package includes a slew of measures which are labour friendly and would promote employment generation, economies of scale and boost exports. The steps will lead to a cumulative increase of US\$ 30 bn. in exports and investment of Rs. 74,000 crores over next 3 years.

The majority of new jobs are likely to go to women since the garment industry employs nearly 70% women workforce. Thus, the package would help in social transformation through women empowerment.

Salient features of the package announced are:

A. Enhanced Duty Drawback Coverage – Refund State Levies, Advance Licence Covered – Costs Rs. 5500 crs per Year

- In a first of its kind move, a new scheme will be introduced to refund the state levies which were not refunded so far.
- This move is expected to cost the exchequer Rs 5500 crores but will greatly boost the competitiveness of Indian exports in foreign markets.
- Drawback at All Industries Rate to be given for domestic duty paid inputs even when fabrics are imported under Advance Authorization Scheme

B. Employee Provident Fund Scheme Reforms

- Govt. of India shall bear the entire 12% of the employers' contribution of the Employers Provident Fund Scheme for new employees of garment industry for first 3 years who are earning less than Rs. 15,000 per month.
- At present, 8.33% of employer's contribution is already being provided by Government under Pradhan Mantri Rozgar Protsahan Yojana (PMRPY). Ministry of Textiles shall provide additional 3.67% of the employer's contribution amounting to Rs. 1,170 crores over next 3 years.
- EPF shall be made optional for employees earning less than Rs. 15,000 per month
- This shall leave more money in the hands of the workers and also promote employment in the formal sector.

C. Increasing overtime caps

- Overtime hours for workers not to exceed 8 hours per week in line with ILO norms.

Crude Down to \$45.35

Crude Oil (Indian Basket) from 22 - 28 June 2016

	22 June	23 June	24 June	27 June	28 June
(\$/bbl)	47.51	47.26	46.11	45.43	45.35
(Rs/bbl)	3209.45	3184.15	3135.84	3084.67	3078.74
(Rs/\$)	67.56	67.37	68.01	67.90	67.89

(Previous Trading Day Price)

Source: Ministry of Petroleum & Natural Gas

- This shall lead to increased earnings for the workers

D. Introduction of fixed term employment

- Looking to the seasonal nature of the industry, fixed term employment shall be introduced for the garment sector
- A fixed term workman will be considered at par with permanent workman in terms of working hours, wages, allowances and other statutory dues.

E. Additional incentives under ATUFS only after job creation

- The package breaks new ground in moving from input to outcome based incentives by increasing subsidy under Amended-TUFS from 15% to 25% for the garment sector as a boost to employment generation.
- A unique feature of the scheme will be to disburse the subsidy only after the expected jobs are created.

F. Enhancing scope of Section 80JJAA of Income Tax Act

- Looking at the seasonal nature of garment industry, the provision of 240 days under Section 80JJAA of Income Tax Act would be relaxed to 150 days for garment industry

India Jumps 19 Places in World Bank's Logistics Performance Index

Better performance in logistics will help India become part of the global supply chain, but also help increase trade

India's logistics performance at its key international gateways has improved in the last two years, according to a World Bank report released on Tuesday, 28 June 2016.

In the World Bank's biennial measure of international supply chain efficiency, called Logistics Performance Index, India's ranking has jumped from 54 in 2014 to 35 in 2016.

While Germany tops the 2016 rankings, India is ahead of comparatively advanced economies like Portugal and New Zealand. In 2016, India's international supply chain efficiency was at 75% of top-ranked Germany, said the report titled Connecting to Compete: 2016 Trade Logistics in the Global Economy. This is an improvement over the 66% efficiency when compared to the leader (again Germany) in 2014.

Better performance in logistics will not only boost programmes, such as Make in India, by enabling India to become part of the global supply chain, it can also help increase trade. In 2015-16, India's foreign trade shrank by around 15%.

The Logistics Performance Index analyses countries across six components: efficiency of customs and border management clearance, quality of trade and transport infrastructure, ease of arranging competitively priced shipments, competence and quality of logistics services, ability to track and trace consignments, and the frequency with which shipments reach consignees within scheduled or expected delivery times.

It is computed from the survey responses of about 1,051 logistics industry professionals.

Similarly, India has an average of 5 forms required for import or export, compared to 4.5 for China and 2 for Germany.

Canada Tables E-commerce "Communication" at WTO, Wants Bank Account of Counterfeiters Sealed

At the WTO's Tenth Ministerial Conference in December 2015, ministers agreed to continue the work programme on e-commerce, which was first adopted under the General Council in September 1998.

Discussions on this work programme are conducted under four WTO bodies – the Council for Trade in Services, the Council for Trade in Goods, the TRIPS Council, and the Committee on Trade and Development – with these then reporting back to the General Council.

Along with directing members to continue their work, ministers in Nairobi instructed the WTO General Council to hold periodic reviews of the work programme's progress based on the updates from these bodies, with such reviews scheduled for July and December of this year, as well as July 2017.

In this context, Canada circulated a communication in May proposing that members be allowed "an opportunity to share national experiences and practices on intellectual property and e-commerce issues."

Pursuant to this idea, Canada reportedly described its experience implementing its "Project Chargeback" initiative, which fights the online sale of counterfeit goods by closing counterfeiters' retail accounts in collaboration with credit card companies and banks.

Sources said many members spoke in favour of Canada's suggestion, with Switzerland, the US, Chinese Taipei, and Brazil emphasising the importance of regulating e-commerce, especial-

ly given its growth since it was last considered by the TRIPS Council in 2003.

In particular, the intersection of intellectual property and e-commerce has greatly increased, with many goods and services – such as books, music, pictures, and software – protected by intellectual property rights now traded online. Furthermore, the mechanisms through which e-commerce takes place are often protected by intellectual property rights, such as patents, integrated circuit designs, and trade secrets, among others.

Brazil suggested that one key guideline underlies the overall policy discussion in this area – namely that rights usually protected outside the digital arena should also be protected within it. It was underscored by Brazil "that the territoriality of copyright and related rights, consumer protection, data protection, and the right to privacy must be incorporated in the digital environment."

However, some members reportedly preferred that e-commerce be included on an ad hoc basis, rather than as a standing item, with India reportedly suggesting that the sharing of best practices in e-commerce be done on an exploratory basis.

According to one source, the EU stated that it had a great deal of information to share on the topic of e-commerce and that its own E-Commerce Directive, which was implemented in 2000, has many intellectual property provisions. The EU reportedly also said that it will make a number of proposals this year regarding online infringements of intellectual property rights.



India in MTCR Club, Can Now Export Arms

India on Monday, 27 June 2016 became an official member of the weapons regulatory body – Missile Technology Control Regime (MTCR) – that will enable it to become a global arms exporter while granting it access to sensitive technology.

India's membership at the body was confirmed by the Chairman of the joint Netherlands-Luxembourg Chairmanship of the MTCR Ambassador Piet de Klerk, following which Foreign Secretary S. Jaishankar was handed over the decision.

India formally applied for membership of the group in June 2015 in an effort to integrate itself with the global nuclear energy market. However, the application was rejected by Italy during the MTCR Plenary Meeting in Rotterdam in October last year.

The aim of the MTCR is to restrict the proliferation of missiles, complete rocket systems, unmanned

air vehicles, and related technology for those systems capable of carrying a 500 kg payload at least 300 km, as well as systems intended for the delivery of weapons of mass destruction (WMD). It also stipulates common export policy guidelines and a common list of controlled items.

The MTCR has two categories of items – Category I, the export of which is highly restricted such as UAVs and rockets and Category II, the export of these items is moderately controlled, which includes dual-use technologies such as avionics, propellants and communication systems.

MTCR is one of the four global nuclear export control regimes, including the Nuclear Suppliers Group (NSG), the Wassenaar Agreement and the Australia Group. India has yet to become a member of the NSG, thanks to opposition from China.



US Announces US\$300mn in Payments for Cotton Producers

US cotton producers will receive one-off payments totalling US\$300 million, the US Department of Agriculture announced last week.

The payments will be made under the Cotton Ginning Cost Share Program. Cotton "ginning" is the process by which cotton fiber is separated from the seed.

Farmers will receive a one-time payment based on their 2015 cotton acreage, multiplied by 40 percent of the average ginning cost for each production region. The payments will be made to producers who meet certain requirements, including an adjusted gross income limit of US\$900,000 and a requirement to be actively farming. The payments will be capped at US\$40,000 per producer.

WEEKLY INDEX OF CHANGES

Sunset Review Initiated for Continuation of Anti-dumping on Sewing Machine Needle from China on Altek Needles Request

[Anti-dumping Duty Notification F. No. 15/2016-DGAD dated 10th June 2016]

Sub: Initiation of Sunset Review for investigation of Anti-dumping Duty imposed on imports of Sewing Machine Needle originating in or exported from China PR.

Having regard to the Customs Tariff Act, 1975 as amended in 1995 and thereafter and the Customs Tariff Rules, 1995, as amended from time to time, the Designated Authority recommended imposition of anti-dumping duty on imports of "Sewing Machine Needle", originating in or exported from China PR.

Whereas, The Designated Authority had originally initiated investigations and then recommended imposition of definitive anti dumping duties vide notification No.14/10/2010-DGAD, dated the 6th May, 2011 and Ministry of Finance imposed definitive anti-dumping duty vide notification No. 50/2011-Customs, dated 22nd June, 2011 on all imports of subject goods originating in or exported from China PR.

Whereas, M/s. Altek Beissel Needles Ltd. (hereinafter referred to as petitioner) has filed a petition for initiation of Sunset Review for continuation of Anti-dumping duty on the imports of Sewing Machine Needles or Needles (hereinafter referred to as subject goods) from China PR. The petitioners have provided relevant information in the application. The petition contains prima facie evidence for extension of antidumping duty on the subject goods from subject country.

Product under consideration and Like Article

The product under consideration is Sewing Machine Needles. The scope of the product under consideration includes sewing machine needles meant for both household and industrial purposes in various sizes and point style (normal, ball point, leather point etc.). Sewing Machine Needles are classified under Chapter 84 of Custom Tariff Act under the sub-heading 8452.30. The customs classification is however, indicative only and in no way binding on the scope of the present investigation.

Sewing Machine Needle is fitted into a sewing machine and used for sewing a number of products. Needles are used for a large variety of applications, important among them being sewing of garments, embroidery and leather. Besides, there are a number of other applications such as furnishings, doll making, book sewing, vehicle seat covers etc.

Proposed investigations being review of existing anti dumping duty, the scope of the product under consideration in the proposed investigation shall remain the same as the scope of the product under consideration in the final findings earlier notified. Petitioners have submitted that there is no known difference in subject goods exported from subject country and that produced by the Indian industry. Both the products have comparable characteristics in terms of parameters such as physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification, etc. The petition filed is for the review, continuation and enhancement of the quantum of anti dumping duty in force, and the

issue of like article has already been dealt with in the original investigation. Further, the Authority has already held in the original investigation that the subject goods produced by the domestic industry are like article to the subject goods imported from the subject country.

Domestic Industry & Standing

The petition is being filed by M/s Altek Beissel Ltd., Kelambakkam. Other known producer, M/s. TVS Sewing Needles Limited suspended operations long back. M/s. Schmetz India Private Ltd. and M/s. Groz Beckert Asia Private Ltd. are also producers of Sewing Machine Needles. Petitioner has submitted that the production of the abovementioned companies should not be included in Indian production for the purpose of calculation of standing and these companies should be excluded from the scope of "Domestic manufacturers" since these companies are exporting their entire production to their German parent company.

Thus, the petitioner accounts for 100% share of Indian production. Petitioner has submitted that they have not imported the product under consideration from the subject country during the proposed POI. In view of the above, it is seen that the petitioner satisfies the standing and constitutes "Domestic Industry" within the meaning of the Anti Dumping Rules.

Initiation of Sunset Review

WHEREAS, in view of the duly substantiated application filed and in accordance with Section 9 A (5) of the Act, read with Rule 23 of the Anti-dumping Rules, the Authority hereby initiates a Sunset review investigation to examine whether the expiry of such duty is likely to lead to continuation or recurrence of dumping and injury to the domestic industry.

Period of Investigation

The period of investigation (POI) is January 2015 – December 2015 (12 months) for the purpose of present investigation. The injury in-

PVC Paste Resin Anti-dumping duty to Continue for Five More Years in Review

China, EU Still in Net, Russia, LG Chemicals and HCC from Korea Out

Ntfn 27-ADD Whereas, the designated 23.06.2016 authority vide notification No. (DoR) 15/19/2014-DGAD, dated the 27th April, 2015, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 27th April, 2015, had initiated a review, in terms of sub-section (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), and in pursuance of 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 "Poly Vinyl Chloride Paste Resin" (hereinafter referred to as

India Extends Ban on Milk and Milk Products from China for One More Year



Effect of this Notification:

Prohibition on import of milk and milk products (including chocolates and chocolate products and candies/ confectionary/ food preparations with milk or milk solids as an ingredient) from China is extended for one more year, i.e., till 23.6.2017 or until further orders, whichever is earlier.

Subject: - Prohibition on import of milk and milk products from China.

12-Ntfn In exercise of powers conferred 24.06.2016 by Section 3 of FT (D&R) Act, (DGFT) 1992, read with paragraph 1.02 and 2.01 of the Foreign

Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby, makes the following amendment in ITC (HS) 2012, Schedule 1 (Import Policy):

2. The prohibition on import of milk and milk products (including chocolates and chocolate products and candies/ confectionary/ food preparations with milk or milk solids as an ingredient) from China is effective till 23/06/16 as per the Notification No. 12/2015-2020 dated 24/06/2015.

3. The matter has been reviewed and the prohibition on import of milk and milk products, as mentioned in paragraph 2 above, from China is extended for one more year, i.e., till 23.6.2017 or until further orders, whichever is earlier.

vestigation period will however cover the periods April 2012-March 2013, April 2013-March 2014, April 2014 - March 2015 and the POI. The data beyond POI may also be examined to determine the likelihood of dumping and injury.

Procedure

The present sunset review covers all aspects of the final findings of the original investigation published vide Notification No. 14/10/2010-DGAD dated the 6th May, 2011 (final findings of the original investigation).

The provisions of Rules 6, 7, 8, 9, 10, 11, 16, 17, 18, 19 and 20 of the Rules supra shall be mutatis mutandis applicable in this review.

[Full text available at worldtradescanner.com]

Part II, Section 3, Sub-section (i) vide number G.S.R. 553(E), dated the 25th June, 2010; And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in, or exported from, the aforesaid countries, upto and inclusive of the 25th day of July, 2016 and 24th day of June, 2016 respectively, vide notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 25/2015-Customs(ADD), dated the 1st June, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R 443 (E), dated the 1st June, 2015 and vide notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 26/2015-Customs(ADD), dated

the 1st June, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R 444(E), dated the 1st June, 2015;

And whereas, in the matter of review of anti-dumping duty on import of the subject goods, originating in or exported from the aforesaid countries (hereinafter referred to as the subject countries), the Designated Authority in its final findings published vide notification No. 15/19/2014-DGAD, dated the 26th April, 2016, in the Gazette of India, Extraordinary, Part I, Section 1, dated the 26th April, 2016, has come to the conclusion that,-

(a) there is continued dumping of the product concerned from the subject countries except Russia, and M/s LG Chemicals and M/s HCC from

Korea RP, both in absolute terms and in relation to production/consumption in India causing injury to the domestic industry;

(b) imports are significantly undercutting the prices of the domestic industry, and are suppressing and depressing the domestic prices.

(c) dumping of the product under consideration from the subject countries except Russia, and M/s LG Chemicals and M/s HCC from Korea RP is likely to continue/intensify should the current antidumping duty be revoked,

and has recommended continued imposition of the following definitive anti-dumping duty on all imports of the subject goods, originating in, or exported, from the subject countries;

Table

SNo.	Heading	Description of goods (*)	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	3904	Poly Vinyl Chloride Paste Resin	Korea RP	Korea RP	Hanwha Chemical Corporation	Hanwha Chemical Corporation	0	MT	US Dollar
2.	3904	-do-	Korea RP	Korea RP	M/s LG Chem Ltd.	M/s LG Chem Ltd.	0	MT	US Dollar
3.	3904	-do-	Korea RP	Korea RP	Any other than	Sl. No. 1 & 2	379	MT	US Dollar
4.	3904	-do-	Korea RP	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Any	Any	379	MT	US Dollar
5.	3904	-do-	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Korea RP	Any	Any	379	MT	US Dollar
6.	3904	-do-	China PR	China PR	Any	Any	88	MT	US Dollar
7.	3904	-do-	China PR	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Any	Any	88	MT	US Dollar
8.	3904	-do-	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	China PR	Any	Any	88	MT	US Dollar
9.	3904	-do-	Malaysia	Malaysia	Any	Any	214	MT	US Dollar
10.	3904	-do-	Malaysia	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Any	Any	214	MT	US Dollar
11.	3904	-do-	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Malaysia	Any	Any	214	MT	US Dollar
12.	3904	-do-	Taiwan	Taiwan	Any	Any	101	MT	US Dollar
13.	3904	-do-	Taiwan	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Any	Any	101	MT	US Dollar
14.	3904	-do-	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Taiwan	Any	Any	101	MT	US Dollar
15.	3904	-do-	Thailand	Thailand	Any	Any	111	MT	US Dollar
16.	3904	-do-	Thailand	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Any	Any	111	MT	US Dollar
17.	3904	-do-	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Thailand	Any	Any	111	MT	US Dollar
18.	3904	-do-	European Union	European Union	Any	Any	298	MT	US Dollar
19.	3904	-do-	European Union	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	Any	Any	298	MT	US Dollar
20.	3904	-do-	Any country other than the subject countries and countries attracting Anti-Dumping Duty under any other notification	European Union	Any	Any	298	MT	US Dollar

* Note: The following shall be excluded from the scope of levy of the above anti-dumping duty:

- (i) Blending resin;
- (ii) Co-polymers of PVC paste resin;
- (iii) Battery separator resin; and
- (iv) PVC Paste Resin of K value below 60

2. The anti-dumping duty imposed under this notification shall be levied for a period of five years from the date of publication of this notification in the Official Gazette and shall be payable in Indian currency.

Explanation.- For the purposes of this notification,

Duty Drawback Rates Hiked on Gold (Rs. 252.39/gm) and Silver (Rs. 3285.40/kg) Jewellery

The government raised duty refund rates on gold and silver jewellery to Rs 252.30 per gram and Rs 3285.40 per kg, respectively on 24 June.

"Central government raises the AIR (All India Rates) duty drawback on export of silver jewellery and articles from Rs 2,790 to Rs 3285.40 per kg," Central Board of Excise and Customs (CBEC) said in a tweet.

Subject: Increase in All Industry Rates (AIR) of Duty Drawback on gold jewellery and silver jewellery/ articles.

30-CBEC The Government has amended
24.06.2016 the AIR Drawback Notification
(DoR) No. 110/2015-Cus (N.T.) dated
16.11.2015 vide Notification No.
90/2016-Customs (N.T.) dated 24.06.2016 which
may be downloaded and perused
from www.cbec.gov.in.

2. This amendment has raised, with effect from 24.06.2016, the specific AIRs of Drawback for export of gold jewellery, silver jewellery and silver articles under tariff item numbers 711301, 711302 and 711401, respectively, and specified additional conditions when the AIRs on these items shall not be applicable. Accordingly, it will be necessary for the exporter claiming these AIRs to make a declaration at the time of export.

3. The declaration shall be that the goods on which AIR of drawback is claimed under tariff item numbers 711301, 711302 or 711401 are



Notification Text

90-Cus(NT) In exercise of the powers
24.06.2016 conferred by sub-section (2) of
(DoR) section 75 of the Customs Act,
1962 (52 of 1962), sub-section
(2) of section 37 of the Central Excise Act, 1944
(1 of 1944), and section 93A read with sub-section
(2) of section 94 of the Finance Act, 1994 (32 of
1994), read with rules 3 and 4 of the Customs,
Central Excise Duties and Service Tax Drawback
Rules, 1995, the Central Government, hereby
makes the following further amendments in the
notification of the Government of India in the
Ministry of Finance (Department of Revenue),
No.110/2015-Customs (N.T.), dated the 16th
November, 2015, published vide number G.S.R.
861 (E), dated the 16th November, 2015, namely:-
In the said notification,-

(a) in the Notes and conditions, after paragraph (24), the following paragraph shall be inserted,

711301	Articles of jewellery and parts thereof, made of gold	Gms	Rs. 252.30 per gram of net gold content (.995 or more purity) in the jewellery	Rs. 252.30 per gram of net gold content (.995 or more purity) in the jewellery
711302	Articles of jewellery and parts thereof, made of silver	Kg	Rs. 3285.40 per kg of net silver content (.999 purity) in the jewellery	Rs. 3285.40 per kg of net silver content (.999 purity) in the Jewellery
711399	Others	Nil	Nil	”;

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

[F. No. 354/92/2015-TRU]

manufactured or exported without availing CEN-VAT facility for any of the inputs or input services used in their manufacture and without availing the rebate of duty paid on materials used in their manufacture or processing in terms of rule 18 of the Central Excise Rules, 2002 and are not manufactured or exported in terms of sub-rule (2) of rule 19 of the said Central Excise Rules, 2002.

4. Wherever these revised AIRs of tariff item numbers 711301, 711302 or 711401 are claimed the availability of this declaration shall be ensured and recorded at the Let Export Order stage by the Customs officer.

5. Suitable public notices/standing orders are to be immediately issued for guidance of the Trade/field formations. Difficulties faced, if any, in implementation of the changes may be brought to the notice of the Board.

namely:-

“(24A) Notwithstanding anything contained in paragraph (7) above, the drawback rate specified in the said Schedule against tariff items 711301, 711302 and 711401 shall not be applicable to goods manufactured or exported availing CEN-VAT facility for any of the inputs or input services used in their manufacture or availing the rebate of duty paid on materials used in their manufacture or processing in terms of rule 18 of the Central Excise Rules, 2002 or manufactured or exported in terms of sub-rule (2) of rule 19 of the said Central Excise Rules, and the exporter claiming the drawback rate against said tariff items shall make appropriate declaration at the time of export.”;

(b) in the Schedule, in Chapter-71,-

(i) under heading 7113, for tariff items and the entries relating thereto, the following tariff items and entries shall be substituted, namely :-

DGFT Releases 10,293 MT Sugar Quota for USA under TRQ upto 30 Sept 2016

Effect of this Public Notice: Additional quantity of 1,146 MTs (One Thousand One Hundred and Forty Six metric tons) of raw cane sugar to be exported to USA under TRQ upto 30.09.2016 has been notified.

Subject: Allocation of additional quantity for export of sugar to USA under Tariff Rate Quota (TRQ).

18-PN In exercise of the powers
22.06.2016 conferred under Paragraphs
(DGFT) 2.04 of the Foreign Trade Policy,
2015-2020, the Director General
of Foreign Trade hereby allocates an additional quantity of 1,146 MTs (One Thousand One Hundred and Forty Six metric tons) raw cane sugar (at 98 degree pol), out of non-levy (Free Sale) quota for export under Tariff Rate Quota (TRQ) to USA for the US fiscal year 2016 (October 1, 2015 to September 30, 2016). With this additional allocation, quantity for export of sugar to USA under TRQ during US fiscal year 2016 would be as under:

Public Notice No. & Date	Quantity of sugar allocated (MT)
PN No. 41 dated 13.10.2015	8,424
PN No. 66 dated 21.03.2016	723
PN No. 18 dated 22.06.2016	1,146
Total	10,293

2. Export of sugar (HS Code 17010000) to USA under TRQ is 'Free' subject to the conditions notified in the 'Nature of Restrictions' in Notification No. 3/2015-20 dated 20.04.2015. The reporting requirement as specified in the said Notification would be required to be followed.

3. Certificate of Origin, if required, for export of preferential sugar to USA, shall be issued by Additional Director General of Foreign Trade, Mumbai. Other certification requirement, if any, prescribed specifically for export of sugar to USA would continue to be followed.

Single Window Project – Customs Officers Refer Consignments to FSSAI on Manual Mode – Online System Fails

[CBEC Circular FNo. 450/145/2015-Cus-IV dated 15th June 2016]

Subject: Single Window Project - Referral of imported consignments to PGAs.

Kind reference is invited to Board's Circular No. 03/2016 dated 03.02.2016 and Circular No. 10/2016 dated 15.03.2016 regarding the Indian Customs Single Window. Board has operationalised the 'Indian Customs Single Window Project' to facilitate trade from 01st April 2016 at all EDI locations throughout India. As a result the importers and exporters electronically lodge their Customs clearance documents at a single point only with the Customs. The required permission, if any, from Partner Government Agencies (PGAs) such as Animal Quarantine, Plant Quarantine, Drug Controller, Food Safety and Standards Authority of India, Textile Committee etc. is obtained online without the importer/exporter having to separately approach these agencies. The Single Window (SWIFT) thus provides the importers/exporters a single point interface for clearance of import and export goods thereby reducing dwell time

(ii) under heading 7114, for tariff items and the entries relating thereto, the following tariff items and entries shall be substituted, namely :-

"711401	Articles made of silver	Kg	Rs. 3285.40 per kg of net silver content (.999 purity) in the article	Rs. 3285.40 per kg of net silver content (.999 purity) in the Article
711499	Others	Nil	Nil	"

[F. No. 609/35/2016-DBK]

and cost of doing business.

2. Under SWIFT, upon filing of the Integrated Declaration, the bill of entry is automatically referred to concerned agency(ies). The system automatically identifies import goods that require clearance by the Participating Government Agency (PGAs). Such selection is also risk based. There are still some cases noticed where the items are referred incorrectly to PGAs or not automatically referred in some cases that deserve to be referred. To identify such cases and to rectify the problems, the Board has created a Working Group comprising representatives of PGAs and major Custom Houses. It may be noted that Compulsory Compliance Requirements (CCRs) have not been taken off from ICES. CCRs continue to be printed as part of the Bill of Entry so that officers can identify consignments that prima facie require PGA clearance but for some reason are not being routed by the system.

3. Presently cases that are referred by officers manually to PGA for obtaining their No Objection Certificate (NCC) are not recorded in the system, leaving no record of the PGA clearance in the system. All such cases would provide important information to the Single Window project team and the Risk Management Division in fine-tuning the automated routing process in the Single Window.

4. This problem is being felt acutely in the case of Food Safety & Standards Authority of India (FSSAI), which has discontinued the facility on its Food Import Clearance System (FICS) to directly receive online applications for NCC. Henceforth, FSSAI would only receive data from the Integrated Declaration of Single Window via ICEGATE. FSSAI further seeks not to entertain manual requests for NCC except in rare cases. In this context, FSSAI has recently raised the

problem with the Board regarding the large number of manual references being made to their officers for issuance of NOC. Of course, Customs officers refer consignments to FSSAI manually when it is noticed that the system has failed to refer them to FSSAI online.

5. The Single Window project team and the Risk Management Division should promptly receive information in respect of all such consignments where Customs officers have manually referred for PGA clearances. This would help in closing gaps, if any, in the routing mechanism in the Single Window. At the same time, careful thought has to be given before referring consignments manually to PGAs. Therefore, it has been decided that for all consignments referred manually to PGAs:

(a) The Superintendent/Appraiser should record reason as to why the item is being referred to the PGA manually and only with the approval of the concerned Assistant Commissioner/Deputy Commissioner forward the bill of entry manually for PGANOC, with the endorsement of AC/DC.

(b) The concerned Assistant Commissioner/Deputy Commissioner should convey by email to Commissioner (Single Window) on a weekly basis the details of all such Bills of Entry along with reasons why they were referred to the PGA.

(c) All such cases will be discussed in the Working Group established by the Board to streamline automated routing, and decisions taken in the Working Group will be implemented in the System.

6. Any issue faced by field formations pertaining to above issues may kindly be referred to the undersigned.

[F.No.450/145/2015-Cus-IV]

Additional Quota of 25% of Rough Marble Allowed to Authorisation Holders, but Import before 30 Sept 2016 Must

Effect of this Notification: Additional quota of 25% (of the quota released last year) of Rough Marble and Travertine Blocks have been allowed to authorisation holders as an interim measure to be imported by 30th September, 2016.

Subject: Additional quota of 2 lakh MT for import of Rough Marble & Travertine Blocks to authorisation holders under Trade Notice No. 12/2014 dated 8/1/2015.

11-Ntfn In exercise of powers conferred by Section 3 of FT(D&R) Act, 1992 (read with paragraphs 1.02, 2.01 and 2.04 of the

Foreign Trade Policy, 2015-20, as amended from time to time the Director General of Foreign Trade hereby allows revalidation of the import authorisations issued under Trade Notice No. 12/2014 dated 8/1/2015 upto 30th September 2016 with increase in 25% import quantity (on each such import authorisation) of

Rough Marble and Travertine Blocks without any change in terms and conditions of the authorisation as an interim measure till the revised Marble Import Policy is notified. A Trade Notice indicating the quantity to be enhanced in respect of each

authorisation holder is being issued separately.

2. The import authorisation holders who have been issued import authorisation under Trade Notice No. 12/2014 dated 8/1/2015 should apply to the concerned Regional Authority of DGFT by 15th July 2016 for revalidation and amendment of authorisation in Appendix 4D along with the prescribed fees. The Regional Authority shall amend the import authorisation by increasing the import quantity by 25% within ten days of receipt of the application and revalidate the authorisation up to 30th September, 2016.

3. The validity of import authorisation with additional quota shall not be extended beyond 30th September 2016.



DGFT Releases Additional 2 Lakh MT of Marble Quota

Classic Marble and RK Marble get 10000 MT Plus Quota

Subject: Additional quota of 2 lakh MT for import of Rough Marble & Travertine Blocks to authorisation holders in terms of Notification No. 11 dated 21/6/2016.

09-TN In terms of Notification No. 11 21.06.2016 dated 21/6/2016, revalidation (DGFT) of import authorisations issued under Trade Notice No. 12

dated 8/1/2015 has been allowed with 25% increase in import quantity of Rough Marble & Travertine Blocks. The list of 472 import authorisation holders and the quantity to be increased in respect of each of authorisation holder is attached as Annexure to this Trade Notice.

2. In case, any authorisation holder is found to have submitted false or erroneous information or has made any mis-declaration / misrepresentation, such applicant/firm, (a) shall forfeit the allocation made in this Trade Notice, (b) shall be debarred from allocation of Rough Marble and Travertine Blocks in future and (c) shall be liable for penal action under the provisions of Foreign Trade (D&R) Act, 1992, as amended.

3. Authorisation holders shall file monthly returns regarding imports made by them, to the concerned Regional Authority of DGFT by the 15th of each succeeding month in which revalidation is obtained (for example, if revalidation is obtained on 9th July, the authorisation holder will file monthly return for imports made in July by 15th of August) and for each month thereafter by the 15th day.

[List of 472 applicants with quantity allocated is available at worldtradesanner.com]

EU Clinches Political Deal to Curb Conflict Minerals Trade

EU officials last week struck a political compromise on a new framework geared towards preventing human rights abuses and the financing of armed groups through trade in tin, tantalum, tungsten, and gold, also known as "conflict minerals."

The deal envisages obligations for direct importers of these metals and minerals to source responsibly and undertake due diligence. Voluntary reporting and transparency tools for companies further down the supply chain that use such inputs will also be developed.

The EU represents one of the world's largest markets for the sensitive minerals set to be covered by the framework, importing around 25 percent of global trade in tin, tantalum, and tungsten, and about 15 percent of gold.

These four minerals and metals are commonly used as components in a number of everyday products, ranging from mobile phones, laptops, and jewellery, to cars and lightbulbs.

Heated debate

Ahead of the compromise, debate flared among lawmakers and stakeholders alike on the appropriate assignment of sourcing responsibility along supply chains, as well as around the binding nature of obligations.

[Full text available at worldtradesanner.com]

European Option Contracts Allowed to Exporters and Importers

Sub: Permitting writing of options against contracted exposures by Indian Residents.

AP(DIR Srs) Attention of Authorised Dealer
Cir.78 Category - I (AD Cat - I) banks
23.06.2016 is invited to Foreign Exchange
(RBI) Management (Foreign Exchange
Derivative Contracts) Regula-
tions, 2000 dated May 3, 2000 (Notification
No. FEMA/25/RB-2000 dated May 3, 2000)
as amended from time to time and A.P. (DIR
Series) circular no. 32 dated December 28,
2010 - Comprehensive Guidelines on Over the
Counter (OTC) Foreign Exchange Derivatives
and Overseas Hedging of Commodity Price and
Freight Risks, as amended from time to time.
Attention is also invited to Reserve Bank circular
No. DBOD.No.BP.BC. 86/21.04.157/2006-07
dated April 20, 2007 on Comprehensive Guide-
lines on Derivatives as well as the modifications
issued through circular No. DBOD.No.BP.BC.
44/21.04.157/2011-12 dated November 2, 2011.
2. As announced in the Bi-Monthly Monetary
Policy Statement on April 7, 2015, in order to
encourage participation in the Over the Counter
(OTC) currency options market and improve its
liquidity, it has been decided to permit resident
exporters and importers of goods and services to
write (sell) standalone plain vanilla European call

and put option contracts against their contracted
exposure, i.e. covered call and covered put re-
spectively, to any AD Cat-I bank in India subject
to operational guidelines, terms and conditions
given in Annex I to this circular.

3. Necessary amendments (Notification No.
FEMA 365/2016-RB dated June 1, 2016) to For-
eign Exchange Management (Foreign Exchange
Derivatives Contracts) Regulations, 2000 (Notifi-
cation No. FEMA.25/RB-2000 dated May 3, 2000)
(Regulations) have been notified in the Official
Gazette vide G.S.R. No. 571 (E) dated June 1st,
2016, a copy of which is enclosed (Annex II).

4. AD Cat-I banks may bring the contents of this
circular to the notice of their constituents and
customers.

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

6. These guidelines will be reviewed after one
year based on experience.

**[Annexures to this Circular are available at
www.worldtradesScanner.com]**

Board for 80% Refund to Service Exporters after CA Certificate

Subject: Speedy disbursement of pending refund claims of exporters of services under rule 5 of the CENVAT Credit Rules, 2004.

195-ST I am directed to refer to Board's
15.06.2016 circular No. 187/6/2015-Service
(DoR) Tax dated 10th November, 2015
on the above subject and to

inform that in the light of some represen-
tations received in this context from ac-
counting bodies, industry associations and
others, the following points are clarified.

2.0 Applicability of the scheme

2.1 At the outset it is reiterated that this scheme
is not a substitute for the various notifications but
is meant to complement them and is aimed at
enabling ease of doing business. It has to operate
within the general parameters of the notifications
governing such refunds.

2.2 This scheme is applicable only to service
tax registrants who are exporters of services,
with respect to refund claims under rule 5 of the
CENVAT Credit Rules, 2004, which have been
filed on or before 31-3-2015, and which have not
been disposed of as on the date of the issue of
the circular dated 10-11-2015. As clarified therein,
claims which have been remanded are out of the
purview of this scheme.

3.0 Additional documents to be submitted (i.e. in addition to those required to be filed along with the claim)

3.1 At the outset, the relevance of the certificate
has to be clearly understood. It is not a substitute
for verification by the refund sanctioning authority.
It will ensure diligence on the part of the claimant
and the statutory auditor, which will make him
eligible for a provisional payment of 80% of the
claimed amount. It had been clarified in the circular
that the decision to grant provisional payment is
an administrative order and not a quasi-judicial
order and should not be subjected to review. There
is thus no reason to treat either the certificate or
the provisional payment with fear or suspicion.

3.2 The certificate has to be furnished by the stat-

utory auditor in the case of companies, and from
a chartered accountant in the case of assessees
who are not companies, in the prescribed format.
The phrase "statutory auditor" will refer to the
auditor who prepares the financial statements
under the Companies Act 2013. The certificate
cannot be furnished by a Cost and Management
Accountant or a Company Secretary. In the case
of companies, it cannot be furnished by a Char-
tered Accountant who is not the statutory auditor.

3.3 The certificate has to be given in the format
given in Annexure-1 to the circular dated 10-11-
2015. During the conference of Service Tax Chief
Commissioners and Commissioners in November
2015 itself, it had been clarified that "the aver-
ments in Annexure-1 have to be made and any
general additional remarks, which do not negate
the wording of paragraphs 1.1 to 1.4, may be
ignored." In spite of this it has been reported that
general disclaimers by the auditor are resulting in
the rejection of the certificate and consequently
the claim for 80% provisional payment.

3.4 It must be understood that auditors while dis-
charging their duties are bound by the provisions
of the statute governing them as well as Guidance
Notes, Accounting Standards etc relating to their
profession. The Institute of Chartered Accountants
of India has issued Guidance Notes on reports and
certificates issued by auditors. These Guidance
Notes relate to situations where the auditor has
freedom with respect to the wording of a certificate
as well as to situations where he has to adhere to
a prescribed format. In both situations the auditor
has to indicate the manner in which the audit was
done, assumptions, limitations in scope and refer-
ence to information and explanations obtained
in the certificate. Adherence of the auditors to
these requirements should not be considered to
be violations of the circular. If at all, by mentioning
that they have adhered to the various legal and

Service Tax Exempted on Transportation of Goods by Vessels from Outside India upto Indian Customs Stations

• Invoices should be made by 31 May 2016

36-ST In exercise of the powers
23.06.2016 conferred by sub-section (1)
(DoR) of section 93 of the Finance
Act, 1994 (32 of 1994), the

Central Government, being satisfied that it
is necessary in the public interest so to do,
hereby exempts the taxable services by way
of transportation of goods by a vessel from
outside India upto the customs station in India
with respect to which the invoice for the service
has been issued on or before the 31st May,
2016, from the whole of service tax leviable
thereon, subject to the condition that the im-
port manifest or import report required to be
delivered under section 30 of the Customs Act,
1962 (52 of 1962) has been delivered on or
before the 31st May, 2016 and the service pro-
vider or recipient produces Customs certified
copy of such import manifest or import report.

[F.No. B-1/21/2016 - TRU]

No KKC on Invoices Issued for Services by 31 May 2016

35-ST In exercise of the powers
23.06.2016 conferred by sub-section (1)
(DGFT) of section 93 of the Finance
Act, 1994 (32 of 1994), read with
sub-section (5) of section 161 of the Finance
Act, 2016 (28 of 2016), the Central Govern-
ment, being satisfied that it is necessary in
the public interest so to do, hereby exempts
taxable services with respect to which the
invoice for the service has been issued on or
before the 31st May, 2016, from the whole of
Krishi Kalyan Cess leviable thereon, subject to
condition that the provision of service has been
completed on or before the 31st May, 2016.

[F.No. B-1/21/2016-TRU]

accounting requirements, they are adding value
to their certificate. It is clarified once again that
as long as the four points which are contained in
Annexure-1 to the circular dated 10-11-2015 are
present, the certificate should not be rejected on
the ground of any disclaimers which the auditor
has to give, owing to the Guidance Notes.

4.0 Principal Chief Commissioners/Chief Com-
missioners should ensure that the contents of this
circular are brought to the notice of the claimants
as well as the departmental officers.

F. No. 137/62/2015-Service Tax

J.K. Tyres Exports of Radial Tyres through New Mangalore Port

M/s. J.K. Tyres, Mysore, commenced exports
of tyres through New Mangalore Port. The
Port witnessed a landmark achievement on
account of the aggressive business pro-motion
drive initiated by the Port Administration.

The first consignment of trial shipment of 40 High
Cube container was exported from Mangalore.
The container was factory stuffed at Mysore
and shipped on vessel M.V. TIGER GOMAN on
18-6-2016.

Colombia Loses Compound Tariff Case at WTO Appellate Body Plea of Curbing Illicit Trade and Money Laundering Not Allowed

The WTO's highest court has said that a Colombian compound tariff on imports of textiles, apparel, and footwear is inconsistent with global trade rules, despite reversing some of an earlier panel's (DS461) findings.

The Colombian compound tariff has been in place since 2013, with the tariff made up of a combination of 10 percent of the import price as well as a "specific component," the latter of which varies according to the import price and customs classification.

The dispute began three years ago, when Panama filed its consultations request at the WTO in June 2013. At the time, Panama argued that the compound tariff violated Article II of the General Agreement on Tariffs and Trade (GATT) and Colombia's goods schedule.

A panel was established in September 2013 to hear the case, and last November ruled largely in favour of Panama's claims. Two months later, Colombia appealed certain legal aspects of the panel report.

Tackling money laundering, crime

The case had brought forward the issue of illicit financial flows and how to design measures aimed at reducing them without running afoul

of WTO rules, given that Colombia has argued throughout the proceedings that this compound tariff was meant to address the problem of money laundering.

Specifically, Bogotá suggested that the affected imports can be the product of "illicit trade," brought across its borders at "artificially low prices" as part of a scheme to launder money which, in turn, helps fuel drug trafficking and armed conflict domestically.

GATT Article II and illicit trade

When defending its compound tariff to the earlier dispute panel, Colombia claimed that GATT Article II does not apply to "illicit trade," which its compound tariff purportedly meant to address.

According to GATT Article II, WTO members must grant the trade of fellow members with "treatment no less favourable" than what has been agreed under its goods schedule. This requires, among other provisions, the application of ordinary customs duties not greater than those provided in such schedules.

Last November, the panel found it unnecessary to decide whether GATT Article II applies to "illicit trade," concluding that the compound tariff is still greater than the ceilings Colombia agreed to under its goods schedule.



The Appellate Body said that "illicit trade" should indeed be covered by that GATT provision. According to their ruling, the earlier panel's finding that the compound tariff did not solely cover the alleged illicit trade implied that the measure could still apply to "illicit trade," and therefore a legal interpretation on the relationship between Article II and "illicit trade" should have been made by the panel.

The Appellate Body nonetheless rejected Colombia's argument, finding that the scope of that GATT provision is not "qualified in respect of the nature or type of imports, or the reason or function of the transaction, in a manner that excludes what Colombia considers to be illicit trade" from the requirements to fulfil the bound tariff commitment.

The WTO judges added that legitimate policy objectives – including those aimed at tackling money laundering – should be considered through the GATT's "general exceptions."

Ultimately, the Appellate Body sided with the panel and found that the compound tariff exceeds Colombia's tariff ceilings.

RCEP Countries Conclude Auckland Round, All 10 including India Submit Offers

Negotiators meeting in Auckland, New Zealand, last week continued their efforts to finalise talks this year for a Regional Comprehensive Economic Partnership (RCEP), a 16-country trade and investment deal in the Asia-Pacific region.

However, the pace of the talks to date have led some observers to speculate that this process could drag on past the end-2016 target.

[Full text available at worldtradesScanner.com]

Customs Valuation Exchange Rates

17 June 2016	Imports	Exports
Schedule I [Rate of exchange of one unit of foreign currency equipment to Indian Rupees]		
1 Australian Dollar	50.55	48.75
2 Bahrain Dinar	184.50	172.20
3 Canadian Dollar	52.75	51.15
4 Danish Kroner	10.35	10.00
5 EURO	76.90	74.30
6 Hong Kong Dollar	8.75	8.55
7 Kuwaiti Dinar	230.50	215.70
8 New Zealand Dollar	48.50	46.60
9 Norwegian Kroner	8.25	7.95
10 Pound Sterling	96.95	93.90
11 Singapore Dollar	50.50	48.95
12 South African Rand	4.80*	4.45*
13 South Arabian Riyal	18.50	17.35
14 Swedish Kroner	8.25	7.95
15 Swiss Franc	71.25	68.75
16 UAE Dirham	18.90	17.70
17 U.S. Dollar	68.05	66.35
18 Chinese Yuan	10.40	10.05
Schedule II [Rate of exchange of 100 units of foreign currency equivalent to Indian rupees]		
1 Japanese Yen	69.10**	66.85**
2 Kenyan Shilling	68.60	64.15

*w.e.f. 23.06.2016, **w.e.f. 24.06.2016
(Source: Customs Notification 87(NT)/16.06.2016)

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*See details in www.worldtradesScanner.com