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## PM Singh in Dhaka on 6 September

- Discord on Transit Trade to North East and Water Sharing
- Border Haats Launched to Regularise Informal Trade
- Citizenship Rights for 111+50 Enclaves Trapped in Others Territories

The Indian Prime Minister, Manmohan Singh, will be in Dhaka on September 6, as part of a two-day official visit to Bangladesh, to cement the historic ties that were initiated by his Bangladeshi counterpart, Sheikh Hasina, during her visit to New Delhi in January 2010. Five Chief Ministers of neighbouring states including West Bengal will accompany the PM.

South Asia has been a tense region since the Partition of India. The prolonged Kashmir dispute has had an adverse impact. The war in Afghanistan and the growing instability in Pakistan make the region more volatile. Therefore, moves to bring people closer need to be welcomed. India and Bangladesh cannot afford to miss the historic opportunity to be part of a new future.

The Bangladesh Nationalist Party, main Opposition, traditionally opposed to India-related issues, BNP's party chairperson, Khaleda Zia, has demanded that all deals, including those on transit and water-sharing, be made public first.

Sheikh Hasina visited New Delhi some 18 months ago. She represents the liberal force moving away from the fundamentalist Military - Kheleda Zia combine. The essence of the new awakening is to promote peaceful shared progress. The two countries share a geographical proximity of 4,156 km, cultural and historic bonding.

Water-sharing from rivers Teesta and Feni, should figure prominently in the discussions. Farakha Barrage is a sore point with Bangladesh it claims that the barrage takes away some 40,000 cu.ft per second of water to India in the first six months of the dry season every year.

Lands in adverse possession and the problem of enclaves, including the demarcation of 6.5 km of land boundary, may find conclusion.

The two countries recently signed the boundary strip maps to settle disputes along the border. The cross-border trade has got a boost with the opening of new land ports and building of a new immigration building and truck terminal at India's Petrapole port bordering West Bengal. The border haats notified recently are an attempt to regularise informal trade which is two times the formal trade.

For the first time after 1947, the two countries, during Dr. Singh's visit, may decide the fate of 111 Indian and 51 Bangladeshi enclaves, where people have been living virtually

as non-state citizens for decades. The opening of 'Border Haats' is another pragmatic step that will benefit the poor along the borders. A 24-hour access to inhabitants of Bangladesh's Dahagram and Angorpota enclaves, fulfilling the Indira-Mujib land boundary agreement of 1974.

### Transit issue for India with access to North East through Bangladesh

Transit between the two countries has existed since 1947 but implementation is faulty. Transit through Bangladesh resumed through the Indira-Mujib treaty. While rail and waterways are the first priority for transit, Bangladesh must develop its roads to open up the land transit, and also determine a fee for the facility. On the other hand, the transit is not bilateral – it is a regional arrangement involving India, Nepal and Bhutan.

India and Bangladesh have witnessed a flurry of high-profile visits in recent months. Indian External Affairs Minister, Home Minister, Commerce Minister and National Security Adviser visited

Dhaka, while New Delhi received Bangladesh Foreign Minister and Economic Affairs Adviser. Implementation of the 51-point joint communiqué, issued during Sheikh Hasina's visit in 2010 was the main agenda.

Projects under the \$1 billion LOC from India, to be spent mainly on roads and the railway sector, are high priority. Grid connectivity, supply of up to 500 MW of power from India, including 250 MW at a preferential rate will be discussed. Bangladesh's request to set up a high technology joint venture thermal power plant of 1320 MW capacity may be wrapped up.

Bangladesh has also asked for a water-sharing deal that covers all 54 common rivers.

BSF atrocities on Bangladesh intruders is yet another issue, India has ordered a halt on BSF excesses but the ceasefire may not last long since Muslim fundamentalist forces are also at work. India has done a lot of work in the border region to mark the Border line. Religious schools (Madrassa) have been registered by the State governments.

Dr. Singh's will be a bilateral visit to Bangladesh in 12 years since Atal Bihari Vajpayee came to Dhaka to inaugurate the Dhaka-Kolkata bus service in 1999.



## RBI Ups the Bar for FDI in Banks



India's central bank recommended tougher capital rules for new lenders and mandatory share sales within two years as conditions for issuing new licenses for the first time in seven years.

New lenders will also have to open at least one in four branches in rural areas that have a population of no more than 9,999 people, the Reserve Bank of India said in draft guidelines posted on its website on 28 August. The banks may need to meet a minimum capital requirement of 5 billion rupees (\$109 million), more than double the requirement for banks in 2004. Foreign shareholding may be capped at 49 percent for new lenders for five years, the central bank said.

Stringent rules may restrict the number of entrants, according to Viren H. Mehta, a director at Ernst & Young LLP. The license winners will also face competition from State Bank of India (SBI), which accounts for almost a fourth of India's loans, and ICICI Bank Ltd. (ICICIB) Companies including Larsen & Toubro Ltd. (LT) and billionaire Anil Ambani's Reliance ADA Group have expressed interest in operating in a market where credit is forecast to expand 18 percent in the year to March 31.

Religare Enterprises Ltd. (RELG), controlled by billionaire brothers Malvinder Mohan Singh and Shivinder Mohan, said their owners qualify to apply for the license under the draft guidelines.

### 'Impractical' Guidelines

New banks will also need to maintain a 12 percent capital adequacy ratio, compared with the 10 percent mandated by the regulator when it set guidelines for new lenders in 2001.

The owners of the banks will have to reduce their stake to 40 percent within two years after they are given a license, according to the central bank. Governor Duvvuri Subbarao on Aug. 23 said public ownership of banks would inspire confidence in the financial system and mitigate issues of conflict of interest between shareholders and depositors in the banks.

### 'Private Pool'

SREI climbed as much as 12 percent after the guidelines were released while L&T Finance Holdings Ltd. rose 10.1 percent to 50.8 rupees close in Mumbai. Reliance Capital Ltd. (RCAPT) gained 9.6 percent to 377.25 rupees.

India's Bankex index, which tracks 14 stocks including State Bank and ICICI, climbed 4.1 percent on 28 August, trimming its loss this year to 20 percent.

The proposed rules will ensure companies don't use their banks as a "private pool of readily available funds," Subbarao said on Aug. 23.

Business groups controlled by Indian residents with at least 10 years of experience may be eligible to set up banks, the central bank said on 28 August. Companies that get 10 percent or more of their income or assets from real estate or broking in the last three years won't be eligible for the licenses, according to the guidelines.

The U.S. corn-crop condition deteriorated in the past week after hot weather hurt crops. About 54 percent of the crop was in good to excellent conditions as of Aug. 28, down from 57 percent a week earlier and 70 percent a year earlier, the USDA said in a report on 28 August 2011.

Rice prices will remain firm as the government of Thailand, the world's largest shipper, buys the grain at above market prices, locking up some of the nation's exportable surplus in state warehouses, Verghese said.

The export price of 100 percent grade-B Thai rice, the regional benchmark, may rally to \$750 per tonne by Dec. 31, according to the median estimate in a News survey of seven exporters, traders and millers conducted last week. That forecast is \$50 higher than the median estimate in a separate survey undertaken in the first half of this month.

The grain surged to a record \$1,038 a tonne on May 21, 2008, a month after the Chicago rice futures advanced to an all-time high, as exporters including India restricted shipments.

Thailand's buying policy will encourage farmers to boost rice planting, adding to global output and forcing Prime Minister Yingluck Shinawatra to sell the excess supply after six months, Verghese said.

## Nobel Laureate Gives Half Chance to Revival of World Economy

The global economy has a 50 percent chance of slipping into recession as Europe and the U.S. struggle to grow, according to Nobel laureate Michael Spence.

Spence's remarks follow cuts in global growth forecasts by institutions from Citigroup Inc. to UBS AG as central bankers from around the world gather for a Federal Reserve symposium this weekend in Jackson Hole, Wyoming. Unlike the aftermath of the 2008 global financial crisis when China cushioned the blow with a stimulus program, this time it would only be able to buffer its domestic economy, he said.

China "cannot make up for the kind of loss of demand that would go with a downturn in the advanced economies," Spence said. Because Chinese inflation is running at an official rate of 6.5 percent, a figure many economists say is understated, Beijing would be "pretty close to nuts" to fuel further credit growth, he said.

Spence, a professor at New York University's Stern School of Business who won the Nobel Prize in economics in 2001, said Fed Chairman Ben S. Bernanke, who will speak at Jackson Hole today, has limited room to maneuver.

## Rice to Rise as Thai Govt Stocks Up



Global food costs will remain elevated because a potential slowdown in economic growth is unlikely to hurt demand and weather-related disruptions to supply

could "ratchet up prices," Olam International Ltd. (OLAM) said.

Combined global inventories of wheat, corn and rice will drop 2.5 percent to a four-year low as farmers fail to keep pace with demand, U.S. Department of Agriculture data shows.

"The food complex is relatively recession-resistant," said Sunny Verghese, chief executive officer of Olam, one of the world's three biggest rice suppliers. "Because of the growing imbalance in the demand and supply of food,

and because the stocks-to-consumption ratios are low, if there's any weather-related disruption, it can ratchet up prices."

Global corn stockpiles were forecast by the USDA to plunge in the 2011-2012 season to 114.5 million metric tons. That would be the lowest level in five years as hot weather in the U.S., the world's largest grower and exporter, curbs yields and demand climbs for the grain used in livestock feeds and ethanol production.

The corn market may have an 18.7 million-ton deficit in the 2011-2012 season, more than three times the 6 million tonne forecast by the USDA, according to the Rabobank analysts, who correctly predicted that yield concerns in the U.S. could push soybean prices above \$14 a bushel.

### Dollar-Rupee Rate at NSE Futures

Trade Date	Open Price	High Price	Low Price	Close Price	Daily Settlement Price	Open Interest	No. of Contracts	Value (Rs. lakhs)	RBI Reference rate
29-Aug-11	46.1750	46.1750	45.9050	46.1325	46.1325	1138580	1907709	878024	45.8708
26-Aug-11	46.1150	46.1150	46.0150	46.0750	46.0528	1525816	914783	421410	46.0528
25-Aug-11	46.0700	46.2350	45.9525	46.0650	46.0650	1503984	2504026	1154262	46.1285
24-Aug-11	45.7025	46.0475	45.7025	46.0150	46.0150	1452105	2452449	1125313	45.7695

[Source: NSE and RBI Website]

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**Polytetrafluoroethylene (PTFE) from China – Anti-dumping Duty Raised after Review**

Ntfn 81 Whereas, the designated  
24.08.2011 authority vide notification No.  
(DoR) 15/08/2010-DGAD, dated the  
26<sup>th</sup> July 2010, published in the  
Gazette of India, Extraordinary, Part I, Section  
1, dated the 26<sup>th</sup> July 2010, had initiated review  
in terms of sub-section (5) of section 9A of the  
Customs Tariff Act, 1975 (51 of 1975) (herein-  
after referred to as the said Customs Tariff Act)  
and in pursuance of rule 23 of the Customs  
Tariff (Identification, Assessment and Collec-  
tion of Anti-dumping Duty on Dumped Articles  
and for Determination of Injury) Rules, 1995  
(hereinafter referred to as the said rules), in the  
matter of continuation of anti-dumping duty on  
imports of Polytetrafluoroethylene (PTFE) (here-  
inafter referred to as the subject goods), falling  
under sub-heading 390461 of the First Sched-  
ule to the Customs Tariff Act, 1975 (51 of 1975),  
originating in, or exported from, People's Re-  
public of China( hereinafter referred to as the  
subject country), imposed *vide* notification of  
the Government of India, in the Ministry of Fi-  
nance (Department of Revenue), No. 91/2005-  
Customs, dated the 17<sup>th</sup> October 2005, pub-  
lished in the Gazette of India, Extraordinary,  
Part II, Section 3, Sub-section (i), *vide* number  
G.S.R.635(E), dated the 17<sup>th</sup> October 2005,  
which has been superseded by notification of  
the Government of India, in the Ministry of Fi-  
nance (Department of Revenue), No. 42/2010-

Customs, dated the 5<sup>th</sup> April 2010, published in  
the Gazette of India, Extraordinary, Part II,  
Section 3, Sub-section (i), *vide* number  
G.S.R.285(E), dated the 5<sup>th</sup> April 2010, and had  
recommended, *vide* notification No. 15/08/2010-  
DGAD, dated the 25<sup>th</sup> July 2011, published in  
the Gazette of India, Extraordinary, Part I,  
Section 1, dated the 25<sup>th</sup> July 2011, continuation  
of Anti-Dumping Duty at the modified rates on  
imports of the subject goods originating in, or  
exported from, the subject country.

Now, therefore, in exercise of the powers  
conferred by sub-section (1) read with sub-  
section (5) of section 9A of the said Customs  
Tariff Act, 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, on the basis of  
the aforesaid findings of the designated author-  
ity, hereby imposes anti- dumping duty on the  
goods, the description of which is specified in  
column (3) of the Table below, falling under sub-  
heading of the First Schedule to the said cus-  
toms Tariff Act as specified in the correspond-  
ing entry in column (2), originating in the coun-  
tries as specified in the corresponding entry in  
column (4), and exported from the countries as  
specified in the corresponding entry in column  
(5), and produced by the producers as specified

Table

SNo	Sub - heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit of measure-ment	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	390461	Polytetrafluoroethylene (PTFE)	China PR	China PR	DuPont (Changshu) Fluoro Technology Company Limited	DuPont (Changshu) Fluoro Technology Company Limited	2.48	Kg	USD
2.	390461	-do-	China PR	China PR	DuPont (Changshu) Fluoro Technology Company Limited	Any other than DuPont (Changshu) Fluoro Technology Company Limited	3.87	Kg	USD
3.	390461	-do-	China PR	Any	Any except above	Any	3.87	Kg	USD
4.	390461	-do-	Any except China PR and country attracting Anti-dumping duty	China PR	Any	Any	3.87	Kg	USD

3. The anti-dumping duty imposed shall be levied for a period of five years (unless revoked, superseded or amended earlier) 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, rate of exchange for 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.354/150/2005-TRU]

**Provisional Anti-dumping Duty Imposed on PVC Flex Films from China**

Ntfn 82 Whereas, in the matter of  
25.08.2011 import of PVC Flex Films  
(DoR) (hereinafter referred to as the  
subject goods), falling under  
Chapter 39 of the First Schedule to the Customs  
Tariff Act, 1975 (51 of 1975), originating in,  
or exported from, People's Republic of China (here-  
inafter referred to as the subject country), the  
designated authority in its preliminary findings,  
*vide*, notification No. 14/4/2010 -DGAD, dated  
the 22<sup>nd</sup> June, 2010, published in the Gazette of  
India, Extraordinary, Part I, Section 1, dated the  
22<sup>nd</sup> June, 2010, had recommended imposition  
of provisional anti-dumping duty on the imports  
of subject goods, originating in or exported from  
the subject country;

And whereas, on the basis of the aforesaid

**SMP TRQ at Zero Duty Raised to 50,000 MT from 30,000 MT**

Ntfn 78 In exercise of the powers  
19.08.2011 conferred by sub-section  
(DoR) (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 follow-  
ing further amendments in the notification of  
the Government of India in the Ministry of  
Finance (Department of Revenue), No. 21/  
2002-Customs, dated the 1st March, 2002,  
published in the Gazette of India, Extraordi-  
nary, Part II, Section 3, Sub-section (i) *vide*  
number G.S.R. 118(E) dated the 1st March,  
2002, namely :-

In the said notification, in the TABLE,  
against S.No.3, in column (3), for the words  
"thirty thousand metric tonnes", the words  
"fifty thousand metric tonnes" shall be sub-  
stituted.

[F. No.354/20/2011-TRU]

in the corresponding entry in column (6), and  
exported by the exporters as specified in the  
corresponding entry in column (7), and imported  
into India, an anti-dumping duty at a rate which  
is equal to the amount as specified in the  
corresponding entry in column (8), in the currency  
as specified in the corresponding entry in column  
(10) and per unit of measurement as specified  
in the corresponding entry in column (9), of the  
said Table.

findings of the designated authority, the Central  
Government had imposed provisional anti-dump-  
ing duty on the subject goods, *vide* notification  
of the Government of India in the Ministry of  
Finance (Department of Revenue), No.79/2010-  
Customs, dated the 30<sup>th</sup> July, 2010, published in  
the Gazette of India, Extraordinary, Part II,  
Section 3, Sub-section (i) *vide* number G.S.R  
646(E), dated the 30<sup>th</sup> July, 2010;

And whereas the designated authority *vide*  
its final findings *vide* notification No.14/4/2010-  
DGAD, dated the 29<sup>th</sup> July, 2011, published in  
the Gazette of India, Extraordinary, Part I, Sec-  
tion 1, dated the 29<sup>th</sup> July, 2011, had come to  
the conclusion that-

(i) the subject goods had been exported to  
India from the subject country at prices less

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

(ii) the dumping margins of the subject goods imported from the subject country were substantial and above de minimis;

(iii) the domestic industry had suffered material injury and the injury had been caused due to dumped imports of the subject goods originating in or exported from the subject country;

(iv) the domestic industry had also been materially retarded due to the dumped imports of subject goods from the subject country;

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

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9A of the said Customs Tariff Act, read with sub-section (5) of the said section 9A and rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, on the basis of the aforesaid final findings of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under sub-heading of the First Schedule to the said Customs Tariff

## MEP of Onions Raises to US\$300/MT from US\$275/MT

68-Ntn(RE) In exercise of powers 2009-2014 dated 12.08.2011 for the item description at Serial Number 44.01 of Notification No 24(RE-2010)/2009-2014 dated 18.02.2011 is replaced by the "Minimum Export Price(MEP) of US\$ 300 per Metric Ton F.O.B. or as notified by DGFT from time-to-time".

24.08.2011 conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No. 22 of 1992) read with Para 2.1 of the Foreign Trade Policy, 2009-2014, the Central Government makes the following amendment in Notification No 66(RE - 2010)/2009-2014 dated 12.08.2011 read with Notification No 24(RE - 2010)/2009-2014 dated 18.02.2011. The amendment is made with immediate effect.



2. The "Minimum Export Price(MEP) of US\$ 275 per Metric Ton F.O.B. or as notified by DGFT from time-to-time" as appearing in para 2(ii) of Notification No 66(RE - 2010)/

### 3. Effect of this notification

Minimum Export Price (MEP) of onions other than Bangalore Rose Onions and Krishnapuram onions will be US\$ 300 per Metric Ton F.O.B. It was US\$ 275 per Metric Ton as notified on 12.08.2011. There is no change in Minimum Export Price (MEP) of Bangalore Rose Onions and Krishnapuram onions and it will continue to be US\$ 400 per Metric Ton F.O.B.

Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (4), and produced by the producers as specified in the corresponding entry in column (6), when exported from the countries as specified in the corresponding entry in column (5), by the exporters as specified in the corresponding

entry in column (7), and imported into India, an anti-dumping duty at a rate which is equal to the amount as specified in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and per unit of measurement as specified in the corresponding entry in column (9) of the said Table.

Table

SNo	Sub-Heading	Description	Country of origin	Country of Export	Producer	Exporter	Amount	Unit of Measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	39201019, 39201012, 39204900, 39219026, 39219029, 39269099, 39199090, 39181090, and 39189090	PVC Flex Film	China PR	China PR	Heytex Technical Textiles (Zhangjiagang) Co.Ltd., China	Heytex Technical Textiles (Zhangjiagang) Co.Ltd., China	0.034	Kg	US Dollar
2	-do-	PVC Flex Film	China PR	China PR	Zhejiang Yuli Plastic Co Ltd	Zhejiang Yuli Plastic Co Ltd	0.441	Kg	US Dollar
3	-do-	PVC Flex Film	China PR	China PR	Any Combination of producer and exporter other than Sl. No. 1 and 2		0.538	Kg	US Dollar
4	-do-	PVC Flex Film	China PR	Any country other than China PR	Any	Any	0.538	Kg	US Dollar
5	-do-	PVC Flex Film	Any country other than China PR	China PR	Any	Any	0.538	Kg	US Dollar

3. Nothing contained in this notification shall apply to,-

- PVC Rigid Film
- Cotton/Canvas Tarpaulin
- PVC Film
- Self-Adhesive Vinyl
- One Way Vision Film/Perforated Window Film
- Coloured Vinyl
- Mesh Banner/Fabric

4. The anti-dumping duty imposed shall be levied for a period of five years (unless revoked, superseded or amended earlier) from the date of imposition of provisional duty, that is, the 30<sup>th</sup> July, 2010 and shall be payable in Indian currency.

**Explanation.** - For the purposes of this notification, rate of exchange for 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.354/108/2010-TRU]

## Another Five Years of Anti-dumping Duty on Caustic Soda from Thailand, Taiwan and Norway

Ntnf 79 Whereas in the matter of 23.08.2011 imports of Caustic Soda (DoR) (hereinafter referred to as the subject goods), falling under

Chapter 28 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, Thailand, Chinese Taipei and Norway (hereinafter referred as the subject countries) and imported into India, the designated authority in its final findings vide notifica-

tion No. 14/1/2010-DGAD, dated the 30th June, 2011, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 30th June, 2011, has come to the conclusion that -

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

(b) the domestic industry has suffered material injury;

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

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

Now, therefore, in exercise of the powers conferred by sub-section (1) read with sub-section (5) of section 9A of the said Customs Tariff Act, 1975 read with rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, on the basis of the aforesaid findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, specification of which is specified in column (4), falling under sub-heading of the First Schedule to the said Customs Tariff Act, specified in the corresponding entry in column (2), originating in the country specified in the corresponding entry in column (5), and exported from the country specified in the

## Marble Quota will be Scrutinised by DGFT Regional Offices

Sub: Allocation of quantity of Rough Marble Blocks for import for Financial Year 2011-12 vide Trade Notice no:16 of 17<sup>th</sup> August 2011.

18-TN In Trade Notice number 16  
24.08.2011 issued on 17<sup>th</sup> August 2011,  
(DGFT) allocation of 5 lakh MT of  
rough marble blocks has



been made to 397 applicants for ITC HS codes 25151100 and 25151210 as indicated in Notification number 64 of 4<sup>th</sup> August 2011.

2. RA's may scrutinize the ITC HS codes, IE

codes etc in the allocation made on 17<sup>th</sup> August 2011, for any typographical error/ or any error of clerical/ editorial nature, which may be appropriately corrected based upon actual scrutiny of documents submitted by allottees and documentary evidence so produced during such scrutiny.

3. It is reiterated that any misdeclaration by an allottee shall invite action as mentioned in para 5 of Trade Notice number 16 of 17<sup>th</sup> August 2011.

corresponding entry in column (6) and produced by the producer specified in the corresponding entry in column (7) and exported by the exporter specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at a rate which is equivalent to the difference between, the amount specified in the

corresponding entry in column (9), in the currency specified in the corresponding entry in column (11) and per unit of measurement specified in the corresponding entry in column (10) of the said Table, and the landed value of such imported goods in like currency per like unit of measurement.

Table

SNo	Sub - heading	Description of goods	Specification	Country of origin	Country of export	Producer	Exporter	Amount	Unit of measurement	Currency
1	2	3	4	5	6	7	8	9	10	11
1.	281511, 281512	Caustic soda	Caustic soda Lye & Caustic soda Solid/ flakes	Thailand	Thailand	Any	Any	379	DMT	USD
2.	281511, 281512	Caustic soda	-do-	Thailand	Any country other than Thailand	Any	Any	379	DMT	USD
3.	281511, 281512	Caustic soda	-do-	Any country other than subject countries	Thailand	Any	Any	379	DMT	USD
4.	281511, 281512	Caustic soda	-do-	Taiwan (Chinese Taipei)	Taiwan (Chinese Taipei)	Any	Any	361	DMT	USD
5.	281511, 281512	Caustic soda	-do-	Taiwan (Chinese Taipei)	Any country other than Chinese Taipei	Any	Any	361	DMT	USD
6.	281511, 281512	Caustic soda	-do-	Any country other than subject countries	Taiwan (Chinese Taipei)	Any	Any	361	DMT	USD
7.	281511, 281512	Caustic soda	-do-	Norway	Norway	Any	Any	379	DMT	USD
8.	281511, 281512	Caustic soda	-do-	Norway	Any country other than Norway	Any	Any	379	DMT	USD
9.	281511, 281512	Caustic soda	-do-	Any country other than subject countries	Norway	Any	Any	379	DMT	USD

2. The anti-dumping duty imposed shall be levied for a period of five years (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette and shall be payable in Indian currency. Explanation. – For the purpose of this notification,-

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

(b) "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.354/89/2011 –TRU]

## Another Five Years of Anti-dumping Duty on 1-Phenyl-3-Methyl-5-Pyrazolone from China – Duty Slashed in Review

Ntfn 80 Whereas, the designated  
24.08.2011 authority vide notification No.  
(DoR) 15/5/2010-DGAD, dated the  
1st July,2010, published in the  
Gazette of India, Extraordinary, Part I, Section  
1, dated the 1st July,2010, had initiated review  
in terms of sub-section (5) of section 9A of the  
Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the said 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 imports of 1-Phenyl-3-Methyl-5-Pyrazolone, falling under Chapters 29 and 98 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, People's Republic of China, imposed vide notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 01/2006-Customs, dated the 10th January,2006, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number

G.S.R.12(E), dated the 10th January,2006, and vide notification No. 15/5/2010-DGAD, dated the 29th June, 2011, published in Gazette of India, Extraordinary, Part I, Section 1, dated the 29th June, 2011, had recommended the continued imposition of definitive anti-dumping duty on all imports of the subject goods, originating in, or exported from the subject country;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with sub-section (5) of section 9A of the said Customs Tariff Act, 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, on the basis of the aforesaid findings of the designated authority, hereby imposes anti-dumping duty on the goods, the description of which is specified in column (3) of the Table below, falling under sub-heading of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2),originating in the country specified in the corresponding entry in column (4), and exported from the country specified in

the corresponding entry in column (5) and produced by the producer specified in the corresponding entry in column (6) and exported by the exporter specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at the rate equal to the amount indicated in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and per unit of measurement as specified in the corresponding entry in column (9) of the said Table.

**Table**

SNo.	Sub-heading.	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit of measurement	Currency
(1).	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	293319, 291634, 291739, 292429, 293311, 293359, 294200, 980200	1-Phenyl-3-Methyl-5-Pyrazolone	People's Republic of China	People's Republic of China	Any	Any	0.52	KG	US\$
2.	-do-	-do-	People's Republic of China	Any	Any	Any	0.52	KG	US\$
3.	-do-	-do-	Any Country other than People's Republic of China	People's Republic of China	Any	Any	0.52	KG	US\$

3. The anti-dumping duty imposed shall be levied for a period of five years (unless revoked, superseded or amended earlier) 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, 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.354/191/2005 –TRU]

DGFT for registering and consequentially there has been no uploading of RCMC data pertaining to their members on the DGFT's website.

5. All EPCs / Commodity Boards/ Authorities are , therefore, once again requested that an authorized representative of their organization should contact Shri Arun P. Kohad, FTDO ( Tel No.23061562 Extn 392, E-mail address arun.kohad@nic.in ) along with relevant documents i. e, (i) e-Token of Digital Signature Certificate (ii) Password (iii) Authorization Letter as also mentioned in the letter dated 31.8.2010 urgently to enable the authorized representative to obtain link / permission for uploading RCMC data on DGFT's website.

6. It is requested that the process including uploading of RCMC data may be completed by 31.10.2011. If EPC's /Commodity Boards /Authorities fail to register and upload data on DGFT's website within the prescribed time limit as stated above, the 'on-line' registration of RCMC issued by EPC's /Commodity Boards / Authorities on DGFT's website would be made mandatory w.e.f. 1.11.2011, after which no manual copy of RCMC / Registration Certificate will be entertained by DGFT offices.

## Online Uploading of RCMC Data on DGFT Server by Export Promotion Councils Mandatory from 1 November 2011

*Subject: Completion of online uploading of RCMC data on DGFT's Server By EPCs/ Commodity Boards/Authorities*

17-TN 23.08.2011 All Export Promotion Councils/ Commodity Boards/Authorities (DGFT) are aware that an 'on-line' uploading facility of RCMC has been initiated in DGFT since August, 2010.

2. The purpose of uploading the RCMC data on DGFT's server is to reduce Transaction Cost for exporters as this would avoid submission of copy of RCMC by exporters every time under various applications filed by them.

3. In this regard attention is invited to this

office O.M. No. 01/02/73/AM-10/EDI dated 14.10.2009 and subsequent O.Ms dated 6.7.2010, 31.8.2010, 21.9.2010, 12.10.2010, 3.11.2010 and 25.5.2011 on the above mentioned subject whereby all Export Promotion Councils (EPCs) / Commodity Boards / Authorities were informed that online uploading facility of RCMC has been initiated and necessary registrations / data uploading has to be done by them.

4. However, most of the EPCs / Commodity Boards / Authorities have not yet approached

## More Chances to Clear Additional Subjects by 31 Dec. 2012 for CHA Applicants under 1984 Rules

*Subject: Issue of Customs House Agent License – Reference from field formations.*

38-CBEC 24.08.2011 Attention is invited to Board's Circular No.9/2010-Customs (DoR) dated 8.4.2010 which

provides that persons qualified in written and oral examination held under Regulation 9 of the Customs House Agents Licensing Regulations (CHALR), 1984 but who were not granted Licence, are required to qualify in additional subjects to become eligible for grant of Licence under CHALR, 2004. Further, para 8.1 of the said Circular provides for one time opportunity to appear in examination for additional subjects to qualify them for grant of CHA Licence.

2. Representations have been received in the Board to grant reasonable opportunities to persons qualified under Regulation 9 of the erst-while CHALR, 1984 but not granted CHA Licence at par with that currently available to applicants for passing examination under CHALR, 2004.

3. The matter has been examined in the Board. In this regard, it is felt that the intention of allowing these applicants to appear in the examination for additional subjects such as (a) The Patents Act, 1970 and Copyright Act; 1957 (b) Central Excise Act, 1944 (c) Export promo-

tion schemes, (d) Procedure on appeal and revision petition, (e) Prevention of Corruption Act, 1988, (f) Online filing of electronic Customs declarations, (g) Narcotic Drugs and Psychotropic Substances Act, 1985 and (h) Foreign Exchange Management Act, 1999 was to ensure that they have working knowledge in these subjects as prescribed under CHALR, 2004. However, restriction on providing one time opportunity to qualify the examination for additional subjects for grant of CHA licence does not appear to be justified and needs re-consideration.

4. Accordingly, it has been decided by the Board that all such applicants who had already passed the examination held under regulation 9 of CHALR, 1984 but have not been granted licence and are seeking qualification in additional

## Exchange Rates for Customs Valuation

The current notification No. 62-Customs(NT) dated 26<sup>th</sup> August 2011 supersedes notification 51-Customs(NT) dated 27<sup>th</sup> July 2011.

62-Cus(NT) In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 51/2011-Customs(NT) dated 27<sup>th</sup> July 2011 vide number S.O. 1749(E), dated the 27<sup>th</sup> July, 2011, 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 1<sup>st</sup> September, 2011** be the rate mentioned against it in the corresponding entry in column (3) thereof, for the purpose of the said section, relating to imported and export goods.

SNo	Currency	Imported Goods		Exported Goods	
		Current	Previous	Current	Previous
<b>Schedule I – Rate of exchange of one unit of foreign currency equivalent to Indian rupees</b>					
1	Australian Dollar	48.85	48.95	47.65	47.75
2	Canadian Dollar	47.35	47.55	46.10	46.35
3	Danish Kroner	9.05	8.75	8.80	8.45
4	EURO	67.25	64.95	65.60	63.35
5	Hong Kong Dollar	5.95	5.75	5.85	5.65
6	Norwegian Kroner	8.65	8.40	8.35	8.10
7	Pound Sterling	76.45	73.35	74.65	71.55
8	Swedish Kroner	7.40	7.15	7.15	6.95
9	Swiss Franc	58.90	56.10	57.15	54.55
10	Singapore Dollar	38.60	37.25	37.70	36.30
11	US Dollar	46.55	44.70	45.75	43.90

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

1	Japanese Yen	60.80	57.55	59.10	55.95
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[F.No.468/11/2011-Cus.V]

subjects shall be allowed to clear the examination by **31.12.2012** irrespective of number of chances to become eligible for grant of CHA licence in terms of Regulation 9 of CHALR, 2004.

5. Board also desired that DGICCE will conduct necessary examinations expeditiously, after giving due notice to these candidates.

6. These instructions may be brought to the notice of the trade by issuing suitable Trade / Public Notices. Suitable Standing orders / instructions may be issued for the guidance of the field officers.

F.No.502/13/2011-Cus.VI

## Certificate of Origin Fee Attracts Service Tax, says CBEC

Subject: Chambers of Commerce- Service tax on fee charged for issuance of Country of Origin Certificate (COOC).

145-ST Board has received representations seeking clarification as to whether service tax is leviable on the fee charged by the Chambers of Commerce for issuance of COOC.

2. These representations have been examined. Service provided by a Chamber of Commerce by way of issuance of COOC appears to fall under two different headings, namely, 'club or association service' [Finance Act, 1994, section 65(105)(zzze)], or 'technical inspection or certification service' [Finance Act, 1994, section 65(105)(zzi)]. It is well known that in our country, Chambers of Commerce, Export Promotion Councils (EPC), some Trade Associations have been authorised by the Government to issue COOC to the exporters. General practice followed is that the exporter makes an application to the Chamber or any authorised agency for issuance of COOC, in the prescribed form, along with a copy of commercial invoice and other documents and pays the prescribed fees.

## Commodity Spot Prices in India – 27-30 August 2011

These commodity prices are taken from Multi Commodity Exchange of India (Mumbai) at 6 pm every day.

Commodity	Unit	Market	(Rs.)		
			27-Aug	29-Aug	30-Aug
CER (Carbon Trading)	1 MT	Mumbai	613	613	620
Chana	100 KGS	Delhi	3185	3160	3151
Masur	100 KGS	Indore	2874	2923	2924
Potato	100 KGS	Agra	480	481.1	482.1
Potato TKR	100 KGS	Tarkeshwar	457.1	462.2	465.5
Areca nut	100 KGS	Mangalore	NA	NA	NA
Cashewkern	1 KGS	Quilon	NA	NA	NA
Cardamom	1 KGS	Vandanmedu	658.2	640	658.5
Coffee ROB	100 KGS	Kushalnagar	NA	NA	NA
Jeera	100 KGS	Unjha	NA	NA	NA
Pepper	100 KGS	Kochi	NA	NA	NA
Red Chili	100 KGS	Guntur	NA	NA	NA
Turmeric	100 KGS	Nzmbad	6450	6338	6259
Guar Gum	100 KGS	Jodhpur	NA	NA	NA
Maize	100 KGS	Nzmbad	1250	1249	1246.5
Wheat	100 KGS	Delhi	1181.3	1175.8	1175
Mentha Oil	1 KGS	Chandausi	1268.7	1269.1	1272.7
Cotton Seed	100 KGS	Akola	NA	NA	NA
Castorsd RJK	100 KGS	Rajkot	4918	4891.5	4968
Guar Seed	100 KGS	Bikaner	4460	4410	4400
Soya Bean	100 KGS	Indore	2394	2389.5	2400
Mustrdsd JPR	20 KGS	Jaipur	610.3	607.6	608
Sesame Seed	100 KGS	Rajkot	5375	5475	5438
Coconut Oil Cake	100 KGS	Kochi	NA	NA	NA
RCBR Oil Cake	1 MT	Raipur	NA	NA	NA
Kapaskhali	50 KGS	Akola	1309.3	1315.6	1333.8
Coconut Oil	100 KGS	Kochi	9984	9724	9724
Refsoy Oil	10 KGS	Indore	666.5	664.55	665.8
CPO	10 KGS	Kandla	490.8	488.4	491.4
Mustard Oil	10 KGS	Jaipur	654	654.7	650.5
Gnutoilexp	10 KGS	Rajkot	992	1020	1040
Castor Oil	10 KGS	Kandla	NA	NA	NA
Crude Oil	1 BBL	Mumbai	3932	3932	4003
Furnace Oil	1000 KGS	Mumbai	NA	NA	NA
Sourcrd Oil	1 BBL	Mumbai	NA	NA	NA
Brent Crude	1 BBL	Mumbai	5128	5128	5132
Gur	40 KGS	Muzngr	NA	NA	NA
Sugars	100 KGS	Kolhapur	2677	2679	2679
Sugarm	100 KGS	Delhi	2901	2899	2895
Natural Gas	1 mmBtu	Hazirabad	181	181	175.7
Rubber	100 KGS	Kochi	20526	20732	21191
Cotton Long	1 Candy	Kadi	NA	NA	NA
Cotton Med	1 Maund	Sriganganagar	NA	NA	NA
Jute	100 KGS	Kolkata	2502.5	2556	2561
Gold	10 GRMS	Ahmd	27684	27065	26761
Gold Guinea	8 GRMS	Ahmd	22236	21739	21495
Silver	1 KGS	Ahmd	63586	61937	61523
Sponge Iron	1 MT	Raipur	NA	NA	NA
Steel Flat	1000 KGS	Mumbai	NA	NA	NA
Steel Long	1 MT	Gobindgarh	NA	NA	NA
Copper	1 KGS	Mumbai	416.15	416.15	413.5
Nickel	1 KGS	Mumbai	978.7	978.7	1111.4
Aluminium	1 KGS	Mumbai	107.25	107.25	107.9
Lead	1 KGS	Mumbai	113.75	113.75	125.65
Zinc	1 KGS	Mumbai	101.8	101.8	114.75
Tin	1 KGS	Mumbai	1092	1092	1091.5

(Source: MCX Spot Prices)

On the basis and verification of the information provided in the application for COOC and the supporting documents with reference to the goods sought to be exported, the Chamber or the authorised agency issues a COOC.

3. The above activity carried out by the Chambers, involving certification of the national character of the export goods, squarely falls under 'technical inspection or certification', as defined in section 65(108) of Finance Act, 1994. In certain cases, when COOC is issued with reference to national character of the goods upon examination of the origin of their composition, requirements of the definition provided in section 65(108) of Finance Act, 1994 is clearly fulfilled. A chamber or EPC or Trade Association

which issues COOC acts as a technical inspection and certification agency, and issuance of COOC attracts service tax under 'technical inspection and certification agency' service, which is a specific description when compared to a general description like 'club or association service', by the application of the principles of classification provided in section 65A of Finance Act, 1994.

4. Service tax paid on 'technical inspection and certification' of export goods is eligible for refund under Notification 17/2009-ST dated 7<sup>th</sup> July, 2009.

5. Trade Notice/Public Notice may be issued to the field formations accordingly.

F.No.332/11/2011-TRU

## Poly Carbonate Moulding Powder included in Brief Case SION

Subject: Amendments in SION No. H-3 of Plastic Product Group.

73-PN(RE) In exercise of the powers  
23.08.2011 conferred under Paragraph  
(DGFT) 2.4 of the Foreign Trade  
Policy, 2009-14, the following  
amendments are made in the Handbook of  
Procedure, Vol. II (as stated in paragraph 1.1 of  
Vol.I):

2. In SION No. H-3 of Plastic Product Group (Product Code H), the following amendments are carried out:

(A) The description of Export Product is amended to read as under:

Export Product	Qty.
Briefcases or Suitcases or Beautycases of all sizes (with or without aluminium frame) made up of either ABS or Poly Carbonate	1 No.

(B) In the list of Import Items, a new entry has been added, at Sr. No. 20, as under:

Import Item	Qty.
20. Poly Carbonate Moulding Powder/ Granules	1.05 kg/kg content in export product

## Mandatory e-Filing of ST Returns by All Assesse w.e.f. 1 Oct. 2011

43-ST In exercise of the powers  
25.08.2011 conferred by sub-section  
(DoR) (1) read with sub-section  
(2) of section 94 of the  
Finance Act, 1994 (32 of 1994), the Central  
Government hereby makes the following rules  
further to amend the Service Tax Rules,  
1994, namely :-

1. (1) These rules may be called the Service Tax (Fourth Amendment) Rules, 2011.  
(2) They shall come into force on the 1st day of October, 2011.

2. In the Service Tax Rules, 1994, in rule 7,-

(a) in sub-rule (2), the proviso shall be omitted;

(b) after sub-rule (2) as so amended, the following sub-rule shall be inserted, namely:-

“(3) Every assessee shall submit the half-yearly return electronically”.

[F. No. 137/99/2011 – Service Tax]

There is no change in rest of the Import Items (either in description or in quantity permitted).

### Effect of amendment

There has been advancement in the technology in the field of manufacture of 'Briefcases/Suitcases/Beautycases'. Due to advancement in the technology, the Poly Carbonate (PC) is being used in place of ABS/other polymers, to provide higher impact strength. These amendments enable import of required raw materials for exports of 'Briefcases/Suitcases/Beautycases' made up of Poly Carbonate.

## India Signs DTAA with Georgia

The Government of India signed an Agreement for Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and on Capital (DTAA) with Government of Georgia on 24 August 2011. The Agreement was signed by Mr. M.C.Joshi, Chairman, Central Board of Direct Taxes (CBDT) on behalf of the Government of India and Mr. Zurab Katchkatchishvili, Ambassador of Georgia to India on behalf of the Government of Georgia.

The DTAA provides that business profits will be taxable in the source state if the activities of an enterprise constitute a Permanent Establishment (PE) in the source state. The Agreement provides for fixed place PE, building site, construction & installation PE, service PE, insurance PE and agency PE. The Agreement incorporates para 2 in Article concerning Associated Enterprises. This would enhance recourse to Mutual Agreement Procedure to relieve double taxation in cases involving transfer pricing adjustments. Dividends, interest and royalties & fees for technical services income will be taxed both in the country of residence and in the country of source.

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