

Postal Regn.No. DL(C)-01/1251/09-11
WORLD TRADE Licence to Post without
Prepayment U(C)-30/09-11
SCANNER RNI No. 42906/84

ISSN: 0971-8095

Single copy Rs. 20 \$2

Vol. XXVII No 26 22-28 September 2010

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

Annual subscription Rs 750

Duty Drawback Rates Slashed

Dept of Revenue Notified Revised All Industry Rates of Duty Drawback – Effective from 20 Sep 2010

Subject: All Industry Rates of Duty Drawback, 2010-11.

35-CBEC The Ministry has announced the revised
17.09.2010 All Industry Rates (AIR) of Duty
(DoR) Drawback vide Notification No. 84/2010
Cus. (N.T.), dated 17/09/2010. **The rates of drawback have been made effective from 20.9.2010.** The Notification may please be downloaded from CBEC website www.cbec.gov.in and perused for details.

2. Like in previous years, the drawback rates have been determined on the basis of certain broad parameters including, *inter alia*, the prevailing prices of inputs, Standard Input Output Norms (SION), share of imports in the total consumption of inputs and the applied rates of duty. The incidence of duty on HSD/Furnace Oil has been factored in the drawback calculations. The incidence of service tax paid on taxable services which are used as input services in the manufacturing or processing of export goods has also been factored. The Commissioners may ensure that the exporters do not avail of the refund of this tax through any other mechanism while claiming the All Industry Rates of duty drawback.

3. The Drawback Schedule includes some new entries such as Denim Fabric and cotton garments containing 1% or more by weight of Spandex / Lycra / Elastane, garments of blend containing wool & Man Made Fibre(MMF), woven carpets and floor coverings of jute, knotted carpets and floor coverings of MMF, brass parts of ball or roller bearings and silk embroidery. The Schedule may please be perused for details.

4. The drawback rates have undergone changes in line with the changes in the prices of inputs, duties etc. Thus the drawback rates have been changed in most cases. The more important changes are discussed below:-

(i) Leather and Leather Articles (Chapters 41, 42 & 64)

The Drawback rates for all the goods falling in the Chapters 41, 42 and 64 have been decreased by 5% - 15% approximately. The caps have also been revised downwards. It may be noted that value cap for headings 420501 and 420502 has been changed from Rs. 585 per piece to Rs. 15 per sq. ft. This change was necessitated because of representations received from the field formations and the trade in respect of Leather Sofa cover being exported in SKD/CKD condition which was being denied drawback

rate as 'per piece'.

(ii) Textiles and Textile Articles (Chapters 50-63)

(a) **Silk:** The drawback rate for silk fabric has been increased from 9.8% with a drawback cap of Rs. 295 to 11% with a drawback cap of Rs. 330/kg. The rate for fabric of noil silk has also been revised upwards.

(b) **Wool:** In the case of wool tops, woollen yarn and fabrics the drawback rates have been decreased by 5% - 20% approximately. The caps have also been revised downwards.

(c) **Cotton Yarn and Fabrics:** The drawback rates for grey cotton yarn and dyed cotton yarn continue to be Nil for the present. As for cotton fabrics, the new rate is 3.7% (grey)/4.2% (dyed) with a drawback cap of Rs. 12 per kg (grey)/Rs. 14 per kg (dyed). In case of denim fabrics the new rate is 4.3% with a cap of Rs. 16.2/kg. The new entry for Denim Fabric with 1% or more by weight of Spandex / Lycra / Elastane has been created with a drawback rate of 4.6% and value cap of Rs. 17.4 per Kg.

(d) **Man-made Filaments and Man-made Staple Fibres:** The Drawback rates for most of the goods falling in the Chapters 54 and 55 have been marginally reduced.

(e) **Carpets and Floor Coverings:** The Drawback rates for most of the goods except for silk carpets, falling in the Chapter 57 have been decreased by 10% approximately. For silk carpets, there is no change. New entries have been created for carpets and floor coverings of Jute and Coir under heading 5702 with drawback rates of 3.5%.

A new entry for carpets and floor coverings of cotton has been created under heading 5702 to cover cotton woven durries/rugs etc. Earlier these goods were being classified under the heading 570501. Representations were received that these goods were correctly classifiable under the heading 5702. Accordingly, the change has been made in this Drawback Schedule. As regards the past consignments, no demands may be raised as the intention was always to allow these goods the rate specified under heading 570501.

There has been a dispute about the heading 570301 as to whether the existing description "hand tufted carpets" covers hand- held gun tufted carpets or not. In order to resolve this dispute, the word "hand" has been deleted from this heading and the description now reads only "tufted woollen floor coverings, all sorts".

(f) **Ready Made Garments & Made Ups:** In the readymade garment sector, except for silk garments, drawback rates have been decreased by 10% - 15% approximately. The caps have also been revised downwards. The new drawback rate for cotton garment is 7.5% as against the earlier rate of 8.8%. For garments of blend containing cotton and (MMF), the new drawback rate is 8.6% as against the earlier rate of 9.8%; for garments of MMF the new drawback rate is 9.5% as against the earlier rate of 10.5%; for readymade garments made of silk and of wool, the rates are 10% and 7.5% respectively. The new entries for garments of blend containing wool and MMF and for those made of cotton with 1% or more by weight of Spandex/Lycra/Elastane have been created with drawback rates of 8.6% and 8% respectively.

In the made up category, the revised drawback rate for cotton made-ups is 7.1% with a cap of Rs. 60 per kg. The drawback rates and caps for made-ups of MMF and of blend containing cotton and MMF have also been reduced.

(iii) Base Metals and Articles of Base Metals (Chapters 72-83)

The duty drawback rate for stainless steel utensils falling under Chapter 73 and stainless steel cutlery falling under Chapter 82 has been reduced from 12.5% to 8.8%. For other articles of iron and steel where there is a composite rate, the same has been reduced by 25% to 30%. The drawback rate for handicrafts, hardware and other items of brass has been decreased from 15% to 11. The drawback rates for hand tools have been decreased by 30% approximately. The caps have also been revised downwards.

In order to resolve the dispute whether the description handicrafts/art ware of galvanized iron with brass includes products which are coated/plated, the entry '732603' has been amended to read as "Handicrafts/ Art ware of Iron with or without plating / coating, galvanized or otherwise, with Brass".

(iv) Machinery and Equipment (Chapters 84 and 85)

The new entry for brass parts of Ball or roller bearing has been created with a drawback rate of 3% under heading 848202.

(v) Bicycle & Bicycle Parts (Chapter 87), Sports Goods (Chapter 95) and Writing Instruments (Chapter 96)

The drawback rates for bicycles and bicycle parts have been revised downwards. The new rate for complete bicycle is 9%. Further, a value cap of Rs. 10/- per Kg. has been introduced for the residuary entry 'Others' (871423). The drawback rates for Sports Goods and Writing Instruments have also been revised downwards by

about 10% and 20% respectively.

(vi) Miscellaneous

(a) In the earlier schedule, wooden artware and handicrafts were covered under the heading 4420. On representations from the exporters that a number of wooden handicraft items are not covered under the said heading, it has been decided to have a uniform rate of 2.5% for wooden items of headings 4414, 4419 and 4420. A specific entry has also been created for wooden handicraft and artware under the residuary head 4421 with a drawback rate of 2.5%.

(b) The description under heading 22071090 has been changed to read as "Ethanol or Ethyl Alcohol, Rectified Spirit / ENA or otherwise containing more than 94.5% Ethyl Alcohol".

(c) References have been received seeking clarifications as to what should be the minimum percentage of MMF in a garment or made-up for it to be considered as a blended garment /made-up. The issue has been examined and the term 'blend' has been explained in the Notification. It may be noted that the term 'blend' in chapters 61, 62 & 63 refers to only two types of blends i.e. cotton & MMF and wool & MMF. It shall mean that MMF shall be more than 15% but less than 85% by weight in such garment or made-up. Further, the garment or made-up shall be classified as of cotton or wool or MMF or silk or noil silk if the percentage of the concerned fibre is 85% or more by weight in such garment or made-up.

(d) The earlier notification (No. 103/2008 Cus. (N.T.) dated 29.08.08 as amended) provided that the rates of drawback in the Drawback Schedule would not be applicable to products manufactured or exported by availing the rebate of Central Excise duty paid on materials used in the manufacture of export goods in terms of Rule 18 of the Central Excise Rules, 2002, or if such raw materials were procured without payment of Central Excise duty under Rule 19 (2) of the Central Excise Rules, 2002. References have been received that exporters are being denied 1% of drawback, which is the customs component of the AIR drawback, on the basis of the above condition although the manufacturers had taken only the rebate of Central Excise duties in respect of their inputs / procured the inputs without payment of central excise duties; and the Customs duties which remained unrebated should be provided through the AIR drawback route.

The issue has been examined. The present notification No. 84/2010-Cus. (N.T.) dated 17.09.2010 provides that customs component of AIR drawback shall be available even if the rebate of Central Excise duty paid on raw material used in the manufacture of export goods has been taken in terms of Rule 18 of the Central

Customs, Central Excise Duties and Service Tax Drawback Rules, 1995

[Ref: 84-Cus(NT) dated 17.09.2010]

Text of Drawback Rates – Please see www.worldtradesScanner.com

Excise Rules, 2002, or if such raw materials were procured without payment of Central Excise duty under Rule 19 (2) of the Central Excise Rules, 2002.

(e) The earlier notification provided that the gold and silver jewellery exports under the Drawback scheme would be examined by the Customs Appraiser/ Superintendent (Jewellery Expert). Problems have been reported since the jewellery experts are not available at all ports. Accordingly, the notification has been modified. Now such exports may also be examined by other Appraisers/Superintendents who have not been recruited as jewellery experts. It is however advised that officers may be posted to these positions after adequate training. Efforts should also be made to provide electronic Carat Meters to them.

(f) The earlier notification provided that the rates of drawback in the Drawback Schedule shall not be applicable to products manufactured or exported by availing the facility under the DEPB (Duty Exemption Pass Book) scheme. References were received seeking clarification whether an exporter who manufactured the export goods with raw material imported against DEPB scrips, shall be eligible for drawback on such exports even if DEPB benefits is not claimed. The doubt appeared to have arisen because the above mentioned notification debarred benefit of AIR drawback if the export goods had been 'manufactured' availing the benefit of the DEPB scheme.

In order to resolve the matter, the word 'manufactured' has been deleted in the present notification and the condition has been modified to read that the drawback will not be available if the goods are 'exported' availing the benefits of the DEPB scheme.

6. The Notification and the new Drawback Schedule may be perused carefully to note the changes made therein. Though all care has been taken, the possibility of inadvertent errors/ omissions cannot be ruled out. It is requested that any error/omission noticed during the implementation of the rates be brought to the notice of the Board immediately for suitable corrective action.

7. The Public Notice and Standing Order for guidance of the trade and staff may be issued. Difficulties faced, if any in implementation of the changes may be brought to the notice of the Board at once.

F.No. 609/76/2010-DBK

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
20-Sep-10	46.0050	46.0050	45.6400	45.7450	45.7450	498380	4152170	1898447.70	45.6100
17-Sep-10	46.2250	46.2250	45.8700	45.9275	45.9275	580395	2823313	1298313.95	45.9700
16-Sep-10	46.4375	46.4775	46.2075	46.2250	46.2250	560245	2604159	1206251.15	46.3000
15-Sep-10	46.4500	46.5275	46.4225	46.4500	46.4500	544150	2114696	982668.44	46.3700

[Source: NSE and RBI Website]

Subscription rate for the Weekly Index with World Trade Scanner

- Six months Rs. 375 US\$45
- 1 Year Rs. 750 US\$70
- 2 Years Rs. 1400 US\$140
- 3 Years Rs. 2100 US\$200

US Takes China to WTO on Credit Cards and Steel Dumping Duty

The U.S. filed two complaints against China at the World Trade Organization, as lawmakers stepped up pressure on the Obama administration to push China for an increase in the value of its currency.

One case concerns curbs on payment-processing companies such as MasterCard Inc. and Visa Inc. that are at a disadvantage because China favors a monopoly provider, China UnionPay Data Co., the U.S. trade office said on 14 September in a statement. The second complaint is over dumping duties that China imposed on more than \$200 million of U.S.-made steel products.

The Obama administration "is fighting for the American jobs threatened by China's actions, and insisting on the level playing field promised in our WTO commitments," U.S. Trade Representative Ron Kirk said in the statement.

President Barack Obama is under pressure from Congress to take more action against China on trade and currency. Lawmakers held a hearing on 14 September to discuss legislation aimed at getting China to raise the value of its currency, the yuan. Treasury Secretary Timothy F. Geithner is scheduled to appear before two congressional panels where lawmakers will press him on China.

\$723 Billion Market for Credits Cards

Payment-processing in China is a \$723 billion business, Terry Xie, an analyst with Mercator Advisory Group, a research firm in Maynard, Massachusetts, said earlier this year. China will overtake the U.S. as the largest market for credit cards by 2020 with about 900 million cards in circulation, MasterCard said on Sept. 10.

China doesn't let foreign companies issue their own bank cards denominated in its currency, build networks to support such cards or process interbank point-of-sale transactions. Foreign banks must "co-brand" with Chinese operators to supply these services and execute payments through UnionPay.

Several hundred billion dollars worth of electronic payment transactions were processed in China in 2009. China's regulator of electronic payment services, the People's Bank of China, has issued a series of measures – dating back to 2001 – that provide a Chinese domestic entity, China Union Pay (CUP), with a monopoly over the handling of domestic currency payment card transactions in China while excluding other potential suppliers.

China prohibits foreign suppliers from handling the typical payment card transaction in China, in which a Chinese consumer makes a payment in China's domestic currency, the renminbi (RMB). Instead, China has created a "national champion" in allowing only CUP to provide these services. Meanwhile, with regard

to payment card transactions in foreign currency, like those involving Chinese tourists visiting other countries, China imposes requirements and restrictions that favor CUP over foreign suppliers.

These market access restrictions and discriminatory limitations on foreign suppliers seeking to engage in the supply of electronic payment services appear to violate Articles XVI and XVII of the General Agreement on Trade in Services.

Those rules run counter to the pledge China made when it joined the WTO in 2001 to open up its credit- and debit-card market to foreign processing companies by the end of 2006, according to the U.S. complaint.

China "did not make any commitment regarding the

supply of payments and clearing services by foreign non-financial institutions" when it joined the trade arbiter, the Chinese government said in a statement at a WTO meeting in 2007.

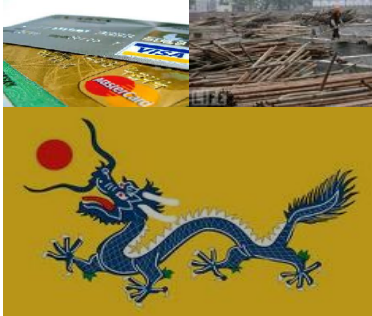
'Patently Unfair'

UnionPay, created by the People's Bank of China in 2002, is owned by more than 80 of the nation's largest banks and other state-owned enterprises. The company has access to payment markets in more than 70 countries and aims to make its cards "acceptable all across the globe," company President Xu Luode said in an interview last year in New York.

Visa, the world's biggest payments network, clashed with China UnionPay in June when the San Francisco-based firm told banks and merchants to use its system to process international transactions by Chinese holders of cards that carry both companies' brands.

MasterCard's Agreement

MasterCard of Purchase, New York, the second-biggest network, has taken a different tack



Steel Workers Asks USTR for Access to China Energy Goods



The United Steelworkers union in the US has filed a trade case against China accusing it of unfairly subsidizing its clean energy industry. The Office of the United States Trade Representative (USTR) says it has received the union's petition and that it will reach a decision on whether to open an investigation within the next 45 days.

The union submitted the document to the USTR on 9 September, highlighting five main areas of protectionist policies used by China that they say gives their green sector an unfair advantage over US companies and violate WTO

and said Sept. 14 that it signed a memorandum of understanding with UnionPay that may increase the number of merchants who accept both companies' cards.

Chris Monteiro, a MasterCard spokesman, said the agreement with UnionPay is unrelated to the trade dispute.

"The WTO case is a matter between the U.S. and Chinese governments," Monteiro said. The memorandum of understanding "covers commercial discussions between MasterCard and China UnionPay."

Steel Case on Anti-dumping and Subsidy

The steel case involves dumping and countervailing duties China has placed on flat-rolled steel, which is made by companies such as AK Steel Holding Corp., the third-largest U.S. steelmaker.

Last December, China, the world's biggest steel market, said it would impose antidumping and subsidy duties of as much as 25 percent on flat-rolled electrical steel products, used in transformers, reactors and electric machines.

China's antidumping and subsidy determinations in the GOES investigations appear to violate numerous WTO requirements. In the United States' view, China initiated both investigations without sufficient evidence; failed to objectively examine the evidence; failed to disclose "essential facts" underlying its conclusions; failed to provide an adequate explanation of its calculations and legal conclusions; improperly used investigative procedures; failed to provide confidential summaries of Chinese submissions; and included U.S. federal and state programs that were not identified in the notice of initiation of the CVD investigation.

Compared with Chinese steel exports to the U.S., the volume of trade affected in this case is small, said Michelle Applebaum, a steel analyst in Chicago.

Under the rules of the WTO, a filing begins a 60-day period of mandatory consultations between officials from the two nations. After that the U.S. can request a WTO panel of judges to rule on the matter.

free-trade rules.

The USW accuses China of subsidizing companies that export green energy products such as solar panels and wind turbines. They also complain that China blocks the importation of clean energy goods and restricts the sale of exhaustible natural resources that foreign energy firms need in order to compete with Chinese companies.

Wang Baodong, a spokesman for the Chinese Embassy in the US, expressed hope for a bilateral agreement between the US and China regarding the clean energy industry. "Great potential exists between China and the US in developing clean energy...with the aim of creating a win-win situation commercially and helping combat the climate change effect," Wang said.

China claims that their investment in clean energy will benefit worldwide goals of reducing greenhouse gas emissions, but trade experts maintain that Chinese protectionist policies may lead to WTO involvement.

If the US Trade Representative accepts the USW petition, the case may be heard in front of a WTO dispute settlement panel.

A decision by the USTR regarding the petition is expected by 24 October.

trade-related investment measures, Japan said.

The view of the Canadian provincial and federal governments is "that Ontario's Green Energy Act is consistent with Canada's international trade obligations under the WTO."

Some experts think it will be challenging for Japan to show that what Ontario has done is contrary to WTO rules. In some cases, local-content rules are frowned upon by the WTO, they say, but in others they are permitted.

Local content requirements for Renewable Energy Equipment are nothing new, with China implementing a 70 percent requirement between 2005 and 2009 for wind turbines. However China could justify this on its developing country status, while Ontario has little grounds for this mandate.

One key issue in this case is whether the purchase of renewable power is considered to be government procurement. GATT rules allow for preference to be given to local producers for government purchases, unless a government specifically agrees that it will not give local preference.

The dispute could end up as a long and drawn-out process, partly because Japan is obliged to negotiate with Canada's federal government, not Ontario. And the federal government has no jurisdiction to force the hand of one of its provinces in this way.

Canada takes US to WTO on COOL Meat Labelling



Canada is challenging the US's country-of-origin labelling (COOL) requirements for beef and pork at a meeting

of the WTO's Dispute Settlements Body (DSB). The Canadian government, backed by several business groups - including some from the US, claims that the implementation of COOL requirements is immensely costly forcing Canadian businesses to seek less money for their beef so as to absorb the cost of implementing the requirement. They maintain that COOL is a technical barrier to trade (TBT) and as such illegal under WTO law.

"The COOL measure is not intended to address health or safety concerns," Canada said in its opening statement. "The objective of the COOL measure was to distort the conditions of competition in the US market to favour US cattle and hogs compared to imported livestock."

The COOL act requires that consumers be informed of the country of origin of meat by a label on the sales package. To receive an "A" label, cattle must be born, raised, and slaughtered in the United States. Meat from cattle with a mixed life - for example, born and raised in Canada but slaughtered in the US - must have a label indicating the mix.

However, rather than taking issue with country-of-origin labelling as a whole - Canada, as well as dozens of other WTO member countries,

has its own country-of-origin laws, the agricultural giant is challenging the specific country of birth, raising, and slaughter of imported livestock requirements under the policy.

The Mexican government has also filed a separate challenge similar to that of Canada's, alleging that COOL regulations are responsible for an almost 50 percent drop in the country's cattle trade in recent years. The Mexican oral statement is being heard together with the Canadian and American statements.

The American government claims that the COOL requirements allow consumer choice, and have been in place for a long time on other products, such as "Canadian Maple Syrup" and "Mexican Tequila." In their opening statement, the US government states several ways that the Canadian and Mexican governments are "dramatically overstating" the situation.

The bulk of the United States' counter argument is that American slaughterhouses continue to import Canadian and Mexican cattle. The US also points to recent significant increases of imported Canadian and Mexican cattle compared to the same time last year. Their argument, however, does not address in detail the claim that American slaughterhouses are simply paying less for imported cattle.

The Dispute Settlement Body is currently hearing the case, but is not expected to release its ruling for several months.

Jakarta to Labels Origin Mark on Timber to Stop Illegal Timber

Indonesia has launched a new system aimed at verifying the legality of domestically harvested timber before it exports. The move is seen as an effort to conform to recently approved EU import restrictions on illegal timber.

The Timber Legality Verification System (or SVLK in its Bahasa Indonesia acronym) would apply to almost all forests in Indonesia, and is supposed to bring timber exports in line with EU laws, which now restrict the importation of illegally harvested timber. Jakarta says the SVLK system will allow all exports destined to the EU market to be fully traceable through the supply chain to their source.

The EU legislation bans the import of illegal timber into the EU, and aims to force timber exporters to prove the legality of their timber - even if raw logs are first sent elsewhere for processing. The SVLK signals Jakarta's further commitment to establishing a Voluntary Partnership Agreement (VPA) with the bloc.

Indonesia and the EU began VPA talks in 2007. A technical meeting between both parties will take place this month in Jakarta to clarify details of the agreement and the deal is expected to be signed later this year. Full features of the agreement are expected to be implemented by 2013.

In Indonesia, stakeholders in the timber industry have already agreed to work with the SVLK system. Jakarta has also indicated that the system is in line with the country's battle

Japan Protests over Local Content Rule in Canada Green Energy Project



Japan launched dispute settlement proceedings against Canada at the World Trade Organization on 13 September by saying that the province

of Ontario's green energy plan unfairly pressures its producers of clean power to buy hardware from local manufacturers.

Specifically, Japan is challenging Ontario's Feed-in Tariff Program (FIT), which enables the province to subsidise electricity operators that use renewable energy produced using stringent local content requirements. The "made-in-Ontario" requirement demands that up to 60 percent of all green energy project inputs be manufactured in the province as it strives to create local jobs.

Ontario, Canada's most populous province, launched an incentive program for renewable energy producers last October, aiming to create jobs and eliminate coal-fired power generators. The program has so far been very successful in drawing manufacturers to set up shop in Ontario.

The biggest deal under the province's green power plan involved South Korean giant Samsung Group. But many other equipment makers - based in Europe, the US and other parts of Canada - have said they will open plants in Ontario to take advantage of the buying binge which is expected under the green energy plan.

Ontario subsidies breach GATT, national treatment: Tokyo

But Japan says the local-content provisions breach portions of the General Agreement on Tariffs and Trade (GATT), and fall under the definition of a "prohibited subsidy." It has asked for "consultations" with Canada under the WTO process, the first stage of a formal trade dispute.

The local content requirements, Japan argued, accords less favourable treatment to Japanese companies exporting solar panels and other equipment to the province. Thus, the FIT program also violates WTO national treatment obligations under which foreign and domestic producers ought to be treated on an equal footing. It also goes against the WTO agreement on

Cont'd..314



Zero Duty List for Nepal Expanded

Floricultural Produce, Atta, Bran and Husk, Poultry, Bristles, Herbs, Stone, Sand and Gravel Included in the New List

Ntfn 94
15.09.2010
(DoR)

In exercise of the powers conferred by section 3A of the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the said Customs Tariff Act), read with sub-section (1) of section 25 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. 40/2002 – Customs dated the 12th April, 2002, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated the 12th April, 2002 vide number G.S.R. 281 (E) dated the 12th April, 2002, except as respects things done or omitted to be done before such supersession, the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts goods specified in column (2) of the Table below and falling within the First Schedule to the said Customs Tariff Act when imported into India from Nepal, -

(a) from the whole of the duty of customs leviable thereon under the said First Schedule to the said Customs Tariff Act, and

(b) from the whole of the special additional duty leviable thereon under section 3A of the said Customs Tariff Act,

subject to the conditions, if any, specified in the Annexure to this notification, the condition number of which is mentioned in the corresponding entry in column (3) of the said Table:

Provided that the exemption from special additional duty shall not be applicable in case of imports of vanaspati, acrylic yarn and winding or insulated wires of copper.

Table

SNo	Description of goods	Condition No.
(1)	(2)	(3)
1.	(i) Agricultural, horticultural, floricultural and forest produce; (ii) Minerals which have not undergone any processing; (iii) Rice, pulses, flour, atta, bran and husk; (iv) Timber; (v) Jaggery (gur and shakkar); (vi) Livestock, poultry bird and fish; (vii) Bees, bees-wax and honey; (viii) Raw wool, goat hair ,bristles and bones as are used in the manufacture of bone-meal; (ix) Milk, home-made products of milk and eggs; (x) Ghani-produced oil and oil-cakes; (xi) Herbs, Ayurvedic and herbal medicines including essential oils and its extracts; (xii) Articles produced by village artisans as are mainly used in villages; (xiii) Akra (xiv) Yak tail; (xv) Stone aggregate, boulder, sand and gravel;	1
2.	All manufactured goods other than the following, namely: - (i) Alcoholic liquors or beverages and their concentrates except industrial spirits; (ii) Perfumes and cosmetics with non-Nepalese or non-Indian brand names; (iii) Cigarettes and tobacco; (iv) Vegetable fats (Vanaspati); (v) Acrylic yarn; (vi) Copper products falling under Chapter 74 and heading 85.44 of the First Schedule to the said Customs Tariff Act, and (vii) Zinc Oxide.	2
3.	(i) Vegetable fats (Vanaspati); (ii) Acrylic yarn; (iii) Copper products falling under Chapter 74 and heading 85.44 of the First Schedule to the said Customs Tariff Act, and (iv) Zinc oxide.	2 and 3

Condition No	Condition
1.	If the goods are wholly produced in Nepal.
2.	(A) (1) The goods are manufactured in Nepal wholly from Nepalese materials or Indian materials or Nepalese and Indian materials. The following products shall be considered as wholly produced or manufactured in Nepal for this purpose - (i) Raw materials or mineral products extracted from soil, water, riverbed or beneath the riverbed in Nepal. (ii) Products taken from the sea bed, ocean floor or sub-soil thereof beyond the limits of national jurisdiction of Nepal, provided it has the exclusive rights to exploit that seabed, ocean floor or sub soil thereof, in accordance with the provisions of the United Nation's Convention on the Law of the Sea (UNCLOS). (iii) Used articles collected in Nepal, fit only for the recovery of raw materials. (iv) Waste and scrap resulting from manufacturing operations conducted in Nepal. Or, (2) (a) The goods involve a manufacturing process in Nepal that brings about a change in classification, at four digit level, of the Harmonized Commodities Description and Coding System, different from those, in which all the third country origin materials used in the manufacture of such goods are classified and the manufacturing process is not limited to insufficient working or processing as indicated in the illustrative list below: (i) operations to ensure the preservation of articles in good condition during transport and storage (for example, ventilation, spreading out, drawing, chilling, placing in salt, sulphur-dioxide or other aqueous solutions, removal of damaged parts and like operations); (ii) operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets), washing, painting, cutting up; (iii) changes of packing and breaking up and assembly of consignments; (iv) slicing, cutting, slitting, re-packing, placing in bottles or flasks or bags or boxes or other containers, fixing on cards or boards etc., and all other packing or re-packing operations; (v) the affixing of marks, labels or other like distinguishing signs on articles or their packaging; (vi) mixing of articles, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in para 1 (b) of Protocol to the Article V of the Treaty of Trade between the Government of Nepal and the Government of India to enable them to be considered as manufactured or produced or made in Nepal; (vii) assembly of parts of an article to constitute a complete article; (viii) a combination of two or more operations specified in (i) to (vii) above. and, (b) the total value of materials, parts or produce originating from countries other than Nepal or India or of undetermined origin used does not exceed 70% (seventy percent) of the FOB price of the articles produced, and the final process of manufacturing is performed within the territory of Nepal.
	Explanation:-For the purpose of this notification, the total value of materials, parts or produce originating from countries other than Nepal or India shall be the CIF value at the time of importation of materials, parts or produce, at the point of entry in Nepal, where this can be proven to the satisfaction of Deputy Commissioner of Customs or the Assistant Commissioner of Customs as the case may be, or the earliest ascertainable price paid for the materials, parts or produce of undetermined origin in the territory of the Contracting Party where the working or processing takes place.
	(B) The importer produces a certificate of origin in the Form annexed hereto, duly certified by an agency designated by the Government of Nepal, in respect of the consignment, to the satisfaction of the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, that such goods have in fact been manufactured in Nepal.

Certificate of origin for exports free of Customs duties under the Treaty of Trade between the Government of Nepal and the Government of India

Reference No. _____

1. Articles consigned from (Exporter's business name, address):
2. Articles consigned to (Consignee's name, address):
3. Means of transport and route:
4. Item number (HS Tariff Line):
5. Marks and number of packages:
6. Description of Articles:
7. Gross weight or other quantity:
8. Number and date of Invoice together with value:
9. FOB value of the articles manufactured in Nepal :
10. (i) Whether articles are manufactured in Nepal under Para 1(a) of the Protocol to Article V of the Treaty of Trade - (Yes/No):
- (ii) If articles are manufactured in Nepal under Para 1 (b) (i) and (ii) of the Protocol to Article V of the Treaty of Trade:
- (A) CIF value of materials, parts or produce originating from Non-Contracting Parties (i.e. other than Nepal and India) at the point of entry in Nepal :-
- (B) Value of materials, parts or produce of undetermined origin:-
11. Percentage of the sum of the value of column 10(ii) (A) and (B) to the value of column 9:
12. Declaration by the exporter:

The undersigned hereby declares that the details furnished above are correct, that the articles are produced in Nepal and that they comply with the Rules of Origin specified in the Treaty of Trade between the Government of Nepal and Government of India.

(Place and Date, Signature of authorised signatory)

13. Certification: It is certified that the articles herein referred to are eligible for preferential treatment as per provisions of the Treaty of Trade between Government of Nepal and the Government of India. It is further certified that:

1. The articles have been manufactured in Nepal at a factory situated at _____ (name of place/district) by M/s. ____ (name of the company).
2. The articles involve manufacturing activity in Nepal and that the manufacturing activity satisfies the criteria given in the Protocol to Article V of the Treaty of Trade.
3. The articles in question are not products of third country origin.*

For the Government of Nepal
(Place and date, Signature and Stamp of Certifying Authority)

*For the purpose of the above Item No. 3, the articles which have undergone a manufacturing process in Nepal as defined in the Protocol to Article V of the Treaty shall not be treated as product of third country origin.

14. For official use of Indian Customs:
The consignment has been examined and allowed to be imported into India as it complies with the provisions as stipulated under Article V of the Treaty of Trade between the Government of Nepal and Government of India.

Signature and Seal of the Certifying Authority.

Dated:
Place:

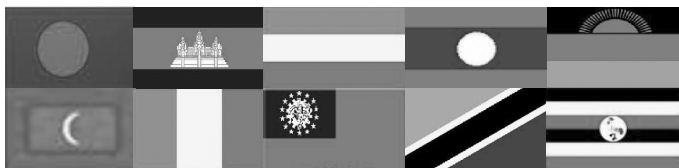
3. (A) The exemption shall apply only to a specified quantity of imports, not exceeding:-
 - (i) 100,000 MT in case of Vegetable fats (Vanaspati);
 - (ii) 10,000 MT in case of Acrylic yarn;
 - (iii) 10,000 MT in case of Copper products falling under Chapter 74 and heading 85.44 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975); and
 - (iv) 2,500 MT in case of Zinc Oxide; in a time period, which shall commence from the 6th day of March of a given calendar year and end on the 5th day of March of the succeeding calendar year.
- (B) The imports shall be permitted only through the land customs stations at Kakarbhitta / Naxalbari, Biratnagar/Jogbani, Birganj/Raxaul, Bhairwaha/Nautanwa, Nepalgunj/Nepalgunj Road and Mahendranagar/Banbasa.
- (C) The importer shall follow the procedure as may be specified by the Government of India from time to time.

LDCs Duty Concessions Raised, Only 40% of Normal Rate Applicable (Previous 60%)

Ntfn 95
15.09.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central

Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of



India, in the Ministry of Finance (Department of Revenue), No. 96/2008-Customs, dated the 13th August, 2008 which was published in the Gazette of India, Extraordinary, vide number G.S.R. 590 (E), dated the 13th August, 2008, namely:-

- In the said notification,-
- (a) in the opening paragraph, in clause (i) for the figures and words "60 per cent", the figures and words "40 per cent" shall be substituted.
 - (b) in Appendix I to the said notification, in the Table, in column (4),-
 - (i) for the entry "4%", wherever it occurs, the entry "6%" shall be substituted;

(ii) for the entry "6%", wherever it occurs, the entry "9%" shall be substituted;

(iii) for the entry "8%", wherever it occurs, the entry "12%" shall be substituted;

(iv) for the entry "10%", wherever it occurs, the entry "15%" shall be substituted;

(v) for the entry "12%", wherever it occurs, the entry "18%" shall be substituted;

(vi) for the entry "18%", wherever it occurs, the entry "27%" shall be substituted;

(vii) for the entry "20%", wherever it occurs, the entry "30%" shall be substituted;

(viii) for the entry "24%", wherever it occurs, the entry "36%" shall be substituted;

(ix) for the entry "30%", wherever it occurs, the entry "45%" shall be substituted;

(x) for the entry "36%", wherever it occurs, the entry "54%" shall be substituted;

(xi) for the entry "40%", wherever it occurs, the entry "60%" shall be substituted.

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

Stencil Marking on Export Packages Not Necessary

The following Public Notice was issued by the Commissioner of Customs (Export) Jawaharlal Nehru Custom House on 17th September 2010.

Sub: Amendment to Public Notice No. 75/2010 dated 28.07.2010 in respect of Procedure regarding Carting of Export goods - marking of packages.

93-PN
17.09.2010

Attention of all the exporters, trade and industry, Custom House Agents and all

concerned is invited to Para 3 of Public Notice No. 75/2010 dated 28.07.2010 wherein all packages brought for export were required to be stencil marked. Representations have been received from the trade with regard to the difficulties faced by them in stencil marking on the packages.

2. The matter has been examined. Accordingly the clause (a) of Para 3 of Public Notice No. 75/2010 dated 28/07/2010 is replaced as under:

"All the packages brought for export shall have markings which are indelible and permanent in nature. Further, it may be noted that no overwriting of numbers/markings will be allowed.

3. Public Notice No. 75/2010 dated 28.07.2010 stands modified to the above extent, all the other conditions remaining the same.

4. Difficulties faced, if any, in following the above procedure, should be brought to the notice of Dy./ Asst. Commissioner of Customs, in-charge who will take appropriate decision in the matter on a case to case basis.

F.No.S/12-Gen- 42 /08 AM(X) JNCH

No Refund of 4% Spl CVD for Textile Sector if Final Product is at Zero Excise

Subject: Refund of 4% Additional Duty of Customs (4% Special CVD) in pursuance of Notification No.102/2007-Customs dated 14.9.2007 – Applicability to manufacturers in textile sector.

34-CBEC
15.09.2010
(DoR)
September 2007

Your kind attention is invited to the Notification No.102/2007-Customs dated 14th September 2007 whereby exemption from Special CVD of 4% leviable under sub-section (5) of Section 3 of the Customs tariff Act, 1975 has been provided subject to the fulfillment of certain conditions.

2. Representations have been received from trade and industry (especially the textile sector) through the Department of Commerce to allow the benefit of this exemption to manufacturer-

importers, especially those who have opted out of the CENVAT Credit Scheme and do not pay excise duty on their final products.

3. The matter has been examined. Special CVD is one of the duties specified under sub-rule (1) of rule 3 of the CENVAT Credit Rules, 2004. Credit of this duty, when paid on inputs (imported) used in or in or in relation to the manufacture of excisable goods, is available. This credit can be used for payment of duty on the final product. Hence a textile manufacturer

who opts to pay excise duty on his final product can avail of CENVAT credit of 4% Special CVD paid on his inputs. But this benefit obviously cannot be extended to a manufacturer who opts to avail of full exemption (and hence not pay excise duty) on his final product. Further, if the imported inputs on which 4% Special CVD has been paid are used by such a manufacturer for the manufacture of final products, the benefit of exemption (by way of refund) under notification no 102/2007-Customs dated 14th September 2007 would also not be available. This is because the condition regarding payment of State VAT on imported inputs cannot be fulfilled in this situation where inputs are consumed and not sold as such

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

F. No. 354/138/2010-TRU

Reporting under FDI Scheme

Sub: Reporting under Foreign Direct Investment (FDI) Scheme

AP(DIR Srs)
Cir.13
14.09.2010
(RBI)

Attention of Authorised Dealer Category-I (AD Category - I) banks is invited to para 9 of Schedule 1 to the Foreign Exchange Management

(Transfer or Issue of Security by a Person Resident Outside India) Regulations, 2000 notified vide Notification No. FEMA 20/2000-RB dated May 3, 2000 (the Notification), as amended from time to time, and A.P. (DIR Series) Circular No. 44 dated May 30, 2008.

2. In terms of para 9 of Schedule 1 to the Notification, Indian companies are required to report, the details of the amount of consideration received for issue of FDI instruments, viz. equity shares, fully and mandatorily convertible preference shares and debentures under the FDI scheme, in the Advance Reporting Format along with the KYC report on the non-resident investor, to the Regional Office of the Reserve Bank

in whose jurisdiction the Registered Office of the company operates, within 30 days of receipt of the amount of consideration. Further, the Indian company is required to issue the FDI instruments to the non-resident investor within 180 days of the receipt of the inward remittance and report the same in Form FC-GPR, to the Regional Office concerned of the Reserve Bank, within 30 days from the date of issue of shares.

3. FDI is an important component of the Balance of Payments (BoP) statistics, which is being compiled and published on a quarterly basis. Any delay in submission of the FDI data results in under-reporting of FDI in the BoP statistics. Further, delay in reporting of the FDI transactions (receipt of advance consideration and issue of FDI compliant instruments) and issuance of shares/ refund of advance consideration beyond 180 days of receipt of the same

without the Reserve Bank's approval are considered as violations under the provisions of the Foreign Exchange Management Act, 1999 (FEMA). Therefore, AD Category - I banks are advised to sensitise and impress upon their clients the importance of strict adherence to the FDI reporting requirements including the KYC report. In this regard, AD Category-I banks may make suitable internal arrangements to monitor / track the inward remittances reported through Advance Reporting Format and the subsequent issue of shares or refund of share application money by the companies.

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

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 is without prejudice to permissions / approvals, if any, required under any other law.

No Refund Claim with Central Refund Cell for Project Imports, Group itself to Process Application

The following Public Notice was issued by the Commissioner of Customs (Import) Jawaharlal Nehru Custom House on 8th September 2010.

Sub: Refund of Cash Security Deposit paid for registration of contract under Project Import Regulations , 1986.

88-PN
08.09.2010

Attention of all Importers, Custom House Agents, Members of Trade and all concerned with the Project Imports at JNCH, is invited to the present practice of sanctioning refund of Security Deposit from Central Refund Cell – I on finalization of project import.

2. At present after finalization of Project Import and cancellation of Bond; importers are filing refund claims with CRC-I, in proforma 'Part A'

alongwith requisite documents related to project import. After scrutiny of requisite documents, the Order-in-Original is passed sanctioning the refund of Security Deposit after pre-auditing wherever warranted. Thereafter, the Refund Order is prepared after defacing the concerned documents and file is forwarded to CAO, JNCH for final disbursement of the sanctioned amount of security deposit through RTGS Account.

3. To further streamline the procedure and for trade facilitation, the matter has been reviewed and it has been decided that, henceforth, no refund claim is required to be filed with CRC-I and the entire process of refund of security deposit shall be processed by the concerned Project Import group (i.e. Gr.VI) itself. The Group shall pass a Sanctioning Order after pre-audit, wherever warranted, and then send the Refund Order to the CAO after defacing the security deposit challan. The CAO, thereafter, shall prepare the cheque and forward to the Bank for further transfer of the same to the party's RTGS Account.

4. The above procedure is brought into effect immediately.

F.NO.S/26-MISC-74/2009 GR.VI

Port Health Officers under FSSA, 2006

The following Public Notice was issued by the Commissioner of Customs (Import) Jawaharlal Nehru Custom House on 8th September 2010.

89-PN Food safety and Standards
08.09.2010 Authority of India has been established under the provisions of Food Safety and Standard Act, 2006 as a statutory body for laying down science based standards for articles of food so as to ensure availability of safe and wholesome food for human consumption. Under the Food Safety and Standard Act, the Authority has a mandate of ensuring safety of foods items imported into the country also.

Food Safety and Standards ACT, 2006 mandates appointment of Authorized Officers for the imported food clearance process. The functions of the Authorized Officer will inter-alia include the existing functions of the Port Health Officer under PFA Act, 1954 with respect to imported

food clearance process, in co-ordination with the Customs Department.

Accordingly, the competent authority has notified Dr. S.K. Halder, Senior Marketing Officer and Shri Ais Kumar, Deputy Director (Current Charge) as Authorized Officers for the jurisdiction of Mumbai Sea Port and Jawaharlal Nehru Port Trust (JNPT), Nhava Sheva respectively for imported food clearance process w.e.f. 1st Septemeber, 2010 till further orders. However, the actual process of clearance of imported food items by FSSAI's Authorized Officers is getting started w.e.f. 13th September, 2010. (Copy of office order dt. 20.08.2010 issued by Ministry of Health and Family Welfare, Govt. of India, New Delhi. Enclosed) The address and contact details of Authorized Officers are given below:

Dr. S. K. Halder
Authorized Officer (Mumbai Sea Port)
Food Safety and Standards Authority of India
Ministry of Health and Family Welfare, Govt. of India, C/o Directorate of Marketing and Inspection, 3rd Floor, B-Wing, New CGO Building, New Marine Lines, Mumbai – 400 020.
Tel-022-22032699
Mobile No.09869427663

Shri Ais Kumar
Authorized Officer (JNPT, Nhava Sheva)
Food Safety and Standards Authority of India
Regional Office – Western Region,
Food Safety and Standards Authority of India
Ministry of Health & Family Welfare, Govt. of India, Old CGO Building, 101, M.K.Marg, New Marine Lines, Mumbai – 400 020, Maharashtra.
Tel-fax 022-022036801
Mobile No.09892319964

During the absence or leave period of one Authorized Officer, the other Authorized Officer will discharge the functions of Authorized Officer for that port for imported food clearance process. For any matter related to imported food clearance process the above mentioned officers may be contacted in place of the Port Health Officer.

The members of the trade/importer as well as the officers are required to take note of the

change in the authorized person for clearance of imported food clearance and accordingly obtain necessary no objection for clearance of imported Food Stuff.

Any difficulty noticed in the implementation of this Public Notice may be brought to the notice of the undersigned.

F.NO. S/22-GEN- 238/2010 AM (I)

Ennore, Irugur Village, Thudiyalur, Chettipalayam and Veerapandi in Tamil Nadu Ports Included in Port of Registration for Export Promotion Scrips

Ntfn 93 In exercise of the powers
14.09.2010 conferred by sub-section (1) of
(DoR) section 25 of the Customs Act,
1962 (52 of 1962), the Central

Government, being satisfied that it is necessary in the public interest so to do, hereby directs that each of the notifications of the Government of India in the Ministry of Finance (Department of Revenue), specified in column (2) of the Table below, shall be amended or further amended, as the case may be, in the manner specified in the corresponding entry in column (3) of the said Table, namely :-

The following changes have been incorporated in the original notifications.

(a) for and the words “ and Krishnapatnam”, the words and brackets, “**Krishnapatnam and Ennore (Tamil Nadu)**” shall be substituted; and

(b) for and the words and brackets “ and Patli (Gurgaon)” the words and brackets, “**Patli (Gurgaon), Irugur Village (Tamil Nadu), Thudiyalur (Tamil Nadu), Chettipalayam**

(Tamil Nadu) and Veerapandi (Tamil Nadu)”, shall be substituted;

Table

SNo.	Notification Number and Date
(1)	(2)
1.	53/01.04.2003 – in condition (5) [DFCE Imports by Status Holders (p155)]
2.	54/01.04.2003 – in condition (4) [Capital Goods to Service Providers (Q/14)]
3.	90/10.09.2004 – in condition (iv) [DFRC Scheme under FTP 2004-2009 (Q/11)]
4.	91/10.09.2004 – in condition (vi) [Advance Licence for Deemed Exports under FTP 2004-2009 (Q/18)]
5.	92/10.09.2004 – in condition (iv) [Served from India Scheme under FTP 2004-2009 (Q/13)]

6. 93/10.09.2004 – in condition (iv)
[Advance Licence under Foreign Trade Policy 2004-2009 (Q/4)]
7. 94/10.09.2004 – in condition (6)
[Advance Licence for Annual Requirement under FTP 2004-09 (Q/6)]
8. 97/17.09.2004 – in condition (6)
[EPCG Scheme under FTP 2004-2009 (Q/36)]
9. 32/08.04.2005 – in condition (5)
[Target Plus Scheme Imports by Star Export House in Foreign Trade Policy 2004-2005 (p/156)]
10. 41/09.05.2005 – in condition (3)
[VKGUY (Special Agricultural Produce and Village Industries Scheme) (p159)]
11. 89/04.10.2005 – in condition (iv)
[DEPB Debit in FTP 2004-2009 (p154)]
12. 40/01.05.2006 – in condition (iv)
[Duty Free Import Authorisation (DFIA) (Q/10)]
13. 73/10.07.2006 – in condition (5)
[Target Plus Scheme Imports for 2005-2006 Exports (p157)]
14. 90/01.09.2006 – in condition (4)
[Focus Market Scheme (Q/15)]
15. 91/01.09.2006 – in condition (4)
[Focus Product Scheme(Q/16)]
16. 14/19.02.2009 – in condition (4)
[Hi-tech Product Export Promotion Scheme (p160)]
17. 91/11.09.2009 – in condition (iv)
[Served from India Scheme under FTP 2009-2014 (Q/12)]
18. 92/11.09.2009 – in condition (iv)
[Focus Product Scheme under FTP 2009-2014 Q/15)]
19. 93/11.09.2009 – in condition (iv)
[Focus Market Scheme under FTP 2009-2014 Q/14)]
20. 94/11.09.2009 – in condition (iv)
[Agri Infrastructure Incentive Scheme for Status Holders under VKGUY under FTP 2009-14 (p158)]
21. 95/11.09.2009 – in condition (iv)
[VKGUY Scheme under FTP 2009-2014 (p158)]
22. 96/11.09.2009 – in condition (vii)
[Advance Authorisation Scheme under FTP 2009-2014 (Q/3)]
23. 97/11.09.2009 – in condition (iv)
[DEPB Scrip under FTP 2009-2014 (p152)]
24. 98/11.09.2009 – in condition (vi)
[Duty Free Import Authorisation under FTP 2009-2014 (Q/9)]
25. 99/11.09.2009 – in condition (vii)
[Advance Authorisation for Annual Requirement under FTP 2009-2014 (Q/5)]
26. 100/11.09.2009 – in condition (9)
[EPCG Scheme to Common Service Providers at 3% in FTP 2009-2014 (Q/28)]
27. 101/11.09.2009 – in condition (12)
[EPCG to Common Service Providers at Nil Duty in FTP 2009-2014 (Q/24)]

28. 102/11.09.2009 – in condition (11)
[Nil Duty EPCG Scheme in FTP 2009-2014 in Eight Export Sectors with Negative List of Exports – Concession Allowed Till 31.12.2011 (Q/22)]
29. 103/11.09.2009 – in condition (8)
[EPCG Scheme at 3% in FTP 2009-2014 (Q/26)]
30. 104/14.09.2009 – in condition (v)
[Status Holders Incentive Scrip under FTP 2009-2014 for Capital Goods Imports (p155)]
31. 112/29.09.2009 – in condition (vii)
[Advance Licence for Deemed Exports in FTP 2009-2014 (Q/17)]

[F. No.605/02/2009-DBK]

Customs Amendments After FTP 2010

Ntnfn 92 In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby directs that each of the notifications of the Government of India in the Ministry of Finance (Department of Revenue), specified in column (2) of the Table below, shall be amended or further amended, as the case may be, in the manner specified in the corresponding entry in column (3) of the said Table, namely :-

Table

SNo.	Notification number and date	Amendments
(1)	(2)	(3)
1.	100/2009-Customs, dated the 11th September, 2009 [Vide number G.S.R. 666 (E), dated the 11th September, 2009] [EPCG Scheme to Common Service Providers at 3% FTP 2009-14 (Q/28)]	In the said notification, (a) in paragraph 2, condition numbers (3), (4), (5), (6), (7), (8), (9) and (10) shall be renumbered as condition numbers (4), (5), (6), (7), (8), (9), (10) and (11) respectively, and before the said conditions as so renumbered, the following condition shall be inserted, namely:- “(3) that the authorization for annual requirement shall indicate export product to be exported under the authorization. The authorization holder shall submit a Nexus Certificate from an independent Chartered Engineer (CEC) in the format specified in Appendix 32A of HBP (vol. I) notified under the Foreign Trade Policy, certifying nexus of imported capital goods with the export product, to the Customs authorities at the time of clearance of imported capital goods. A copy of the CEC shall be submitted to the concerned Regional Authority alongwith copy of the bill of entry, within thirty days from the date of import of the capital goods.”; (b) in the Explanation, clause 1 shall be renumbered as clause 1A and before clause 1A as so renumbered, the following clause shall be inserted, namely: - “1. “Authorization” includes “Authorization for Annual Requirement”.”.
2.	101/2009-Customs, dated the 11th September, 2009 [Vide number G.S.R. 667 (E), dated the 11th September, 2009] [EPCG to Common Service Providers at Nil Duty in FTP 2009-14 (Q/24)]	In the said notification, (a) in paragraph 2,- (i) for condition (1), the following condition shall be substituted, namely:- “(1) that the goods are imported for export of engineering and electronic products, basic chemicals and pharmaceuticals, apparels and textiles, plastics, handicrafts, chemicals and allied products, leather and leather products, paper and paperboard and articles thereof, ceramic products, refractories, glass and glassware, rubber and articles thereof, plywood and allied products, marine products, sports goods and toys and are other than those required for export of products covered under following chapters or headings of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), namely:- Chapters 1,2, 4, 5(except handicrafts), 6 to 24, 25 to 27, 31, 43, 44(except plywood and allied products),45,47,68 (except handicrafts), 71,81 (metals in primary and intermediate forms only),89,93,97(except handicrafts),98; headings 4011 to 4013, 7401 to 7406, 7501 to 7504, 7601 to 7603, 7801, 7802, 7901 to 7903, 8001, 8002 and 8401.”;

(ii) for condition (5), the following condition shall be substituted, namely:-

“(5) that the Common Service provider or any of the specific users is not issued, in the year of issuance of zero duty EPCG authorization, the duty credit scrips under SHIS scheme under para 3.16 of the Foreign Trade Policy. SHIS scrips which are not issued in a particular year for the reason that zero duty EPCG authorization has been issued in that year shall not be issued in future years also.”;

(iii) the condition numbers (6), (7), (8), (9), (10), (11), (12) and (13) shall be renumbered as condition numbers (7), (8), (9), (10), (11), (12), (13) and (14) respectively, and before the said conditions as so renumbered, the following condition shall be inserted, namely:-

“(6) that the authorization for annual requirement shall indicate export product to be exported under the authorization. The authorization holder shall submit a Nexus Certificate from an independent Chartered Engineer (CEC) in the format specified in Appendix 32A of HBP (vol. I) notified under the Foreign Trade Policy, certifying nexus of imported capital goods with the export product, to the Customs authorities at the time of clearance of imported capital goods. A copy of the CEC shall be submitted to the concerned Regional Authority alongwith copy of the bill of entry, within thirty days from the date of import of the Capital Goods.”;

(b) in paragraph 4, for the figures, letters and word “31st December, 2011” the figures, letters and word “31st December, 2012” shall be substituted;

(c) in the Explanation, clause 1 shall be renumbered as clause 1A and before clause 1A as so renumbered, the following clause shall be inserted, namely: -

“1. “Authorization” includes “Authorization for Annual Requirement”.”.

3. 102/2009-Customs, dated the 11th September, 2009 [Vide number G.S.R. 668 (E), dated the 11th September, 2009] **[Nil Duty EPCG Scheme in FTP 2009-14 (Q/22)]**
- In the said notification, (a) in paragraph 2,-
(i) for condition (1), the following condition shall be substituted, namely:-
“(1) that the goods are imported for export of engineering and electronic products, basic chemicals and pharmaceuticals, apparels and textiles, plastics, handicrafts, chemicals and allied products, leather and leather products, paper and paperboard and articles thereof, ceramic products, refractories, glass and glassware, rubber and articles thereof, plywood and allied products, marine products, sports goods and toys and are other than those required for export of products covered under following chapters or headings of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), namely:-
Chapters 1,2, 4, 5(except handicrafts), 6 to 24, 25 to 27, 31, 43, 44(except plywood and allied products),45,47,68 (except handicrafts), 71,81 (metals in primary and intermediate forms only),89,93,97(except handicrafts),98; headings 4011 to 4013, 7401 to 7406, 7501 to 7504, 7601 to 7603, 7801, 7802, 7901 to 7903, 8001, 8002 and 8401.”;
(ii) for condition (4), the following condition shall be substituted, namely:-
“(4) that the importer is not issued, in the year of issuance of zero duty EPCG authorization, the duty credit scrips under SHIS scheme under para 3.16 of the Foreign Trade Policy. SHIS scrips which are not issued in a particular year for the reason that zero duty EPCG authorization has been issued in that year shall not be issued in future years also.”;
(iii) the condition numbers (5), (6), (7), (8), (9), (10), (11) and (12) shall be renumbered as condition numbers (6), (7), (8), (9), (10), (11), (12) and (13) respectively and before the said conditions as so renumbered, the following condition shall be inserted, namely:-
“(5) that the authorization for annual requirement shall indicate export product to be exported under the authorization. The authorization holder shall submit a Nexus Certificate from an independent Chartered Engineer (CEC) in the format specified in Appendix 32A of HBP (vol. I) notified under the Foreign Trade Policy, certifying nexus of imported capital goods with the export product, to the Customs authorities at the time of clearance of imported capital goods. A copy of the CEC shall be submitted to the concerned Regional Authority alongwith copy of the bill of entry, within thirty days from the date of import of the Capital Goods.”;
(b) in paragraph 4, for the figures, letters and word “31st December, 2011” the figures, letters and word “31st December, 2012” shall be substituted;
(c) in the Explanation, clause 1 shall be renumbered as clause 1A and before clause 1A as so renumbered, the following clause shall be inserted, namely: -
“1. “Authorization” includes “Authorization for Annual Requirement”.”.

4. 103/2009-Customs, In the said notification, dated the 11th September, 2009 [Vide number G.S.R. 669 (E), dated the 11th September, 2009] **[EPCG Scheme at 3% in FTP 2009-14 (Q26)]**

(a) in paragraph 2, the condition numbers (2), (3), (4), (5), (6), (7), (8) and (9) shall be renumbered as condition numbers (3), (4), (5), (6), (7), (8), (9) and (10) respectively and before the said conditions as so renumbered, the following condition shall be inserted, namely,-
“(2) that the authorization for annual requirement shall indicate export product to be exported under the authorization. The authorization holder shall submit a Nexus Certificate from an independent Chartered Engineer (CEC) in the format specified in Appendix 32A of HBP (vol. I) notified under the Foreign Trade Policy, certifying nexus of imported capital goods with the export product, to the Customs authorities at the time of clearance of imported capital goods. A copy of the CEC shall be submitted to the concerned Regional Authority alongwith copy of the bill of entry, within thirty days from the date of import of the Capital Goods.”;

(b) in the Explanation, clause 1 shall be renumbered as clause 1A and before clause 1A as so renumbered, the following clause shall be inserted, namely: -
“1. “Authorization” includes “Authorization for Annual Requirement”.”.

5. 104/2009-Customs, In the said notification, dated the 14th September, 2009 [Vide number G.S.R. 674 (E), dated the 14th September, 2009] **[Status Holders Incentive Scrip under 2009-14 for Capital Goods Imports (p155)]**

(a) in the opening paragraph,-
(i) for condition (i), the following condition shall be substituted, namely:-
“(1) that the said scrip has been issued by the licensing Authority to a status holder against exports of the products of the sectors, namely, leather (excluding finished leather), textiles and jute , handicrafts, engineering (excluding iron and steel, non-ferrous metals in primary or intermediate forms, automobiles and two-wheelers, nuclear reactors and parts and ships,boats and floating structures), plastic and basic chemicals(excluding pharma products) made during 2009-10, 2010-11 or 2011-12 or against exports of the products mentioned below made during 2010-11 or 2011-12 , namely:-
(a) the following chemical and allied products (other than bulk minerals, granite or stones, processed minerals, cement, clinkers and asbestos):-
(i) rubber products covered under headings 4001 to 4010 and 4014 to 4017 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(ii) paints, varnishes and allied products covered under headings 3208, 3209 and 3210 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(iii) glass and glassware covered under Chapter 70 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(iv) plywood and allied products covered under Chapter 44 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(v) ceramics or refractories covered under Chapter 69 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(vi) paper, paper boards and paper products covered under Chapter 48 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(vii) books, publications and printings covered under Chapter 49 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(viii) animal by-products covered under headings 35030030, 05069099, 05079010, 05079020, 05079050, 23011010, 23011090, 96062910, and 96063010 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(ix) ossein and gelatine covered under headings 05061039 and 35030020 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);

(x) graphite products covered under headings 3801, 85451100 and 85451900 and explosives covered under headings 3601, 3602 and 3603 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(xi) products covered under headings 3201, 32029010, 32030010, 3604, 3605, & 38021000 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(b) electronic products.
(c) sports goods and toys covered under Chapter 95 and headings 420321, 650610 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
(d) following engineering products covered under Chapter 72 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975):-
(i) iron and steel
(ii) pipes and tubes
(iii) ferro alloys
Provided that the exports specified in the Table annexed to the notification shall not be considered for computation of entitlement under the scheme.”;

(ii) the condition numbers (ii), (iii), (iv), (v), (vi) and (vii) shall be renumbered as condition numbers (3), (4), (5), (6), (7) and (8) respectively and before the said conditions as so renumbered, the following condition shall be inserted, namely:-
“(2) Provided further that the said scrip has not been issued in violation of the condition contained in Para 2(4) of notification No. 102/09-Cus dated the 11th September, 2009 pertaining to Zero Duty EPCG scheme or Para 2(5) of notification No.101/09-Cus dated the 11th September, 2009 pertaining to Zero Duty EPCG scheme for Common Service Providers, as the case may be.”;

(b) In the table annexed to the notification, Sl. No. 8 and the entries relating thereto shall be deleted.

[F.No.605/33/2010-DBK]

Tariff Value on Brass Scrap Hiked by \$30/MT

83-Cus(NT) In exercise of the powers conferred by sub-section (2) of 15.09.2010 section 14 of the Customs Act, 1962 (52 of 1962), the (DoR) Board, being satisfied that it is necessary and expedient so to do, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 36/2001-Cus (N. T.), dated, the 3rd August 2001, namely: -

In the said notification, for the Table, the following Table shall be substituted namely:-

Table			
SNNo.	Chapter/ heading/ sub-heading /tariff item	Description of goods	Tariff value US \$ (Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	447 (i.e. no change)
2	1511 90 10	RBD Palm Oil	476 (i.e. no change)
3	1511 90 90	Others – Palm Oil	462 (i.e. no change)
4	1511 10 00	Crude Palmolein	481 (i.e. no change)
5	1511 90 20	RBD Palmolein	484 (i.e. no change)
6	1511 90 90	Others – Palmolein	483 (i.e. no change)
7	1507 10 00	Crude Soyabean Oil	580 (i.e. no change)
8	7404 00 22	Brass Scrap (all grades)	3954
9	1207 91 00	Poppy seeds	2751

[F. No. 467/4/2010-Cus.V]

Cont'd..308

against illegal logging. With 120 million hectares of forests and one third of its timber exports going to the EU the move is key to maintaining a positive trade relationship.

VPAs lie at the core of the European Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan, the EU's response to a call for action at the 2002 World Summit on Sustainable Development in

Johannesburg, South Africa. Beyond VPAs, Brussels promised to require EU member states to purchase sustainable forest products, and to introduce a legislative measure discouraging the importation of wood from unknown - and thus, potentially illegal - sources. The new EU legislation marks a significant move towards this goal.

The EU has inked VPA deals with a hand full of African countries and is currently in negotiations with several other countries, including Malaysia, Liberia, and Central African Republic.

Officials say Obama's Plan to Boost Exports on Track

US President Barack Obama's National Export Initiative (NEI) is on track to double US exports over the next five years, trade officials in Washington announced Monday. Gary Locke, the US Commerce Secretary pointed towards the 17 percent increase in exports from this time last year, rising to slightly over US\$1 billion. In order to achieve the five year goal, US exports would have to maintain a year on year increase of about 15 percent.

The encouraging indicators come from sources including the Commerce Department and the Export-Import Bank. The Obama administration says these data suggest the NEI will reach or exceed the intended goal.

Critics, however, say the data is not being portrayed accurately and have expressed doubts that the 15 percent growth rate can be maintained. That the base data year being used by the Obama administration is 2009, a year which saw a three year low for US exports, they say.

Exchange rate issues relating to the potential for future sustained growth were also criticised as some economists pointed to the strong US dollar and the continued undervaluation of the Yuan - the US's trade deficit with China increased slightly at the beginning of this year according to a US Commerce Department report.

Some others say they fear retaliation and protectionism as a reaction to the export initiative. Washington has increased loans by US\$2 billion through the NEI, which some countries may argue are unfair subsidies.

Proponents, however, say that with careful planning and some reforms to the export control system, the goal is easily attainable. Many point to the stalled progress of the Doha round, in which American participation and policy is controlled by the US Congress. They also point to pending FTAs with Columbia, Panama, and South Korea - negotiated during the Bush administration - which are all stalled in the US Senate.

EU Offers €230 mn Tariff Relief to Pak

EU Trade Ministers met in Brussels on 10 September to discuss free trade agreements (FTAs) and ways to promote international trade that would help support European businesses. Free trade negotiations involving Malaysia and South Korea were at the top of the meeting's agenda, as were issues involving Pakistan.

The EU foreign ministers also prepared to grant trade preferences to flood-devastated Pakistan. The trade preferences would allow a WTO waiver for some Pakistani exports. This would award approximately €230 million in reduced tariffs to the disaster stricken nation.

EU-South Korea

The EU is in the process of negotiating trade agreements with a number of Asian countries. It has already agreed to an FTA with South Korea and other trade negotiations are proceeding with India and Singapore. The Ministers discussed the status of the EU-Korea FTA, setting a date of no later than 6 October for the agreement to be signed.

Customs Valuation Exchange Rates

September 2010 Imports Exports

Schedule I

1	Australian Dollar	42.15	40.90
2	Canadian Dollar	44.85	43.60
3	Danish Kroner	8.10	7.85
4	EURO	60.35	58.70
5	Hong Kong Dollar	6.10	5.95
6	Norwegian Kroner	7.60	7.35
7	Pound Sterling	73.70	71.80
8	Swedish Kroner	6.40	6.20
9	Swiss Franc	46.10	44.85
10	Singapore Dollar	35.00	34.05
11	U.S. Dollar	47.25	46.30

Rate of exchange of one unit of foreign currency equivalent to Indian Rupees

Schedule II

1	Japanese Yen	55.95	54.35
---	--------------	-------	-------

Rate of exchange of 100 units of foreign currency equivalent to Indian rupees

(Source: Customs Notification 77(NT)/27.08.2010)

Commodity Spot Prices in India – 17-20 September 2010

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

(Rs.)					
Commodity	Unit	Market	17-Sep	18-Sep	20-Sep
CER (Carbon Trading)	1 MT	Mumbai	822.5	827.5	827.5
Chana	100 KGS	Delhi	2230	2240	2239
Masur	100 KGS	Indore	3444	3468	3451
Potato	100 KGS	Agra	447.2	455.7	468.6
Potato TKR	100 KGS	Tarkeshwar	NA	NA	NA
Areca nut	100 KGS	Mangalore	NA	NA	NA
Cashewkern	1 KGS	Quilon	NA	NA	NA
Cardamom	1 KGS	Vandanmedu	1117	1101.3	1115.9
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	13550	13550	13600
Guar Gum	100 KGS	Jodhpur	NA	NA	NA
Maize	100 KGS	Nzmbad	1158.5	1164.5	1168
Wheat	100 KGS	Delhi	1264.6	1263.8	1264.7
Mentha Oil	1 KGS	Chandausi	918	924.2	941.3
Cotton Seed	100 KGS	Akola	NA	NA	NA
Castorsd RJK	100 KGS	Rajkot	4104	4108	4209.5
Guar Seed	100 KGS	Bikaner	1932	1951	2003
Soya Bean	100 KGS	Indore	1987.5	2015	2025.5
Mustrdsd JPR	20 KGS	Jaipur	535.8	536	544
Sesame Seed	100 KGS	Rajkot	5775	5775	5725
Coconut Oil Cake	100 KGS	Kochi	NA	NA	NA
RCBR Oil Cake	1 MT	Raipur	NA	NA	NA
Kapaskhali	50 KGS	Akola	1242	1233.1	1237.5
Coconut Oil	100 KGS	Kochi	6656	6656	6812
Refsoy Oil	10 KGS	Indore	473.2	476.25	NA
CPO	10 KGS	Kandla	417	419.2	423.5
Mustard Oil	10 KGS	Jaipur	535.6	540.8	541.7
Gnutoilexp	10 KGS	Rajkot	928.3	922.5	922.5
Castor Oil	10 KGS	Kandla	NA	NA	NA
Crude Oil	1 BBL	Mumbai	3453	3386	3386
Furnace Oil	1000 KGS	Mumbai	NA	NA	NA
Sourcnd Oil	1 BBL	Mumbai	NA	NA	NA
Brent Crude	1 BBL	Mumbai	3634	3595	3595
Gur	40 KGS	Muzngr	NA	NA	NA
Sugars	100 KGS	Kolhapur	2570	NA	2553
Sugarm	100 KGS	Delhi	2720	2715	2710
Natural Gas	1 mmBtu	Hazirabad	188.1	NA	185
Rubber	100 KGS	Kochi	16649	16661	16660
Cotton Long	1 Candy	Kadi	NA	NA	NA
Cotton Med	1 Maund	Sriganganagar	NA	NA	NA
Jute	100 KGS	Kolkata	3237.5	3312.5	3430.5
Gold	10 GRMS	Ahmd	19150	19130	19072
Gold Guinea	8 GRMS	Ahmd	15382	15366	15319
Silver	1 KGS	Ahmd	32340	32255	32285
Sponge Iron	1 MT	Raipur	NA	NA	NA
Steel Flat	1000 KGS	Mumbai	NA	NA	NA
Steel Long	1 MT	Gobindgarh	25385	25340	25410
Copper	1 KGS	Mumbai	356.6	356.95	356.95
Nickel	1 KGS	Mumbai	1076.7	1076.7	1064.7
Aluminium	1 KGS	Mumbai	99.1	99.1	99.15
Lead	1 KGS	Mumbai	101.5	101.5	99.75
Zinc	1 KGS	Mumbai	99.45	99.45	98.3
Tin	1 KGS	Mumbai	1091.75	1091.75	1078

(Source: MCX Spot Prices)

The deal is estimated to be worth €19 billion in new trade for EU exporters, removing nearly all tariffs between the two economies, as well as many other barriers to trade. The EU has a trade deficit with Korea in the trade of goods, but forecasts predict that the “Korean market offers significant growth potential,” according to an EU press release.

EU-Malaysia

Also in the works is a FTA between the EU and Malaysia. European goods and services ex-

ports to the EU's second largest trade partner in the Association of South-East Asian Nations (ASEAN) were valued at €12.3 billion in 2009. An FTA between these two economies will likely benefit European businesses and result in an increase in foreign direct investment outflows to Malaysia.

The WTO waiver is expected to prompt criticism from other textile exporters such as China and India.

- (f) enhancement of penal provisions in the FC(R) Act;
- (g) permitting trading in options in goods or options in commodity derivatives; and
- (h) making provision for designating the Securities Appellate Tribunal (SAT) as the Appellate Tribunal for purposes of FC(R) Act also including that of levying fee.

The Bill also provides for some other provisions such as-

exempting FMC from payment of tax on wealth; income and profits or gains; conferring powers upon the Central Government;

issue of directions to FMC on matters of policy and power to supersede FMC.

Background

The FC(R) Act provides for the regulation of commodity futures markets in India and the establishment of the Forward Markets Commission (FMC). While the markets have been liberalized with effect from April, 2003 and modern institutional structures are in the process of being evolved. The market regulator, FMC is largely functioning in its traditional format. Many of the existing provisions of the FC(R) Act need changes to strengthen and reinforce legal provisions to meet the requirements of changing environment. In order to amend further the FC(R) Act, the Forward Contracts (Regulation) Amendment Bill, 2006 (the Bill) was introduced in the Lok Sabha on 21.3.2006. The Bill went through the process of consultation and examination including that by the Parliamentary Standing Committee of the Ministry. After the extensive consultations and taking benefit of these inputs the proposal of the Ministry of Consumer Affairs, Food & Public distribution to introduce Forward Contract (Regulation) Amendment Bill 2010 has been approved.

[Source: PIB Press Release dated 16 September 2010]

Option Trading on Commodity Exchanges to Begin Soon

The Union Cabinet on 16 September approved amendments to the Forward Contracts (Regulation) Act 1952 by introducing the Forward Contracts (Regulation) Amendment Bill, 2010 in the Parliament.

After the Bill is passed and enacted by the Parliament, Forward Markets Commission (FMC) as a regulator will get autonomy and power to regulate the market effectively. New Products like 'options' will be allowed in the commodity market. This will benefit various stakeholders including the farmers to take benefit of 'price discovery' and 'price risk manage-

ment'.

The amendments proposed in the Forward Contract (Regulation) Act 1952 (FC(R) Act) are:

- (a) up-dation of existing definitions and insertion of some new definitions;
- (b) changes in provisions relating to composition and functioning of FMC;
- (c) enhancement of the powers of FMC;
- (d) corporatisation and demutualisation of the existing Commodities Exchanges and setting up of a separate Clearing Corporation;
- (e) registration of Intermediaries;

WORLD TRADE SCANNER

Customs, Central Excise Duties and Service Tax Drawback Rules, 1995	306
US Takes China to WTO on Credit Cards and Steel Dumping Duty	307
Steel Workers Asks USTR for Access to China Energy Goods	307
Canada takes US to WTO on COOL Meat Labelling	308
Japan Protests over Local Content Rule in Canada Green Energy Project	308
Jakarta to Labels Origin Mark on Timber to Stop Illegal Timber	308
Officials say Obama's Plan to Boost Exports on Track	315
EU Offers €230 mn Tariff Relief to Pak	315
Commodity Spot Prices in India – 17-20 September 2010	315
Option Trading on Commodity Exchanges to Begin Soon	316

BIG's WEEKLY INDEX OF CHANGES

Customs

Ntfn 92/10.09.2010	Customs Amendments After FTP 2010	313
Ntfn 93/14.09.2010	Ennore, Irugur Village, Thudiyalur, Chettipalayam and Veerapandi in Tamil Nadu Ports Included in Port of Registration for Export Promotion Scrips	312
Ntfn 94/15.09.2010	Zero Duty List for Nepal Expanded	309
Ntfn 95/15.09.2010	LDCs Duty Concessions Raised, Only 40% of Normal Rate Applicable (Previous 60%)	310
83-Cus(NT)/15.09.2010	Tariff Value on Brass Scrap Hiked by \$30/MT	314
88-PN/08.09.2010	No Refund Claim with Central Refund Cell for Project Imports, Group itself to Process Application	311
89-PN/08.09.2010	Port Health Officers under FSSA, 2006	312
93-PN/17.09.2010	Stencil Marking on Export Packages Not Necessary	310

CBEC Circulars

34-CBEC/15.09.2010	No Refund of 4% Spl CVD for Textile Sector if Final Product is at Zero Excise	311
--------------------	---	-----

Central Excise

Cir.13/14.09.2010	Reporting under FDI Scheme	311
-------------------	----------------------------	-----

Breaking News

Bridgestone, Goodyear Face Worst Rubber Shortage in Four Years: Bridgestone Corp., the largest tiremaker by sales, is raising European prices for the second time this year and Goodyear Tire & Rubber Co. is charging more as rubber gains on prospects for the biggest shortage since 2007.

Euro Advances as Irish, Spanish Auctions Ease Debt Concern: The euro rose against the dollar and the yen after investors bought the maximum amounts offered at Spanish and Irish debt sales, easing concern that Europe's sovereign debt crisis will worsen.

U.S. Loses No. 1 to Brazil-China-India Market in Investor Poll: The U.S. has fallen behind emerging markets in Brazil, China and India as the preferred place to invest, a survey shows, though the world's largest economy still ranks highest of all major developed countries.