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Meat Export Policy Amended

- Exporters Required to Obtain Certificate from APEDA Registered Integrated Abattoir
- Authorisation from State Designated Veterinary Authority

Subject: Amendment in chapter 2 of ITC(HS) relating to export of meat.

82-Ntfn(RE) In exercise of the powers
31.10.2011 conferred by Section 5 of the
(DGFT) Foreign Trade (Development &
Regulation) Act, 1992 (No.22

of 1992) read with Para 2.1 of the Foreign Trade Policy, 2009-2014 (as amended from time to time), the Central Government hereby substitutes the existing Chapter 2 of Schedule 2 of ITC(HS) Classification of Export and Import Items, as amended from time to time. This will be with immediate effect.

2. **Chapter 2 of Schedule 2 of ITC(HS)** Classification of Export and Import Items, will be as under:

Chapter - 2

Meat and Edible Meat Offal

Note 1 Beef includes meat and edible offal of cows, oxens and calf

Note 2 Offal includes heart, liver, tongue, kidneys and other organs.

Note 3 The export of chilled and frozen meat shall be allowed subject to the provision specified to the gazette notification on raw meat (chilled and frozen) under Export (Quality Control and Inspection) Act, 1963. Offals of buffalo too are subject to the same conditions of quality control and inspection. Laboratories duly recognized by APEDA, as well as in-house laboratories attached under the abattoirs cum meat processing plants registered with APEDA and Agency approved labs, may also be used to conduct the necessary tests for confirmation of quality under the supervision of the designated veterinary authority of the State. On the basis of these tests and inspections carried out by Veterinarians, duly registered under the Indian Veterinary Council Act 1984, employed by the exporting unit and supervised by the designated veterinary authority of the State, the veterinary Health Certificate may be issued by the designated authorities of the state.

Note 4 Export of canned meat products shall be subject to pre-shipment inspection either by the State Directorate of Animal Husbandry or Export Inspection Agency or Directorate of Marketing and Inspection Government of India or Municipal Corporation of Delhi(MCD) (added by Notification No. 48 dated 18.5.2011) in accordance with either the standards prevalent in the exporting country or standards prescribed under the Meat Food Products Order, 1973 under Export (Quality Control and Inspection) Act, 1963 or orders made thereunder.

Note 5. Exports of gonads and other reproductive organs of buffaloes and the germplasm of cattle and buffaloes in heading 0511 require an export licence.

Note 6. Export of meat and meat products will be allowed subject to the exporter furnishing a declaration, attached with copies of valid APEDA Plant Registration Certificate(s) to the customs at the time of exports that the above items have been obtained/ sourced from an APEDA registered integrated abattoir or from APEDA registered meat processing plant which sources raw material exclusively from APEDA registered integrated abattoir/abattoir.

Note 7. On the cartons for export of meat, the following details shall compulsorily be mentioned:-

- (i) Name of the Product.
- (ii) Country of Origin
- (iii) APEDA Plant Registration No.
- (iv) Name of the exporter.

(added by Notification No 58 dated 31.03.06)

Note 8. The designated veterinary authority of the State where meat processing unit is located, may issue the certificate on the basis of the inspections carried out by Veterinarians duly registered under the Indian Veterinary Council Act 1984 employed by the exporting unit and supervised by the designated veterinary authority of the State. The Inspection Fee prescribed under the Export of Raw Meat (Chilled / Frozen) (Quality Control and Inspection) Rules, 1992 shall continue to be paid by the exporting unit to the Agency as currently applicable.

[See Table at page 313 of this issue]

Statement by USTR Ron Kirk on Presidential Signature of Trade Legislation

United States Trade Representative Ron Kirk on 21 October released a statement following President Barack Obama's signature into law of legislation implementing the U.S.-Korea, U.S.-Colombia, and U.S.-Panama trade agreements, as well as Trade Adjustment Assistance (TAA) reforms, the Generalized System of Preferences (GSP), and the Andean Trade Preference Act.

In 2010 and 2011, the Obama Administration successfully worked with Korea, Colombia, and Panama to address outstanding issues related to each of the three agreements. In particular, the Administration secured: greater U.S. access to the Korean auto market; significantly increased labor rights and worker protections in Colombia; and enhanced tax transparency and labor rights in Panama. The Administration has been clear that once approved by Congress, agreements will enter into force only if trading partners are meeting their commitments.

Dollar Exports Gain at 36% in September 2011

Exports (including re-exports)

India's exports during September, 2011 were valued at US \$ 24821.59 million (Rs.118233.94 crore) which was 36.36 per cent higher in Dollar terms (41.01 per cent higher in Rupee terms) than the level of US \$ 18203.53 million (Rs. 83848.35) during September, 2010. Cumulative value of exports for the period April-September 2011 -12 was US \$ 160048.51 million (Rs 723431.51 crore) as against US \$ 105240.82 million (Rs.484687.10 crore) registering a growth of 52.08 per cent in Dollar terms and 49.26 per cent in Rupee terms over the same period last year.

Imports

India's imports during September, 2011 were valued at US \$ 34588.89 million (Rs.164759.00 crore) representing a growth of 17.20 per cent in Dollar terms (21.20 per cent in Rupee terms) over the level of imports valued at US \$ 29511.78 million (Rs. 135936.00 crore) in September, 2010. Cumulative value of imports for the period April-September, 2011-12 was US \$ 233509.85 million (Rs.1055338.87 crore) as against US\$ 176360.05 million (Rs. 811772.59 crore) registering a growth of 32.41 per cent in Dollar terms and 30.00 per cent in Rupee terms over the same period last year.

Crude Oil and Non-Oil Imports

Oil imports during September, 2011 were valued at US \$ 9209.94 million which was 14.62 per cent higher than oil imports valued at US \$ 8035.03 million in the corresponding period last year. Oil imports during April-September, 2011-12 were valued at US\$ 70348.54 million which was 42.39 per cent higher than the oil imports of

US \$ 49404.58 million in the corresponding period last year.

Non-oil imports during September, 2011 were estimated at US \$ 25378.95 million which was 18.17 per cent higher than non-oil imports of US \$ 21476.76 million in September, 2010. Non-oil imports during April - September, 2011-12 were valued at US\$ 163161.32 million which was 28.52 per cent higher than the level of such imports valued at US\$ 126955.47 million in April - September, 2010-11.

Trade Balance

The trade deficit for April - September, 2011-12 was estimated at US \$ 73461.34 million which was higher than the deficit of US \$ 71119.23 million during April -September, 2010-11.

Exports & Imports: (US \$ Million)

	(Provisional)	
	September	April-September
Exports (including re-exports)		
2010-11	18203.53	105240.82
2011-12	24821.59	160048.51
%Growth 2011-12/ 2010-2011	36.36	52.08
Imports		
2010-11	29511.78	176360.05
2011-12	34588.89	233509.85
%Growth 2011-12/ 2010-2011	17.20	32.41
Trade Balance		
2010-11	-11308.25	-71119.23
2011-12	-9767.30	-73461.34

S.K. Goel Takes Over as CBEC Chairman

S.K.Goel (IRS:1975) took charge as the Chairman, Central Board of Excise & Customs (CBEC) on 31st October, 2011. He took charge from S.Majumdar who demitted the office on his superannuation. Mr. Goel joined Indian Revenue Service (IRS) (Customs & Central Excise) in the year 1975. He was Member (Customs) in CBEC and was instrumental in evolving several trade facilitation measures such as Self-assessment in Customs, On-Site Post Clearance audit procedure, Authorised Economic Operator scheme, etc. He is a recipient of the President's Award for Specially Distinguished Services. He was also Chief Commissioner in Mumbai region.

an imperative for the government departments to modernize the systems and make them client-centric, secure, efficient and transparent. He was happy that the reform which the organization under the Controller General of Accounts (CGA) in the Ministry of Finance has introduced is in keeping with this requirement.

Mr. Mukherjee said that cashless transactions for efficient financial systems are desirable objectives which we must aspire to achieve because paperless transactions usher in greater transparency and ease in management of operations, and provide clear audit trails in the system. **This e-payment initiative by the CGA is a concrete step towards better governance aimed at ensuring prompt payments to vendors, employees and final beneficiaries and is also an important step to usher in green banking.** The Finance Minister said that the electronic payment systems are designed for automated processing and bank reconciliation, thereby reducing the costs of transactions and associated manual work in the involved public agencies, beneficiaries and banks. He said that the initiative also demonstrates our capability to successfully innovate and implement modern technology in our functioning and our resolve to provide value added services to our clients and public.

Security compliant, digital signature based payment system in government which is in keeping with the provisions of the Information Technology Act. This system covering all central government departments and ministries is expected to eliminate almost two crore cheques and when it becomes fully operational in Civil Ministries, Defence and Railways, it is expected to cover a total payment of over Rupees Six Lakh Crore. This is likely to impact the working of a large number of government and bank employees involved in the government payments, he said.

FM Inaugurates Government's E-Payment System

System Expected to Eliminate Almost Two Crore Cheques

The Union Finance Minister Mr. Pranab Mukherjee on 31 October formally launched the central government e-payment system. He said that the commissioning of the e-payment system is a major achievement and indicates Government's strong commitment towards improving efficiency in our financial system, strengthening transparency in operations and introducing reforms for better governance.

He said that introduction of electronic payment products by the Reserve Bank of India (RBI) such as Electronic Clearing Service (ECS), National Electronic Fund Transfer (NEFT) and Real Time Gross Settlements (RTGS) have

ushered in new ways of payment processing and settlement. However, cheques are still the dominant payment instrument in the country and more so in the government sector, he said.

The Union Finance Minister Mr. Mukherjee said that in the public domain, the increased requirement of information from users and from the public at large, especially since the RTI Act come into force, make it necessary for us to change and modernize our systems. He said that there is a growing expectation among the public for greater efficiencies in service delivery, while ushering in transparency and accountability and to address these concerns it is

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
31-Oct-11	48.9525	49.1525	48.8625	48.9725	48.9725	1139762	1739959	853047	48.8730
28-Oct-11	49.1000	49.1550	48.9650	49.0025	49.0025	1138438	1356515	665542	48.8210
26-Oct-11	49.7575	49.7850	49.7000	49.7650	49.7650	1086243	147006	73142	-
25-Oct-11	49.6975	49.7775	49.6600	49.7025	49.6598	888953	886859	440925	49.6598
24-Oct-11	49.9475	50.0425	49.8275	49.8650	49.8650	972651	1771939	884686	49.8745

[Source: NSE and RBI Website]

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China Blocks Websites – US Moves WTO GATS

Last week Washington summoned Beijing to provide detailed information on why it appeared to be blocking certain websites of US firms. The nearly fifty-question filing was submitted under Article III of the WTO's General Agreement on Trade in Services (GATS), which mandates member states to reply promptly to all questions on trade barriers.

Having a website presence in China has become increasingly important for businesses operating from abroad, as it provides one of the few access points to the huge East Asian market. Inaccessible websites prevent service suppliers from offering their services.

"A number of US businesses, especially small- and medium-sized enterprises, have expressed concerns regarding the adverse business impacts from periodic disruptions to the availability of their websites in China," US Trade Representative (USTR) Ron Kirk said in a statement.

Accordingly, the US is seeking "detailed information on the trade impact of Chinese policies that may block US companies' websites, creating commercial barriers that especially hurt America's small business," he continued.

Washington hopes to settle the issue bilaterally with China without having to resort to formal dispute settlement proceedings at the WTO.

The questionnaire submitted to Beijing inquires, amongst others, on the guidelines and criteria for blocking access to websites, the responsible ministry, and with whom affected businesses can communicate if there has been a misunderstanding and whether there is an appeals process.

Other questions relate to a possible notification procedure: "Would Chinese authorities consider it reasonable to notify the owner of a web hosting service that one or more sites that the service hosts are being blocked in China, so that the web hosting service can ensure that other legitimate sites are not inadvertently blocked? Are Chinese authorities already doing this?," the submission asked.

Finally, Washington also expressed a wish to understand how Beijing defines "illegal information."

America's industry applauded the move as the "important first step towards holding the Chinese government accountable for its unfair use of Internet restrictions."

gered over the same period.

The twelve member Super Committee is evenly divided between the Senate and House of Representatives, and evenly split between Republicans and Democrats. The results of the closed door negotiations will lead to an "up or down" vote on 23 December by both chambers of Congress.

In a letter to the Super Committee last week, the chairs from the House and Senate Agriculture Committees - responsible for determining farm spending - outlined a plan to reduce farm spending by US\$23 billion over the typical five year period of the legislation. In contrast, the administration of US President Barack Obama had proposed savings of US\$33 billion.

For the Congressional agriculture committees to play their usual role in determining farm policy, recommendations will need to be submitted to the Super Committee. Any package that it offers would have to either be rejected or accepted in its entirety, leaving little room for modification or debate. Agriculture Committee chairs are expected to submit a detailed proposal to the Super Committee by 1 November.

WTO, UNCTAD and OECD Urge G-20 to Keep Markets Open

We urge G-20 governments to remain united in their efforts to strengthen multilateral cooperation to find global solutions to the current economic difficulties and risks. In particular, the multilateral trading system needs to continue acting as an insurance policy against trade protectionism. The multilateral trading system has been instrumental in maintaining trade openness during the crisis, thereby avoiding even worse outcomes. The forthcoming G-20 Summit in Cannes and the 8th WTO Ministerial Conference in December could send a strong signal about the need to keep markets open, resist protectionism, and preserve and strengthen the global trading system so that it continues performing this vital function in the future.

Adapting Copyright to Digital Age Essential for Creativity

The advent of the cyber age will require changes in copyright infrastructure and documentation to better serve creativity, participants at a World Intellectual Property Organization (WIPO) conference urged last week. The two-day gathering brought together government representatives, national and international public institutions, academics, and other stakeholders involved in copyright protection and administration.

The Conference on Enabling Creativity in the Digital Environment: Copyright Documentation and Infrastructure, held on 13 and 14 October, discussed findings of the various surveys and studies conducted by WIPO to address challenges regarding copyright registration, deposit systems, and public domain in the digital age.

Rare Earth Prices Crash after China Fails in Attempt to do Another OPEC

While the WTO has been quiet as of late on the contentious rare earths front, trade in the precious materials has been shaken quite a bit over the past months. The global rare earths market has recently experienced massive upheaval, with prices falling sharply in June 2011. In response, China's largest rare-earth producer, Inner Mongolia Batou, announced last week that it would be halting production for four weeks' time.

Rare earths are needed in essentially every area of high-tech production, be it for pharmaceuticals, military equipment, green energy technology, or information technologies.

The 25 percent price drop since June is the result of a series of factors. These include the devastating tsunami in Japan in March of this year, which slowed down production in the major export nation and consequently reduced global demand substantially. The lingering global economic crisis has further weakened the market, while manufacturers world-wide are

increasing their efforts to reduce their dependency on China by strengthening rare earth production capacities outside the East-Asian country.

China controls more than 95 percent of the global rare earths market, which makes its mining sector quite sensitive to sudden price drops. On the other hand, holding this quasi-monopoly position allows Beijing to influence world market prices to a considerable extent.

Since 2008, rare earth prices rose from US\$ 10 per kilogramme (for a basket of rare earths) to over US\$ 200 in early 2011. Prices increased only after China started imposing export quotas for the precious materials.

The recent production halt could similarly, though less severely, impact global supply. China Batou is responsible for about half of all global rare-earth production; shutting it down for a month is expected to remove 5,000 metric tons of rare earth from the market, an RBS analyst told the Wall Street Journal in October.

US Farm Bill Talks Push Forward at Breakneck Pace

A fast approaching deadline has kicked negotiations for the US 2012 omnibus farm legislation into overdrive. The domestic US budget debate has pressed lawmakers into an unusually sharp timeline to reach a compromise between various agricultural interest groups.

Some observers have speculated that a farm bill process that typically takes a year may now be squeezed into two weeks.

The speed of the process has been determined by a 23 November deadline for the US Congress Joint Select Committee on Deficit Reduction, better known as the Super Committee, to recommend US\$1.5 trillion in cuts to federal spending over ten years. If the Committee fails to make the recommendations by the established date, US\$1.2 trillion in automatic cuts across the board, with exceptions for nutrition and conservation programmes, will be trig-

US requests to China and India for Subsidies Data

The United States, expressing concern about inadequate notification of subsidy programmes by China and India, respectively, submitted separate counter-notifications against India and China, under Article 25.10 of the Subsidies Agreement at WTO on 26, 27 October.

The United States said its counter notification listed 200 subsidy programmes by China, adding that 190 of these are still not notified despite the recent notification by China. It said half of the 200 programmes were by sub-central governments. Canada, Japan, EU, Turkey, Australia, New Zealand and Norway shared the US concerns.

China said the US paper showed misunderstanding of China's subsidies. It said subsidy notification posed a great challenge to developing countries, but that it would continue its work and incorporate local government programmes.

Regarding India, the United States said it had listed 50 subsidy programmes that had not been notified to the Committee. It also said that India's subsidies on textiles and apparel should be phased out. Japan, Canada, Turkey, the European Union, Australia and Norway urged India to submit full subsidy notifications.

India said it was carefully studying the US paper with the government agencies concerned. It believed that many of the subsidies listed by the United States do not have to be notified under the Subsidies Agreement.

China Attacks US CVDs

The Committee reviewed semi-annual reports of countervailing actions for the first half of 2011 submitted by six members (Australia, Canada, China, European Union, Mexico and the United States).

China expressed concern that the US countervailing measures on aluminium extrusions and on certain steel wheels from China represented "double remedies" (anti-dumping and countervailing actions at the same time) that violated previous Appellate Body rulings. It also complained that the US countervailing investigation on high pressure steel cylinders had selected only one Chinese company as respondent. China also criticized what it said were new US certification requirements in countervailing investigations, and the US administrative review on citric acid.

The US defended its countervailing duty investigations as consistent with the Subsidies Agreement.

is not adequately equipped to deal with emerging global challenges such as energy, food security, competition, and investment."

EU Gives Ok to Russia WTO Membership

European Trade Commissioner Karel De Gucht, told reporters that "We have struck a deal on the final outstanding bilateral issues, leaving the way open for Russia to join the WTO by the end of the year."

One of the main points of contention between the EU and Russia was Russian incentives to domestic automobile producers. In announcing the deal, the European Commission outlined a compensation mechanism that will come into effect should exports of EU car parts to Russia decrease owing to the new investment regime. The mechanism is aimed at calming fears that Russian WTO membership would have an adverse effect on EU jobs.

The Commission mentioned several other resolved issues, including "clearer rules for exporting agricultural products and foodstuffs to Russia, and a reliable quota regime for wood exports."

The EU was also able to secure a guarantee from Russia to amend a system that had proven costly to EU airlines in the past. Russia agreed to implement changes to their system of taxing European flights over Siberia, an agreement initiated back at a 2006 EU-Russia summit in Helsinki. This tax has levied about €320 million in annual charges, according to a study by the Association of European Airlines, for European airlines whose flights to Asia cross over Siberia.

This membership bid for Russia has been in the works since 1993, making Russia the largest economy still outside of the global trade body.

Government Approves 21 New Textiles Parks

Government has sanctioned 21 new Textiles Parks under the Scheme for Integrated Textiles Parks with a project cost of Rs. 2100 crores to be implemented over a period of 36 months. Minister for Commerce, Industry and Textiles Mr. Anand Sharma as Chairman of the Project Approval Committee under the Scheme accorded approval to the recommendations of the Inter Ministerial Project Scrutiny Committee which examined 55 proposals for new Textiles Parks in the country. The Scheme for Integrated Textiles Parks seeks green field investments in textiles sector on a public private partnership basis with the objective of setting up world class infrastructure for Textiles industry.

6 new Textiles Parks have been sanctioned in Maharashtra, 4 in Rajasthan, 2 each in Tamil Nadu and Andhra Pradesh, 1 each in Uttar Pradesh, Gujarat, Tripura, Himachal Pradesh, Karnataka, Jammu & Kashmir and West Bengal. The product mix in these parks would include apparels and garments parks, hosiery parks, silk parks, processing parks, technical textiles including medical textiles, carpet parks, powerloom parks.

Chinese Farm Support Doubles in 2005-08

China's agricultural subsidies doubled between 2005 and 2008, according to new figures provided by the government to the WTO last week. However, the report classes all farm support as 'green box' - the category for payments that are exempt from any ceiling or cuts on the grounds that they cause no more than minimal trade distortion.

This is China's third subsidy notification since its 2001 accession to the global trade body. The previous notifications were in 2010 (for calendar years 2002-2004) and 2006 (for calendar years 1999-2001).

The new data shows a dramatic increase in recent farm subsidy provision, which grew from 310 billion RMB yuan to 593 billion RMB yuan - or approximately US\$85 billion - over the four year period. The growth reflects a long-term trend towards increased support for agriculture in China, all of which has been reported as green box.

According to these new figures, China made no outlays on trade-distorting subsidies in the

WTO's 'amber' or 'blue' boxes. Blue box subsidies are production-limiting measures that are considered trade-distorting by the global trade body; amber box subsidies are the most trade-distorting form of permitted support under the WTO system.

The only trade-distorting payments provided fell below the permitted 'de minimis' ceiling, which is equivalent to 8.5 percent of the country's value of production under a special agreement reached when China joined the global trade body in 2001. De minimis spending is a category of trade-distorting support that is currently allowed in small amounts under WTO rules - usually up to five percent of the country's value of production.

For the year 2008, China reported positive de minimis support for cotton, rice, corn, rapeseed, soybeans, and pork, although support for none of these products exceeded three percent of the value of production, and in most cases was far lower.

EU proposal for Dec 2011 Ministerial

EU has made a series of suggestions for moving past the negotiating impasse at DDA. These included a call for a Trade Facilitation Agreement, coupled with special and differential treatment and appropriate supporting measures for developing countries. The EU argued that this would "represent a genuine win-win outcome for the membership and be of real value for our traders."

Other EU suggestions included the removal of non-tariff barriers and improved functioning of the Dispute Settlement Mechanism, which

would "reduce regulatory impediments to trade and reinforce the multilateral trading system"

Along the lines of further attempts at trade liberalisation, the EU suggested that members examine the possibility of targeted sectoral initiatives, adding that a number of such proposals are already under discussion in the non-agricultural market access (NAMA) negotiating group.

The EU also suggested that the present negotiating mandate be re-examined, and urged that ministers at December's gathering recognise that "the current multilateral rulebook

S.No.	Tariff Item HS Code	Unit	Item Description	Export Policy	Nature of Restriction
18	0201 10 00, 0201 20 00, 0201 30 00, 0202 10 00, 0202 20 00, 0202 30 00	kg	Beef of cows, oxen and calf	Prohibited	Not permitted to be exported
19 (a)	0201	Kg	Meat of buffalo (both male and female) fresh and chilled.		
	0201 10 00		Carcasses and half carcasses	Prohibited	Not permitted to be exported.
	0201 20 00		Other cuts with bone in.	Prohibited	Not permitted to be exported
	0202		Meat of buffalo (both male and female) frozen		
	0202 10 00		Carcasses and half carcasses	Prohibited	Not permitted to be exported
	0202 20 00		Other cuts with bone in	Prohibited	Not permitted to be exported.
19 (b)	0201 30 00	Kg	Boneless meat of buffalo (both male and female) fresh and chilled	Free	1. Export allowed on production of a certificate from the designated veterinary authority of the State, from which the meat or offals emanate, to the effect that the meat or offals are from buffaloes not used for breeding and milch purposes.
	0202 30 00		Boneless meat of buffalo (both male and female) frozen (Notification No. 30 dated 21.8.2006)		2. Quality control and inspection under Note 3 and 4 respectively as well as condition stipulated at Note 6 and 8 above are required to be fulfilled.
20	0204 10 00, 0204 21 00, 0204 22 00, 0204 23 00, 0204 30 00, 0204 41 00, 0204 42 00, 0204 43 00	Kg	Meat of Indian sheep (Notification No. 46 dated 20.02.2007)	Free	Quality control and inspection under Note 3 and 4 respectively as well as condition stipulated at Note 6 above are required to be fulfilled.
21	0204 50 00	Kg	Meat of Indian Goat. (Notification No. 46 dated 20.02.2007)	Free	Quality control and inspection under Note 3 and 4 respectively as well as condition stipulated at Note 6 above are required to be fulfilled.
22	0206 10 00, 0206 21 00, 0206 22 00, 0206 29 00, 0210 20 00	kg	Beef in the form of offal of cows, oxen and calf	Prohibited	Not permitted to be exported
23	0206 10 00, 0206 21 00, 0206 22 00, 0206 29 00, 0210 20 00	kg	Offal of buffalo except gonads and reproductive organs	Free	1. Export allowed on production of a certificate from the designated veterinary authority of the State, from which the meat or offals emanate, to the effect that the meat or offals are from buffaloes not used for breeding and milch purposes. 2. Quality control and inspection under Note 3 and 4 respectively as well as condition stipulated at Note 6 and 8 above are required to be fulfilled.
24	0206 80 10, 0206 90 10	kg	Offal of Indian sheep	Free	Quality control and inspection under Note 3 and 4 respectively as well as condition stipulated at Note 6 above are required to be fulfilled.
25	0206 80 10, 0206 90 10	kg	Offal of Indian Goat	Free	Quality control and inspection under Note 3 and 4 respectively as well as condition stipulated at Note 6 above are required to be fulfilled.

5. Effect of this notification

(i) All the amendments/changes made in Chapter 2 between August 2009 and September 2011 have been incorporated in this notification to make it comprehensive.

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(ii) Exporters would now be required certify both (a) that the items have been obtained/ sourced from an APEDA registered integrated abattoir or from APEDA registered meat processing plant and (b) that the raw material have been sourced exclusively from APEDA registered integrated abattoir/abattoir.

(iii) Designated Veterinary Authority of the State are now authorized to issue the certificate on the basis of the inspections carried out by Veterinarians duly registered under the Indian Veterinary Council Act 1984 employed by the exporting unit in relevant laboratories.

Casein and Casein Export Quota of 1053.625 MTs Permitted

Subject: Exemption for export of excise verified stock of 1053.625 MTs of casein and casein products manufactured prior to imposition of ban on export of milk products i.e. 18.02.2011.

83-Ntn(RE) In exercise of powers
31.10.2011 conferred by Section 5 of the
(DGFT) 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 hereby notifies the following relaxation for export of casein and casein products which were banned by Notification No. 23(RE – 2010)/2009-2014 dated 18th February 2011 read with Notification No. 25(RE–2010)/2009-2014 dated 24th February 2011 and Notification No. 37(RE–2010)/2009-2014 dated 24th March 2011:

“Casein and casein products that had already been manufactured as on the date of ban on export of milk products (i.e. 18.02.2011) would be permitted to be exported limited to a total of 1053.625 MTs. The names of such exporters with applicable quantity will be given separately.”

2. Effect of this notification

In relaxation of the prohibition 1053.625 MTs of Casein and Casein products already manufactured on or before 18.02.2011 would be permitted to be exported.

Technical Textiles Specified for FPS Benefits

Subject:- Eligibility of export product “Technical Textiles” listed at FPS Product Code 33, Table-4, Appendix 37D of HBPv1.

42-Pol.Cir Sr. No. 33, Table-4, Appendix
21.10.2011 37D of HBPv1 allows FPS
(DGFT) benefit to products covered
under ITC HS Code 5407 with

description “Technical Textiles – Woven Fabrics of Synthetic Filament Yarn”. References have been received from the Regional Authorities seeking clarification on coverage of products classified under ITC HS Code 5407 for FPS benefit.

2. The matter has been examined. It is decided that a technical textile is a textile product manufactured for non-aesthetic purposes, where function is the primary criterion. Technical textiles include textiles for automotive applica-

tions, medical textiles, geotextiles, agrotexiles and protective clothing like heat and radiation protection for fire fighter clothing, molten metal protection for welders, stab protection and bulletproof vests and spacesuits etc. Accordingly, only 33 items as listed in the Annexure are covered under technical textiles.

3. It has, therefore, been decided to allow FPS benefits to export products listed in the Annexure to this Policy Circular under category of "Technical Textiles". This list is applicable for exports made w.e.f. 1.4.2011 and any FPS benefit granted to products other than those listed in Annexure to this Circular for exports made w.e.f. 1.4.2011 would need to be recovered from the exporters.

4. All RAs are advised to consider claims accordingly.

5. This issues with approval of DGFT.

Effect of this Policy Circular

Only 33 items are eligible to get FPS benefit under heading "Technical Textiles" as per Sr.No.33, of Table 4, Appendix 37D of HBPv1. The list of 33 items, so eligible, is in the Annexure to this Policy Circular and this list is applicable for export made with effect from 01.04.2011.

Annexure to Policy Circular No. 42 (RE-2010)/2009-14 dated 21 October, 2011.

ITC HS Codes	Woven fabrics obtained from high tenacity yarn of nylon or other polyamides or of polyesters:
	Unbleached:

5407 10 11	Parachute fabric
5407 10 12	Tent fabrics
5407 10 13	Nylon furnishing fabrics
5407 10 14	Umbrella cloth panel fabrics
5407 10 15	Other nylon and polyamide fabrics (filament)
	Bleached:

5407 10 21	Parachute fabric
5407 10 22	Tent fabrics
5407 10 23	Nylon furnishing fabrics
5407 10 24	Umbrella cloth panel fabrics
5407 10 25	Other nylon and polyamide fabrics of filament yarn
	Dyed:

5407 10 31	Parachute Fabrics
5407 10 32	Tent fabrics
5407 10 33	Nylon furnishing fabrics
5407 10 34	Umbrella cloth panel fabrics
5407 10 35	Other nylon and polyamide fabrics (filament)
	Printed:

5407 10 41	Parachute fabric
5407 10 42	Tent fabrics
5407 10 43	Nylon furnishing fabrics
5407 10 44	Umbrella cloth panel fabrics
5407 10 45	Other nylon and polyamide fabrics (filament)
	Other:

5407 10 91	Parachute fabrics
5407 10 92	Tent fabrics
5407 10 93	Nylon furnishing fabrics
5407 10 94	Umbrella cloth panel fabrics
	Woven fabrics obtained from strip or the like:

5407 20 10	Unbleached
5407 20 20	Bleached
5407 20 30	Dyed
5407 20 40	Printed
5407 20 90	Other
	Fabrics specified in Note 9 to Section XI:(of man-made fabrics, impregnated, coated, covered or laminated with plastics)
5407 30 10	Unbleached
5407 30 20	Bleached
5407 30 30	Dyed
5407 30 40	Printed

CBEC Clarifications on Duty Drawback Amendments

Subject: All Industry Rates of Duty Drawback, 2011-12.

48-CBEC 31.10.2011 (DoR) As you are aware, the All Industry Rates (AIR) of Duty Drawback 2011-12 were notified vide Notification No. 68/2011-Cus. (N.T.) dated 22.09.2011. These rates have come into effect on 01.10.2011. Subsequently, the Ministry has received representations on the Drawback Schedule 2011-12 from Export Promotion Councils, Trade associations and individual segments of industry. The representations broadly relate to doubts on classification of items (mainly erstwhile DEPB items) in the Schedule, duty drawback rates, value caps and other miscellaneous matters.

2. The representations have been duly examined and certain amendments / changes, wherever required, have since been carried out vide Notification No. 75 / 2011-Cus. (N.T.), dated 28.10.2011. The Notification may please be downloaded from CBEC website www.cbec.gov.in and perused for details.

3. Some of the major changes / amendments

carried out in the above mentioned notification are discussed below.

4. Parts and components made of iron, steel or aluminium through casting or forging process which were earlier covered under various serial numbers of product group 61 (Engineering) of DEPB scheme were incorporated in Chapter 73 or 76, as the case may be, in the Drawback Schedule. Many representations were received stating that these goods merit classification more appropriately under different headings of Chapter 84 or 85 or 87, for which no specific tariff entry has been provided. To resolve this problem, the said entries have been appropriately replicated under headings 8487, 8548 and 8708 to enable exporters to claim drawback on such parts or components, irrespective of classification of such goods at any other four digit level in the Chapter 84 or 85 or 87 of the Schedule. In this regard a new note (3A) has been inserted in the Notes and Conditions of the Notification No. 68/2011-Cus. (N.T.) dated

Status Holders Eligible for SHIC on Exports Made During 2012-2013

84-Ntfn(RE) 31.10.2011 (DGFT) In exercise of the powers conferred by Section 5 of the Foreign Trade (Development and

Regulation) Act, 1992 read with Para 2.1 of the Foreign Trade Policy, 2009-2014, the Central Government hereby makes the following amendments in the Foreign Trade Policy 2009-14:

1. The following sub paragraph is added at the end of Para 3.16.1 of FTP 2009-14:

The Status Holders shall also be eligible for the Status Holders Incentive Scrip on exports made during 2012-2013.

22.09.2011.

5. Further, representations have also been received from the trade that certain items merit classification more appropriately under different chapter / heading, instead of the classification as has been provided in the Drawback Schedule. All such representations have been examined and wherever there was merit in the representation, it has been decided to replicate the existing entry/entries appropriately under the tariff heading as has been sought by exporters. However, while replicating these entry/entries, the existing entry/entries in the Schedule have been retained so as to avoid any disputes. Further, in all such cases where existing entries have been replicated, due care has been taken to ensure that the rates of duty drawback / value caps (wherever assigned) are the same for both the existing entries as well as the replicated entries.

6. It may be noted that the replication of entries as discussed in para 4 and 5 above and the insertion of Note 3(A) as discussed in the preceding para 4 above, is a purely transitory arrangement and with a view to resolving classification disputes.

7. In some cases, representations have been received for creating new entries as well as for making changes in drawback rates, value caps and in the description of the goods in the Drawback Schedule. All such representations have been examined and wherever the representation was found to have merit, the same has been considered and necessary changes have been carried out as reflected in the amending notification. Thus, for example, composite rate of duty drawback has been provided for all goods falling under headings 7318 and 7418; a single entry under heading 6117 and 6214 has been created for Shawls, Scarves, Stoles, Mufflers, Mantillas & Veils and appropriate value caps provided on per piece basis; Duty drawback rate has also been provided for knitted fabric having a blend of Cotton and MMF (Man Made Fibre).

8. Certain doubts have been expressed about classification of few erstwhile DEPB items in the drawback schedule wherein it has been pointed out that the classification under drawback schedule does not match with the classification as

provided in the Customs Tariff. In this regard attention is invited to the para (1) of the notes and conditions of the notification No. 68/2011-Cus. (N.T.) dated 22.09.2011. It is hereby reiterated that the tariff items and descriptions of goods in the drawback schedule are aligned with the tariff items and descriptions of goods in the Customs Tariff only upto four-digit level. Hence, so long as the alignment is there at the four digit level, there should not be any difficulty for exporters to claim drawback as per the rate specified in the Drawback Schedule, notwithstanding the fact that there may be difference in the classification of the said item at six or more digit level.

9. Doubts have been expressed regarding simultaneous availment of benefits under Advance License / Advance Authorization Scheme along with All Industry Rates of duty drawback. In this regard attention is invited to the sub para (b) of para (8) of the notes and conditions of the notification No. 68/2011-Cus. (N.T.) dated 22.09.2011. It stipulates that the All Industry Rate of drawback is not available if the goods are exported in discharge of export obligation against Advance Licence except under certain conditions. It is clarified that in general, the benefits of All Industry Rates of duty drawback and Advance Licence Scheme are not available simultaneously. However, in such cases the exporter can always avail the brand rate of duty drawback under rule 6 or rule 7 of the Customs, Central Excise Duties and Service Tax Drawback Rules, 1995, as the case may be and subject to the conditions stipulated therein, for the duty paid inputs used in the manufacture of export goods.

10. Representations have also been received seeking clarification on the admissibility of duty drawback on Multi Utility Vehicle (MUV) / Sport Utility Vehicle (SUV). It is clarified that MUV / SUV would, for the purpose of drawback, be classifiable under tariff item 870302 as motor cars.

11. Field formations have expressed some difficulties on the classification of Leather Garments exported under Chapter 42 of drawback schedule. The dispute is over mixed leather and fabric garments which has less than 40% of their surface area made of fabric, and whether they are classifiable under 420301, as "Articles of apparel, made of leather" or under 420302 as "Articles of apparel, made of leather in combination with other materials". In this regard attention is invited to the para (17) of the notes and conditions of the notification No. 68/2011-Cus. (N.T.) dated 22.09.2011, which defines the article of leather as any article wherein 60% or more of the outer visible surface area is of leather. It is therefore clarified that the leather garment is classifiable under tariff item 420301 as "Articles of apparel, made of leather", if 60% or more of the outer visible surface area is of leather and under tariff item 420302 as "Articles of apparel, made of leather in combination with other materials" if the area of leather is less than 60% of the outer visible surface area.

12. It may please be noted that all changes / amendments as have been carried out through the amending notification No. 75 / 2011-Cus. (N.T.), dated 28.10.2011, come into effect retrospectively from October 1, 2011. In all such cases, wherever it is required, the exporters shall be allowed to file supplementary drawback claims and these claims shall be processed accordingly.

13. Public Notices and Standing Orders 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 immediately.

F.No. 609/82/2011-DBK

Amendments in Duty Drawback Schedule

75-Cus(NT) In exercise of the powers conferred by sub-sections (2) and (3) of section 75 of the Customs Act, 1962 (52 of 1962), sub-sections (2) and (2A) of section 37 of the Central Excise Act, 1944 (1 of 1944), and section 93A read with sub-sections (2) and (3) of section 94 of the Finance Act, 1994 (32 of 1994), read with rules 3, 4 and 5 of the Customs, Central Excise Duties and Service Tax Drawback Rules, 1995, the Central Government, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.68/2011-Customs(N.T.), dated the 22nd September, 2011 published vide number G.S.R. 712 (E) dated the 22nd September, 2011, retrospectively with effect from 1st day of October, 2011, namely:-
In the said notification,-

(A) in the **notes and conditions**,-

(i) after **para (3)**, the following para shall be **inserted**, namely:-

"(3A) Notwithstanding anything contained in the said Schedule, any identifiable ready to use machined part or component predominantly made of iron, steel or aluminium, made through casting or forging process, and not specifically mentioned at six digit level or more in Chapter 84 or 85 or 87, may be classified under the relevant tariff item (depending upon material composition and making process) under heading 8487 or 8548 or 8708, as the case may be, irrespective of classification of such part or component at four digit level in Chapter 84 or 85 or 87 of the said Schedule.";

(ii) sub para (f) of **para (8)** shall be **omitted**;

(iii) in **para (13)**, for the words and figures "in Chapters 61, 62 and 63", the words and figures "in Chapters 60, 61, 62 and 63" shall be **substituted**;

(B) in the **Schedule**,-

(i) in **Chapter 13**, for tariff item 13 and the entries relating thereto, the following tariff items and entries shall be substituted, namely :-

(1)	(2)	(3)	(4)	(5)	(6)	(7)
1301	Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams)					
130101	Shellac			2%		2%
130199	others			1%		1%
1302	Vegetable saps and extracts; pectic Substances, pectinates and pectates; Agar-agar and other mucilages and Thickeners, whether or not modified, Derived from vegetable products			1%		1%"

(ii) in **Chapter 15**, after tariff item 151601 and the entries relating thereto, the following tariff item and entries shall be **inserted**, namely :-

"151602	Fish oil			1%		1%	"
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(iii) in **Chapter 19**,-

(a) for the entry in column 4, against tariff item 190501, the entry "2%" shall be substituted;

(b) for the entry in column 6, against tariff item **190501**, the entry "2%" shall be **substituted**;

(iv) in **Chapter 24**, for tariff item 24022000 and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely:-

"24011000	Unmanufactured tobacco			1%		1%
24022000	Cigarettes Packed in consumer packs	200	4.5%	18	3%	12"

(v) in **Chapter 27**, for tariff item 271003 and the entries relating thereto, the following tariff items and entries shall be substituted, namely :-

"271003	Industrial/Automotive Lubricants	Kg	5.5%	11.6	5.5%	11.6	
271099	Others			Nil		Nil	"

(vi) in **Chapter 28**,-

(a) for the entry in column 5, against tariff item **2817001001**, the entry "5" shall be **substituted**;

(b) for the entry in column 7, against tariff item **2817001001**, the entry "5" shall be **substituted**;

(c) for the entry in column 5, against tariff item **2817001002**, the entry "6.5" shall be **substituted**;

(d) for the entry in column 7, against tariff item **2817001002**, the entry "6.5" shall be **substituted**;

(e) for the entry in column 5, against tariff item **2817001003**, the entry "5.5" shall be **substituted**;

(f) for the entry in column 7, against tariff item **2817001003**, the entry "5.5" shall be **substituted**;

(vii) in **Chapter 29**,-

(a) for the entry in column 2, against tariff item **29190090**, the entry "Amino Trimethylene Phosphonic Acid " shall be **substituted**;

(1)	(2)	(3)	(4)	(5)	(6)	(7)
(b) for the entry in column 2, against tariff item 2920100001 , the entry "1-Hydroxyethylidene 1:1 Di Phosphonic Acid " shall be substituted ;						
(c) after tariff item 2922509013 and the entries relating thereto, the following tariff items and entries shall be inserted , namely :-						
"2922509014	Methyl diethanol amine		3%		3%	
2922509015	Triethanol amine		2%		2%	"
(d) for the entry in column 4, against tariff item 2941909009 , the entry "4%" shall be substituted ;						
(e) for the entry in column 6, against tariff item 2941909009 , the entry "4%" shall be substituted ;						
(viii) in Chapter 30 ,-						
(a) for the entry in column 2, against tariff item 3004102002, the entry "ampicillin in liquid suspension/solution for oral consumption in packed condition of strength 125 mg per 5 ml" shall be substituted ;						
(b) for the entry in column 2, against tariff item 3004103002, the entry "amoxicillin in liquid suspension/solution for oral consumption in packed condition of strength 125 mg per 5 ml" shall be substituted ;						
(c) for the entry in column 2, against tariff item 3004105003, the entry "cloxacillin in liquid suspension/solution for oral consumption in packed condition of strength 125 mg per 5 ml" shall be substituted ;						
(d) for the entry in column 2, against tariff item 3004106002 , the entry "ampicillin+cloxacillin in liquid suspension/solution for oral consumption in packed condition of strength 125 mg/5 ml + 125 mg/5 ml " shall be substituted ;						
(e) after tariff item 30042012 and the entries relating thereto, the following tariff item and entries shall be inserted , namely :-						
"30042013	Ciprofloxacin Tablets		3.3%		3.3%	"
(f) for the entry in column 2, against tariff item 3004205002 , the entry "chloramphenicol in liquid suspension/solution for oral consumption in packed condition of strength 125 mg per 5 ml" shall be substituted ;						
(g) for the entry in column 2, against tariff item 30042062 , the entry "erythromycin in liquid suspension/solution for oral consumption in packed condition of strength 125 mg per 5 ml" shall be substituted ;						
(h) for the entry in column 2, against tariff item 30049021 , the entry "pyrantel pamoate in liquid suspension/solution for oral consumption in packed condition of strength 250 mg per 5 ml" shall be substituted ;						
(ix) in Chapter 34 , after tariff item 34021191 and the entries relating thereto, the following tariff item and entries shall be inserted , namely :-						
"34021192	Sodium Alfa Olefine Sulphonate	Kg	5.5%	5.5	5.5%	5.5"
(x) in Chapter 35 , for tariff items falling under heading 3506 and the entries relating thereto, the following tariff items and the entries shall be substituted , namely :-						
"350610	Products suitable for use as glues or adhesives, put up for retail sale as glues or adhesives, not exceeding a net weight of 1 kg		2%		2%	
350691	Glues and Adhesives based on rubber or plastics including artificial resins(in any packing size)					
35069101	Polychloroprene Based Adhesives	Litre	5.5%	7	4%	5.1
35069102	Vinyl Acetate Based Adhesives	Kg	5%	5.5	5%	5.5
35069103	Prepared Glue(containing PVA)	Kg	5%	3.6	5%	3.6
35069104	Lamination Adhesive	Kg	8.4%	12.3	5.5%	8.1
3506000099	Others		1%		1%	"

(xi) in **Chapter 36**,-

(a) for the entry in column 3, against tariff item **36050010**, the entry "Kg" shall be **substituted**;

(b) for the entry in column 5, against tariff item **36050010**, the entry "4.5" shall be **substituted**;

(c) for the entry in column 7, against tariff item **36050010**, the entry "4.5" shall be **substituted**;

(d) for the entry in column 3, against tariff item **36050090**, the entry "Kg" shall be **substituted**;

(e) for the entry in column 5, against tariff item **36050090**, the entry "4" shall be **substituted**;

(f) for the entry in column 7, against tariff item **36050090**, the entry "4" shall be **substituted**;

(xii) in **Chapter 38**,-

(a) for tariff item **3801** and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely :-

"3801 Artificial graphite; colloidal or semi-colloidal graphite; preparations based on graphite or other carbon in the form of pastes, blocks, plates or other semi-manufactures						
380101	Graphite fine and mixed graphite products		5%		5%	
380199	Others		1%		1%	"

(b) after tariff item **3808101202** and the entries relating thereto, the following tariff items and entries shall be **inserted**, namely :-

"3808101203	Zinc Phosphide		3%		3%	
3808101204	Napropamide Tech. 90% minimum	Kg	5%	33.8	5%	33.8"

(c) for the entry in column 3, against tariff item **3808109908**, the entry "Kg" shall be **substituted**;

(xiii) in **Chapter 39**,-

(a) after tariff item **39209937** and the entries relating thereto, the following tariff item and entries shall be **inserted**, namely :-

"39209938	Polyester offset plate (60-130 micron)		5%		5%	"
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(b) for the entry in column 5, against tariff item **3921909903**, the entry "25" shall be **substituted**;

(c) for the entry in column 7, against tariff item **3921909903**, the entry "25" shall be **substituted**;

(d) after tariff item **3923299004** and the entries relating thereto, the following tariff item and entries shall be **inserted**, namely :-

"3923909001	Flexible Intermediate Bulk Containers (FIBC)	KG	9.3%	15.3	3%	4.9"
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(xiv) in **Chapter 40**,-

(a) after tariff item **4002700006** and the entries relating thereto, the following tariff item and entries shall be **inserted**, namely :-

"4002700007	Vinyl Pyridine Latex	Kg	5.5%	11	5.5%	11"
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(b) for the entry in column 5, against tariff item **4016999002**, the entry "20" shall be **substituted**;

(c) for the entry in column 7, against tariff item **4016999002**, the entry "20" shall be **substituted**;

(xv) in **Chapter 42**,-

(a) for the entry in column 5, against tariff item **420306**, the entry "25" shall be **substituted**;

(b) for the entry in column 7, against tariff item **420306**, the entry "11.5" shall be **substituted**;

(xvi) in **Chapter 48**, after tariff item 48026210 and the entries relating thereto, the following tariff item and entries shall be **inserted**, namely :-

"48026900	Cheque Security Papers MICR/Non MICR		2%		2%	"
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(xvii) in **Chapter 52**,-

(a) for the entry in column 6, against tariff item **520905**, the entry "1%" shall be **substituted**;

(b) for the entry in column 7, against tariff item **520905**, the entry "5.5" shall be **substituted**;

(c) for the entry in column 6, against tariff item **520906**, the entry "1%" shall be **substituted**;

(1)	(2)	(3)	(4)	(5)	(6)	(7)
(d) for the entry in column 7, against tariff item 520906 , the entry "6" shall be substituted ;						
(e) for the entry in column 6, against tariff item 520907 , the entry "1%" shall be substituted ;						
(f) for the entry in column 7, against tariff item 520907 , the entry "6" shall be substituted ;						
(g) for the entry in column 6, against tariff item 521103 , the entry "1%" shall be substituted ;						
(h) for the entry in column 7, against tariff item 521103 , the entry "6" shall be substituted ;						
(xviii) in Chapter 60 ,-						
(a) for tariff item 600103 and the entries relating thereto, the following tariff items and entries shall be substituted , namely :-						
"600103	Of Cotton	Kg.	3.8%	18	1%	4.7
600104	Of Blend containing Cotton and Man Made Fibre	Kg.	4.3%	25	1%	5.8
600199	Others	Kg.	3.8%	18	1%	4.7"
(b) for tariff item 600203 and the entries relating thereto, the following tariff items and entries shall be substituted , namely :-						
"600203	Of Cotton	Kg.	3.8%	18	1%	4.7
600204	Of Blend containing Cotton and Man Made Fibre	Kg.	4.3%	25	1%	5.8
600299	Others	Kg.	3.8%	18	1%	4.7"
(c) for tariff item 600303 and the entries relating thereto, the following tariff items and entries shall be substituted , namely :-						
"600303	Of Cotton	Kg.	3.8%	18	1%	4.7
600304	Of Blend containing Cotton and Man Made Fibre	Kg.	4.3%	25	1%	5.8
600399	Others	Kg.	3.8%	18	1%	4.7"
(d) for tariff item 600403 and the entries relating thereto, the following tariff items and entries shall be substituted , namely :-						
"600403	Of Cotton	Kg.	3.8%	18	1%	4.7
600404	Of Blend containing Cotton and Man Made Fibre	Kg.	4.3%	25	1%	5.8
600499	Others	Kg.	3.8%	18	1%	4.7"
(e) for tariff item 600503 and the entries relating thereto, the following tariff items and entries shall be substituted , namely :-						
"600503	Of Cotton	Kg.	3.8%	18	1%	4.7
600504	Of Blend containing Cotton and Man Made Fibre	Kg.	4.3%	25	1%	5.8
600599	Others	Kg.	3.8%	18	1%	4.7"
(f) for tariff item 600603 and the entries relating thereto, the following tariff items and entries shall be substituted , namely :-						
"600603	Of Cotton	Kg.	3.8%	18	1%	4.7
600604	Of Blend containing Cotton and Man Made Fibre	Kg.	4.3%	25	1%	5.8
600699	Others	Kg.	3.8%	18	1%	4.7"
(xix) in Chapter 61 , for tariff items falling under heading 6117 and the entries relating thereto, the following tariff items and entries shall be substituted , namely :-						
"611701 Shawls, scarves, mufflers, stoles, mantillas and veils						
61170101	Of Cotton	piece	7.1%	21	2.2%	6.5
61170102	Of Blend containing Cotton and Man Made Fibre	piece	8.2%	23	2.2%	6.2
61170103	Of Man Made Fibres	piece	9.1%	24	2.4%	6.3
61170104	Of Silk (other than containing Noil silk)	piece	7%	62	3.6%	32
61170105	Of Noil Silk	piece	7%	17	3.6%	8.7
61170106	Of Wool	piece	7.1%	40	2.9%	16.3
61170107	Of Blend containing Wool and Man Made Fibre	piece	8.2%	36	2.2%	9.7

61170199	Of others	piece	7.1%	20	2.2%	6.2
611702 Others						
61170201	Of Cotton	KG	7.1%	54	2.2%	16.7
61170202	Of Blend containing Cotton	KG	8.2%	60	2.2%	16.1
61170203	Of Man Made Fibres and Man Made Fibre	KG	9.1%	65	2.4%	17.1
61170204	Of Silk (other than containing Noil silk)	KG	7%	310	3.6%	159.4
61170205	Of Noil Silk	KG	7%	105	3.6%	54
61170206	Of Wool	KG	7.1%	94	2.9%	38.4
61170207	Of Blend containing Wool and Man Made Fibre	KG	8.2%	79	2.2%	21.2
61170299	Of others	KG	7.1%	50	2.2%	15.5"
(xx) in Chapter 62 , for tariff items falling under heading 6214 and the entries relating thereto, the following tariff items and entries shall be substituted , namely :-						
"621401 Shawls, scarves, mufflers, stoles, mantillas and veils						
62140101	Of Cotton	piece	7.1%	21	2.2%	6.5
62140102	Of Blend containing Cotton and Man Made Fibre	piece	8.2%	23	2.2%	6.2
62140103	Of Man Made Fibres	piece	9.1%	24	2.4%	6.3
62140104	Of Silk (other than containing Noil silk)	piece	7%	62	3.6%	32
62140105	Of Noil Silk	piece	7%	17	3.6%	8.7
62140106	Of Wool	piece	7.1%	40	2.9%	16.3
62140107	Of Blend containing Wool and Man Made Fibre	piece	8.2%	36	2.2%	9.7
62140199	Of others	piece	7.1%	20	2.2%	6.2
621402 Others						
62140201	Of Cotton	KG	7.1%	54	2.2%	16.7
62140202	Of Blend containing Cotton and Man Made Fibre	KG	8.2%	60	2.2%	16.1
62140203	Of Man Made Fibres	KG	9.1%	65	2.4%	17.1
62140204	Of Silk (other than containing Noil silk)	KG	7%	310	3.6%	159.4
62140205	Of Noil Silk	KG	7%	105	3.6%	54
62140206	Of Wool	KG	7.1%	94	2.9%	38.4
62140207	Of Blend containing Wool and Man Made Fibre	KG	8.2%	79	2.2%	21.2
62140299	Of others	KG	7.1%	50	2.2%	15.5"
(xxi) in Chapter 73 ,-						
(a) for the entry in column 5, against tariff item 730711 , the entry "16" shall be substituted ;						
(b) for the entry in column 7, against tariff item 730711 , the entry "16" shall be substituted ;						
(c) for the entry in column 5, against tariff item 730715 , the entry "16" shall be substituted ;						
(d) for the entry in column 7, against tariff item 730715 , the entry "16" shall be substituted ;						
(e) after the tariff item 730715 and the entries relating thereto, the following tariff item and entries shall be inserted , namely :-						
"730716	Spheroidal Graphite/ Malleable/ Ductile Iron Castings (Rough/ machined)		2%		2%"	
(f) after tariff item 730816 and the entries relating thereto, the following tariff item and entries shall be inserted , namely :-						
"730817	Hot Dipped Galvanised tension Bar/ Gate Rods/ Truss Rods/ Drop Rods.		2%		2%"	
(g) for tariff items falling under heading 7318 and the entries relating thereto, the following tariff items and entries shall be substituted , namely:-						
"731801	Steel Needle Screws Self colour or Plated	Kg	8.1%	6.5	2%	1.6
731802	Mild steel U-Bolt	Kg	8.1%	6.5	2%	1.6

(1)	(2)	(3)	(4)	(5)	(6)	(7)
731803	Wood screws made of carbon steel self colour or plated	Kg	8.1%	6.5	2%	1.6
731804	Cotter pin	Kg	8.1%	6.5	3%	2.4
731805	Bolt Axle made of mild Steel	Kg	8.1%	6.5	2%	1.6
731806	Clevis	Kg	8.1%	6.5	3%	2.4
731807	Zinc Plated (Galvanised) Steel Lock Nuts (Blanked/Punched) from H.R.Coil/ Sheet	Kg	8.1%	6.5	3%	2.4
731808	Anchor Bolt With Nut	Kg	8.1%	6.5	2%	1.6
731809	Shoulder Bolt made out of CHQ alloy steel / Stainless Steel	Kg	8.1%	12.1	2%	3
731810	Nuts milled from bar process of Alloy Steel including Stainless Steel	Kg	8.1%	12.1	4%	6
731811	Nuts milled from bar process of Non-Alloy Steel	Kg	8.1%	6.5	3%	2.4
731812	Steel Hub Bolts of Non Alloy Steel	Kg	8.1%	6.5	2%	1.6
731813	Steel Hub Bolts of Alloy Steel	Kg	8.1%	12.1	3%	4.5
731814	Nuts/Bolts/screws/washers made of Alloy steel including stainless steel	Kg	8.1%	12.1	5.5%	8.3
731815	Nuts/Bolts/Screws/washers made of Non-alloy Steel	Kg	8.1%	6.5	3%	2.4
731816	High tensile precision fasteners Cold/ Hot forged Bolts/Screws/ Nuts-All varieties of Alloy steel including stainless steel	Kg	8.1%	12.1	3%	4.5
731817	High tensile precision fasteners Cold/ Hot forged Bolts/Screws/ Nuts-All varieties of Non-Alloy steel	Kg	8.1%	8.1	2%	2
731818	Hot forged nuts of Alloy Steel including stainless steel	Kg	8.1%	12.1	4%	6
731819	Hot forged nuts of Non-Alloy Steel	Kg	8.1%	6.5	3%	2.4
731820	Fully Threaded Rod made of Alloy Steel including Stainless Steel	Kg	8.1%	12.1	4%	6
731821	Fully Threaded Rod made of non-alloy steel/ mild steel (Galvanised / Ungalvanised)	Kg	8.1%	6.5	3%	2.4
731899	Others	Kg	8.1%	4.8	1%	0.6"

(h) for tariff items falling under heading **7323** and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely:-

"732301	Of stainless steel	Kg	8.1%	20	3%	7.4
732302	Copper bottom or aluminium brazed or aluminium clad stainless steel utensils	Kg	8.1%	22	3%	8.1
732303	Of stainless steel having 8% nickel content more than	Kg	8.1%	37	3%	13.7
732304	Copper bottom or aluminium brazed or aluminium clad stainless steel utensils having nickel content more than 8%	Kg	8.1%	37	3%	13.7
732399	Others	Kg	8.1%	12	3%	4.5"

(xxii) in **Chapter 74**, for tariff items falling under heading 7418 and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely :-

"741801	Sanitary and bathroom fittings (of gun metal)	KG	11%	120	3%	32.4
741802	Sanitary and Bathroom Fittings including parts / components thereof made of Brass (Nickel / Chrome Plated)	KG	11%	120	3%	32.4
741803	Electro plated nickel silver ware (EPNS)	KG	11%	120	2%	21.6
741898	Others of copper	KG	11%	145	1%	13.2
741899	Others of brass and other copper alloys	KG	11%	120	1%	10.8"

(xxiii) in **Chapter 76**,

(a) for tariff item **7603** and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely :-

"7603 Aluminium powders and flakes		
760301	Aluminium powder	3% 3%
760399	Others	1% 1%"

(b) the entries in column 7, against tariff items 761501 and 761502 shall be omitted;

(xxiv) in **Chapter 82**,-

(a) for the entry in column 5, against tariff item **821101**, the entry "20" shall be **substituted**;

(b) for the entry in column 7, against tariff item **821101**, the entry "6.2" shall be **substituted**;

(c) for the entry in column 5, against tariff item **821498**, the entry "20" shall be **substituted**;

(d) for the entry in column 7, against tariff item **821498**, the entry "6.2" shall be **substituted**;

(e) for the entry in column 5, against tariff item **821501**, the entry "20" shall be **substituted**;

(f) for the entry in column 7, against tariff item **821501**, the entry "6.2" shall be **substituted**;

(xxv) in **Chapter 84**,-

(a) for tariff item **8408** and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely :-

"8408 Compression - ignition internal combustion piston engines (diesel or semi-diesel engines)		
840801	I.C. Engines of 3HP upto and including 720 HP	2% 2%
840899	Others	1% 1%"

(b) after tariff item **841314** and the entries relating thereto, the following tariff item and the entries shall be **inserted**, namely :-

"841315	Distributor Type Fuel Injection Pump	5.5% 5.5% "
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(c) for tariff item **8487** and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely :-

"8487 Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this chapter		
848701	Identifiable ready to use machined parts/components made wholly or predominantly of iron / carbon steel / Non Alloy Steel/ Alloy steel (other than Stainless Steel) (not less than 90% by weight) manufactured through casting process, not elsewhere specified.	3% 3%
848702	Identifiable ready to use machined parts/components made wholly or predominantly of Stainless Steel (not less than 90% by weight) manufactured through casting process, not elsewhere specified.	Kg 4% 8 4% 8
848703	Identifiable ready to use machined parts/components made wholly or predominantly of carbon steel / Non Alloy Steel/ (not less than 90% by weight) manufactured through forging process, not elsewhere specified.	3% 3%
848704	Identifiable ready to use machined parts / components made wholly or predominantly of Alloy Steel (not less than 90% by weight) manufactured through Forging process, not elsewhere specified	Kg 5% 9 5% 9
848705	Identifiable ready to use machined parts/ components made wholly or predominantly of Stainless Steel (not less than 90% by weight) manufactured through Forging process, not elsewhere specified	Kg 5% 20 5% 20

(1)	(2)	(3)	(4)	(5)	(6)	(7)
848706	Cast articles including parts/ components of Aluminium, not elsewhere specified		3%			3%
848799	others		1%			1% "

(xxvi) in **Chapter 85**, for tariff item 8548 and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely :-

"8548 Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter

854801	Identifiable ready to use machined parts/components made wholly or predominantly of iron / carbon steel / Non Alloy Steel/ Alloy steel (other than Stainless Steel) (not less than 90% by weight) manufactured through casting process, not elsewhere specified.		3%			3%
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854802	Identifiable ready to use machined parts/components made wholly or predominantly of Stainless Steel (not less than 90% by weight) manufactured through casting process, not elsewhere specified.	Kg	4%	8		4% 8
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854803	Identifiable ready to use machined parts/components made wholly or predominantly of carbon steel / Non Alloy Steel/ (not less than 90% by weight) manufactured through forging process, not elsewhere specified.		3%			3%
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854804	Identifiable ready to use machined parts / components made wholly or predominantly of Alloy Steel (not less than 90% by weight) manufactured through Forging process, not elsewhere specified	Kg	5%	9		5% 9
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854805	Identifiable ready to use machined parts/ components made wholly or predominantly of Stainless Steel (not less than 90% by weight) manufactured through Forging process, not elsewhere specified	Kg	5%	20		5% 20
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854806	Cast articles including parts/ components of Aluminium, not elsewhere specified		3%			3%
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854899	Others		Nil			Nil "
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(xxvii) in **Chapter 87**,-

(a) for tariff item **8702** and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely :-

"8702 Motor vehicles for the transport of ten or more persons, including the driver

870201	Commercial Vehicle of GVW upto 7.5 MT in CBU/SKD/ CKD condition		4%			4%
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870202	Commercial Vehicles of GVW above 7.5 MT in CBU/SKD/ CKD condition		5.5%			5.5%
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870299	Others		1%			1%"
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(b) for the entry in column 2, against tariff item **870402**, the entry "Commercial Vehicles of GVW above 7.5 MT in CBU/SKD/CKD condition" shall be **substituted**;

(c) for tariff item **8705** and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely :-

"8705 Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries, crane lorries, fire fighting vehicles, concrete-mixers lorries, spraying lorries, mobile workshops, mobile radiological units)

870501	Commercial Vehicle of GVW upto 7.5 MT in CBU/SKD/ CKD condition		4%			4%
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870502	Commercial Vehicles of GVW above 7.5 MT in CBU/SKD/ CKD condition		5.5%			5.5%
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870599	Others		1%			1%"
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(d) after tariff item **870601** and the entries relating thereto, the following tariff items and entries shall be **inserted**, namely :-

"870602	Chassis, with or without cabin, for Commercial Vehicle of GVW upto 7.5 MT in CBU/ SKD/ CKD condition		4%			4%
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870603	Chassis, with or without cabin, for Commercial Vehicles of GVW above 7.5 MT in CBU/ SKD/CKD condition		5.5%			5.5%"
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(e) after tariff item **8708062** and the entries relating thereto, the following tariff items and entries shall be **inserted**, namely :-

"8708063	General Purpose Metal Fitted/ Metal Bonded/Metal Un-bonded Automobile Rubber Parts (Moulded / Extruded) including Engine Mounting	Kg	5%	20		5% 20
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8708064	Identifiable ready to use machined parts/components made wholly or predominantly of iron / carbon steel / Non Alloy Steel/ Alloy steel (other than Stainless Steel) (not less than 90% by weight) manufactured through casting process, not elsewhere specified.		3%			3%
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8708065	Identifiable ready to use machined parts/components made wholly or predominantly of Stainless Steel (not less than 90% by weight) manufactured through casting process, not elsewhere specified.	Kg	4%	8		4% 8
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8708066	Identifiable ready to use machined parts/components made wholly or predominantly of carbon steel / Non Alloy Steel/ (not less than 90% by weight) manufactured through forging process, not elsewhere specified.		3%			3%
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8708067	Identifiable ready to use machined parts / components made wholly or predominantly of Alloy Steel (not less than 90% by weight) manufactured through Forging process, not elsewhere specified	Kg	5%	9		5% 9
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8708068	Identifiable ready to use machined parts/ components made wholly or predominantly of Stainless Steel (not less than 90% by weight) manufactured through Forging process, not elsewhere specified	Kg	5%	20		5% 20
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8708069	Cast articles including parts/ components of Aluminium, not elsewhere specified		3%			3%"
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(f) for tariff items falling under heading **8714** and the entries relating thereto, the following tariff items and entries shall be **substituted**, namely:-

"871401	BB axle	100 Pcs	10%	198	3%	59
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871402	BB Cup set of 3	1 Set	9.5%	1.6	2%	0.3
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871403	Deleted					
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871404	Brake set	1 Set	10%	5.4	2%	1.1
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871405	Chain	100 Pcs	9.5%	290	2%	61.1
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871406	Chain Adjuster	1 pair	9.5%	0.3	2%	0.1
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871407	Single speed Chainwheel & Crank (Crank made of steel)	1 Set	10%	10.6	2%	2.1
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871408	Cotter pin-Set of 2	1 Set	9.5%	0.5	2%	0.1
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871409	Frame made of steel without B.B. cup & axle	1 Pc	7%	25	2%	7.1
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871410	Fork	100 Pcs	10%	800	2%	160
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871411	Fork Fitting	1 set	9%	2.5	2%	0.6
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871412	Free wheel single speed	100 Pcs	9%	240	2%	53.3
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871413	Handle bar made of steel	1 set	9.5%	11.5	2%	2.4
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871414	Handle stem made of steel	100 Pcs	10%	215	2%	43
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871415	Hub (front or rear) made of steel	100 Pcs	9%	400	2%	88.9
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(1)	(2)	(3)	(4)	(5)	(6)	(7)
871416	Lamp bracket	100 Pcs	10%	91	2%	18.2
871417	Mudguard (pair)	1 pair	10%	11.2	2%	2.2
871418	Pedal (pair)	1 pair	10%	5.2	2%	1
871419	Rim (pair) made of steel	1 pair	10%	22.5	2%	4.5
871420	Saddle	100 Pcs	10%	1130	2%	226
871421	Seat Pillar	100 Pcs	10%	85	2%	17
871422	Spokes set of 144 pieces	1 set	10%	8	3%	2.4
871423	Chain wheel	Per pc.	8.8%	30	2%	6.8
871424	Multispeed free wheel	Per pc.	8.8%	20	2%	4.5
871425	Triple chainwheel and crank set	1 set	8.8%	17	2%	3.9
871426	Handle Bar Switch	Per pc.	8.8%	17	5%	9.6
871427	Half Collets for engine valves	Per pc.	8.8%	4	2%	0.9
871428	Industrial Roller Chain/ Motorcycles including Moped Chain/ Automotive Timing Chains (all types including spares)	KG	8.8%	15	2%	3.4
871499	Others	KG	8.8%	10	2%	2.3"

(g) for the entry in column 6, against tariff item **8715**, the entry "2%" shall be **substituted**;

(h) for the entry in column 7, against tariff item **8715**, the entry "3.3" shall be **substituted**;

(i) for the entry in column 6, against tariff item **871602**, the entry "2%" shall be **substituted**;

(j) for the entry in column 7, against tariff item **871602**, the entry "3.3" shall be **substituted**;

(k) for the entry in column 4, against tariff item **871603**, the entry "2%" shall be **substituted**;

(l) for the entry in column 6, against tariff item **871603**, the entry "2%" shall be **substituted**;

(xxviii) in **Chapter 91**,-

(a) for the entry in column 5, against tariff item **910201**, the entry "30" shall be **substituted**;

(b) for the entry in column 7, against tariff item **910201**, the entry "30" shall be **substituted**.

[F. No. 609/81/2011-DBK]

Procedure for Online Filing of DFIA Exports with Customs and DGFT from 13 Oct 2011

The following Public Notice was issued by the Commissioner of Customs (Export) EDI Section, JNCH on 24 October, 2011.

Subject: Online Transmission of Duty Free Import Authorization issued between Customs and DGFT

130-PN Attention of the CHA/Import-Export trade is invited to 24.10.2011 the Public Notice (s)/Office Order(s) No. 86/2011, dated 10.06.2011 wherein procedure relating to registration of Authorization issued under Duty Free Import Authorization Scheme (hereinafter referred to as "the DFIA") has been laid down. In terms of these Public Notice (s)/Office Order (s), various procedures related to imports and exports under above Scheme like registration, monitoring of exports obligation, verification and redemption of bonds/LUTs etc. are carried out manually at this port.

2. It is to bring to the notice of all concern that the procedures for online transmission of Shipping Bills to DGFT and online receipt of Duty Free Import Authorization (DFIA) from DGFT to Customs through an Electronic Message Exchange System at this port is going to be operational w.e.f. **13th October, 2011**. The new procedure would be applicable in respect of file nos./Authorizations issued under Duty Free Import Authorization Scheme for Exports and Imports in respect of all Authorizations for all EDI and non-EDI ports of registration including this port.

3. As per the new procedure, if the exporter wants to file Shipping Bill under Duty Free Import Authorization Scheme (DFIA), he has to provide simply DFIA details in the column prescribed under revised format. After implementation of online DFIA License, communication with the DGFT regarding Shipping Bills under this scheme would be online. For this

purpose, the Exporters have to send the DFIA details in License Table. For updated format please refer to the document in ICEGATE. The revised RES Package has been made available to the user on website <http://www.ices.nic.in/>.

4. It is further to bring to the notice of all concerns that the CHAs or the exporters who want to file their export documents through Service Centre under Duty Free Import Authorization Scheme, have to provide simply DFIA details in the prescribed column of Annexure – A declaration like any other licenses and not to provide details in the table as was prescribed earlier.

5. In case of export, the Authorization/File Number issued by the DGFT on or after 13th October, 2011 will be automatically available in the ICES 1.5 at the Customs House from the date of implementation of the revised procedure. The Exporter is required to quote file no./ Authorization no. at the time of filling of the Shipping Bill against these Authorization.

6. In case of Import under DFIA, the Authorization issued by the DGFT on or after the date assigned, would be automatically available in the ICES 1.5 at the Customs House from the date of implementation of the revised procedures. For this purpose the importers are required to quote the Authorization No. at the time of filing of Bills of Entry against such licenses.

7. For monitoring of export obligation under subject Authorization issued by DGFT under above mentioned schemes, the Customs would transmit online the Shipping Bills to DGFT wherever exports have been affected under the Authorizations received online from DGFT. The DGFT would furnish Export Obligation Discharge Certificate (EODC) in prescribed format containing details of Shipping Bills to Customs and based on this EODC, the designated officer at this port would release the bonds / LUTs and the BG, if any, after causing necessary verifications.

8. For any amendment under DFIA issued under above schemes by DGFT, importer would obtain a log print of usage of license in prescribed format. DGFT would process amendment(s) of the DFIA based on log print of usage of license issued by Customs and transmit online the necessary amendment(s) of license to Customs. No imports under such Authorization would be allowed after issuance of log print till the amendment message is received from DGFT.

9. The procedures as prescribed in Public Notice/Office Order No 86/2011, dated 10.06.2011 including that of manual registration of file nos./ Authorizations would continue to be followed in case of file nos./Authorizations issued under this Scheme prior to the date assigned for Online transmission of Authorization i.e. 13th October, 2011.

10. Any difficulty faced by the Trade in implementing the above may be brought to the notice of the undersigned immediately.

F. No. EDI/Misc-230/2011 JNCH Date 24.10.2011

No Rupees in Customs Area - Forex Counters in International Airports to be Compliant by End of Year

Subject: Memorandum of Instructions governing money changing activities- Location of Forex Counters in International Airports in India

AP(DIR Srs) Attention of Authorised Persons is invited to the Cir.38 Memorandum of Instructions governing money 25.10.2011 changing activities, issued vide A. P. (DIR Series) (RBI) Circular No. 57 [A.P. (FL/RL Series) Circular No. 04] dated March 9, 2009.

2. On a review relating to compliance of the Foreign Exchange Counters (full-fledged branches/ extension counters) opened by Authorised Dealer Category-I banks, Authorised Dealers Category-II and Full Fledged Money Changers beyond the Domestic Tariff Area in international airports in India, it has been decided as under :

(a) Foreign Exchange Counters in the arrival halls in international airports in India shall ideally be established after the Customs Desk (Green Channel/Red Channel). However, Foreign Exchange Counters may also be established between the Immigration Desk and the Customs Desk in international airports in India, subject to the condition that these counters shall only purchase Foreign currency and sell Indian Rupees (INR) and "Encashment Certificates" shall invariably be issued by the money changers to the customers.

(b) Similarly, Foreign Exchange Counters in the departure halls_in international airports in India shall be established only before the Customs Desk or the Immigration Desk, whichever comes first. Putting up

suitable display at these counters, reminding the passengers that the area is the last point for non-residents to possess Indian Rupees (INR) may be followed up with the Airport Authorities.

3. The Foreign Exchange Counters of Authorised Dealers Category-I banks, Authorised Dealers Category-II and Full Fledged Money Changers, not conforming to the above, should be relocated in accordance with the above instructions, latest by **December 31, 2011**.

4. Authorised Persons may bring the contents of this circular to the notice of their constituents concerned.

5. The directions contained in this Circular have been issued under Section 10(4) and Section 11(1) of the Foreign Exchange Management Act, 1999 (42 of 1999) and non-compliance with the guidelines would attract penal provisions of Section 11(3) of the Act *ibid*.

CBEC Invites Suggestions from Trade for Problems Faced by Exporters in Availing Service Tax Refund

Draft Circular on Refunds in Service Tax

[CBEC Draft Circular dated 28th October 2011]

(This is a draft Circular proposed to be issued in order to streamline the process of sanctioning of refund claims, mainly arising on account of service tax borne on input services that have gone into exports of services in terms of notification no. 5/2006. This draft is being placed in public domain for widest possible circulation and an extensive debate from all stakeholders in trade and industry as also from all the field formations of the department. All suggestions and feedback may please be emailed at d.aron@nic.in to Shri Deepankar Aron, Director (Service Tax), CBEC (Phone No. 011-23092747 and Fax No. 011-23092275) by 30th November 2011. The feedback and suggestions received would be considered for revising the draft circular.)

Subject: Problems faced by exporters in availing refund of excess credit

Representations have been received both from the field and the trade regarding difficulties being faced in the determination of the input services which are eligible for refund under notification 05/2006. Resultantly, the issue has spawned delays and disputes, which has necessitated the issue of this clarification.

2. The issue of eligibility of input services to refund under notification no. 05/2006 has been addressed in Circular No. 120/01/2010-ST dated 19th January, 2010 in paragraph 3.1. The criterion laid down in this paragraph for determining the eligibility states that "in case the absence of such input/input service adversely impacts the quality and efficiency of the provision of service exported, it should be considered as eligible input or input service". This criterion has not been very useful as it is found to be too conceptual and not easily translatable into objective tests that could help in deciding actual cases. Thus a need has been felt for further elaboration by the Board on this issue.

3. The objective that is sought to be achieved by the refund of cenvat credit under notification 05/2006 is to zero-rate the exports. Zero-rating means that the goods and services that are exported from the country should not be burdened with any excise or service taxation. For a 100% exporter who has no domestic business this can be realized only when the ambit of services that are covered by notification 05/2006 is congruent with the ambit of services that are covered by the definition of "input service" that is given in Cenvat Credit Rules, 2004. Thus every input service has to be eligible for refund under notification 05/2006 for a 100% exporter who has no domestic business.

4. The above clearly implies that the scope of Rule 2(l) is congruent with the scope of Rule 5 and the scope of both is congruent with the scope of Notification No. 05/2006 i.e. any service that satisfies the definition of input service as given in Rule 2(l) would also fall within the mischief of Rule 5 and also of Notification No.

05/2006. This is necessary for a perfect pass through from Rule 2 (l) to Rule 5 to Notification No. 05/2010. Only such a construction can zero-rate the exports.

5. For a business entity that has both export business and domestic business the only additional requirement is to check whether the input service has contributed exclusively to domestic business. If the input service has made no contribution to exports and has been exclusively utilized for domestic operations the service has clearly not contributed to exports and so would not be eligible to refund. For example an advertising campaign for a product that is sold exclusively in the domestic market would not contribute to exports and so would not be eligible for the benefit of notification 05/2006. Every input service that is not identifiable as contributing exclusively to domestic business can be said to have a link with exports though its contribution to export may vary. In order to extract the extent of contribution that the input service has made to exports, notification 05/2006 provides for multiplying the credit that has been taken on an input service with the correction factor (export turnover/ total turnover). It is this extracted amount which indicates the contribution that the input service has made to exports. The extracted amount is also the maximum possible amount that is eligible as refund as per the current statute. In this backdrop, it would not be necessary to link every input service invoice with an output invoice, so long as the input service has a link with the export as discussed above.

6. Field formations and trade have represented about the problems being faced in identifying and linking the input services that have gone into providing the output services. Accordingly, the method to be followed for determining eligibility to refund can be summed up in the following principles:

(1) Check that the service on which refund is claimed satisfies the definition of input service

Power of Adjudication of Central Excise Officers

Subject: Power of adjudication of Central Excise Officers- instructions.

957-CBEC 25.10.2011 (DoR) The undersigned is directed to refer to Circular No. 752/68/2003-CX dated 01.10.03 (as amended) on the above

subject. This circular prescribes monetary limits of Central Excise Officers at various levels for adjudicating of cases under sections 11A and 33 of Central Excise Act, 1944.

2. In this regard, the Board has noticed that the monetary limits for adjudicating cases (both extended period and others), for Joint Commissioners is with regard to cases involving duty- above Rs 5 lakhs and upto Rs 50 lakhs and for Additional Commissioners it is with regard to cases involving duty - above Rs 20 lakhs and upto Rs 50 lakhs.

3. The matter has been examined in the Board. It has been decided to prescribe a uniform monetary limit for both Additional Commissioners and the Joint Commissioners. Accordingly, parts A & B of para 2.1 of the said circular stand amended as follows:

Central Excise Officers	Powers of adjudication (Amount of duty involved)
Additional Commissioners	Above Rs. 5 lakh and upto Rs. 50 lakhs

4. Field formations may be informed suitably.
F.No. 208/25/2011-CX-6

that is given in Rule 2 (l) of the CENVAT Credit Rules, 2004.

(2) Next, service is eligible to refund unless facts of the case indicate that the benefit of the service has gone exclusively into domestic business with no spill over what-so-ever into export business.

(3) The second principle mentioned at sub-para (2) above is to be given a strict construction. Disqualification on this account would be an exception rather than a rule and should be done only when there is unmistakable indication that the benefit of the service has not gone into export business what-so-ever.

(4) The level at which a determination shall be made of whether the input service has gone exclusively into domestic business or not shall be at the level of the "input service invoice". The officer scrutinizing the claim will not disaggregate the invoice and extract elements from it and state that these elements have exclusively contributed to domestic business. If at the level of aggregation that is reflected in an invoice, a portion of the input service that is embodied in the invoice has contributed to exports, then the entire input service invoice shall be eligible for refund.

7. Keeping the above principles and statutory provisions in mind, as also after considering the feedback from the field formations on eligibility of input services, a list of input services that are eligible for grant of refund has been prepared and is in the Annexure. Apart from the condi-

tions mentioned above, certain other conditions subject to which the refund would be applicable are also indicated therein. It may please be noted that the list is not exhaustive, but is illustrative. Further, the exact application would depend upon the facts of each case.

8. It is expected that the principle that has been outlined above would prove useful in determining eligibility to refund of the input services. At the same time, it is expected that the field formations shall strengthen the audit machinery including the pre-audit and the post audit mechanisms, so as to ensure that the process of sanctioning of refund is taking place in due accordance with the statutory provisions, so as to prevent the possibility of any misuse.

9. It is hoped that with the issuing of this circular, smooth and expeditious disposal of exporters claims for refund shall follow. In case of any doubt, an immediate reference may be made to the Board.

[Annexure of this circular is available at our website www.worldtradescanner.com]

DGFT Notifies List of FPS Special Bonus Benefit @ 1% of Fob Value of Exports (in Free Foreign Exchange)

Subject: Amendments in the Reward/Incentive Schemes of Chapter 3 of FTP 2009-14:- Notification of Table-8 under Appendix 37D of Handbook of Procedure Vol.1

83-PN(RE) In exercise of powers conferred under paragraph 2.4 of 31.10.2011 the Foreign Trade Policy, 2009-2014, the Director (DGFT) General of Foreign Trade hereby makes the following amendments in the Handbook of Procedures Vol.1 (Appendices and Aayat Niryat Forms) 2009-2014:-

2. The following Table is added in Appendix 37D (Focus Product Scheme) for exports made with effect from 01.10.2011 till 31.03.2012:

Table 8 : Special Bonus Benefit @ 1% of FOB Value of Exports (in Free Foreign Exchange)

Sr. No.	FPS Product Code	ITC (HS) Code	Description
1.	1	720292	Ferro Vanadium
2.	2	720310	Ferrous products obtained by direct reduction of Iron Ore
3.	3	73110010	Liquefied Petroleum Gas (L.P.G.) Cylinder
4.	4	73259920	Other Cast Articles of Alloy Steel Malleable
5.	5	73259930	Other Cast Articles Stainless Steel Malleable
6.	6	7410	Copper Foil (W/N Printed or Backed With Paper, Paper board, Plastics or Similar Backing Materials) of a Thickness (Excl Backing) <=0.15 MM)
7.	7	8201	Hand Tools like Spades, Shovels, Hoes, Forks, Axes & Similar hewing Tools Secateurs-Any Kind knives, Hedge Shears Etc Used in Agriculture/Forestry
8.	8	820210	Hand Saws
9.	9	820310	Files, Rasps & Similar Tools
10.	10	820320	Pliers, Pincers, Tweezers & Similar Tools
11.	11	8204	Hand Operated Spanners & Wrenches (Including Torque Meter Wrenches But Not Tap Wrenches); Inter Changeable Spanner Sockets With Or Without Handle
12.	12	8205	Hand Tools (Including Glaziers Diamonds) NES Blow Lamps; Vices, Clamps, Other Than Accessories & Parts of Machine Tools; Anvils; Portable Forges Etc
13.	13	821220	Safety Razor Blades Including Razor Blade / Blanks in Strips
14.	14	82121010	Twine Type Shaving System
15.	15	821410	Paper knives, Letter Openers, Erasing knives, pencil sharpeners & Blades Therefor

16.	16	84148011	Gas Compressors of a Kind used in Air Conditioning
17.	17	84143000	Compressors used in Refrigerating Equipment
18.	18	842620	Tower Cranes
19.	19	8447	Knitting Machines, Stich bonding machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net and machines for tufting
20.	20	85119000	Parts of Articles of Heading 8511
21.	21	853521	Automatic Circuit Breakers For a Voltage of less than 72.5 KV
22.	22	87060031	Chassis for 3-Wheeled Vehicles Heading 8703
23.	23	870422	G.V.W. exceeding 20 tonnes : Lorries and Trucks
24.	24	8711	Motor cycles (Including Mopeds) and Cycles Fitted with an Auxiliary Motor with or without Side-Cars
25.	25	87149100	Frames, Forks & Parts thereof
26.	26	28030010	Carbon Blacks
27.	27	28047020	Phosphorus Red
28.	28	28111100	Hydrogen Fluoride (Hydrofluoric Acid)
29.	29	28276010	Potassium Iodide
30.	30	28391900	Other Sodium Silicates
31.	31	29071300	Octylphenol, nonylphenol and their isomers; salts thereof
32.	32	29071990	Other Monophenols
33.	33	29130090	Other : Halogenated, sulphonated, nitrated or nitrosated derivatives of products of heading 2912
34.	34	29142310	Beta-Ionone
35.	35	29147090	Other: Halogenated, sulphonated, nitrated or nitrosated derivatives
36.	36	29171200	Adipic Acid Its Salts and Esters
37.	37	29171990	Other: Acyllic Polycarboxylic acids and their derivatives
38.	38	29181520	Sodium Citrate
39.	39	29214990	Other : Aromatic polyamines and their derivatives; salts thereof
40.	40	29225090	Other : Frusemide Aminodial Domperidone
41.	41	29333914	Chlorpheniramine Maleate
42.	42	29333990	Other Compounds containing an unfused pyridine ring
43.	43	29350090	Other Sulphonamides
44.	44	29362920	Nicotinic acid & nicotinamide (Niacinamide/niacine)
45.	45	29411040	Cloxacilline & Its Salts
46.	46	29414000	Chloramphenicol & Its Derivatives Salts Thereof
47.	47	29415000	Erthromycine & Its Derivatives Salts Thereof
48.	48	29419030	Ciprofloxacin & Its Salts
49.	49	29419090	Other Antibiotics

3. The following products are added in Table 4 of Appendix 37D (Focus Product Scheme) after Sl. No. 338 for exports made with effect from 01.04.2011:

Table 4: New Focus Products

Sr. No.	FPS Product Code	ITC (HS) Code	Description
339	339	29420090	Others – Bulk Drugs / APIs

Exchange Rates for Customs Valuation

The current notification No. 74-Customs(NT) dated 27th October 2011 supersedes notification 70-Customs(NT) dated 28th September 2011.

74-Cus(NT) In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in (DoR) supersession of the notification of the Government of India in the Ministry of Finance (Department of

Revenue) No. 70/2011-Customs(NT) dated 28th September 2011 vide number S.O. 2244(E), dated the 28th September, 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 1st November, 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	Imprted Goods		Exported Goods	
		Current	Previous	Current	Previous

Schedule I – Rate of exchange of one unit of foreign currency equivalent to Indian rupees

1	Australian Dollar	52.70	49.10	51.35	47.80
2	Canadian Dollar	50.20	48.60	48.85	47.45
3	Danish Kroner	9.45	9.10	9.15	8.80
4	EURO	69.80	67.30	68.20	65.75
5	Hong Kong Dollar	6.45	6.35	6.35	6.25
6	Norwegian Kroner	9.15	8.65	8.85	8.40
7	Pound Sterling	80.35	77.50	78.55	75.75
8	Swedish Kroner	7.70	7.35	7.45	7.10
9	Swiss Franc	57.05	55.25	55.65	53.75
10	Singapore Dollar	39.80	38.60	38.85	37.75
11	US Dollar	50.05	49.60	49.25	48.80

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

1	Japanese Yen	66.10	65.35	64.35	63.55
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[F.No.468/13/2011-Cus.V]

Poppy Seeds Tariff Value Down by \$87/MT

76-Cus(NT) In exercise of the powers conferred by sub-section (2) of section 14 of the Customs Act, 1962 (52 of 1962), (DoR) the 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

SNo.	Chapter/ heading/ sub-heading/ tariff item	Description of goods	Tariff value US \$ (Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	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)	3951
9	1207 91 00	Poppy seeds	2120

[F. No. 467/2/2011-Cus.V]

Commodity Spot Prices in India – 29 October-01 November 2011

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

Commodity	Unit	Market	(Rs.)		
			29-Oct	31-Oct	01-Nov
CER (Carbon Trading)	1 MT	Mumbai	487	487	468.5
Chana	100 KGS	Delhi	3505	3542	3510
Masur	100 KGS	Indore	3003	2955	2947
Potato	100 KGS	Agra	404.5	418.5	432
Potato TKR	100 KGS	Tarkeshwar	360.7	351.8	351
Arecanut	100 KGS	Mangalore	NA	NA	NA
Cashewkern	1 KGS	Quilon	NA	NA	NA
Cardamom	1 KGS	Vandanmedu	627.5	610.7	609.1
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	5860	5850	5850
Guar Gum	100 KGS	Jodhpur	NA	NA	NA
Maize	100 KGS	Nzmbad	1049	1051.5	1053
Wheat	100 KGS	Delhi	1146.3	1152.1	1154.2
Mentha Oil	1 KGS	Chandausi	1481	1523.5	1531.4
Cotton Seed	100 KGS	Akola	NA	NA	NA
Castorsd RJK	100 KGS	Rajkot	4104	4104	4118
Guar Seed	100 KGS	Bikaner	4630	4652	4713
Soya Bean	100 KGS	Indore	2215.5	2177.5	2170
Mustrdsd JPR	20 KGS	Jaipur	616.55	616.5	613.5
Sesame Seed	100 KGS	Rajkot	6000	6000	5970
Coconut Oil Cake	100 KGS	Kochi	NA	NA	NA
RCBR Oil Cake	1 MT	Raipur	NA	NA	NA
Kapaskhali	50 KGS	Akola	1485	1500.4	1499.3
Coconut Oil	100 KGS	Kochi	8424	8372	8372
Refsoy Oil	10 KGS	Indore	640.25	634.75	631
CPO	10 KGS	Kandla	475.7	474.4	473.8
Mustard Oil	10 KGS	Jaipur	679.1	679.6	679.3
Gnutoilexp	10 KGS	Rajkot	825	840	848.8
Castor Oil	10 KGS	Kandla	NA	NA	NA
Crude Oil	1 BBL	Mumbai	4556	4556	4554
Furnace Oil	1000 KGS	Mumbai	NA	NA	NA
Sourcrd Oil	1 BBL	Mumbai	NA	NA	NA
Brent Crude	1 BBL	Mumbai	5366	5366	5355
Gur	40 KGS	Muzngr	NA	NA	NA
Sugars	100 KGS	Kolhapur	NA	2759	2753
Sugarm	100 KGS	Delhi	3060	3050	3040
Natural Gas	1 mmBtu	Hazirabad	191.5	191.5	192.3
Rubber	100 KGS	Kochi	21257	21246	21177
Cotton Long	1 Candy	Kadi	NA	NA	NA
Cotton Med	1 Maund	Sriganganagar	NA	NA	NA
Jute	100 KGS	Kolkata	2264	2260	2237
Gold	10 GRMS	Ahmd	26709	27201	27175
Gold Guinea	8 GRMS	Ahmd	21453	21848	21827
Silver	1 KGS	Ahmd	53030	56003	55135
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	398.9	398.9	391.35
Nickel	1 KGS	Mumbai	961.7	945.6	951.5
Aluminium	1 KGS	Mumbai	108.45	107.55	107.3
Lead	1 KGS	Mumbai	96.95	96.7	99.45
Zinc	1 KGS	Mumbai	93.1	93.4	95
Tin	1 KGS	Mumbai	1069.75	1067.75	1073

(Source: MCX Spot Prices)

National Manufacturing Policy

The Cabinet approved the revised proposal of the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry to put in place a National Manufacturing Policy.

The Cabinet in its meeting held on 15th September 2011 considered the National Manufacturing Policy and directed that the policy may be considered by a Group of Ministers (GOM) for further harmonizing the differences in some inter-ministerial positions notably relating to Ministry of Labour and Employment and the Ministry of Environment and Forests. The GOM in its meeting held on 14th October 2011 has resolved the relevant issues. A revised note incorporating the recommendations of the GOM has been approved by the Cabinet on 25 October, 2011.

The major objectives of the National Manufacturing Policy are to increase the sectoral share of manufacturing in GOP to at least 25%

by 2022; to increase the rate of job creation so as to create 100 million additional jobs by 2022; and to enhance global competitiveness, domestic value addition, technological depth and environmental sustainability of growth.

It is envisaged to ensure compliance of labour and environmental laws while introducing procedural simplifications and rationalization so that the regulatory burden on industry is reduced.

The contribution of the manufacturing sector at just over 16% of India's GOP is much below its potential and a cause of concern especially in the context of other Asian countries in similar stages of development. India is a young country with over 60% of its population in the working age group. With over 220 million people estimated to join the work force in the next decade, the manufacturing sector will have to create gainful employment for at least half this num-

Compulsory Barcoding Must for Drugs and Pharma Export w.e.f. 1 Oct 2011

Subject: Implementation of bar coding on tertiary packing of consignments of pharmaceuticals and drugs for export with effect from 01.10.2011.

43-Pol.Cir As per Public Notice No. 59
25.10.2011 (RE-2010)/2009-14 dated
(DGFT) 30.06.2011, incorporation

of barcodes (1 D) encoding unique product identification code (GTIN), Batch Number, Expiry Date and Unique Serial Number of the Tertiary pack (shipper/carton) on export consignments of pharmaceuticals and drugs has come into effect from 01.10.2011.

2. It is clarified that the above barcoding requirement is compulsory for pharmaceuticals and drugs **manufactured** on or after 01.10.2011.

3. This issues with the approval of Commerce Secretary.

ber. With a view to accelerating the growth of the manufacturing sector, the manufacturing policy proposes to create an enabling environment suitable for the sector to flourish in India.

MMTC Opens Office in South Africa

In a meeting of the three Trade Ministers from India Brazil and South Africa in Pretoria on 18 October it was decided to hold an annual trilateral meeting of the Trade Ministers from the IBSA members to further enhance the intra-IBSA trade. Commerce and Industry & Textiles Minister, Anand Sharma, offered to host the first annual trilateral meeting in New Delhi in early March 2012. The dates are to be decided through diplomatic channels.

Intra IBSA trade has done very well despite the economic slowdown of 2008 and its after-shocks including the prevailing uncertainties in the Eurozone. The three nation's trade is already close to USD 20 billion, having crossed in 2009 the target of USD 15 billion set for 2012. India's trade with its trade partners in IBSA accounts for a majority of this trade. The Leaders mandated the Working Group on Trade and Investment to examine all issues related to trade holistically including issues relating to non-tariff barriers, maritime and air links and opportunities for investments. Direct air connectivity is expected to give tourism a major boost and the trade ministers agreed to look at the visa related issues so that the process for business visas is made easy. The three Trade Ministers also interacted with the IBSA Business forum on 17 October 2011.

The South African and Indian trade ministers on 18 October this year decided to enter into long term contracts for purchase of raw materials and commodities, and the recently opened office of MMTC in South Africa has been mandated by Mr. Anand Sharma to work on this proposal expeditiously.

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