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## Judiciary Lays Down the Law Again!

### *No Human Embryos, Please*

The Supreme Court on 14 October 2015 suggested to the government to put import of human embryos on hold as India has become an international hub for commercial surrogacy.

Agreeing with the petitioner, advocate Jayashree Wad's contention that surrogacy was at least a \$445 million annual business, a bench of justice Ranjan Gogoi and justice NV Ramana said there should be a law to regulate the practice.

The DGFT replied by banning import altogether instead of regulating it. An order to this effect was issued on 27 October. Import is now allowed only for research. In the previous dispensation, NOC from ICMR was required. The result is that surrogacy will go underground. The women will go abroad for embryo implantation. The incubation period of nine months and subsequent delivery is a matter of convenience left the embryo owner and the surrogate mother!

A Bill to regulate commercial surrogacy is at a consultative stage and it may take three months before it is referred to the Union Cabinet.

The issue of a child's parentage in such a relationship will be settled in the draft surrogacy bill – The Assisted Reproductive Techniques (Regulation) Bill 2014 – which is being prepared in consultation with the law ministry. The bill has been uploaded on the ministry's website for public responses.

"Moral and ethical issues are involved. Just we are struggling to know what to do. It is the primary duty of legislature. Unfortunately there is no response from the government or legislation on the issue. Now a situation has arisen where we are issuing directions on all issues which are in the domain of the executive," the court said.

India is amongst a handful of countries (Georgia, Russia,

Thailand and Ukraine included) to have legalized commercial surrogacy. It is the preferred destination for "fertility tourists", owing to the availability of skilled doctors, ineffective legal regulation and most importantly, availability of women willing to be surrogates for, relatively, a very low cost. There are over a thousand surrogacy centres in India, and the business is estimated at around \$2.3 billion. Many see nothing wrong with India's booming baby market. Couples who are unable to conceive are able to experience the joy of a baby of their own, and surrogate mothers are paid the full amount at the end of the 9-month period once the baby/babies are safely delivered.

When seen in this light, India's rent-a-womb industry raises troubling questions on exploitation.

The Assisted Reproductive Technology (Regulation) Bill 2008 proposes to regulate the surrogacy industry by imposing an age bracket of 21-35 years for a surrogate mother, making the consent of the spouse for married women compulsory, and prohibiting implantation cycles of more than 3 times per couple, amongst other measures.

However, larger questions seem to never have been asked. Can the rights of women be sold and purchased? What are the emotional and psychological costs of surrogacy? And most crucially, what does the prevalence of women who are willing to rent their wombs for a few lakh rupees say about an apparently rising global economy and its society?



#### 110 New Items Notified for MEIS Benefits

- 2% MEIS on Medical Instruments; 5% on Sports Goods >>> p227

## Human Embryo Imports Prohibited

**Effect of this Notification:** Import policy of the item 'Human Embryo' classified under EXIM Code 0511 99 99 has been changed from "free" subject to a 'No Objection Certificate' from Indian Council of Medical Research (ICMR) to "Prohibited" except for research purposes based on the guidelines of the Department of Health Research.

**Subject:** Amendment in import policy of Human Embryo classified under Exim Code 0511 99 99 of Chapter 05 of ITC (HS), 2012–Schedule – 1 (Import Policy).

25-Ntfn  
26.10.2015  
(DGFT)

In exercise of powers conferred by Section 3 of FT(D&R) Act, 1992, read with paragraph 1.02 and 2.01 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby amends the import policy of 'Human Embryo' classified under Exim Code 0511 99 99 of Chapter 05 of ITC (HS), 2012 – Schedule – 1 (Import Policy).

2. Import policy of the item 'Human Embryo' classified under EXIM Code 0511 99 99 in Chapter 05 of ITC (HS), 2012 Schedule-I (Import Policy) is revised from "free" subject to a 'No Objection Certificate' from Indian Council of Medical Research (ICMR) to "Prohibited" except for research purposes based on the guidelines of the Department of Health Research. After revision, the import policy is as under:

Exim Code	Item Description	Policy	Existing Policy Conditions	Revised Policy Condition
0511 99 99	Other	Free	Import of Human Embryo will be free subject to a 'No Objection Certificate' from Indian Council of Medical Research (ICMR).	Import of Human Embryo is "Prohibited" except for research purposes based on the guidelines of the Department of Health Research.

## US for 236% Anti Subsidy Duty on Chinese Galvanized Steel, India at 7.7 percent

Imports of some corrosive-resistant steel from China may be taxed as much as 236 percent based on the level of subsidies they receive, according to a preliminary finding by the U.S. Department of Commerce.

The department found five Chinese exporters including Angang Group Hong Kong Co. and Baoshan Iron & Steel Co. got subsidies of that amount, it said in an e-mailed statement. U.S. Customs and Border Protection will be instructed to require cash deposits based on the subsidy rates.

The preliminary finding is the first decision in three sets of trade cases that U.S. steel producers have filed this year, as a glut of output from foreign producers led by China has pushed down prices to nine-year lows and seen U.S. mills idle 31 percent of capacity. If validated, the decision may end some imports and help lift domestic prices.

The U.S. takes only about 3 percent of Chinese overseas sales. China shipments are facing increasing trade friction globally and probably won't exceed 100 million metric tons in 2015. Sales surged 27 percent to 83 million tons in the first nine months.

### Surging Imports

Five Chinese companies boycotted in the probe. Another company, Yieh Phui (China) Techno material Co., received a subsidy rate of 26.3

percent, the Department of Commerce found.

### India too in Net

Companies from India were subsidized as much as 7.7 percent, while Italy supported exports by as much as 38.4 percent, according to the preliminary findings. Exports from South Korea received as much as 1.4 percent subsidies, while shipments from Taiwan had minimal support, it said.



On June 3, six domestic steel producers including Nucor Corp. and U.S. Steel Corp. filed cases against anti-corrosive steel from China, South Korea, India, Italy and Taiwan. Imports of the anti-corrosive steel from the five target countries surged by 84 percent in 2014, while imports of all steel products jumped by 38 percent to 40.2 million tons, according to the U.S. Census Bureau.

Anti-corrosive steel is a form of the metal that has been galvanized, coated with zinc, aluminum or other treatments to keep it from rusting.

On Oct. 30, the Department of Commerce found that at the beginning of the investigation, imports jumped from four of the five countries, China, South Korea, Taiwan and Italy. Such a finding of so-called critical circumstances allows the department to enact retroactive duties on those shipments. Commerce is scheduled to issue estimates of anti-dumping duties in the case on Dec. 21.

## Trade Costs Translates to 210% Tariff

Bringing the WTO's Trade Facilitation Agreement (TFA) into force could boost global merchandise exports by US\$1 trillion per year, according to a new report issued by the global trade body earlier this week.

In its analysis, the report places a high focus on the impact trade costs can have on trade flows, particularly for developing and least developed countries.

"Trade costs in developing countries are equivalent to applying a 219 percent ad valorem tariff on international trade. Even in high-income countries, the same product would face an ad valorem equivalent of 134 percent in trade cost," the report stated.

Meanwhile, the WTO report notes, full implementation of the TFA could slash members' trade costs by an average of 14.3 percent, with African countries and least developed countries (LDCs) predicted to experience even higher cost reductions at over 16 percent.

"Over the 2015-30 horizon, implementation of the TFA can add up to 2.7 percent a year to world export growth and more than half a percent a year to world GDP growth," the annual report estimated. Specifically, the WTO report predicts that the TFA will lead to export gains ranging between US\$750 billion and US\$1 trillion annually.

Breaking it down into developed and developing country-specific figures, the report says that TFA implementation could boost developing country exports between US\$170 billion and US\$730 billion per year. Developed economies, for their part, could see export gains at the level of US\$310 billion to US\$580 billion annually.

The WTO further predicts that effective implementation of the trade facilitation pact can contribute to the developing economies' annual growth by 0.9 percent annually over the period of 2015-30, while export growth rates could be as high as 3.5 percent.

Approximately 65 percent of developing economies and 77 percent of landlocked developing countries placed trade facilitation in their top three aid priorities, according to an Aid for Trade survey conducted by the WTO.

The report marks the first such study of the TFA text in its final form. However, the economic implications of the TFA will continue to draw attention in the coming years, with the report noting the importance of monitoring to ensure that problems arising under implementation are swiftly addressed. Under the terms of the TFA agreed in Bali two years ago, the WTO is set to establish a Committee on Trade Facilitation to review the trade pact's implementation and operation four years from when the deal takes effect, and periodically afterward.

## ACP Trade Ministers Say No to Doha Conclusion at Nairobi Ministerial

Following a two-day meeting in Brussels, Belgium, trade ministers from the African, Caribbean and Pacific (ACP) countries adopted a declaration outlining their positions ahead of the WTO's Tenth Ministerial Conference, which is due to be held in Nairobi this December.

"The ACP Group must work vigorously for the WTO Ministerial Conference in Nairobi to be a success. Part of the ACP strategy for the Ministerial is to safeguard continuation of the Doha Development Agenda [DDA] post-Nairobi," said ACP Secretary General Patrick Gomes.

WTO Director-General Roberto Azevêdo, who attended the meeting and provided an overview of the negotiations, told ministers that "despite these very intensive efforts on all of the core DDA issues, I must report that – apart from in a few specific areas – little progress has been made."

"We will not successfully conclude the DDA in Nairobi," he added.

While expressing certain reservations on securing substantial outcomes on the DDA core issues, Azevêdo outlined nonetheless that convergence may be possible in other areas, such as export competition in agriculture, issues relating to least developed countries (LDCs) and development, as well as transparency provisions on anti-dumping and fisheries subsidies.

"Our members in Geneva have put forward

proposals that have been recognised but are not yet included in the so called mini-package," said Joshua Setipa, Minister of Trade and Industry of Lesotho, while acknowledging that "the road ahead is foggy."

### Small and vulnerable economies

The ACP Group includes several small and vulnerable economies. In this context, ministers have urged WTO members to address meaningfully and substantially the structural disadvantages and vulnerabilities that SVEs face.

While no official sub-category exist for SVEs at the global trade body, it is generally acknowledged that these countries are particularly vulnerable to economic uncertainties and environmental shocks.

The SVE Group submitted its own contribution for inclusion into a potential post-Bali work programme earlier this year.

### WTO accessions

The recent accession of the Seychelles and the completion of the accession negotiations by Liberia were both praised by the ACP Group in its declaration, which also calls for the implementation of the 2012 WTO General Council decision that revised the accession guidelines for least developed countries.

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### Crude Reaches \$45.93

Crude Oil (Indian Basket) from 28 Oct-03 Nov 2015

	28 Oct	29 Oct	30 Oct	02 Nov	03 Nov
(\$/bbl)	44.56	45.90	44.72	46.27	45.93
(Rs/bbl)	2898.34	2990.59	2916.51	3029.82	3006.22
(Rs/\$)	65.04	65.15	65.22	65.48	65.45

(Previous Trading Day Price)

Source: Ministry of Petroleum & Natural Gas

## WEEKLY INDEX OF CHANGES

### 110 New Items Notified for MEIS Benefits

- 2% MEIS on Medical Instruments; 5% on Sports Goods

See DIndex No. 6292 on [www.worldtradescanner.com](http://www.worldtradescanner.com) for Full Text of Notification.

Country Group against 2228 items has been Widened to include Group A and Group C. Most of the entries are covered in Group A and Group C. Most of the new entries involve triple (2-2-2) entries in Table B are extending of the entry group to new categories.

The MEIS rates, however, remains the same. In few cases, the rates are gone up from 2 to 5 percent these are given below. The full text of the Public Notice is available at [www.worldtradescanner.com](http://www.worldtradescanner.com).

SN0	ITC(HS) Code	Existing Rates			New Rates		
		A	B	C	A	B	C
613	20081910	2	2	0	5	5	5
2056	48237090	2	2	0	5	5	5
2718	62142010	2	*	0	5	5	5

**Press Note:** In light of the major challenges being faced by Indian exporters in the backdrop of the global economic slowdown, Department of Commerce today announced increased support for export of various products and included some additional items under the Merchandise Exports from India Scheme (MEIS). This has been introduced through the Public Notice 44 issued on 29<sup>th</sup> October, 2015 by the Directorate General of Foreign Trade.

MEIS, introduced through the Foreign Trade Policy (FTP) 2015-20 on April 1, 2015, with product and market focussed incentives for 4914 tariff lines, is a major export promotion scheme implemented by the Ministry of Commerce and Industry. Rewards under MEIS are payable as a percentage of realized FOB value of covered exports, by way of the MEIS duty credit scrip, which can be transferred or used for payment of a number of duties including the basic customs duty.

The current revision introduces 110 new tariff lines and increases rates or country coverage or both for 2228 existing tariff lines. A summary of the additional coverage described in detail in the Public Notice No.44 dated 29<sup>th</sup> October, 2015, is as follows:

#### I Global Support has been accorded to the following categories:

- Textile items (Chap 50-60)
- Pharmaceuticals, Surgical, Herbals
- Project Goods Exports
- Auto Components
- Telecom, Computer, Electrical and Electronics Products
- Railway, Transport Equipment and Parts

#### II Higher Support has been granted to following categories of products, many of which are manufactured by MSMEs:

- Industrial Machinery, IC Engines, Machine tools, Parts and Machinery for Dairy, Agriculture, Food Processing, Textiles, Paper.
- Hand tools used in Agriculture /Horticulture/Forestry, Safety Razors, Blades
- All type of locks, Reinforced Safes, Strong Boxes and Doors, Safe Deposit Lockers
- Flexible Tubing , Puffer Proof Caps for packaging
- Bicycle parts

#### III Additional countries have been covered for selected Leather products, Iron, Steel, and base metals, products

#### IV Higher support has been allowed for Cashews, Readymade Garments, Paper Mache products and Handmade Shawls of wool

#### V The following new products have been added:

- Flexible Intermediate Bulk Containers of Man Made Textile Materials
- Medical Instruments
- Sports Goods
- Value added / processed products of Natural Rubber, Chemicals, and Plastics

5. The complete list of products, rates and country coverage is available at the DGFT website: <http://dgft.gov.in/Exim/2000/PN/PN15/pn4416.pdf>

### DGFT Notification Text

Subject: Merchandise Exports from India Scheme (MEIS) - Additions/ amendments Table 2 [containing ITC (HS) code wise list of products with reward rates] of Appendix 3B

44-PN In exercise of powers conferred under paragraph 1.03 of 29.10.2015 the Foreign Trade Policy 2015-2020, the Director (DGFT) General of Foreign Trade hereby makes the following additions/ amendments in Table 2 [containing ITC (HS) code wise list and description of goods with reward rates under MEIS] of Appendix 3B (notified through Annexure to Public Notice No.2 dated April 1, 2015 and amended through Public Notice No.27 dated July 14, 2015 and Public Notice No.28 dated July 16, 2015):

#### A. Additions in Table 2

The following 110 lines are added to the MEIS Schedule with immediate effect.

SN0.	ITC(HS) Code	Description of goods	MEIS rates Country groups		
			A	B	C
4945	10079000	Other Grain Sorghum	5	5	5
4946	13023100	Agar Agar W/N Modified	5	5	5
4947	15042010	Fish Body Oil (E.G. Sardine Oil)	3	3	3
4948	28183000	Aluminium Hydroxide	2	2	0
4949	29012400	Unsaturated Buts-1 3-Diene And Isoprene	2	2	0
4950	29022000	Benzene	2	2	0
4951	29024100	O-Xylene	2	2	0
4952	29024300	P-Xylene	2	2	0
4953	29024400	Mixed Xylene Isomers	2	2	0
4954	29031200	Dichloromethane (Methylene Chloride)	2	2	0
4955	29031990	Other Chloromethane And Chloroethane	2	2	0
4956	29032900	Other Unsaturated Chlorinated Derivatives of Acyclic Hydrocarbons	2	2	0
4957	29033919	Other Flourinated Derivatives	2	2	0
4958	29033990	Other Fluorinated, Brolnated Or Iodinated Derivts Of Acyclic Hydrocarbons	2	2	0
4959	29037100	Chlorodifluoromethane	2	2	0
4960	29037900	Other	2	2	0
4961	29038900	Other Halogenated Derivatives Of Cyclanic, Cyclenic Or Cycloterpenic Hydrocarbons	2	2	0
4962	29039110	Chlorobenzene (Monochloro)	2	2	0
4963	29039120	O - Dichlorobenzene (Orthodichlorobenzene)	2	2	0
4964	29039130	P - Dichlorobenzene (Paradichlorobenzene)	2	2	0
4965	29039940	Benzylchloride	2	2	0
4966	29039990	Other Of Hdg. 290399	2	2	0
4967	29333100	Pyridine And Its Salts	2	2	0
4968	29420015	Danes Salt Of D (-) Phenyl Glycine	3	3	3
4969	39076010	Polyethylene Terephthalate With Intrinsic Viscosity < 0.64 Dl/G	2	2	0
4970	39076090	Other Polyethylene Terephthalate (Including Clean, Clourless Grades)	2	2	0
4971	39100010	Silicone Resins	2	2	0
4972	39100020	Silicone Oil	2	2	0
4973	39100090	Others	2	2	0
4974	39123911	Ethyl Cellulose Non-Plasticized	2	2	0
4975	39139090	Other Natrl And Modfd Natrl Polymers Nes	2	2	0
4976	40012100	Natrl Rubr In Smkd Sheets	2	2	0
4977	40012200	Technically Spcfd Natrl Rubr (Tsnr)	2	2	0
4978	42032120	Mittens And Mitts For Sports	5	5	5
4979	48237030	Articles Of Papr Mache Other Than Artware And Moulded/Pressed Of Wood Pulp	5	5	5
4980	63053200	Flexible Intermediate Bulk Containers Of Man Made Textile Materials	2	2	0

4981	90051000	Binoculars	2	2	2
4982	90058010	Monocular And Refracting Telescopes	2	2	2
4983	90058090	Others	2	2	2
4984	90059010	Prts And Accesss Of Bnclrs/Telscps Hdng 9005Other Than Mountings	2	2	2
4985	90111000	Stereoscopic Microscopes	2	2	2
4986	90112000	Other Microscopes,For Microphotography, Microcinematography/Microprojection	2	2	2
4987	90131010	Telescopic Sights For Fitting To Arms	2	2	2
4988	90131090	Others	2	2	2
4989	90141000	Drection Finding Compasses	2	2	2
4990	90149000	Parts And Accessories Of Compasses; Other Navigational Instruments	2	2	2
4991	90152000	Theodolites And Tacheometers	2	2	2
4992	90153090	Other Surveying Levels	2	2	2
4993	90160020	Other Balances	2	2	2
4994	90171000	Drafting Tables And Machines,W/N Automatic	2	2	2
4995	90173010	Calipers And Micrometers	2	2	2
4996	90173021	Gauges,Plug	2	2	2
4997	90173022	Gauges, Ring	2	2	2
4998	90173023	Gauges, Slip	2	2	2
4999	90185010	Ophthalmoscope	2	2	2
5000	90185020	ToNoMeter	2	2	2
5001	90189011	Blood Prsr Instruments(Sphygmomano-meters)	2	2	2
5002	90189012	Stethoscopes	2	2	2
5003	90189033	Haemofiltration Instrument	2	2	2
5004	90189041	Anaesthetic Equipment	2	2	2
5005	90189042	Ent Precision Instruments	2	2	2
5006	90189092	Baby IncubatOR	2	2	2
5007	90189093	Heart-Lung Machine	2	2	2
5008	90189095	FibrescoPe	2	2	2
5009	90189096	LaproScoPe	2	2	2
5010	90189098	Apparatus For Nerve Stimulation	2	2	2
5011	90191010	Mechano-Therapy Appliances	2	2	2
5012	90191020	Massage Apparatus	2	2	2
5013	90191090	Others	2	2	2
5014	90192010	Oxygen Therapy Apparatus	2	2	2
5015	90213100	Artificial Joints	2	2	2
5016	90248091	For Testing Hardness	2	2	2
5017	90251920	Pyrometers (Incl Radiation Pyrometer)	2	2	2
5018	90258010	Hydrometers And Similar Floating Instruments	2	2	2
5019	90258020	Barometers, Not Combined With Other	2	2	2
5020	90258030	Lactometer	2	2	2
5021	90268010	Heat Meters	2	2	2
5022	90275020	Refractometers	2	2	2
5023	90275030	Polarimeters	2	2	2
5024	90278010	Viscometers	2	2	2
5025	90278020	Calorimeters	2	2	2
5026	90278030	Instruments And Apparatus For Measuring Orchecking Expansion Surface Tnsn/The Like	2	2	2
5027	90279010	Microtomes	2	2	2
5028	90279020	Printed Circuit Assemblies For The Goods	2	2	2
5029	90291010	Taximeters	2	2	2
5030	90292030	Stroboscopes	2	2	2
5031	90314100	Other Optical Instrumnts and Appliances for Inspecting Semiconductor Wafers/ Devices for Inspctng Photomsk/Reticls Used In Mfg Semiconductor	2	2	2
5032	93033000	Other Sportng,Huntng/Target-Shooting Rifles	5	5	5
5033	95042000	Articles And Accessories For Billiard	5	5	5
5034	95043000	Other Games, Operated By Coins, Notes, Bank Cards, Tokens , Other Than Bowling Alley Equipment.	5	5	5
5035	95049020	Carom Board, With Or Without Coins And Strikers	5	5	5

5036	95061900	Other Snow-Ski Equipment	5	5	5
5037	95063100	Golf Clubs,Complete	5	5	5
5038	95064000	Articles And Equipment For Table-Tennis	5	5	5
5039	95065100	Lawn-Tennis Rackets,W/N Strung	5	5	5
5040	95065910	Badminton Rackets,W/N Strung	5	5	5
5041	95065990	Others	5	5	5
5042	95066100	Lawn-Tennis Balls	5	5	5
5043	95066220	Volley Ball	5	5	5
5044	95066230	Basket Ball	5	5	5
5045	95066930	Golf Ball	5	5	5
5046	95067000	Ice Skates And Roller Skates,Including Skating Boots With Skates Attached	5	5	5
5047	95069910	Badminton Shuttle Corks	5	5	5
5048	95069930	Shoulder Pads For Football	5	5	5
5049	95069940	Hockey Sticks And Blades	5	5	5
5050	95069970	Tennis And Badminton Racket Pressures	5	5	5
5051	95071000	Fishing Rods	5	5	5
5052	95072000	Fish-Hooks,W/N Snelled	5	5	5
5053	95073000	Fishing Reels	5	5	5
5054	95079010	Fish Landing And Butterfly Nets	5	5	5

## B Amendments in rates of MEIS schedule in Table in Table 2

The MEIS rates of the following 2228 lines are amended as under with immediate effect. Descriptions of these lines have already been notified through Public Notice 2 dated April 1, 2015 and Public Notice 14 dated July 14, 2015.

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## C Correction in Description

Descriptions for the following HS codes are corrected as under. This will apply to all cases irrespective of the date of exports.

ITC HS Code	Existing description	Correct Description
29163990	Other Unsaturated Acyclic Monocarboxylic Acids, Cyclic Monocarboxylic Acids, Their Anhydrides, Hides, Peroxides And Peroxyacids	Others
62141020	Scarves of Silk measuring 60 Cm/ Less, Hand Printed	Shawls, Scarves (exceeding 60 Cms.) and the like
87088000	Suspension Shock Absorbers	Suspension Systems & Parts thereof (incl. Shock-absorbers)

## Effect of Public Notice

Additions/amendments in Table 2 [containing ITC (HS) code wise list of products with reward rates] of Appendix 3B under the Merchandise Exports from India Scheme (MEIS) are notified.

## Reward Rates for Services Export Extended to 31 March 2016

*Subject: Services Exports from India Scheme (SEIS) - Schedule under Appendix 3D as annexure to the Public Notice No. 3/2015-20 dated 1st April, 2015 – Eligible period extended up to 31.3.2016.*

42-PN In exercise of powers conferred under Paragraph 1.03 of 26.10.2015 the Foreign Trade Policy, 2015-20, the Director General of (DGFT) Foreign Trade hereby amends the Note 1 of Appendix 3D as annexure to the Public Notice No. 3/2015-20 dated 1st

April, 2015 as under:

### 1. Existing Entry

#### Annexure to Appendix 3D

Note 1: The services and rates of rewards notified against them shall be applicable for services export made between 1-4-2015 to 30-09-2015 only. The list of services/rate is subject to review with effect from 1-10-2015.

#### Amended Entry

#### Annexure to Appendix 3D

Note 1: The services and rates of rewards notified against them shall be applicable for services export made between 1-4-2015 to **31-03-2016** only. The list of services/rate is subject to review with effect from **01-04-2016**.

2. The other contents of the Public Notice No. 3/2015-20 dated 1st April, 2015 shall remain same.  
**Effect of Public Notice**  
 The earlier notified period of services export rendered between 1-4-2015 to 30-09-2015 as per the

list comprising rates and conditions for rewards under the Services Exports from India Scheme (SEIS) notified vide Public Notice No. 3/2015-20 dated 1st April, 2015 is extended upto **31.03.2016**.

exports of the subject goods made by them, and the designated authority, vide new shipper review notification No. 15/16/2015-DGAD, dated 23<sup>rd</sup> September, 2015, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 24<sup>th</sup> September, 2015, has recommended provisional assessment of all exports of the subject goods made by the above stated party till the completion of the review by it;

Now therefore, in exercise of the powers conferred by sub-rule (2) of rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid recommendation of the designated authority, hereby orders that pending the outcome of the said review by the designated authority, the subject goods, when originating in or exported from subject countries through the said exporter namely, M/s Tariq Glass Industries Limited, Pakistan and imported into India, shall be subjected to provisional assessment till the review is completed.

2. The provisional assessment may be subject to such security or guarantee as the proper officer of customs deems fit for payment of the deficiency, if any, in case a definitive anti-dumping duty is imposed retrospectively, on completion of investigation by the designated authority.

3. In case of recommendation of anti-dumping duty after completion of the said review by the designated authority, the importer shall be liable to pay the amount of such anti-dumping duty recommended on review and imposed on all imports of subject goods when originating in or exported from subject countries through the said exporter namely, M/s Tariq Glass Industries Limited, Pakistan and imported into India, from the date of initiation of the said review.

[F. No. 354/46/2014-TRU]

## Tariq Glass Industries, Pak moves New Shipper Review on Float Glass Provisional Assessment without Duty Ordered

*Seeks to order provisional assessment on imports of Clear Float Glass of nominal thickness ranging from 4 mm to 12 mm (both inclusive), the nominal thickness being as per BIS 14900:2000, falling under the headings 7003, 7004, 7005, 7009, 7013, 7015, 7016, 7018, 7019, 7020 of the First Schedule to the Customs Tariff Act, originating in or exported from Pakistan, Saudi Arabia and UAE by M/s Tariq Glass Industries Limited, Pakistan (exporter) till the finalization of New Shipper Review initiated by DGAD, initiated vide notification No. 15/16/2015-DGAD, dated 23rd September, 2015*

Ntn 53-ADD Whereas, in the matter of 30.10.2015 import of Clear Float Glass of (DoR) nominal thickness ranging from 4 mm to 12 mm (both inclusive), the nominal thickness being as per BIS 14900:2000 (hereinafter referred to as the subject goods), falling under the headings 7003, 7004, 7005, 7009, 7013, 7015, 7016, 7018, 7019, 7020 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in or exported from Pakistan, Saudi Arabia and UAE (hereinafter referred to as the subject countries), the designated authority, vide its final findings, vide notification No. 14/25/2012-DGAD, dated the 10th October, 2014, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 10th October, 2014, has come to the conclusion that -

i. the subject goods have been exported to India from the subject countries below the associated normal values, thus resulting in dumping of the subject goods;

ii. the domestic industry has suffered material injury in respect of the subject goods; and

iii. the dumped imports of the subject goods from the subject countries have caused material injury to the domestic industry,

and had recommended imposition of definitive anti-dumping duty on all imports of the subject goods, originating in or exported from the subject countries in order to remove the injury to the domestic industry;

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on the subject goods, vide, notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 48/2014-Customs (ADD), dated the 11<sup>th</sup> December, 2014, published vide G.S.R. 885 (E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 11<sup>th</sup> December, 2014;

And whereas, M/s Tariq Glass Industries Limited, Pakistan (exporter) have requested for review in terms of rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, in respect of

## Anti-dumping Duty on Fully Drawn Polyester Yarn from China and Thailand to Continue for Another Five Years

### • Vietnam Out of Net

See DIndex No. 6280 on [www.worldtradescanner.com](http://www.worldtradescanner.com) for Full Text of Notification.

Ntn 51-ADD Whereas, the designated authority, vide notification No. 15/3/2014-DGAD, dated the 24th March, 2014, published in the Gazette of India, Extraordinary, Part I, Section 1, had initiated a review in the matter of

continuation of anti-dumping duty on imports of All Fully Drawn or Fully Oriented Yarn/Spin Draw Yarn/Flat Yarn of Polyester (non-textured and non-POY) (hereinafter referred to as the subject goods) falling under heading 5402 of the First Schedule to the Customs Tariff Act, 1975 (51 of

1975) (hereinafter referred to as the Customs Tariff Act), originating in or exported from the People's Republic of China and Thailand (hereinafter referred to as the subject countries), imposed vide notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 124/2009-Customs, dated the 11th November, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 809(E), dated the 11th November, 2009;

Table

SNo.	Heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	5402	All Fully Drawn or Fully Oriented Yarn/Spin Draw Yarn/Flat Yarn of Polyester (non-textured and non POY)	People's Republic of China	People's Republic of China	Any	Any	547	MT	US Dollar
2.	5402	-do-	People's Republic of China	Any country other than People's Republic of China	Any	Any	547	MT	US dollar
3.	5402	-do-	Any country other than People's Republic of China	People's Republic of China	Any	Any	547	MT	US Dollar
4.	5402	-do-	People's Republic of China	People's Republic of China	Jiangsu Hengli Chemical Fibre Co. Ltd	Jiangsu Hengli Chemical Fibre Co. Ltd	256	MT	US Dollar

5.	5402	-do-	Thailand	Thailand	Indorama Polyester Industries Public Company Limited (formerly Indo Poly (Thailand) Ltd.)	Indorama Polyester Industries Public Company Limited (formerly Indo Poly (Thailand) Ltd.)	57.78	MT	US Dollar
6.	5402	-do-	Thailand	Thailand	Any combination other than mentioned at S. No. 4 above		248.63	MT	US Dollar
7.	5402	-do-	Thailand	Thailand	Any	Any	248.63	MT	US dollar
8.	5402	-do-	Thailand	Any country other than Thailand	Any	Any	248.63	MT	US Dollar
9.	5402	-do-	Any country other than Thailand	Thailand	Any	Any	248.63	MT	US Dollar

The anti-dumping duty imposed under this notification shall be effective for a period of five years (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette and shall be paid in Indian currency.

[F.No. 354/29/2009-TRU (Pt.-I)]

## Chief Comm to give Permission on Self Sealing of Bulk Cargo Export from Place of Lading

*Subject: - Clarification regarding Self-sealing and self-Examination of Bulk cargo.*

1011-CBEC 30.10.2015 (DoR) References have been received from trade as well as from field formations regarding problems faced by trade in sealing of Bulk Cargo for export under bond under Notification No. 42/2001-Central Excise (N.T.), dated 26.06.2001. It has been pointed out that bulk cargo for e.g. coal, iron-ore, alumina Concentrate, heavy machinery etc. are difficult to seal in packages or container and hence a suggestion has been made that there is a need to prescribe procedure for export of such goods.

2. The matter has been examined. Notification No.42/2001-Central Excise (N.T.), dated 26.06.2001, has been amended vide Notification No. 23/2015, dated 30.10.2015 thereby exempting bulk cargo from sealing in packages or container. The Principal Chief Commissioner/ Chief Commissioner of Central Excise has been empowered to grant exemption from self-sealing of bulk cargo for export on case to case basis.

3. In the said Notification, in paragraph 2, in sub-paragraphs (ii) and (iii), after clause (a) occurring in both sub-paragraph, following proviso shall respectively be inserted, namely:-

Provided that where the nature of goods is such that the goods cannot be sealed in a package or a container such as coal or ore, etc., exemption from sealing of package or container may be granted by the Principal Chief Commissioner or Chief Commissioner of Central Excise subject to safeguard as may be specified by him in the permission.

The safeguards shall, inter-alia, include the following:-

- method of verification of quantity and quality of goods including testing of goods where necessary at the place of removal or despatch and at the port of export or SEZ, where the goods are received;
  - no remission of duty shall be allowed for loss of goods within transit;
  - permission shall be given on case to case basis for a specified period not exceeding one year at a time and may be withdrawn in case of misuse; and
  - any additional safeguards as may be specified".
4. In this regard, following procedures is pre-

scribed while allowing export without sealing in packages or container:-

- The assessee who desires to avail facility of export of bulk cargo without sealing shall write to the Principal Chief Commissioner/ Chief Commissioner of Central Excise with a copy to jurisdictional Assistant/ Deputy Commissioner of Central Excise, giving details of bulk cargo to be exported with proper justification regarding difficulties faced by him in sealing of the cargo.
- The Jurisdictional Assistant/ Deputy Commissioner after receipt of such application from the exporter shall forward it to the Principal Commissioner/ Commissioner with his comments within fifteen days of receipt of such application with due verification as needed.
- The Jurisdictional Principal Commissioner/ Commissioner of Central Excise forward all such application to the Principal Chief Commissioner/ Chief Commissioner of Central Excise with his recommendation within three weeks of receipt of the application with report from the Assistant/ Deputy Commissioner. The jurisdictional Principal Commissioner/ Commissioner of Central Excise shall also consult the Principal Commissioner/ Commissioner having jurisdiction over the port of export or Development Commissioner of SEZ where the goods are received and incorporate the inputs appropriately in his recommendation.
- Principal Chief Commissioner/ Chief Commissioner of Central Excise shall grant or reject the request for waiver of sealing of bulk cargo with in fifteen days of receipt of the application from the Principal Commissioner/ Commissioner of Central Excise.

5. The final decision taken on the application shall be communicated to the applicant in writing

## China and Taiwan Narrow Woven Fabrics Anti-dumping Duty Extended Till 5 Oct 2016

Ntnf 52-ADD 28.10.2015 (DoR) Whereas, the designated authority vide notification No. 15/14/2015-DGAD, dated the 1st October, 2015, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 1st October, 2015, has

and in cases where the permission is granted, conditions and safeguards prescribed shall be clearly mentioned.

6. Difficulty experienced, if any, in implementing the circular should be brought to the notice of the Board.

[F.No. 96/108/2014-CX.1

23-CE(NT) 30.10.2015 (DoR) In exercise of the powers conferred by rule 19 of the Central Excise Rules, 2002, the Central Board of Excise and Customs hereby makes the following amendments further to the notification of the Government of India, Ministry of Finance, (Department of Revenue) Number 42/2001-Central Excise (N.T.), dated 26<sup>th</sup> June, 2001, published in the Gazette of India Extraordinary in Part II, Section 3, sub-section (i) vide number G.S.R 471(E), dated the 26<sup>th</sup> June, 2001, namely:-

1. In the said Notification, in paragraph 2, in sub-paragraphs (ii) and (iii), after clause (a) occurring in both sub-paragraph, following proviso shall respectively be inserted, namely:-

Provided that where the nature of goods is such that the goods cannot be sealed in a package or a container such as coal or ore, etc., exemption from sealing of package or container may be granted by the Principal Chief Commissioner or Chief Commissioner of Central Excise subject to safeguard as may be specified by him in the permission.

The safeguards shall, inter-alia, include the following:-

- method of verification of quantity and quality of goods including testing of goods where necessary at the place of removal or despatch and at the port of export or SEZ, where the goods are received;
- no remission of duty shall be allowed for loss of goods within transit;
- permission shall be given on case to case basis for a specified period not exceeding one year at a time and may be withdrawn in case of misuse; and
- any additional safeguards as may be specified.

[F.No.96/108/2014-CX.1]

initiated review, in terms of sub-section (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), and in pursuance of rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Ar-

ticles and for Determination of Injury) Rules, 1995 (hereinafter referred to as the said rules), in the matter of continuation of anti-dumping duty on Narrow Woven Fabric falling under heading 5806 of the First Schedule to the Customs Tariff Act, originating in, or exported from, the People's Republic of China and Chinese Taipei, imposed vide notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 108/2010-Customs, dated the 6th October, 2010, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 817(E), dated the 6th October, 2010 and has recommended for extension of anti-dumping duty for a further period of one year, in terms of sub-section (5) of section 9A of the Customs Tariff Act.

Now, therefore, in exercise of the powers con-

ferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act and in pursuance of rule 23 of the said rules, 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. 108/2010-Customs, dated the 6th October, 2010, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 817 (E), dated 6th October, 2010, namely: -

In the said notification, after paragraph 2 and before the *Explanation*, the following paragraph shall be inserted, namely: -

3. Notwithstanding anything contained in paragraph 2, this notification shall remain in force upto and inclusive of the 5th day of October, 2016, unless revoked earlier.

[F.No.354/242/2015-TRU]

## RBI Allows FCY-INR Options Forward Contract by Resident Individuals upto \$1mn on the basis of a Simple Declaration

*Sub: Risk Management & Inter-Bank Dealings: Booking of Forward Contracts – Liberalisation.*

AP(DIR Srs) Cir.20 08.10.2015 (RBI)

Attention of Authorised Dealers Category-I (AD Cat-I) banks is invited to the Foreign Exchange Management (Foreign Exchange Derivative

Contracts) Regulations, 2000 dated May 3, 2000 (Notification No. FEMA/25/RB-2000 dated May 3, 2000) as amended from time to time and A.P. (DIR Series) Circulars No. 15 dated October 29, 2007 and 119 dated April 7, 2014 regarding Booking of Forward Contracts – Liberalisation, in terms of which resident individuals, firms and companies, to manage / hedge their foreign exchange exposures arising out of actual or anticipated remittances, both inward and outward, are allowed to book forward contracts, without production of underlying documents, up to a limit of USD 250,000 based on self-declaration.

2. As announced in the Fourth Bi-monthly Monetary Policy Statement (para. no. 39) on September 29, 2015, with a view to further liberalising the existing hedging facilities, it has been decided to allow all resident individuals, firms and companies, who have actual or anticipated foreign exchange exposures, to book foreign exchange forward and FCY-INR options contracts up to USD 1,000,000 (USD one million) without any requirement of documentation on the basis of a simple declaration. While the contracts booked

under this facility would normally be on a deliverable basis, cancellation and rebooking of contracts are permitted. Based on the track record of the entity, the concerned AD Cat-I bank may, however, call for underlying documents, if considered necessary, at the time of rebooking of cancelled contracts. All other conditions as indicated in A.P. (DIR Series) circular no. 15 dated October 29, 2007 including suitability & appropriateness (S&A) norms shall apply, mutatis mutandis. The amended application and reporting formats are provided in Annexes I and II, respectively, of this circular.

3. The existing facilities in terms of A.P. (DIR Series) Circular No. 15 dated October 29, 2007 for Small and Medium Enterprises (SMEs) shall remain unchanged.

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

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

[Annexures are available at [www.worldtradesScanner.com](http://www.worldtradesScanner.com)]

## Trade Restrictions on the Rise in G20

The WTO's fourteenth trade monitoring report on G20 trade measures, issued on 2 November, shows the application of new trade-restrictive measures by G20 economies remained stable compared to the previous reporting period. Although the report shows relative restraint by G20 economies in introducing new trade restrictions, the stockpile of measures continues to grow. Because the uncertain global economic outlook continues to have a negative impact on international trade, the report calls on G20 leaders to deliver on their pledge to refrain from implementing new protectionist measures and to roll back existing trade-restrictive measures.

### Key Findings

- In the reporting period between mid-May and mid-October, G-20 economies applied 86 new trade-restrictive measures. This equates to an average of just over 17 new measures per month indicating that the rate has remained stable compared to the previous reporting period.
- The overall stockpile of restrictive measures introduced by G-20 economies nevertheless continues to grow. Of the 1,441 trade-restrictive measures, including trade remedies, introduced by G-20 economies since 2008 and recorded by this exercise, only 354 had been removed by mid-October 2015.

## Leather Export thru Jalandhar and Nagpur ICDs Allowed

*Subject: Permission for export of Finished Leather, Wet Blue and EI Tanned Leather through ICDs.*

43-PN 28.10.2015 (DGFT)

In exercise of the powers conferred under Paragraph 2.04 of the Foreign Trade Policy, 2015-20, as amended

from time to time, Director General of Foreign Trade hereby amends Public Notice No. 23(RE-2013)/2009-14 dated 13.08.2013 read with Public Notice No. 24(RE-2013)/2009-14 dated 05.09.2013 and 38(RE-2013)/2009-14 dated 20.11.2013 regarding export of finished leather, Wet Blue and EI Tanned Leather.

2. Now, in addition to ports/ICDs notified by DGFT from time to time, export of finished leather, Wet Blue and EI Tanned Leather would also be permitted through ICDs at Jalandhar and Nagpur. Procedure for drawal of samples and its testing and certification by CLRI notified in Public Notice No. 23 dated 13.08.2013 would continue.

### 3. Effect of this Public Notice

Export of finished leather, Wet Blue and EI Tanned leather has been permitted through the ICDs at Jalandhar and Nagpur also.

- The total number of those restrictive measures still in place now stands at 1,087 – up by more than 5% compared to the last report. Despite the G 20 pledge to roll back protectionist measures, therefore, more than 75% of those implemented since 2008 remain in place.
- Although G-20 members are eliminating some of their trade-restrictive measures, the rate by which this is done remains insufficient to seriously dent the stockpile.
- The report also finds that during the reporting period a total of 62 measures aimed at facilitating trade were taken - a monthly average of 12 measures – the lowest number since November 2013.
- More encouragingly the number of trade remedy investigations by G-20 economies has fallen significantly during this reporting period. This decline is primarily because of a drop in the number of anti-dumping initiations and confirms a trend identified in the last monitoring report.
- During this review period global economic growth remained modest, and continued to be unevenly distributed across countries and regions. The downturn in world trade observed at the time of the last monitoring report continued in the second quarter of the year.
- The WTO Secretariat recently (30 September 2015) lowered its forecast for world merchandise trade volume growth in 2015 from 3.3% to 2.8%, and reduced its estimate for 2016 from 4.0% to 3.9%.
- As WTO Members prepare for the 10th Ministerial Conference in Nairobi in December, the G 20 should seek to set an example in eliminating existing trade restrictions and pursuing further multilateral trade liberalization. The WTO's role in ensuring a stable, transparent and predictable trading environment will continue to provide a solid backstop against protectionism.

### Soya Oil Tariff Value Up by \$49/MTs

102-Cus(NT) In exercise of the powers Finance (Department of Revenue), No. 36/2001-30.10.2015 conferred by sub-section (2) of Customs (N.T.), dated the 3rd August, 2001, published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (ii), vide number S. O. 748 (E), dated the 3<sup>rd</sup> August, 2001, namely:-  
 (DoR) section 14 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise & Customs, being satisfied that it is necessary and expedient so to do, hereby makes the following amendment in the notification of the Government of India in the Ministry of

**“Table-1**

SNo.	Chapter/ heading/sub-heading/tariff item	Description of goods	Tariff value US \$ (Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	575
2	1511 90 10	RBD Palm Oil	617
3	1511 90 90	Others – Palm Oil	596
4	1511 10 00	Crude Palmolein	631
5	1511 90 20	RBD Palmolein	634
6	1511 90 90	Others – Palmolein	633
7	1507 10 00	Crude Soya bean Oil	754
8	7404 00 22	Brass Scrap (all grades)	3117
9	1207 91 00	Poppy seeds	2648

**Table-2**

SNo.	Chapter/ heading/sub-heading/tariff item	Description of goods	Tariff value (US \$)
(1)	(2)	(3)	(4)
1	71 or 98	Gold, in any form, in respect of which the benefit of entries at serial number 321 and 323 of the Notification No. 12/2012-Customs dated 17.03.2012 is availed	373 per 10 grams
2	71 or 98	Silver, in any form, in respect of which the benefit of entries at serial number 322 and 324 of the Notification No. 12/2012-Customs dated 17.03.2012 is availed	517 per kilogram

**Table-3**

SNo.	Chapter/ heading/sub-heading/tariff item	Description of goods	Tariff value (US \$ Per Metric Tons)
(1)	(2)	(3)	(4)
1	080280	Areca nuts	2662"

[F. No. 467/01/2015 -Cus-V]

### Finally Najib Shah is Full Time Chairman CBEC, ACC Approves Appointment

Public Pressures Forces Minister to Relent, Justice to Star Performer



The Appointments Committee of the Cabinet has approved the appointment of Najib Shah, IRS (C&CE:79), Member, Central Board of Excise and Customs as Chairman, Central Board of Excise and Customs on 29 October.

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The revised LDC guidelines include, for instance, market access benchmarks on goods, provisions on transparency, special and differential treatment, and technical assistance.

Out of the 48 countries originally categorised as LDCs on the UN list, 34 are now WTO members. Twenty countries are still negotiating their accession terms, including seven other LDCs – Afghanistan, Bhutan, Comoros, Equatorial Guinea, São Tome and Principe, Ethiopia, and Sudan.

Countries currently negotiating to join the WTO also include Algeria, Belarus, Iran, Iraq, Libya, Serbia, and Uzbekistan. Since 1995, eight LDCs – namely, Cambodia (2004), Nepal (2004), Cape Verde (2008), Samoa (2012), Vanuatu (2012), and Laos (2013) – have acceded to the WTO. Yemen and Liberia are the last least developed countries to have joined the WTO over the past two years.

#### Customs Valuation Exchange Rates

16 October 2015	Imports	Exports
<b>Schedule I</b> [Rate of exchange of one unit of foreign currency equipment to Indian Rupees]		
1 Australian Dollar	48.35	46.95
2 Bahrain Dinar	177.15	166.85
3 Canadian Dollar	50.75	49.65
4 Danish Kroner	10.10	9.85
5 EURO	75.30	73.45
6 Hong Kong Dollar	8.45	8.30
7 Kuwaiti Dinar	221.60	208.55
8 New Zealand Dollar	44.90	43.55
9 Norwegian Kroner	8.15	7.90
10 Pound Sterling	101.40	99.20
11 Singapore Dollar	47.70	46.60
12 South African Rand	5.05	4.75
13 South Arabian Riyal	17.80	16.80
14 Swedish Kroner	8.10	7.90
15 Swiss Franc	69.15	67.50
16 UAE Dirham	18.15	17.15
17 U.S. Dollar	65.35	64.30
<b>Schedule II</b> [Rate of exchange of 100 units of foreign currency equivalent to Indian rupees ]		
1 Japanese Yen	55.10	53.85
2 Kenyan Shilling	64.65	61.00

(Source: Customs Notification 101(NT)/15.10.15)

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\*See details in [www.worldtradesScanner.com](http://www.worldtradesScanner.com)

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