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Anand Sharma Offers Sops for More Exports in New Year

- 2% Incentive on Incremental Exports in 2013 Q1
- 100 New Items in FPS, 60 in MLFPS
- All Food Preparations now in VKGUY
- Interest Subvention Extended by One More Year, All SMEs Covered

Commerce Minister Anand Sharma said in a press meet on 26 December that the 2% Interest Subvention Scheme on rupee export credit has been given an extension up to March 31, 2014. At present, the Scheme is scheduled to end on 31st March 2013. Along with this, Small and Medium Enterprises (SMEs) for all sectors will now be able to avail the benefits of the Scheme.

The engineering sector was creation and extended the benefits of 2% interest subvention to certain specific sub-sectors of the engineering sector. "They will receive this benefit from the last quarter of the current financial year, that is, from 1st January 2013 till 31st March 2014," said Sharma.

A "pilot scheme" of 2% Interest Subvention for Project Exports through EXIM Bank for countries of SAARC region, Africa and Myanmar will be introduced. Speaking about the project, Mr. Sharma said that "the scheme will be operational immediately for a combined worth of US$ 500 million to begin with. The interest subvention would be linked to the Buyer's Credit Scheme which was introduced in the last financial year being implemented through EXIM Bank, ECGC and the National Export Insurance Account." He further added that the "objective of the scheme is to boost India's exports in these countries by providing long term concessional credit through EXIM Bank, as co-financing in infrastructure sectors such as drinking water, housing, irrigation, road projects, renewable energy, etc."

Incremental Exports

Mr. Sharma said that a "decision has been taken to grant incentive on incremental exports made during the period January-March 2013 over the base period January-March 2012." He added that the incentive "would be available to an IEC holder at the rate of 2% on the incremental growth of exports made to USA, EU and countries of Asia." But this "would not include deemed exports, service exports, third party exports, export-turnover of SEZ units etc.," said Sharma.

Apart from these, Mr. Sharma announced that five new countries have been added under the Focus Market Scheme while Eritrea has been added under the Special Focus Market Scheme. The five countries being added under FMS are New Zealand, Cayman Islands, Latvia, Lithuania and Bulgaria. Under FMS Duty Credit of 3 per cent is given on the FoB value of exports while inder the Duty Credit is 4 per cent.

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We Wish Our Readers

Academy of Business Studies

Pascal Lamy to Retire

Three Throw Hat in the Ring for WTO DG

The race to replace WTO Director-General Pascal Lamy when he steps down next August is now well underway, with three candidates having been formally presented to the global trade body in the past week. Additional nominations are expected by the end of the one-month nominating period, which closes on 31 December.

The candidacies of former Ghanaian Trade and Industry Minister Alan John Kwadwo Kyerematen and current Costa Rican Foreign Trade Minister Anabel González had both been officially submitted to the WTO.

Former Indonesian Trade Minister Dr. Mari Elki Pangestu has also been submitted as a nominee, according to Reuters. Indonesia is slated to host the organisation's upcoming Ninth Ministerial Conference in December 2013.

Others who may be in the running include Ahmad Thougan Al Hindawi, Jordan's former Trade and Industry Minister, Tim Groser, New Zealand's current Minister of Trade. Other African candidates, former Kenyan Ambassador Amina Mohamed and current Trade Minister of South Africa Rob Davies may join the fray.

The names of heavyweights Lord Mandelson - former European Commissioner for Trade - and of global governance activist and former President of Mexico, Dr. Ernesto Zedillo, have also been tossed around in the past few months as options.

The process is being coordinated by the chair of the General Council - currently Ambassador Elin Johansen of Norway - with the assistance of the chairs of the Dispute Settlement Body, presently Ambassador Shahid Bashir of Pakistan (whom, following tradition, is likely to chair in 2013 the General Council), and of the Chairman of the WTO's Trade Policy Review Body, in 2012 Colombia's Ambassador Eduardo Muñoz Gómez.

Mexico Chums Up with Argentina following Auto Deal, Drops WTO Case

Renegotiation of Argentina-Mexico auto trade pact leads to withdrawal of WTO panel request

Ahead of Monday's meeting of the WTO Dispute Settlement Body (DSB), Mexico asked to drop from the DSB agenda the panel request it announced in late November in a case challenging Argentina's import policies. The decision came after the two countries finalised an auto trade deal, signalling an end to their ongoing disagreement over Mexico's renegotiation earlier this year of its version of a Mexico-Mercosur auto accord with Brazil.

The 2002 automotive trade pact, also known as ACE-55, was suspended by Buenos Aires in June after the Mexican government renegotiated its version of the same accord with Brasilia. According to Argentina, the process was a breach of prescribed procedures involving the Mexico-Mercosur pact. At the time, Mexico had refused to enter into a similar renegotiation with Argentina, prompting Buenos Aires' decision to withdraw from the deal.

The WTO case, brought by Mexico in August (DS446), is similar to challenges also tabled by the EU, US, and Japan to various Argentine import controls. These measures, the complainants argue, unfairly discriminate between imported and domestic goods.

WTO Pulls Up Canada for Local Sourcing Rule in Power Generation

A WTO panel has sided with the EU and Japan in their challenge of renewable energy support provided by the Canadian province of Ontario, the global trade arbiter announced earlier today. Brussels and Tokyo had argued that the feed-in-tariff (FIT) system - put in place in 2009 - violates WTO rules because it requires participating electricity generators to source up to 60 percent of their equipment in Ontario.

The case (DS412 and DS426) has been widely portrayed as an environmental dispute, dealing with the extent to which government authorities can favour domestic producers and suppliers in promoting green energy. At panel hearings earlier this year, however, the arguments from the parties principally focused on the investment aspects of the FIT provisions.

The report now confirms the view that the scheme's "local content requirement" violates the WTO's non-discrimination principle enshrined in the General Agreement on Tariffs and Trade (GATT) and the WTO Agreement on Trade-Related Investment Measures (TRIMS). The panellists further demand that Canada brings its measures into conformity. Unless appealed, this would in effect mean that the FIT programme itself may stay in place in its current form, but that the local content requirement must be withdrawn.

Such a "discriminatory measure," said Japan in its statement before the panel in March this year, "is designed to promote the production of renewable energy generation equipment in Ontario rather than to promote the generation of renewable energy."

WTO TPR

US Trade Bounces Back, Protectionism Grows

The WTO report on US TPR issued on 18 December noted improvements in the state of the US economy since the 2010 review. Specifically, merchandise and services trade figures have rebounded, surpassing previous 2008 peak levels.

However, the merchandise trade deficit worsened over that time, given that import growth outpaced export growth - with imports reaching US$2.236 trillion in 2011, compared to the US$1.497 trillion of exports. Services trade, meanwhile, showed a notable surplus in recent years, which the WTO report predicts will increase further.

Despite the US showing overall some signs of recovery, "it will take more time [for the US] to emerge from the downturn and to return to growth and confidence levels seen prior to the crisis," the report added. The housing market and unemployment levels are areas where the US economy remains weak, the WTO noted, and the impact of the EU's own economic struggles on third country markets took a toll on growth in 2012.

The "fiscal cliff" is a series of pencilled-in tax hikes and spending cuts that are set to go into effect on 1 January unless legislators in Washington reach a deal beforehand. Over the past several weeks, the two chambers of the US Congress and the White House have been holding negotiations to clinch a package that would avert the impending measures. However, long-standing differences of opinion between Republicans and Democrats regarding tax policy have slowed down the talks.

The secretariat report found significant tariff peaks in sectors such as footwear, leather, textiles, and clothing, and in agriculture, where there are many non-ad valorem tariffs, while finding that US tariffs were on average relatively low. Some of the members that spoke on Tuesday noted that these particular tariff peaks can have negative implications for the US' trading partners, notably developing countries.

Regarding the use of trade remedy investigations - a topic that has also drawn attention in earlier reviews - the WTO secretariat report found that the initiation of anti-dumping investigations rose from three to 15 cases in 2011, following just a few initiations the previous year. Both countervailing - or anti-subsidy - duty investigations and anti-dumping duty investigations launched over the past five years, the WTO report found, primarily involved imports from Asian countries, particularly China.

The complexity of the US' rules of origin was another topic addressed in the review, with the WTO report noting that the "proliferation of differing rules of origin, their complexity, and lack of transparency continues to be of concern for some" - an issue that was also raised in several interventions.

FIEO Organises India Show at Karachi

India Expo 2012 Inaugurated in Karachi; Aims at further enhancing bilateral trade between both the countries; Need to provide better infrastructure to facilitate trade says M Rafeeque Ahmed, President, FIEO

India Expo 2012, a multiproduct exposition was inaugurated at Karachi Expo Centre in Karachi on Friday, 21 December. Organised by Federation of Indian Export Organisations in association with Karachi Chamber of Commerce and Industry, the India Expo was inaugurated by Siraj Kassam Teli, Chairman Businessmen Group and former President KCCI.

Intra-regional trade in SAARC block is nominal as compared to ASEAN and EU.

Federation of Indian Export Organisations' President M Rafeeque Ahmed said that India–Pakistan bilateral trade for the year 2011-12 is to the tune of $ 2 bn and the balance of trade is in favour of India with $ 1.54 bn of exports, and $ 400 million of imports.

India's exports to Pakistan comprise of 8-9 major products which contribute approximately 90% of the total export. The main products exported from India to Pakistan are polymers, industrial chemicals, machinery, polyester fabric and yarn. Capital goods are the strength of India, and Pakistan is importing it from other countries, India should exploit this opportunity. The land route is most competitive as carrying a container through Wagah cost US$ 391 while the same through Mumbai-Dubai-Karachi cost over US$ 1000. Multiple entry Visa regime will be introduced from January, 2013 which will be a big boost for bilateral trade. He also said that both the countries would require presence of local banks on both the sides to give requisite confidence to importers/exporters.

Karachi Chamber President plans to allocate one complete hall for Indian Pavilion in 10th My-Karachi Exhibition scheduled to be organized from 5th to 7th July, 2013. He said that KCCI also intend to organize one exhibition of products made in Pakistan in India during first quarter of 2013.

WEEKLY INDEX OF CHANGES

Duty Cuts of 1% to 8% in Indo-Singapore FTA

Ntfn 61 18.12.2012 (DoR) In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 10/ 2008-Customs, dated the 15th January, 2008, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 33(E), dated the 15th January, 2008, namely:-

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

"Table

SNo.	Tariff item of the First Schedule	Description of goods	Rate
(1)	(2)	(3)	(4)
1	14019010	All goods	0.00%
2	15180031	All goods	26.67%
3	15180039	All goods	10.00%
4	15180040	All goods	26.67%
5	18061000	All goods	10.00%
6	18062000	All goods	10.00%
7	18063100	All goods	0.00%
8	19011010	All goods	0.00%
9	19011090	All goods	0.00%
10	19012000	All goods	0.00%
11	19021900	All goods	0.00%
12	19041010	All goods	0.00%
13	19041020	All goods	0.00%
14	19041030	All goods	0.00%
15	19041090	All goods	0.00%
16	19059010	All goods	10.00%
17	19059020	All goods	10.00%
18	19059030	All goods	10.00%
19	19059040	All goods	10.00%
20	19059090	All goods	10.00%
21	22011010	All goods	0.00%
22	22011020	All goods	0.00%
23	22029010	All goods	10.00%
24	22029020	All goods	10.00%
25	22029030	All goods	10.00%
26	22029090	All goods	10.00%
27	26190010	All goods	0.00%
28	26190090	All goods	0.00%
29	27075000	All goods	0.00%
30	27079900	All goods	0.00%
31	27111300	All goods	0.00%
32	27111900	All goods	0.00%
33	28369910	All goods	0.00%
34	28369920	All goods	0.00%
35	28369930	All goods	0.00%
36	28369990	All goods	0.00%
37	29012300	All goods	0.00%
38	29031500	All goods	0.00%
39	29032100	All goods	0.00%
40	29051220	All goods	5.83%
41	29051300	All goods	0.00%
42	29051620	All goods	0.00%
43	29051900	All goods	10.00%
44	29053200	All goods	5.83%
45	29071110	All goods	5.83%
46	29071190	All goods	5.83%
47	29071300	All goods	0.00%
48	29152100	All goods	5.83%
49	29152400	All goods	0.00%
50	29153100	All goods	0.00%
51	29157010	All goods	5.83%
52	29157020	All goods	5.83%
53	29157030	All goods	5.83%
54	29157040	All goods	5.83%
55	29157050	All goods	5.83%
56	29157090	All goods	5.83%
57	29161510	All goods	0.00%
58	29161590	All goods	0.00%
59	29173200	All goods	5.83%
60	29304000	All goods	0.00%
61	29332990	All goods	0.00%
62	29411030	All goods	0.00%
63	32021000	All goods	5.83%
64	32061110	All goods	0.00%
65	32081010	All goods	0.00%
66	32081020	All goods	0.00%
67	32081030	All goods	0.00%
68	32081090	All goods	0.00%
69	32082010	All goods	0.00%
70	32082020	All goods	0.00%
71	32082030	All goods	0.00%
72	32082090	All goods	0.00%
73	32089011	All goods	0.00%
74	32089019	All goods	0.00%
75	32089021	All goods	0.00%
76	32089022	All goods	0.00%
77	32089029	All goods	0.00%
78	32089030	All goods	0.00%
79	32089041	All goods	0.00%
80	32089049	All goods	0.00%
81	32089050	All goods	0.00%
82	32089090	All goods	0.00%
83	32091010	All goods	0.00%
84	32091090	All goods	0.00%
85	32099010	All goods	3.33%
86	32099020	All goods	3.33%
87	32099090	All goods	3.33%
88	32151110	All goods	0.00%
89	32151120	All goods	0.00%
90	32151130	All goods	0.00%
91	32151140	All goods	0.00%
92	32151190	All goods	0.00%
93	32151910	All goods	0.00%
94	32151920	All goods	0.00%
95	32151930	All goods	0.00%
96	32151940	All goods	0.00%
97	32151990	All goods	0.00%
98	32159010	All goods	0.00%
99	32159020	All goods	0.00%
100	32159030	All goods	0.00%
101	32159040	All goods	0.00%
102	32159090	All goods	0.00%
103	33029011	All goods	6.67%
104	33029012	All goods	6.67%
105	33029019	All goods	6.67%
106	33029020	All goods	6.67%
107	33029090	All goods	6.67%
108	33051010	All goods	0.00%
109	33072000	All goods	0.00%
110	33079010	All goods	0.00%
111	33079020	All goods	0.00%
112	33079090	All goods	0.00%
113	34021200	All goods	6.67%
114	34021300	All goods	6.67%
115	34021900	All goods	0.00%
116	34022010	All goods	0.00%
117	34022020	All goods	0.00%
118	34022090	All goods	0.00%
119	34039900	All goods	5.83%
120	34049010	All goods	0.00%
121	34049020	All goods	0.00%
122	34049031	All goods	0.00%
123	34049032	All goods	0.00%
124	34049033	All goods	0.00%
125	34049039	All goods	0.00%
126	34049090	All goods	0.00%
127	35051010	All goods	10.00%
128	35051090	All goods	10.00%
129	35061000	All goods	6.67%
130	37079090	All goods	6.67%
131	38085000	Aldrin, Chlordane, Chlorobenzilate, DDT(ISO), Heptachlor (ISO), Parathion Methyl, Lindane	10.00%
132	38089111	All goods	10.00%
133	38089112	All goods	10.00%
134	38089113	All goods	10.00%
135	38089121	All goods	10.00%
136	38089122	All goods	10.00%
137	38089123	All goods	10.00%
138	38089124	All goods	10.00%
139	38089131	All goods	10.00%
140	38089132	All goods	10.00%
141	38089133	All goods	10.00%
142	38089134	All goods	10.00%
143	38089135	All goods	10.00%
144	38089136	All goods	10.00%
145	38089137	All goods	10.00%
146	38089191	All goods	10.00%
147	38089192	All goods	10.00%
148	38089199	All goods	10.00%
149	38089210	All goods	0.00%
150	38089220	All goods	0.00%
151	38089230	All goods	0.00%
152	38089240	All goods	0.00%
153	38089250	All goods	0.00%
154	38089290	All goods	0.00%
155	38091000	All goods	0.00%
156	38170011	All goods	5.83%
157	38170019	All goods	5.83%
158	38231200	All goods	0.00%
159	39011010	All goods	1.70%
160	39011090	All goods	1.70%
161	39012000	All goods	1.70%
162	39013000	All goods	1.67%
163	39019010	All goods	1.70%
164	39019090	All goods	1.70%
165	39021000	All goods	1.70%
166	39023000	All goods	1.70%
167	39029000	All goods	1.67%
168	39031910	All goods	1.70%
169	39031990	All goods	1.70%
170	39053000	All goods	0.00%
171	39061010	All goods	5.83%
172	39061090	All goods	5.83%
173	39072010	All goods	0.00%
174	39072090	All goods	0.00%
175	39073010	All goods	2.50%
176	39073090	All goods	2.50%
177	39079910	All goods	2.50%
178	39079920	All goods	2.50%
179	39079990	All goods	2.50%
180	39081010	All goods	3.33%
181	39081090	All goods	3.33%
182	39089010	All goods	3.33%
183	39089020	All goods	3.33%
184	39089090	All goods	3.33%
185	39119010	All goods	0.00%
186	39119090	All goods	0.00%
187	39121110	All goods	0.00%
188	39121120	All goods	0.00%
189	39121130	All goods	0.00%
190	39121140	All goods	0.00%
191	39121190	All goods	0.00%
192	39173910	All goods	3.33%
193	39173920	All goods	3.33%
194	39173990	All goods	3.33%
195	39191000	All goods	6.67%
196	39199010	All goods	6.67%
197	39199020	All goods	6.67%
198	39199090	All goods	6.67%
199	39201011	All goods	6.67%
200	39201012	All goods	6.67%
201	39201019	All goods	6.67%
202	39201091	All goods	6.67%
203	39201092	All goods	6.67%
204	39201099	All goods	6.67%
205	39202010	All goods	6.67%
206	39202020	All goods	6.67%
207	39202090	All goods	6.67%
208	39206110	All goods	6.67%
209	39206120	All goods	6.67%
210	39206190	All goods	6.67%
211	39211400	All goods	3.33%
212	39211900	All goods	3.33%
213	39232100	All goods	6.67%
214	39232910	All goods	6.67%
215	39232990	All goods	6.67%
216	39235010	All goods	6.67%
217	39235090	All goods	6.67%
218	39239010	All goods	6.67%
219	39239020	All goods	6.67%
220	39239090	All goods	6.67%
221	39269010	All goods	6.67%
222	39269021	All goods	6.67%
223	39269029	All goods	6.67%
224	39269031	All goods	6.67%
225	39269039	All goods	6.67%
226	39269041	All goods	6.67%
227	39269049	All goods	6.67%
228	39269051	All goods	6.67%
229	39269059	All goods	6.67%
230	39269061	All goods	6.67%
231	39269069	All goods	6.67%
232	39269071	All goods	6.67%
233	39269079	All goods	6.67%
234	39269080	All goods	6.67%
235	39269091	All goods	6.67%
236	39269099	All goods	6.67%
237	40169990	All goods	6.67%
238	49070010	All goods	0.00%
239	49070020	All goods	0.00%
240	49070090	All goods	0.00%
241	50060090	All goods	0.00%
242	52082990	All goods	6.67%
243	52083390	All goods	6.67%
244	52083990	All goods, other than upholstery fabrics	6.67%
245	52083990	Upholstery fabrics	6.67% or Rs. 150 per

		per kg whichever is higher	
246	52085990	All Goods	6.67%
247	52092990	All goods	6.67%
248	54023100	All goods	3.33%
249	54023200	All goods	3.33%
250	54023300	All goods	2.50%
251	54024900	All goods	3.33%
252	54025100	All goods	3.33%
253	54041100	All goods	3.33%
254	55020010	All goods	0.00%
255	55020020	All goods	0.00%
256	55020090	All goods	0.00%
257	59039010	All goods	6.67%
258	59039020	All goods	6.67%
259	59039090	All goods	6.67%
260	59061000	All goods	0.00%
261	60011010	All goods	3.33%
262	60011020	All goods	3.33%
263	60011090	All goods	3.33%
264	60012100	All goods	3.33%
265	60012200	All goods	3.33%
266	60012900	All goods	0.00%
267	60019100	All goods	0.00%
268	60019200	All goods	3.33%
269	60019910	All goods	0.00%
270	60019990	All goods	0.00%
271	60024000	All goods	0.00%
272	60029000	All goods	0.00%
273	60031000	All goods	0.00%
274	60032000	All goods	3.33%
275	60033000	All goods	3.33%
276	60034000	All goods	0.00%
277	60039000	All goods	0.00%
278	60041000	All goods	0.00%
279	60049000	All goods	0.00%
280	60051000	All goods	3.33%
281	60052100	All goods	3.33%
282	60052200	All goods	3.33%
283	60052300	All goods	0.00%
284	60052400	All goods	3.33%
285	60053100	All goods	0.00%
286	60053200	All goods	0.00%
287	60053300	All goods	0.00%
288	60053400	All goods	3.33%
289	60054100	All goods	0.00%
290	60054200	All goods	0.00%
291	60054300	All goods	0.00%
292	60054400	All goods	3.33%
293	60059000	All goods	0.00%
294	63079011	All goods	0.00%
295	63079012	All goods	0.00%
296	63079013	All goods	0.00%
297	63079019	All goods	0.00%
298	63079020	All goods	0.00%
299	63079090	All goods	0.00%
300	68091900	All goods	0.00%
301	69139000	All goods	0.00%
302	70071900	All goods	6.67%
303	70072900	All goods	6.67%
304	70080010	All goods	3.33%
305	70080020	All goods	3.33%
306	70080090	All goods	3.33%
307	70112000	All goods	0.00%
308	71101110	All goods	0.00%
309	71101120	All goods	0.00%
310	72022100	All goods	0.00%
311	72041000	All goods	0.00%
312	72042110	All goods	0.00%
313	72042190	All goods	0.00%
314	72042910	All goods	0.00%
315	72042920	All goods	0.00%
316	72042990	All goods	0.00%
317	72043000	All goods	0.00%
318	72044100	All goods	0.00%
319	72044900	All goods	0.00%
320	72045000	All goods	0.00%
321	72089000	All goods	0.00%
322	72099000	All goods	0.00%
323	72101210	All goods	0.00%
324	72101290	All goods	0.00%
325	72104900	All goods	0.00%
326	72107000	All goods	0.00%
327	72122010	All goods	0.00%
328	72122090	All goods	0.00%
329	72139910	All goods	0.00%
330	72139920	All goods	0.00%
331	72139990	All goods	0.00%
332	72189910	All goods	0.00%
333	72189990	All goods	0.00%
334	72251100	All goods	0.00%
335	72261100	All goods	0.00%
336	73041120	All goods	0.00%
337	73041190	All goods	0.00%
338	73042310	All goods	0.00%
339	73042390	All goods	0.00%
340	73042910	All goods	0.00%
341	73042990	All goods	0.00%
342	73049000	All goods	0.00%
343	73051211	All goods	0.00%
344	73051219	All goods	0.00%
345	73051221	All goods	0.00%
346	73051229	All goods	0.00%
347	73072100	All goods	0.00%
348	73083000	All goods	0.00%
349	73269091	All goods	6.67%
350	74032100	All goods	0.00%
351	74099000	All goods	0.00%
352	74102100	All goods	0.00%
353	74112100	All goods	0.00%
354	74199100	All goods	0.00%
355	76020010	All goods	0.00%
356	76020090	All goods	0.00%
357	76061200	All goods	0.00%
358	76072010	All goods	0.00%
359	76072090	All goods	0.00%
360	76169910	All goods	0.00%
361	76169920	All goods	0.00%
362	76169930	All goods	0.00%
363	76169990	All goods	0.00%
364	78050010	All goods	0.00%
365	78050020	All goods	0.00%
366	79020090	All goods	0.00%
367	81129200	All goods	0.00%
368	81129900	All goods	0.00%
369	82033000	All goods	0.00%
370	82059000	All goods	0.00%
371	82071300	All goods	3.33%
372	82073000	All goods	0.00%
373	82079010	All goods	0.00%
374	82079020	All goods	0.00%
375	82079030	All goods	0.00%
376	82079090	All goods	0.00%
377	82090010	All goods	3.33%
378	82090090	All goods	3.33%
379	83024110	All goods	0.00%
380	83024120	All goods	0.00%
381	83024190	All goods	0.00%
382	83024200	All goods	0.00%
383	83026000	All goods	0.00%
384	83059010	All goods	0.00%
385	83059020	All goods	0.00%
386	83059090	All goods	0.00%
387	83099010	All goods	0.00%
388	83099020	All goods	0.00%
389	83099030	All goods	0.00%
390	83099090	All goods	0.00%
391	83119000	All goods	0.00%
392	84091000	All goods	0.00%
393	84099111	All goods	0.00%
394	84099112	All goods	0.00%
395	84099113	All goods	0.00%
396	84099114	All goods	0.00%
397	84099120	All goods	0.00%
398	84099191	All goods	0.00%
399	84099192	All goods	0.00%
400	84099193	All goods	0.00%
401	84099194	All goods	0.00%
402	84099199	All goods	0.00%
403	84137010	All goods	5.83%
404	84137091	All goods	5.83%
405	84137092	All goods	5.83%
406	84137093	All goods	5.83%
407	84137094	All goods	5.83%
408	84137095	All goods	5.83%
409	84137096	All goods	5.83%
410	84137097	All goods	5.83%
411	84137099	All goods	5.83%
412	84138110	All goods	2.50%
413	84138120	All goods	2.50%
414	84138130	All goods	2.50%
415	84138190	All goods	2.50%
416	84139110	All goods	0.00%
417	84139120	All goods	0.00%
418	84139130	All goods	0.00%
419	84139140	All goods	0.00%
420	84139190	All goods	0.00%
421	84141000	All goods	0.00%
422	84143000	All goods	5.83%
423	84159000	All goods	0.00%
424	84185000	All goods	5.83%
425	84186100	All goods	5.83%
426	84189900	All goods	0.00%
427	84224000	All goods	0.00%
428	84269100	All goods	0.00%
429	84314100	All goods	0.00%
430	84314200	All goods	0.00%
431	84314910	All goods	0.00%
432	84324000	All goods	0.00%
433	84501100	All goods	6.67%
434	84569910	All goods	0.00%
435	84569990	All goods	0.00%
436	84571010	All goods	0.00%
437	84571020	All goods	0.00%
438	84743200	All goods	0.00%
439	84821011	All goods	0.00%
440	84821012	All goods	0.00%
441	84821013	All goods	0.00%
442	84821020	All goods	0.00%
443	84821030	All goods	0.00%
444	84821040	All goods	0.00%
445	84821051	All goods	0.00%
446	84821052	All goods	0.00%
447	84821053	All goods	0.00%
448	84821090	All goods	0.00%
449	84825011	All goods	0.00%
450	84825012	All goods	0.00%
451	84825013	All goods	0.00%
452	84825021	All goods	0.00%
453	84825022	All goods	0.00%
454	84825023	All goods	0.00%
455	84828000	All goods	0.00%
456	84839000	All goods	5.83%
457	85061000	All goods	0.00%
458	85063000	All goods	0.00%
459	85064000	All goods	0.00%
460	85065000	All goods	0.00%
461	85066000	All goods	3.33%
462	85068010	All goods	3.33%
463	85068090	All goods	3.33%
464	85069000	All goods	3.33%
465	85161000	All goods	6.67%
466	85169000	All goods	3.33%
467	85182100	All goods	3.33%
468	85182200	All goods	3.33%
469	85183000	All goods	3.33%
470	85184000	All goods	3.33%
471	85185000	All goods	6.67%
472	85189000	All goods	3.33%
473	85198910	All goods	3.33%
474	85198920	All goods	3.33%
475	85198930	All goods	3.33%
476	85198940	All goods	3.33%
477	85198990	All goods	3.33%
478	85199200	All goods	0.00%
479	85219010	All goods	3.33%
480	85219020	All goods	3.33%
481	85219090	All goods	3.33%
482	85271300	All goods	0.00%
483	85279100	All goods	0.00%
484	85311010	All goods	6.67%
485	85311020	All goods	6.67%
486	85311090	All goods	6.67%
487	85441110	All goods	5.83%
488	85441190	All goods	5.83%
489	85441910	All goods	5.83%
490	85441920	All goods	5.83%
491	85441930	All goods	5.83%
492	85441990	All goods	5.83%
493	85489000	All goods	0.00%
494	87081010	All goods	0.00%
495	87081090	All goods	0.00%
496	87084000	All goods	0.00%
497	87086000	All goods	0.00%
498	87087000	All goods	6.67%
499	87089100	Radiators	3.33%
500	87089900	All goods	6.67%
501	90084000	All goods	0.00%
502	90151000	All goods	0.00%
503	90154000	All goods	0.00%
504	90189094	All goods	0.00%
505	90282000	All goods	0.00%
506	94032010	All goods	0.00%
507	94032090	All goods	0.00%
508	94033010	All goods	6.67%
509	94033090	All goods	6.67%
510	94036000	All goods	3.33%
511	94038100	All goods	0.00%
512	94038900	All goods	0.00%
513	94039000	All goods	0.00%
514	94054010	All goods	0.00%
515	94054090	All goods	0.00%
516	95041000	All goods	0.00%
517	95042000	All goods	0.00%
518	95069110	All goods	0.00%
519	95069190	All goods	0.00%
520	96061010	All goods	0.00%
521	96061020	All goods	0.00%
522	96062910	All goods	0.00%
523	96062990	All goods	0.00%
524	96071110	All goods	0.00%
525	96071190	All goods	0.00%
526	96071910	All goods	0.00%
527	96071990	All goods	0.00%
528	96072000	All goods	0.00%
529	96121010	All goods	3.33%
530	96121020	All goods	3.33%
531	96121030	All goods	3.33%
532	96121090	All goods	3.33%
533	96190010	All goods	6.67%".

[F.No. 354/9/2004-TRU (Pt. II)]

Zero Duty on Excess LPG Returned to SEZ

Ntfn 62
21.12.2012
(DoR)

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act,1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 12/2012-Customs, dated the 17th March,2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i),*vide* number G.S.R. 185 (E), dated the 17th March,2012, namely:-

In the said notification, in the Table, after S. No. 142 and the entries relating thereto, the following shall be inserted, namely:-

"142A	2711	Liquefied petroleum gases (LPG), in excess of the quantity of petroleum gases and other gaseous hydrocarbons consumed in the manufacture of polyisobutylene by the unit located in Domestic Tariff Area (DTA), received from the unit located in Special Economic Zone (SEZ) and returned by the DTA unit to the SEZ unit from where such Liquefied petroleum gases (LPG) were received.	Nil	Nil	5".

Explanation.- For the purposes of this entry, the quantity of the petroleum gases and other gaseous hydrocarbons consumed in the manufacture of polyisobutylene shall be calculated by subtracting from the quantity of the said gases received by the DTA unit manufacturing polyisobutylene, the quantity of the said gases returned by the said unit to the SEZ unit.

[F.No. 354/264/2011-TRU]

Anti-dumping Duty Imposed on Choline Chloride from China

Ntfn 57-ADD
21.12.2012
(DoR)

Whereas in the matter of import of Choline Chloride (hereinafter referred to as the subject goods), falling under Chapter 23 or Chapter 29 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 (hereinafter referred to as the subject country),and imported into India, the designated authority in its final findings published in the Gazette of India, Extraordinary, Part I, Section 1, *vide* notification No. 14/19/2011-DGAD, dated the 4th October, 2012, has come to the conclusion, inter alia, that –

(i) the subject goods have entered the Indian market from the subject country below associated normal value, thus, resulting in dumping of the subject goods;

(ii) the domestic industry has suffered material injury in respect of such goods;

(iii) the injury to the domestic industry has been caused due to the dumped imports of subject goods from the subject country ;

AND WHEREAS, the designated authority has recommended imposition of definitive anti-dumping duty on imports of the subject goods, originating in or exported from the People's Republic of China and imported into India, in order to remove injury to the domestic industry;

NOW, THEREFORE, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, read with rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid final findings of the designated authority, hereby imposes on the subject goods**,** the description of which is specified in column (3) of the Table below, falling under heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the country as specified in the corresponding entry in column (4), and produced by the producer as specified in the corresponding entry in column (6), when exported from the country as specified in the corresponding entry in column (5), by the exporter as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at a rate to be worked out as a percentage of the CIF value of imports of the subject goods as specified in the corresponding entry in column (8) of the said Table.

Table

SNo.	Sub-heading	Description of goods	Country of origin	Country of exports	Producer	Exporter	Rate of Duty on CIF Value
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	2923 or 2309	Choline Chloride of all forms and concentrations for animal feed applications	People's Republic of China	People's Republic of China	Any	Any	60.79%
2.	2923 or 2309	-do-	People's Republic of China	Any country other than People's Republic of China	Any	Any	60.79%
3.	2923 or 2309	-do-	Any country other than People's Republic of China	People's Republic of China	Any	Any	60.79%

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

Explanation. - For the purposes of this notification,-

(a) "CIF value" means the assessable value as determined under section 14 of the Customs Act, 1962 (52 of 1962); and

(b) rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification of the Government of India in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962) and the relevant date for determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.

[F.No.354/207/2012 –TRU

Safeguard Duty of 35% Imposed on Electrical Insulators from China

Ntfn 05-SG
20.12.2012
(DoR)

Whereas, in the matter of import of electrical insulators, falling under tariff heading 8546 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the said Act), the Director General (Safeguard), in its final findings published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* notification number G.S.R. 729 (E), dated the 27th September, 2012, had come to the conclusion that:

(a) increased imports of electrical insulators from the People's Republic of China have caused and threatened to cause market disruption to the domestic industry and producers of electrical insulators;

(b) a causal link exists between the increased imports and market disruption and threat of market disruption; and

(c) it will be in the public interest to impose Safeguard duty on import of electrical insulators from People's Republic of China;

AND WHEREAS, the Director General (Safeguard) in its final findings has recommended that the safeguard duty be imposed on imports of electrical insulators imported from the People's Republic of China for a period of two years;

Now, Therefore, in exercise of the powers conferred by sub-section (1) of section 8C of the Customs Tariff Act, 1975 (51 of 1975) read with the rules 12 and 14 of the Customs Tariff (Transitional Product Specific Safeguard Duty) Rules, 2002, the Central Government, after considering the aforesaid findings of the Director General (Safeguard), hereby imposes on the goods of description specified in column (3) of the Table below, falling under sub-heading of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), when imported into India from the People's Republic of China, a safeguard duty at the rate indicated in the corresponding entry in column (4) *ad valorem.*

Table

SNo.	Sub-heading	Description	Rate of Safeguard Duty	
(1)	(2)	(3)	(4)	
			1st year	2nd year
1.	8546 10	Electrical insulators of Glass	35%	25%
2.	8546 20	Electrical insulators of Ceramics or Porcelain excluding telephone or telegraph insulators, other electrical or electronic appliances/ device insulators, electrical insulators of voltage rating up to 1 kV and composite insulators	35%	25%
3.	-	Items at S. No. 1 or 2, if cleared under any other Customs Tariff Heading including Project Imports.	35%	25%

Explanation.- In the Table, 1st year means the time period with effect from the date of issue of this notification till the completion of one year and 2nd year means time period after the completion of the said one year, till 31st day of December, 2013.

[F.No.354/198/2012 –TRU]

DGFT Releases 10,000 MT Sugar Quota for EU to ISGEC

Sub: Allocation of 10,000 MTs of white sugar for the year 2012-13 (October, 2012- September, 2013) for export to EU under CXL Quota.

39-PN(RE)
19.12.2012
(DGFT)

In exercise of the powers conferred under Paragraph 2.4 of the Foreign Trade Policy, 2009-14, as amended from time to time, the Director General of Foreign Trade hereby allocates a quantity of 10,000 MTs (Ten thousand metric tonnes) of white Sugar for export of CXL Concessions Sugar to European Union (EU) for the period October, 2012 to September, 2013.

2. As per HS Code 1701 00 00 in the Schedule-2 of ITC(HS) Classification of Export and Import Items, as amended, M/s Indian Sugar Exim Corporation Limited, New Delhi is the designated agency for export of Sugar to EU under Preferential Quota.

3. As per Article 10 of European Union Regulation (EC) No. 891/2009 of 25.9.2009 "release for free circulation for the quotas of CXL concession sugar with order no.09.4321 shall be subject to the presentation of a certificate of origin issued by the competent authority of the third country concerned in accordance with articles 55 to 65 of Regulation (EEC) No. 2454/93". Accordingly, the entries to be made in the export authorization document EUR and GSP are as follows:-

(i) CXL Concessions Sugar

"[Application of Regulation (EC) No. 891/2009 under Schedule CXL (European Communities). CXL Concessions Sugar Serial No. 09.4321]".

4. GSP Certificate and Certificate of Origin as per details given in para (3) above shall be issued by the Additional Director General of Foreign Trade, Mumbai and EUR Form is to be endorsed by Customs at the Port of Shipment.

Sugar Mills Supplying Sugar to an RC Holder Must Intimate DGFT

Subject: Registration of contracts with DGFT for export of sugar.

08-Pol.Cir
24.12.2012
(DGFT)

Policy Circular No. 62(RE-2010)/2009-14 dated 14.05.2012 prescribed the conditions and modalities for registration of contracts with DGFT for export of sugar. Certain amendments were brought in through Policy Circular No. 63(RE-2010)/2009-14 dated 16.05.2012.

2. Exporters desirous of exporting sugar may continue to obtain Registration Certificates accordingly. The conditions and modalities as mentioned in Policy Circular No. 62(RE-2010)/2009-14 dated 14.05.2012 and as modified by Policy Circular No. 63(RE-2010)/2009-14 dated 16.05.2012 will continue to apply.

3. Attention of sugar factories is invited to provisions in para 5 of Policy circular 62 of 14th May 2012, which states : "…..*Sugar mill supplying sugar to an RC holder will intimate DGFT at the designated e mail id sugarexport-dgft@nic.in immediately after such supply*." Sugar factories are directed to comply with this requirement without fail.

Service Tax Exempted on Janashree Bima Yojana and Aam Aadmi Bima Yojana

49-ST
24.12.2012
(DoR)

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.25/2012-Service Tax, dated the 20th June, 2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), number G.S.R. 467 (E), dated the 20th June, 2012, namely:-

WIPO Frames Industrial Design Treaty

According to WIPO's definition, an industrial design refers to the aesthetic aspects of an item, such as its shape and colour. Industrial designs are applied to a large array of products, ranging from medical instruments to watches and smartphones. Discussions on possible areas of convergence between industrial design law and practice have been underway at WIPO since 2009.

However, developing countries at last week's meeting took a more cautious approach, warning that "this negotiation exercise has been based mostly on the law and practise of a few developed countries."

At the WIPO General Assembly in October, the SCT was mandated to consider including "appropriate provisions regarding technical assistance and capacity building for developing countries and LDCs in the [future treaty's] implementation." During last week's discussions, however, WIPO members could not agree on the binding nature of technical assistance provisions, while also debating two different proposals on the nature of technical assistance work under the potential treaty.

In the said notification, after entry 26, the following shall be inserted namely:-

"26A. Services of life insurance business provided under following schemes -

(a) Janashree Bima Yojana (JBY); or

(b) Aam Aadmi Bima Yojana (AABY);".

[F.No. 354 /190/ 2012-TRU]

Dept. of Revenue Issues 120 Descriptions of Taxable Services and Accounting Codes for Payment of Service Tax

48-ST
30.11.2012
(DoR)

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

1. (1) These rules may be called the Service Tax(Fifth Amendment) Rules, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Service Tax Rules, 1994, in Form ST-1,-

a) in serial no.7, for the table, the following table shall be substituted, namely:-

"SNo.	Description of taxable service (Choose from ANNEXURE)
(1)	(2)
	";

b) after the ACKNOWLEDGEMENT, the following Annexure shall be inserted , namely:-

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

Hedging under ECB by Micro Finance Cos

Sub: External Commercial Borrowings (ECB) for Micro Finance Institutions (MFIs) and Non-Government Organizations (NGOs) - engaged in micro finance activities under Automatic Route

AP(DIR Srs) Cir.63 20.12.2012 (RBI) Attention of Authorized Dealer Category-I (AD Category-I) banks is invited to the Foreign Exchange Management (Borrowing or Lending in Foreign Exchange) Regulations, 2000, notified vide Notification No. FEMA 3/2000-RB dated May 3, 2000, amended from time to time, A.P. (DIR Series) Circular No. 5 dated August 1, 2005, amended from time to time, A.P. (DIR Series) Circular No. 40 dated April 25, 2005 and A.P. (DIR Series) Circular No. 59 dated December 19, 2011 relating to the External Commercial Borrowings (ECB).

2. It has been decided that the extant guidelines as specified in A.P. (DIR Series) Circular No. 59 dated December 19, 2011 will continue to be applicable until further review.

3. Hedging: ECB by MFIs/NGOs should be fully hedged. Designated AD has to ensure at the time of drawdown that the forex exposure of the borrower is fully hedged.

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

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

Export Credit of US$16.88mn to Gambia

Sub: Exim Bank's Line of Credit of USD 16.88 million to the Government of the Republic of Gambia

AP(DIR Srs) Cir.62 18.12.2012 (RBI) Export-Import Bank of India (Exim Bank) has concluded an Agreement dated October 19, 2012 with the Government of the Republic of Gambia, making available to the latter, a Line of Credit (LOC) of USD 16.88 million (USD sixteen million eight hundred and eighty thousand) for financing eligible goods, services, machinery and equipment including consultancy services from India for the purpose of completion of national Assembly Building complex in Gambia. The goods, services, machinery and equipment including consultancy services from India for exports under this Agreement are those which are eligible for export under the Foreign Trade Policy of the Government of India and whose purchase may be agreed to be financed by the Exim Bank under this Agreement. Out of the total credit by Exim Bank under this Agreement, the goods and services including consultancy services of the value of at least 65 per cent of the contract price shall be supplied by the seller from India and the remaining 35 percent goods and services may be procured by the seller for the purpose of Eligible Contract from outside India.

2. The Credit Agreement under the LOC is effective from December 4, 2012 and the date of execution of Agreement is October 19, 2012. Under the LOC, the last date for opening of Letters of Credit and Disbursement will be 48 months from the scheduled completion date(s) of contract(s) in the case of project exports and 72 months (October 18, 2018) from the execution date of the Credit Agreement in the case of supply contracts.

3. Shipments under the LOC will have to be declared on GR / SDF Forms as per instructions issued by the Reserve Bank from time to time.

4. No agency commission is payable under the above LOC. However, if required, the exporter may use his own resources or utilize balances in his Exchange Earners' Foreign Currency Account for payment of commission in free foreign exchange. Authorised Dealer Category- I (AD Category-I) banks may allow such remittance after realization of full payment of contract value subject to compliance with the prevailing instructions for payment of agency commission.

5. AD Category-I banks may bring the contents of this circular to the notice of their exporter constituents and advise them to obtain full details of the Line of Credit from the Exim Bank's office at Centre One, Floor 21, World Trade Centre Complex, Cuffe Parade, Mumbai 400 005 or log on to www.eximbankindia.in.

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

Exchange Rates for Customs Valuation

Rupee Falls to Rs. 55.30 for Customs Valuation on Imports w.e.f. 21 December 2012

111-Cus(NT) 20.12.2012 (DoR) In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 108/ 2012-CUSTOMS (N.T.), dated the 6th December, 2012 *vide* number S.O. 2838(E), dated the 6th December, 2012, except as respects things done or omitted to be done before such super session, 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 21st December, 2012** 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.

		Imprted Goods		Exported Goods	
SNo.	Currency	Current	Previous	Current	Previous
Schedule I – Rate of exchange of one unit of foreign currency equivalent to Indian rupees					
1.	Australian Dollar	58.35	57.90	56.90	56.30
2.	Bahrain Dinar	149.65	148.85	141.25	140.45
3.	Canadian Dollar	56.25	55.70	54.85	54.10
4.	Danish Kroner	9.90	9.75	9.60	9.40
5.	EURO	73.55	72.30	71.70	70.50
6.	Hong Kong Dollar	7.15	7.10	7.00	6.95
7.	Kenya Shilling	65.75	65.50	61.85	61.55
8.	Kuwait Dinar	200.90	199.55	188.95	188.15
9.	Newzeland Dollar	46.60	45.65	45.35	44.30
10.	Norwegian Kroner	9.95	9.85	9.65	9.55
11.	Pound Sterling	90.25	88.80	88.15	86.85
12.	Singapore Dollar	45.50	45.25	44.45	44.20
13.	South African Rand	6.70	6.40	6.30	6.00
14.	Saudi Arabian Riyal	15.05	14.95	14.20	14.10
15.	Swedish Kroner	8.45	8.40	8.20	8.15
16.	Swiss Franc	60.95	59.60	59.35	57.95
17.	UAE Dirham	15.35	15.30	14.50	14.40
18.	US Dollar	55.30	55.00	54.30	54.00
Schedule II – Rate of exchange of 100 units of foreign currency equivalent to Indian rupees					
1.	Japanese Yen	65.90	67.20	64.15	65.35

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Mr. Sharma further announced that sixty new products which include Engineering, Rubber, Textiles, Drugs & Pharmaceuticals products among others, and three countries (Taiwan, Thailand and Czech Republic) have been incorporated under the Market Linked Focus Product Scheme.

Under the Focus Product Scheme, Mr. Sharma said that more than 100 new products have been added from sectors including Engineering, Textiles, Chemicals, Drugs, Pharmaceuticals, Paper, Books, Publication and Printed Material. The products will be benefitted by 2 per cent Duty Credit.

Under the Vishesh Krishi and Gram Udyog Yojana, Mr. Sharma said that Shellac Wax, Flours and Meal of Oilseeds or Oleagenous Fruits having more than 51% protein, and Food Preparations not elsewhere specified have been added to give a boost to the exports. He highlighted that the scrips issued under different schemes namely FPS, FMS, VKGUY, SHIS, MLFPS, SFIS, AIIS, for import of goods, will now be permitted to be utilised for payment of Excise Duty for domestic procurement, to encourage manufacturing, value addition and employment.

Panel Established on US Countervailing and Anti-dumping Measures on Chinese Products

Panel established on 17 December 2012 on US/China dispute on countervailing and anti-dumping measures on Chinese products. Other requests involving Argentina and Dominican Republic were rejected. Mexico asked its request to be removed from the agenda.

DS449: United States - Countervailing and Anti-dumping Measures on Certain Products from China

China reiterated its concern that the US was not administering its trade remedy laws in a uniform, impartial and reasonable manner and that the US Public Law 112-99 was inconsistent with the GATT 1994, the SCM Agreement and the Anti-Dumping Agreement. The US regretted the China had chosen to pursue its request for panel establishment and noted that its measures were consistent with its WTO obligations. The DSB established a panel to examine this dispute. Australia, Canada, the European Union, Japan, Viet Nam and Turkey reserved their third-party rights to participate in the Panel's proceedings.

DS441: Australia - Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging

The Dominican Republic said that Australia's measures regulating the plain packaging of tobacco products appeared to be inconsistent with Australia's obligations under the TRIPS Agreement and the TBT Agreement. The measures restricted the essential functions of a trade mark and geographical origin of certain products of special reputation. Additionally, there was no scientific proof that these measures would reduce the use of tobacco. Australia said that its tobacco plain packaging was a sound, well-considered measure designed to achieve a legitimate objective, the protection of public health. In its view, the plain packaging legislation did not undermine the protection afforded under the TRIPS Agreement nor was the measure more trade restrictive than necessary to fulfil its legitimate objective. The measure was origin neutral, even-handed in its application, non-discriminatory and applied to all tobacco products. Thus, Australia was not in a position to agree to the establishment of a panel. Honduras, Ukraine, Trinidad and Tobago, Cuba Zimbabwe and Nicaragua shared the Dominican Republic's concern regarding the effect of Australia's measures. New Zealand, Uruguay and Norway supported Australia's measure and noted the sovereign right of Members to regulate and protect public health. Further to Australia's objection, the DSB deferred the establishment of a panel.

DS438; DS444 and DS445: Argentina - Measures Affecting the Importation of Goods

The EU, the US and Japan said that certain measures for the importation of goods appeared to be inconsistent with Argentina's obligations under the GATT 1994 and the Import Licensing Agreement. In particular, they referred to three types of measures: (i) non-automatic import licensing measures which subject the importation of goods into Argentina to the Certificados de Importacion (CIs); (ii) requirements from importers to submit a Declaración Jurada Anticipada de Importación (DJAI); and (iii) requirements on importers to undertake trade balancing or similar commitments as a condition for importation. These measure affected trade and investment flows into the country. The complainants therefore requested the establishment of a panel. Argentina noted that it had consulted with the complainants and had hoped to resolve the dispute in the consultation phase. Argentina did not agree that its measures were WTO-inconsistent and argued that the effect of the application of such licenses did not imply a restriction on trade. Therefore, it was not in apposition to accept the request for panel establishment

DS443: European Union and a Member State– Certain Measures Concerning the Importation of Biodiesels

Argentina referred to a measure by the Spanish Government that provided that biodiesel from outside the Community cannot be computed for the purpose of the compliance with mandatory biofuel targets, resulting in discrimination between products of EU origin and products of other origins. Argentina recognized that the individual call for the allocation of quotas for biodiesel production had been cancelled, but was concerned that the main measure had not been revoked, with negative effects on Argentine biodiesel producers. In its view, the measure at issue was inconsistent with Article III of GATT 1994 and Article 2 of the TRIM Agreement. As the consultations held with the EU failed to settle this dispute, Argentina requested the establishment of a panel. The EU considered the request to be inappropriate, as the measure in question was under revision and was not in effect. For this reason, the EU opposed the establishment of a panel. Further to the EU's objection, the DSB deferred the establishment of a panel.

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