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All Imports and Exports at 19 Sea Ports and 17 Air Cargo Complexes to be Cleared 24x7

4 No MOT Charges at CFSs Attached Exclusively to 24x7 Seaports and Airport

[CBEC Circular No. 04 dated 16th February 2017]

Subject: Expansion of 24x7 customs clearance and clarification of levy of MOT charges in CFSs attached to 24x7 ports.



CBEC had on a pilot basis introduced 24x7 customs clearance at 4 designated Air cargo complexes and 4 sea ports in respect of facilitated Bills of Entry and factory stuffed containers and goods shipped under free shipping bills [Circular No. 22/2012-Cus refers].

Subsequently, vide instruction from F.No. 450/25/2009-Cu-sIV dated 31.5.13, the facility of 24x7 clearance [on pilot basis] was simultaneously extended to another 13 Air cargo complexes and to include all shipping bills free or otherwise filed at the said Air cargo complexes.

Since the clearances were run on pilot basis, therefore, on 31.12.14 [Circular 19/2014-Customs], CBEC allowed the facility of 24x7 customs clearance for goods covered by facilitated Bills of Entry and specified exports i. e. factory stuffed containers and goods shipped under free shipping bills on permanent basis at the designated 18 Sea Ports (including the 4 sea ports designated earlier). Currently, this facility is available at 19 Sea ports with Krishnapatnam having been added later. On the airside also this facility was made available on permanent basis for facilitated Bills of Entry and all shipping bills at the designated 17 Air Cargo Complex.

2. Providing logistics support like machinery/ cranes for container movement, labour etc is the primary responsibility of Custodian or the Customs broker/importer. CBEC initially restricted the 24x7 to facilitated bills of entry only, keeping in view the time needed to be given to all the stakeholders to gear up for 24x7 clearance. More than two years have passed since CBEC has introduced 24x7 clearance. This much lead time should be enough for the all the stakeholders to put necessary arrangements in place to enable round the clock clearance of all import cargo and not just facilitated one. Customs is anyways operating 24x7 at designated ports/ airports. Therefore, it has been decided to extend 24x7 customs clearance to all bills of entry and not just facilitated bills of entry.

3. Board has amended the Customs (Fees for Rendering Services by the Customs Officers) Regulations, 1998 to provide that at 24x7 customs ports and airports, no fee

i.e. merchant overtime fee (MOT) shall be collected in lieu of the services rendered by the customs officers. Thus, as on date no MOT charges are required to be collected in respect of the services provided by the customs officers at 24x7 customs ports and airports. Reference has been received seeking clarification as to whether MOT charges are to be collected in respect of stuffing of export goods at CFSs.

(a) The issue has been examined in the Board. It is observed that a designated 24x7 sea port can have a number of CFSs attached to it. While Board has already exempted MOT charges at 24x7 ports, the reference in essence seeks clarification as to whether MOT exemption can be extended to attached CFSs as well.

(b) CFSs are an extension of the Port. In the overall ecosystem of Customs clearance, CFSs have played an important role in faster clearance of EXIM goods. As a result, bulk of regulatory activity other than appraising, has shifted to CFSs.

(c) Factory stuffed containers are already covered under 24x7 operations, therefore, MOT charges are not required to be paid in lieu of services (like verification of seals etc) rendered by customs officers at CFSs in respect of such containers.

(d) Other than at the manufacturing premises, stuffing can inter-alia also occur at CFSs for export against free shipping bills or otherwise. In the case of sea ports, free shipping bills are already covered under 24x7 scheme while the goods exported against a claim to benefit are not. Considering that the customs work carried out in the CFSs is actually an extension of the clearance activity at the port, therefore, logically no MOT charges should be leviable in lieu of services rendered by customs officers within the CFS premises even in the case of export against a claim to benefit.

(e) Accordingly, it is clarified that no MOT charges would be collected at CFSs attached exclusively to 24x7 ports in lieu of services rendered within the CFS. This will bring the MOT collection norms at par with the situation on the air side which cover all shipping bills free or otherwise.

Oceans are Overfished, US\$83 bn in Additional Benefits if Fishing Stocks are given Rest

Fishing less, and better, could generate an additional \$83 billion each year for the fisheries sector, creating a much-needed revenue stream in developing countries and improving global food security, according to a new World Bank Group report.

The Sunken Billions Revisited, an update on a 2009 study, shows that reducing the global fishing effort would allow fish stocks to recover from overexploitation from an estimated \$3 billion a year to \$86 billion. It would also lead to more fish being caught and landed, because stocks would have recovered to healthier levels, thus helping meet growing global demand for seafood and improving food security in many countries around the world.

The bio-economic model used in The Sunken Billions Revisited, – developed by Ragnar Arnason, professor in the Faculty of Economics at the University of Iceland – treats the world's marine fisheries as one large fishery. It examines the mismatch between the increasingly high level of effort put into fishing and stagnant or even declining fish catches, and calculates the incremental benefits that could be derived from global fisheries reform.



Both figures emphasize the urgent need for reform and the important economic gains that could be made through a more sustainable management of the world's fisheries.

While the report makes a strong case for investing in the recovery of fish stocks, it does not prescribe a particular reform path. Reform experiences in countries and regions as diverse as Peru, Morocco, the Pacific Islands and West Africa show it is possible to reduce overfishing through locally appropriate reforms that ultimately improve the livelihoods and job security of coastal populations.

About 90 percent of marine fisheries monitored by the Food and Agriculture Organization (FAO) are fully fished or overfished, up from about 75 percent in 2005. Fish stocks are also under pressure from pollution, coastal development, and the impacts of climate change.

The World Bank helps countries improve the management of their fisheries, invest in sustainable aquaculture, and manage competing pressures on coasts and oceans, to improve the livelihoods of coastal communities and put growth on a more sustainable and resilient footing.

Sri Lanka in FTA with China in 2017

Sri Lanka aims to finalise a free trade agreement (FTA) with China later this year, said the country's ambassador to Beijing last weekend. The two Asian economies have been negotiating a trade deal since 2014.

China has also been working with Sri Lanka on the development of the Hambantota port, as a part of China's "One Belt, One Road" initiative, an ambitious regional connectivity project which aims to develop land and maritime corridors across the region to Europe and beyond.

Sri Lankan ambassador Karunasena Kodituwakku also confirmed to journalists in the Chinese capital city that his country's prime minister, Ranil Wickremesinghe, will visit Beijing in May to continue high-level FTA discussions. The two sides have held four negotiating rounds to date.

When the trade talks launched nearly three years ago, China's Ministry of Commerce

(MOFCOM) affirmed that the future accord aimed to "contribute to further deepening bilateral economic and trade relations, and accord with the benefits of the two countries."

According to a joint feasibility study issued in 2014, the two sides aim to address areas such as tariffs and non-tariff measures, rules of origin, customs procedures, and sanitary and phytosanitary measures and technical barriers to trade. They will also cover various aspects of services trade, along with addressing issues related to investment and economic and technological cooperation, including e-commerce and small and medium-sized enterprises.

The report also suggested that the deal could be a boon both in terms of "economic development and social welfare" for the two trading partners. Bilateral trade has been on the rise between the two Asian economies, hitting US\$4.56 billion in 2015, increasing 12.9 percent year on year.

NOC Not Required from Defence Production for "Soft Skinned Vehicles" Exports

[DGFT Notification No. 38 dated 17th February 2017]

Subject:- Amendment in the list of Military Stores requiring NOC for export purposes

In exercise of the powers conferred by Section 5 read with Section 3(2) of the Foreign Trade (Development & Regulation) Act, 1992, as amended, read with Para 1.02 and Para 2.01 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby makes the following amend-

ment in the Export Licensing Note of Table A of Schedule 2 of ITC(HS) Classification of Export and Import Items with immediate effect: 1. Category MS 007 in the Export Licensing Note of Table A of Schedule 2 of ITC(HS) Classification of Export and Import Items stands substituted as follows:-

Excise, Service Tax Collections Jump, Customs Muted

The tax collection figures upto January 2017 show consistent trend of healthy growth. The note below has the details of the direct and indirect tax collection details for the month of January 2017 and upto the month of January 2017 and they show a positive growth.

Indirect Taxes

1. During January 2017, the net indirect tax grew at the rate of 16.9% compared to corresponding month last year. The growth rate in net collection for Customs, Central Excise and Service Tax was 10.1%, 26.3% and 9.4% respectively during the month of January 2017, compared to the corresponding month last year.

2. The figures for indirect tax collections (Central Excise, Service Tax and Customs) up to January 2017 show that net revenue collections are at Rs 7.03 lakh crore, which is 23.9% more than the net collections for the corresponding period last year. Till January 2017, about 82.8% of the Revised Estimates (RE) of indirect taxes for Financial Year 2016-17 has been achieved.

3. As regards Central Excise, net tax collections stood at Rs. 3.13 lakh crore during April-January, 2016-17 as compared to Rs.2.23 lakh crore during the corresponding period in the previous Financial Year, thereby registering a growth of 40.5%.

4. Net Tax collections on account of Service Tax during April-January, 2016-17 stood at Rs. 2.03 lakh crore as compared to Rs.1.66 lakh crore during the corresponding period in the previous Financial Year, thereby registering a growth of 22.0%.

5. Net Tax collections on account of Customs during April-January 2016-17 stood at Rs. 1.86 lakh crore as compared to Rs. 1.77 lakh crore during the same period in the previous Financial Year, thereby registering a growth of 4.7%.

"MS007: Military Ground vehicles and components specially designed or modified for military use including:

- Tanks and other military armed vehicles and military vehicles fitted with mountings for arms or equipment for mine laying or the launching of munitions.
- Armoured vehicles.
- Amphibious and deep water fording vehicles.
- Recovery vehicles and vehicles for towing or transporting ammunition or weapon systems and associated load handling equipment.
- Mine-protected vehicles.

Note: MS007 does not include soft skinned vehicles i.e. the vehicles which are neither armoured nor intended to be modified as an armoured vehicle in future"

Veneered Wooden Flooring from China, EU, Indonesia and Malaysia under Dumping Investigation on Complaint of Greenlam Inds

[Anti-dumping Initiation Notification F.No.14/34/2016-DGAD (Case No. — 01/08/2017) dated 17th February 2017]

Subject: Initiation of Anti-Dumping Investigation concerning imports of "Veneered Engineered Wooden Flooring" originating in or exported from China, Malaysia, Indonesia and European Union.

M/s Greenlam Industries Limited has filed an application before the Designated Authority for imposition of anti-dumping duty on imports of Veneered Engineered Wooden Flooring. The Countries concerned are China, Malaysia, Indonesia and European Union. The above mentioned countries are also referred to as "the Subject Countries".

Product allegedly being dumped and like Article

The applicant have alleged that the imports of "Veneered Engineered Wooden Flooring" specifically excluding following kind of floorings from the countries named in the present notification are entering the Indian market at dumped prices and such imports are causing injury to the like product domestic industry.

- laminated flooring,
- flooring not made of wood,
- flooring not having veneered top layer,
- solid wood flooring
- solid wood flooring

The above mentioned product has been referred as "Veneered Engineered Wooden Flooring" or product under consideration in the present notification. Veneered Engineered Wooden Flooring typically has three layers of wood viz "Top Layer", "Middle Layer" and "Bottom Layer". Top Layer is real wood which gives attractive look (owing to its wooden texture) and additional strength to overall construction. It can be made of onestrip of wood, twostrips of wood or threestrips of Wood. Middle Layer is real wood, which forms core of the overall construction. It can be made of either "solid wood" or "fibre board". Bottom Layer is real wood which provides support to the overall construction.

Veneered engineered wooden flooring is a real wood product. The top layer of wood called the veneer ranges from 0.5 mm to 6 mm thickness. Overall board thickness ranges from 8 mm to 25 mm. Due to its multiply structure the engineered wooden flooring is more suitable than solid wood and is less susceptible to shrinking and expanding with changes in temperature and humidity.

The above product is normally produced and sold in certain standard sizes and specifications. It can, however, be produced in different sizes to meet the requirements of customer. Different product types can be categorized on the basis of sizes and specifications.

The product under consideration is classified under Chapter 44 of the Customs Tariff Act. The customs classification above is indicative only and in no way binding on the scope of the product under consideration in this investigation.

The applicant has claimed that there is no known difference between the subject goods exported from the subject countries and that produced by the domestic industry. Subject goods produced by the domestic industry and imported from the subject countries are comparable in terms of essential product characteristics such as physical & chemical characteristics, manufacturing process & technology, functions & uses, product

specifications, pricing, distribution & marketing and tariff classification of the goods. Consumers use the two interchangeably. The applicant has further claimed that the two are technically and commercially substitutable and, hence, should be treated as 'like article' under the Rules. For the purpose of the present investigation, the Authority has treated the subject goods produced by the domestic industry in India as 'Like Article' to the subject goods being imported from the subject country.

Domestic Industry & Standing

The application has been filed by M/s Greenlam Industries Limited (referred to as "the Domestic Industry" or "the applicant" in the present notification). There are no other producers of the subject goods in India. The applicant is not related to the exporters or importers of the alleged dumped article. The applicant has imported insignificant volume of subject goods from Sweden (EU), a non-subject country, which are negligible in terms of demand/consumption in India, total imports into India, capacity set up by the applicant and its total production during the period of investigation and the details of the same have been provided with the application. The facts of the case clearly establish that applicant should be considered eligible domestic industry within the meaning of Rule 2(b).

The applicant, commanding 100% of the total production of the eligible domestic production, constitute the domestic industry within the meaning of the term as defined in Rule 2(b) for the purpose of present investigation. They also account for a major proportion of the domestic production of the subject goods and therefore, command the standing to file the application in terms of Rule 5(3) of the Rules. Therefore, the application is deemed to have been made by and on behalf of the domestic industry.

Evidence of Dumping

The applicant has submitted that in the absence of availability of reliable information in the public domain on domestic prices of the subject goods in the subject countries the normal values in the subject countries have been estimated on the basis of estimates of cost of production, taking into account prevailing prices of raw materials and utilities in those countries, conversion costs of the domestic industry, and duly adjusted to include selling, general & administration expenses, and a reasonable profit.

The applicant has claimed ex-factory export price on the basis of transaction wise import data procured from International Business Information Services (IBIS), a secondary source, for the period of investigation and after due adjustments on account of ocean freight, marine insurance, port expenses, inland freight, bank charges and VAT adjustment (only for China PR).

The normal values and export prices determined show that there is sufficient prima facie evidence that the subject goods are being exported from the subject countries to India at a price significantly

higher than normal value and the dumping margins are above de-minimis.

Evidence of Injury and Causal Link

The applicant has claimed that domestic industry has suffered material injury from dumped imports as shown by various parameters SL1Ch as significant increase in imports in absolute terms, price depression, price underselling and consequent adverse impact on inventories, profitability, return on capital employed, and cash flow of the domestic industry. The applicant has also claimed that dumping of the product under consideration is materially retarding the establishment of the domestic industry. The production, sales, capacity utilization and market share of the domestic industry is quite low considering the demand for the product in the Country and considering that the domestic industry commenced commercial production sometime back. There is sufficient prima facie evidence of 'injury' being suffered by the domestic industry caused by alleged dumped imports from the subject countries to justify initiation of an antidumping investigation.

Initiation of the Investigation

Having regard to the above Rules, the Authority finds sufficient prima facie evidence of dumping of the subject goods, originating in or exported from the subject countries; injury to the domestic industry and causal link between the alleged dumping and injury, to justify initiation of an anti-dumping investigation to determine the existence, degree and effect of alleged dumping and to recommend the amount of antidumping duty, which if levied, would be adequate to remove the 'injury' to the domestic industry. Accordingly, the Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of Para 5 of the Rules.

Period of Investigation (POI)

The period of investigation for the purpose of present investigation is from October 2015- September 2016. However, the injury investigation period covers the data of previous three years, i.e. 2013-14, 2014-15, 2015-16 and the period of investigation.

[Full text available at worldtradesscanner.com]

No Service Tax to be Paid for Services by Operators of Common Effluent Treatment Plant for the Period 1 July 2012 to 31 March 2015 under Sec 66B of FA, 1994

[Service Tax Notification No. 08 dtd 20.02.2017]

Whereas, the Central Government is satisfied that in the period commencing on and from the 1st of July 2012 and ending with the 31st of March, 2015 (hereinafter referred to as the said period) according to a practice that was generally prevalent, there was non levy of service tax, on the services by the operators of Common Effluent Treatment Plant by way of treatment of effluent and this service was liable to service tax, in the said period, which was not being paid according to the said practice.

Now, therefore, in exercise of the powers conferred by section 11C of the Central Excise Act, 1944 (1 of 1944), read with section 83 of the Finance Act, 1994 (32 of 1994), the Central Government hereby directs that the service tax payable on the said service by the operators of Common Effluent Treatment Plant, under section 66B of the Finance Act, 1994 but for the said practice, during the said period, shall not be required to be paid.

CR and HR Seamless Steel Tubes from China – Final Findings

4 Duty Confirms Provisional Duty Ranging from \$961 to \$1610 per MT Depending upon Specs

[Customs Notification No. 07 (ADD) dated 17th February 2017]

Whereas, in the matter of Seamless tubes, pipes and hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD (hereinafter referred to as the 'subject goods'), falling under heading 7304 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 preliminary findings published in the Gazette of India, Extraordinary, Part I, Section 1, vide notification number 14/2/2015-DGAD, dated the 31st March, 2016, had recommended imposition of provisional anti-dumping duty on the imports of subject goods, originating in, or exported from the subject country;

And, whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed provisional anti-dumping duty on the subject goods vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 18/2016-Customs



(ADD), dated the 17th May, 2016, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 527 (E), dated the 17th May, 2016;

And, whereas, the designated authority in its final findings vide notification No.14/02/2015-DGAD, dated the 9th December, 2016, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 9th December, 2016, read with corrigendum notification No.14/02/2015-DGAD dated the 30th December, 2016 and corrigendum notification No.14/02/2015-DGAD dated the 12th January, 2017, has come to the conclusion that-

(i) the subject goods have been exported to India from the subject country below its normal value, resulting in dumping;

(ii) the domestic industry has suffered material injury due to dumping of the subject goods from the subject country;

(iii) the material injury has been caused by the dumped imports of subject goods from the subject country,

and has recommended imposition of definitive anti-dumping duty on imports of the subject goods,

originating in, or exported from subject country 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, specification of which is specified in column (8), falling under heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (4), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), exported by the exporters as specified in the corresponding entry in column (7), imported into India, an anti-dumping duty at a rate which is equivalent to difference between the landed value of the subject goods and the amount mentioned in the corresponding entry in column (9), provided the landed value is less than the value specified in column (9), in the currency as specified in the corresponding entry in column (11) and as per unit of measurement as specified in the corresponding entry in column (10) of the said Table, namely :-

Table

SNo.	Heading Origin	Description of Goods Export	Country of	Country of	Producer	Exporter	Spec**	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	7304	Seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD*	People's Republic of China	People's Republic of China	Jiangsu Chengde Steel Tube Share Co., Ltd., People's Republic of China	Jiangsu Chengde Steel Tube Share Co., Ltd., People's Republic of China	A-1-1 A-1-2 A-1-3 A-1-4 A-1-5 A-1-6 A-1-7 A-1-8	1,194.60 1,075.28 1,383.44 1,178.73 961.33 1,193.77 1,462.00 1,610.67	MT	US Dollar
2	-do-	-do-	-do-	-do-	Yangzhou Chengde Steel Tube Co., Ltd.	Yangzhou Chengde Steel Tube Co., Ltd.	-do-	-do-	-do-	-do-
3	-do-	-do-	-do-	-do-	Any other combination other than Sl. No. 1 and 2		-do-	-do-	-do-	-do-
4	-do-	-do-	Any country other than People's Republic of China	People's Republic of China	Any	Any	-do-	-do-	-do-	-do-
5	-do-	-do-	People's Republic of China	Any country other than People's Republic of China	Any	Any	-do-	-do-	-do-	-do-

*The description of goods does not include the imports of the following:-

(i) Seamless Pipes and Tubes made of cast iron and stainless steel.

(ii) Seamless alloy-steel pipes, tubes and hollow profiles of specifications of ASTM A213/ASME SA 213 and ASTM A335/ASME SA 335 or equivalent BIS/DIN/BS/EN or any other equivalent specifications.

(iii) Non - API and Premium Joints / Premium

Connections / Premium Threaded Tubes and Pipes.

(iv) All 13 Chromium (13CR) Grade Tubes and Pipes.

(v) Drill Collars.

(vi) High pressure seamless steel pipe/tube used for manufacturing gas cylinders by producers approved by the Chief Controller of Explosives, Petroleum and Explosives Safety Organisation, Government of India.

**

Specification Description

A-1-1 Seamless Tubing, of a kind used in drilling for oil or gas, Carbon/Non Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD

A-1-2 Seamless Casing, of a kind used in drilling for oil or gas, Carbon/Non Alloy/ Alloy, hot finished or cold drawn or cold rolled of an

- external diameter not exceeding 355.6 mm or 14" OD
- A-1-3 Seamless Mother Hollows, Coupling stock, blanks/ Pup Joints, Carbon/ Non Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD
 - A-1-4 Seamless Drill Pipes, of a kind used in drilling for oil or gas, Carbon/Non Alloy, hot finished of an external diameter not exceeding 355.6 mm or 14" OD
 - A-1-5 Seamless Tubes, Pipes and hollow profiles including Line pipes of Carbon/Non alloy steel, hot finished of an external diameter not exceeding 355.6 mm or 14" OD
 - A-1-6 Seamless Tubes, Pipes and hollow profiles of circular cross section including Line pipes of Carbon/Non alloy steel, cold drawn or cold rolled or cold reduced of an external diameter not exceeding 355.6 mm or 14" OD
 - A-1-7 Seamless Tubes, Pipes and hollow profiles of circular cross section including Line pipes and Bearing tubes of Alloy steel, hot finished, of an external diameter not exceeding 355.6 mm or 14" OD
 - A-1-8 Seamless Tubes, Pipes and hollow profiles of circular cross section including Line pipes and Bearing tubes of Alloy steel, cold drawn or cold rolled or cold reduced, of an external diameter not exceeding 355.6 mm or 14" OD

2. 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 imposition of provisional anti-dumping duty, that is, the 17th May, 2016 and shall be payable in Indian currency:

Provided that the said anti-dumping duty shall not be levied for the period commencing from the date of the lapse of the provisional anti-dumping duty, that is, the 17th November, 2016 upto the preceding day of the publication of this notification in the Official Gazette.

Explanation.- For the purposes of this notification,-

- (a) "landed value" of imports for the purpose of this notification means the assessable value as determined by the customs under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3, 3A, 8B, 9 and 9A of the Customs Tariff Act, 1975;
- (b) rate of exchange applicable for the purpose of calculation of such anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act, 1962.

[F. No. 354/47/2016-TRU]

difference between the subject goods exported from subject country and that produced by the domestic industry. As submitted by the applicant, the product under consideration produced by the domestic industry and imported from subject country are comparable in terms of essential product characteristics such as physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods. Consumers can use and are using the two interchangeably. The applicant has further claimed that two are technically and commercially substitutable and, hence, should be treated as „like article" under the Rules. Therefore, for the purpose of the present investigation, the Authority treats the subject goods produced by the applicants in India as "Like Article" to the subject goods being imported from the subject country/territory.

Normal Value

The petitioners have submitted that in the absence of availability of reliable information in the public domain on domestic prices of the subject goods in the subject countries the Normal values in the subject countries have been estimated on the basis of cost of production; taking into account prevailing international prices of raw materials and cost of utilities in subject countries, conversion costs of the domestic industry, duly adjusted on account of selling, general & administration expenses, plus reasonable profit.

Export Price

The export price has been claimed by the applicants as the weighted average import price insurance, Commission, Inland Freight expenses, Port expenses and Bank charges to arrive at the net export price at ex-factory level.

Dumping Margin

The normal value has been compared with the export price at ex-factory level. There is sufficient prima facie evidence that the normal value of the subject goods in the subject country are higher than the ex-factory export price, indicating, that the subject goods are being dumped into the Indian market by the exporters from the subject country. The dumping margins are estimated to be above de minimis.

Injury and Causal Link

Information furnished by the applicant has been considered for assessment of injury to the domestic industry. The applicant has furnished evidence regarding the injury having taken place as a result of the alleged dumping in the form of increased volume of dumped imports in absolute terms and in relation to production and consumption, price undercutting, price underselling and consequent significant adverse impact in terms of decline in production, sales, market share, inventories. There is sufficient prima facie evidence of the "material injury" being suffered by the domestic industry caused by dumped imports from subject country to justify initiation of an antidumping investigation.

Period of Investigation

The period of investigation for the present investigation is from July 2015 to September 2016 (15 months). The injury investigation period will however cover the periods 2013-14, 2014-15, 2015-16 and period of investigation.

[Full text available at worldtradesScanner.com]

DGAD Initiates Investigation on Monoisopropylamine from China on Complaint of Alkyl Amines

[Anti-dumping Initiation Notification F.NO 14/46/2016-DGAD dated 15th February 2017]

Subject: Anti-dumping investigation concerning imports of 'Monoisopropylamine' (MIPA), originating in or exported from China PR

M/s Alkyl Amines Chemicals Ltd have filed an application/petition before the Designated Authority for initiation of anti-dumping investigation and imposition of anti dumping duty concerning imports of Monoisopropylamine, originating in or exported from China PR.

And whereas, the Authority prima facie finds that sufficient evidence of dumping of the subject goods, originating in or exported from the subject country, „injury" to the domestic industry and causal link between the alleged dumping and „injury" exist to justify initiation of an anti-dumping investigation; the Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of Rule 5 of the Rules, to determine the existence, degree and effect of alleged dumping and to recommend the amount of antidumping duty, which if levied, would be adequate to remove the „injury" to the domestic industry.

Domestic Industry & Standing

The petition has been filed M/s Alkyl Amines Chemicals Ltd by as the domestic industry and M/s Alkyl Amines Chemicals Ltd is the sole producers of the subject goods in India.

As per the evidence available on record, the production of the applicant company constitutes "a major proportion" of the domestic production since it is the sole producer of the subject goods in

the Country. The Authority, therefore, determines that the applicant company constitutes eligible domestic industry within the meaning of Rule 2 (b) of the Anti Dumping Rules and the application satisfies the criteria of standing in terms of Rule 5 (3) of the Rules supra.

Product under Consideration

The product under consideration in the present petition is "Monoisopropylamine", also known as MIPA. MIPA is an organic compound, an amine. It is a base, as typical for amines. It is a hygroscopic colorless liquid with ammonia-like odor. Its melting point is -95.2 °C and its boiling point is 32.4 °C. It is miscible with water. It is extremely flammable, with flash point at -37 °C. It is classified under Chapter 29 of the Customs Tariff Act. MIPA is produced in anhydrous (99.5%). Diluted form is obtained by adding water to anhydrous form which reduces the concentration of MIPA to 70%. It is commercially sold both in anhydrous form and 70% form depending on the application or end use.

Product under consideration is classified under Chapter 29, under sub heading 29211190 of Customs Tariff Act, 1975. For the purpose of analyzing the imports data, the petitioner have relied upon transaction-wise import data as per IBIS, a secondary source.

Like Article

The applicant has claimed that there is no known



Guangxi Qinzhou Capital China Filed for New Shipper Review on Phosphoric Acid Anti-dumping

[Anti-dumping Initiation Notification No. 15/5/2016-DGAD(NSR 1/2017) dated 9th February 2017]

Subject: - Initiation of New Shipper Review under Rule 22 of the Anti-Dumping Rules for determination of individual dumping margin for the purpose of imposition of the anti-dumping duties on dumped imports of " Phosphoric Acid- Technical Grade and Food Grade (including Industrial Grade)" originating in or exported from China PR by M/s. Guangxi Qinzhou Capital Success Chemical Co Ltd., (producer) from China PR.

M/s. Guangxi Qinzhou Capital Success Chemical Co. Ltd., China PR (producer / exporter) has filed an application requesting for determination of their individual dumping margin for the purposes of imposition of the Anti-dumping duties levied on dumped imports of Phosphoric Acid- Technical Grade and Food Grade (including Industrial Grade) originating in or exported from China PR vide Final Findings Notification No. 14/7/2006-DGAD dated 3rd January, 2008 in the original anti-dumping case and Final Findings Notification 15/10/2012-DGAD dated 8th November, 2013 in the SSR anti-dumping case and the Corrigendum issued thereof dated 19th December, 2013 and whereby the Central Government notified the anti-dumping duty vide Notifications No. 17/2008-Customs dated 19th February, 2008 and No. 33/2013-Customs (ADD) dated 31st December, 2013 respectively for the original investigation and SSR investigation.

Exporter Involved

1. The present investigation relates to exports of Phosphoric Acid- Technical Grade and Food Grade (including Industrial Grade) by M/s. Guangxi Qinzhou Capital Success Chemical Co Ltd., China PR (producer / exporter) in terms of their application filed before the Authority in accordance with the Act and the AD Rules.

Initiation of Review in Respect of New Exporter

2. The Act and the AD Rules require the Authority to review for the purpose of determining individual margin of dumping for any exporter or producer in the exporting country in question who has not exported the subject goods to India during the period of investigation of the earlier case of anti-dumping investigation concerning imports of the subject goods from the subject country and that the petitioner/s is / are not related to any of the exporters and producers in the exporting country who are subjected to the anti-dumping duty.

3. As requested by M/s. Guangxi Qinzhou Capital Success Chemical Co Ltd., (producer / exporter) in terms of their application; the Authority, on the basis of prima facie evidence regarding the conditions as prescribed under Rule 22 of AD Rules, hereby decides to initiate a New Shipper Review investigation for determination of their individual dumping margin for the purposes of imposition of the anti-dumping duties levied on dumped imports of Phosphoric Acid- Technical Grade and Food Grade (including Industrial Grade) originating in or exported from China PR in pursuance of the recommendations made by the Authority vide Final findings Notification No. 14/7/2006-DGAD dated 3rd January, 2008 in the original anti-dumping case and Final Findings Notification 15/10/2012-DGAD dated 8th November, 2013 in the SSR anti-dumping case and the Corrigendum issued thereof dated 19th December, 2013.

4. The Authority recommends provisional assessment on all exports of the subject goods

made by M/s. Guangxi Qinzhou Capital Success Chemical Co Ltd., (producer / exporter) till this review is completed, in accordance with the Rule 22 of the AD Rules and having regard to Customs Notification No. 33/2013-Customs (ADD) dated 31st December, 2013.

Period of Investigation

5. The period of investigation for the purpose of the present review is 1st January, 2016 to 31st December, 2016.

Submission of Information

6. The Known interested parties are being informed separately to enable them to submit relevant information in the form and manner prescribed and to make their views known to the Designated Authority, Directorate General of Anti-Dumping & Allied Duties, Department of Commerce, Ministry of Commerce and Industry, Government of India, 4th Floor, Jeevan Tara Building, Parliament Street, New Delhi -110001. Any other interested party may also make its submissions relevant to the investigation to the above Authority in the prescribed form and manner within the time limit set out below.

Time Limit

7. All information relating to this review should be sent in writing so as to reach the Authority at the above address not later than forty days (40 days) from the date of the Initiation. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available before the Authority in accordance with the AD Rules.

Submission of Information on Confidential Basis.

8. In case confidentiality is claimed on any part of the questionnaire's response/submissions, the same must be submitted in two separate sets (a) marked as Confidential (with title, index, number of pages, etc.) and (b) other set marked as Non-Confidential (with title, index, number of pages, etc.). All the information supplied must be clearly marked as either "confidential" or "non-confidential" at the top of each page.

No Service Tax on Inward Transport of Transshipment of Goods

[Service Tax Circular No. 204 dated 16th February 2017]

Sub:- Applicability of service tax on the services by way of transportation of goods by a vessel from a place outside India to the customs station in India w.r.t. goods intended for transshipment to any country outside India.

Representations seeking clarification on levy of service tax on the services by way of transportation of goods by a vessel from a place outside India to the customs station in India with respect to goods intended for transshipment to any country outside India.

2. In this regard, it is mentioned that the goods landing at Indian ports which are destined for any other country are allowed to be transhipped through Indian territory without payment of Customs duty in India. This is subject to the condition

9. Information supplied without any mark shall be treated as non-confidential and the Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Two (2) copies each of the confidential version and the non-confidential version must be submitted.

10. For information claimed as confidential; the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed and/or why summarization of such information is not possible.

11. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out / summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, party submitting the confidential information may indicate that such information is not susceptible of summary, a statement of reasons why summarization is not possible, must be provided to the satisfaction of the Designated Authority.

12. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Designated Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.

13. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim may not be taken on record by the Designated Authority. The Designated Authority on being satisfied and accepting the need for confidentiality of the information provided; shall not disclose it to any party without specific authorization of the party providing such information.

Inspection of Public File

14. In terms of Rule 6(7) of Anti-Dumping Rules, any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.

15. In case where as interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and such recommendations to the Central Government as deemed fit.

be provided in the taxable territory. Whether a service is provided or agreed to be provided in the taxable territory or not, is determined as per Section 66C of the Finance Act, 1994 and the Place of Provision of Services Rules, 2012 made thereunder. In terms of the applicable rule 10 of the Place of Provision of Services Rules, 2012, the place of provision of services of transportation of goods by air/sea, other than by mail or courier, is the destination of the goods.

4. Thus, with respect to goods imported into a customs station in India intended for transshipment to any country outside India, the destination of goods is not a place in taxable territory in India but a country other than India if the same is mentioned

in the import manifest or the import report as the case may be and the goods are transhipped in accordance with the provisions of the Customs Act, 1962 and rules made there under. Hence, with respect to such goods, services by way of transportation of goods by a vessel from a place outside India to the customs station in India are not taxable in India as the destination of such goods is a country other than India.

5. All concerned are requested to acknowledge the receipt of this circular.

7. Trade Notice/Public Notice to be issued. Difficulty if any, in the implementation of the circular should be brought to the notice of the Board.

F.No.354/42/2016-TRU

World Trade Outlook Indicator Suggests Moderate Trade Momentum in First Quarter of 2017

The WTO's latest World Trade Outlook Indicator (WTOI) suggests that global trade growth will continue to build moderately in the first quarter of 2017 after having strengthened in the final quarter of last year. Trade-related indicators including air freight, automobile sales, export orders and container shipping have all registered solid gains in recent months, auguring for faster growth in merchandise trade volumes in the first few months of the year.

The WTOI is a leading indicator of world trade, designed to provide "real time" information on the trajectory of merchandise trade three to four months ahead of trade volume statistics. It combines several trade-related indices into a single composite indicator to measure short-run per-

The WTO trade forecast issued on 27 September last year foresaw world merchandise trade growth of 1.7% in 2016 and growth between 1.8% and 3.1% in 2017. The WTOI currently suggests that trade volume may begin to recover in the fourth quarter once data become available. Any such rebound would have to be fairly strong for trade growth in 2016 to match the 1.7% increase forecast by the WTO last September.

The WTOI is not intended as a short-term forecast, although it does provide an indication of trade growth in the near future. Its main contribution is to identify turning points and gauge momentum in global trade growth. As such, it complements trade statistics and forecasts from the WTO and other organizations.

World Trade Outlook Indicator 102.0
(Index, trend = 100)



Drivers of trade	Level of Index	Direction of change
Merchandise trade volume (Q2)	97.4	Red arrow pointing right
Export orders	102.2	Yellow arrow pointing right
International air freight (IATA)	105.8	Green arrow pointing right
Container port throughput	101.0	Yellow arrow pointing right
Automobile production and sales	103.1	Green arrow pointing right
Electronic components	99.0	Yellow arrow pointing right
Agricultural raw materials	99.2	Yellow arrow pointing down

formance against medium-run trends. A reading of 100 indicates trade growth in line with trend, while readings greater or less than 100 suggest above or below trend growth.

With a current reading of 102.0 for the month of November, the WTOI points to above-trend trade growth in February-March. The WTOI has risen further above trend since the last release three months ago, when the indicator stood at 100.9.

Four of the six component indices of the latest WTOI are more positive than the reading for August. Air freight, automobile sales, export orders and container shipping are all moving in a positive direction above trend and rising. Data on international freight tonne kilometres from the International Air Transport Association (IATA) have risen sharply as European air carriers posted strong growth. Container port throughput of major ports has largely recovered from its recent slump while the automobile index has also rebounded after dipping in the middle of last year. On the other hand, indices for electronics and agricultural raw materials trade are both below trend.

Russia Overtakes Saudi Arabia as World's Top Crude Oil Producer

Russia overtook Saudi Arabia as the world's largest crude producer in December, when both countries started restricting supplies ahead of agreed cuts with other global producers to curb the worst glut in decades.

Russia pumped 10.49 million barrels a day in December, down 29,000 barrels a day from November, while Saudi Arabia's output declined to 10.46 million barrels a day from 10.72 million barrels a day in November, according to data published Monday on the website of the Joint Organisations Data Initiative in Riyadh. That was the first time Russia beat Saudi Arabia since March.

Saudi Arabia and fellow producers from the Organization of Petroleum Exporting Countries decided at the end of November

Procedure for Change in IEC Address – Jurisdiction of RA at New Address

[DGFT Public Notice No. 59 dated 21st February 2017]

Effect of this Public Notice: Amendment in procedure for seeking modification in IEC is notified.

Subject: -Amendment in Chapter 2 of the Handbook of Procedure (2015-20).

In exercise of powers conferred under paragraph 2.04 of the Foreign Trade Policy, 2015-2020, the Director General of Foreign Trade hereby amends the revised provision as at Sl no.1 [para 2.14(A) of the Handbook of Procedure (2015-20)] of the Public Notice No.54/2015-2020 dated 11.01.2017 as under:

HBP Para/ Public Notice / Appendix: 2.14A

Provision: When an IEC holder seeks modification/change of Branch Office/Head Office/Registered Office address in its IEC and which involves a shift in its jurisdictional RA, a request to that effect will have to be made to RA concerned under whose jurisdiction the applicant exists.

On the basis of this request, the RA (custodian of the IEC file till now) will process such requests and amend IEC, if found appropriate, under intimation to the RA under whose jurisdiction the applicant wants transfer. The new RA shall allow the person in its new address to carry out necessary functions and also apply for eligible benefits as per FTP

Revised Provision: When an IEC holder seeks modification/ change of Head Office/Registered Office address in its IEC and which involves a shift in its jurisdictional RA, a request to that effect will have to be made to the new RA, to whose jurisdiction the applicant is shifting its office. The new RA shall make appropriate amendments, based on documents submitted to it by the applicant. The new RA will also separately inform the RA, who had initially issued the IEC, of the changes made in the concerned IEC. Thereafter, the new RA shall allow the applicant to carry out necessary functions and also apply for eligible benefits as per FTP through its office.

to restrict supplies by 1.2 million barrels a day for six months starting Jan. 1, with Saudi Arabia instrumental in the plan. Non-member producers, including Russia, pledged additional curbs. Brent crude prices have climbed about 20 percent since the end of November.

The U.S. was the third-largest producer, at 8.8 million barrels a day in December compared with 8.9 million barrels a day in November, according to JODI. Iraq came in fourth at 4.5 million barrels a day, followed by China at 3.98 million barrels a day, the data show.

Saudi Arabia's crude exports declined to 8 million barrels a day in December, from 8.26 million barrels a day, the biggest outflow for any month since May 2003.

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Euro-Area Economic Recovery Broadens as France Outpaces Germany

The euro area's unexpectedly upbeat economic data on Tuesday might have come with more than one positive message.

A gauge for economic activity rose to the highest level in almost six years in February, following previous signals that the region's frail recovery is finally taking shape. National gauges showed France outpacing Germany for the first time since 2012 -- a development that could signal growth in the 19-nation region is becoming more broad-based.

A composite Purchasing Managers' Index for the euro area climbed to 56.0 from 54.4 in January, putting the region on track for quarterly growth of 0.6 percent. Economists predicted the gauge would slip to 54.3. Inflows of new orders and surging optimism among firms point to a potentially stronger expansion in the coming months.

Battle Brews as Brazil Eyes Coffee Imports

A battle is brewing in Brazil for the second time in less than a year over the government's decision to import robusta coffee beans.

Brazil is the world's largest producer and exporter of the commodity. However, a two-year drought has led to a collapse in output of robusta beans in Espirito Santo state, the country's biggest grower of the variety.

Agriculture Minister Blairo Maggi said Monday the government will allow so-called green robusta imports from Vietnam, following months of lobbying from Brazilian makers of instant coffee. On Tuesday, Congressman Ricardo Ferraco, from Espirito Santo state, filed a bill in the country's Senate to stop the move.

Brazil unsuccessfully tried to import green coffee in May 2016. The government had authorized 400 metric tons of coffee from Peru and later rescinded the measure after producers protested. The issue is pitting the country's roasters and the instant coffee industry against farmers.

Imports are needed because of the scarcity of beans, Maggi said on Monday. He said the country lost instant coffee market share in January and February.

European Central Bank President Mario Draghi has repeatedly argued that stimulus is still necessary to ensure the economic recovery becomes self-sustained and reaches beyond the region's top performers. Even though a swath of data -- including inflation -- has signaled that momentum may be stronger than expected, stoking calls for an exit from unconventional policy, the institution has committed to continue asset purchases until at least the end of the year amid political risks.

Reports published earlier in the day showed the French economy expanding by the most since 2011, propelled mainly by strength in its services sector. Output in Germany accelerated slightly less than in France, but still posted the strongest reading in three years.

While the region's two largest economies are on track for growth of 0.6 percent to 0.7 percent in the first quarter, IHS Markit noted a key difference between the recoveries: prices. Input costs rose by the most since mid-2011 in France and Germany. Firms in the former didn't pass these gains on to customers, while output prices in the latter showed the largest monthly increase in more than five years.

Customs Exchange Rates

[As on 22 Feb 2017]

Currency	Imports	Exports
1 FC = IC		
US Dollar	67.85	66.15
EURO	72.45	69.95
Pound Sterling	85.00	82.05
Australian Dollar	52.60	50.80
Bahrain Dinar	184.05	171.75
Canadian Dollar	52.10	50.50
Danish Kroner	9.75	9.40
Hong Kong Dollar	8.75	8.50
Kuwait Dinar	226.90	212.30
Newzeland Dollar	49.35	47.50
Norwegian Kroner	8.20	7.90
Singapore Dollar	47.95	46.50
South African Rand	5.35	5.00
Saudi Arabian Riyal	18.45	17.30
Swedish Kroner	7.65	7.40
Swiss Franc	67.85	65.70
UAE Dirham	18.85	17.65
Chinese Yuan	9.95	9.60
Qatari Riyal	18.95	17.90
100 FC = IC		
Japanese Yen	59.85	57.90
Kenya Shilling	66.90	62.55

[F.No.468/01/2016-Cus.V]

[Ref: 12-Cus (NT) dated 16th Feb 2017]

Crude Rises to \$55.37

Crude Oil (Indian Basket) from 15 - 21 February 2017

	15 Feb	16 Feb	17 Feb	20 Feb	21 Feb
(\$/bbl)	54.49	54.49	54.56	54.97	55.37
(Rs/bbl)	3646.31	3647.88	3657.88	3681.51	3708.85
(Rs/\$)	66.92	66.95	67.05	66.98	66.98

(Previous Trading Day Price)

Source: Ministry of Petroleum & Natural Gas