

India Submits 13 Page Draft Text on Services Trade at WTO

4 Sets the Stage for a Clash with US, EU

On Wednesday 22 February, India submitted a 13-page draft legal text for negotiating the "Trade Facilitation Agreement for Services" (TFS). New Delhi wants significant improvements in "relevant aspects of GATS Article III (transparency), Article IV (increasing the participation of developing countries), Article VI (domestic regulation), Article VII (Recognition), Article XIX (negotiations on specific commitments), and the Annex on Movement of Natural Persons supplying services under the agreement (Mode 4), with a view to addressing issues relevant for facilitating trade in services.

India said there is an urgent "need to facilitate increasing participation of developing and especially least-developed country members in trade in services, including inter alia through assistance and support for capacity building with a view to strengthening their domestic services capacity, efficiency and competitiveness".

The draft text, includes 10 articles in Section I covering three modes of supply of services. India, for example, is seeking substantial improvements in Mode 1 dealing with cross-border supply of services, Mode 2 concerning consumption abroad (medical tourism), and crucially Mode 4 dealing with short-term services providers or movement of natural persons.

The Indian proposal has rightly omitted Mode 3 dealing with commercial presence, an area that has seen maximum liberalization/market access over the past 21 years since the WTO's establishment in 1995.

Indeed, it is an open secret that the global trade in services is dominated by "asymmetrical" access in which the industrialized countries secured maximum market access through commercial presence in Mode 3 while turning a deaf ear to improvements in Mode 4 of short-term movement of services providers. The WTO has acknowledged the "asymmetry."

The 14 articles set out in the Indian draft legal text that is going to be negotiated covers a range of transparency-related provisions, administration of measures such as single-window clearance, fees and charges, administration of economic needs test, cross-border insurance coverage for promoting medical tourism in Mode 2, and "provisions facilitating movement of natural persons (grant of temporary entry, multiple entry and social security contributions)" in Mode 4.

It also includes provisions for better cooperation among competent authorities and institutional arrangements such as establishing "committee on trade facilitation in services" and "national committee on trade facilitation in services".

In Article 14, it says the TFS Agreement when it is negotiated and agreed "shall" require the developed countries to implement the provisions as and when enters into force.

But developing country members "shall not be required to apply the provisions for a period of [X] years from their date of entry into force." Further, the developing countries can ask for extension "before the end of this transitional period" for implementing the disciplines.

Negotiations for the trade facilitation agreement in goods which

came into force last week started in 1996 at the WTO's first ministerial meeting in Singapore. The TFA for goods is driven by the industrialized countries led by the US and the EU which led the Colarado group that forced the agreement at the WTO's ninth ministerial meeting in Bali, Indonesia.

In sharp contrast, the proposed TFS by India is primarily a developing country problem since the developing countries provide skilled personnel from construction to advanced IT services in hundreds of millions.

Against this backdrop, the difficult issues in India's proposal include "cross border insurance coverage" in respect of health related services availed in another member" and "members shall endeavour to expedite the processing of immigration formalities in respect of service consumers who are seeking medical services or such other services that are urgent and/or essential".

In Article 9 concerning "provisions facilitating movement of natural persons," India is asking WTO members to negotiate on "grant of temporary entry," including "develop[ing] a scheme for GATS visa applicable for categories of natural persons committed in their schedule of specific commitments", granting "multiple entry" to services suppliers, and exempting short-term

services providers from social security contributions in the foreign country where the services is going to be provided.

India also wants that where social security contributions are not exempted, then the member which has collected contribution "shall refund such contribution, or the unused portion thereof, to the short-term services provider at the time such short-term providers return to his/her home country.

Two days after India circulated its proposal on TFS, the US, the country that imposes maximum barriers, which is now being led by President Donald Trump, has spoken its mind that it is going to opt for bilateral free trade agreements instead of multilateral deals.

On 24 February, Trump "reiterated his plan to negotiate only bilateral trade agreements, saying there will be no more "big quagmire deals that are a disaster" like the Trans-Pacific Partnership".

Indeed, the US, according to the Financial Times on 27 February, is "exploring alternatives for taking trade disputes to the WTO in what would amount to the first step away from a system that Washington helped to establish more than two decades ago."

In short, India could face a mountain of opposition from the US, the European Union, and other major industrialized countries which had consistently opposed significant changes in the domestic regulation provisions concerning services.

Perhaps, India can claim a public relations victory for tabling its proposal on TFS, but there will be a frosty response from the US and other countries for years to come for negotiating any improvements in domestic regulation.



GST Council Clears Draft Compensation Law

The GST Council on 18 February approved a law to compensate states for any loss of revenue from implementation of the new national sales tax but deferred approval for enabling laws to next meeting.

Legal language of a half-a-dozen provisions of the Central GST (C-GST), Integrated GST (I-GST) and State GST (S-GST) laws held up approval but Finance Minister Arun Jaitley expressed hope to get them approved in the next meeting on March 4-5 so as to take them to Parliament in the second half of the Budget session next month.

Parallely, the Council will get down to fixing rates of taxes for different goods and services by fitting them into the four approved slabs of 5, 12, 18 and 28 per cent, he said.

Jaitley said the GST Compensation Law that provides for compensating states that incur losses because of implementation of the Goods and Service

Tax (GST) in first five years was approved by the Council.

"It will not come before the Council anymore and will be taken to the Cabinet for approval and will make efforts to pass it in the second leg of Budget session, beginning March 9," he said.

The Finance Minister also hoped to get the C-GST and I-GST laws approved in the month-long session. S-GST law, after approval of the Council, will need to be passed by each state legislature.

"During the legal drafting of the C-GST and S-GST and I-GST laws certain contentious issues came to the fore and it was necessary to place all the issues before the Council again to take specific directions," he said.

The Council gave its suggestions to the legal sub-committee, comprising officers of the Centre and states who are drafting the model laws, on issues like composition of appeal at tribunal to adjudicate on disputes, delegation of powers and exemptions during transition phase. Other issues included taxation of services and VAT in work contracts, composition limit and definition of agriculture.

"After incorporating these clarifications, on March 4-5 meeting in Delhi, these laws will be cleared," Jaitley said. GST, which will replace a plethora of central and state taxes, is a consumption based tax levied on sale, manufacture and consumption on goods and services at a national level. Under it, C-GST will be levied by the Centre, S-GST by states and I-GST on inter-state supply of goods and services.

Different indirect taxes of central excise duty, central sales tax CST and service tax are to be merged with C-GST while S-GST will subsume state sales tax, VAT, luxury tax and entertainment tax.

There was expectation that the GST Council will approve the C-GST, S-GST and I-GST laws to enable the new indirect tax regime to roll out from July 1 but while there was a broad agreement, legal language of some clauses held up the approval, Jaitley said.

He further said that issues regarding I-GST law have also been sorted out. "In the legislative drafting, we have moved ahead and if the remaining provisions are approved in March 4-5 meeting,

then we can pass it in the next Parliament session."

The next step of putting commodities and services in tax slab will be taken up. An array of 53 clauses have been approved, according to officials.

Jaitley said, "Simultaneously after March 4-5, our officers will then start fitting each commodities into the slabs and we will require one major meeting after March 4-5 to give approval to those specific items in relation to each of the slabs."

Asked about the GST Council being against giving powers to official auditor CAG to seek additional information for its audit of revenue, Jaitley

said the Comptroller and Auditor General (CAG) is already empowered under the CAG Act to call for any information from the government in relation to public finances.

The GST Council, headed by Jaitley and comprising of representatives of all states, held its first of the

10 meetings so far outside the national capital. He said the critical anti-profiteering clause in the draft law to ensure that the benefit of lower taxes gets shared with consumers was not discussed in today's meeting.

Kerala Finance Minister Thomas Isaac said most of the time of the Council was invested over administration of powers over assesseees between Centre and the state as the central bureaucracy was feeling left out and wanted a greater share.

Officials said only minor legal vetting of the draft laws is left which after getting the language legally right will be circulated to states by March 1. Also, a separate UT-GST law, on lines of S-GST, needs to be enacted for Union Territories. Union territories will have a separate law which will be replica of S-GST law. "So there will be three laws - C-GST law, S-GST law and UT-GST law," a finance ministry official said.

Delhi Deputy Chief Minister Manish Sisodia said that compensation law has been cleared and certain provisions of C-GST and S-GST which was approved by the law ministry have been cleared.

The remaining will be cleared in the next meeting, he said, adding the anti-profiteering issue could not be discussed today. "If post demonetisation I have a concern of revenue loss, then there is also an assurance that base year (to be taken for calculating the revenue loss) is before demonetisation and we will get compensation based on 14 per cent revenue growth," he said.

Kerala Finance Minister Thomas Isaac said there is an option for continuing cess after 5 years also. "If the compensation amount is more than Rs 55,000 then cess will be continued for the sixth year." "Fitment of commodities will be decided at the GST meeting which will probably happen in Srinagar in the later half of the month. Also the rules have to be framed," he said.

On the rollout timeline, he said, "We fully believe that the July 1 deadline is fully doable. By next meeting, the language issues of the the model legislations should be cleared."

Haryana Finance Minister Capt Abhimanyu said, "Our concerns regarding the definition of agriculture and agriculturist have been addressed after today's meeting." Andhra Pradesh Finance Minister Yanamala Ramakrishnudu said the GST Council in the 10th Meeting discussed the draft



States Force Centre to Delete Minutes of GST Council Meet

In a first, Opposition-ruled states on 18 February got the Centre to delete from the records three minutes of the last GST Council meeting that provided for tweaking of agreed criteria for division of taxpayers under the Goods and Service Tax regime.

The all-powerful GST Council, headed by Union Finance Minister Arun Jaitley and comprising representatives of all states, had in its last meeting on January 16 agreed that 90 per cent of tax assesseees below Rs 1.5 crore annual turnover will be assessed by states and the remaining 10 per cent by the Centre.

For taxpayers with over Rs 1.5 crore turnover, the split was 50:50 between the Centre and states.

But the minutes of that meeting, which came up for approval at the 10th GST Council meet here today, gave states a leeway to split the assesseees in a different ratio in consultation with the Centre.

This was strongly opposed by Opposition-ruled states like Delhi, West Bengal, Kerala and Karnataka which felt the reported 'minutes of the meeting' do not reflect the decision taken at the GST Council.

This, along with two other minutes, was dropped in today's meeting, a minister of an Opposition-ruled state told reporters.

"The 90:10 division (of assesseees with turnover below Rs 1.5 crore) and 50:50 (for assesseees with over Rs 1.5 crore turnover) was decided but it was not decided that any one state can sit with the Centre and decide to rework (the division) on its own," he said, adding that it was not discussed in the last meeting.

The minister further said that BJP-ruled states had at the last meeting stated that they don't want control over small businesses and the states said that it shouldn't be made part of the Council minutes.

The Centre was originally not in favour of a horizontal split of control of assesseees under the dual control or cross empowerment but had to give into states' demand in the last meeting.

The minister said now the Centre by tweaking the minutes is trying to keep the issue open ended "so that later they can exert pressure through taxmen and CBI and ask other states to also give up their powers".

model GST law provisions and draft Compensation law which are vetted by the law ministry.

On the issue of cross empowerment to state officers under I-GST Act, the proposal to exclude state authorities to adjudicate cases if any issue relates to import or export of goods or services are involved is also contested.

"The state authorities have been administering CST Act 1956 and assessing the genuineness of exports as it involves refund of taxes paid at input stage. Similarly, under IGS Act also, the state authorities have to be empowered to ascertain the genuineness of Export transactions as it involves huge amounts of refund of taxes paid at the earlier stages. The Chairman, GST Council agreed to refer it to Law committee and to take decision in the next meeting," the statement added.

Classification of Articles of Paper and Printing

4 Railway, Bus Tickets, OMR Sheets, Application Forms, Paper Outer Strip Seals are Classified in 4911

4 Mark Sheets, Certificates and Railway Receipts are in 4907

4 Answer Books w/wt OMR, Passbooks Classified in HS 4820

[CBEC Circular No. 1052 dated 23rd February 2017]

Sub: Classification of articles of paper and printing industry.

Representations have been received from trade associations that consequent upon insertion of Chapter note 14 (w.e.f 28.05.2012) to the Chapter 48 of Central Excise Tariff Act, 1985 disputes have cropped up in respect of classification of railway/bus/other tickets/passes, railway ticket rolls and bus ticket rolls, mark sheets/certificates, OMR Sheets/ Answer Books with OMR, Answer booklets, inland letter cards, passbooks, applications forms, paper outer strip seal, Railway receipt (RR) and practical notebook. Also, reports received from field formations suggest that there is divergent practice of assessment of these goods. It is therefore, proposed to clarify the classification of these goods to ensure uniformity in practice of assessment across the country.

2. In this connection, statutory provisions are as under:

a) As per Rule 3 (c) of General Rules for the interpretation of the Schedule, "when goods cannot be classified by reference to (a) or (b), they shall be classified under the heading which occurs last in numerical order among those which equally merit consideration".

b) As per Rule 4 of General Rules for interpretation of the Schedule, "goods which cannot be classified in accordance with the above rules shall be classified under the heading appropriate to the goods to which they are most akin".

c) As per Chapter note 10 of Chapter 48, heading 4820 does not cover loose sheets or cards, cut to size, whether or not printed, embossed or perforated.

d) As per Chapter note 12 of chapter 48, except for the goods of heading 4814 or 4821, paper, paperboard, cellulose wadding and articles thereof, printed with motifs, characters or pictorial representations, which are not merely incidental to the primary use of goods, fall in Chapter 49.

e) As per Chapter note 14 (inserted on 28-05-2012) paper and paper products of heading nos. 4811, 4816 or 4820 intended to be used for further printing or writing are classifiable in their respective headings even if printing is merely incidental to the primary use of goods.

f) HSN explanatory note (2) to heading 48.20 excludes educational workbooks, sometimes called writing books, with or without narrative texts, which contain printed textual questions or exercises not incidental to their primary use as workbooks and usually with spaces for completion in manuscript. Further, as per HSN explanatory notes (A) to heading 4901, "...literary works of all kinds, text-books (including educational workbooks sometimes called writing books,) with or without narrative texts which contain questions or exercises (usually with spaces for completion in manuscript); technical publications...." are classifiable under this heading.

g) Also, as per HSN explanatory notes to heading 49.01 printed cards bearing personal greetings,

messages or announcements (heading 49.09), and printed forms which require the insertion of certain additional information for completion are excluded from this heading.

h) As per explanatory notes to heading 4907 (F), "Stock, share or bond certificates and similar documents of title are formal documents issued, or for issue, by public or private bodies conferring ownership of or entitlements to, certain financial interests, goods or benefits named therein. Apart from the certificates mentioned these documents include letters of credit, bills of exchange, travelers' cheques, bills of lading, title deeds and dividend coupons. They usually require completion and validation."

i) As per explanatory note to heading 49.11, "Certain printed articles may be intended for completion in manuscript or typescript at the time of use but remain in this heading provided they are essentially printed matter. Thus, printed forms (e.g., magazine subscription forms), blank multi-coupon travel (e.g., air, rail and coach) tickets, circulars, letters, identity documents and cards and other articles printed with messages, notices, etc., requiring only the insertion of particulars (e.g dates and names,) are classified in this heading.....". The heading 4911 also includes tickets for admission to places of entertainment (e.g., cinemas, theatres and concerts), tickets for travel by public or private transport and other similar tickets.

3. Hon'ble Apex Court in the case of Holostick India Ltd. V/s Commissioner of Central Excise 2004 (2015 (318) E.L.T. 529 (S.C)) has held that holograms would not fall under chapter 39 though they had the self-adhesive property and were primarily goods made of plastic, yet due to the security features of the stickers, the said holograms will be placed under chapter 49. The reason for such a classification was that the security features gave the hologram their essential feature.

4. In the light of above statutory provisions and decision of the Hon'ble Apex Court, classification of the goods ibid was examined and it is clarified as under:

a) **Railway/ bus/ other tickets/ passes-**

(i) These are loose sheets or cards, cut to size and therefore are not covered under heading 4820 and also the provision of Chapter note 14 is inapplicable in the matter. Printing is not merely incidental to the primary use these goods. Printing alone brings these goods into existence. Explanatory note to heading 49.11 specifically covers these goods. Therefore, these goods are classifiable under heading 4911.

(ii) Similarly, railway ticket rolls, bus ticket rolls and like goods, which have cut/identifiable marks for separation of railway tickets/ bus tickets therefrom and tickets are easily identifiable therein, are also classifiable under heading 49.11.

b) **Mark sheets/ certificates-** These are loose sheets, cut to size and therefore are not covered under heading 4820 and also provision of Chapter note 14 is inapplicable in the matter. The printing on these documents gives their essential character and on being issued (after completion and validation) by the appropriate authority they have fiduciary value in excess of the intrinsic value. In view of explanatory notes to heading 4907 (F) they are classifiable under heading 4907.

c) **OMR sheets-** Like mark sheets and certificates these are loose sheets cut to size and therefore are not covered under heading 4820 and also provision of Chapter note 14 is inapplicable in the matter. The printing on these documents gives their essential character. In view of explanatory note to heading 4911 they are classifiable under heading 4911.

d) **Answer books with or without OMR, answer booklets and passbooks-** These are not loose sheets, cut to size and therefore these are not out of the purview of heading 4820. Printing on these goods is merely incidental and such goods are intended to be used for further printing or writing. Answer books with or without OMR and answer booklets are intended for completion in manuscript while passbooks are intended for completion in manuscript or typescript. Provisions of Chapter note 12 and 14 of Chapter 48 and provisions of Rule 4 of General Interpretative Rules are applicable in the matter and therefore these are classifiable under heading 4820.

e) **Inland letter cards-** These are loose sheets or cards, cut to size and therefore are not covered under heading 4820 and also provision of Chapter note 14 is inapplicable in the matter. These Inland letter cards are printed with all particulars and shall not undergo any further printing or writing. They contain personal information like notices, reminders etc. Sometimes these cards require only insertion of particulars like names and addresses. In the situation, where printing on inland letter cards is not merely incidental, goods are classifiable under heading 4911. However, plain letter cards are classifiable under heading 4817, which reads as "envelopes, letter cards, plain postcards and correspondence cards, of paper or paper boards.."

f) **Application forms-** These are for example bank account opening forms, forms of telecom companies, education institutions, insurance company forms and similar forms printed on specific order of the concerned bank, telephone companies etc. These are loose sheets, cut to size and therefore are not covered under heading 4820 and also provision of Chapter note 14 is inapplicable in the matter. Printing on these forms is not merely incidental. In view of explanatory note to heading 4901 and 4911 these forms are classifiable under heading 4911.

g) **Paper outer strip seals-** These strips are used to seal EVMs (electronic voting machines) and are used by the election commission. For example State Election Commission, Haryana is printed on these strip seals. These are basically stickers having a self-adhesive feature where printing brings the product into existence. They have security features like guilloche patterns and anti-photocopy features. Therefore in view of printing not merely incidental and decision of Hon'ble Apex Court in the matter of Holostick

India Ltd ibid, these strip seals are classifiable under heading 4911.

h) **Railway Receipts (RRs)**- These are continuous computer stationery (4820) and also a document of title (4907). They have security numbering with special features like specific and patterns digit size printed by mechanical boxes using penetrating inks and also hatching of Indian Railway logo in the background. Printing on these receipts is not merely incidental. In view of Rule 3 (c) of General Rule for the interpretation of the Schedule, Hon'ble Apex Court decision in the case of Holostick India Ltd ibid and explanatory notes to heading 4907 (F), these are classifiable

under heading 4907.

i) **Practical notebook**- This notebook contains some texts, questions and spaces for exercises. In view of explanatory notes to heading 4820 and explanatory notes (A) to heading 4901, this is classifiable under heading 4901. However, practical notebook which have merely certain questions followed by blank spaces for writing are classifiable under heading 4820 only.

5. Field formations may be suitably informed. Past instructions and circulars on the subject shall stand amended to the extent of conflict with the above circular.

Authorised Labs Allowed to Export Diamonds for Testing

[DGFT Notification No. 39 dated 22nd February 2017]

Effect of Notification: The facility for export and re-import of cut and polished diamonds at zero duty for the purpose of certification and grading has been extended to the authorised offices / agencies in India of laboratories mentioned under paragraph 4.74 of Handbook of Procedures 2015-20.

Subject: Amendment in Para 4.44 of Chapter 4 of the Foreign Trade Policy (FTP) 2015-20



In exercise of powers conferred by Section 5 of FT (D&R) Act, 1992, read with paragraph 1.02 of the Foreign Trade Policy, 2015-2020, as amended from time

to time, the Central Government hereby makes following amendments in para 4.44 of Chapter 4 of Foreign Trade Policy 2015-20.

1. The existing Para 4.44 of FTP 2015-20 reads as under:

4.44 Export of Cut & Polished Diamonds with Re-import Facility at Zero Duty

"An exporter (with annual export turnover of Rs 5 crores for each of the last three years) may export cut & polished diamonds (each of 0.25 carat or above) to any of the agencies/laboratories mentioned under paragraph 4.74 of Handbook of Procedures with re-import facility at zero duty within 3 months from the date of export. Such facility of reimport at zero duty will be subject to

guidelines issued by Central Board of Customs & Excise, Department of Revenue".

2. The amended Para 4.44 of FTP 2015-20 is to be read as under:

4.44 Export of Cut & Polished Diamonds with Re-import Facility at Zero Duty

"An exporter (with annual export turnover of Rs 5 crores for each of the last three years) or the authorised offices / agencies in India of laboratories mentioned under paragraph 4.74 of Handbook of Procedures may export cut & polished diamonds (each of 0.25 carat or above) to any of the agencies/laboratories mentioned under paragraph 4.74 of Handbook of Procedures 2015-20 with re-import facility at zero duty within 3 months from the date of export. Such facility of export and subsequent reimport at zero duty will be subject to guidelines issued by Central Board of Customs & Excise, Department of Revenue".

Anti-dumping Duty on Indolinone for Circumventing DFS Anti-dumping Duty Recommended by DGAD with 2014 Retrospective Effect

[DGAD Final Findings F.No. 14/22/2014-DGAD dated 15th February 2017]

Subject: Investigation regarding Circumvention of Anti-Dumping Duty existing on Diclofenac Sodium (DFS) by imports of "Indolinone", an unfinished form of "DFS", originating in or exported from China PR.

Having regard to the Customs Tariff Act 1975, as amended from time to time (hereinafter also referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules 1995, as amended from time to time (hereinafter also referred to as the Rules) thereof;

Background of the case

Whereas, Designated Authority, on the request of M/s Aarti Drugs Ltd., M/s Amoli Organics Ltd. & M/s Kairav Chemicals Ltd., conducted an anti-dumping investigations on the imports of Diclofenac Sodium, the Product Under Consideration (PUC), and recommended a provisional Anti-Dumping Duty (ADD) vide notification no 44/1/2001-DGAD, dated 31st October, 2001 which was levied by Ministry of Finance Vide Customs Notification No. 76/2002-Customs dated 8th August, 2002. The Designated Authority recommended a definitive ADD vide notification no. 44/1/2001-DGAD, dated 21st June, 2002. Based on the recommendations, the Ministry of Finance imposed ADD on PUC vide Notification no. 76/2002-Customs dated 8th

August, 2002, which continued for the period of five years from the date of provisional duty. No sunset review of the ADD was undertaken.

Whereas, the applicants, M/s Aarti Drugs Ltd., M/s Amoli Organics Ltd. & M/s Kairav Chemicals Ltd., filed an application before the Authority to undertake fresh anti-dumping investigations. Pursuant to investigations, the Authority recommended imposition of provisional ADD vide notification no. 14/4/2007 dated 28th January, 2008 based on which Central Government imposed provisional ADD on the PUC vide notification no 46/2008 dated 10th April, 2008. Further, Designated Authority vide Notification No. 14/4/2007-DGAD dated 29th May, 2008, notified in final findings recommended definitive ADD on imports of Diclofenac Sodium or DFS originating in or exported from China PR pursuant to which the Central Government imposed definitive ADD on the PUC vide Customs Notification No. 91/2008-Customs dated 30th July, 2008.

Whereas, on an application filed by M/s Amoli organics and M/s Aarti Drugs a sunset review investigation on the imports of the PUC was initi-

Actual User Condition Imposed on Duty Free Import of Gold where CENVAT in Availed

[DGFT Notification No. 40 dated 23rd February 2017]



Effect of Notification: Paragraph 4.34(i) of FTP 2015-20 related to replenishment of Precious metals is amended.

Subject: Amendment in Paragraph 4.34(i) of Chapter 4 of the Foreign Trade Policy (FTP) 2015-2020.

In exercise of powers conferred by Section 5 of FT (D&R) Act, 1992, read with paragraph 1.02 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby makes following amendments in Para 4.34(i) of Chapter 4 of Foreign Trade Policy 2015-20.

2. Paragraph 4.34 (j) of FTP 2015-20 is amended to read as under:

Exporter of gold / silver / platinum jewellery and articles thereof including mountings and findings may obtain gold / silver / platinum as an input for export product from Nominated Agency, in advance or as replenishment after export in accordance with the procedure specified in this behalf. In case where CENVAT credit facility on Precious metal (Gold, Silver and Platinum) as input has been availed and Gems and Jewellery products are exported availing rebate, then replenishment of Precious metal shall be allowed provided that such inputs procured duty free are used in the manufacture of dutiable goods in the factory/unit, where exported Gems and Jewellery products were manufactured. Sale/transfer of such duty free Precious metal inputs shall not be allowed.

ated vide Notification No. 15/3/2013-DGAD dated 9th April, 2013 to review the need for continued imposition of the duties in force. After detailed investigations, the Authority notified final findings vide Notification No. 15/3/2013-DGAD dated 2nd October, 2014 recommending extension of ADD. ADD was extended vide Customs Notification No. 44/2014-Customs dated 21st November, 2014. The duties so imposed are in force at present.

Whereas in the ongoing Anti-Circumvention investigation, regarding imports of Indolinone, a penultimate stage of Diclofenac Sodium, M/s Amoli Organics Ltd (herein referred as "petitioner" or "Applicant") filed an application before the Designated Authority (hereinafter also referred to as the Authority) in accordance with the Section 9A of the Act read with Rule 26(1) Customs Tariff (Identification, Assessment & Collection of Anti-Dumping Duty on the Dumped Articles & for Determination of Injury) Rules, 1995 (AD Rules) for initiation of Anti-Circumvention Investigation concerning imports of Indolinone (1-(2,6-DI-CHLOROPHENYL)-2-INDOLINONE CRUDE) (hereinafter also referred to as the "Product under Investigation" or "PUI"), a penultimate stage of "Diclofenac Sodium" (hereinafter also referred to as the "DFS" or "Product under consideration" or "PUC") originating in or exported from China PR (herein referred as subject country). The petition was supported by M/s Aarti Drugs Ltd. (herein referred as "supporter"). Petitioner requested for extension of existing anti-dumping duties on the

imports of the DFS to the PUI, the penultimate stage product of the PUC originating in or exported from the subject country.

Whereas, in view of the duly substantiated application filed by the petitioner under Rules 26 (1), the Authority initiated the investigation vide notification no 14/22/2014-DGAD dated 17th February, 2016 to determine the existence and effect of the alleged circumvention of the ADD levied and to consider recommendation of extension of ADD on imports of DFS to imports of Indolinone.

Conclusions

Having examined the contention of interested parties and on the basis of the analysis as above, the Authority concludes that:

- 1) Imports of circumventing product i.e. Indolinone have increased significantly and those of DFS declined after imposition of the AD measure on DFS.
- 2) The value addition in converting circumventing product i.e. Indolinone to circumvented product (DFS) is less than the prescribed threshold in the Rules.
- 3) The circumventing product i.e. Indolinone has been exported at dumped prices during the POI.

The circumventing product i.e. Indolinone has thereby undermined the existing AD measure on the circumvented product i.e. DFS imposed vide Custom Notification No. 91/2008-Customs (ADD) dated 30th July, 2008 and Custom Notification No. 44/2014-Customs (ADD) dated 21st November, 2014.

Recommendations

The Authority keeping in view the aforesaid, recommends imposition of the existing AD Duty on DFS imposed vide Custom Notification No. 44/2014- Customs (ADD) dated 21st November, 2014 on 'Indolinone' also at the rate equal to the amount as specified in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and as per unit of measurement as specified in the corresponding entry in column (9) of the duty table mentioned below.

- i) The AD Duty will be applicable from the date of its notification by the Ministry of Finance i.e. Central Government.
- ii) The validity of AD Duty would be co-terminus with the duty on DFS levied through Custom Notification No. 44/2014-Customs (ADD) dated 21st November, 2014

Six Months Extension to CR Sheets Circumvention Case on Account of Court Stay

[DGAD Notification F.No. 14/1/2014-DGAD dated 17th February 2017]

Subject: Extension of last date in respect of Anti-Circumvention case of cold rolled flat products of stainless steel widths from 600 mm to 1250 mm from China PR, Korea, European Union, South Africa, Taiwan, Thailand and USA.

The aforesaid case was initiated on 19/02/2016. The Hon'ble High Court of Delhi has granted stay vide order dated 27/04/2016. The last hearing was held on 15/09/2016. The order is now reserved. Notwithstanding the fact that as per Section 15 (1) of the Limitation Act, 1963 provision the period of stay is excluded and therefore for reckoning the timeline of investigation the stay period is not counted, in view of the above circumstances, the last date of the case as per Rule 26 (6) of AD Rules is extended by 6 months.

Duty Table

SNo.	Heading	Description of Goods	Country of Origin	Country of Exports	Producer	Exporter	Duty Amount	Unit	Currency
(1)	(2)*	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	29142990, 29214490, 29224990, 29337900, 29339900, 29081900, 29147090, 29420090, 29333990	Indolinone	People's Republic of China	Any	Any	Any	2715	MT	US Dollar
2.	-do-	Indolinone	Any country other than People's Republic of China	People's Republic of China	Any	Any	2715	MT	US Dollar

*The customs classification is however indicative only and in no way binding on the scope of investigation.

Further Procedure

An appeal against the order of the Central Government that may arise out of this Final Findings Notification shall lie before the Customs, Excise and Service Tax Appellate Tribunal in accordance with the Customs Tariff Act.

[Full text available at worldtradescanner.com]

Format for Declaration of e-BRC by Exporter

[CBEC Circular No. 06 dated 28th February 2017]

Subject: Acceptance of e-BRC of DGFT towards proof of realization of sale proceeds for exports with LEO date upto 31.03.2014 under drawback scheme.

Attention is invited to Board's Circular No. 5/2009-Customs dated 2.2.2009 which prescribes Bank Realization Certificate (BRC) as one of the documents that may be submitted to Customs by the exporters as proof of realization of sale proceeds for exports. Further, for exports with LEO date from 01.04.2014 onwards, an electronic system of reconciliation of sale proceeds (RBI-BRC module) is made functional by DG (Systems) in coordination with Reserve Bank of India (RBI), which has been dealt in Instruction No. 609/59/2012-DBK dated 27.11.2015.

2. A difficulty has been highlighted by field formations and trade that for exports with LEO date 12.08.2012 onwards till 31.03.2014, DGFT's e-BRC (which is also verifiable from DGFT website) is not being accepted and negative statement from statutory auditor or AD bank is insisted which adds to transaction cost. Non-acceptance of

e-BRC of DGFT by field formations is due to fact that it contains "realized value" details but does not contain details of commission, freight, insurance etc. which are often relevant for drawback purpose.

3. In light of the above, the Board has decided that for exports with LEO dates 12.08.2012 onwards till 31.03.2014, DGFT's e-BRC would be accepted, except in case of specific intelligence or information of misuse. This shall be subject to appropriate declaration by the exporter on back of DGFT e-BRC. Format of the said declaration is annexed herewith.

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

F.No. 609/03/2017-DBK

Assessee Must Request for CAS-4 Certificate

4 Financial Year Ending on 31 March shall be Issued by 31 Dec

[CBEC Instruction dated 16th February 2017]

Sub: Periodicity of CAS-4 certificates.

Kind attention is invited to Board's Circular No. 692/08/2003-CX dated 13th February, 2003 by which it was clarified that cost of production of captively consumed goods shall be done strictly in accordance with CAS-4.

2. Instances have been highlighted during C & AG audit that some assessee are not preparing CAS-4 certificates even after substantial time lapse from ending of financial year and filing of Tax Audit reports and therefore these assessee could not calculate the differential duty.

3. In this regard, it is directed that assessee should be requested that CAS-4 certificate of the financial year ending on 31st March shall be issued by 31st December of the next financial year. For example, for the Financial Year 2016-17, CAS-4 certificate should be issued by 31.12.2017. The assessing officer shall thereafter finalize the provisional assessment expeditiously. Jurisdictional Commissioners shall suitably issue the trade facility in this regard.

4. Difficulty, if any, in the implementation of this instruction may be brought to the notice of the Board.

F. NO. 206/01/2017-CX 6

Exporters with AEO Certificate (Tier II and III) Exempted from Drawal of Samples for Grant of Drawback

[CBEC Circular No. 05 dated 28th February 2017]

Subject: Exemption from drawal of samples for the purpose of grant of drawback to the AEO certificate holders.

I am directed to invite your attention to Circular No. 34/95-Cus dated 06.04.1995 prescribing the monetary limits and frequency of drawal of sample for purposes of grant of drawback and Circular No. 57/1997-Cus dated 31.10.1997 read with Circular No. 25/2005-Cus exempting certain exporters having in house testing facilities and where the samples have earlier been drawn by Central Excise authorities, from drawal of samples for purposes of grant of drawback.

2. In continuation to above mentioned circular, and as a measure of further facilitation, it has been decided by the Board that those exporters

who have been accorded Authorized Economic Operator (AEO) certificate (Tier II & Tier III) in terms of Circular No. 33/2016-Customs dated 22.07.2016 are being exempt from the requirements of drawal of samples for the purpose of grant of drawback, except in case of any specific information or intelligence.

3. Suitable Public Notice and Standing Order should be issued for guidance of the trade and officers. Any difficulty faced should be initiated to the Board.

F.No. 609/13/2017-DBK

No Service Tax to be Paid for Services by way of Admission to Museum for the Period 1 July 2012 to 31 March 2015 under Sec 66B of FA, 1994

[Service Tax Notification No. 09 dated 28th February 2017]

Whereas, the Central Government is satisfied that in the period commencing on and from the 1st day of July, 2012 and ending with the 31st day 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 way of admission to a museum 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 services by way of admission to a museum under section 66B of the Finance Act, 1994 but for the said practice, during the said period, shall not be required to be paid.

[F.No. 137/68/2016-Service Tax]

DGAD Notifies Corrigendum to Final Findings on Jute Products Anti-dumping Duty

[Corrigendum Notification No. 14/19/2015-DGAD dated 9th February 2017]

Subject: Anti-Dumping investigation concerning imports of "Jute Product" viz- Jute Yarn/ Twine (multiple folded/cabled and single), Hessian fabric, and Jute sacking bags from Bangladesh and Nepal.

Having regard to the Customs Tariff Act 1975, as amended from time to time (hereinafter also referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules 1995, as amended from time to time (hereinafter also referred to as the Rules) thereof, the Designated Authority has issued the Final Finding, vide notification No. 14/19/2015-DGAD dated 20th October, 2016 in respect of the subject Anti-dumping investigation.

Para 132 of the Final-Finding is substituted

as under:

The Authority recommends the imposition of Anti-dumping duty equal to lesser of the margin of dumping and margin of injury keeping in view the lesser duty rule. Accordingly the Anti-dumping duty equal to the amount indicated in Column 9 of the table below is recommended to be imposed by the Central Government on the imports of the subject goods originating in or exported from subject countries.

[Full Text available at worldtradesScanner.com]

Guidelines for Money Transfer Services Scheme (MTSS)

[RBI/FED/2016-17/52 – FED Master Direction No. 01/2016-17 dated 22nd February 2017]

Sub: Master Direction – Money Transfer Service Scheme (MTSS)

Money Transfer Service Scheme (MTSS) is a quick and easy way of transferring personal remittances from abroad to beneficiaries in India

2. Reserve Bank has the powers under Section 10(1) of the Foreign Exchange Management Act, 1999, to accord necessary permission (authorization) to any person to act as an Indian Agent under the Money Transfer Service Scheme.

3. The directions relating to Money Transfer Service Scheme are being issued in a consolidated

form through the Master Direction enclosed. Reporting instructions can be found in the Master Direction on Reporting. It may be noted that whenever necessary, Reserve Bank shall issue directions to Authorised Persons who are Indian Agents under the MTSS through A.P. (DIR Series) Circulars in regard to any change in the rules, regulations, notifications, directions or orders or the manner in which relative transactions are to be conducted by the Authorised Persons

Tariff Value

[Ref: 13-Cus(NT) dated 28.02.2017]

Description of goods	Tariff value (USD PMT)
Crude Palm Oil	784
RBD Palm Oil	801
Others – Palm Oil	793
Crude Palmolein	809
RBD Palmolein	812
Others – Palmolein	811
Crude Soya bean Oil	814
Brass Scrap (all grades)	3246
Poppy seeds	2648
Areca nuts	2594
Gold	\$409 per 10 gms
Silver	\$597 per kg

with their customers/ constituents. The Master Direction issued herewith shall be simultaneously amended suitably.

Master Direction on Money Transfer Service Scheme

1. Introduction
- 1.2 Statutory Basis
2. Definitions
3. Guidelines for Indian Agents
 - 3.1 Entry Norms
 - 3.2 Procedure for making Applications to the Reserve Bank
 - 3.3 Collateral requirement
 - 3.4 Other conditions
 - 3.5 Criteria for RBI decisions
4. Guidelines for Overseas Principals
5. Guidelines for appointment of Sub Agents by Indian Agents
 - 5.1 The Scheme
 - 5.2 Sub Agents
 - 5.3 Procedure for Submission of information in respect of Sub Agents by Indian Agents.
 - 5.4 Due Diligence of Sub Agents
 - 5.5 Selection of Centers
 - 5.6 Training
 - 5.7 Reporting, Audit and Inspection
6. Guidelines for renewal of permission (authorization) of existing Indian Agents
7. Inspection of Indian Agents
8. KYC/ AML/ CFT Guidelines for the Indian Agents
9. General Instructions
10. Standard Operating Procedure (SOP) during elections

Annex – Standard Operating Procedure (SOP) for non-bank money changers during elections

Appendix – List of Circulars/ Notifications which have been consolidated in the Master Direction on Money Transfer Service Scheme

SNo.	Circulars	Date
A.P.(DIR Series)		
1.	Circular No. 25	March 06, 2006
2.	Circular No. 132	June 8, 2012
3.	Circular No. 89	March 12, 2013
4.	Circular No.110	March 4, 2014
5.	Circular No. 8	July 18, 2014
6.	Circular No. 49	December 16, 2014
7.	Circular No. 88	March 25, 2015

[Full text available at worldtradesScanner.com]

Azevêdo Reappointed as WTO DG, Second Term Begins in Sept



At a meeting of the General Council on 28 February, WTO members agreed by consensus to appoint Roberto Azevêdo for a second four-year term as Director-General. Mr Azevêdo, whose second term will begin on 1 September 2017, earlier outlined his vision for the future and took questions from the membership on challenges facing the organization.

Director-General Azevêdo confirmed his will-

ingness to serve a second term in the role in a letter to WTO members on 3 November 2016 at the outset of the selection process. He was the only candidate nominated for the post when the process closed on 31 December 2016.

In thanking members for their support, DG Azevêdo said he believed the WTO "is on the right path. We have achieved a great deal over the last few years. The WTO is stronger today than it was in 2013."

Trade Facilitation Agreement (TFA) Takes Effect

The World Trade Organization announced on Wednesday 22 February that the Trade Facilitation Agreement (TFA) has now entered into force, having surpassed the minimum requirement of 110 ratifications from members.

"The Trade Facilitation Agreement is the biggest reform of global trade this century," said WTO Director-General Roberto Azevêdo on Wednesday in confirming the news.

The landmark agreement aims to cut customs-related red tape, easing the flow of trade between countries by simplifying customs procedures, speeding up the clearance of goods, supporting cooperation among customs officials, and otherwise making it quicker and more efficient for goods to cross borders.

The four ratifications announced on Wednesday included Chad, Jordan, Oman, and Rwanda, according to the Geneva-based trade body. Together with the previous 108 ratifications received, there are now 112 WTO members which have approved the deal in their domestic legislatures and submitted their "instruments of acceptance" to the organisation.

Under WTO rules, any new or revised trade agreements require approval by two-thirds of the organisation's membership, which now numbers 164 members.

An innovative deal

The TFA's entry into force has already drawn a public welcome by numerous WTO members in the hours since the news first broke, with officials citing the deal's potential to slash trade costs, facilitate the involvement of smaller companies on the international trading scene, and support the increased participation of poorer countries in global value chains.

WTO data further suggests that African and least developed economies are the ones which stand to see the greatest savings as a result of the deal.

Notably, the TFA is the first WTO agreement that is structured in a way that allows developing country members to determine which commitments they are able to implement straight away, versus those which will require a transition period and potentially technical assistance and/or capacity-building.

Other officials in the trade and development community have also suggested that this reduction in trade costs could yield benefits on other fronts as well, specifically by freeing up or creating resources to fulfil other essential needs.

Azevêdo similarly noted that the potential gains from the TFA could be manifold, especially for

developing and least developed countries (LDCs).

"Developing countries could increase the number of products they export by 20 percent, while LDCs could see an increase of up to 35 percent," said the WTO chief, suggesting that these countries could also have an easier time accessing other overseas markets and thus insulate themselves from "external economic shocks."

Many in the business sector have also responded favourably to the news, with the International Chamber of Commerce's (ICC) Chairman Sunil Bharti Mittal terming it a "watershed moment for global trade."

"The entry into force of the agreement could not come at a more important moment given the imperative to make global growth more inclusive," Mittal added, noting that the TFA's work to address onerous customs systems could be a boon

to smaller companies, including in developing economies.

Over 12 years in the making

Negotiations for the TFA were concluded in December 2013 at the WTO's Ninth Ministerial Conference in Bali, Indonesia, following round-the-clock negotiations among trade ministers to finalise the first new multilateral deal since the WTO opened its doors in the mid-1990s. The trade deal has been open for ratification since November 2014.

The process to negotiate such a trade facilitation deal kicked off in 2004, following previous working-group level discussions on which of the so-called "Singapore issues" should be added to the WTO's Doha Round of trade talks.

Though the ratification process has now taken a few years, that time has allowed for other preparatory efforts to get underway, including the announcement of funding commitments from various countries and other financial streams to help provide the technical support and capacity building that some developing countries will need to implement certain provisions.

Within the WTO, a preparatory committee has also been at work over that timeframe to undertake steps such as collecting the relevant notifications from members of which TFA provisions they will implement immediately – the "Category A" commitments – and which ones may require additional time or support.

A Trade Facilitation Agreement Facility (TFAF) has also been in place since late 2014 to help WTO members determine their support needs and who they could partner with to address them, among other functions.



Mobile App for GST

[CBEC Press Note dated 23.02.2017]



In step with the government's Digital India initiative, Central Board of Excise and Customs has launched a mobile application for Goods and Services Tax.

4 Taxpayers can readily access a host of GST information such as:

- 4 Migration to GST-Approach and guidelines for migration
- 4 Draft Law-Model GST Law, IGST Law and GST Compensation Law
- 4 Draft Rules-Rules related to Registration, Returns, Payment, Refund and Invoice
- 4 Frequently Asked Questions (FAQs) on GST
- 4 Various resources on GST such as videos, articles etc.
- 4 Related Website Links
- 4 Helpdesk/Email Contact

The mobile application enables taxpayers to be well informed of the latest updates on GST. Taxpayers can also provide feedback and contact CBEC's 24x7 helpdesk "CBEC Mitra" through a toll-free number or email, at the touch of a button.

The mobile application can be downloaded free of cost on Android platforms. The iOS version will be made available shortly.

With its elegant and easy-to-use interface, the GST Mobile Application is a yet another initiative by CBEC towards improving ease of doing business and providing outstanding taxpayer services.

Brazil Challenges Bombardier Subsidies

Brazil filed a case against Canada alleging that the latter has provided WTO-inconsistent subsidies to Canadian aircraft manufacturer Bombardier (DS522), a case that was long expected given Brasilia's earlier signals on the subject.

In its press statement, Brazil argued that Bombardier-focused state aid was at least US\$2.5 billion last year alone, with the financial support having the effect of making the Canada-based company more commercially viable, while also placing its planes on the market at artificially reduced prices.

Canada and Brazil have previously sparred over airplane subsidies at the WTO, with those cases (DS46, DS70) dating back decades.

In the consultations request, Brazil claimed that Canada's central and regional governments have provided financial support including loans, grants, equity infusions, tax credits, and other forms of aid to Bombardier to "develop, launch, and preserve" its commercial aircraft programme.

Brazil argues that those measures appear to be subsidies tied to export performance or the use of domestic over imported goods, as prohibited by WTO rules and to the detriment of the South American country's interests.

The complaint has also received the public backing of Embraer SA, a Brazilian aircraft manufacturer, with CEO Paulo Cesar Silva arguing that "it is essential to restore a level playing field to the commercial aircraft market and ensure that competition is between companies, not governments."

Pound Drops as May Reported to Brace for New Scottish Referendum

The pound fell against all its major peers after The Times reported that U.K. Prime Minister Theresa May's team is preparing for Scotland to potentially call for an independence referendum. Sterling, which has been held hostage by politics since a Scottish referendum in 2014, fell as much as 0.6 percent after the newspaper cited unidentified government sources as saying May could agree to a new Scottish vote, but on condition it is held after the U.K. leaves the European Union. It stayed lower even after May's spokesman Greg Swift said on Monday that there should be no second Scottish vote.

Talk of Scotland leaving the U.K. after the Brexit vote isn't new. Scotland voted 55 percent to 45 percent in the last referendum to stay inside the U.K.

The House of Lords begins on Monday a detailed examination of the bill authorizing May to trigger the nation's withdrawal from the EU.

- 4 GBP/USD drops 0.4% to 1.2410 after sliding to 1.2384, lowest level since Feb. 15
- 4 The pair is range-bound, 1.2347 and 1.2582 are breakout trigger levels
- 4 Resistance lies at 1.2491-96, Asia high, 21-DMA, followed by 1.2570, Feb. 24 high
- 4 Support at 1.2383, Feb. 15 low and 1.2347, Feb. 7 low

- 4 EUR/GBP climbs 0.6% to 0.8528, having earlier reached 0.8534, highest since Feb. 20
- 4 Stays bearish despite recovery back above 200-DMA
- 4 Resistance at 0.8539, 55-DMA, followed by 0.8558, Feb. 20 high
- 4 Support at 0.8461, Asia low, and then 0.8422, Feb. 24 low
- 4 If the market does seriously think there can be another independence referendum before the U.K. leaves the EU, "then remembering how hard the pound fell in early September 2014 just in front of the prior referendum, the memory of that makes sterling a fairly easy sell here," said Ray Attrill, global co-head of foreign exchange at National Australia Bank Ltd. in Sydney.
- 4 Leveraged and macro funds hit bids in response to the report, an Asia-based foreign-exchange trader said
- 4 May's government is setting aside time for a Parliamentary battle to overturn changes she fears could be made to her draft Brexit law when it's debated in the House of Lords this week
- 4 Some information comes from FX traders familiar with the transactions who asked not to be identified because they are not authorized to speak publicly

Panama seeks US\$210mn in Sanctions against Colombia

A long-running case between Panama and Colombia has opened a new chapter after the former asked the WTO's Dispute Settlement Body (DSB) to approve a series of countermeasures in both goods and services trade, as well as under WTO intellectual property rules. These would amount to the tune of US\$210 million.

Panama City alleged that Bogotá had failed to correct its compound tariff on imports of textiles, apparel, and footwear, which the WTO's highest court said last year had surpassed Colombia's agreed tariff ceilings (DS461). Colombia had

argued that the measure was a key policy in the larger fight against money laundering, which plays a significant role in the problems of drug trafficking and domestic armed conflict.

Although acknowledging the importance of Colombia's policy objective, the WTO's Appellate Body deemed that Bogotá had not sufficiently shown how the measure was able to help meet such a goal and thus be in line with WTO rules. Colombia was then given until late January to bring the measure in line with WTO law, and announced the previous month that it had done

Windex No. 49 (01 – 07 March 2017)

Subject – Ref – DINDEX – Page

Classification of Articles of Paper and Printing – 1052-CBEC/23.02.17–7576 – p363

Authorised Labs Allowed to Export Diamonds for Testing – 39-Ntnf/22.02.2017 – 7574 – p364

Anti-dumping Duty on Indolinone for Circumventing DFS Anti-dumping Duty Recommended by DGAD... – F.No. 14/22/2014-DGAD dated 15.02.2017 – 7572 – p364

Actual User Condition Imposed on Duty Free Import of Gold where CENVAT in Availed – 40-Ntnf/23.02.2017 – 7575 – p364

Format for Declaration of e-BRC by Exporter – 06-CBEC/28.02.17 – 7577 – p365

Assessees Must Request for CAS-4 Certificate – CBEC/16.02.17 – 7571 – p365

Six Months Extension to CR Sheets Circumvention Case on Account of Court Stay – F.No. 14/1/2014-DGAD dated 17.02.2017 – 7573 – p365

Exporters with AEO Certificate (Tier II and III) Exempted from Drawl of Samples for Grant of Drawback – 05-CBEC/28.02.2017 – 7576 – p366

No Service Tax to be Paid for Services by way of Admission to Museum for the Period 1 July 2012 to 31 March 2015... – 09-ST/28.02.17– 7578 – p366

DGAD Notifies Corrigendum to Final Findings on Jute Products Anti-dumping Duty – Corrigendum dated 09.02.2017 – 7579 – p366

Guidelines for Money Transfer Services Scheme (MTSS) – RBI Circular/ 22.02.2017– 7580 – p366

(DINDEX = Daily Index of Changes Ref)

so in replacing it with an ad valorem tariff below the country's agreed ceilings.

However, Panama said that such changes are insufficient, and in the absence of an agreement on compensation it has requested that the global trade body approve countermeasures in the goods sector, as well as "cross-retaliation" – in other words, retaliation in a sector or under an area of WTO rules other than the disputed one.

Colombia has since asked for a panel to answer the questions of compliance, along with requesting WTO arbitration on possible countermeasures. The developments to date have raised questions on "sequencing," a contentious issue in trade law circles due to the apparent ambiguity in WTO dispute settlement rules on the subject.

Colombia reportedly said during Monday's DSB meeting that any disagreement on whether the revised measure in question complies with the WTO ruling should first be addressed by a panel, prior to any steps relating to countermeasures, according to sources familiar with the discussions. However, while Colombia's statement drew the support of some WTO members, others reportedly said that Panama was within its rights to request countermeasures without the use of a sequencing agreement.

Customs Exchange Rates

[As on 28 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 Steadies at \$55.18

Crude Oil (Indian Basket) from 20 - 24 February 2017

	20 Feb	21 Feb	22 Feb	23 Feb	24 Feb
(\$/bbl)	54.97	55.37	55.01	55.48	55.18
(Rs/bbl)	3681.51	3708.85	3648.01	3707.99	3683.12
(Rs/\$)	66.98	66.98	66.96	-	66.84

(Previous Trading Day Price)

Source: Ministry of Petroleum & Natural Gas