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New Trade Mark Rules 2017 Notified



The Trade Mark Rules, 2017 have been notified and have come into effect from 06 March, 2017. These Rules, which replace the erstwhile Trade Mark Rules 2002, will streamline and simplify the processing of Trade Mark applications.

Some salient features of the revamped Rules are as follows:

- 4 Number of Trade Mark (TM) Forms have been reduced from 74 to 8.
- 4 To promote e-filing of TM applications, the fee for online filing has been kept at 10% lower than that for physical filing.
- 4 Based on stakeholders feedback, the fees for Individuals, Start-ups and Small Enterprises have been reduced from that proposed in the draft Rules – i.e. only Rs 4,500 as against Rs 8,000 for e-filing of TM applications proposed at the draft stage.
- 4 Modalities for determination of well-known trademarks have been laid out for the first time.
- 4 The provisions relating to expedited processing of an application for registration of a trade mark have been extended right upto registration stage (hitherto, it was only upto examination stage).
- 4 Over all fees have been rationalized by reducing the number of entries in Schedule I from 88 to just 23.
- 4 Modalities for service of documents from applicants to the Registry and vice-versa through electronic means have been introduced to expedite the process; e-mail has been made an essential part of address for service to be provided by the applicant or any party to the proceedings so that the office communication may be sent through email.
- 4 Hearing through video conferencing has been introduced.
- 4 Number of adjournments in opposition proceedings has been restricted to a maximum of two by each party, which will help dispose off matters in time.
- 4 Procedures relating to registration as Registered User of trademarks have also been simplified.

It may be recalled that the examination time for a TM application has already been brought down from 13 months to just 1 month in January 2017; this is despite a stupendous 35% jump in TM filings in 2015-16 vis a vis the previous year. The new Rules should give a boost to the Intellectual Property Regime in India.

Trump Clamps Down on Migrant Movement, 'Security Concerns' Cited in Support

Iraq dropped from list of affected countries with Syrian refugees no longer facing indefinite ban – but 120-day suspension of refugee program to stand

Donald Trump signed a revised executive order to reinstate a ban on immigration from certain Muslim-majority countries and suspend the US refugee program on Monday 6 March.

The new ban, which revokes a previous order issued on 27 January that prompted instant chaos and was eventually blocked by federal judges, marked a significant retreat for Trump and his administration's vigorous defense of the original travel ban as being within the president's legal authority. But activists said they were planning to challenge the new ban.

The new order seeks to address prior complaints by removing language that granted priority to religious minorities for refugee resettlement, which had been viewed as targeting Muslims. It states that Trump's original directive "was not motivated by animus toward any religion", a remark rejected instantly by refugee advocates and civil liberty groups, who said they planned to challenge the second order on similar grounds.

It also includes specific exemptions for lawful permanent residents, who had initially been covered by the previous order.

And it removes Iraq from the list of targeted states, and implements a more gradual rollout, meaning the new travel ban will not come into full effect for another 10 days.

The president quietly signed the order away from the presence of cameras or the press, a noteworthy change from the original travel ban's rollout at the Department of Defense on 27 January.

The revised ban was instead announced by the heads of the agencies that will be tasked with overseeing its implementation. Addressing a limited pool of reporters on Monday, the secretary of state, Rex Tillerson, Department of Homeland Security (DHS) secretary, John Kelly, and attorney general, Jeff Sessions, dubbed the move critical to US national security.

As threats to our security continue to evolve and change," Tillerson said, "common sense dictates that we continue to re-evaluate and reassess the systems that we rely upon to protect our country."

The new travel ban blocks entry to the US for citizens from six of the seven countries named in Trump's original order – Iran, Somalia, Sudan, Yemen, Syria and Libya– for a period of 90 days. Iraq was removed from the list after criticism that the original order overlooked the country's role in fighting terrorism and barred entry even to the Iraqi interpreters who had been embedded with US forces in the region.

Unlike the 27 January order, written by the White House and presented to the agencies as a fait accompli, an "interagency process" permitted concerns about second-order effects of the ban to influence the finished product.

In the weeks since the ban was issued, US military and Pentagon officials have voiced concerns that their relationship with Iraq, critical to fighting the Islamic State, would be negatively



affected. AUS official said the defense secretary, James Mattis, and state department officials were responsible for overseeing "special immigration visas" for Iraqi employees of the US, which aided in getting Iraq off the ban.

The revised order will also keep in place a 120-day suspension of the refugee program, but it will no longer identify Syrian refugees as subject to an indefinite ban. It also maintains a 50,000 annual cap on America's refugee intake, which more than halved President Obama's pledge to resettle 110,000 refugees in 2017.

Several other changes to the travel ban served as a tacit acknowledgement that the original order was hastily crafted and paved the way for a litany of legal questions.

That order was temporarily halted by a federal judge just days after it was issued. The ninth circuit federal appeals court upheld the ruling last month, denying the justice department's request to reinstate it.

On Monday justice department attorneys informed the ninth circuit they believed the new order was unaffected by the court's previous ruling. Bob Ferguson, the Washington state attorney general who brought the case against the federal government said in a statement he was "carefully reviewing" the new order.

Initial reaction to the revised order was positive among Republicans. The House speaker, Paul Ryan, who was among the few to aggressively defend the administration's previous travel ban, said the revised order "advances our shared goal of protecting the homeland".

The White House has continued to defend the travel ban as a pressing matter of national security. But the administration appeared to undermine its own rationale by delaying the revised order last week, citing a desire not to crowd out the positive media coverage that followed Trump's joint address before Congress.

Chuck Schumer, the Senate Democratic leader, said the delay was "all the proof Americans need to know that this has absolutely nothing to do with national security".

Grace Meng, an immigration researcher for Human Rights Watch's US program, said the changes contained within Trump's revised order were "merely cosmetic".

Other refugee advocacy groups vowed to challenge the order in court, arguing that the revised language did not alter the intent to discriminate against Muslims.

In Washington DC on Monday night, protesters gathered near the White House to denounce the modified ban.

Officials at the DHS and state department told reporters on a conference call on Monday the objective was not to bar individuals on the basis of religion.

The emphasis, the official added, was on countries where the US lacked "the ability to make adequate screening and vetting determinations for nationals under current procedures".

But Trump, as a candidate, called for "a total and complete shutdown" of Muslim immigration to the US. After the president signed the initial travel ban, former New York City mayor Rudy Giuliani,

a close associate of Trump's, said he asked him how to implement a Muslim ban legally.

Legal experts say that interview, coupled with Trump's own repeated statements, will probably continue to cloud the administration in legal challenges against the travel ban and its intent.

Findings from a DHS report, obtained by several news outlets in recent weeks, also cast doubt on the administration's rationale.

The document, the authenticity of which was confirmed by the Guardian but framed by a DHS spokesperson as "incomplete", noted that citizens from the countries identified in Trump's ban are "rarely implicated in US-based terrorism".

It further concluded that citizenship was an "unreliable indicator" of the threat posed by terrorism to the US.

DHS officials pushed back on the report in the call with reporters, citing classified information indicating a more significant threat. The justice department, they noted, had opened inquiries into 300 "refugees" for potential links to terrorism. But the officials declined to identify how many of those individuals came from the countries subject to the travel ban.

Under the Bush administration, the DoJ launched

Container Arrival Message with ICEGATE Compulsory

All ICD locations and custodians to note that Container arrival message (CO-CHI02) with Icegate will be compulsory w.e.f. the date of assent of budget wherein under section 46 of customs act 1962, late charges shall be imposed. Same has been conveyed via e-mail to respective System Manager/Ait System Manager.

Even after constant follow up from ICEGATE, locations and custodian have not submitted the desired proforma for creation of custodian code and creation of MFTP folders for message exchange. The same needs to be complied forthwith to avoid any disruption in clearance of import cargo.

List 01: Custodian code to be created

List 02: MFTP folder to be created.

[See full text at worldtradescanner.com]

11,667 "assessments" of people and groups from December 2008 to March 2009. But they resulted in only 427 more intensive investigations.

India Loses GSP Benefits in Four Groups, Steel Included

As from 1 January 2017 certain products will no longer benefit from GSP preferences even if accompanied by a Form A certificate until 31 December 2019 when the list will be reviewed.

The tariff preferences for the products/ product groups originating in the countries mentioned below are suspended (see Regulation (EU) 2016/330) because the average value of EU imports of these goods from the GSP beneficiary country over three consecutive years exceeds the thresholds listed in Annex VI of Regulation (EU) 978/2012.

Origin and product groups ceasing to benefit from GSP

India

- 4 S-14: Pearls and precious metals
- 4 S-15a: Iron, steel and articles of iron and steel

- 4 S-15b: Base metals (excl. iron and steel), articles of base metals (excl. articles of iron and steel)

Kenya

- 4 S-2a: Live plants and floricultural products

Ukraine

- 4 S-3: Animal or vegetable oils, fats and waxes
- 4 Origin and product groups which remain under GSP

India

- 4 S-6b: Chemicals, other than organic and inorganic chemicals
- 4 S-8a: Raw hides, raw skins and leather

Indonesia

- 4 S-6b: Chemicals, other than organic and inorganic chemicals

Indians Invest Dh20 bn in Dubai Property

Indians are buying properties in a big way in Dubai. They topped the list of non-Arab foreign investors in Dubai property, with more than Dh20 billion of purchases in 2015. They were followed by UK citizens who spent Dh10 billion in 2015, the Dubai Land Department (DLD) said in its annual report. Khaleej Times has published this news.

Investment from non-Arab expats surpassed Dh74 billion in 2015. The number of overseas non-Emirati investors grew to 56,000 - a 33 per cent increase over 41,475 investors reported in 2014.

Overseas buyers committed Dh135 billion to real estate purchases in Dubai in 2015, up 24 per cent from Dh109 billion reported in 2014. Investments by GCC nationals stood at Dh44 billion in 2015, up from Dh32 billion in 2014. Of this, Emiratis accounted for Dh26.1 billion.

Investment by Saudi nationals jumped 73 per cent to Dh9 billion, compared to Dh5.2 billion in 2014, with the number of investors up 86 per cent to 3,259 (2,745 in 2014).

Non-Gulf Arabs also increased their invest-

ment by a third to Dh16 billion, with Jordanians topping the list (1,516 investors purchased Dh3.5 billion worth of properties), followed by Egyptians. Mr.Sultan Butti bin Mejren, director-general of the DLD, said Dubai enjoys an extremely high degree of acceptance from international investors because of its attributes and return on investment. Mr. Bin Mejren said investments by Gulf nationals protect Dubai's property market from seasonal fluctuations.

Meanwhile, a New Delhi based Real-Estate expert and India's leading architect Mr. Deepak Mehta says that Dubai is very popular destination among Indians to buy properties. In West Asia, Dubai is preferred due to accessibility. Distance is a deterrent in case of the US. However, the US is preferred by Indians who have spent some time studying and working there. Indians prefer Dubai due to proximity and also due to the fact that it is a great place to do business.

A two-bedroom apartment there can cost \$400,000 or Rs 2 crore.

Dear Reader:

The Weekly Index of Changes with World Trade Scanner Issue No. 51 is a combined issue, i.e., Issue No. 50 and 51 dated 08 to 21 March 2017. - Editor

Dept of Revenue Launches Public Consultation on Proposal to Amend Customs Valuation Rules, 2007

4 Place of Importation Defined

4 Transport Value Load @20% Defined

[Draft Circular from CBEC]

The Central Govt. proposes to consider the following amendments to the Customs Valuation (Determination of Price of Imported Goods) Rules, 2007:

The Place of Importation is sought to be defined by insertion of subrule (da) to Rule 2 as follows:

"Place of Importation" means the customs station where the goods have been brought for being cleared for home consumption or in the case of goods to be removed to a bonded warehouse, the customs station from where goods are to be removed for the purpose of deposit in a warehouse"

Sub-rule (2) to Rule 10 is proposed to be replaced with the following:

(2) For the purposes of sub-section (1) of section 14 of the Customs Act, 1962 (52 of 1962) and these rules, the value of the imported goods shall be the value of such goods, and include -
(a) the cost of transport, loading, unloading and handling charges associated with the delivery of the imported goods to the place of importation;

(b) the cost of insurance to the place of importation

Provided that where the cost of transport referred to in clause (a) is not ascertainable, such cost shall be twenty per cent of the free on board value of the goods;

Provided further that where the free on board value of the goods is not ascertainable but the sum of free on board value of the goods and the cost referred to in clause (b) is ascertainable,

the cost referred to in clause (a) shall be 20% of such sum;

Provided also that where the cost referred to in clause (b) is not ascertainable, such cost shall be 1.125% of free on board value of the goods;

Provided also that where the free on board value of the goods is not ascertainable but the sum of free on board value of the goods and the cost referred to in clause (a) is ascertainable, the cost referred to in clause (b) shall be 1.125% of such sum;

Provided also that in the case of goods imported by air, where the cost referred to in clause (a) is ascertainable, such cost shall not exceed twenty per cent of free on board value of the goods:

Provided also that in the case of goods imported by sea or air and transhipped to another customs station in India, the cost of insurance, transport, loading, unloading, handling charges associated with such transshipment shall be excluded;

Explanation.- The cost of transport of the imported goods referred to in clause (a) includes the ship demurrage charges on chartered vessels, lighterage or barge charges.

(3) Additions to the price actually paid or payable shall be made under this rule on the basis of objective and quantifiable data.

(4) No addition shall be made to the price actually paid or payable in determining the value of the imported goods except as provided for in this rule.

Guidelines for Launching Prosecution to Punishable Offences under CA, 1962 Specified

4 Format for Investigation Report for Launching Prosecution (Annex I)

[CBEC Circular No. 07 dated 6th March 2017]

Subject- Guidelines for launching of prosecution in relation to offences punishable under Customs Act, 1962.

I am directed to invite the attention of the field formations to the prosecution guidelines issued by the Ministry vide Circular No. 27/2015-Customs dated 23.10.2015 (further amended vide Circular No. 46/2016-Customs dated 04.10.2016) revising the guidelines issued vide order No.394/71/97-CUS (AS) dated 22.06.1999.

2. The earlier prosecution guidelines of 1999 as well as the new prosecution guidelines issued in 2015 contain various references to avoid any undue delays in the launching of prosecution or completion of prosecution proceedings. However, it has been observed that in spite of guidelines in this regard, launching of prosecution / completion of prosecution proceedings gets delayed in several cases. The delay in launching of prosecution has also been pointed out by the Comptroller & Auditor General of India in its report recently.

3. In this regard certain difficulties were brought

to the notice of the Board. Reportedly, one of the factors leading to delays in launching of prosecution is lack of clarity regarding the role of Directorate General of Revenue Intelligence (DGRI) vis-à-vis Customs field formations as to who should submit the investigation report and who should launch prosecution.

4. Board has examined the matter. Accordingly, for the sake of clearly defining the role of DGRI vis-à-vis Customs field formations so that any delays on this account can be prevented, Paras 7.1 to 7.5 of the prosecution guidelines issued by the Ministry vide Circular No. 27/2015-Customs dated 23.10.2015 are substituted by the following paras:

"7.1 Prosecution should not be filed merely because a demand has been confirmed in the adjudication proceedings particularly in cases of technical nature or where interpretation of law is involved. One of the important considerations for deciding whether prosecution should

Selfie Sticks with or without Bluetooth Classified in 96200000

[CBEC Instruction No. 02 dated 6th March 2017]

Sub: Classification of Selfie Sticks with or without Bluetooth.



The Conference of Chief Commissioners of Customs and Director Generals (03 January, 2017, New Delhi) on Customs Tariff and Allied Matters had deliberated the classification of Selfie Stick with Bluetooth. It was decided that the classification of the said item would be examined in the Board. The issue has been examined by the Board and it is clarified that -

(i) In the light of recent review of the WCO(HS), effective from January 1st, 2017- a new heading 9620 00 00 was created vide the Finance Act, 2016.

(ii) The 2017 HS Explanatory Note for heading 96.20 provides as follows :

"96.20 - Monopods, bipods, tripods and similar articles.

For the purpose of this heading, the expression "similar articles" refers to devices with four or more legs, which have the same function as monopods, bipods and tripods in reducing random movements. Selfie pods, also known as "selfie sticks", designed to be held in the hand, rather than to stand on the ground, to take self-portraits ("selfies") by positioning a smartphone, a photographic camera, a digital camera or a video camera recorder in an adjustable holder at the end of the stick, are also included in the heading, whether or not they are equipped with wired or wireless remote control for picture taking.

In view of the above, the correct heading for the classification of the Selfie Stick with or without Bluetooth is 9620 00 00.

be launched is the availability of adequate evidence. The standard of proof required in a criminal prosecution is higher as the case has to be established beyond reasonable doubt whereas the standard of proof in adjudication proceedings is decided on the basis of preponderance of probability. Therefore, even cases where demand is confirmed in adjudication proceedings, evidence collected should be weighed so as to likely meet the test of being reasonable doubt for recommending & sanctioning prosecution. Decision should be taken on case-to-case basis considering various factors, such as, gravity of offence, quantum of duty evaded and the nature as well as quality of evidence collected.

7.2 It is reiterated that in order to avoid delays, the adjudicating authority should indicate, at the time of passing the adjudication order itself (on file and not in the adjudication order) as to whether he considers the case fit for prosecution, so that it could be further

processed for launching prosecution. Where at the time of adjudication proceedings, no view has been taken on prosecution by the adjudicating authority, the adjudication section shall resubmit the file within 15 days from the day of issue of adjudication order to the adjudicating authority/Commissioner to take a view regarding prosecution. Where the prosecution is proposed before the adjudication of the case, Commissioner /Pr. Commr. or ADGRI / Pr. ADGRI shall record the reason for the same and the adjudicating authority shall be informed of the decision so that there is no need for him to examine the case subsequently from the perspective of prosecution.

7.3 In respect of cases investigated by DGRI, the adjudicating authority would intimate the decision taken regarding fitness of the case for prosecution to the Principal Additional Director General/ Additional Director General of the Zonal Unit or Headquarters concerned, where the case was investigated and/or show cause notice issued. The respective officer of DGRI concerned shall prepare an investigation report for the purpose of launching prosecution, within one month of the date of receipt of the decision of the adjudicating authority and would send the same to the Director General, DGRI for taking decision on sanction of prosecution. The format of investigation report is annexed as Annexure-I to this Circular. The DGRI / Pr. DGRI should ensure that a decision about launching of prosecution or otherwise, is taken after careful analysis of evidence available on record and communicated to the ADGRI / Pr. ADGRI concerned within a month of the receipt of the proposal.

7.4 In respect of cases not investigated by DGRI, where the Principal Commissioner/ Commissioner who has adjudicated the case is satisfied that prosecution should be launched, an investigation report for the purpose of launching prosecution should be carefully prepared within one month of the date of issuance of the adjudication order. Investigation report should be signed by an Assistant/Deputy Commissioner, endorsed by the jurisdictional Principal Commissioner/ Commissioner and sent to the Principal Chief/ Chief Commissioner for taking a decision on sanction for launching prosecution. The format of investigation report is annexed as Annexure-I to this circular. The Chief Commissioner/ Principal CC should ensure that a decision about launching of prosecution or otherwise, is taken after careful analysis of evidence available on record and communicated to the Commissioner / Principal CC within a month of the receipt of the proposal.

7.5 Once the sanction for prosecution has been obtained, criminal complaint in the court of law should be filed as early as possible by an officer not below the rank of Superintendent of the jurisdictional Commissionerate authorized by the Commissioner.

7.6 It is observed that delays in the Court proceedings occur due to the non-availability of records required to be produced before the Magistrate. As a matter of practice, whenever

a case is taken up for seeking the approval for launching prosecution, an officer should be nominated/designated, who shall immediately take charge of all documents, statements and other exhibits, that would be required to be produced before a Court. The list of exhibits etc. should be finalised in consultation with the Public Prosecutor at the time of drafting of the complaint. Such exhibits should be kept in safe custody. Where a complaint has not been filed even after a lapse of three months from the receipt of sanction for prosecution, the

Annexure – I

Investigation Report for the Purpose of Launching Prosecution against _____

Commissionerate _____/Divisions

1. Name & address of the person (s) including legal persons.
2. Nature of offence including commodity :
3. Charges :
4. Date/Period of offence :
5. Amount of duty Evasion/value of contraband goods involved :
6. Particulars of persons proposed to be prosecuted :
 - (a) Name
 - (b) Father's name
 - (c) Age _____ Sex _____
 - (d) Address
 - (e) Occupation
 - (f) Position held in the company/firm
 - (g) Role played in the offence
 - (h) Material evidence available against the accused (Please indicate separately documentary and oral evidence)
 - (i) Action ordered against the accused in adjudication proceedings
7. Brief note as to why prosecution is recommended

Place:

Date:

(Deputy/Assistant Commissioner)

Or (Deputy/Assistant Director)

reason for delay shall be brought to the notice of Chief Commissioner/Principal CC or DGRI/ Pr. DGRI by the Commissioner /Pr. Commr. or ADGRI / Pr. ADGRI, as the case may be, who are responsible in the case for ensuring the timely filing of the complaint.

5. The field formations are hereby requested to circulate these amendments to all the formations under their charge. Difficulties, if any, in implementation of the aforesaid guidelines may be brought to the notice of the Board.

8. I have carefully examined the investigation report and find it in order for filing criminal complaint under section (s) (-----) of Customs Act, 1962.

Commissioner/ Pr. Commr.

Or ADGRI/ Pr. ADGRI

NOTE

(A) The proposal should be made in the above form in conformity with the guidelines issued by the Ministry. With regard to column 3 above, all the charging sections in the Customs Act, 1962 and other allied Acts should be mentioned. If the provision for conspiracy as under section 120-B of IPC is sought to be invoked, this fact should be clearly mentioned. With regard to S.NO. 6, information should be filed separately for each person sought to be prosecuted .

(B) A copy of the show cause notice as well as the order of adjudication (where applicable) should be enclosed with this Report. If any appeal has been filed against the adjudication order, this fact should be specifically stated.

(C) Where prosecution is being recommended even prior to completion of adjudication, as per guidelines, brief reasons therefore be also indicated in the brief note mentioned at Sl. No. 7 above.

Authorised Labs Allowed to Export Diamonds for Testing – Customs Notification Amended

[Customs Notification No. 07 dated 1st March 2017]

In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 9/2012- Customs, dated the 9th March, 2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 129 (E), dated the 9th March, 2012, namely:- In the said notification, -

- (a) after the proviso to condition (v), the following paragraph shall be inserted, namely:- "2. Notwithstanding anything contained herein above, the exemption contained in this notification shall also be applicable, if the exportation and re-importation of cut and polished

diamonds as stated above are undertaken by the authorised offices or agencies in India of the laboratories mentioned under paragraph 4.74 of Handbook of Procedures 2015-2020 on behalf of the exporters subject to the fulfillment of conditions (ii),(iii),(iv) and(v) specified herein above and in the Foreign Trade Policy and Handbook of Procedures. “;

(b) for the Explanation, the following Explanation shall be substituted, namely, “Explanation.- For the purposes of this notification, “Foreign Trade Policy” means the Foreign Trade Policy, 2015-2020, published by the Government of India in the Ministry of Commerce and Industry, vide notification No. 01/2015-2020, dated the 1st April, 2015, as amended from time to time.”.

F. No. DGEP/G&J/04/2017

DGAD Recommends Anti-dumping Duty of \$23.78/MT to \$300/MT on Linear Alkyl Benzene (LAB) from Iran, Qatar and China

[DGAD Final Findings F.No. 14/20/2015-DGAD dated 6th March 2017]

Sub: Anti Dumping investigation concerning imports of 'Linear Alkyl Benzene' originating in or exported from Iran, Qatar and China PR

Having regard to Customs Tariff Act, 1975 as amended from time to time (hereinafter 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 thereof, as amended from time to time (hereinafter referred to as the AD rules).

Background of the case

Whereas M/s Tamilnadu Petroproducts Ltd and M/s Nirma Ltd (hereinafter referred to as "petitioners") had filed an application before the Designated Authority (hereinafter mentioned to as "the Authority") in accordance with the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and For Determination of Injury) Rules, 1995 (hereinafter "the Rules") for initiation of an anti-dumping investigation and imposition of anti-dumping duty on the imports of "Linear

Alkyl Benzene" (hereinafter as "the subject goods" or "product under consideration" or "LAB") originating in or exported from Iran, Qatar, China PR and Saudi Arabia.

Conclusions

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

- i) There is dumping of product concerned from the subject countries.
- ii) Imports from subject countries are undercutting and suppressing the prices of the domestic industry.
- iii) Performance of domestic industry has deteriorated in the terms of market share and profitability.
- iv) Injury to domestic industry has been caused by dumped imports.

Corrigendum to Notification No. 40/2015-2020 dated 23.02.2017

[DGFT Corrigendum dated 02.03.2017]

In the English version of Notification no. 40/2015-2020 dated 23.02.2017, the words 'availed and Gems' in the sixth line, second sentence of amended Paragraph 4.34(i) of Foreign Trade Policy 2015-20 shall be read as 'availed and/or Gems'.

Recommendations

Having concluded as above the Authority considers it necessary to recommend following definitive Anti-dumping duty on imports of subject goods from the subject countries in the form and manner as described in the duty table given below.

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 8 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.

Duty Table

SNo.	Sub-heading or Tariff Item	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Currency	Unit
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	38170011	Linear Alkyl Benzene	China PR	China PR	M/s Jiangsu Jintung Chemical Corp. Ltd.	M/s Hotung Chemical Corp. and M/s Sharp-invest International Ltd.	23.78	US\$	MT
2	38170011	-do-	China PR	China PR	M/s Jiangsu Jintung Chemical Corp. Ltd.	M/s Jiangsu Jintung Chemical Corp. Ltd.	147.11	US\$	MT
3	38170011	-do-	China PR	China PR	Any combination other than mentioned in S.N. 1 & 2 above.		147.11	US\$	MT
4	38170011	-do-	China PR	Any country other than those subject to anti-dumping duty	Any	Any	147.11	US\$	MT
5	38170011	-do-	Any country other than those subject to anti-dumping duty	China PR	Any	Any	147.11	US\$	MT
6	38170011	-do-	Qatar	Qatar	M/s SEEF Limited	M/s Muntajat*	46.49	US\$	MT
7	38170011	-do-	Qatar	Qatar	M/s SEEF Limited	M/s Muntajat* and M/s Renish Petrochem FZE (Trader)	46.49	US\$	MT
8	38170011	-do-	Qatar	Qatar	Any combination other than mentioned in S.N. 6 & 7 above.		300.22	US\$	MT
9	38170011	-do-	Qatar	Any country other than those subject to anti-dumping duty	Any	Any	300.22	US\$	MT
10	38170011	-do-	Any country other than those subject to anti-dumping duty	Qatar	Any	Any	300.22	US\$	MT
11	38170011	-do-	Iran	Iran	Any	Any	71.8	US\$	MT
12	38170011	-do-	Iran	Any country other than those subject to anti-dumping duty	Any	Any	71.8	US\$	MT
13.	38170011	-do-	Any country other than those subject to anti-dumping duty	Iran	Any	Any	71.8	US\$	MT

*M/s Qatar Chemical and Petrochemical Marketing and Distribution Company (Muntajat) Q.J.S.C., Qatar

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 worldtradesscanner.com]

Crude, Precious Metals, Ferrous and Non Ferrous Metals, Urea, Cotton and Rubber Rise in Feb

- Coal, Natural Gas, Cocoa, Edible Oil; Rice Down
- World Sugar, Woodpulp, Groundnuts, Shrimp Steady

All commodity price indexes except for beverages rose in February. Energy prices and non-energy commodity prices rose 0.7% and 1.4%, respectively. Agriculture rose 0.2%, while food prices increased by 0.1%. Beverages fell 3.5%. Metals and minerals increased by 4.6%, and precious metals by 4.0%.

Up ↑

Crude; Groundnut oil; Soybean meal; Soybeans
Maize; Sorghum; Wheat; Bananas, US; Beef; Sheep Meat
Logs; Sawnwood; Plywood; Cotton and Rubber; DAP, TSP and Urea
Aluminium, Copper, Iron ore; Lead, Nickel and Zinc
Gold, Silver and Platinum

Down ↓

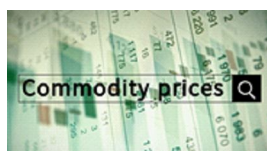
Coal; Natural gas; Cocoa; Coffee and Tea;
Coconut oil; Copra; Fishmeal; Palm oil; Palmkernel oil; Soybean oil
Barley; Rice; Oranges
Rock phosphate and Potassium chloride; Tin

Steady ↔

Groundnuts; Bananas, EU; Shrimp; World Sugar; Woodpulp



	Monthly averages			Quarterly averages					Annual averages			
	2016	2017		2015	2016			2014	2015	2016		
	Dec	Jan	Feb	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Dec	Jan-Dec	Jan-Dec	
Energy												
Coal, Australia \$/mt	86.3	83.7	80.6	↓	52.3	50.9	51.9	67.5	93.2	70.1	57.5	65.9
Coal, Colombia \$/mt	89.8	83.8	79.5	↓	48.0	42.7	44.8	57.7	85.1	65.9	52.5	57.6
Coal, South Africa \$/mt	82.0	85.1	83.7	↓	51.1	51.5	54.8	65.3	84.9	72.3	57.0	64.1
Crude oil, average \$/bbl	52.6	53.6	54.4	↑	42.2	32.7	44.8	44.7	49.1	96.2	50.8	42.8
Crude oil, Brent \$/bbl	54.1	54.9	55.5	↑	43.4	34.4	46.0	45.8	50.1	98.9	52.4	44.0
Crude oil, Dubai \$/bbl	51.8	53.4	54.2	↑	41.2	30.6	42.9	43.4	47.9	96.7	51.2	41.2
Crude oil, WTI \$/bbl	52.0	52.5	53.4	↑	42.0	33.2	45.5	44.9	49.2	93.1	48.7	43.2
Natural gas, Index 2010=100	74.5	70.6	69.1	↓	61.4	52.2	49.5	60.0	64.7	111.7	73.3	56.6
Natural gas, Europe \$/mmbtu	5.5	5.5	6.3	↑	6.3	4.8	4.1	4.4	4.9	10.1	7.3	4.6
Natural gas, US \$/mmbtu	3.58	3.26	2.82	↓	2.11	1.98	2.13	2.85	3.01	4.37	2.61	2.49
Natural gas, LNG Japan \$/mmbtu	7.10	7.50	7.50	↔	8.94	7.70	6.08	6.68	7.11	16.04	10.40	6.89
Beverages												
Cocoa \$/kg	2.30	2.20	2.03	↓	3.30	2.98	3.10	2.99	2.50	3.06	3.14	2.89
Coffee, Arabica \$/kg	3.57	3.72	3.67	↓	3.31	3.31	3.49	3.79	3.86	4.42	3.53	3.61
Coffee, Robusta \$/kg	2.25	2.39	2.35	↓	1.79	1.65	1.84	2.05	2.27	2.22	1.94	1.95
Tea, average \$/kg	2.93	2.99	2.90	↓	2.76	2.36	2.57	2.72	2.91	2.72	2.71	2.64
Tea, Colombo auctions \$/kg	3.88	3.98	3.93	↓	2.85	2.82	2.98	3.29	3.86	3.54	2.96	3.24
Tea, Kolkata auctions \$/kg	2.41	2.14	1.88	↓	2.52	1.89	2.59	2.64	2.43	2.58	2.42	2.39
Tea, Mombasa auctions \$/kg	2.51	2.85	2.89	↑	2.91	2.38	2.14	2.24	2.43	2.05	2.74	2.30
Food												
Oils and Meals												
Coconut oil \$/mt	1,699	1,815	1,719	↓	1,109	1,273	1,531	1,528	1,567	1,280	1,110	1,475
Copra \$/mt	1,127	1,225	1,146	↓	737	855	1,019	1,017	1,037	854	735	982
Fishmeal \$/mt	1,423	1,386	1,348	↓	1,524	1,465	1,526	1,553	1,461	1,709	1,558	1,501
Groundnuts \$/mt	1,600	1,650	1,650	↔	1,175	1,158	1,208	1,500	1,583	1,296	1,248	1,362
Groundnut oil \$/mt	1,504	1,520	1,545	↑	1,298	1,277	1,550	1,648	1,535	1,313	1,337	1,502
Palm oil \$/mt	788	809	779	↓	570	631	704	715	752	821	623	700
Palmkernel oil \$/mt	1,652	1,760	1,614	↓	831	1,032	1,283	1,358	1,486	1,121	909	1,290
Soybean meal \$/mt	365	382	384	↑	358	328	419	405	367	528	395	380
Soybean oil \$/mt	907	872	838	↓	743	749	795	810	882	909	757	809
Soybeans \$/mt	420	425	428	↑	372	370	424	417	412	492	390	406
Grains												
Barley \$/mt	142.0	139.6	135.0	↓	186.8	183.1	172.0	142.8	136.2	138.2	194.3	158.5
Maize \$/mt	152.4	160.0	162.9	↑	167.2	159.9	171.1	153.4	152.2	192.9	169.8	159.2



	Monthly averages			Quarterly averages					Annual averages			
	2016	2017		2015	2016			2014	2015	2016		
	Dec	Jan	Feb	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Dec	Jan-Dec	Jan-Dec	
Rice, Thailand 5% \$/mt	373.0	377.0	367.0	↓	368.0	379.0	423.0	413.7	369.0	422.8	386.0	396.2
Rice, Thailand 25% \$/mt	364.0	369.0	361.0	↓	359.0	370.0	407.7	401.7	362.0	382.2	372.6	385.3
Rice, Thailand A1 \$/mt	354.4	355.9	348.8	↓	365.3	372.8	408.2	392.3	348.0	425.1	386.0	380.3
Rice, Vietnam 5% \$/mt	341.0	336.6	335.3	↓	355.7	361.7	373.6	350.6	338.5	407.2	351.8	356.1
Sorghum \$/mt	138.6	139.6	140.6	↑	176.3	173.9	173.9	151.9	138.6	207.2	204.7	159.6
Wheat, US HRW \$/mt	142.0	153.3	155.2	↑	179.6	190.5	177.4	150.5	148.1	284.9	204.5	166.6
Wheat, US SRW \$/mt	161.2	173.6	181.0	↑	200.6	190.0	189.9	161.1	164.3	245.2	206.4	176.3
Other Food												
Bananas, EU \$/kg	0.83	0.83	0.83	↔	0.88	0.91	0.94	0.91	0.86	1.04	0.90	0.91
Bananas, US \$/kg	0.96	0.97	1.05	↑	0.93	1.03	0.99	1.02	0.96	0.93	0.96	1.00
Meat, beef \$/kg	3.87	3.91	4.06	↑	3.91	3.72	3.95	4.09	3.96	4.95	4.42	3.93
Meat, chicken \$/kg		2.50	2.47	2.46	2.45	2.45	2.43	2.53	2.46
Meat, sheep \$/kg	5.12	5.05	5.12	↑	4.82	4.51	4.64	4.64	4.99	6.39	5.22	4.69
Oranges \$/kg	1.08	0.94	0.90	↓	0.73	0.69	0.78	0.99	1.09	0.78	0.68	0.89
Shrimp, Mexico \$/kg	12.35	12.13	12.13	↔	10.50	10.83	10.80	10.69	12.49	17.25	14.36	11.20
Sugar, EU \$/kg	0.34	0.35	0.35	↔	0.36	0.36	0.37	0.36	0.35	0.43	0.36	0.36
Sugar, US \$/kg	0.64	0.65	0.67	↑	0.56	0.57	0.61	0.62	0.64	0.53	0.55	0.61
Sugar, World \$/kg	0.41	0.45	0.45	↔	0.32	0.31	0.38	0.45	0.45	0.37	0.30	0.40
Raw Materials												
Timber												
Logs, Cameroon \$/cum	369.3	371.6	372.4	↑	383.2	385.8	395.2	390.7	377.9	465.2	388.6	387.4
Logs, Malaysia \$/cum	256.4	258.6	263.5	↑	245.2	258.2	275.7	290.7	272.8	282.0	246.0	274.4
Plywood ¢/sheets	470.3	474.3	483.2	↑	449.8	473.7	505.8	533.2	500.4	517.3	451.2	503.3
Sawnwood, Cameroon \$/cum	598.1	590.7	598.3	↑	727.2	686.0	687.7	629.6	595.1	789.5	732.6	649.6
Sawnwood, Malaysia \$/cum	680.3	671.8	680.5	↑	827.1	780.3	782.3	716.2	676.8	897.9	833.3	738.9
Woodpulp \$/mt	875.0	875.0	875.0	↔	875.0	875.0	875.0	875.0	875.0	876.9	875.0	875.0
Other Raw Materials												
Cotton \$/kg	1.75	1.82	1.88	↑	1.53	1.48	1.57	1.76	1.74	1.83	1.55	1.64
Rubber, RSS3 \$/kg	2.23	2.56	2.71	↑	1.28	1.32	1.61	1.57	1.92	1.95	1.57	1.61
Rubber, TSR20 \$/kg	1.93	2.16	2.23	↑	1.19	1.15	1.37	1.31	1.69	1.71	1.37	1.38
Fertilizers												
DAP \$/mt	315.0	325.0	360.0	↑	419.3	366.7	351.0	340.0	323.7	472.5	458.9	345.3
Phosphate rock \$/mt	103.0	99.0	98.0	↓	122.8	116.0	115.0	112.0	105.7	110.2	117.5	112.2
Potassium chloride \$/mt	215.0	215.0	214.0	↓	297.0	283.0	263.0	221.0	215.3	297.2	302.9	245.6
TSP \$/mt	267.0	269.0	270.0	↑	380.0	328.0	282.3	281.7	270.0	388.3	385.0	290.5
Urea, E. Europe \$/mt	216.0	241.0	247.0	↑	250.6	208.7	198.3	183.3	206.7	316.2	272.9	199.3
Metals and Minerals												
Aluminum \$/mt	1,728	1,791	1,861	↑	1,494	1,514	1,572	1,620	1,710	1,867	1,665	1,604
Copper \$/mt	5,660	5,755	5,941	↑	4,885	4,675	4,736	4,780	5,281	6,863	5,510	4,868
Iron ore \$/dmt	80.0	80.0	89.0	↑	47.0	48.3	56.0	58.7	70.7	96.9	55.8	58.4
Lead \$/mt	2,210	2,243	2,312	↑	1,682	1,738	1,718	1,873	2,138	2,095	1,788	1,867
Nickel \$/mt	10,972	9,971	10,643	↑	9,423	8,508	8,823	10,264	10,787	16,893	11,863	9,595
Tin \$/mt	21,204	20,692	19,446	↓	15,077	15,439	16,902	18,584	20,810	21,899	16,067	17,934
Zinc \$/mt	2,665	2,715	2,846	↑	1,612	1,677	1,917	2,252	2,514	2,161	1,932	2,090
Precious Metals												
Gold \$/toz	1,157	1,192	1,234	↑	1,107	1,181	1,260	1,334	1,221	1,266	1,161	1,249
Platinum \$/toz	918	971	1,008	↑	907	914	1,005	1,085	944	1,384	1,053	987
Silver \$/toz	16.4	16.9	17.9	↑	14.8	14.9	16.9	19.6	17.2	19.1	15.7	17.1

\$ = US dollar; ¢ = US cent; bbl = barrel; cum = cubic meter; dmtu = Dry Metric Ton Unit; kg = kilogram; mmbtu = million British thermal units; mt = metric ton; toz = troy oz; n.a. = not available; n.q. = no quotation

DGFT Notifies 357 Pages Consolidated MEIS Schedule Aligned with ITC(HS) 2017

[DGFT Public Notice No. 61 dated 7th March 2017]

Effect of this Public Notice: The MEIS Schedule (Table 2 of Appendix 3B) has been harmonised with the ITC(HS), 2017 and consolidated list is published.

Subject: Harmonising MEIS Schedule in the Appendix 3B (Table-2) with ITC(HS), 2017.

The Directorate General of Foreign Trade has notified Indian Trade Classification (Harmonised System)- ITC(HS), 2017 in replacement of the ITC(HS), 2012 vide Notification No. 36/2015-2020 dated 17.1.2017.

2. In pursuance to the above, in exercise of powers conferred under paragraph 1.03 of the Foreign Trade Policy (2015-2020), the Director General of Foreign Trade hereby re-notifies the MEIS Schedule, Appendix 3B (Table-2) which shows the existing HS Codes, their description and rates of MEIS applicable with corresponding 2017 HS Codes and description of goods/products. The same is available in the DGFT's website www.dgft.gov.in.

3. This is a consolidated list of all items under MEIS notified so far (Public Notice No.2 dat-

ed April 1, 2015 and subsequent expansion through PN 27 dated July 14, PN. 28 dated July 16, PN. 44 dated 29 October of 2015 and PN.6 dated May 4, PN.26 dated August 26, PN32 dated September 22 of 2016 and PN.49 dated 30.12.2016) and is based on sequence of ITC(HS), 2017.

4. With consolidation of all the lists and consequent arrangement based on sequence of ITC(HS), the existing SI. No. of items have undergone changes.

5. The MEIS Schedule as per ITC(HS), 2017 would be effective for shipments made w.e.f. 01.01.2017.

[Table 2 of Appendix 3B is available at worldtradescanner.com]

No MEIS Benefit to Flour, Meal and Power of Guar Seeds

[DGFT Public Notice No. 60 dated 7th March 2017]

Effect of this Public Notice: Flour, Meal and Power of Guar Seeds under ITC(HS) 11061000 is ineligible for MEIS benefit.

Subject: Deletion of MEIS benefit on Flour, meal and powder of Guar seeds under Exim Code 11061000.

In exercise of powers conferred under paragraph 1.03 of the Foreign Trade Policy (2015-2020), the Director General of Foreign Trade hereby deletes MEIS benefit on flour, meal and powder of Guar Seeds of heading ITC(HS) 0713.

2. The existing product description of the export item at SI. No. 472 of Appendix 3B of MEIS schedule is amended as below with immediate effect:

SNo. of Appx 3B	ITC(HS) Code	Description of Goods
472	11061000	Flour and Meal of the Dried Leguminous Vegetables of Heading No. 0713 (excluding of Guar Seeds)

Windex No. 51 (15 – 21 March 2017)

Subject – Ref – DINDEX – Page

Dept of Revenue Launches Public Consultation on Proposal to Amend Customs Valuation Rules, 2007 – CBEC Draft Circular – 7594 – p371

Guidelines for Launching Prosecution to Punishable Offences under CA, 1962 Specified – 07-CBEC/06.03.2017 – 7597 – p371

Selfie Sticks with or without Bluetooth Classified in 96200000 – 02-CBEC Instruction/06.03.2017 – 7595 – p371

Authorised Labs Allowed to Export Diamonds for Testing – Customs Notification Amended – Ntfn 07/01.03.2017 – 7585 – p372

DGAD Recommends Anti-dumping Duty of \$23.78/MT to \$300/MT on Linear Alkyl Benzene (LAB) from Iran, Qatar and China – DGAD Final Findings/06.03.2017 – 7596 – p373

Corrigendum to Notification No. 40/2015-2020 dated 23.02.2017 – DGFT Corrigendum/02.03.2017 – 7587 – 373

DGFT Notifies 357 Pages Consolidated MEIS Schedule Aligned with ITC(HS) 2017 – 61-PN/07.03.2017 – 7601 – p376

No MEIS Benefit to Flour, Meal and Power of Guar Seeds – 60-PN/07.03.2017 – 7602 – p376

(DINDEX = Daily Index of Changes Ref)

USFDA to Lift Import Ban on Sun-Ranbaxy Mohali Plant

Drugmaker Sun Pharmaceutical Industries's Mohali plant is poised to see the lifting of a United States-imposed import ban on its products. The Mohali plant came into the Sun-fold through its \$4-billion Ranbaxy acquisition in 2015.

Sun Pharma said that it was informed by the US Food and Drug Administration on Monday "that it will lift the Import alert imposed on the Mohali (Punjab) manufacturing facility and remove the facility from the Official Action Initiated (OAI) status."

This proposed action will clear the path for Sun Pharma to supply approved products from Mohali to the US market, subject to normal USFDA regulatory requirements, the Mumbai-based drugmaker said.

The company is in the throes of remediation efforts with the USFDA at some of its other plants that include owned facilities and inherited ones from Ranbaxy.

The USFDA had taken action against the Mohali facility in 2013 when it ordered the facility to be fully subject to Ranbaxy's Consent Decree of Permanent Injunction. Certain conditions of the consent decree will continue to be applicable to the Mohali facility, Sun Pharma said, without giving details. The development is a breather for not just Sun Pharma but other Indian drug majors also caught up in remediation efforts for years now.

Customs Exchange Rates

[As on 15 March 2017]

Currency	Imports	Exports
1 FC = IC		
US Dollar	67.65	66.00
EURO	71.55	69.10
Pound Sterling	83.40	80.65
Australian Dollar	52.10	50.30
Bahrain Dinar	183.50	171.25
Canadian Dollar	50.90	49.25
Danish Kroner	9.65	9.30
Hong Kong Dollar	8.70	8.50
Kuwait Dinar	226.05	211.65
Newzeland Dollar	48.55	46.85
Norwegian Kroner	8.05	7.80
Singapore Dollar	48.10	46.65
South African Rand	5.30	4.95
Saudi Arabian Riyal	18.40	17.25
Swedish Kroner	7.50	7.25
Swiss Franc	67.35	65.00
UAE Dirham	18.80	17.60
Chinese Yuan	9.85	9.55
Qatari Riyal	18.90	17.85
100 FC = IC		
Japanese Yen	59.65	57.65
Kenya Shilling	67.25	62.90

[F.No.468/01/2017-Cus.V]

[Ref: 14-Cus (NT) dated 2nd March 2017]

Crude Down to \$50.09

Crude Oil (Indian Basket) from 07 - 13 March 2017

	07 Mar	08 Mar	09 Mar	10 Mar	13 Mar
(\$/bbl)	54.71	54.09	52.10	51.07	50.09
(Rs/bbl)	3645.81	3604.10	3478.92	3405.47	3340.61
(Rs/\$)	66.63	66.64	66.77	66.69	66.69

(Previous Trading Day Price)

Source: Ministry of Petroleum & Natural Gas