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## Trade Value Still Up by about 25% in the First Half of 2010

The value of world merchandise trade rose around 25% in the first six months of 2010 up strongly from the same period of 2009. This surge in trade growth marks a continuation of the trend begun in the first quarter of the year, according to WTO figures released on 1 September 2010.

World merchandise exports increased by about 7% in the second quarter of 2010, in comparison with the first quarter ("quarter on quarter")<sup>1</sup>. Within that period, available monthly statistics for about 70 economies representing about 90% of world trade show that merchandise trade declined in April and May 2010, then rose again in June.

### Overview of regional trade flows

Asian exports and imports both rose by more than 35% in the second quarter of 2010, as compared to the corresponding period of 2009. Exports from Africa and the Middle East were 35% higher than in the corresponding period of 2009, fuelled by demand in Asia and the US, and higher commodity prices.

The Commonwealth of Independent States (former members of the Soviet Union) posted a buoyant 44% export growth. Similarly, extra-EU trade (external trade between the EU and the rest of the world) was more dynamic than trade within the EU.

### CBI Arrests Anti Dumping Director for Alleged Graft

Rs. 7.25 Lakhs Cash Seized, Bank Lockers Sealed

Link with Dumping Complainants, Coal Allocation Racket

The CBI has arrested a Director-level officer of the Commerce and Industry Ministry for allegedly abusing his position and taking bribe from companies which did not follow anti-dumping norms. A CBI spokesman said R K Jain, Director (Anti-Dumping) in the Ministry, was arrested on 23 August 2010. He was released on bail after five days of custody.

The agency had on August 19 registered three cases against him, officials of three private companies, a tout and a company under various sections of Prevention of Corruption Act and IPC. The CBI also carried out searches at 15 places including the residence and office premises of Jain, an Indian Cost Accounts Service officer. Searches were conducted at Delhi, Noida, Mumbai and Jharkhand which include the residential and official premises of accused persons and companies.

The searches yielded cash of Rs 7.25 lakh, documents relating to several bank accounts, bank lockers and investments in real-estate. A laptop has also been seized.

In the first case, the spokesman said, the FIR has been registered against Jain and officials of Cheminova India Ltd under various Sections of Prevention of Corruption Act. The Director (Anti-Dumping) was responsible for dealing with the complaints regarding non-compliance of anti-dumping provisions, the spokesman

said.

It was alleged that the Director was in league with the affected companies. In this process, while discharging his official duties, he was seeking undue favours and illegal gratifications from the companies, the spokesman alleged.



*In the Dock.... RK Jain the Director from Indian Cost and Accounts Service in Anti-Dumping Division of Commerce Ministry.*

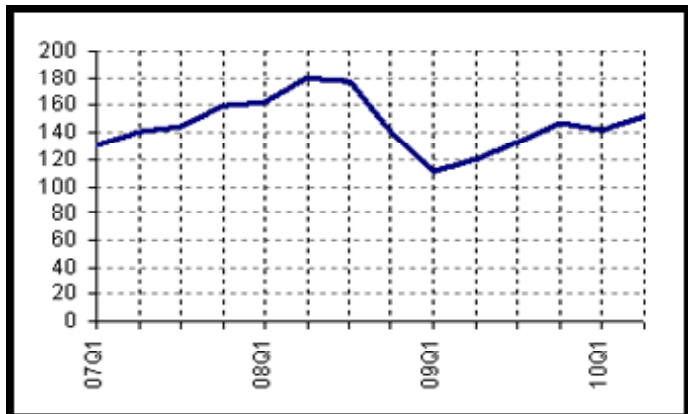
In the second case, cost accountant of Demaco Polymers Limited, Delhi and Jain have been named and it was alleged that the official was seeking bribe from the company. The third case names Jain, a tout, Director of Shivam Iron & Steel Company (SISCO), Giridih, Jharkhand, and the company itself.

The spokesman said the tout had allegedly mediated between a buyer and seller (representative of the Laxmi Spark Udhoyg Limited, Hazaribag and SISCO, Giridih) for ensuring supply of coal as part of the deal. Jain had allegedly sought gratifications and undue favour for getting coal linkage for SISCO, Giridih, Jharkhand from the Ministry of Coal by abusing his official position and using his personal contacts with the officials of Coal Ministry, the spokesman said.

**Editor Comments:** *The Commerce Ministry should immediately initiate review of all cases handled by RK Jain in anti-dumping to detect cases of bias corrections should be made immediately so that credibility of Department is maintained.*

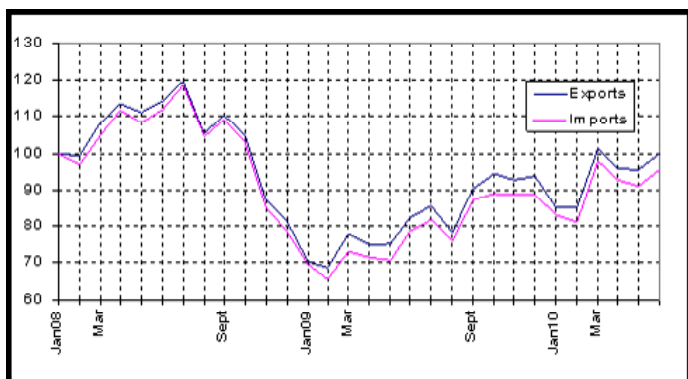
**Chart 1: World merchandise exports, first quarter 2007 to second quarter 2010**

Indices, first quarter 2005=100



**Chart 2: Monthly merchandise trade, aggregate of 70 economies**

Indices, January 2008=100



**Table 1: World merchandise trade by region and selected economies, Apr-Jun, 2010**

Percentage change in current US dollars, year-on-year and quarter-on-quarter

Exports		Imports	
Y-o-Y	Q-o-Q	Y-o-Y	Q-o-Q
26	7	25	6
28	7	32	12
25	6	32	12
32	7	30	10
24	16	36	13
29	27	56	12
13	0	15	0
13	0	14	0
11	-2	11	-2
17	5	21	3
44	10	27	26
43	6	33	28

**Dollar-Rupee rate at NSE Futures**

Trade Date	Open Price	High Price	Low Price	Close Price	Daily Settlement Price	Open Interest	No. of Contracts	Value (Rs. lakhs)	RBI Reference rate
6-Sep-10	46.7600	46.7600	46.5975	46.6975	46.6975	550433	1527819	712762.03	46.4800
3-Sep-10	46.7800	46.8675	46.7750	46.7925	46.7925	554109	1328299	621832.12	46.6700
2-Sep-10	46.9500	46.9850	46.8650	46.8925	46.8925	599776	1824101	856187.92	46.7800

[Source: NSE and RBI Website]

35	1	Africa and the Middle East	10	1
37	15	Asia (a)	38	10
41	23	China	44	15
32	-1	India	33	3
41	5	Japan	35	5
37	12	Six East Asian traders (c)	43	9

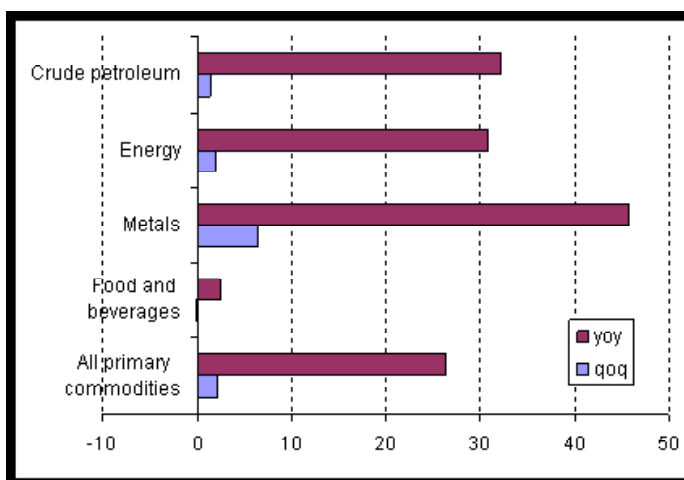
a Includes significant re-exports or imports for re-exports.

b "Intra EU" is trade within the EU; "extra EU" is trade between the EU and non-EU economies.

c Hong Kong, China (excluding re-export trade), Republic of Korea, Malaysia, Singapore, Taipei, Chinese, and Thailand.

**Chart 3: Commodity price developments, second quarter 2010**

Percentage change



Source: IMF

1. WTO short-term merchandise trade values are not seasonally adjusted. Seasonal patterns therefore affect the quarter on quarter (Q-o-Q) and month on month (M-o-M) developments in world trade, and this in turn affects comparisons between the trade developments in individual regions and economies. Furthermore, these data refer to "current" US dollars, i.e., they are not adjusted for changes in prices. Therefore, they cannot be compared with the annual trade growth figures headlined in the 26 March 2010 [press release](#). Those headline figures use "constant" dollars, with inflation taken into account.

**China Distiller's Grain Imports May Climb 12 Percent in 2010-11**

China may increase imports of dried distillers' grains and solubles, a by-product of turning corn into ethanol, by 12 percent in the 2010-2011 marketing year, said a trader at U.S. group CHS Inc.

Inbound shipments of the raw material used to make livestock feed may climb to about 2.8 million metric tons in 2010-2011 from 2.5 million tons the year before, Gary Zhang said in slides to be delivered at a conference in Tianjin on 3 September. The 2.5 million tons for 2009-2010 is up from an earlier estimate of 2.2 million tons, he said. China is the largest buyer of the raw material, he said.

The growing trend in the industry is for increased bulk shipping instead of container ships, Zhang said. There have already been 15 bulk shipments ordered by China this year, he said.

As U.S. ports are set to expand their loading capacity on higher demand from China, by 2012 shipping distiller's grains and solubles by bulk will become more common, Zhang said.

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**Sugar Exports Requires Release Order from Directorate of Sugar against Advance Licence Raw Sugar**

Sub: Export of sugar against Advance Authorizations issued from 17.2.2009 to 30.9.2009.

32-CBEC I am directed to refer to  
31.08.2010 Customs notification No.22/  
(DoR) 2009-Cus. dt. 02.03.2009 and  
DGFT's notification No.86 (RE  
2008/2004-2009) dated 17.2.2009 whereby the  
actual user condition for import of raw sugar  
from 17.2.2009 to 30.9.2009 under the Advance  
Authorization scheme was relaxed and the said  
imports were allowed on 'ton-to-ton' basis in-  
stead of 'grain-to-grain' basis.  
2. The Directorate of Sugar, Ministry of Con-  
sumer Affairs, Food and Public Distribution has  
informed vide letter dated 17.8.10 that they had  
reintroduced the requirement of obtaining exp-  
ort release orders w.e.f. 13.2.09 for exporters  
exporting sugar under Advance Authorization  
Scheme (AAS) on 'ton to ton' basis. The Direc-  
torate of Sugar has expressed concerns that  
some unscrupulous persons who had obtained  
advance authorizations during the afore men-  
tioned period, in order to take advantage of high  
international price vis-à-vis domestic prices, may  
export sugar without obtaining release orders

from the Directorate on the pretext that such  
exports are being carried out against the raw  
sugar imported by them on 'grain-to-grain' basis  
(i.e. with actual user condition). The Directorate  
of Sugar has requested that no export of sugar  
should be permitted against raw sugar imported  
under the Advance Authorization Scheme from  
17.2.2009 to 30.9.2009 without the release  
order of the Directorate of Sugar. Further, if any  
sugar mill has exported sugar against such  
Advance Authorizations during the current sugar  
season, the names of such mills may be inti-  
mated to the Directorate of Sugar at an early  
date for taking appropriate action in the matter.  
3. The above request of the Directorate of  
Sugar is brought to the notice of the field forma-  
tions for taking necessary action in the matter.  
4. Suitable Public Notice and Standing Order  
may be issued for the guidance of the trade and  
the staff. Difficulties, if any, faced in the im-  
plementation of this Circular may be brought to the  
notice of the Board.

F.No.605/3/2009-DBK

**Polyester Made Ups too can Import Accessories at Zero Duty**

Ntfn 89 In exercise of the powers  
01.09.2010 conferred by sub-section (1) of  
(DoR) section 25 of the Customs Act,  
1962 (52 of 1962), the Central  
Government, on being satisfied that it is neces-  
sary in the public interest so to do, hereby makes  
the following further amendments in the notifica-  
tion of the Government of India in the Ministry of  
Finance (Department of Revenue), No. **21/2002-**

**Customs, dated the 1<sup>st</sup> March, 2002** which  
was published in the Gazette of India, Extraordi-  
nary, vide number G.S.R.118 (E), dated the  
1<sup>st</sup> March, 2002, namely:-

In the said notification, in the Annexure, for  
**condition No. 21B** and the entries relating  
thereto, the following condition shall be substi-  
tuted, namely:-

Condition Conditions  
No.

"21B. If, - (a) the goods are imported by a manufacturer of cotton made ups **or polyester made ups** for use in the manufacture of said goods for export by that manufacturer and the said manufacturer is registered with the Cotton Textile Export Promotion Council **or the Synthetic & Rayon Textiles Export Promotion Council as the case may be;**

(b) the total value of goods imported shall not exceed 1 per cent of the FOB value of made ups exported during the preceding financial year;

(c) the importer produces a certificate from the Cotton Textile Export Promotion Council **or the Synthetic & Rayon Textiles Export Promotion Council** certifying the value of exports made during the financial year mentioned in sub-condition (b), and also the value and quantity of goods already imported under this notification during the current financial year.

[F.No. 354/138/2010.-TRU]

**Change Over to Composition Scheme Allowed where Payment not Received in Service Tax Works Contract Cases before 1 Jun 2007**

Subject: Service tax on on-going works contracts entered into prior to 01.06.2007.

128-ST It has been brought to the  
24.08.2010 notice of the Board that the  
(DoR) following confusions/disputes  
prevail with respect to long  
term works contracts which were entered into  
prior to 01.06.2007 (when the taxable service,  
namely, Works contract came into effect) and  
were continued beyond that date:

(i) While prior to the said date services like  
Construction; Erection, commissioning or in-

stallation; Repair services were classifiable un-  
der respective taxable services even if they  
were in the nature of works contract, whether the  
classification of these activities would undergo a  
change?

(ii) Whether in such cases of continuing con-  
tracts, the Works Contract (Composition Scheme  
for payment of Service Tax) Rules, 2007 under  
Notification No. 32/2007-ST dated 22/05/2007  
would be applicable?



**Myanmar Included ASEAN FTA**

Ntfn 87 In exercise of the powers  
01.09.2010 conferred by sub-section  
(DoR) (1) of section 25 of the  
Customs Act, 1962 (52 of  
1962), the Central Government, on being  
satisfied that it is necessary in the public  
interest so to do, hereby makes the following  
further amendments in the notification of the  
Government of India, in the Ministry of Fi-  
nance (Department of Revenue), No. **153/  
2009-Customs, dated the 31<sup>st</sup> December,  
2009** which was published in the Gazette of  
India, Extraordinary, Part II, Section 3, Sub-  
section (i) vide number G.S.R. 944 (E), dated  
the 31<sup>st</sup> December, 2009, namely:-  
In the said notification, in the **Appendix I**,  
after serial number **4** and the entries relating  
thereto, the following serial number and en-  
try shall be inserted, namely:-

S. No.	Name of the country
"5	Myanmar"

[F. No. 354/64/2003-TRU (Pt.I)]

2. The matter has been examined. As regards  
the classification, with effect from 01.06.2007  
when the new service 'Works Contract' service  
was made effective, classification of aforesaid  
services would undergo a change in case of long  
term contracts even though part of the service  
was classified under the respective taxable ser-  
vice prior to 01.06.2007. This is because 'works  
contract' describes the nature of the activity  
more specifically and, therefore, as per the pro-  
visions of section 65A of the Finance Act, 1994,  
it would be the appropriate classification for the  
part of the service provided after that date.

3. As regards applicability of composition  
scheme, the material fact would be whether  
such a contract satisfies rule 3 (3) of the Works  
Contract (Composition Scheme for payment of  
Service Tax) Rules, 2007. This provision casts  
an obligation for exercising an option to choose  
the scheme prior to payment of service tax in  
respect of a particular works contract. Once  
such an option is made, it is applicable for the  
entire contract and cannot be altered. There-  
fore, in case a contract where the provision of  
service commenced prior to 01.06.2007 and any  
payment of service tax was made under the  
respective taxable service before 01.06.2007,  
the said condition under rule 3(3) was not satis-  
fied and thus no portion of that contract would be  
eligible for composition scheme. On the other  
hand, even if the provision of service com-  
menced before 01.06.2007 but no payment of  
service tax was made till the taxpayer opted for  
the composition scheme after its coming into  
effect from 01.06.2007, such contracts would be  
eligible for opting of the composition scheme.

4. The Board's previous Circular No. 98/1/  
2008-ST dated 04.01.2008 and the ratio of judge-  
ment of the High Court of Andhra Pradesh in the  
matter of M/s. Nagarjuna Construction Com-  
pany Limited vs. Government of India (2010  
TIOL 403 HC AP ST) are in line with the above  
interpretation.

F.No.354/141/2010-TRU



**Another Five Years for Acrylic Fibre from Japan and Belarus**

Ntfn 85  
30.08.2010  
(DoR) Whereas, the designated authority, vide its notification No. 15/34/2008-DGAD, dated 6th July, 2009 published in

Part I, Section 1 of the Gazette of India, Extraordinary, dated the 7<sup>th</sup> July, 2009, had initiated sunset review in the matter of continuation of anti-dumping on imports of Acrylic Fibre (hereinafter referred to as the subject goods) falling under sub-heading 5501 30 00 or 5503 30 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, the Japan and Belarus (hereinafter referred to as the subject countries), imposed *vide* notifications of the Government of India in the Ministry of Finance (Department of Revenue), No. 114/2004- Customs, dated the 21<sup>st</sup> December, 2004, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R.823(E), dated the 21<sup>st</sup> December, 2004 and No. 117/2004- Customs, dated the 30<sup>th</sup> December, 2004, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R.844(E), dated the 30<sup>th</sup> December, 2004;

And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in, or exported from, Japan upto and inclusive of the 20<sup>th</sup> June, 2010 *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 129/2009- Customs, dated the 2<sup>nd</sup> December, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i)

*vide* number G.S.R. 855(E), dated the 2<sup>nd</sup> December, 2009;

And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in, or exported from, Belarus upto and inclusive of the 29<sup>th</sup> June, 2010 *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 134/2009- Customs, dated the 9<sup>th</sup> December, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R.871 (E), dated the 9<sup>th</sup> December, 2009;

And whereas, in the matter of review of anti-dumping on import of the subject goods, originating in, or exported from, the subject countries, the designated authority in its final findings issued *vide* notification No. 15/34/2008-DGAD, dated 5<sup>th</sup> July, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 5<sup>th</sup> July, 2010, had come to the conclusion that-

(i) the subject goods had been exported to India from Belarus below the normal value. Though the same from Japan was above the normal value during period of investigation, there was a likelihood of dumping from Japan and consequential injury in case of revocation of duty;

(ii) the domestic industry had suffered material injury;

(iii) the material injury had been caused by the dumped imports from Belarus and was likely to be caused by dumping of subject goods from

Japan in case of revocation of duty;

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

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) read with rules 18 and 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid final findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under sub-heading of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in column (4) of the said Table, originating in the country as specified in the corresponding entry in column (5), and produced by the producer as specified in the corresponding entry in column (7), when exported from the country as specified in the corresponding entry in column (6), by the exporter as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at a rate which is equivalent to difference between the amount mentioned in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and as per unit of measurement as specified in the corresponding entry in column (10), of the said Table and the landed value of imported goods in like currency as per like unit of measurement.

**Table**

SNo.	Sub-heading	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter	Amount	Unit of measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	5501 30 00 or 5503 30 00	Acrylic Fibre	All Denier	Belarus	Belarus	JSC Naftan Polymir	JSC Naftan Polymir	2886	Metric tonne	US Dollar
2	-do-	-do-	All Denier	Belarus	Belarus	Any combination of exporter and producer		2886	Metric tonne	US Dollar
3	-do-	-do-	All Denier	Belarus	Any other country other than Japan	Any combination of exporter and producer		2886	Metric tonne	US Dollar
4	-do-	-do-	All Denier	Any other country other than Japan	Belarus	Any combination of exporter and producer		2886	Metric tonne	US Dollar
5	-do-	-do-	Ranging from 1.5 Denier to 8 Denier	Japan	Japan	Any combination of exporter and producer		1681	Metric tonne	US Dollar
6	-do-	-do-	Ranging from 1.5 Denier to 8 Denier	Japan	Any other country other than Belarus	Any	Any	1681	Metric tonne	US Dollar
7	-do-	-do-	Ranging from 1.5 Denier to 8 Denier	Any other country other than Belarus	Japan	Any	Any	1681	Metric tonne	US Dollar

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

Explanation. - For the purposes of this notification,-

(a) "landed value" means the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3,

8B, 9 and 9A of the said Customs Tariff Act, 1975;

(b) rate of exchange applicable for the purposes of calculation of anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of

Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962) and the relevant date for determination of

the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.

[F.No.354/55/2004 –TRU

## Spandex Yarn not in Anti-dumping Notification 15 of 20.02.2007

*Subject: Clarification regarding non-applicability of Anti Dumping Duty under Notification No.15/2007-Cus dated 20.02.2007 to Spandex Yarn (Elastomeric Yarn) falling under Tariff Item 54024400.*

30-CBEC 30.08.2010 (DoR) References have been received from the Trade and Field formations seeking a clarification whether Anti Dumping Duty under the Notification No.15/2007-Customs dated 20.02.2007 is applicable to Spandex Yarn (Elastomeric yarn). Although the description 'elastomeric yarn' is not specified in the above said notification, doubts have been expressed since the Tariff Item 5402 44 00 is mentioned therein.

2. The matter has been examined by the Board. Despite the fact that Tariff Item 5402 44 00 is mentioned in the notification, there is no ambiguity / confusion in the description of the goods

in the notification which clearly mentions "Fully Drawn or Fully Printed Yarn or Spin Drawn Yarn or Flat Yarn of Polyester". Thus, it is clear that only specified yarns of polyester are covered by the anti dumping levy.

3. Therefore, it is clarified that Spandex Yarn (Elastomeric Yarn) is not covered within the scope of the Notification No.15 / 2007-Customs dated 20.02.2007.

4. Pending assessments, if any, may be finalized accordingly.

5. Difficulty, if any, may be brought to the notice of the Board.

F. No. 528/18/2009-CUS(TU)

## Soda Ash in Anti-dumping Net

### Dumping Investigation on China, EU, USA and Pak Start New Move after in Parallel with Safeguard Duty

*[Background: Safeguard Duty of 16% on Soda Ash from China Extended upto 19 April 2011 by Notification 72/28.06.2010].*

**[Ref: F.No.14/17/2010-DGAD dated 20<sup>th</sup> August 2010]**

*Sub:- Initiation of Anti Dumping investigation on imports of Soda Ash originating in or exported from China PR, EU, Kenya, Pakistan, Iran, Ukraine and USA.*

M/s Alkali Manufacturers' Association of India (AMAI), an Association of producers of the "Soda Ash" have filed a petition before the Designated Authority (herein after referred to as the Authority) in accordance with the Customs Tariff Act, 1975 as amended in 1995 and Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on dumped articles and for determination of injury) Rules, 1995 (herein after referred to as Rules) for initiation of anti dumping investigation concerning imports of Soda Ash (hereinafter referred to as subject goods) originating in or exported from China PR, EU, Kenya, Iran, Pakistan, Turkey, USA, and Ukraine (hereinafter referred to as subject countries)

2. AND WHEREAS, the Authority finds that sufficient prima facie evidence of dumping of subject goods by the subject countries, injury to the domestic industry and causal links between the dumping and injury exist, the Authority hereby initiates an investigation into the alleged dumping, and consequential injury to the domestic industry in terms of the Rules 5 of the said Rules, to determine the existence, degree and effect of alleged dumping and to recommend the amount of antidumping duty, which if levied would be adequate to remove the injury to the domestic industry.

#### Domestic Industry

3. The petition has been filed by M/s Alkali Manufacturers' Association of India (AMAI) and

the costing and injury information has been provided by, M/s GHCL Ltd., M/s DCW, M/s Nirma and M/s Saurashtra Chemicals Ltd.(SCL). According to the information provided in the petition, the production of participating companies constitutes 65.40% of Indian production during Apr'09-Dec'09. Thus, the applicant constitutes "domestic industry" for the purpose of the present investigation.

4. The Authority after examining the above, prima facie determines that the petitioner constitutes domestic Industry within the meaning of the rule 2(b) of the AD Rules.

#### Product under consideration & Like Articles

5. The product under consideration in the present petition is Disodium Carbonate, popularly known as Soda Ash with chemical formula Na<sub>2</sub>CO<sub>3</sub>. The petitioner has stated that the Soda Ash is produced in two forms by the Indian Producers - Light Soda Ash and Dense Soda Ash. The difference in the two types is bulk density. Further, Soda Ash can be produced through synthetic route and natural route, known as dissolution process. The present petition is stated to include all types and forms of Soda Ash.

6. Soda Ash is an essential ingredient in the manufacture of detergents, soaps, cleaning compounds, sodium based chemicals, float glass, container and specialty glasses, silicates and

## Zero Export Duty on Bonded Warehouse Sale of Raw Hides, Skins and Semi-Processed Leathers

Ntfn 88 01.09.2010 (DoR) In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby exempts imported raw hides and skins and semi-processed leathers falling under **Heading No. 14** of the Second Schedule to the Customs Tariff Act, 1975 (51 of 1975), when exported out of India from a bonded warehouse where it has been kept after importation, from the **whole of duty of customs** leviable thereon which is specified in the said Second Schedule

[F.No.354/138/2010–TRU]

other industrial chemicals. It is also widely used in textiles, paper, metallurgical industries and desalination plants.

7. Classification: Soda Ash is an inorganic chemical classified under Chapter 28 of the Customs Tariff Act. The product is classifiable under ITC (HS) Code 2836.20. The Customs classification is, however, only indicative and in no way binding on the scope of the present investigation.

8. The applicant has claimed that the goods produced by them are "like articles" to the goods originating in or exported from the subject countries. The subject goods produced by the domestic industry and imports from subject countries are comparable, technically and commercially substitutable in terms of physical, technical specifications, functions or end-uses. Therefore, for the purpose of investigation, the Soda Ash produced by the applicant are being treated as like articles of Soda Ash imported from subject countries within the meaning of the Anti Dumping Rules.

#### Countries involved

9. The countries involved in the present investigation are China PR, EU, Kenya, Pakistan, Iran, Ukraine and USA. Since volume of imports from Turkey are below de minimis Turkey is excluded from the purview of the present investigation.

#### Dumping

#### Normal Value

#### Normal Value in case of China PR and Ukraine

10. Petitioner has claimed Non-market economy status for both China PR and Ukraine and accordingly claimed the constructed normal value on the basis of cost of production in India duly adjusted including adjustment on selling, general and administrative expenses and profit, in terms of para 7 of Annexure I to the AD Rules.

#### Normal value in case of EU, USA, Kenya and Pakistan

11. The Normal Value in respect of EU and USA

is prima facie based on weighted average monthly price drawn from Hariman Chemsult, a leading international journal As regards Kenya, normal value is constructed by the petitioner on the basis of information drawn from the Balance Sheet of Tata Chemicals in respect of its subsidiary company in Kenya. In respect of Pakistan, the normal value has been claimed on the basis of domestic selling price of the subject product drawn from the Balance Sheet of ICI Pakistan Ltd.

#### Normal value in case of Iran

12. The petitioner has claimed normal value in Iran considering constructed value approach.

13. For the purpose of initiation, the Authority has prima-facie considered the normal value of subject goods in subject countries as claimed by the petitioner.

#### Export Price

14. The applicants have claimed export price for product under consideration based on the DGCI&S data. Adjustments have been claimed on account of ocean freight, marine insurance, commission, inland freight, port expenses, and bank charges to arrive at net export price at ex-factory level. There is sufficient prima facie evidence with regard to the net export price claimed by the petitioners.

#### Dumping Margin

15. There is sufficient evidence that the normal values of the subject goods in the subject countries are significantly higher than the net export prices indicating prima-facie that the subject goods are being dumped by the exporters from the subject countries. Normal value and export price have been compared at ex-factory level which shows significant dumping margin in respect of subject countries.

#### Injury and Causal Link

16. The petitioner has furnished information on various parameters relating to material injury. The applicant has furnished evidence regarding the injury having taken place as a result of the alleged dumping in the form of fall in production, capacity utilization, profits, return on investments, cash flow, and market share and significant price undercutting and price underselling on account of dumped imports from subject countries. There is sufficient prima-facie evidence of the material injury being suffered by the domestic industry and the same being caused by dumped imports from subject countries.

#### Period of Investigation

17. The applicant has proposed April'09 to Dec'09 (Nine months) as period of investigation. While adopting this period as POI only for the purpose of initiation, the Authority has considered April'09 to March'10 as the POI for the purpose of present investigation. The injury investigation period will however cover the periods April,2006–March,2007, April,2007–March,2008 April,2008–March,09, and the POI.

#### Submission of information

18. The exporters and importers known to be concerned and domestic industry are being in-

formed separately to enable them to file all information relevant in the form and manner prescribed. Any other party interested to participate in the present investigation may write to:

The Designated Authority  
(Directorate General of Anti-Dumping & Allied Duties), Government of India, Ministry of Commerce & Industry, Department of Commerce Udyog Bhavan, New Delhi-110011.

#### Time limit

19. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the facts available on

record in accordance with the Rules supra.

#### Inspection of Public File

20. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

21. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra.

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

### Dumping Investigation Initiated on CR Steel Narrows

1. 200 Series having Width below 600 mm from China, UAE and USA
2. 400 Series having Width below 600 mm from EU, Korea and USA

### 200 Series having Width below 600 mm from China, UAE and USA

[Ref: F.No.14/21/2010-DGAD dated 16<sup>th</sup> August 2010]

Subject: Initiation of Anti-dumping investigation concerning imports of Stainless Steel Cold Rolled Flat Products of 200 series having width below 600 mm originating in or exported from China PR, United Arab Emirates (UAE), and USA

M/s Hisar Metal Industries Ltd., M/s Quality Foils (India) Pvt. Ltd. and M/s JSL Ltd. have filed an application before the Designated Authority (hereinafter referred to as the Authority) in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the Act) and 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 referred to as the Rules) for initiation of Anti-Dumping investigation concerning imports of Stainless Steel Cold Rolled Flat Products of 200 series having width below 600 mm originating in or exported from China PR, United Arab Emirates (UAE), and USA (hereinafter referred to as subject countries).

2. AND WHEREAS, the Authority finds that sufficient evidence of dumping of the subject goods by the subject countries, 'injury' to the domestic industry and causal link between the dumping and 'injury' exist to justify initiation of an anti-dumping investigation; the Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of the Rules 5 of the said Rules, to determine the existence, degree and effect of any alleged dumping and to recommend the amount of antidumping duty, which if levied would be adequate to remove the 'injury' to the domestic industry.

#### Domestic Industry & Standing

3. The application has been filed by M/s Hisar Metal Industries Ltd., M/s Quality Foils (India) Pvt. Ltd. and M/s JSL Ltd. These producers have provided information relevant to the present investigation. The production of the applicant

companies constitutes more than 50 % of total Indian production. The Authority has determined that (a) production of the applicant companies constitutes a major proportion in Indian production and; (b) the application has been made by or on behalf of the domestic industry.

4. The Authority after examining the above, prima facie determines that the applicants constitute domestic industry within the meaning of the rule 2(b) read with 2(d) and the application satisfies the criteria of standing in terms of Rule 5 of the Rules.

#### Product under consideration

5. The product under consideration is 'Cold Rolled Flat Products of Stainless Steel of 200 series having a width of less than 600mm including all austenitic grades having nickel content of less than 6%'.

6. The subject goods are used for manufacture of kitchen wares, white goods (consumer durables), hand-rails, process equipments, pipes & tubes, automotive components, industrial fabrication, etc.

7. The subject products are classified under Chapter Heading 7220.20.10, 7220.20.21, 7220.20.22, 7220.20.29, 7220.20.90, 7220.90.10, 7220.90.21, 7220.90.22, 7220.90.29 and 7220.90.90 of the Customs Tariff Act, 1975. The Customs classification is indicative only and is in no way binding on the scope of the present investigation.

#### Like Articles

8. The applicant has claimed that the goods produced by them are "like articles" to the goods originating in or exported from the subject coun-

tries. There are no differences either in the technical specifications, quality, functions or end-uses of the dumped imports and the domestically produced subject goods. The subject goods produced by the domestic industry and the imports from subject countries are comparable and technically & commercially substitutable. Therefore, for the purpose of investigation, Cold Rolled Flat Products of Stainless Steel of 200 series of the description mentioned above by the applicants are being treated as like articles to the subject goods being imported from subject countries within the meaning of the Anti Dumping Rules.

### Countries involved

9. The countries involved in the present investigation are China PR, United Arab Emirates (UAE), and USA.

### Dumping

#### Normal Value

10. The applicants have claimed that China PR is being treated as non-market economy and therefore, for the present investigation China is to be treated as non-market economy. The normal value for China under such a situation ought to be determined in accordance with Para 7 of Annexure I of the Anti Dumping Rules. The applicants have proposed Japan as an appropriate market economy third country for the determination of normal value. They have further stated that the applicants were not able to get any documentary evidence or published information for prices in Japan and therefore constructed the normal value for China. For UAE and USA, the applicants have also constructed the normal values stating that they were not able to get any documentary evidence or reliable information with regard to domestic prices in the subject countries nor the same are available in the public domain.

11. For the purpose of initiation, the Authority has prima-facie considered the normal value of subject goods in subject countries as claimed by the applicant.

#### Export Price

12. Since import data from DGCI&S is not available for the whole Period of Investigation, as stated by the petitioner, the export prices have been claimed on the basis of transaction-wise import data obtained from Cybex Exim Solutions Pvt. Limited. Adjustments have been claimed on ocean freight, marine insurance, port handling and commission to arrive at the export price at ex-factory level. The Authority notes that there is sufficient prima facie evidence of the net export price for the subject goods from the subject countries.

#### Dumping Margin

13. There is sufficient evidence that the normal values of the subject goods in the subject countries are significantly higher than the net export prices indicating prima-facie that the subject goods are being dumped by the exporters from the subject countries. Normal value and export price have been compared at ex-factory level which shows significant dumping margin in re-

spect of subject countries.

### Injury and Causal Link

14. The petitioner has furnished information on various parameters relating to material injury. The applicant has furnished prima facie evidence regarding the injury having taken place as a result of the alleged dumping from subject countries in the form of fall in profitability, return on capital employed, cash flow, market share, effect on domestic prices and significant price undercutting and price underselling. There is sufficient prima-facie evidence of the material injury being suffered by the domestic industry and the same is being caused by dumped imports from subject countries.

### Period of Investigation

15. For the purpose of initiation, the Authority has considered the information provided for the period 1st January 2009 to 31st December 2009 (12 months). However, for purpose of the present investigation, period of investigation (POI) is taken from **1st January 2009 to 31st March 2010 (15 months)**. The injury period will however cover the periods April, 2006-March, 2007, April, 2007-March, 08 April, 2008-March, 2009 and the POI.

### Submission of information

16. The exporters and importers known to be concerned and domestic industry are being informed separately to enable them to file all information relevant in the form and manner prescribed. Any other party interested to participate in the present investigation may write to:

The Designated Authority  
(Directorate General of Anti-Dumping & Allied Duties), Government of India, Ministry of Commerce & Industry, Department of Commerce Udyog Bhavan, New Delhi-110011.

### Time limit

17. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notifica-

tion. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the facts available on record in accordance with the Rules supra.

### Submission of Information on Non-Confidential basis

18. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra. The non-confidential version or non-confidential summary of the confidential information should be in sufficient detail to provide a meaningful understanding of the information to the other interested parties. If in the opinion of the party providing such information, such information is not susceptible to summary; a statement of reason thereof is required to be provided.

19. Notwithstanding anything contained in para above, if the Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information.

### Inspection of Public File

20. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

21. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra.

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

## 400 Series having Width below 600 mm from EU, Korea and USA

[Ref: F.No.14/19/2010-DGAD dated 16<sup>th</sup> August 2010]

*Subject: Initiation of Anti-dumping investigation concerning imports of Stainless Steel Cold Rolled Flat Products of 400 series having width below 600 mm originating in or exported from European Union, Korea RP and USA*

M/s JSL Ltd. has filed an application before the Designated Authority (hereinafter referred to as the Authority) in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the Act) and 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 referred to as the Rules) for initiation of Anti-Dumping investigation concerning imports of Stainless Steel Cold Rolled Flat Products of 400 series having width below 600 mm originating in or exported from European Union, Korea and USA (hereinafter referred to as subject countries).

2. AND WHEREAS, the Authority finds that sufficient evidence of dumping of the subject goods by the subject countries, 'injury' to the domestic industry and causal link between the dumping and 'injury' exist to justify initiation of an anti-dumping investigation; the Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of the Rules 5 of the said Rules, to determine the existence, degree and effect of any alleged dumping and to recommend the amount of antidumping duty, which if levied would be adequate to remove the 'injury' to the domestic industry.

## Domestic Industry & Standing

3. The application has been filed by M/s JSL Ltd. This producer has provided information relevant to the present investigation. The production of the applicant company constitutes more than 50 % of total Indian production.

The Authority has determined that (a) production of the applicant company constitutes a major proportion in Indian production and; (b) the application has been made by or on behalf of the domestic industry.

4. The Authority after examining the above, prima facie determines that the petitioner constitutes domestic Industry within the meaning of the rule 2(b) read with 2(d) and the application satisfies the criteria of standing in terms of Rule 5 of the Rules.

## Product under consideration

5. The product under consideration is 'Cold Rolled Flat Products of Stainless Steel of 400 series having a width of less than 600mm including all Ferritic & Martensitic grades excluding Razor Blade Steel'.

6. The subject goods are used for manufacture of process equipments, railways, pipes & tubes, automotive components, industrial fabrication, industrial cutting tools, surgical knives & other cutting tools, pumps etc.

7. The subject goods are classified under Custom Headings 7220.20.10, 7220.20.21, 7220.20.22, 7220.20.29, 7220.20.90, 7220.90.10, 7220.90.21, 7220.90.22, 7220.90.29 and 7220.90.90. The Customs classification is indicative only and is in no way binding on the scope of the present investigation.

## Like Articles

8. The applicant has claimed that the goods produced by them are "like articles" to the goods originating in or exported from the subject countries. There are no differences either in the technical specifications, quality, functions or end-uses of the dumped imports and the domestically produced subject goods. The subject goods produced by the domestic industry and imports from subject countries are comparable and technically & commercially substitutable. Therefore, for the purpose of investigation, Cold Rolled Flat Products of Stainless Steel of 400 series of the description mentioned above by the applicant are being treated as like articles to the subject goods being imported from subject countries within the meaning of the Anti Dumping Rules.

## Countries involved

9. The countries involved in the present investigation are European Union, Korea RP and USA.

## Dumping

### Normal Value

10. The applicant has submitted details of the published prices of the subject goods from MEPS Stainless Steel Review for EU, Korea RP and USA. It is also submitted that the prices reported in the said journal are for thickness 2.0MM.

## Anti-dumping Review on Sodium Cyanide Dropped

[Ref: F.No.15/6/2010-DGAD dated 16<sup>th</sup> August 2010]

*Subject: Sunset Review Investigation of Anti-dumping duty on import of Sodium Cyanide originating in or exported from Korea RP and United States of America- Termination of the Investigation*

Whereas, as per Judgment passed by Hon'ble Delhi High Court in WP No 16893 of 2006, the subject SSR investigation was initiated under Section 9A (5) the Customs Tariff (Amendment) Act 1995 read with Rule 23 of AD Rules, examine whether cessation of the duty would lead to continuation or recurrence of dumping and injury.

2. And whereas Hindustan Chemicals Company, earlier known as Cyanides and Chemicals Company, the domestic industry in the original investigation as well first SSR were requested to submit relevant information in the form and manner prescribed and to make their views known to the Authority relating to the present review and were allowed forty days (40 days) from the date of publication of the review notification to submit the information related to the case.

3. And whereas the said Hindustan Chemicals Company vide their communication dated 28th July, 2010 have submitted that they

would not like to pursue the case at this stage and would like to revisit the same hereinafter, as and when required.

4. Section 9A (5) of the Customs Tariff Act provides that the anti-dumping duty imposed shall, cease to have effect on the expiry of five years from the date of such imposition, provided that the Central Government, in a review, is of the opinion that the cessation of such duty is likely to lead to continuation or recurrence of dumping and injury. In the instant case, since there is no information on record to establish that the cessation of the present duty is likely to lead to continuation or recurrence of dumping and injury, the Authority does not consider it appropriate to recommend extension of the anti dumping duties earlier imposed. Therefore, the Authority hereby terminates the investigation initiated vide notification No.15/6/2010-DGAD dated 9th June, 2010, all proceedings connected with this case and recommends that the anti dumping duties need not be extended further.

However the subject goods which are imported into India are in the thickness range of 0.5MM to 2.00MM with a majority in the range of 0.5MM to 1.20MM. Therefore, the prices reported in the said journal are adjusted on a conservative basis by considering the width as 0.8MM as average size

11. For the purpose of initiation, the Authority has prima-facie considered the normal value of subject goods in subject countries as claimed by the applicant.

## Export Price

12. Since import data from DGCI&S is not available for the whole Period of Investigation, as stated by the petitioner, the export prices have been claimed on the basis of transaction-wise import data obtained from Cybex Exim Solutions Pvt. Limited. Adjustments have been claimed on ocean freight, marine insurance, port handling and commission to arrive at the export price at ex-factory level. The Authority notes that there is sufficient prima facie evidence of the net export price for the subject goods from the subject countries.

## Dumping Margin

13. There is sufficient prima facie evidence that the normal values of the subject goods in the subject countries are significantly higher than the net export prices indicating prima-facie that the subject goods are being dumped by the exporters from the subject countries. Normal value and export price have been compared at ex-factory level which shows significant dumping margin in respect of subject countries.

## Injury and Causal Link

14. The petitioner has furnished information on various parameters relating to material injury. The applicant has furnished prima facie evidence regarding the injury having taken place as a result of the alleged dumping from subject countries in the form of fall in profitability, return on capital employed, cash flow, effect on domestic prices and significant price undercutting and price underselling. There is sufficient prima-facie evidence of the material injury being suffered by the domestic industry and the same is being caused by dumped imports from subject countries.

## Period of Investigation

15. For the purpose of initiation, the Authority has considered the information provided for the period 1st January 2009 to 31st December 2009 (12 months). However, for purpose of the present investigation, period of investigation (POI) is taken from **1st January 2009 to 31st March 2010 (15 months)**. The injury period will however cover the periods April, 2006-March, 2007, April, 2007-March, 08 April, 2008-March, 2009 and the POI.

## Submission of information

16. The exporters and importers known to be concerned and domestic industry are being informed separately to enable them to file all information relevant in the form and manner prescribed. Any other party interested to participate in the present investigation may write to:

The Designated Authority (Directorate General of Anti-Dumping & Allied Duties), Government of India, Ministry of Commerce & Industry, Department of Commerce Udyog Bhavan, New Delhi-110011.

#### Time limit

17. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the facts available on record in accordance with the Rules supra.

#### Submission of Information on Non-Confidential basis

18. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra. The non-confidential version or non-confidential summary of the confidential information should be in sufficient detail to provide a meaningful understanding of the information to the other interested parties. If in the opinion of the party providing such information, such information is

not susceptible to summary; a statement of reason thereof is required to be provided.

19. Notwithstanding anything contained in para above, if the Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information.

#### Inspection of Public File

20. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

21. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra.

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

## Dumping Investigation on Opal Glassware from China and UAE

[Ref: F.No.14/24/2010-DGAD dated 26<sup>th</sup> August 2010]

Sub:- Initiation of anti-dumping investigation concerning imports of Opal Glassware originating in or exported from China PR and UAE.

M/s TPM Consultants & Solicitors, on behalf of M/s La Opala Rg Ltd., has filed an application before the Designated Authority (herein after referred to as the Authority) in accordance with the Customs Tariff Act, 1975 as amended in 1995 and Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on dumped articles and for determination of injury) Rules, 1995 (herein after referred to as Rules) for initiation of anti dumping investigation concerning alleged dumping of Opal Glassware (hereinafter referred to as subject goods) originating in or exported from China PR and UAE (hereinafter referred to as subject countries).

2. AND WHEREAS, the Authority finds that sufficient prima facie evidence of dumping of subject goods by the subject countries, injury to the domestic industry and causal link between the dumping and injury exist, the Authority hereby initiates an investigation into the alleged dumping, and consequential injury to the domestic industry in terms of the Rules 5 of the said Rules, to determine the existence, degree and effect of alleged dumping and to recommend the amount of antidumping duty, which if levied would be adequate to remove the injury to the domestic industry.

#### Domestic Industry

3. The application has been filed on behalf of M/s La Opala Rg Ltd. This producer has provided information relevant to the present investigation. The production of the applicant com-

pany constitutes more than 50 % of total Indian production. The Authority has determined that (a) production of the applicant company constitutes a major proportion in Indian production and; (b) the application has been made by or on behalf of the domestic industry.

4. The Authority after examining the above, prima facie determines that the petitioner constitutes domestic Industry within the meaning of the rule 2(b) read with 2(d) and the application satisfies the criteria of standing in terms of Rule 5 of the Rules.

#### Product under consideration

5. The product under consideration in the present petition is Opal Glassware of all types. Opal Glass is a milky white glass, widely used in lighting fixtures and tableware. It has a property of diffusing light, which makes Opal Glassware attractive. Sand/ Quartz, Lime, Dolomite, Trona, Orthoclase, Borax, Albite are used to produce opal glass for manufacturing opal glassware. The product under consideration is used for general serving including serving of tea, coffee, soup, and snacks.

6. Opal Glassware is classified under Custom Sub Heading No. 7013 under the Custom Tariff Act, 1975.

#### Like Articles

7. The applicant has claimed that the goods produced by them are "like articles" to the goods originating in or exported from the subject coun-

tries. The subject goods produced by the domestic industry and imports from subject countries are comparable, technically and commercially substitutable in terms of physical, technical specifications, functions or end-uses. Therefore, for the purpose of investigation, the opal glassware produced by the applicant are being treated as like articles of opal glassware imported from subject countries within the meaning of the Anti Dumping Rules.

#### Countries involved

8. The countries involved in the present investigation are China PR and UAE.

#### Dumping

##### Normal Value

Petitioner has claimed China as a non market economy country and has claimed normal value in accordance with Para-7, Annexure-I to the Rules. Petitioner has claimed normal value on the basis of estimates of cost of production, including selling, general & administrative overhead and reasonable profit. Constructed normal value thus claimed is considered as prima facie evidence of normal value for China for the purpose of initiation. In respect of UAE normal value is also constructed by the Petitioner which is considered as the prima facie evidence of normal value for UAE. For the purpose of initiation, the Authority has prima-facie considered the normal value of subject goods in subject countries as claimed by the petitioner.

##### Export price

Export price has been claimed considering volume and value of imports for the proposed period of investigation as per transaction wise data released by IBIS. The relevant import transactions have been converted into weight by the petitioner. Import price has been determined by considering all known imports of the product under consideration. Adjustments are claimed towards ocean freight, marine insurance, commission, port handling, inland transportation and bank commission to arrive at the ex-factory export price. The Authority notes that there is sufficient prima facie evidence of the net export price for the subject goods from the subject countries.

##### Dumping Margin

13. There is sufficient evidence that the normal values of the subject goods in the subject countries are significantly higher than the net export prices indicating prima-facie that the subject goods are being dumped by the exporters from the subject countries. Normal value and export price have been compared at ex-factory level which shows significant dumping margin in respect of subject countries.

##### Injury and Causal Link

14. The petitioner has furnished information on various parameters relating to material injury. The applicant has furnished evidence regarding the injury having taken place as a result of the alleged dumping in the form of fall in capacity utilization, return on capital employed and prof-

itability. Further prima-facie evidence is available indicating price undercutting and price suppression effects of dumped imports from subject countries. There is sufficient prima-facie evidence of the material injury being suffered by the domestic industry and the same being caused by dumped imports from subject countries.

### Period of Investigation

15. The period of investigation in this case is 1st April 2009 -31st March 2010. For the purpose of injury determination, Preceding three years i.e. 2006-07, 2007-08 and 2008-09 will be considered.

### Submission of information

16. The exporters and importers known to be concerned and domestic industry are being informed separately to enable them to file all

information relevant in the form and manner prescribed. Any other party interested to participate in the present investigation may write to:

The Designated Authority  
(Directorate General of Anti-Dumping & Allied Duties), Government of India, Ministry of Commerce & Industry, Department of Commerce Udyog Bhavan, New Delhi-110011.

### Time limit

17. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the facts available on

record in accordance with the Rules supra.

### Inspection of Public File

18. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

19. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra.

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

## Focus Product Benefits for Finished Leather

*Subject: Inclusion of Finished Leather in the Focus Product Scheme of FTP 2009-14:- Appendix 37D of Handbook of Procedure Vol. 1 and some minor corrections in Appendix 37A.*

06-PN(RE) In exercise of powers  
30.08.2010 conferred under paragraph 2.4  
(DGFT) of the Foreign Trade Policy,  
2009-2014, the Director  
General of Foreign Trade hereby makes the following amendments in the Handbook of Pro-

cedures Vol.1 (Appendices and Aayat Niryat Forms) 2009-2014:-

1. In **Appendix 37D** of Focus Product Scheme, the following is added at the end in **Table 4** for exports made w.e.f 1.4.2010:

**TABLE 4: NEW FOCUS PRODUCTS**

SNo.	FPS Product Code	ITC (HS) Code	Description
159	159	4107	FINISHED LEATHER: LEATHER FURTHER PREPARED AFTER TANNING/ CRUSTING, INCLUDING PARCEMENT-DRESSED LEATHER OF BOVINE (INCLUDING BUFFALO) OR EQUINE ANIMALS, WITHOUT HAIR ON, WHETHER OR NOT SPLIT (OTHER THAN LEATHER OF HEADING 4114).
160	160	4112	FINISHED LEATHER: LEATHER FURTHER PREPARED AFTER TANNING / CRUSTING, INCLUDING PARCEMENT-DRESSED LEATHER OF SHEEP/LAMB WITHOUT WOOL ON, WHETHER OR NOT SPLIT (OTHER THAN LEATHER OF HEADING 4114).
161	161	4113	FINISHED LEATHER: LEATHER FURTHER PREPARED AFTER TANNING CRUSTING, INCLUDING PARCEMENT-DRESSED LEATHER OF OTHER ANIMALS, WITH OUTER WOOL/ HAIR ON, WHETHER OR NOT SPLIT (OTHER THAN LEATHER OF HEADING 4114).

2. In Public Notice No. 2/(RE2010)/2009-14 dated 23.8.2010, Instant Tea and CSNL Cardanol have been included in Appendix 37A. The Sr. Nos. and VKGUY product code for 'Instant Tea' is corrected to read as 5 and that for 'CSNL Cardanol' as 6.

This issues in public interest.

## ACP Scheme Extended to Export Houses and Trading Houses

### Conditions of Turnover and Duty at Rs 10 Cr or Rs 1 Cr Continue

*Subject: Extension of ACP Programme to Export Houses / Trading Houses.*

29-CBEC Kind attention is invited to  
20.08.2010 Board's Circular No.42/2005-  
(DoR) Cus dated 24.11.2005  
introducing Accredited Clients  
Programme (ACP) to grant assured facilitation to importers who have demonstrated willingness to comply with Customs laws.

2. Representations have been received in the Board from Trade and Industry Associations requesting to extend the benefit of ACP scheme

to the category of status holders like Export Houses, Star Export Houses, Star Trading Houses etc. Requests have also been made to relax the criteria prescribed vide Board's Circular No.42/2005-Customs dated 24.11.2005 regarding eligibility for grant of ACP status in cases booked in respect of Customs, Central Excise and Service Tax issues so that purely technical cases should not become a disqualification.

3. The matter has been examined in the Board. In order to extend the facility of ACP to other categories of importers, it has been decided to amend Para 7(i) of the Circular No.42/2005-Cus dated 24.11.2005 to include the status holders under the Foreign Trade Policy (FTP) as an eligible category for grant of ACP. Accordingly, the Para 7(i) of the Circular No.42/2005-Cus dated 24.11.2005 will read as follows:

"7(i) They should have imported goods valued at Rs. Ten Crores [assessable value] in the previous financial year; or paid more than Rs. One Crore of Customs duty in the previous financial year; or, in the case of importers who are also Central Excise assesseees, paid Central Excise Duties over Rs. One Crore from the Personal Ledger Account in the previous financial year, or they should be recognized as 'status holders' under the Foreign Trade Policy."

4. It is further clarified that the status holders under the FTP shall have to fulfil the other criteria laid down in Paras 7(ii) to 7(vii) of the Circular No.42/2005-Cus dated 24.11.2005 as modified by Para 6 below, along with other conditions of the said Circular in order to become eligible for grant of ACP status.

5. In this regard, it is also clarified that in the application form attached at Annexure - 1 to Circular No.42/2005-Cus dated 24.11.2005, the following shall be inserted after SI.No.23:

"23A "Details of category of status holder granted under the FTP "

6. The Board has also considered the suggestions of the trade and industry to redefine the criteria of cases/ of infringements relating to Customs, Central Excise and Service Tax for grant of ACP status. Accordingly, it has been decided to amend the Para 7(iii) of the Circular No.42/2005-Cus dated 24.11.2005 to specify the following category of cases booked in the previous three years that would disqualify a person from the grant of ACP. Thus, the amended para 7(iii) will now read as follows:

"7(iii) They should have no cases of Customs, Central Excise or Service Tax, as detailed below, booked against them in the previous three financial years.

(a) Cases of duty evasion involving mis-

declaration / mis-statement/collusion / willful suppression / fraudulent intent whether or not extended period for issue of SCN has been invoked.

(b) Cases of mis-declaration and/or clandestine/unauthorized removal of excisable / import / export goods warranting confiscation of said goods.

(c) Cases of mis-declaration / mis-statement / collusion / willful suppression / fraudulent intent aimed at availing CENVAT credit, rebate, refund, drawback, benefits under export promotion/reward schemes.

(d) Cases wherein Customs/Excise duties

and Service Tax has been collected but not deposited with the exchequer.

(e) Cases of non-registration with the Department with intent to evade payment of duty/tax".

7. The said Circular No 42/2005 – Cus dated 24.11.2005 will be further amended by insertion of a new Para 8, which reads as under:

"8. The Chief Commissioners of Customs / Central Excise are empowered to report to Risk Management Division (RMD), Mumbai, cases meeting the identified criteria as per Para 7 (iii) above for exclusion from the ACP even though

Show Cause Notice has not been issued."

8. Further, the existing paras 8 to 15 of Circular No.42/2005-Cus dated 24.11.2005 will be re-numbered as paras 9 to 16, respectively.

9. Board's Circular No.42/2005-Cus dated 24.11.2005 stands modified to above extent.

10. A suitable Public Notice and Standing Order may be issued for the guidance of the trade and staff.

11 Difficulties faced, if any, in implementation of this Circular may be brought to the notice of the Board.

F.No.450/90/2010-Cus-IV

## Wheat Quota of 2 Lac for Bangladesh through STC and PEC

Subject: Prohibition on Export of Wheat – exemption for export to Bangladesh.

04-Ntfn(RE) In exercise of the powers conferred by Section 5 read with Section 3(2) of the Foreign Trade (Development & Regulation) Act, 1992 (No.22 of 1992) and also read with Para 1.3 and Para 2.1 of the Foreign Trade Policy, 2009-2014, the Central Government hereby makes, with immediate effect, the following amendment to Notification No. 56 / 2004-2009, dated 06.08.2010 read with Notification No. 40 /2004-2009, dated 12.05.2010 and also read with Notification No. 33 (RE-2007)/2004-2009 dated 08.10.2007, as amended from time to time.

2. With immediate effect, following para shall be added at the end of para 2 below Sl. No. 2.10

of Notification No. 56 /2009-2014 dated 06.08.2010:-

The above quantity of 2 lakh tones of wheat to Bangladesh will be exported by the PSUs of Department of Commerce viz. M/s. STC and M/s. PEC Ltd. as follows:

SNo.	Quantity (MTs)	Name of PSU through which export to be made
1.	1,00,000	STC
2.	1,00,000	PEC
Total	2,00,000.	

3. The above export by the PSUs shall be subject to the following conditions:-

(i) The PSU(s) will engage in these exports by lifting stocks from FCI at prevalent economic

cost to FCI plus the margin for the PSUs.

(ii) The PSUs would lift the quantities of wheat from the Central Pool and export on CIF basis as requested by the Government of Bangladesh. This would entail additional costs on account of freight, insurance etc. which will be borne by the Government of Bangladesh.

(iii) Ministry of External Affairs will advise the Government of Bangladesh about the PSU designated to export to that country for entering into contracts only with the designated PSUs. MEA will also inform the PSU about the designated buying agency in Bangladesh.

4. All other provisions of the Notification No.33 (RE-2007)/2004-09 dated 08.10.2007, as amended from time to time, shall remain unchanged, and shall continue to apply.

5. This issues in public interest.

## Rice Quota of 3 Lakh for Bangladesh through STC and PEC

Subject: Prohibition on Export of Non-basmati Rice – exemption for export to Bangladesh.

03-Ntfn(RE) In exercise of the powers conferred by Section 5 read with Section 3(2) of the Foreign Trade (Development & Regulation) Act, 1992 (No.22 of 1992) and also read with Para 1.3 and Para 2.1 of the Foreign Trade Policy, 2009-2014, the Central Government hereby makes, with immediate effect, the following amendment to Notification No. 55 / 2009-2014 dated 06.08.2010 read with Notification No.38 (RE-2007)/2004-2009, dated 15.10.2007 and also read with Notification No. 93 (RE-2007)/2004-2009 dated 1.4.2008, as amended from time to time.

2. With immediate effect, following para shall be added at the end of para 2 below Sl. No. 2.1.13 of Notification No. 55 /2009-2014 dated 06.08.2010:-

The above quantity of 3 lakh tones of non basmati rice (Parboiled) to Bangladesh will be exported by the PSUs of Department of Commerce viz. M/s. STC and M/s. PEC Ltd. as follows:

SNo.	Quantity (MTs)	Name of PSU through which export to be made
1.	2,00,000	STC
2.	1,00,000	PEC
Total	3,00,000.	

3. The above export by the PSUs shall be subject to the following conditions:-

(i) The PSU(s) will engage in these exports by lifting stocks from FCI at prevalent economic cost to FCI plus the margin for the PSUs.

(ii) The PSUs would lift the quantities of rice from the Central Pool and export on CIF basis as requested by the Government of Bangladesh. This would entail additional costs on account of freight, insurance etc. which will be borne by the Government of Bangladesh.

(iii) Ministry of External Affairs will advise the Government of Bangladesh about the PSU designated to export to that country for entering into contracts only with the designated PSUs. MEA will also inform the PSU about the designated buying agency in Bangladesh.

(iv) The PSUs will adhere to the guidelines prescribed by the Department of Commerce vide O.M. No. 7/4/2009-FT(ST) dated 18.02.2010

4. All other provisions of the Notification No.93 (RE-2007)/2004-09 dated 1<sup>st</sup> April, 2008, as amended from time to time, shall remain unchanged, and shall continue to apply.

5. This issues in public interest.

## Propylene SION Notified

Subject: Prescribing SION for one new products "Propylene" under Chemical & Allied Products Group.

07-PN(RE) In exercise of the powers conferred under Paragraph 2.4 of the Foreign Trade Policy, 2009-14 and Paragraph 1.1 of the Handbook of Procedures (Vol. I) (2009-14), the Director General of Foreign Trade hereby adds one new SION as A- for the export prod-

ucts "Propylene" in the Hand Book of procedures (Vol.II) as updated on 31<sup>st</sup> May, 2009 and amended thereafter from time to time, at appropriate place as mentioned in Annexure "A" to this Public Notice.

This issues in public interest.

Annexure-"A"

### Fixation of new SIONs

Sl.No.	SION No.	Export product	Qty.	Sl.No.	Import item	Qty. allowed
1.	A-3639	Propylene	1 MT	1.	Naphtha	1.2359 MT

## Commonwealth Games 2010

### Sub Contractors of OC CWG can Imports Games Goods for Commonwealth Games 2010

*Subject: Import of goods under Notification No.13/2010-Customs dated 19.2.2010 for Commonwealth Games, 2010.*

31-CBEC Attention is invited to Board  
30.08.2010 Circular No.26/2010-Customs  
(DoR) dated 09.08.2010 wherein it  
was clarified that benefit under  
the Notification No.13/2010- Customs for import  
of specified goods for Commonwealth  
Games, 2010 will not be extended to  
vendors/ sub vendors/ Contractors  
appointed by Organising Committee  
of the Commonwealth Games, (OC,  
CWG) 2010.

2. The Government has now issued  
Notification No.84/2010-Customs  
dated 27.08.2010 making amendments  
in the Notification No.13/2010-Cus-  
toms dated 19.02.2010 to include suppliers /  
contractors / vendors or sub vendors of OC,  
CWG, in the list of eligible importers. Similarly,  
the suppliers/ contractors/ vendors or sub ven-  
dors of the Prasar Bharti or of the broadcasting  
right holders have also been included as eligible  
importers in case of specified goods under the  
said notification.

3. Accordingly, it is clarified that suppliers /  
contractors / vendors or sub vendors of OC,  
CWG, the Prasar Bharti or of the broadcasting  
right holders will also be eligible for benefit of the  
said Notification i.e. Notification No. 13/2010-  
Customs dated 19.02.2010, as amended by  
Notification No.84/2010-Customs dated

27.08.2010.

4. It is also clarified that in case of imports by  
supplier / contractors / vendors or sub vendors  
of the OC, CWG, Prasar Bharti or of the broad-  
casting right holders, as the case may  
be, the OC, CWG or Prasar Bharti will  
furnish an undertaking in term of Notifi-  
cation No.13/2010-Customs dated  
19.02.2010 as amended by Notifica-  
tion No.84/2010-Customs dated  
27.08.2010. This undertaking ensures  
adherence to the conditions of the  
said Notification and in the event of  
failure to do so, OC, CWG or Prasar  
Bharti, as the case may be, will pay the  
duty on the imported goods.

5. Notification No.84/2010-Customs dated  
27.08.2010 has also expanded the list of speci-  
fied goods allowed duty free imports against  
Sl.Nos.1 and 2 of Notification No.13/2010-Cus-  
toms dated 19.02.2010.

6. Board's Circular No.26/2010-Customs dated  
09.08.2010 and Circular No. 28/2010-Customs  
dated 13.08.2010 stand modified to the above  
extent.

7. Suitable Public Notice / Standing Order may  
be issued for wide publicity and to guide trade  
and field officials.

*F.No.528/16/2008-Cus (TU)*



### OC of CWG Declared as Notional Importer to Speed Clearance

*Subject: Import of goods under Notification No.13/2010-Customs dated 19.2.2010 for Commonwealth Games, 2010.*

28-CBEC Attention is invited to  
13.08.2010 Notification No.13/2010-  
(DoR) Customs dated 19.2.2010  
granting exemption from  
customs duty on specified goods imported into  
India for the purpose of organizing the Common-  
wealth Games to be held in October, 2010 in  
New Delhi. In this regard, references have been  
received from the Organizing Committee Com-  
monwealth Games, 2010 Delhi (OC, CWG) re-  
garding difficulties faced by importers other than  
the importers specified in the Notification No.13/  
2010-Customs dated 19.2.2010 as they are not  
covered under the scope of the said Notification.  
As a result a large number of consignments are  
pending clearance at different ports in the coun-  
try causing delay in smooth organisation of the  
game. It was therefore requested that a suitable  
clarification may be issued by the Board in this  
regard.

2. The matter has been examined in the Board  
in consultation with representatives of OC, CWG,  
Prasad Bharti and Ministry of Youth Affairs and  
Sports. Accordingly, the Board has decided that  
in order to ensure expeditious clearances of all  
consignments already imported and pending  
clearances at various Ports/ICDs, the following

steps may be taken:

(i) OC CWG or Prasar Bharti, as the case  
may be, will apply to Customs for NOC/Permis-  
sion to amend the import documents viz. IGM  
and Bill of Lading/Airway Bill to include itself as  
the importer in place of the contractors/vendors/  
sub-vendors. This application will be accompa-  
nied by a NOC from the importer on record i.e.  
contractors/vendors/sub-vendors of OC CWG/  
Prasar Bharti as the case may be.

(ii) Customs will expeditiously grant the re-  
quested NOC/Permission after which the OC  
CWG or Prasar Bharti, as the case may be, shall  
approach the shipping line/airline concerned for  
amending the IGM/Bill of Lading by  
following...the...prescribed...procedure.

(iii) Customs will use its good offices to re-  
quest the shipping line/airline to expedite the  
required amendment as per procedure.

(iv) OC CWG or Prasar Bharti, as the case  
may be, and importer on record will suitably  
endorse the invoice.

(v) After necessary amendments in the Bill of  
Lading/Airway Bill and IGM, the Customs will  
accept the request of OC CWG or Prasar Bharti,  
as the case may be, and the former importer on

record i.e. contractors/vendors/sub-vendors to  
amend the Bill of Entry to reflect the OC CWG or  
Prasar Bharti, as the case may be, as the new  
importer. In the event a Bill of Entry has not  
already been filed, OC CWG or Prasar Bharti as  
the case may be, will file the same in its own  
name.

(vi) Besides fulfilling all legal requirements  
(licensing requirements, IEC requirement etc.)  
OC CWG or Prasar Bharti, as the case may be,  
will furnish an undertaking in term of Notification  
No.13/2010- Customs dated 19.02.2010 as per  
Annexure(s). This undertaking ensures adher-  
ence to the conditions of the said Notification  
and in the event of failure to do so, OC CWG or  
Prasar Bharti, as the case may be, will pay the  
duty on the imported goods.

(vii) Customs will allow clearance of the im-  
ported goods after ensuring adherence to the  
normal import clearance procedure but at the  
same time take care that there is no delay on its  
part since the clearance are for the CWG, which  
is an event of national importance.

3. Suitable Public Notice / Standing Order may  
be issued for wide publicity and to guide trade  
and field officials.

4. Difficulty faced, if any, may be brought to  
notice of the Board.

*F.No.528/16/2008-Cus (TU)*

Annexure- I

100 Rupees non judicial stamp paper

#### Undertaking

Know all men by these present that we, the  
Organising Committee, Commonwealth Games  
Delhi 2010, NDCC Tower II, Opposite Jantar  
Mantar, Jai Singh Road, New Delhi – 110001,  
do hereby declare and bind us, with the Presi-  
dent of India represented by the Commissioner  
of Customs, \_\_\_\_\_ (Port / Airport / ICD)  
hereinafter referred as the said Commissioner  
which shall include the person for the time being  
performing the duties of the Commissioner of  
Customs for the purpose of clearance of goods  
mentioned in the schedule annexed hereto, here-  
inafter referred as the goods, that

1. We are the importers of these goods and the  
same have been imported by us from \_\_\_\_\_  
vide Invoice No. \_\_\_\_\_ dated \_\_\_\_\_, Bill  
of lading / Airway Bill No. \_\_\_\_\_ in relation  
to the Games 2010;

2. That these goods have been imported for  
the purpose of the Games 2010;

3. We undertake that, as stipulated in the  
Notification No.13/2010-Customs dated  
19.02.2010, hereinafter referred to as the "said  
notification", such goods shall be either con-  
sumed, utilized or re-exported, within three  
months from the conclusion of the Games 2010  
or shall be handed over to the Sports Authority  
of India or the Delhi Development Authority or  
the Government of the National Capital Territory  
of Delhi, as the case may be, the proof of which  
shall be produced to the satisfaction of the  
Assistant/Deputy Commissioner of Customs.

4. In the event of failure to comply with the

condition of the said Notification, we bind ourselves to pay the duty which would have been otherwise leviable thereon but for the exemption contained under the said notification;

5. That this Undertaking shall be enforceable against us notwithstanding that proceedings have been taken against any other party or disputes raised by any other party with regard to any of the liabilities or proceedings before any officer, tribunal or court with regard thereto or in connection therewith.

Schedule of the goods referred to above

Bill of Lading / Airway Bill Number and date:

IGM Number and date:

Bill of Entry Number and date:

Quantity:

Description of goods:

Assessable value:

Rate of duty:

Duty amount payable:

Authorised Signatory  
Joint Director General, Coordination/  
Director, Coordination  
Organising Committee,  
Commonwealth Games 2010

Date and Place

Accepted on behalf of the President of India

Assistant / Deputy Commissioner of Customs

Date \_\_\_\_\_

Place \_\_\_\_\_

Annexure- II

100 Rupees non judicial stamp paper

### Undertaking

Know all men by these present that we, Prasar Bharti, 2<sup>nd</sup> Floor, PTI Building, Parliament Street, New Delhi – 110001, do hereby declare and bind us, with the President of India represented by the Commissioner of Customs, \_\_\_\_\_ (Port / Airport / ICD) hereinafter referred as the said Commissioner which shall include the person for the time being performing the duties of the Commissioner of Customs for the purpose of clearance of goods mentioned in the schedule annexed hereto, hereinafter referred as the goods, that

1. We are the importers of these goods and the same have been imported by us from \_\_\_\_\_ vide Invoice No. \_\_\_\_\_ dated \_\_\_\_\_, Bill of lading / Airway Bill No. \_\_\_\_\_ in relation to the Games 2010;

2. That these goods have been imported for the purpose of the Games 2010;

3. We undertake that, as stipulated in the Notification No.13/2010-Customs dated 19.02.2010, hereinafter referred to as the "said notification", such goods shall be re-exported, within three months from the conclusion of the Games 2010, the proof of which shall be produced to the satisfaction of the Assistant/Deputy Commissioner of Customs.

4. In the event of failure to comply with the condition of the said Notification, we bind ourselves to pay the duty which would have been

otherwise leviable thereon but for the exemption contained under the said notification;

5. That this Undertaking shall be enforceable against us notwithstanding that proceedings have been taken against any other party or disputes raised by any other party with regard to any of the liabilities or proceedings before any officer, tribunal or court with regard thereto or in connection therewith.

Schedule of the goods referred to above

Bill of Lading / Airway Bill Number and date:

IGM Number and date:

Bill of Entry Number and date:

Quantity:

Description of goods:

Assessable value:

Rate of duty:

Duty amount payable:

Authorised Signatory  
Prasar Bharti, 2<sup>nd</sup> Floor, PTI Building,  
Parliament Street, New Delhi – 110001.

Date and Place

Accepted on behalf of the President of India

Assistant / Deputy Commissioner of Customs

Date \_\_\_\_\_

Place \_\_\_\_\_

essential and standard accessories; Geo Textiles Ground Cloth or Carpet with cutting and laying Machines with standard and essential accessories."

(ii) in column (3),-

(a) in condition (a), after the words and figures "Common Wealth Games, 2010," the words and figures "suppliers or contractors or vendors or sub-vendors of the Organising Committee of the Common Wealth Games, 2010 or" shall be inserted;

(b) in condition (c), the following proviso shall be inserted namely:-

"Provided that in the case of imports by suppliers or contractors or vendors or sub-vendors of the Organising Committee of the Games, the Organising Committee of Games shall, at the time of clearance of the goods, furnish an undertaking that all such goods shall be consumed or re-exported or shall be handed over to the Sports Authority of India or Delhi Development Authority or Government of National Capital Territory of Delhi within three months from the conclusion of the Games and shall pay an amount equal to the duty leviable on the imported goods but for the exemption under this notification in the event of its failure to do so."

(B) against S.No. 2,-

(i) in column (2), after the words 'under Overlays' the following shall be inserted, namely:-

"and the following goods and equipment,-

(a) Stage lighting and searchlights with control panels, monitors, cables, trusses, pulleys with standard and essential accessories,

(b) Communication system-wired intercom system complete with radio instruments or batteries or cables or monitors or speakers with all standard and essential accessories;

(c) Projectors, cameras, monitors, watchouts, cables with standard and essential accessories;

(d) Aerial rigging for staging - Scenic flying Equipment (Hawk equipment), equipment for tree canopy riggings with standard and essential accessories

(e) Pyrotechnics - fireworks with monitors, triggering consoles, cables with essential and standard accessories

(f) Helium gas (Through M/s INOX)

(g) Sound Equipment - complete with speakers systems, audio controls, monitors, relay systems and replay systems with all standard and essential accessories

(h) ReFlex mesh - plastic netting statistic code: 39269097

(i) Spreading trailer 2006

(j) Koro topmaker 2006

(k) John deere 5525 tractor 2007

(l) Turf laying and harvesting machinery and accessories

(m) Ground protection - armour deck with and without holes with fixing equipments and cables with standard and essential accessories

(n) Creative materials - cloth, inflatables, essential equipments, instruments with all stan-

## Sports Goods Import for Commonwealth Games 2010

Ntfn 84 In exercise of the powers  
27.08.2010 conferred by sub-section (1) of  
(DoR) section 25 of the Customs Act,  
1962 (52 of 1962), the Central

Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 13/2010-Customs, dated 19<sup>th</sup> February 2010, published

in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R.94 (E), dated the 19<sup>th</sup> February 2010, namely:-

In the said notification, in the TABLE, -

(A) against S.No.1, -

(i) In column (2), after item (b), the following shall be inserted, namely:-

"(c) Aerostat – with all standard equipment and frames and- tools, including skirtings with

dard and essential accessories for Handover Ceremony for Glasgow 2014."

(ii) in column (3), in condition (a) after the words and figures "the Games, 2010 or" the words and figures "suppliers or contractors or vendors or sub-vendors of the Organising Committee of the Commonwealth Games, 2010 or" shall be inserted;

(C) against S.No.3 in column (3), in condition (a), after the words "Imported by", the words and figures "Organising Committee of the Commonwealth Games, 2010 or" shall be inserted;

(D) against S.No.4 in column (3) , -

(a) in condition (a), after the words " and Prasar Bharati " the words "suppliers or contractors or vendors or sub-vendors of the Prasar Bharathi or of the broad casting right holders" shall be inserted;

(b) in condition (c), the following proviso shall be added, namely:-

"Provided that in the case of imports by suppliers or contractors or vendors or sub-vendors of the Prasar Bharathi or of the broad casting right holders, the Prasar Bharati shall, at the time of clearance of the goods, furnish an

undertaking that the imported items other than consumables, shall be re-exported within three months from the conclusion of the Games and shall pay an amount equal to the duty leviable on the imported goods but for the exemption under this notification in the event of its failure to do so."

(E) against S. No.5, in column (3), in condition (a), after the words "Imported by", the words and figures "Organising Committee of the Commonwealth Games, 2010 or" shall be inserted;

[F.No.354/12/2010-TRU]

## Arms and Ammunition Import by Commonwealth Games Federation

*Subject: Exemption for import of goods for Commonwealth Games 2010.*

05-Ntfn(RE) In exercise of the powers  
31.08.2010 conferred by Section 5 read  
(DGFT) with Section 3(2) of the  
Foreign Trade (Development &  
Regulation) Act, 1992 (No.22 of 1992) and also  
read with Para 1.3 and Para 2.1 of the Foreign  
Trade Policy, 2009-2014, the Central Govern-  
ment hereby grants the exemption from DGFT  
import authorization, required in terms of para  
2.7 of FTP, for import of following goods, im-  
ported into India for the purpose of participation  
in the Commonwealth Games, 2010 by the  
Commonwealth Games Federation Members or  
Commonwealth Games Associations or partici-  
pating athletes in relation to Games 2010, in  
terms of Ministry of Finance Notification No. 13/  
2010-Customs dated 19<sup>th</sup> February, 2010.

Arms and Ammunition of the following descrip-  
tion:

- a) Rifles- .22 Calibres (should have at least an outside barrel diameter of 10 mm.)
- b) Pistols - .22 and .32 Calibres (barrels should be measured from the Breach point)
- c) Air Rifles/Pistols - 4.5 mm /0.177 Calibers
- d) Shot Guns - 12 bore (should be "Ventilated Rib" and "Single Sighting Planes")

e) Air pellets – Diablo type (i.e. with flat nose and met round or painted nose)

f) Ammunition- 12 bore cartridges, .27 air pellets, .22 bore rapid fire (shot) cartridges, .22 bore pistol match standard sports, .32 bore wad –cutters, .62 Full bore Ammunition.

g) .32 bore revolver (barrel length should not be less than 41/2" and measurements are to be taken from the end of the cylinder holding the cartridge)

h) .22 bore revolver- (ban-el length same as above)

i) Telescope

2. The import of all the above category of goods will be subject to the conditions specified under Ministry of Finance Notification No. 13/2010-Customs dated 19<sup>th</sup> February, 2010 and also the following conditions:

a) In the case of arms, the same will be taken back by the participants/re-exported at the time of departure of the participants and in no case any participant would dispose off or leave his arms in India. Any case of arms which can not be re-exported will be brought to the notice of Ministry of Home Affairs (MHA) by the Organising Committee of Commonwealth Games 2010 (OC CWG) for further instructions. A proper account

of import and re-export of all the arms imported by the CWG Federation Members, CWG Associations and participating athletes will be kept by the OC CWG for scrutiny by Customs and other concerned authorities.

b) In the case of ammunition, the following conditions will be scrupulously followed:-

(i) The ammunition will be properly accounted for by the OC CWG to the licensing authority in Delhi Policy namely, the Addl. CP (Licensing), New Delhi and utilization certificate in respect of the utilized ammunition will be issued at the end of games.

(ii) The unutilized ammunition will be deposited with the Sports Authority of India who will issue the same to the eligible sports persons as per the norms approved/ to be approved by the Ministry of Youth Affairs and Sports.

(iii) The unutilized ammunition will not be disposed of to any ineligible person or disposed of otherwise without prior approval of MHA.

c) In the case of both arms and ammunition proper security measures as per sub-para (iv) of the SOP dated 23<sup>rd</sup> February, 2009 namely, proper security measures by the OC CWG with the help of Delhi Police and other security agencies from the time of arrival in India to departure of weapons and ammunition will be followed.

3. This issues in public interest.

## Exemption for Goods Imported by OC CWG

*Subject: Exemption for import of goods by the Organising Committee of Commonwealth Games 2010.*

02-Ntfn(RE) In exercise of the powers  
27.08.2010 conferred by Section 5 read  
(DGFT) with Section 3(2) of the  
Foreign Trade (Development &  
Regulation) Act, 1992 (No.22 of 1992) and also  
read with Para 1.3 and Para 2.1 of the Foreign  
Trade Policy, 2009-2014, the Central Govern-  
ment hereby grants the exemption from DGFT  
import authorization, required in terms of para  
2.7 of FTP, for import of following goods, im-  
ported into India for the purpose of organising  
the Commonwealth Games, 2010 by the  
Organising Committee of Commonwealth  
Games 2010 (OC CWG) and the importers cer-

tified by OC CWG, in terms of Ministry of Finance Notification No. 13/2010-Customs dated 19<sup>th</sup> February, 2010.

(i) Air Conditioners containing HCFC.

(ii) Telecom equipments, except 'Multichannel GSM/CDMA receivers, transmitters and transreceivers capable of receiving or transmitting or both in two or more frequencies simultaneously' and 'Thuraiya Satellite' Phones.

(iii) Second hand goods required for overlays and opening and closing ceremonies of the Games, e.g. items like air conditioners, tents,

building material, fencing, tractors for turf laying / other turf laying equipments, DG sets etc.. All such goods imported by OC CWG and certified importers will be re-exported within three months after the Games and an undertaking to this effect will be furnished by OC CWG at the time of customs clearance.

2. The import of all the above category of goods will be subject to the conditions specified under Ministry of Finance Notification No. 13/2010-Customs dated 19<sup>th</sup> February, 2010. The requirement of any other domestic Laws, Rules, Orders, Regulations, technical specifications, environmental and safety norms will be applicable on these imports.

3. This issues in public interest.

## Exchange Rates for Customs Valuation

### IMPORTS and EXPORTS

The current notification No. 77-Customs(NT) dated 27<sup>th</sup> August 2010 supersedes notification 67-Customs(NT) dated 28<sup>th</sup> July 2010.

77-Cus(NT) In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in supersession of the notification of the Government of India in the Ministry of Finance (Department of

Revenue) **No.67/2010-CUSTOMS (N.T.), dated the 28th July, 2010** vide number S.O. 1850(E), dated the 28<sup>th</sup> July, 2010, except as respects things done or omitted to be done before such supersession, the Central Board of Excise and Customs hereby determines that the rate of exchange of conversion of each of the foreign currency specified in column (2) of each of Schedule I and Schedule II annexed hereto into Indian currency or vice versa shall, **with effect from 1<sup>st</sup> September, 2010** be the rate mentioned against it in the corresponding entry in column (3) thereof, for the purpose of the said section, relating to imported and export goods.

SNo	Currency	Imported Goods		Exported Goods	
		Current	Previous	Current	Previous

**Schedule I** – Rate of exchange of one unit of foreign currency equivalent to Indian rupees

1	Australian Dollar	42.15	42.85	40.90	41.65
2	Canadian Dollar	44.85	46.05	43.60	44.85
3	Danish Kroner	8.10	8.30	7.85	8.05
4	EURO	60.35	61.80	58.70	60.15
5	Hong Kong Dollar	6.10	6.10	5.95	5.95
6	Norwegian Kroner	7.60	7.75	7.35	7.50
7	Pound Sterling	73.70	73.60	71.80	71.75
8	Swedish Kroner	6.40	6.55	6.20	6.35
9	Swiss Franc	46.10	45.30	44.85	44.10
10	Singapore Dollar	35.00	34.85	34.05	33.95
11	US Dollar	47.25	47.35	46.30	46.45

**Schedule II** – Rate of exchange of 100 units of foreign currency equivalent to Indian rupees

1	Japanese Yen	55.95	54.75	54.35	53.15
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[F.No.468/10/2010-Cus.V]

### Tariff Value on Brass Scrap Hiked by US \$106/MT

78-Cus(NT) In exercise of the powers conferred by sub-section (2) of section 14 of the Customs Act, 1962 (52 of 1962), the Board, being satisfied that it is necessary and expedient so to do, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 36/2001-Cus (N. T.), dated, the 3<sup>rd</sup> August 2001, namely: -

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

**Table**

SNo.	Chapter/ heading/ sub-heading/ tariff item	Description of goods	Tariff value US \$ (Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	447 (i.e. no change)
2	1511 90 10	RBD Palm Oil	476 (i.e. no change)
3	1511 90 90	Others – Palm Oil	462 (i.e. no change)
4	1511 10 00	Crude Palmolein	481 (i.e. no change)
5	1511 90 20	RBD Palmolein	484 (i.e. no change)
6	1511 90 90	Others – Palmolein	483 (i.e. no change)
7	1507 10 00	Crude Soyabean Oil	580 (i.e. no change)
8	7404 00 22	Brass Scrap (all grades)	3924
9	1207 91 00	Poppy seeds	2750 (i.e. no change)

[F. No. 467/4/2010-Cus.V]

**BIG's Weekly Index of Changes No 24/08-14 September 2010**

### Commodity Spot Prices in India – 03-06 September 2010

These commodity prices are taken from Multi Commodity Exchange of India (Mumbai) at 6 pm every day.

Commodity	Unit	Market	(Rs.)		
			03-Sep	04-Sep	06-Sep
CER (Carbon Trading)	1 MT	Mumbai	834.5	834	834
Chana	100 KGS	Delhi	2232	2240	2248
Masur	100 KGS	Indore	3450	3436	3405
Potato	100 KGS	Agra	410.8	409.6	410.2
Potato TKR	100 KGS	Tarkeshwar	NA	NA	NA
Arecanut	100 KGS	Mangalore	NA	NA	NA
Cashewkern	1 KGS	Quilon	NA	NA	NA
Cardamom	1 KGS	Vandanmedu	1458.5	1435.7	1386
Coffee ROB	100 KGS	Kushalnagar	NA	NA	NA
Jeera	100 KGS	Unjha	NA	NA	NA
Pepper	100 KGS	Kochi	NA	NA	NA
Red Chili	100 KGS	Guntur	NA	NA	NA
Turmeric	100 KGS	Nzmbad	13650	13650	13463
Guar Gum	100 KGS	Jodhpur	NA	NA	NA
Maize	100 KGS	Nzmbad	1114	1114.5	1122
Wheat	100 KGS	Delhi	1235.8	1234.2	1250.4
Mentha Oil	1 KGS	Chandausi	881.5	891.2	905.6
Cotton Seed	100 KGS	Akola	NA	NA	NA
Castorsd RJK	100 KGS	Rajkot	3748.5	3748.5	3810.5
Guar Seed	100 KGS	Bikaner	2080	2083	2090
Soya Bean	100 KGS	Indore	2018.5	2040.5	2034
Mustrdsd JPR	20 KGS	Jaipur	534	540	542
Sesame Seed	100 KGS	Rajkot	5788	5788	5800
Coconut Oil Cake	100 KGS	Kochi	NA	NA	NA
RCBR Oil Cake	1 MT	Raipur	NA	NA	NA
Kapaskhali	50 KGS	Akola	1137.8	1140.4	1170.5
Coconut Oil	100 KGS	Kochi	6110	6110	6240
Refsoy Oil	10 KGS	Indore	481.3	485.65	483
CPO	10 KGS	Kandla	415	420	419.7
Mustard Oil	10 KGS	Jaipur	537.7	540.8	543
Gnutoilexp	10 KGS	Rajkot	853.3	853.3	860
Castor Oil	10 KGS	Kandla	NA	NA	NA
Crude Oil	1 BBL	Mumbai	3509	3482	3482
Furnace Oil	1000 KGS	Mumbai	NA	NA	NA
Sourcnd Oil	1 BBL	Mumbai	NA	NA	NA
Brent Crude	1 BBL	Mumbai	3599	3578	3578
Gur	40 KGS	Muzngr	NA	NA	NA
Sugars	100 KGS	Kolhapur	2534	2535	2565
Sugarm	100 KGS	Delhi	2725	2750	2765
Natural Gas	1 mmBtu	Hazirabad	175.5	183.8	183.8
Rubber	100 KGS	Kochi	16325	16375	16441
Cotton Long	1 Candy	Kadi	NA	NA	NA
Cotton Med	1 Maund	Sriganganagar	NA	NA	NA
Jute	100 KGS	Kolkata	2991.5	3036	3134
Gold	10 GRMS	Ahmd	19050	18955	18965
Gold Guinea	8 GRMS	Ahmd	15301	15225	15233
Silver	1 KGS	Ahmd	30975	31100	31235
Sponge Iron	1 MT	Raipur	NA	NA	NA
Steel Flat	1000 KGS	Mumbai	NA	NA	NA
Steel Long	1 MT	Gobindgarh	25745	25710	25875
Copper	1 KGS	Mumbai	360.5	360.1	360.1
Nickel	1 KGS	Mumbai	1020.6	1020.6	1018.3
Aluminium	1 KGS	Mumbai	99.35	99.35	99.85
Lead	1 KGS	Mumbai	99.7	99.7	100.35
Zinc	1 KGS	Mumbai	99.5	99.5	99.7
Tin	1 KGS	Mumbai	1000.5	1000.5	993.5

(Source: MCX Spot Prices)

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**Dollar Exports Up by 13% in July 2010**

India's exports during July, 2010 were valued at US \$ 16240 million (Rs. 76064 crore) which was 13.2 per cent higher in Dollar terms (9.4 per cent higher in Rupee terms) than the level of US \$ 14341 million (Rs.69521 crore) during July, 2009. Cumulative value of exports for the period April-July 2010 was US \$ 68629 million (Rs 315302 crore) as against US \$ 52737 million (Rs. 256739 crore) registering a growth of 30.1 per cent in Dollar terms and 22.8 per cent in Rupee terms over the same period last year.

India's imports during July, 2010 were valued at US \$ 29170 million (Rs.136625 crore) representing a growth of 34.3 per cent in Dollar terms (29.7 per cent in Rupee terms) over the level of imports valued at US \$ 21724 million (Rs. 105312 crore) in July, 2009. Cumulative value of imports for the period April-July, 2010 was US \$ 112214 million (Rs. 515617 crore) as against US \$ 84156 million (Rs. 409518 crore) registering a growth of 33.3 per cent in Dollar terms and 25.9 per cent in Rupee terms over the same period last year.

Oil imports during July, 2010 were valued at US \$ 7665 million which was 4.4 per cent higher than oil imports valued at US \$ 7344 million in the corresponding period last year. Oil imports during April-July, 2010 were valued at US\$ 32941 million which was 37.3 per cent higher than the oil imports of US \$ 23993 million in the corresponding period last year.

Non-oil imports during July, 2010 were estimated at US \$ 21505 million which was 49.6 per cent higher than non-oil imports of US \$ 14379 million in July, 2009. Non-oil imports during April - July, 2010 were valued at US\$ 79273 million which was 31.8 per cent higher than the level of such imports valued at US\$ 60163 million in April - July, 2009.

The trade deficit for April - July, 2010 was estimated at US \$ 43585 million which was higher than the deficit of US \$ 31420 million during April -July, 2009.

**Exports & Imports: (US \$ Million)**

	<i>(Provisional)</i>	
	July	April-July
<b>Exports (including re-exports)</b>		
2009-10	14341	52737
2010-11	16240	68629
%Growth2010-11/ 2009-2010	13.2	30.1
<b>Imports</b>		
2009-10	21724	84156
2010-11	29170	112214
%Growth2010-11/ 2009-2010	34.3	33.3
<b>Trade Balance</b>		
2009-2010	-7383	-31420
2010-11	-12930	-43585