Postal Regn.No. DL(C)-01/1251/09-11
Licence to Post without Prepayment U(C)-30/09-11
RNI No. 42906/84

WORLD TRADE SCANNER

ISSN: 0971-8095

Single copy Rs. 20 $2

Vol. XXVII No 40 29 December 2010 - 04 January 2011

Promoted by Indian Institute of Foreign Trade, World Trade Centre, Academy of Business Studies

Annual subscription Rs 750

No Generic Drug Hold Up in Europe Now, India EU Strike Deal

The European Union and India will miss their target of concluding a free trade agreement by the end of 2010, but have managed to resolve a spat over EU policies that saw Indian generic drugs confiscated in European ports while in transit on their way to other developing countries.

The drug seizures, which had become an irritant in the broader FTA negotiations, took place in 2008 and 2009, when several shipments of generic drugs from India were held for weeks by officials at European ports while en route to Brazil. The medicines in question were not patented in either the source or the destination country, but were patented in Europe. Brazil and India launched a WTO dispute against the EU, claiming that the seizures violated multilateral rules governing goods in transit. Brazil, India, and other developing countries have argued that the EU is confusing legitimate generics with counterfeits, and that the drug seizures could undermine poor countries' ability to acquire cheaper medicines.

Following an EU-India summit in Brussels on 10 December, officials said that the two sides had resolved the dispute in a manner that would allow Indian generics to transit through European ports without fear of confiscation.

EU officials say that India has not yet formally withdrawn its complaint at the WTO.

As for the FTA, Brussels and New Delhi are now aiming to conclude the deal by the spring of 2011. Rahul Khullar, India's commerce secretary, said that both sides have planned an intensified work schedule in the months to come, with lead negotiators meeting at least monthly, and ministers to meet in March.

Khullar said that some chapters of the agreement were complete, such as competition, trade facilitation, and dispute settlement. Others needed more work: on goods trade, both sides are preparing revised offers of market access. Services, trade defence instruments, and rules of origin need to be finalised.

Also incomplete are controversial chapters on investment and intellectual property rights. Separate from the dispute over the treatment of generic drugs in transit, public health advocates fear that the prospective EU-India FTA may include intellectual property provisions that will threaten access to medicine for the millions of people in developing countries who rely on low-cost Indian generics to treat conditions such as HIV/AIDS. They say that leaked copies of the draft suggest that the EU is seeking rules on "test data exclusivity" that would require would-be generics manufacturers to run their own expensive, and potentially risky clinical trials, instead of using the data produced by the company that first made the drug. Critics also worry that the EU is seeking to extend the patent protection period for drugs beyond the 20 years provided for under WTO rules. Reduced competition from Indian generics could increase drug costs across the developing world. AIDS patients and advocates organised protests to coincide with the EU-India meet in Brussels, calling for the trade negotiations to safeguard access to medicine.

"Aid for Trade" Review at WTO in 2011

WTO members last week looked at efforts to lay the groundwork for next year's planned examination of ongoing efforts to use trade-related development assistance to boost poor countries' ability to participate in international commerce.

The third 'global review' of the WTO's aid-for-trade initiative is scheduled to take place in July 2011. According to the WTO secretariat, the purpose of these global reviews is to put a spotlight on aid-for-trade projects, both to improve monitoring and evaluation and to encourage both donors and recipients to step up work and make projects more effective. At a 7 December meeting of the WTO Committee on Trade and Development, members took stock of work being done to prepare for the high-profile meeting.

To help governments do this, the WTO and the Paris-based Organisation for Economic Cooperation and Development, which earlier developed a framework for the monitoring and evaluation of aid-for-trade efforts, have developed a series of detailed questionnaires for donors and recipients.

At the CTD meeting, Director-General Pascal Lamy urged members to provide input to the preparations for the review before the end of January 2011, pointing to the WTO/OECD questionnaires and a call for case stories about aid-for-trade projects. He noted that the Group of 20 leading economies pledged in November to maintain aid-for-trade spending at pre-crisis levels beyond 2011.

Secretariat officials described training events that were either planned or had already taken place in every developing country region to help members prepare for the aid-for-trade review.

The CTD meeting also saw members report on preparations for a major UN conference on least-developed countries (LDC-IV) scheduled to take place in Istanbul in May.

Aero Show in Bangalore 09-13 Feb 2011

Who Pays for this Free-for-All Display?

The aircraft giants from the world over land their latest planes to woo Indian buyer at the aero shows in India held in the Bangalore Yelahanka Airport every two years. Over 60% of the 18 or so participants are from mighty US hungry for export markets. Germany and Russia and three others comprising of Sweden, UAE and Israel follow Uncle Sam for the balance 40 percent. The next show due two months from now promises to be nearly 50 percent larger than the last one in 2009.

The top brass in the purchasing fraternity from military and civilian establishments will be wined and dined lavishly to lubricate the flow or orders in the shopping mall for aircrafts to come up at the Yelahanka Airport in February. Billions of dollars of business placed by India will keep the foreign MNCs in clover while protecting employment at home. “After all, defence of India is at stake. There can be no compromise on this”, say the national leaders in India while buying aircrafts in the shopping season.

The critics say that the aero shows are robbing the poor in India. Their hard earned money is used for acquiring expensive flying toys. It is said that the machines are of little use for fighting Taliban or the IED of the Naxals in Chattisgarh. They may be of some benefit in a possible war with China but India can fight that one only in alliance with super powers like US. We are heavily out gunned by Chinese missiles.

The non seriousness of the shopping spree is specially visible in the rough and ready manner of conducting the show from year to year. Big money is extracted from the foreign exhibitors by trade associations like CII or FICCI who secure the exhibition contract in the “import promotion” exhibition from Department of Defence Production. They charge a stiff fee of Rs. 1700/sq.ft. for space rental from the MNC exhibitors. Even the rights to clear cargo are sold at astronomical fees running into crores to private parties who, instead of getting paid by the trade association, are expected to recover their fees from the foreign participants for clearance services through customs. The trade association shares the money charged from the aircraft MNCs with the Defence Exhibition Organisation which takes at least half share in the Rs. 35 crores collected from the foreign MNCs. The exhibiting MNCs do not mind the big ticket since at the end the stiff fees will be recovered from high price sales to the military and private establishments.

At another level, the nexus between the MNCs, defence exhibition organization and the trade associations goes deeper to the point where even the elementary security procedures on customs rules are side stepped. The procedures on declaration of imported aircrafts value and quantity and detailed description in the filing of the Bill of Entry, examination of the aircraft and its stores from revenue and security point of view are not followed in the rush to cut costs and realize the stiff fees paid to the trade association. On the return leg when the aircraft is exported back after display at the aero show during its stay in India for a period of 12 days or so, the shipping bill for export is not filed. The reason for this omission is that there was no bill of entry in the first instance at the import leg. In the event, the cargo is not examined by the customs at both the import and export stage. It follows that stores like fuel which are consumed in India during the display also does not pay any duty of customs or excise.

Apart from the questions of compromise with security and non observance of clear cut customs rule of import and re-export in exhibitions, there is also the question of deviation from principles of sovereignty which are enshrined in the Constitution of India.

The Americans routinely pat the lady the Indian Ambassador, visas to Indian military officials denied, all on grounds of “national rules” which are above the norms of diplomacy, what to speak of moral decency. Yet India, led by the love of lucre allows US and even Israel and UAE to land their aircrafts at Indian military airports for the purpose of sale and exhibition without even a routine bill of entry, customs examination and bond for re-export! The CIA can smuggle phone tapping equipment in a C170 which is passed on to an intelligence operative during the display stage. There is no check on what comes in and what goes out in a routine customs examination.

These questions require serious examination and investigation as to how India has compromised sovereignty and security in the seven aero shows held till 2009 at Yelahanka Airport in Bangalore. There is a cloud in the air at the next show to be held in February 2011.

It is time that India reformats the Aero Show event and puts out a no nonsense professional profile to the foreign MNCs who wish to display their aircrafts. We should not behave like a

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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
28-Dec-10	45.1250	45.2125	45.0875	45.1125	45.1125	441191	1318175	595321	45.1700
27-Dec-10	45.1900	45.2950	45.0625	45.2725	45.2725	498157	1476616	667467	45.1500
24-Dec-10	45.1375	45.2675	45.1150	45.1475	45.1475	510064	1237860	559496	45.2300
23-Dec-10	45.1425	45.2175	45.0025	45.1950	45.1950	597475	2038050	919340	45.0200
22-Dec-10	45.2550	45.3200	45.1225	45.1425	45.1425	646252	1894590	856044	45.1300

[Source: NSE and RBI Website]

Authorised Eco Operator Scheme Drafted for Cargo Security

Implementation Slated in July Next Year

The Central Board of Excise & Customs (CBEC) has released a draft scheme of Authorized Economic Operator (AEO) based on the World Customs Organisation’s (WCO) SAFE Frame-work of Standards to secure and facilitate global trade. The SAFE Framework of Standards was adopted by the WCO, an organization of 178 Customs administrations, in 2005 to address growing concern among the Customs admini-strations about the threats posed to national as well as global security through the misuse of channels of import and export.

Under the AEO programme, a party engaged in the international movement of goods is approved by Customs as compliant with the supply chain security standards, and given benefits, such as simplified Customs procedures and reduced Customs intervention which would speed up the clearances of import and export goods.

The draft AEO scheme has been placed on CBEC’s website (www.cbec.gov.in) for inviting comments and suggestions from various stakeholders such as trade and industry. This programme encompasses various players in the international supply chain such as importers, exporters, warehouse owners, Custom House Agents, cargo forwarders and carriers. Once granted the AEO status, businesses will have a recognized quality mark which will indicate their secure role in the international supply chain and that their Customs procedures are efficient and compliant. An entity with an AEO status can, therefore, be considered a ‘secure’ trader and a reliable trading partner. This will particularly benefit small businesses that account for the majority of importers and exporters.

Under the programme, an AEO status holder can enjoy benefits such as favourable consideration in any Customs proceedings and a low risk score resulting in reduced Customs examination and inspection, clearance of cargo before duty payment.

Taking into account the response received from stakeholders, the CBEC will initiate few pilots before finalising the programme and rolling it for all eligible businesses sometime by middle of 2011.

India and Russia Signs Protocol on Trade and Investment

The Fourth India-Russia Forum on Trade & Investment was organized by the Ministry of Commerce & Industry and Ministry of Economic Development of the Russian Federation, held on 20 December 2010 in New Delhi. Mr. Sergei Ivanov, Deputy Prime Minister of the Russian Federation, and Anand Sharma, Minister of Commerce & Industry of India, participated in the meeting of the Forum.

Highlights:

Protocol was signed by R.P. Singh, Secretary, Department of Industrial Policy & Promotion, Ministry of Commerce and Industry and Mr. S.S. Voskresensky, Deputy Minister of Economic Development, Russian Federation.

Chemicals and Fertilizers

Both sides recognized the complementarity between the resources in Russia and the growing demand for fertilizers in India. Both sides also agreed that they must pursue possibility of joint investment in the fertilizers sector in two countries as well as in other resource-rich countries with the possibility of buy-back arrangement. There are sufficient opportunities for the manufacture of nitrogenous fertilizers using natural gas feedstock from Russia. Steps should also be taken for setting up of the joint venture for mining of potash and phosphate and production of phosphatic fertilizers for consumption in India.

In line with this Forum's desire during its last Session, it was noted with satisfaction that an inter-governmental MoU was concluded on co-operation in the mineral, fertilizers sector during the visit of Russian Prime Minister to India in March 2010, and that fertilizer had become one of the largest items of trade between India and Russia.

Indian side proposed to the Russian business entities that they should leverage the conducive investment atmosphere in India and invest in the Indian chemical industry. Indian Government is setting up the Petroleum, Chemicals and Petro-Chemicals Investment Regions (PCPIR) in Vishakhapatnam, Dahej in Gujarat and Haldia in West Bengal. Russian companies may consider investing in these regions.

Pharmaceuticals and Life Sciences

Both sides expressed satisfaction over the progress made in cooperation in the pharmaceutical sector, called for investment in the joint ventures in two countries and agreed that there exists huge potential for participation by Indian companies in the Pharma 2020 program of the Government of the Russian Federation.

IT & Communication

Both sides agreed that there is enormous potential for cooperation in the IT Sector for mutual benefit. The Forum also recognized the need to identify specific projects for collaboration between Indian and Russian companies in areas such as, establishment of techno-parks, BPO, KPO, IT Skills and telemedicine. Both sides also felt that finalization of the framework inter-governmental MoU on Cooperation in the area of IT would lead to increased interaction between the two countries in IT Sector.

The Russian side invited Indian companies to participate in the Skolkovo Innovation Center.

Both sides expressed satisfaction on increasing cooperation between two countries in the area of telecommunication. Indian Telecom industry is one of the fastest growing in the world and this sector offers consideration potential for investment by Russian companies. Further, there is also scope for Indian companies in Russia in the area of E-governance, since Russia is targeting to provide all State services electronically by 2015. Other potential areas for cooperation include, telemedicine, IT training and education.

Industrial Co-operation

Both sides noted that India and Russia have been long-standing partners in steel sector and this partnership has yielded excellent results over the period. There is considerable scope for participation in modernization and establishments of steel manufacturing facilities in two countries, which needs to be explored.

Indian companies like SAIL and MMTC have expressed interest in procuring coking and thermal coal from Russia. Indian companies can also participate in development of coal projects in Russia to meet the demand for coking coal for India's increasing steel production.

Both sides noted the important role played by Russian companies in setting up industrial units in core sectors in India during the post-Independence era. This was largely in the Government sector. In the current environment, while this process will continue, the private sector in the two countries has to assume a greater key role in promoting industrial cooperation.

Both sides expressed satisfaction over conclusion of long-term contracts between Indian and Russian companies for direct trade of rough diamonds. Indian side requested that in view of the potential of the Indian market, signing of such long-term agreements with MMTC Limited, Hindustan Diamond Company Private Limited (HDCPL) and Surat Rough Diamond Sourcing India Limited would greatly promote cooperation in this sector.

Both sides emphasized the need for identification of mutually agreed areas of cooperation in the mining sector. It was also proposed that both sides identify respective partner organizations from the two countries and work out a mechanism for contact and information.

Energy

Both sides outlined the prospects for enhanced cooperation between Indian and Russian companies in the Oil and Gas Sector in the following areas:

(i) upstream – oil and gas field
(ii) downstream – construction of refinery
(iii) joint projects in third countries both in upstream and downstream projects
(iv) participation of Russian companies in such projects in India.

Both sides agreed to contribute to cooperation in the trade and investment area at the regional level, especially in the area of energy efficiency, new technologies.

GPA Revision Due in First Half of 2011

WTO members this month fell short of agreeing on an update to a plurilateral agreement on government procurement, but a deal that would further liberalise access to billions of dollars worth of public procurement contracts among over forty countries is within reach in the first half of 2011, sources say.

An agreement on revising the GPA would have required parties to the accord to agree on both a revised text for the agreement and on the extent of each others' future commitments on liberalised public procurement. Ultimately, negotiators fell short on both, when a week of meetings of the government procurement came to an end on 13 December.

While most aspects of the revised text, which was first provisionally agreed to in 2006, are now effectively finalized, with legal translations of most articles finalised. However, the last article of the new text, which deals with so-called 'final provisions' (Article XXII), remains under active discussion. This section will establish rules for when the new text would come into force, when the new coverage commitments would be phased in, and possibly include details about the committee's future work programme. Sources report that countries are not at loggerheads - indeed, they made some progress on simplifying the text - there are still some differences over the details of the article, particularly with regard to the future work programme. Part of the reason for the differences would be that a revised GPA would represent the first significant overhaul and replacement of a WTO agreement, so there are no clear precedents for when and how governments should sign the accord, or what thresholds should be for its entry into force.

On the coverage of the revised GPA, the main sticking point remains disagreements between the EU and the US. Historically, the EU has believed its coverage under the GPA to be broader and more comprehensive than that of the US; Washington has rebuffed demands for reciprocation by pointing to metrics according to which its own public procurement are even more open. In addition to greater concessions from the US, Brussels is also seeking more concessions from Japan. During the recent talks, the US and Japan tabled new offers. The EU did not, although a new EU offer is expected soon. Sources report that the US was unhappy with the EU's failure to table an offer, to the extent that one stage, it seemed as though the US lead negotiator might walk out. In the end, however, the talks did not end abruptly, although they did not run as long as had been allowed for in the WTO's agenda.

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India-Russia Trade Aims at $20bn

The India Russia Intergovernmental Commission on Trade and Economic Cooperation has been a dedicated facilitator of promoting bilateral economic ties. The 16th meeting held in November this year, addressed a number of roadblocks to increasing trade and it was stressed that the trade level of less than $ 5 billion in 2009-10 was substantially below the potential that can be attained by two large and rapidly growing economies such as India and Russia.

Addressing the Plenary Session "Prospects of Russian-Indian Trade and Investment Relations Development" of 4th India-Russia Forum on Trade and Investments, on 20 December, Anand Sharma, Union Minister of Commerce and Industry, said that the target of US $ 20 billion trade by 2015 is achievable. The session was attended by the Deputy Prime Minister of the Russian Federation Mr. Sergei Ivanov; Minister of Economic Development and Trade of the Russian Federation Ms. Elvira Nabiullina; R.P. Singh, Secretary, Department of Industrial Policy & Promotion, apex chambers and senior officials from both sides.

Mr. Sharma stated that Indian and Russian economies have natural areas of synergy and India is ready to share its experience and expertise in setting up Information Technology parks. "We need to focus the possibilities of cooperation in the IT sector as the scope is immense. Now it is up to the business communities to seize the initiative", he added.

Brazil Hikes Duty on Chinese Toys as Currency Gains 37% Against Yuan

Brazil raised its tariffs on toy imports from China in a bid to help the South American country's manufacturers hurt by a 37 percent gain in the real against the yuan over the past two years.

Duties on 14 types of toys ranging from dolls and puzzles to tricycles and electric train sets will be increased to 35 percent from 20 percent until the end of 2011, the Foreign Trade Chamber said in an e-mailed statement on 27 December 2010.

The chamber said it was acting on a request from Brazilian toymakers to help them "fight" an increase in imports, 90 percent of which come from China. The higher tariffs will affect goods whose imports totaled $290 million between January and November of this year, according to trade ministry data.

Brazilian imports of Chinese goods in the 12 months through August increased 37 percent to $21.4 billion, from $15 billion in all of 2009, according to a study published this month by Brazil's state-development bank. The surge in Chinese imports, boosted by the yuan's competitive exchange rate, threaten to displace domestic sales by Brazilian manufacturers and has "important implications" for the country's industrial development, said the bank, known as BNDES.

The real's 37 percent gain against the yuan over the past two years is the third-best performance among major currencies tracked after the Australian dollar and South African rand. The 12-month non-deliverable forwards suggest traders are betting that the yuan will strengthen 2.2 percent in one year from its current spot value of 6.625 per U.S. dollar.

Toy sales in Brazil will reach 3 billion reais ($1.8 billion) this year, 49 percent of which will come from products made abroad, according to estimates by Brazil's toymakers association. In 2009, imported toys accounted for 46.8 percent of 2.7 billion reais in sales, the group said.

Crude Rise to $100 Stops as Refineries Cut Stocks

Oil supplies may come back to the U.S. Gulf Coast in January, sapping crude's drive toward $100 a barrel, after stockpiles tumbled the most in 30 years this month as refiners sought to avoid year-end tax liabilities.

Supplies in states along the Gulf of Mexico, home to more than half of U.S. stockpiles, have fallen 9.2 percent this month to 167.3 million barrels, data from the Energy Department in Washington show. Oil settled at a two-year high of $91.51 a barrel on Dec. 23, bringing this year's gain to 15 percent.

Accounting rules allow refiners to take a bigger 2010 tax deduction by cutting stockpiles that have jumped this year as prices increased. Gulf Coast supplies fell in 27 of the past 29 Decembers. They have risen in four of the past five Januaries.

Gulf Coast inventories were 4.1 percent above the Jan. 1 level in the week ended Dec. 17, down from 15 percent at the end of November. The decline so far this month is almost double the 4.8 percent average drop in the past five Decembers.

LIFO Accounting

Oil traded above $90 a barrel for three straight days last week as signs the U.S. economic recovery is gaining pace fanned optimism fuel demand will rise in 2011. Crude for February delivery climbed $1.03, or 1.1 percent on the New York Mercantile Exchange on Dec. 23. Oil last traded above $100 a barrel on Oct. 2, 2008.

Companies typically expense the cost of items they have sold from their taxable income. Many refiners use an accounting method known as "last in, first out," or LIFO, which allows them to deduct the cost of the more-expensive crude they have purchased most recently and assert for tax purposes that the oil in their tanks was bought before at cheaper prices.

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banana republic reaching out for quick profits. If we must buy aircrafts, they should be in a serious business atmosphere. Simply stated, India should not charge the MNCs any fee for space since defence airports are public service and a not-for-profit set up. Instead, reasonable service fee for out of pocket expenses may be levied. The foreign MNCs should meet the commercial visitors only in public places and no lavish wining and dining to the military and civilian top brass should be permitted.

Customs formalities under the rules such as filing of import bill of entry, bond for re-export, security inspection of aircrafts both the import and export must be undertaken. The rules should be amended to waive security for customs duty to reduce transaction cost, the bond itself is enough is enough security and there should be no security money deposit. Last, there should be no entry fees for the public who wish to see the show, all are welcome on "first come first serve" basis.

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Banking and Finance

Both sides urged financial organizations including banks of the two sides to work towards providing banking services to further trade and investment relations between the two countries. Both sides also welcomed the opening of representative office of Gazprombank in India.

Indian business representatives in the Forum urged that the proposed agreement on mutual recognition/ equivalence of standards and conformity assessment procedures for facilitating trade of goods especially agriculture and animal products between India and Russia be expedited. They also called for necessary measures to be taken to enable export of meat products from India to Russia including through recognition of the Indian certification mechanism.

Both sides intend to continue the useful and regular dialogue, placing special emphasis on the further development of bilateral cooperation on issues regarding modernization.

The two sides agreed that strengthening the contacts of businesses between India and Russia is very critical and underlined that all existing mechanisms should be utilized effectively for this purpose. Both sides re-expressed that India Russia CEO Council is an important mechanism available for B2B contract between two countries and it has an important role to play in identifying specific areas of cooperation and impediments faced by the businesses of the two countries.

Both sides agreed to expand cooperation to implement the decisions made in this Forum for furthering of bilateral investment & trade relations..

Noting the success of "Russia-India Business-dialogue" held within the framework of Saint Petersburg International Economic Forum (SPIEF) 2010, the Russian side invited participation of Indian companies in the 15th session of SPIEF in June 2011.

The next meeting of the India-Russia Forum on Trade & Investment would be held in 2011 in Russia on a mutually agreed date.

DGFT Rolls Back Ban from Cotton Yarn Export

Textile Commissioner Authorisation from 15 December

Sub: Conditions and modalities for applications for grant of export licence for export of Cotton Yarn.

07-Pol.Cir
22.12.2010
(DGFT)

It has been decided in the meeting of Group of Ministers (GoM) on 21.12.2010 that for the present, 720 million Kgs. of Cotton Yarn is to be allowed for export during the year 2010-11(i.e. upto 31.03.2011).

2. Accordingly, Notification No. 14(RE-2010)/2009-14 dt. 22.12.2010 has been issued today, stipulating that henceforth export of cotton yarn will be restricted and will be allowed to be exported under licence. However, Exporters who have obtained Registration Certificate from Textile Commissioner, Mumbai before 1st December, 2010 would be permitted to export Cotton Yarn within the quantity limit for which such registration certificate has been issued and within the validity of such registered contract. The data for the quantity that has already been exported in 2010-11 is being collected. The representations received to review the extent of exportable surplus are also being examined.

3. Exact modalities for submitting applications for grant of export licence would be notified once the quantity of exports already made has been ascertained and the extent of exportable surplus has been reassessed.

4. This issues with the approval of Director General of Foreign Trade.

Cotton Yarn Exports Shifted to Restricted from Free List

Subject: Restriction on export of cotton yarn.

14-Ntfn(RE)
22.12.2010
(DGFT)

In exercise of the powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No.22 of 1992) read with Para 2.1 of the Foreign Trade Policy, 2009-14, the Central Government hereby makes the following amendments in respect of Sl. No. 161 B {ITC(HS) Classification} in the Notification No. 38/2009-14 dated 09.04.2010.

2. The existing entries of Notification No. 38/2009-14 dated 09.04.2010 are substituted as follows with effect from 01.12.2010:-

SNo.	Tariff Item Code	Unit	Item of Description	Export Policy	Nature of Restriction
161B	5205		Cotton yarn (other than sewing thread), containing 85% or more by weight of cotton not put up for retail sale	Restricted	Export permitted under licence.
	5206		Cotton yarn (other than sewing thread), containing less than 85% by weight of cotton not put up for retail sale		
	5207		Cotton yarn (other than sewing thread), put up for retail sale		

3. Transitional Arrangement :-

(i) The Transitional Arrangements as available under para 1.4 & 1.5 of FTP, 2009-14 will **not** be applicable to the export of Cotton Yarn, under this notification.

(ii) However, Exporters who have obtained Registration Certificate from Textile Commissioner, Mumbai before 1st December, 2010 would be permitted to export Cotton Yarn within the quantity limit for which such registration certificate has been issued and within the validity of such registered contract.

(iii) If the validity of such registered contract has expired then the registered contract holder will have no right to export under such registered contract.

4. The effect of this notification:-

The export of cotton yarn (Tariff Codes 5205, 5206 & 5207) was earlier subject to registration of export contracts with Textile Commissioner, Mumbai. Now, the export of cotton yarn has been restricted and export will now be permitted under licence.

Onion Exports Prohibited

No Exports Allowed from 22 December under Transitional Arrangements

Subject:- Prohibition on export of all varieties of Onions till further orders.

13-Ntfn(RE)
22.12.2010
(DGFT)

In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No. 22 of 1992) read with Para 2.1 of the Foreign Trade Policy, 2009-2014, the Central Government prohibits, with immediate effect, the export of all varieties of Onions (Sl. No. 44 of Table B of Schedule 2 of ITC (HS) Classifications of Export and Import Items).

Additional 2% VKGUY Benefits Allowed to Grapes

Subject: Additional 2% Duty Credit Scrip for Export of Grapes under VKGUY Scheme.

19-PN(RE)
23.12.2010
(DGFT)

In exercise of the powers conferred under Paragraph 2.4 of the Foreign Trade Policy, 2009-14, the following amendment is hereby made in the Handbook of Procedures, vol. 1 (HBPv1), with immediate effect:

1. Appendix 37A of HBPv1 lists the export items that are eligible to claim benefits under the Vishesh Krishi and Gram Udyog Yojana (VKGUY). Table 2 of this Appendix lists the Special VKGUY products, which entitles them an additional 2% benefit. It had 19 entries to start with, but after deletions/ amendments only 3 entries are currently permitted this extra 2% benefit. Now it is intended to include the 20th entry (which in effect will be the 4th entry), as under:

Sr. No.	VKGUY Product Code	ITC HS	Items
20	20	0806	GRAPES FRESH OR DRIED

Effect of this Public Notice:

The exporters of Grapes covered by ITC HS Code 0806 are entitled for additional 2% Duty Credit Scrip, over and above the normal rate under the VKGUY Scheme. This shall apply in respect of **exports made on or after the date of this Public Notice**.

Zero Service Tax on Service Provided within Port or Airport Withdrawn

Ntfn 126
21.12.2010
(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 **rescinds** the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. **31/2010-Customs, dated the 27th February, 2010,** published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 144(E), dated the 27th February, 2010, except as respects things done or omitted to be done before such rescission.

[F. No. 354/189/2009-TRU]

2. In supercession of all earlier notifications on export of Onions, it has been decided to prohibit export of all varieties of Onion with immediate effect and until further orders.

3. Accordingly, the corresponding entry in ITC(HS) Classifications of Export and Import Items at Sl. No. 44 of Table B of Schedule 2, will read as under:-

Chapter 7

Edible Vegetables and Certain Roots and Tubers

Note 1 Reference to onions in this chapter includes onions fresh or chilled frozen, provisionally preserved or dried.

SNo.	Tariff Item HS Code	Unit	Item Description	Export Policy	Nature of Restriction
44	0703 10 10, 0712 20 00	Kg	Onion (all varieties) including Bangalore rose onions and Krishnapuram onions fresh or chilled, frozen, provisionally prepared or dried but excluding onions cut, sliced or broken in powder form.	Prohibited	Not permitted to be exported.

4. The Transitional Arrangements as available under para 1.4 & 1.5 of FTP, 2009-14 will **not** be applicable.

Zero Duty for Onion Imports

Ntfn 127
21.12.2010
(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 makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. **21/2002-Customs, dated the 1st March, 2002**, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 118(E) dated the 1st March, 2002, namely :-

In the said notification, in the **Table**,-

(i) against **S.No. 10**. for the entry in column (4), the entry "**Nil**" shall be **substituted**,

(ii) after **S. No. 10** and the entries relating thereto, the following shall be **inserted**, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"10A.	070310 20	Shallots	Nil	-	-"

F. No.354/237/2010-TRU

Natural Rubber Quota of 40,000 MTs at Reduced Duty of 7.5% for Three Months Released

Ntfn 128
22.12.2010
(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 makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. **21/2002-Customs, dated the 1st March, 2002**, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), vide number G.S.R.118 (E) dated the 1st March, 2002, namely:-

In the said notification, -

(1) in the opening paragraph, in the **proviso**, after clause **(iah),** the following clause shall be **inserted**, namely :-

"(iai) the goods specified against serial number 491B of the said Table on or before the 31st day of March, 2011.";

(2) in the Table, **after S.No.491** and the entries relating thereto, the following serial numbers and entries shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"491A.	4001 21, 4001 22, 400129	Goods up to an aggregate quantity of forty thousand metric tonnes of total imports of such goods in the remaining part of the financial year 2010-11.	7.5%	-	1
491B.	4001 21, 4001 22, 400129	All goods	20% or Rs.20/- per kg, whichever is lower	-	-"

[F.N0.354/143/2010-TRU]

Provisional Assessments Allowed to Shandong Hawk in New Shipper Review in Radial Tyre Imports from China Case

Ntfn 129
23.12.2010
(DoR)

Whereas, in the matter of import of Bus and Truck Radial Tyres, (hereinafter referred to as the subject goods) , falling under item nos. 40112010 (for tyres) and 40131020 and 40129049 (for tubes and flaps respectively) of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and originating in, or exported from the People's Republic of China(China PR) and Thailand (hereinafter referred to as the subject countries), the designated authority, vide its final findings in notification No. 14/17/2008-DGAD, dated the 1st January, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 1st January, 2010, had come to the conclusion that —

(a) there had been increase in the volume of dumped imports from the subject countries, both in absolute terms as also in relation to total production and market demand of the subject goods in India, resulting in a decline in the market share of the domestic industry;

(b) the imports were causing significant price undercutting resulting in price suppressing effect on the domestic industry;

(c) in spite of increase in production and sales, profitability of the domestic industry per unit of sales declined after increasing in 2006-07, resulting in deterioration in profits, cash profits and a decline in the return on capital employed;

(d) decline in the market share had resulted in increase in inventories with the domestic industry in spite of higher capacity utilization;

(e) this had led to domestic industry suffering material injury and imposition of final duty is required to offset dumping and injury;

and had recommended imposition of definitive anti-dumping duty on all imports of the subject goods, originating in, or exported from, the subject countries;

And whereas on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on subject goods falling under Chapter 40 of the First Schedule to the said Customs Tariff Act, originating in or exported from China PR and imported into India vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 12/2010-Customs, dated the 19th February, 2010, published in Part II, Section 3, Sub-Section (i) of the Gazette of India, Extraordinary, G.S.R. 93(E) dated the 19th February, 2010;

And whereas, in the said matter, M/s. Shandong Hawk International Rubber Industry Company Limited, (producer/exporter) have requested for review in terms of rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped

Cont'd..446

Indo-Singapore FTA – General Duty Cut by 4-8% on 532 Items

Ntfn 131 24.12.2010 (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, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. **10/2008-Customs, dated the 15th January, 2008** published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 33(E), dated the 15th January, 2008, namely:-

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

Table

S.No.	Tariff item of the First Schedule	Description of goods	Rate
(1)	(2)	(3)	(4)
1	14019010	All goods	6.00%
2	15180031	All goods	44.44%
3	15180039	All goods	16.67%
4	15180040	All goods	44.44%
5	18061000	All goods	16.67%
6	18062000	All goods	16.67%
7	18063100	All goods	6.00%
8	19011010	All goods	6.00%
9	19011090	All goods	6.00%
10	19012000	All goods	6.00%
11	19021900	All goods	6.00%
12	19041010	All goods	6.00%
13	19041020	All goods	6.00%
14	19041030	All goods	6.00%
15	19041090	All goods	6.00%
16	19059010	All goods	16.67%
17	19059020	All goods	16.67%
18	19059030	All goods	16.67%
19	19059040	All goods	16.67%
20	19059090	All goods	16.67%
21	22011010	All goods	6.00%
22	22011020	All goods	6.00%
23	22029010	All goods	16.67%
24	22029020	All goods	16.67%
25	22029030	All goods	16.67%
26	22029090	All goods	16.67%
27	26190010	All goods	1.00%
28	26190090	All goods	1.00%
29	27075000	All goods	2.00%
30	27079900	All goods	2.00%
31	27111300	All goods	1.00%
32	27111900	All goods	2.00%
33	28369910	All goods	1.50%
34	28369920	All goods	1.50%
35	28369930	All goods	1.50%
36	28369990	All goods	1.50%
37	29012300	All goods	1.00%
38	29031500	All goods	0.40%
39	29032100	All goods	0.40%
40	29051220	All goods	6.39%
41	29051300	All goods	1.50%
42	29051620	All goods	1.50%
43	29051900	All goods	13.33%
44	29053200	All goods	6.39%
45	29071110	All goods	6.39%
46	29071190	All goods	6.39%
47	29071300	All goods	1.50%
48	29152100	All goods	6.39%
49	29152400	All goods	1.50%
50	29153100	All goods	1.50%
51	29157010	All goods	6.39%
52	29157020	All goods	6.39%
53	29157030	All goods	6.39%
54	29157040	All goods	6.39%
55	29157050	All goods	6.39%
56	29157090	All goods	6.39%
57	29161510	All goods	1.50%
58	29161590	All goods	1.50%
59	29173200	All goods	6.39%
60	29304000	All goods	1.50%
61	29332990	All goods	1.50%
62	29411030	All goods	1.50%
63	32021000	All goods	6.39%
64	32061110	All goods	2.00%
65	32081010	All goods	2.00%
66	32081020	All goods	2.00%
67	32081030	All goods	2.00%
68	32081090	All goods	2.00%
69	32082010	All goods	2.00%
70	32082020	All goods	2.00%
71	32082030	All goods	2.00%
72	32082090	All goods	2.00%
73	32089011	All goods	2.00%
74	32089019	All goods	2.00%
75	32089021	All goods	2.00%
76	32089022	All goods	2.00%
77	32089029	All goods	2.00%
78	32089030	All goods	2.00%
79	32089041	All goods	2.00%
80	32089049	All goods	2.00%
81	32089050	All goods	2.00%
82	32089090	All goods	2.00%
83	32091010	All goods	2.00%
84	32091090	All goods	2.00%
85	32099010	All goods	5.56%
86	32099020	All goods	5.56%
87	32099090	All goods	5.56%
88	32151110	All goods	2.00%
89	32151120	All goods	2.00%
90	32151130	All goods	2.00%
91	32151140	All goods	2.00%
92	32151190	All goods	2.00%
93	32151910	All goods	2.00%
94	32151920	All goods	2.00%
95	32151930	All goods	2.00%
96	32151940	All goods	2.00%
97	32151990	All goods	2.00%
98	32159010	All goods	2.00%
99	32159020	All goods	2.00%
100	32159030	All goods	2.00%
101	32159040	All goods	2.00%
102	32159090	All goods	2.00%
103	33029011	All goods	7.78%
104	33029012	All goods	7.78%
105	33029019	All goods	7.78%
106	33029020	All goods	7.78%
107	33029090	All goods	7.78%
108	33051010	All goods	2.00%
109	33072000	All goods	2.00%
110	33079010	All goods	2.00%
111	33079020	All goods	2.00%
112	33079090	All goods	2.00%
113	34021200	All goods	7.78%
114	34021300	All goods	7.78%
115	34021900	All goods	2.00%
116	34022010	All goods	2.00%
117	34022020	All goods	2.00%
118	34022090	All goods	2.00%
119	34039900	All goods	6.39%
120	34049010	All goods	2.00%
121	34049020	All goods	2.00%
122	34049031	All goods	2.00%
123	34049032	All goods	2.00%
124	34049033	All goods	2.00%
125	34049039	All goods	2.00%
126	34049090	All goods	2.00%
127	35051010	All goods	13.33%
128	35051090	All goods	13.33%
129	35061000	All goods	7.78%
130	37079090	All goods	7.78%
131	38085000	Aldrin, Chlordane, Chlorobenzilate, DDT(ISO), Heptachlor (ISO), Parathion Methyl, Lindane	13.33%
132	38089111	All goods	13.33%
133	38089112	All goods	13.33%
134	38089113	All goods	13.33%
135	38089121	All goods	13.33%
136	38089122	All goods	13.33%
137	38089123	All goods	13.33%
138	38089124	All goods	13.33%
139	38089131	All goods	13.33%
140	38089132	All goods	13.33%
141	38089133	All goods	13.33%
142	38089134	All goods	13.33%
143	38089135	All goods	13.33%
144	38089136	All goods	13.33%
145	38089137	All goods	13.33%
146	38089191	All goods	13.33%
147	38089192	All goods	13.33%
148	38089199	All goods	13.33%
149	38089210	All goods	4.00%
150	38089220	All goods	4.00%
151	38089230	All goods	4.00%
152	38089240	All goods	4.00%
153	38089250	All goods	4.00%
154	38089290	All goods	4.00%
155	38091000	All goods	4.00%
156	38170011	All goods	6.39%
157	38170019	All goods	6.39%
158	38231200	All goods	3.00%
159	39011010	All goods	2.80%
160	39011090	All goods	2.80%
161	39012000	All goods	2.80%

162	39013000	All goods	2.78%
163	39019010	All goods	2.80%
164	39019090	All goods	2.80%
165	39021000	All goods	2.80%
166	39023000	All goods	2.80%
167	39029000	All goods	2.78%
168	39031910	All goods	2.80%
169	39031990	All goods	2.80%
170	39053000	All goods	1.50%
171	39061010	All goods	6.39%
172	39061090	All goods	6.39%
173	39072010	All goods	1.50%
174	39072090	All goods	1.50%
175	39073010	All goods	4.17%
176	39073090	All goods	4.17%
177	39079910	All goods	4.17%
178	39079920	All goods	4.17%
179	39079990	All goods	4.17%
180	39081010	All goods	5.56%
181	39081090	All goods	5.56%
182	39089010	All goods	5.56%
183	39089020	All goods	5.56%
184	39089090	All goods	5.56%
185	39119010	All goods	1.50%
186	39119090	All goods	1.50%
187	39121110	All goods	1.50%
188	39121120	All goods	1.50%
189	39121130	All goods	1.50%
190	39121140	All goods	1.50%
191	39121190	All goods	1.50%
192	39173910	All goods	5.56%
193	39173920	All goods	5.56%
194	39173990	All goods	5.56%
195	39191000	All goods	7.78%
196	39199010	All goods	7.78%
197	39199020	All goods	7.78%
198	39199090	All goods	7.78%
199	39201011	All goods	7.78%
200	39201012	All goods	7.78%
201	39201019	All goods	7.78%
202	39201091	All goods	7.78%
203	39201092	All goods	7.78%
204	39201099	All goods	7.78%
205	39202010	All goods	7.78%
206	39202020	All goods	7.78%
207	39202090	All goods	7.78%
208	39206110	All goods	7.78%
209	39206120	All goods	7.78%
210	39206190	All goods	7.78%
211	39211400	All goods	5.56%
212	39211900	All goods	5.56%
213	39232100	All goods	7.78%
214	39232910	All goods	7.78%
215	39232990	All goods	7.78%
216	39235010	All goods	7.78%
217	39235090	All goods	7.78%
218	39239010	All goods	7.78%
219	39239020	All goods	7.78%
220	39239090	All goods	7.78%
221	39269010	All goods	7.78%
222	39269021	All goods	7.78%
223	39269029	All goods	7.78%
224	39269031	All goods	7.78%
225	39269039	All goods	7.78%
226	39269041	All goods	7.78%
227	39269049	All goods	7.78%
228	39269051	All goods	7.78%
229	39269059	All goods	7.78%
230	39269061	All goods	7.78%
231	39269069	All goods	7.78%
232	39269071	All goods	7.78%
233	39269079	All goods	7.78%
234	39269080	All goods	7.78%
235	39269091	All goods	7.78%
236	39269099	All goods	7.78%
237	40169990	All goods	7.78%
238	49070010	All goods	2.00%
239	49070020	All goods	2.00%
240	49070090	All goods	2.00%
241	50060090	All goods	2.00%
242	52082990	All goods	7.78%
243	52083390	All goods	7.78%
244	52083990	All goods, other than upholstery fabrics	7.78%
245	52083990	Upholstery fabrics	7.78% or Rs. 150 per kg which-ever is higher
246	52085990	All Goods	7.78%
247	52092990	All goods	7.78%
248	54023100	All goods	5.56%
249	54023200	All goods	5.56%
250	54023300	All goods	4.17%
251	54024900	All goods	5.56%
252	54025100	All goods	5.56%
253	54041100	All goods	5.56%
254	55020010	All goods	2.00%
255	55020020	All goods	2.00%
256	55020090	All goods	2.00%
257	59039010	All goods	7.78%
258	59039020	All goods	7.78%
259	59039090	All goods	7.78%
260	59061000	All goods	2.00%
261	60011010	All goods	5.56%
262	60011020	All goods	5.56%
263	60011090	All goods	5.56%
264	60012100	All goods	5.56%
265	60012200	All goods	5.56%
266	60012900	All goods	2.00%
267	60019100	All goods	2.00%
268	60019200	All goods	5.56%
269	60019910	All goods	2.00%
270	60019990	All goods	2.00%
271	60024000	All goods	2.00%
272	60029000	All goods	2.00%
273	60031000	All goods	2.00%
274	60032000	All goods	5.56%
275	60033000	All goods	5.56%
276	60034000	All goods	2.00%
277	60039000	All goods	2.00%
278	60041000	All goods	2.00%
279	60049000	All goods	2.00%
280	60051000	All goods	5.56%
281	60052100	All goods	5.56%
282	60052200	All goods	5.56%
283	60052300	All goods	2.00%
284	60052400	All goods	5.56%
285	60053100	All goods	2.00%
286	60053200	All goods	2.00%
287	60053300	All goods	2.00%
288	60053400	All goods	5.56%
289	60054100	All goods	2.00%
290	60054200	All goods	2.00%
291	60054300	All goods	2.00%
292	60054400	All goods	5.56%
293	60059000	All goods	2.00%
294	63079011	All goods	2.00%
295	63079012	All goods	2.00%
296	63079013	All goods	2.00%
297	63079019	All goods	2.00%
298	63079020	All goods	2.00%
299	63079090	All goods	2.00%
300	68091900	All goods	2.00%
301	69139000	All goods	2.00%
302	70071900	All goods	7.78%
303	70072900	All goods	7.78%
304	70080010	All goods	5.56%
305	70080020	All goods	5.56%
306	70080090	All goods	5.56%
307	70112000	All goods	2.00%
308	71101110	All goods	2.00%
309	71101120	All goods	2.00%
310	72022100	All goods	2.00%
311	72041000	All goods	2.00%
312	72042110	All goods	2.00%
313	72042190	All goods	2.00%
314	72042910	All goods	2.00%
315	72042920	All goods	2.00%
316	72042990	All goods	2.00%
317	72043000	All goods	2.00%
318	72044100	All goods	2.00%
319	72044900	All goods	2.00%
320	72045000	All goods	2.00%
321	72089000	All goods	2.00%
322	72099000	All goods	2.00%
323	72101210	All goods	2.00%
324	72101290	All goods	2.00%
325	72104900	All goods	2.00%
326	72107000	All goods	2.00%
327	72122010	All goods	2.00%
328	72122090	All goods	2.00%
329	72139910	All goods	2.00%
330	72139920	All goods	2.00%
331	72139990	All goods	2.00%
332	72189910	All goods	2.00%
333	72189990	All goods	2.00%
334	72251100	All goods	2.00%
335	72261100	All goods	2.00%
336	73041120	All goods	2.00%
337	73041190	All goods	2.00%
338	73042310	All goods	2.00%
339	73042390	All goods	2.00%
340	73042910	All goods	2.00%
341	73042990	All goods	2.00%
342	73049000	All goods	2.00%
343	73051211	All goods	2.00%
344	73051219	All goods	2.00%
345	73051221	All goods	2.00%
346	73051229	All goods	2.00%
347	73072100	All goods	2.00%

348	73083000	All goods	2.00%
349	73269091	All goods	7.78%
350	74032100	All goods	1.00%
351	74099000	All goods	1.00%
352	74102100	All goods	1.00%
353	74112100	All goods	1.50%
354	74199100	All goods	2.00%
355	76020010	All goods	1.00%
356	76020090	All goods	1.00%
357	76061200	All goods	1.00%
358	76072010	All goods	1.00%
359	76072090	All goods	1.00%
360	76169910	All goods	2.00%
361	76169920	All goods	2.00%
362	76169930	All goods	2.00%
363	76169990	All goods	2.00%
364	78050010	All goods	2.00%
365	78050020	All goods	2.00%
366	79020090	All goods	1.00%
367	81129200	All goods	1.00%
368	81129900	All goods	2.00%
369	82033000	All goods	2.00%
370	82059000	All goods	2.00%
371	82071300	All goods	5.56%
372	82073000	All goods	2.00%
373	82079010	All goods	2.00%
374	82079020	All goods	2.00%
375	82079030	All goods	2.00%
376	82079090	All goods	2.00%
377	82090010	All goods	5.56%
378	82090090	All goods	5.56%
379	83024110	All goods	2.00%
380	83024120	All goods	2.00%
381	83024190	All goods	2.00%
382	83024200	All goods	2.00%
383	83026000	All goods	2.00%
384	83059010	All goods	2.00%
385	83059020	All goods	2.00%
386	83059090	All goods	2.00%
387	83099010	All goods	2.00%
388	83099020	All goods	2.00%
389	83099030	All goods	2.00%
390	83099090	All goods	2.00%
391	83119000	All goods	2.00%
392	84091000	All goods	0.60%
393	84099111	All goods	1.50%
394	84099112	All goods	1.50%
395	84099113	All goods	1.50%
396	84099114	All goods	1.50%
397	84099120	All goods	1.50%
398	84099191	All goods	1.50%
399	84099192	All goods	1.50%
400	84099193	All goods	1.50%
401	84099194	All goods	1.50%
402	84099199	All goods	1.50%
403	84137010	All goods	6.39%
404	84137091	All goods	6.39%
405	84137092	All goods	6.39%
406	84137093	All goods	6.39%
407	84137094	All goods	6.39%
408	84137095	All goods	6.39%
409	84137096	All goods	6.39%
410	84137097	All goods	6.39%
411	84137099	All goods	6.39%
412	84138110	All goods	4.17%
413	84138120	All goods	4.17%
414	84138130	All goods	4.17%
415	84138190	All goods	4.17%
416	84139110	All goods	1.50%
417	84139120	All goods	1.50%
418	84139130	All goods	1.50%
419	84139140	All goods	2.00%
420	84139190	All goods	1.50%
421	84141000	All goods	1.50%
422	84143000	All goods	6.39%
423	84159000	All goods	2.00%
424	84185000	All goods	6.39%
425	84186100	All goods	6.39%
426	84189900	All goods	1.50%
427	84224000	All goods	1.00%
428	84269100	All goods	1.50%
429	84314100	All goods	1.50%
430	84314200	All goods	1.50%
431	84314910	All goods	1.50%
432	84324000	All goods	1.50%
433	84501100	All goods	7.78%
434	84569910	All goods	1.50%
435	84569990	All goods	1.50%
436	84571010	All goods	1.50%
437	84571020	All goods	1.50%
438	84743200	All goods	1.50%
439	84821011	All goods	1.50%
440	84821012	All goods	1.50%
441	84821013	All goods	1.50%
442	84821020	All goods	1.50%
443	84821030	All goods	1.50%
444	84821040	All goods	1.50%
445	84821051	All goods	1.50%
446	84821052	All goods	1.50%
447	84821053	All goods	1.50%
448	84821090	All goods	1.50%
449	84825011	All goods	1.50%
450	84825012	All goods	1.50%
451	84825013	All goods	1.50%
452	84825021	All goods	1.50%
453	84825022	All goods	1.50%
454	84825023	All goods	1.50%
455	84828000	All goods	1.50%
456	84839000	All goods	6.39%
457	85061000	All goods	2.00%
458	85063000	All goods	2.00%
459	85064000	All goods	2.00%
460	85065000	All goods	2.00%
461	85066000	All goods	5.56%
462	85068010	All goods	5.56%
463	85068090	All goods	5.56%
464	85069000	All goods	5.56%
465	85161000	All goods	7.78%
466	85169000	All goods	5.56%
467	85182100	All goods	5.56%
468	85182200	All goods	5.56%
469	85183000	All goods	5.56%
470	85184000	All goods	5.56%
471	85185000	All goods	7.78%
472	85189000	All goods	5.56%
473	85198910	All goods	5.56%
474	85198920	All goods	5.56%
475	85198930	All goods	5.56%
476	85198940	All goods	5.56%
477	85198990	All goods	5.56%
478	85199200	All goods	2.00%
479	85219010	All goods	5.56%
480	85219020	All goods	5.56%
481	85219090	All goods	5.56%
482	85271300	All goods	2.00%
483	85279100	All goods	2.00%
484	85311010	All goods	7.78%
485	85311020	All goods	7.78%
486	85311090	All goods	7.78%
487	85441110	All goods	6.39%
488	85441190	All goods	6.39%
489	85441910	All goods	6.39%
490	85441920	All goods	6.39%
491	85441930	All goods	6.39%
492	85441990	All goods	6.39%
493	85489000	All goods	2.00%
494	87081010	All goods	2.00%
495	87081090	All goods	2.00%
496	87084000	All goods	2.00%
497	87086000	All goods	2.00%
498	87087000	All goods	7.78%
499	87089100	Radiators	5.56%
500	87089900	All goods	7.78%
501	90084000	All goods	2.00%
502	90151000	All goods	1.50%
503	90154000	All goods	1.50%
504	90189094	All goods	1.50%
505	90282000	All goods	1.50%
506	94032010	All goods	2.00%
507	94032090	All goods	2.00%
508	94033010	All goods	7.78%
509	94033090	All goods	7.78%
510	94036000	All goods	5.56%
511	94038100	All goods	2.00%
512	94038900	All goods	2.00%
513	94039000	All goods	2.00%
514	94054010	All goods	2.00%
515	94054090	All goods	2.00%
516	95041000	All goods	2.00%
517	95042000	All goods	2.00%
518	95069110	All goods	2.00%
519	95069190	All goods	2.00%
520	96061010	All goods	2.00%
521	96061020	All goods	2.00%
522	96062910	All goods	2.00%
523	96062990	All goods	2.00%
524	96071110	All goods	2.00%
525	96071190	All goods	2.00%
526	96071910	All goods	2.00%
527	96071990	All goods	2.00%
528	96072000	All goods	2.00%
529	96121010	All goods	5.56%
530	96121020	All goods	5.56%
531	96121030	All goods	5.56%
532	96121090	All goods	5.56%

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

Basic and Additional Duty Exempted on Printed Materials Imported by Designated Airlines under Air Service Agreements

Ntfn 130 23.12.2010 (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, being satisfied that it is necessary in the public interest so to do, hereby exempts the goods of description specified in column (2) of the Table annexed hereto, when imported into India by a designated airline specified in column (3) of the Schedule annexed hereto and registered or incorporated in a country specified in column (2) of the said Schedule, from the **whole of the duty of customs l**eviable thereon which is specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and from the **whole of the additional duty** leviable thereon under section 3 of the said Customs Tariff Act, namely:-

Table

S.No.	Description
(1)	(2)
1.	Printed ticket stocks
2.	Airway bills
3.	Any printed material which bears the insignia of the importing airline printed thereon including baggage tags
4.	Publicity material for distribution free of charge

Schedule

S.No.	Name of the country	Name of designated airline
(1)	(2)	(3)
1.	Russia	(i) Aeroflot (ii) Transaero Airlines
2.	UAE	(i) Air Arabia (ii) Emirates (iii) Etihad Airways
3.	Kazakhstan	Air Astana
4.	China	(i) Air China (ii) China Eastern Airlines (iii) China Southern Airlines
5.	France	Air France
6.	Mauritius	Air Mauritius
7.	Slovak Republic	Air Slovakia
8.	Japan	(i) All Nippon Airways (ii) Japan Airlines
9.	USA	(i) American Airlines (ii) Continental Airlines (iii) Northwest Airlines
10.	Afghanistan	(i) Ariana Afghan Airlines (ii) Kam Air (iii) Pamir Airways
11.	Republic of Korea	(i) Asiana Airlines (ii) Korean Air
12.	Austria	Austrian Airlines
13.	Bahrain	(i) Bahrain Air (ii) Gulf Air
14.	Bangladesh	(i) Biman Bangladesh Airlines (ii) GMG Airlines (iii) United Airways
15.	UK	(i) British Airways (ii) Virgin Atlantic Airways
16.	Hong Kong	(i) Cathay Pacific Airways (ii) Hong Kong Dragon Airlines
17.	Taiwan	China Airlines
18.	Germany	(i) Condor (ii) Lufthansa German Airlines
19.	Bhutan	Druk Air
20.	Egypt	Egypt Air
21.	Israel	El-Al- Israel Airlines
22.	Ethiopia	Ethiopian Airlines
23.	Finland	Fin Air
24.	Iran	(i) Iran Air (ii) Mahan Air
25.	Kuwait	(i) Jazeera Airways (ii) Kuwait Airways
26.	Netherlands	KLM Royal Dutch Airlines
27.	Kenya	Kenya Airways
28.	Kyrgyzstan	Kyrgyzstan Air Company
29.	Malaysia	Malaysia Airlines
30.	Maldives	Maldivian
31.	Sri Lanka	(i) Mihin Lanka, (ii) Sri Lankan Airlines
32.	Myanmar	Myanmar Airways
33.	Nepal	Nepal Airlines
34.	Oman	Oman Air
35.	Pakistan	Pakistan International Airlines
36.	Australia	Qantas Airways
37.	Qatar	Qatar Airways
38.	Jordan	Royal Jordanian Airlines
39.	Saudi Arabia	Saudi Arabian Airlines
40.	Singapore	(i) Singapore Airlines, (ii) Silk Air, (iii) Tiger Airways
41	South Africa	South African Airways
42.	Switzerland	Swiss International Airlines
43.	Thailand	Thai Airways
44.	Turkey	Turkish Airlines
45.	Turkmenistan	Turkmenistan Airlines
46.	Uzbekistan	Uzbekistan Airlines
47.	Yemen	Yemen Airways

[F.No. 354/7/2010-TRU]

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Articles and for Determination of Injury) Rules, 1995 in respect of exports made by them, and the designated authority, vide new shipper review notification No. 15/17/2010-DGAD, dated the 7th October, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 7th October, 2010 has recommended provisional assessment of all exports of Bus and Truck Radial Tyres, made by M/s. Shandong Hawk International Rubber Industry Company Limited (producer/exporter), when imported in to India, till the completion of the said review;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 22 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 recommendation of the designated authority, hereby orders that pending the outcome of the said review by the designated authority, export of Bus and Truck Radial Tyres falling under item nos. 40112010 (for tyres) and 40131020 and 40129049 (for tubes and flaps respectively) of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), by M/s. Shandong Hawk International Rubber Industry Company Limited (producer/exporter), from China PR, when imported into India, shall be subjected to provisional assessment till the review is completed.

2. The provisional assessment may be subject to such security or guarantee as the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, deems fit for payment of the deficiency, if any, in case a definitive anti dumping duty is imposed retrospectively, on completion of investigation by the designated authority.

3. In case of recommendation of anti-dumping duty after completion of the said review by the designated authority, the importer shall be liable to pay the amount of such anti-dumping duty recommended on review and imposed on all imports of Bus and Truck Radial Tyres in to India, when exports made by M/s. Shandong Hawk International Rubber Industry Company Limited (producer/exporter), China PR, from the date of initiation of the said review.

[F. No. 354/207/2009-TRU (Pt.1)]

Corrigendum to Notification 125-Cus dated 16.12.2010

[Ref: Corrigendum dated 23rd December 2010]

[Final antidumping duty on SDH Transmission Equipments from China and Israel. See Windex issue No. 39 dated 22-28 December 2010 for details]

In the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 125/2010-Customs, dated the 16th December, 2010 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 981 (E), dated the 16th December, 2010, in the Note 4 after the duty table, for the words “Routers, PTN, PDSN” read “ Routers, PDSN”.

[F.No.354/204/2009 –TRU]

Dumping Investigation Initiated on Aniline from EU on GNFC and HOC Complain to DGAD

[Ref: F. No. 14/39/2010-DGAD dated 20th December 2010]

Sub: Initiation of anti-dumping investigation concerning imports of Aniline originating in or exported from European Union.

Whereas M/S Gujarat Narmada Valley Fertilizers Company Limited. (herein after referred to as applicant) have filed an application before the Designated Authority (hereinafter referred to as the Authority), in accordance with the Customs Tariff Act, 1975 as amended in 1995 (herein after 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 (herein after referred to as the Rules), alleging dumping of Aniline, (hereinafter referred to as subject goods), originating in or exported from European Union, (herein after referred to as "Subject Territory") and requested for initiation of Anti Dumping investigations for levy of anti dumping duties on the subject goods. The request is supported by M/s Hindustan Organic Chemicals Ltd.

2. AND WHEREAS, the Authority finds sufficient prima facie evidence of dumping of the subject goods from the subject Territory, 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 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.

Product Under Consideration

3. The product under consideration is **'Aniline'**. Aniline is also known as **"Aniline Oil**" (hereinafter also referred to as **'subject goods'**). Aniline is a transparent, oily liquid and is a primary amine compound. Its colour transforms to light pale yellow liquid when freshly distilled and darkens when exposed to light or air.

4. Subject goods are extensively used as a basic organic chemical essential for vital industries such as drugs, pharmaceuticals, dyes and dye intermediates. Aniline is also used in some other industries such as rubber chemicals, explosives, resins, etc. The subject goods are classified under Chapter 29 of the Customs Tariff Act, 1975, under custom sub-heading no. 2921.41.

Domestic Industry and Standing

5. The application has been filed by M/s Gujarat Narmada Valley Fertilizers Company Limited and supported by M/s. Hindustan Organic Chemicals Limited. There are only three known producers of the subject goods in the Country. According to the information provided in the application, the production of Gujarat Narmada Valley Fertilizers Company Limited constitute 77% of Indian production during Apr'09-June'10 and along with the supporter, it constitutes about 90% of the Indian Production. Thus, the applicant shall constitute "domestic industry" for the purpose of the present investigations.

6. The Authority, after examining the above, determines that the applicant constitutes domestic Industry within the meaning of the Rule 2 and the application satisfies the criteria of standing in terms of Rule 5 of the Rules supra.

Countries Involved

7. The countries involved in the present investigation are all the countries situated within the territory of European Union.

Like Article

8. Applicant has claimed that there is no significant difference in the Aniline produced by the applicant and the Aniline exported from subject Territories. Both products are comparable in terms of characteristics such as physical & chemical characteristics, manufac-turing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods. Both the products are technically and commercially substitutable and hold closely resembling characteristics. It is further claimed that the consumers have used the two interchangeably. Therefore, for the purpose of present investigation, subject goods produced by the applicant are being treated as "like Article" to the subject goods imported from subject territory within the meaning of the Anti Dumping Rules.

Normal Value

9. In the absence of availability of data in respect of the domestic sales in European Union, the applicant has constructed normal value on the basis of constructed cost of production of subject goods in subject Territory. The Authority has prima-facie considered the normal value of subject goods in subject territory on the basis of constructed values as made available by the applicant, and the same has been considered by the Authority for the purpose of initiation.

Export Price

10. The export price of the subject goods from the subject Countries has been claimed on the basis of data obtained from International Business Information Services (IBIS), Mumbai. Price Adjustments have been claimed on account of various factors but have been scaled down to reasonable limits by adjusting the components of Ocean Freight and Marine Insurance alone, normally adopted by the Authority. There is sufficient evidence of export prices claimed by the applicant for the subject goods from the subject countries.

Dumping Margin

11. Normal value and export price have been compared at ex-factory level in respect of the subject territory. There is sufficient evidence that the normal value of the subject goods in the territory of European Union, so arrived is significantly higher than the ex-factory export price indicating, prima facie, that the subject goods are being dumped by exporters from subject countries into the Indian market.

Injury and Causal Link

12. The applicant has claimed that injury to the domestic industry has not been caused due to the factors other than the dumped imports, as shown below:

a. Nearly 50% of the total imports of the subject goods primarily take place from the subject territory and another 20% is imported from countries already attracting Anti-Dumping Duty. Volume and value of imports from other countries are either de-minimis, or the export price is higher or are attracting anti dumping duties.

b. Demand of the product concerned has shown a positive trend except for the year 2008-09. This is claimed to be solely as a result of global recession.

c. The technology adopted by the Domestic Industry is comparable to the technology adopted by other players across the world and the technology for producing the product concerned has not undergone any change.

d. There has been no change in the pattern of consumption for the product concerned.

e. There is no trade restrictive practice which could have contributed to the injury to the Domestic Industry.

f. Domestic Industry is substantially involved in the domestic market and maintains very less export volumes. The injury to the Domestic Industry is contended solely on account of deterioration in domestic operations

g. Imports are undercutting the prices of the Domestic Industry.

h. Due to dumped imports from the subject territory, prices of the Domestic Industry are depressed and suppressed, and but for dumping the same would have increased in line with the increase in the cost of production of the subject goods.

i. Production, sales and capacity utilization has shown decline as a result of increase in dumped imports, thus establishing adverse volume effect.

j. Performance of the Domestic Industry in terms of profit, return on investment and cash flow has shown material deterioration.

13. There is sufficient prima-facie evidence that the dumped imports of subject goods from subject countries are, prima facie, causing material injury to the domestic industry.

Initiation of Antidumping Investigation

14. The Designated Authority, in view of the foregoing paragraphs, initiates anti-dumping investigation into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the subject Territory.

Period of Investigation

15. The Period of Investigation for the purpose of the present investigation is 1st April2009 to

30th June 2010 (15 months). The injury investigation period will, however, cover the period 2006-07, 2007-08, 2008-09 and the POI.

Submission of Information

16. The exporters in the subject Countries, their Government through the Embassy, the importers in India known to be concerned with this investigation and the domestic industry are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Designated Authority at the following address:

The Designated Authority
Directorate General of Anti Dumping & Allied Duties, Ministry of Commerce & Industry,
Department of Commerce,
Government of India, Room No. 243, Udyog Bhavan, New Delhi – 110107.

17. As per Rule 6(5) of the Rule supra, the Designated Authority is also providing opportunity to the industrial users of the article under investigation and to representative consumer organizations, who can furnish information relevant to the investigation regarding dumping, injury and causality. Any other interested party may also make its submissions relevant to the investigation within the time limit set out below.

Time Limit

18. Any information relating to the present investigation should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days from the date of publication of this notification. The known exporters and importers, who are being addressed separately, are however required to submit the information within forty days from the date of the letter addressed to them separately.

Submission of Information

19. In terms of Rule 6(7) of the Rules, the interested parties are required to submit non-confidential summary of any confidential information provided to the Authority and if in the opinion of the party providing such information, such information is not susceptible to summarization, a statement of reason thereof, is required to be provided. In case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Designated Authority may record findings on the basis of facts available and make such recommendations to the Central Government as deemed fit.

Inspection of Public File

20. In terms of Rule 6(7), the Designated Authority maintains a public file. Any interested party may inspect the public file containing non-confidential version of the evidence submitted by the interested parties.

Anti-dumping Investigation Initiated on Building Material Textile (Geogrid) from China

[Ref: F.No.14/40/2010-DGAD dated 20th December 2010]

Subject: Initiation of Anti Dumping Investigation concerning imports of "Geogrid/Geostrips/ Geostraps made of Polyester or Glass Fiber in all its forms" (including all widths and lengths) originating in or Exported from China PR.

M/s Techfab India Industries 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 AD Rules) for initiation of Anti-Dumping Duty investigation concerning imports of "Geogrid/ Geostrips/ Geostraps made of Polyester or Glass Fiber in all its forms", including all widths and lengths (hereinafter also referred to as the subject goods) originating in or exported from China PR(hereinafter also referred to as the subject country).

2. AND WHEREAS, the Authority finds that sufficient evidence of dumping of the subject goods originating in or exported from the subject countries, 'injury' to the domestic industry and causal link between the alleged dumping and 'injury' 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 AD 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 Techfab India Industries Ltd. on behalf of the domestic industry. The production of M/s Techfab India Industries Ltd accounts for a major proportion of the total domestic production of the like article and is more than 50% of Indian production of the like article. The application thus satisfies the requirements of Rule 2(b) and Rule 5(3) of the AD Rules. Further, M/s Techfab India Industries Ltd is proposed to be treated as "domestic industry" within the meaning of Rule 2(b) of the AD Rules.

Product under consideration

4. The product under consideration in the present application is "Geogrid/Geostrips/ Geostraps made of Polyester or Glass Fiber in all its forms" (including all widths and lengths).

Geogrid is a synthetic material having narrow elements in a regular, grid like pattern with voids (known as apertures). The major function of Geogrid is in the area of reinforcement. It is strength of the bands/ribs and size of apertures, which together lends stability to civil engineering structures. Geogrids are manufactured using different material and in various strengths (of bands/ ribs) and aperture sizes to meet specific end application/requirement. These can be made of polyester, polypropylene, glass fibre material, etc. Present application is against Geogrids made of polyester and glass fibre materials only. Polypropylene Geogrids are beyond the scope of the product under consideration. Polyester Geogrids are made of polyester yarn coated with polymeric compound. These can either be uniaxial or biaxial. Uniaxial polyester Geogrids primarily exhibits strength in one direction, i.e., machine direction, while biaxial polyester Geogrids exhibit strength in both directions, i.e., machine direction and cross direction. Fiber Glass Geogrids are made of glass fiber strands, coated with bitumen/ SBR/ Latex. Bitumen/ SBR/ Latex coating provides rigidness, and protects fiber glass Geogrid from coming in contact with undesirable chemicals/ rays, thereby, preventing wear and tear of the same. In case of polyester Geogrids, this feature is achieved using polymeric coating.

Geogrids stuck to non-woven fabric are called non-woven Geogrid composites and are within the scope of product under consideration.

The applicant has proposed that different product types can be categorized on the basis of type of yarn (polyester or glass), orientation (uniaxial or biaxial), cross direction strength (in case of uniaxial geogrids) and ultimate tensile strength. The Authority has considered these product parameters for the purpose of the present investigations.

Like Articles

5. The applicant has claimed that the subject goods, which are being dumped into India, are identical to the goods produced by the domestic industry. 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 two are technically and commercially substitutable and hence should be treated as 'like article' under the AD Rules.

Therefore, for the purpose of the present investigation, the subject goods produced by the applicant in India are being treated as 'Like Article' to the subject goods being imported from the subject country for the purpose of the present investigation.

Subject Countries

6. The countries/territory involved in the present investigation is the People's Republic of China (hereinafter also referred to as China PR).

Normal value

7. The Applicant has claimed that China PR should be treated as non market economy country. The applicant has further claimed that normal value could not be determined on the basis of price or constructed value in a market economy third country for the reason that the relevant information is not publicly available. Applicant has claimed that India can be considered as an appropriate surrogate country for the Chinese producers. For the purposes of initiation, the normal value claims have been moderated by resorting to the constructed method of determination of normal value for exporters/producers from China PR. Separate normal value has been determined for different type of Gegrids.

Export Price

8. The applicant has claimed export prices on the basis of data obtained from IBIS. Price adjustments have been allowed on account of Ocean Freight, Marine Insurance, Inland Freight and Port expenses to arrive at the net ex-factory export price. Separate export price has been determined for different type of Gegrids

Dumping Margin

9. Based on the normal value and export price, the applicant has determined dumping margin separately for each product type. Weighted average normal value has been determined considering associated import weights. It is found that the normal value of the subject goods in the subject country is significantly higher than the net export prices, prima-facie, indicating that the subject goods originating in or exported from the subject country are being dumped, to justify initiation of an antidumping investigation.

Injury and Causal Link

10. The applicant has furnished evidence regarding the 'injury' having taken place as a result of the alleged dumping in the form of increased volume of dumped imports, price undercutting, price suppression and decline in profitability, return on capital employed and cash flow for the domestic industries. There is sufficient evidence of the 'injury' being suffered by the applicant caused by dumped imports from subject countries to justify initiation of an antidumping investigation.

Period of Investigation

11. The applicant has proposed April'09 to 31st March 2010 (Twelve months) as the period of investigation. However, the Authority has considered **1st April 2009 to 30th June 2010 (15 Months)** as the POI for the purpose of present investigation by extending a quarter. 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

12. The known exporters in the subject country and their Government through their Embassy in India, importers and users in India known to be concerned and the domestic industry are being informed separately to enable them to file all information relevant in the form and manner prescribed. Any other interested party may also make its submissions relevant to the investigation within the time-limit set out below and write to:

The Designated Authority,
Directorate General of Anti-Dumping & Allied Duties, Ministry of Commerce & Industry,
Department of Commerce
Room No.243, Udyog Bhawan,
New Delhi -110107.

Time limit

13. 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 AD Rules.

Submission of Information on Non-Confidential basis

14. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2) of the AD Rules for the confidential information provided as per Rule 7 (1) of the AD Rules. 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 information, such information is not susceptible to summary; a statement of reason thereof is required to be provided.

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 authorise its disclosure in a generalised or summary form, it may disregard such information.

Inspection of Public File

15. 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.

Non-cooperation

16. 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.

Corrigendum to Initiation Notification on Morpholine from China, EU and USA

[Ref: F.No.14/41/2010–DGAD dated 15th December 2010]

Subject:- Initiation of Anti-Dumping Duty investigation concerning imports of 'Morpholine' originating in or exported from China PR, European Union and USA.

Having regard to the Customs Tariff Act 1975 as amended from time to time (hereinafter referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, (hereinafter referred to as the AD Rules) thereof; the Designated Authority has notified the Initiation notification No. 14/41/2010-DGAD dated 7th December 2010.

In the aforesaid Notification dated 7th December 2010, para 11 of the Initiation Notification relating to Period of Investigation is rectified to read as follows:

Period of Investigation

11. The period of investigation (POI) for the purpose of present investigation is **1st July 2009 to 30th June 2010 (12 months).** The injury investigation period will however cover the periods April 2007-March 2008, April 2008-March 09, April 2009–March 2010 and the POI. For threat of material injury, the data beyond the POI would also be examined.

MRP Based Assessment for Packaged Software with 15% Rebate Announced

30-CE(NT)
21.12.2010
(DoR)

In exercise of the powers conferred by sub-sections (1) and (2) of section 4A of the Central Excise Act, 1944 (1 of 1944), 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.49/2008-Central Excise (N.T.), dated the 24th December, 2008, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 882(E), dated the 24th December, 2008, namely:-

In the said notification, in the Table, after S. No. 93 and the entries relating thereto, the following shall be inserted, namely:-

(1)	(2)	(3)	(4)
"93A.	8523	Packaged software or canned software	15"

Explanation.- For the purposes of this notification, "packaged software or canned software" means a software developed to meet the needs of variety of users, and which is intended for sale or capable of being sold off the shelf.

[F. No. 354/189/2009-TRU]

Software Excise Exemption on Service Part of the Value – Notification Rescinded

35-CE
21.12.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 5A of the Central Excise Act, 1944 (1 of 1944) , the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby **rescinds** the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. **17/2010-Central Excise, dated the 27th February , 2010,** published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R.119(E), dated the 27th February , 2010, except as respects things done or omitted to be done before such rescission.

[F. No. 354/189/2009-TRU]

Packaged Software Treated as Goods – Only Excise Duty Applicable Now – Service Tax Cover Removed

51-ST
21.12.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby **rescinds** the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. **02/2010- Service Tax, dated 27th February, 2010** published in the Gazette of India, Extraordinary, Part II, Section3, Sub-section (i) vide number G.S.R. 146 (E), dated 27th February, 2010, except as respects things done or omitted to be done before such rescission.

[F. No. 354/189/2010-TRU]

Service Tax Exemption on Packaged or Canned Software on Service Part of the Value – Notification Rescinded

52-ST
21.12.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby **rescinds** the notification of the Government of India in the Ministry of Finance (Department of Revenue) **No. 17/2010- Service Tax, dated 27th February, 2010** published in the Gazette of India, Extraordinary, PartII, Section3, Sub-section (i) vide number G.S.R. 161 (E), dated 27th February, 2010, except as respects things done or omitted to be done before such rescission.

[F. No. 354/189/2010-TRU]

Service Tax on Packaged Software on Service part of the Value Exempted

53-ST
21.12.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby exempts the taxable service referred to in item (v) of sub-clause (zzzze) of clause (105) of section 65 of the said Finance Act (hereinafter referred to as 'such service'), for packaged or canned software (hereinafter referred to as 'said goods') from the whole of service tax, subject to the condition that-

(i) the value of the said goods domestically produced or imported, for the purposes of levy of the duty of Central Excise or the additional duty of customs leviable under sub-section (1) of section 3 of the Customs Tariff Act, 1975 (51 of 1975), if imported, as the case may be, has been determined under section 4A of the Central Excise Act 1944 (1 of 1944) (hereinafter referred to as 'such value'); and

(ii) (a) the appropriate duties of excise on such value have been paid by the manufacturer, duplicator or the person holding the copyright to such software, as the case may be, in respect of software manufactured in India; or

(b) the appropriate duties of customs including the additional duty of customs on such value, have been paid by the importer in respect of software which has been imported into India;

(iii) a declaration made by the service provider on the invoice relating to such service that no amount in excess of the retail sale price declared on the said goods has been recovered from the customer.

Explanations.- For the purpose of this notification, the expression,-

(i) "appropriate duties of excise" shall mean the duties of excise leviable under section 3 of the Central Excise Act, 1944 (1 of 1944) and a notification, for the time being in force, issued in accordance with the provision of sub-section (1) of section 5A of the said Central Excise Act; and

(ii) "appropriate duties of customs" shall mean the duties of customs leviable under section 12 of the Customs Act, 1962 (52 of 1962) and any of the provisions of the Customs Tariff Act, 1975 (51 of 1975) and a notification, for the time being in force, issued in accordance with the provision of subsection (1) of section 25 of the said Customs Act.

[F. No. 354/189/2010-TRU]

Zero Service Tax on Maintenance of Bridges, Airports, Railways and Transport Terminals

54-ST
21.12.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), notification No. **24/2009-Service Tax, dated the 27th July, 2009**, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 551(E), dated the 27th July, 2009, namely :-

In the said notification, for the words "management, maintenance or repair of roads", the words "management, maintenance or repair of roads, bridges, tunnels, dams, airports, railways and transport terminals" shall be substituted.

[F.No.137/80/2010-CX.4]

Service Tax Exemption on Rail Containers for Export Goods Extended to April 2011

55-ST
21.12.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994) (hereinafter referred to as the Finance Act), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) **No.07/2010-Service Tax, dated the 27th February, 2010**, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section(i), vide number G.S.R. 151 (E), dated the 27th February, 2010, namely:-

2. In the said notification in para 2, for the word and figures 'January 2011', the word and figures '**April 2011**', shall be substituted.

[F.No. B-1/2/2010-TRU]

Service Tax Exemption on Transport of Goods in Containers by Rail Extended to April 2011

56-ST
21.12.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994) (hereinafter referred to as the Finance Act), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) **No.08/2010-Service Tax, dated the 27th February, 2010**, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section(i), vide number G.S.R. 152 (E), dated the 27th February, 2010, namely:-

2. In the said notification in para 2, for the word and figures 'January 2011', the word and figures '**April 2011**', shall be substituted.

[F. No. B-1/2/2010-TRU]

Service Tax Exemption on Transport of Goods by Rail Extended to April 2011

57-ST
21.12.2010
(DoR)

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994) (hereinafter referred to as the Finance Act), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) **No.09/2010-Service Tax, dated the 27th February, 2010**, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section(i), vide number G.S.R. 153 (E), dated the 27th February, 2010, namely:-

2. In the said notification in para 3, for the word and figures 'January 2011', the word and figures 'April 2011', shall be substituted.

[F. No. B-1/2/2010-TRU]

Zero Service Tax on Agri Insurance Scheme

58-ST 21.12.2010 (DoR) In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby exempts the taxable services in relation to general insurance business provided under the Weather Based Crop Insurance Scheme or the Modified national Agricultural Insurance Scheme, approved by the Government of India and implemented by the Ministry of Agriculture, from the whole of service tax leviable thereon under section 66 of the said Act.

[F.No.137/80/2010-CX.4]

Changes in Plant and Machinery Allowed During Exemption Period in Uttarakhand and HP but Exemption to Last only for 10 Years from Commercial Production Date

Subject: Scope of Notification Nos.49/2003-CE and 50/2003-CE both dated 10.06.2003

939-CBEC 22.12.2010 (DoR) Kind attention is invited to Notification Nos. 49/2003-CE and 50/2003-CE both dated 10.06.2003 which provide full exemption from excise duties to goods cleared from industrial units in the states of Uttarakhand and Himachal Pradesh for a period of ten years from the date of commencement of commercial production. The exemption is available to new units set up or existing units which have undergone substantial expansion in terms of the said notifications and commence commercial production before the cut-off date, that is, on or before 31.3.2010

2. Representations have been received from Trade and Industry Associations seeking clarification on the availability of the exemption benefit under these notifications in the following situations:

(i) Where a unit starts producing some new products after the cut-off date using plant and machinery installed up the said cut-off date and without any further addition to the plant and machinery.

(ii) Where the installed capacity in a particular unit is upgraded after the cut-off date, so as to increase the efficiency of the machinery by installing ancillary machines or replacement of some parts etc but in such a way that it does not lead to increase in capacity of production.

(iii) Where new dosage forms are manufactured after the cut-off date on the same line of production with the same machinery.

(iv) Where a unit manufacturers a new product by installing fresh plant, machinery or capital goods after the cut-off date.

3. Board has examined the matter. Under the said notifications, any new unit set up or an existing unit which has undergone substantial expansion that commences commercial production before the cut-off date is entitled to excise duty exemption in respect of excisable goods (other than those appearing in the negative list) manufactured and cleared for a period of ten yeas from the date of commencement of commercial production. The

Customs Valuation Exchange Rates

December 2010		Imports	Exports	
Schedule I				
1	Australian Dollar	45.35	44.00	
2	Canadian Dollar	45.95	44.60	
3	Danish Kroner	8.30	8.05	
4	EURO	61.75	60.10	Rate of exchange of one unit of foreign currency equipment to Indian Rupees
5	Hong Kong Dollar	5.95	5.85	
6	Norwegian Kroner	7.65	7.35	
7	Pound Sterling	72.95	71.05	
8	Swedish Kroner	6.70	6.45	
9	Swiss Franc	46.50	45.25	
10	Singapore Dollar	35.40	34.40	
11	U.S. Dollar	46.15	45.25	
Schedule II				
1	Japanese Yen	55.55	53.95	Rate of exchange of 100 units of foreign currency equivalent to Indian rupees

(Source: Customs Notification 98(NT)/26.11.2010)

Commodity Spot Prices in India – 24-28 December 2010

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

(Rs.)

Commodity	Unit	Market	24-Dec	27-Dec	28-Dec
CER (Carbon Trading)	1 MT	Mumbai	684.5	690.5	690.5
Chana	100 KGS	Delhi	2425	2415	2409
Masur	100 KGS	Indore	3049	3050	3050
Potato	100 KGS	Agra	NA	NA	NA
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	1540	1520.9	1601.9
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	16546	16700	16981
Guar Gum	100 KGS	Jodhpur	NA	NA	NA
Maize	100 KGS	Nzmbad	1027.5	1026	1029.5
Wheat	100 KGS	Delhi	1330	1332.1	1332.9
Mentha Oil	1 KGS	Chandausi	1267.9	1268.4	1278.3
Cotton Seed	100 KGS	Akola	NA	NA	NA
Castorsd RJK	100 KGS	Rajkot	4052	4194	4245
Guar Seed	100 KGS	Bikaner	2314	2343	2370
Soya Bean	100 KGS	Indore	2254.5	2300	2332
Mustrdsd JPR	20 KGS	Jaipur	572.65	582.1	586.25
Sesame Seed	100 KGS	Rajkot	5613	5575	5563
Coconut Oil Cake	100 KGS	Kochi	NA	NA	NA
RCBR Oil Cake	1 MT	Raipur	NA	NA	NA
Kapaskhali	50 KGS	Akola	928.6	926	930
Coconut Oil	100 KGS	Kochi	8424	8476	8476
Refsoy Oil	10 KGS	Indore	588.3	611.85	615.3
CPO	10 KGS	Kandla	527	542.7	545
Mustard Oil	10 KGS	Jaipur	582.4	586.1	590.5
Gnutoilexp	10 KGS	Rajkot	732.5	730	760
Castor Oil	10 KGS	Kandla	NA	NA	NA
Crude Oil	1 BBL	Mumbai	4120	4120	4109
Furnace Oil	1000 KGS	Mumbai	NA	NA	NA
Sourcrd Oil	1 BBL	Mumbai	NA	NA	NA
Brent Crude	1 BBL	Mumbai	4243	4241	4241
Gur	40 KGS	Muzngr	NA	NA	NA
Sugars	100 KGS	Kolhapur	2910	2907	2907
Sugarm	100 KGS	Delhi	3075	3116	3175
Natural Gas	1 mmBtu	Hazirabad	183.8	183.8	185.7
Rubber	100 KGS	Kochi	20751	20752	20670
Cotton Long	1 Candy	Kadi	NA	NA	NA
Cotton Med	1 Maund	Sriganganagar	NA	NA	NA
Jute	100 KGS	Kolkata	3479.5	3420	3384
Gold	10 GRMS	Ahmd	20363	20405	20500
Gold Guinea	8 GRMS	Ahmd	16355	16389	16466
Silver	1 KGS	Ahmd	44455	44385	44650
Sponge Iron	1 MT	Raipur	NA	NA	NA
Steel Flat	1000 KGS	Mumbai	NA	NA	NA
Steel Long	1 MT	Gobindgarh	27690	27995	28015
Copper	1 KGS	Mumbai	422.65	422.65	426.05
Nickel	1 KGS	Mumbai	1078.8	1078.5	1078.5
Aluminium	1 KGS	Mumbai	108.6	108.6	108.6
Lead	1 KGS	Mumbai	110.25	110.25	110.25
Zinc	1 KGS	Mumbai	102.8	102.8	102.8
Tin	1 KGS	Mumbai	1215.5	1215	1215

(Source: MCX Spot Prices)

WORLD TRADE SCANNER

BIG's WEEKLY INDEX OF CHANGES

provisions of these notifications do not place a bar or restriction on any addition/modification in the plant or machinery or on the production of new products by an eligible unit after the cut-off date and during the exemption period of ten years as per the notification. Therefore, it is clarified that in all the above situations, the benefit of the excise duty exemption under the notifications would continue to be available to eligible industrial units. However the period of exemption would remain ten years and would not get extended on account of such modifications or additions under any circumstances.

4. Trade and industry and field formations may be suitable informed.

F.No.102/2/2010-CX-3

14th Session of China-Pak Joint Committee in Economy, Trade, Science and Technology Held in Islamabad

The 14th Session of China-Pakistan Joint Committee in Economy, Trade, Science and Technology was held in Islamabad, capital of Pakistan, on December 2. Gao Hucheng, China International Trade Representative (minister-level) and Vice Minister of Commerce, and Abdul Hafeez Shaikh, Minister of Finance of Pakistan co-chaired the session.

Vice Minister Gao stated, China and Pakistan are all-weather friendly neighbors as time goes by, which has set an example for relations between countries. Since the previous session of the Committee, the trade and economic relations of the two countries have developed noticeably. Bilateral trade increased steadily and amounted to US$6.22 billion in the first 9 months of 2010, up by 29% year on year.

At present, Pakistan has become China's 2nd largest trading partner in South Asia. And China is the 3rd largest trading partner, 3rd largest import source and 5th largest export market of Pakistan. Moreover, the mutual cooperation in contracting projects and invest-ment improved smoothly. Such important projects as Karakoram Highway, Gwadar Port, and Duddar Lead-Zinc Mining constructed by Chinese companies have created fruitful social and economic benefits. Chinese companies expanded their invest-ment from traditional fields like resource development, household applia-nces and motorbikes to telecommunication and finance. Additionally, the trade and economic cooperation of the two countries was on the increase with effective cooperation in FTA and the development of mineral resources.

The Chinese government has provided free aid worth of US$200 million and RMB320 million in total for Pakistan. Furthermore, China will continue supporting Pakistan's disaster-relief efforts and unswervingly promoting the practical cooperation in trade and economy of the two countries.

Owned, Edited, Published and Printed by Arun Goyal and Printed at Mercury Printers, 602 Choori Walan, Delhi
Published from 24/4866, Sheeltara House, Ansari Road, New Delhi 110002. (INDIA) Phone: 2328 1314, 3018 3435-37; Fax: 3018 3438
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