

Directorate General of Foreign Trade
Udyog Bhawan
DES-V Section

Minutes of the Meeting of NC-V meeting held on 30.07.2009

The Meeting No. 18/AM10 for the licensing year 2009-10 to consider the cases under Duty Exemption Schemes (Chapter-4) held on 30.07.2009 in Room No. 213 of DGFT under the Chairmanship of Shri A.K.Singh, Jt. DGFT. The following officers were present: -

Sl. No	Name of the representatives & their designation	Department
1.	Sh. Shaish Kumar, Industrial Advisor	DIPP
2.	Sh. Kuldeep Singh, Asstt. Director	MSME
3.	Sh. Pradip Kumar, F.T.D.O	DGFT

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(TEXTILES AND LEATHER ITEMS)

MEETING NUMBER : 18/84-ALC3/2009 **MEETING DATE** : 30.07.2009

At the outset the Minutes of NC Meeting No.16/AM10 dated 16.07.2009, NC Meeting No.17/AM10 dated 23.07.2009 were ratified.

Thereafter, Agenda for individual cases for Meeting No. 18/AM10 was taken up for discussion and the decision taken in respect of each case is enumerated below: -

Online agenda cases

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Case No.:1/18/84-ALC3/2009	Party Name:GAURAV INTERNATIONAL	Meet No/Date:18/84-ALC3/2009 30.07.2009	Status: Deferred
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1	HQ File :01/84/050/00073/AM10/	RLA File :05/24/040/00217/AM10/	Lic.No/Date:0510246088 17.07.2009	Defer Date: 27.08.2009
	Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that copy of application has not been received in this case. It was decided to await the same and defer the case for re-listing on 27.08.2009.			

2	Case No.:2/18/84-ALC3/2009	Party Name:MACCAFERRI ENVIRONMENTAL SOLUTIONS PVT. LTD.	Meet No/Date:18/84-ALC3/2009 30.07.2009	Status: Deferred
	HQ File :01/84/050/00074/AM10/	RLA File :31/24/040/00072/AM10/	Lic.No/Date:3110039295 17.07.2009	Defer Date: 27.08.2009
	<p>Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that earlier NC has fixed the adhoc norms of the applicant firm against advance authorization No. 3110033408 dated 04.04.2008 wherein export item was Paraweb. In this case export item is Paralink. In view of this Committee decided to call the following information/documents from firm before finalizing the adhoc norms in this case: -</p> <ul style="list-style-type: none"> (i) The difference between Paraweb and Paralink alongwith justification for the use of import items asked for; (ii) Stage-wise wastage asked for alongwith justification thereon duly certified with Chartered Engineer. <p>It was therefore decided to defer the case for re-listing on 27.08.2009.</p>			

3	Case No.:3/18/84-ALC3/2009	Party Name:WILLIAM GOODACRE & SONS INDIA PVT.LTD.,	Meet No/Date:18/84-ALC3/2009 30.07.2009	Status: Approved
	HQ File :01/84/050/00075/AM10/	RLA File :10/24/040/00037/AM10/	Lic.No/Date:1010034559 22.07.2009	
	<p>Decision: The Committee considered the case as per agenda and in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance Authorization issued in this case on the basis of report of team, who visited the unit of the applicant firm by allowing 3% wastage on the item of import. The weight of Plastisole should match in the export and import items. A copy of said report of team is also</p>			

enclosed. The Committee also decided that applicant firm may be advised to take immediate necessary action for conversion of
ad hoc

norms

into standarization of input output norms (SION) through the concerned Council alongwith industry data of 4-5 similar manufacturer exporter.

The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.

4	Case No.:4/18/84-ALC3/2009	Party Name:KE-TECHNICAL TEXTILES PVT.LTD.	Meet No/Date:18/84-ALC3/2009 30.07.2009	Status: Deferred
	HQ File :01/84/050/00076/AM10/	RLA File :02/24/040/00060/AM10/	Lic.No/Date:0210129399 22.07.2009	Defer Date: 27.08.2009
	Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that copy of application has not been received in this case. Further, it was also felt that for fixation of SION of this export/import item, case may be processed in separate file for follow up. It was therefore decided to await the same and defer the case for re-listing on 27.08.2009.			

5	Case No.:5/18/84-ALC3/2009	Party Name:J.D. JONES & CO. PVT. LTD.	Meet No/Date:18/84-ALC3/2009 30.07.2009	Status: Approved
	HQ File :01/84/050/00077/AM10/	RLA File :02/24/040/00081/AM10/	Lic.No/Date:0210129396 22.07.2009	
	Decision: The Committee considered the case as per agenda alongwith other relevant papers and felt that for manufacturing of Pacmaan gland packing from Kymol Novoloid Spun Yarn (Viscous Spun Yarn), the process of breadding is involved and for which only 2% wastage is adequate. Therefore, Committee after deliberations in consultation with representatives of technical authorities present in the meeting decided to ratify this case by allowing 2% wastage on the item of import i.e firm have to account for 194.82 Kgs of import item in the export item. The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.			

6	Case No.:6/18/84-ALC3/2009	Party Name:GULATI EXPORT HOUSE	Meet No/Date:18/84-ALC3/2009 30.07.2009	Status: Rejected
	HQ File :01/84/050/00078/AM10/	RLA File :05/24/040/00236/AM10/	Lic.No/Date:0510246376 22.07.2009	
	<p>Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that as per application (in the export item details), the weight of relevant fabric mentioned is 3370 Kgs having GSM-90+/-10%, width-45/46". On calculation, the weight of import Qty. sought is 6211 Kgs resulting more than 84% wastage on the item of import, which is extraordinarily high without any justification in this case. Hence, Committee was constrained to reject the case.</p> <p>RLA may take suitable consequential action accordingly.</p>			

7	Case No.:7/18/84-ALC3/2009	Party Name:KE-TECHNICAL TEXTILES PVT.LTD.	Meet No/Date:18/84-ALC3/2009 30.07.2009	Status: Deferred
	HQ File :01/84/050/00079/AM10/	RLA File :02/24/040/00061/AM10/	Lic.No/Date:0210129431 23.07.2009	Defer Date: 27.08.2009
	<p>Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that copy of application has not been received in this case. Further, it was also felt that for fixation of SION of this export/import item, case may be processed in separate file for follow up. It was therefore decided to await the same and defer the case for re-listing on 27.08.2009.</p>			

8	Case No.:8/18/84-ALC3/2009	Party Name:ASPINWALL & CO. LTD.	Meet No/Date:18/84-ALC3/2009 30.07.2009	Status: Approved
	HQ File :01/84/050/00080/AM10/	RLA File :10/24/040/00044/AM10/	Lic.No/Date:1010034646 24.07.2009	
	<p>Decision: The Committee considered the case as per agenda and in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance Authorization issued in this case on the basis of report of team, who visited the unit of the applicant firm by allowing 1% wastage on the item of import. The weight of Plastisole should match in the export and import items. A copy of said report of team is also enclosed. The Committee also decided that applicant firm may be advised to take immediate necessary action for conversion of adhoc</p> <p style="text-align: right;">norms</p> <p>into standarization of input output norms (SION) through the concerned Council alongwith industry data of 4-5 similar manufacturer exporter.</p> <p>The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.</p>			

Manually generated agenda cases

Case No. 300	M/s Shiny Knitwear, Tirupur
NC18/10 dt. 30.07.2009	F.NO.1/84/50/55/AM09-DES-V
Ratification of input output norms in respect of Advance Authorization No.3210037641 dt. 10.04.2008 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and perused Deptt. of Revenue letter dated 25th June, 2009, the facts noted therein have been taken on record. The Committee also noted the statement dated 17th September, 2008 of Dy Star India Pvt. Ltd., the supplier of Jettex RV inks in this case, wherein consumption pattern for Jettex RV inks is given - 15 gm/ Sq mtr. Further, it has also been mentioned that the actual consumption may vary depending on the design, shades, coverage area and other conditions like operational factors. The Committee also felt that applicant firm have also failed to furnish the printing area & design for printing of export product (size-wise) and density of printing ink etc. Hence, Committee was constrained to maintain the earlier decision of rejection in this case.

Firm may be informed accordingly.

Case No. 301	M/s Shiny Knitwear, Tirupur
NC18/10 dt. 30.07.2009	F.NO.1/84/50/129/AM09-DES-V
Ratification of input output norms in respect of Advance Authorization No.3210037801 dt. 09.05.2008 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and perused Deptt. of Revenue letter dated 25th June, 2009, the facts noted therein have been taken on record. The Committee also noted the statement dated 17th September, 2008 of Dy Star India Pvt. Ltd., the supplier of Jettex RV inks in this case, wherein consumption pattern for Jettex RV inks is given - 15 gm/ Sq mtr. Further, it has also been mentioned that the actual consumption may vary depending on the design, shades, coverage area and other conditions like operational factors. The Committee also felt that applicant firm have also failed to furnish the printing area & design for printing of export product (size-wise) and density of printing ink etc. Hence, Committee was constrained to maintain the earlier decision of rejection in this case.

Firm may be informed accordingly.

Case No. 302	M/s Shiny Knitwear, Tirupur
NC18/10 dt. 30.07.2009	F.NO.1/84/50/137/AM09-DES-V
Ratification of input output norms in respect of Advance Authorization No.3210037883 dt. 29.05.2008 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and perused Deptt. of Revenue letter dated 25th June, 2009, the facts noted therein have been taken on record. The Committee also noted the statement dated 17th September, 2008 of Dy Star India Pvt. Ltd., the supplier of Jettex RV inks in this case, wherein consumption pattern for Jettex RV inks is given - 15 gm/ Sq mtr. Further, it has also been mentioned that the actual consumption may vary depending on the design, shades, coverage area and other conditions like operational factors. The Committee also felt that applicant firm have also failed to furnish the printing area & design for printing of export product (size-wise) and density of printing ink etc. Hence, Committee was constrained to maintain the earlier decision of rejection in this case.

Firm may be informed accordingly.

Case No. 303	M/s Gopal Clothing Co. Pvt. Ltd., Gurgaon
NC18/10 dt. 30.07.2009	F.NO.1/84/162/1195/AM08-DES-V
Ratification of input output norms in respect of Advance Authorization No.0510213129 dt. 06.12.2007 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and observed that this case was cleared by NC in its meeting held on 24.07.2008 by imposing Style No. 0563630011112811 on the export item. Now, firm have requested for deletion of Style No. from the export item as exports were made prior to communication of NC decision in this case. The Committee also perused Invoice No. 202/2007-08 dated 29.02.2008 and observed that in the export item's description, some different Style No. 0097730011-112811 has been mentioned. In view of this Committee felt that difference in Style No. can make a difference in the quantitative requirement of input. Hence, it was decided to call the applicant firm for personal hearing in its meeting to be held on 27.08.2009.

The case stands deferred for re-listing on 27.08.2009.

Case No. 304	M/s Gulati Export House, New Delhi
NC18/10 dt. 30.07.2009	F.NO.1/84/50/183/AM07-DES-V
Ratification of input output norms in respect of Advance Authorization No.0510186516 dt. 12.07.2006 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance authorization issued in this case on the basis of written comments of DC (MSME) conveyed vide their U.O NO. 37(5)/26/2009-10/Hosy. dated 29.07.2009 as detailed below: -

Export Product	Import Item	Qty. allowed	Qty. to be accounted for in export
95% Rayon 5% Spandex knitted Ladies Top.	95% Rayon 5% Spandex knitted fabric, GSM-220+/-10%	0.418 Kg/Pc	0.373 Kg/Pc

The R.A shall be advised to take necessary action subject to compliance of other usual conditions.

Case No. 305	M/s Lastolite Imaging Solutions Pvt. Ltd.
NC18/10 dt. 30.07.2009	F.NO.1/84/50/173/AM09-DES-V
Ratification of input output norms in respect of Advance Authorization No.0410102678 dt. 04.03.2009 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that earlier NC decision was based on the basis of width given separately for each product and the same can not be generalized, hence earlier decision does not apply in this case. However, Committee after deliberations in consultation with representatives of technical authorities present in the meeting decided to call the following information/details from firm: -

- (i) Calculation sheet on the basis of 60” width of fabric in respect of all the three export items separately;
- (ii) Commercial value of the wastage generated in the process.

It was therefore decided to defer the case for re-listing on 27.08.2009.

Case No. 306	M/s Gaurav International, Gurgoan
NC18/10 dt. 30.07.2009	F.NO.1/84/50/166/AM06-DES-V
Re-fixation of input output norms in respect of Advance Authorization No.0510160808 dt. 28.06.2005 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and observed that this case was cleared by NC in its meeting held on 19.03.2009 by imposing Style Nos. on each export items. Now, firm have requested for deletion of Style No. from the export items. The Committee felt that applicant firm have not indicated as to whether they have exported the same nature of goods against the advance authorization in question for fulfillment of obligation as allowed by the NC. It was therefore felt that unless this fact is corroborated by documentary evidence, it is not possible to delete the condition of Style No. in the export items in this case. In view of this Committee decided to call the applicant firm for personal hearing in its meeting to be held on 27.08.2009 alongwith complete supporting documents to justify the fact that the goods exported is the same as allowed by NC.

The case stands deferred for re-listing on 27.08.2009.

Case No. 307	M/s Kanti Floor Furnishers, Alleppey
NC18/10 dt. 30.07.2009	F.NO.1/84/50/17/AM10-DES-V
Re-fixation of input output norms in respect of Advance Authorization No.1010033441 dt. 22.04.2009 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance Authorization issued in this case on the basis of report of team, who visited the unit of the applicant firm by allowing 5% wastage in partial modification of its earlier decision. Further, as in this case export product is Rubber Backed not PVC backed, therefore the condition that the weight of plastisole should match on the export and import side is not relevant in this case, hence decided to delete this condition. A copy of said report of team is also enclosed.

The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.

Case No. 308	M/s Loyal Textile Mills Ltd., Kovilpatti
NC18/10 dt. 30.07.2009	F.NO.1/84/50/311/AM09-DES-V

Re-fixation of input output norms in respect of Advance Authorization No.3510024674 dt. 18.09.2008 – under Para 4.7 of HBP (Vol1) 2004-2009.

Decision: The Committee considered the case as per agenda and observed that decision of NC regarding Reactive Dyes i.e 1.5% of cotton content in the export product on 24.07.2008 based on the cue from SION at S.No. J-10/J-19, hence, there is no possibility to review it. Thus, the request for re-fixation of norms for Reactive Dyes is rejected in this case. As regards norms for Furnace Oil, it is clarified that import of Furnace Oil against any advance authorization can be permitted as per relevant Public Notice No. 42(RE: 2008)/2004-2009 dated 04.07.2008. Therefore, R.A may decide the same accordingly. In this connection, it is however, further, clarified that the same cannot be considered for retrospectively i.e for the authorizations issued prior to the said Public Notice. Therefore, it is clarified that in such cases, there is no need to refer the case to Norms Committee. The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.

Case No. 309	M/s Dynamic Techno Medical Pvt. Ltd., Kerala
NC18/10 dt. 30.07.2009	F.NO.1/84/50/29/AM10-DES-V
Ratification of input output norms in respect of Advance Authorization No.1010033656 dt. 15.05.2009 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance Authorization issued in this case by allowing 2% wastage on the item of import as detailed below: -

S.No	Export item	Export Qty.	Import item	Qty. allowed
1	Heel Cushion- Blue made out of Silicon Rubber	11000 Pair	Elastocil P-8670 A	1430 Kgs
2	Heel Cushion- Plain made out of Silicon Rubber	4000 Pair	Elastocil P-8670 B	1430 Kgs
3	Removable Insole blue made out of Silicon Rubber	4700 Pair		
4	Removable Insole Plain made out of Silicon Rubber	750 Pair		
5	Half Insole-Lady Gel made out of Silicon Rubber	1500 Pair		
6	Heel Insole- Shock Absorber made out of Silicon Rubber	500 Pair	Elastocil P-8672 A	95.33 Kgs
7	Heel Insole- Shock Absorber blue made out of Silicon Rubber	250 Pair	Elastocil P-8672 B	95.33 Kgs

The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.

Case No. 310	M/s Gopal Clothing Co. Pvt. Ltd., Gurgaon
NC18/10 dt. 30.07.2009	F.NO.1/84/50/327/AM09-DES-V

Ratification of input output norms in respect of Advance Authorization
No.0510228703 dt. 01.10.2008 – under Para 4.7 of HBP (Vol1) 2004-2009.

Decision: The Committee considered the case as per agenda and observed that as per details submitted, Style No. of the export item is 19450. Firm have to give the documentary proof as to whether the said Style No. is according to the export description for which export obligation has been fulfilled against the advance authorization in question in this case. In view of this Committee decided to call the supporting documents to justify the fact for the firm and defer the case for re-listing on 27.08.2009.

The case stands deferred for re-listing on 27.08.2009.

Case No. 311	M/s Kanti Floor Furnishers, Alleppey
NC18/10 dt. 30.07.2009	F.NO.1/84/50/211/AM08-DES-V
Re-fixation of input output norms in respect of Advance Authorization No.1010029711 dt. 06.06.2008 – under Para 4.7 of HBP (Vol1) 2004-2009.	

Decision: The Committee considered the case as per agenda and went through the details submitted by the firm. The Committee after deliberations in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance Authorization issued in this case by allowing 3% on the basis of report of team, who visited the unit of the firm as detailed below: -

Export item	Export Qty.	Import item	Qty. allowed
Leed Mat (Rubber backed) made of relevant composition of tufted cotton & Polypropylene/Nylon in roll form	4855 Sq mtrs.	Florence of relevant composition of tufted cotton & Polypropylene/Nylon in roll form	5000 Sq mtrs

A copy of said report of team is also enclosed.

The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.

Case No. 312	M/s TCNS Ltd., New Delhi
NC18/10 dt. 30.07.2009	F.NO.1/84/50/180/AM05-DES-V

Decision: The Committee considered the case as per agenda alongwith other relevant papers and heard Sh. Gopal Krishan Sethi, an authorized representative of the firm, who attended the personal hearing in this case. He explained the case alongwith sample, measurement, calculation sheets and laymarker pertaining to this case. The Style No. of export item i.e Girls Pant is CG02 The Committee after detailed deliberations in consultation with representatives of technical authorities present in the meeting decided in partial modification of its earlier decision as detailed below: -

- (I) The import item No. 1 i.e 100% Polyester woven fabric may be allowed 0.41 Sq mtrs./Pc.
- (II) The import item No. 2 i.e 100% cotton pigment dyed corduroy fabric may be allowed 1.42 Sq mtrs./Pc.

The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.

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