

Directorate General of Foreign Trade
Udyog Bhawan
DES-V Section

Minutes of NC-V Meeting due for 07.10.2010 but actually held on 21.10.2010

The Meeting No. 28/AM-11 for the licensing year 2010-11 to consider the cases under Duty Exemption Schemes (Chapter-4) due for 07.10.2010 but actually held on 21.10.2010 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. R.A.Lal, Director	R.O, TC, Noida
3.	Sh. J.D.Giri, Nominee, AEPC	AEPC
4.	Sh. Kuldeep Singh, Asstt. Director	MSME
5.	Sh. Pradip Kumar, F.T.D.O	DGFT

(TEXTILES AND LEATHER ITEMS)

At the outset the Minutes of NC Meeting No. 26/AM11 held on 23.09.2010 and Meeting No.27/AM11 held on 30.09.2010 were ratified. The Agenda for individual cases for Meeting No. 28/AM11 dated 07.10.2010 was taken up for discussion and the decision taken in respect of each case is enumerated below: -

MEETING NUMBER : 28/84-ALC3/2010 **MEETING DATE** : 07.10.2010

1	Case No.:1/28/84-ALC3/2010	Party Name: VIRGO POLYMERS (INDIA) LTD.	Meet No/Date:28/84-ALC3/2010 07.10.2010	Status: Transferred
	HQ File :01/84/050/00179/AM11/	RLA File :04/24/040/00174/AM11/	Lic.No/Date:0410117578 28.09.2010	
	Decision: The Committee considered the case as per agenda alongwith other relevant papers and decided to transfer this case file to DES-VII Section (NC-VII) for their necessary action.			

2	Case No.:2/28/84-ALC3/2010	Party Name:VIRAJ SYNTEX (P) LTD.	Meet No/Date:28/84-ALC3/2010 07.10.2010	Status: Deferred
	HQ File :01/84/050/00180/AM11/	RLA File :06/24/040/00034/AM11/	Lic.No/Date:0610019204 29.09.2010	Defer Date: 28.10.2010
	Decision: The Committee considered the case as per agenda alongwith other relevant papers and decided to defer the case for re-listing on 28.10.2010 as in the similar case applicant firm have been called for personal hearing.			

	Case No.:3/28/84-ALC3/2010	Party Name:RAM COIR MILLS	Meet No/Date:28/84-ALC3/2010 07.10.2010	Status: Approved
	HO File :01/84/050/00181/AM11/	RLA File :10/24/040/00039/AM11/	Lic.No/Date:1010040365	

			30.09.2010	
3	<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 similar unit of another firm by allowing 3% wastage. Weight of Plastisole should match in the export and import item. A copy of report is attached for ready reference. The R.A. shall be advised to take necessary action subject to compliance of other usual conditions.</p>			

4	Case No.:4/28/84-ALC3/2010	Party Name:LILLIPUT KIDSWEAR LTD.	Meet No/Date:28/84-ALC3/2010 07.10.2010	Status: Deferred
	HQ File :01/84/050/00182/AM11/	RLA File :05/23/040/00167/AM11/	Lic.No/Date:0510274018 30.09.2010	Defer Date: 18.11.2010
	<p>Decision: The Committee considered the case as per agenda alongwith other relevant papers and handed over the relevant details to representative of DC (MSME) for their examination and comments. It was therefore decided to defer the case for re-listing on 18.11.2010.</p>			

Manual agenda cases

Case No.275	M/s Ganesh Polytex Ltd., Kanpur
NC No.28/AM11	F.No.01/84/50/430/AM07/DES-V
Dated 07.10.2010	Fixation of input output norms in respect of Advance Authorization No.0610011516 dated 12.12.2006.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and after detailed deliberations in consultation with representatives of technical authorities present in the meeting decided to ratify the adhoc norms in this case taking into consideration the total 5% wastage in the entire process as detailed below: -

S.No	Export item	Import item	Qty. allowed
1	Polyester Staple fibre dyed	Waste of polyester staple fibre, Poly tow waste, poly waste, pet chips, waste of filament, yarn waste	161460 Kgs
		Dyes/Colours/Chemicals/Pigments or Master batches	2340 Kgs.

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

Case No.276	M/s Meenakshi India Ltd., Chennai
NC No.28/AM11	F.No.01/84/50/349/AM09/DES-V
Dated 07.10.2010	Fixation of input output norms in respect of Advance Authorization No.0410099371 dated 21.10.2008.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that firm have stated in their representation that in this case fabric can be cut only in one direction whereas CAD, minimarker submitted therewith reveals that fabric is cut on both the side, which is contradictory. Further, firm have also not given complete measurement and size-wise calculation of complete garment asking enhanced quantitative requirement of inputs in this case. In view of this Committee was constrained to reject the request of the firm and to maintain the status quo in this case.

Firm may be informed accordingly accordingly.

Case No.277	M/s Jiwanram Sheoduttrai Industries Pvt. Ltd., Kolkata
NC No.28/AM11	F.No.01/84/50/15/AM11/DES-V
Dated 07.10.2010	Re-fixation of input output norms in respect of Advance Authorization No.0210140747 dated 09.04.2010.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that earlier NC had decided norms in respect of all the four export product taking into consideration the provisions contained in Policy Circular No. 34/(RE-2007)/2004-2009 dated 24.08.2008 by allowing the inputs @ 4.05 Sq mtrs./Pc. In other words, the quantitative requirement as asked by the firm was @ 4.25 Sq mtrs/Pc which is within 7 ½% of the Qty. as permitted in SION, J-166. In view of this Committee felt that it is not possible to review this case and decided to maintain status quo.

Firm may be informed accordingly.

Case No.278	M/s Bombay Rayon & Industries Ltd., Mumbai
NC No.28/AM11	F.No.01/84/50/244/AM10/DES-V
Dated 07.10.2010	Re-fixation of input output norms in respect of Advance Authorization No.0310556438 dated 21.01.2010.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that earlier NC had already decided norms in this case. Now, firm have neither given measurement nor size-wise

calculation sheet for the complete garments alongwith justification for asking higher Qty. In view this Committee felt that it is not possible to reconsider this case for enhancement, hence decided to maintain status quo.

Firm may be informed accordingly.

Case No.279	M/s Jiwanram Sheoduttrai Industries Pvt. Ltd., Kolkata
NC No.28/AM11	F.No.01/84/50/79/AM11/DES-V
Dated 07.10.2010	Re-fixation of input output norms in respect of Advance Authorization No.0210143174 dated 09.06.2010.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that earlier NC had decided norms in respect of all the three export product taking into consideration the provisions contained in Policy Circular No. 34/(RE-2007)/2004-2009 dated 24.08.2008 by allowing the inputs @ 4.05 Sq mtrs./Pc. In other words, the quantitative requirement as asked by the firm was @ 4.25 Sq mtrs/Pc which is within 7 ½% of the Qty. as permitted in SION, J-166. In view of this Committee felt that it is not possible to review this case and decided to maintain status quo.

Firm may be informed accordingly.

Case No.280	M/s Bhadresh Trading Corporation Ltd., Mumbai
NC No.28/AM11	F.No.01/84/162/717/AM09/DES-V
Dated 07.10.2010	Fixation of standard input output norms (SION) for Raw Cotton not carded or combed.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and decided to defer the case for re-listing on 04.11.2010.

Case No.281	M/s Kabadi Chicknagusa & Sons, Bangalore
NC No.28/AM11	F.No.01/84/50/10/AM11/DES-V
Dated 07.10.2010	Re-fixation of input output norms in respect of Advance Authorization No.0710069992 dated 12.02.2010.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and decided to advise the applicant firm to show the documentary proof that description of import item is gummed and not dyed & de-gummed to reconsider this case for review. It was therefore decided to defer the case for re-listing on 18.11.2010.

Case No.282	M/s Galaxy Elegant Fashions Pvt. Ltd., Kolkata
NC No.28/AM11	F.No.01/84/162/292/AM11/DES-V
Dated 07.10.2010	Ratification of input output norms in respect of Advance Authorization No.0510266061 dated 15.06.2010.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and after deliberations in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance authorization issued in this case as detailed below: -

S. No	Export Item	Export Qty.	Import item	Qty. allowed
1	7-13 years boys long sleeve hooded shirt colour red & blue	10045 Pcs	100% cotton yarn dyed check fabric colour red & blue check, GSM-185+/- 10%	17872.220 Sq mtrs.
2	7-13 years boys long sleeve hooded shirt colour navy	10010 Pcs	100% cotton yarn dyed check fabric colour red & blue check, GSM-166+/- 10%	19196 Sq mtrs.

The GSM shall match on both side of export and import. The R.A shall be advised to take necessary action subject to compliance of other usual conditions.

Case No.283	M/s Maccaferri Environmental Solution Pvt. Ltd., Pune
NC No.28/AM11	F.No.01/84/162/213/AM11/DES-V
Dated 07.10.2010	Re-fixation of input output norms in respect of Advance Authorization No.3114379400 dated 30.06.2010.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and after deliberations in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance Authorization issued in this case with 3% wastage on item of import as per report of NC team, who visited the unit of the applicant firm as detailed below:-

S. No.	Export item	Import item	Quantity allowed
1	Paralink-ultra strong reinforcement fabric made up of yarn, LLDPE, Masterbatch & Kevlar	1.Yarn High Tenacity Polyester Filament yarn 2.Linear Low Density Polyethylene (LLDPE) 3.Masterbatch 4) Kevlar	1) 253440 Kgs 2) 245500 Kgs 3) 12517 Kgs

4) 705 Kgs.

The ratio of LLDPE & Master batch polymer shall be maintained 100:4.

The Regional Authority shall be advised to take necessary action subject to compliance of other usual conditions.

Case No.284	M/s B.Sorabji, Mumbai
NC No.28/AM11	F.No.01/84/162/295/AM11/DES-V
Dated 07.10.2010	Regularization of bonafide default in respect of Advance Authorization No.0310419951 dated 19.02.2007.

Decision: The Committee considered the case as per agenda alongwith other relevant papers submitted by the firm. It was observed that against this license, firm had imported 92,094.15 Sq mtrs. fabrics for manufacture of 40,931 Pcs of trousers but entire Qty. of fabrics was utilized in manufacturing & exporting 38,836 Pcs of trousers with an average consumption @ 2.37 Sq mtrs./Pc. The SION, J-275 permits the Qty. @ 2.25 Sq mtrs./Pc. Firm have informed that the excess utilization of fabrics i.e 4730.60 Sq mtrs. in this case is due to extra large sizes and pattern matching as per Buyer's order. It was also observed that as per calculation done on the basis of norms allowed in SION, firm have extra utilized 4730.60 Sq mtrs. of fabrics and there was no surplus fabrics left to fulfill further export or for transfer the same in this case. This confirmed by Appendix-23 given by the firm. Accordingly, the per piece requirement of fabric works out to around 2.37 Sq mtrs. Further, Committee also recalled that Policy Circular No.34/(RE-2007)/2004-2009 dated 24.08.2008 and observed that requirement of applicant firm is well within 7 ½% of SION, J-275 and even if applicant firm had applied under Para 4.7 giving CAD, CAM etc, they would not have been allowed duty free raw material beyond SION, J-275 in view of Policy Circular No.34/(RE-2007)/2004-2009 dated 24.08.2008. The firm have also paid duty under Para 4.28 in this case for the excess Qty. consumed in manufacture of 38836 Pcs of garments and there is no excess unutilized material available with the firm. Therefore, there is no possibility of applying General Note 14 condition in this case, since there is no excess material available with the firm either transferred or used in future export product. Hence, Committee felt that condition of General Note No. 14 of Textile Product does not apply to this case.

The Regional Authority shall be advised to take necessary action subject to compliance of other usual conditions.

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