

DIRECTORATE GENERAL OF FOREIGN TRADE
DES-VI (FOOD & MISC)

Minutes of the meeting of NC-VI held on 22.04.2010

Meeting No. 02/AM11, 03/AM11 & 04/AM11 for the licensing year 2009-10 to consider cases under Duty Exemption Schemes (Chapter-4) of Foreign Trade Policy 2009-14 pertaining to Misc. & Food Products was held on 22.04.2010 under the Chairmanship of Shri A.K. SINGH, Jt. DGFT. Following officers were present in the meeting.

S.No.	Name of the Officer	Designation	Department
1.	Sh. A.K.Ojha	AD	MSME
2.	Sh. V.K.Yadav	Sr. Tech. Adviser	Dte. Of Sugar
3.	Sh. T.M. Skaria	DDG	DGFT
4.	Sh. Raghu Nath	FTDO	DGFT

The Committee ratified the minutes of the meeting held on 25.03.2010 & 01.04.2010. Agenda for individual cases was taken up for discussion. Decision taken in each case is enumerated below. Ad-hoc norms fixed in this meeting are valid for a period of 12 months as per Public Notice 37 dated 23.08.2007

PART-I

1	23 Case No.:4/45/85-ALC3/2009	M/S.SYMEGA SAVOURY TECHNOLOGY LIMITED	M.No. 02/11 dt. 08.04.2010	Status: Deferred
	HQ File :01/85/050/00234/AM10/	RLA File :10/24/040/00124/AM10/	Lic.No/Date:1010037525 05.03.2010	
	The case was considered by the committee as per agenda. The Committee decided to call for the following information from the applicant Firm: 1. Import item contents in the export product. 2. Production flow chart. To be re-listed on 20.05.2010..			

2	24 Case No.:1/37/85-ALC3/2009	M/S.ESSEM TECNOPINZ PVT. LTD	M.No. 02/11 dt. 08.04.2010	Status: Rejected
	HQ File :01/85/050/00193/AM10/	RLA File :31/24/040/00166/AM10/	Lic.No/Date:3110041231 23.12.2009	
	The case was considered by the committee as per agenda. The Committee noted that the applicant Firm was asked to furnish further information vide letter dt. 22.03.2010, but reply has not been received . In the absence of requisite information it is not possible to determine the input output qty. Therefore, the Committee decided to reject the case.			
	RA to take consequential action as per policy/procedure.			

3	25 Case No.:4/2/85-ALC3/2010	M/S. R L FINE CHEM	M.No. 02/11 dt. 08.04.2010	Status: Transfer
	HQ File :01/85/050/00270/AM10/	RLA File :07/24/040/00382/AM10/	Lic.No/Date:0710069599 22.01.2010	
	The case was considered by the committee as per agenda. It was noted that the ITC (HS) Code No. 2402 at four digit level does not cover the export product in this case. The applicant has not indicated the correct ITC Code No. The export product appears to be a chemical item.. The Committee decided to transfer the Case to NC-III.			

4	26 Case No.:3/2/85-ALC3/2010	M/S.SPACEWOOD FURNISHERS (P)LTD.,	M.No. 02/11 dt. 08.04.2010	Status: Deferred
	HQ File :01/85/050/00269/AM10/	RLA File :03/95/040/00003/AM10/	Lic.No/Date:0310567070 29.03.2010	
	The case was considered by the committee as per agenda. It was noted that hard copy of application has not been received. The Committee decided to defer the case. To be re-listed on 20.05.2010.			

5	27 Case No.:2/2/85-ALC3/2010	M/S.MARINE CHEMICALS,	M.No. 02/11 dt. 08.04.2010	Status: Approved
	HQ File :01/85/050/00268/AM10/	RLA File :10/24/040/00136/AM10/	Lic.No/Date:1010037914 29.03.2010	
	The case was considered by the committee as per agenda..			
The case was considered by the committee as per agenda. . It was noted that a similar case of the same firm for the same export product was approved in NC Meeting No. 43/AM10 dated 25.02.2010 in advance authorization No.1010037197 dt. 16.02.2010 allowing 9.22% wastage. The Committee decided to approve this case on repeat basis, as under:				
Export Item		Qty.	Import Item	Qty
AGAR AGAR / POWDER GRADE FOOD/MICRO BIOLOGICAL / BACTERIOLIGAL /PHARMA		15432.600KG	AGAR AGAR POWDER	16855.485KG

		COMMERCIAL GRADE	
RLA to take consequential action as per policy/procedure.			

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28 Case No.:1/2/85-ALC3/2010	M/S.FLORA PHARM	M.No. 02/11 dt. 08.04.2010	Status: Approved
HQ File :01/85/050/00267/AM10/	RLA File :35/24/040/00047/AM10/	Lic.No/Date:3510029622 26.03.2010	
The case was considered by the committee as per agenda. It was noted that an earlier similar case was ratified by NC in Meeting No. 01 dated 01.04.2010 in advance licence No. 0310488356 dt. 30.09.2008. Committee had ratified norms based on yield of 4.45%. Committee, therefore, ratified norms as applied for:-			
Export Item	Qty.	Import Item	Qty.
GRIFFONIA SIMPLICIFOLIA DRY EXTRACT (MINIMUM 99%)	1056.000 KG	GRIFFONIA SIMPLICIFOLI SEEDS 5-HTP content as 6%	22.000MT
In case HTP % is less than 99 %, export obligation in quantity terms will increase pro-rata.			
RA to take consequential action as per policy/procedure.			

7	29	Ref. from PC-4	M.No. 02/11 dt. 08.04.2010	Status: Transfer
	HQ File :01/94/180/883/AM09/PC-4	Clarification regarding inputs under SION E-5 for export of Biscuit under DFIA.		
	The case was considered by the committee as per agenda. It was noted that in the earlier NC meeting No. 13/10 dt. 30.07.09, 20/10 dt. 24.09.09 & 25/10 dt.22.10.2009 decisions have already been conveyed for suitable clarification. The Committee decided to revert the matter to Policy Division.			

8	30	M/S. SBL PVT. LTD.	M.No. 02/11 dt. 08.04.2010	Status: Deferred
	HQ File :01/94/180/0141/AM09/PC-4	Clarification regarding inputs under DFIA as per SION E-5		
	The case was considered by the committee as per agenda. The Committee decided to refer the case to MSME for their comments regarding whether DFIA issued to Biscuit/confectionery manufacturers (which is transferable) can be used for import of lactose against the same. To be re-listed on 20.05.2010.			

9	31	M/S.INDUSTRIAL FOAMS PVT LTD	M.No. 02/11 dt. 08.04.2010	Status: Approved
	Case No.:2/10/85-ALC3/2009			
	HQ File :01/85/050/00056/AM10/	RLA File :05/24/040/00849/AM08/	Lic.No/Date:0510216328 13.02.2008	
The case was considered by the committee as per agenda. It was decided to request to DIPP expedite the comments. To be re-listed on 20.05.2010				

10	32	M/S.LIMTEX (INDIA) LTD., KOLKATA	M.No. 02/11 dt. 08.04.2010	Status: Approved
	HQ File :01/85/050/00050/AM10/	RLA File :02/24/040/00041/AM10	Lic.No/Date:0210127558 11.06.2009	
	The case was considered by the committee as per agenda. It was noted that the applicant Firm has got the advance licence amended from RA Kolkatta. In view of amendment sheet No. 3 of the advance licence, the Committee decided to approve the case on net to net basis and ratified the norm as under:-			
	Export Item	Qty.	Import Item	Qty.
Blended Black Tea in bulk having 90% imported tea and	333.000 MT	BLACK TEA	300.000 MT	

	10% Indian tea.		
	RLA may take consequential action as per policy/procedure.		

PART-II

1	33	M/S. WESTERN INDIA CASHEW CO. (P) LTD.	M.No. 03/11 DT. 15.04.2010	Status: Deferred
	HQ File :01/85/050/00216/AM10/	RLA File :32/24/40/0045/AM10	Lic.No/Date:3210042471 DT. 06.01.2010	
	The case was considered by the committee as per agenda. It was noted that the date of PH has been postponed and decided to grant another date for PH on 29.04.2010. To be re-listed on 29.04.2010			

2	34	M/S. WESTERN INDIA CASHEW CO. (P) LTD.	M.No. 03/11 DT. 15.04.2010	Status: Deferred
	HQ File :01/85/050/00154/AM10/	RLA File :32/24/40/0030/AM10	Lic.No/Date:3210041398 DT. 05.10.2009	
	The case was considered by the committee as per agenda. It was noted that the date of PH has been postponed and decided to grant another date for PH on 29.04.2010. To be re-listed on 29.04.2010			

3	35	M/S. NANDLAL BANKATLAL PVT. LTD.	M.No. 03/11 DT. 15.04.2010	Status: Deferred
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HQ File:01/85/162/00412/AM10

Ref. from PC-4 (F.No. 01/94/180/634/AM09/PC-4)

The case was considered by the committee as per agenda. The Committee decided to refer the case to MSME for their comments.
To be re-listed on 20.05.2010.

4	36 Case No.:2/42/85-ALC3/2009	M/S. GADRE MARINE EXPORT PVT LTD	M.No. 03/11 DT. 15.04.2010	Status: Deferred
	HQ File :01/85/050/00224/AM10/	RLA File :03/94/040/00967/AM10/	Lic.No/Date:0310558479 04.02.2010	
	The case was considered by the committee as per agenda.. It was noted that MPEDA have been reminded on 19.04.2010 by e-mail to expedite the comments. The case was deferred. To be re listed on 20.05.2010.			

5	37 Case No.:3/46/85-ALC3/2009	M/S. GADRE MARINE EXPORT PVT LTD	M.No. 03/11 DT. 15.04.2010	Status: Deferred
	HQ File :01/85/050/00237/AM10/	RLA File :03/94/040/01064/AM10/	Lic.No/Date:0310563862 10.03.2010	
	The case was considered by the committee as per agenda.. It was noted that MPEDA have been reminded on 19.04.2010 by e-mail to expedite the comments. The case was deferred. To be re listed on 20.05.2010.			

6	38 Case No.:3/42/85-ALC3/2009	M/S. GADRE MARINE EXPORT PVT LTD	M.No. 03/11 DT. 15.04.2010	Status: Deferred
	HQ File :01/85/050/00225/AM10/	RLA File :03/94/040/00965/AM10/	Lic.No/Date:0310558481 04.02.2010	
	The case was considered by the committee as per agenda.. It was noted that MPEDA have been reminded on 19.04.2010 by e-mail to expedite the comments. The case was deferred. To be re listed on 20.05.2010.			

7	Case 39	M/S. SPACEWOOD FURNISHERS (P)LTD.,	M.No. 03/11 DT. 15.04.2010	Status: Deferred
	No.:4/46/85-ALC3/2009			
	HQ File :01/85/050/00238/AM10/	RLA File :03/95/040/00972/AM09/	Lic.No/Date:0310564253 11.03.2010	
	The case was considered by the committee as per agenda. The Committee decided to refer the application to DIPP for comments. To be re-listed on 20.05.2010			

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40 Case No.:1/3/85-ALC3/2010	M/S. PUNJAB CHEMICALS AND CROP PROTECTION LTD.,	M.No. 03/11 DT. 15.04.2010	Status: Approved
HQ File :01/85/050/00001/AM11/	RLA File :03/95/040/00001/AM11/	Lic.No/Date:0310568470 07.04.2010	

The case was considered by the committee as per agenda. It was noted that an earlier case of Firm was ratified by NC in Meeting No. 40/10 dated 04.02.2010 in advance licence No. 0310522261 dt. 02.06.2009 in which output from Krill Meal was taken as 18.07%. On the same basis, output in this case will work out to 9939Kgs. Committee decided that export obligation qty. and FOB value may be enhanced accordingly, and ratified norms as under:-

Export Item	Qty.	FOB Value	Import Item	Qty.
Marine Oil FM 4030	9939Kg	Rs. 14141457.00 US\$ 303140.00	1. Fish Meal	55000.00Kg
			2. Covi-Ox T-70 E	17.00Kg
			3.Stabilenhance OSR 5%	17.00Kg
			4. Ascorbyl Palmitate FCC	1.15Kg

RA to take consequential action as per policy/procedure.

9	41 Case No.:1/46/85-ALC3/2009	M/S. ENGLISH INDIAN CLAYS LIMITED	M.No. 03/11 DT. 15.04.2010	Status: Deferred
	HQ File :01/85/050/00235/AM10/	RLA File :53/24/040/00016/AM10/	Lic.No/Date:5310010198 02.03.2010	
	The case was considered by the committee as per agenda. The Committee decided to refer the case to C & PC for comments. To be re-listed on 20.05.2010.			

10	42	M/S. NESTLE INDIA LTD., GURGAON	M.No. 03/11 DT. 15.04.2010	Status: Transferred
	HQ File :01/85/162/124/AM10	Ref. from PC-4(B) F.No. 01/94/180/00815/AM10/PC-4(B)		
	Clarification as to whether the product “Instant Coffee Blended with Chicory” under brand name “Sunrise and Recory” is covered under DEPB entry Sl. No. 2 of the Food product group.			
	The case was considered by the committee as per agenda. It was noted that DEPB entry at Sl. No. 2 of the product group Food Products is for ‘Chicory/Coffee’ whereas the exported product in this case is “Instant Coffee Blended with Chicory’. Description as per SION E-10 and SION E-28 is as under : - <u>E-10:</u> Chicory/Coffee/Tea packed in OTS cans. - <u>E-28:</u> Instant Coffee (Soluble Coffee) Description in DEPB includes 2 products i.e. Coffee as well as Chicory, which need not be blended together. On export of coffee or chicory separately , admissibility of DEPB benefit is available. Accordingly Committee is of the view that instant coffee blended with chicory is not			

covered under the above DEPB entry for availing DEPB benefit. Matter may be reverted to DEPB Committee.

PART-III

1	43	M/S. UNI KLINGER LTD., PUNE	M.No. 04/11 DT. 22.04.2010	Status: Rejected
	HQ File :01/85/050/432/AM08	RLA File :31/24/40/	Lic.No/Date:3110031555 13.11.2007	
	The case was considered by the committee as per agenda. It was noted that no representative of the applicant turned up for PH , inspite of giving several opportunities Applicant has also failed to reply to the deficiency letter dated 10.03.2009. In the absence of explanations and requisite information, Committee is not able to determine the input-output qty. The Committee was therefore constrained to reject the case RA to take consequential action as per policy/procedure			

2	44	M/S. UNI KLINGER LTD., PUNE	M.No. 04/11 DT. 22.04.2010	Status: Rejected
	HQ File :01/85/050/433/AM08	RLA File :31/24/40/	Lic.No/Date:3110031556 13.11.2007	
	The case was considered by the committee as per agenda. It was noted that no representative of the applicant turned up for PH , inspite of giving several opportunities Applicant has also failed to reply to the deficiency letter dated 10.03.2009. In the absence of explanations and requisite information, Committee is not able to determine the input-output qty. The Committee was therefore constrained to reject the case RA to take consequential action as per policy/procedure			

3	45	M/S. BGH EXIM LTD., KOLKAT	M.No. 04/11 DT. 22.04.2010	Status: Rejected
	HQ File :01/85/050/107/AM10	RLA File :02/24/40/110/AM10	Lic.No/Date:0210131072 02.09.2009	
	The case was considered by the committee as per agenda. It was noted that no representative of the applicant turned up for PH. The Committee decided to reject the case RA to take consequential action as per policy/procedure			

4	46 Case No.:7/47/85-ALC3/2009	M/S. GADRE MARINE EXPORT PVT LTD	M.No. 04/11 DT. 22.04.2010	Status: Deferred.
	HQ File :01/85/050/00245/AM10/	RLA File :03/94/040/00738/AM10/	Lic.No/Date:0310548284 30.11.2009	
	The case was considered by the committee as per agenda.. It was noted that MPEDA have been reminded on 19.04.2010 by e-mail to expedite the comments. The case was deferred. To be re listed on 20.05.2010.			

5	47 Case No.:10/47/85-ALC3/2009	M/S. GADRE MARINE EXPORT PVT LTD	M.No. 04/11 DT. 22.04.2010	Status: Deferred
	HQ File :01/85/050/00248/AM10/	RLA File :03/94/040/00881/AM10/	Lic.No/Date:0310555518 15.01.2010	
	The case was considered by the committee as per agenda.. It was noted that MPEDA have been reminded on 19.04.2010 by e-mail to expedite the comments. The case was deferred. To be re listed on 20.05.2010.			

6	48 Case No.:5/47/85-ALC3/2009	M/S. GADRE MARINE EXPORT PVT LTD	M.No. 04/11 DT. 22.04.2010	Status: Deferred
	HQ File :01/85/050/00243/AM10/	RLA File :03/94/040/00745/AM10/	Lic.No/Date:0310548770 02.12.2009	
	The case was considered by the committee as per agenda.. It was noted that MPEDA have been reminded on 19.04.2010 by e-mail to expedite the comments. The case was deferred. To be re listed on 20.05.2010.			

7	49 Case No.:3/47/85-ALC3/2009	M/S. GADRE MARINE EXPORT PVT LTD	M.No. 04/11 DT. 22.04.2010	Status: Deferred
	HQ File :01/85/050/00241/AM10/	RLA File :03/94/040/00717/AM10/	Lic.No/Date:0310546877 20.11.2009	
	The case was considered by the committee as per agenda.. It was noted that MPEDA have been reminded on 19.04.2010 by e-mail to expedite the comments. The case was deferred. To be re listed on 20.05.2010.			

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50 Case No.:1/4/85-ALC3/2010		M/S. BIRLA CORPORATION LTD.,	M.No. 04/11 DT. 22.04.2010	Status: Approved
HQ File :01/85/050/00002/AM11/		RLA File :02/24/040/00244/AM10/	Lic.No/Date:0210140817 12.04.2010	
The case was considered by the committee as per agenda. It was noted that an earlier case of Firm was ratified by NC in Meeting No. 01/AM 11 dated 01.04.2010 in advance licence No.0210138381 dt. 23.02.2010. On the same basis, Committee ratified the norms as under:-				
Export Item	Qty.	Import Item	Qty.	
Ordinary Portland Cement	50,000.00MT	Clinker	47500.00MT	
		Gypsum	2000MT	
		PP Bags	As per packing policy, with accountability in export.	
RLA to take consequential action as per policy/procedure.				

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51 Case No.:2/4/85-ALC3/2010		M/S. BIRLA CORPORATION LTD.,	M.No. 04/11 DT. 22.04.2010	Status: Approved
HQ File :01/85/050/00003/AM11/		RLA File :02/24/040/00240/AM10/	Lic.No/Date:0210140882 13.04.2010	
The case was considered by the committee as per agenda. It was noted that an earlier case of Firm was ratified by NC in Meeting No. 01/AM 11 dated 01.04.2010 in advance licence No. 0210138381 dt. 23.02.2010 On the same basis, Committee ratified the norms as under:-				
Export Item	Qty.	Import Item	Qty.	
Ordinary Portland Cement	50,000.00MT	Clinker	47500.00MT	
		Gypsum	2000MT	
		PP Bags	As per packing policy, with accountability in export.	
RLA to take consequential action as per policy/procedure.				

10	52 Case No.:1/47/85-ALC3/2009		M/S. JEWEL CONSUMER CARE P LTD	M.No. 04/11 DT. 22.04.2010	Status: Approved
	HQ File :01/85/050/00239/AM10/		RLA File :34/24/040/00221/AM10/	Lic.No/Date:3410026605 16.03.2010	
		The case was considered by the committee as per agenda. It was noted that an earlier case of Firm was ratified by NC in Meeting No. 23/AM10 dated 08.10.2009 in advance licence No.3410024594 dt.01.7.2009. Committee ratified the instant case on repeat basis. RA to take consequential action as per policy procedures			

11	53	M/S.FRESHTROP FRUITS PVT. LTD.	M.No. 04/11 DT. 22.04.2010	Status: Approved
	HQ File :01/85/162/933/AM05	RLA File :08/80/40/431/AM02	Lic.No/Date:0810015106 13.12.2001	
	Reduction of EO/Regularization against the advance authorization.			
The case was considered by the committee as per agenda. Representative of the firm attended the meeting for PH. He made the following submissions :- (i) Advance Licence No.0810015106 was issued on 13.12.2001, under which 6,34,200 No. of Punnets were imported on 26.12.2001 for export purpose for CIF value of Rs.. 15,81,005. (ii) 3,91,051 Nos. of Punnets were exported from 1.1.2002 to 30.4.2002. (iii) Unit was converted from DTA to EOU and letter of permission received on 19.02.2002 & licence received on 18.06.2002. (iv) On conversion to EOU unit, balance 2,43,149 Punnets were carried forward to EOU.				

(v) Request is for proportionate reduction of export obligation under advance licence.
 2. Committee decided that the import under advance licence may be reduced to 3,91,051 Nos of Punnets for proportionate CIF value. E.O to be refixed on prorata basis for 3,91,051 Nos. Punnets . Balance quantity of 2,43,149 Nos. of Punnets transferred from this advance licence to stock of EOU.

RA to take consequential action as per policy procedures.

12	54		M/S. THE CAMPCO LTD		M.No. 04/11 DT. 22.04.2010		Status: Approved
	Case No.:2/47/85-ALC3/2009				22.04.2010		
	HQ File :01/85/050/00240/AM10/		RLA File :07/24/040/00357/AM10/		Lic.No/Date:0710070562 17.03.2010		
	The case was considered by the committee as per agenda. Committee ratified the norms as under:-						
	Export Item		Qty.	Import Item		Qty.	
Jago instant drinking chocolate powder containing 200MT of Cocoa Powder		1000 MT	Cocoa powder		200 MT		
RA to take consequential action as per policy procedures.							

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