

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

Minutes of the meeting of NC-VI held on 21.05.2009

Meeting No. 04/AM10 for the licensing year 2009-10 to consider cases under Duty Exemption Schemes (Chapter-4) of Foreign Trade Policy 2004-09 pertaining to Misc. & Food Products was held on 21.05.2009 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. Shaish Kumar	I.A.	DIPP
2.	Sh. A.K. Ojha	A.D.	MSME
3.	Sh. T.M. Skaria	DDG	DGFT
4.	Sh. Raghu Nath	FTDO	DGFT

The agenda for individual case 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.

Case No 86 NC-VI Dt. 21.05.2009	M/s. Gujarat Paraffins Pvt. Ltd., Ahmedabad	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/85/50/0018/AM10 RLA File 08/24/40/00090/AM07		Lic No. & Dt. 0810057870 dt. 06.07.2006	

The case was considered by the committee as per the agenda It was noted that Advance Authorization was issued in July'2006 and online agenda for this case was generated automatically. This office has no supporting documents except appendix 34 and 11A. RA may ascertain whether NC has already decided the case. In case, the case was not finalized earlier, committee in absence of complete details of production process etc. is not able to compute wastage and quantity of inputs. If the case has already been decided, RA may inform NC, otherwise the case is deemed to be rejected for want of complete details.

Case No 87 NC-VI Dt. 21.05.2009	M/s. Gangwal Chemicals (P) Ltd. Mumbai	Meeting No. 04/09 Dt. 21.5.09	Status: Transferred
HQ File No. 01/83/50/00315/AM08 RLA File 03/94/40/0122/AM08		Lic No. & Dt. 0310429161 dt. 11.05.2007	

The case was considered by the committee as per the agenda. It was noted that the export product is covered under Chapter 29 of ITC(HS). Work allocation is based on Chapters of ITC(HS). Chapter 29 is with NC-3, as per O&M instruction 10/2008 dated 12.09.2008 (Copy enclosed). Committee decided to transfer the case to NC-3.

Case No 88 NC-VI Dt. 21.05.2009	M/s. Funkskool (India) Ltd., Chennai	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/87/50/00542/AM08 RLA File 04/24/40/00282/AM08		Lic No. & Dt. 0410092701 dt. 14.12.2007	

The case was considered by the committee as per the agenda. The committee noted that net content of Rubber Wood in export product has not been given. The method of accounting of import inputs in export product is also not given. Further, no quantitative nexus between export product in numbers and import item in Cubic Meter can be determined. Committee was therefore constrained to reject the case.

RLA to take consequential action as per policy/procedure.

Case No 89 NC-VI Dt. 21.05.2009	M/s. Drytech Processes (I) Pvt. Ltd., Mumbai	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred.
HQ File No. 01/85/50/00113/AM09 RLA File 03/94/40/00358/AM09		Lic No. & Dt. 0310478010 dt. 09.07.2008	

The case was considered by the committee as per the agenda. After discussion, Committee decided to call for the following information from the applicant firm:

1. Moisture content and % of foreign material in import content.
2. Information regarding what is Kibbled & Seyal in import item and how it is different from gum Arabic.

To be re-listed on 18.06.2009

Case No 90 NC-VI Dt. 21.05.2009	M/s. Haldia Petrochemicals Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/85/50/00146/AM09 RLA File 02/24/40/00144/AM09		Lic No. & Dt. 0210116575 dt. 27.08.2008	

The case was considered by the committee as per the agenda. The committee noted that applicant has not given justification for the quantity of import input sought for production of export product. There is no information as to what other products are made from the same import item. In such a situation committee is not in a position to compute wastage and is constrained to reject the case.

RLA to take consequential action as per policy/procedure.

Case No 91 NC-VI Dt. 21.05.2009	M/s. Jindal Drugs Ltd., Mumbai	Meeting No. 04/09 Dt. 21.5.09	Status: Approved
HQ File No. 01/85/50/00185/AM09 RLA File 03/94/40/713/AM09		Lic No. & Dt. 0310491369 dt. 21.10.2008	

Committee considered the case as per agenda. It was noted that a similar case of the Firm has already been ratified by NC on 22.01.2009 in advance authorization No. 0310486755 dt. 17.09.2008. On the same basis, committee ratified the following quantity:

Export Item	Qty.	Import Item	Qty.
Cocoa Butter	100MT	Cocoa Beans-Dried & Fermented	200.85MT

RLA to take consequential action as per policy/procedure.

Case No 92 NC-VI Dt. 21.05.2009	M/s. Amrut Distilleries Ltd., Bangalore	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/85/50/00203/AM09 RLA File 7/24/40/471/AM09		Lic No. & Dt. 0710061428 dt. 01.12.2008	

The case was considered by the committee as per the agenda. The committee noted that applicant firm has not given the manufacturing process and stage-wise details of wastage in the production of export product. In the absence of the details, committee is unable to justify the wastage sought. The committee was therefore, constrained to reject the case.

RLA to take consequential action as per policy/procedure.

Case No 93 NC-VI Dt. 21.05.2009	M/s. Haldia Petrochemicals Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/85/50/00215/AM09 RLA File 02/24/40/00219/AM09		Lic No. & Dt. 0210121001 dt. 12.12.2008	

The case was considered by the committee as per the agenda. The committee noted that applicant has not given justification for the quantity of import input sought for production of export product. There is no information as to what other products are made from the same import item. In such a situation committee is not in a position to compute wastage and is constrained to reject the case.

RLA to take consequential action as per policy/procedure.

Case No 94 NC-VI Dt. 21.05.2009	M/s. Ganga Rasayanie Pvt. Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/85/50/00244/AM09 RLA File 03/94/40/902/AM09		Lic No. & Dt. 0310502553 dt. 16.01.2009	

The case was considered by the committee as per the agenda. The committee noted that the import item and export item is under the same ITC(HS). Technical specification of import item and export item has not been given. By indicating any particular brand names, product does not appear to change. Moreover, applicant has not given justification for wastage, details of manufacturing process, stage-wise wastage and details of physical products in entire production process. In the absence of such details, committee is not in a position to compute wastage. The Committee, therefore, decided to reject the case.

RLA to take consequential action as per policy/procedure.

Case No 95 NC-VI Dt. 21.05.2009	M/s. Sonic Biochem Extractiions Ltd., Indore	Meeting No. 04/09 Dt. 21.5.09	Status: Approved
HQ File No. 01/85/50/00245/AM09 RLA File 11/24/40/0070/AM09		Lic No. & Dt. 1110019425 dt. 19.01.2009	

The case was considered by the committee as per the agenda. Committee noted that the process of manufacture of Textured Vegetable Protein (TVP) is from Soyaseed. How Hexane and Soya Protein Isolate are required for production of export product has not been brought out. Committee therefore disallowed that item and ratified norms as under:

Export Item	Qty.	Import	Qty.
Textured Vegetable Protein (TVP)	30,000MT	1. Soya Protein Isolate 2. Hexane 3. Extensible Sack Craft Paper (For paper bag) 4. LDPE Granules	Not allowed Not allowed As per packing policy As per packing policy

RLA to take consequential action as per policy/procedure.

Case No 96 NC-VI Dt. 21.05.2009	M/s. Shree Renuka Sugars Ltd., Belgaum	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
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HQ File No. 01/85/50/00273/AM09 RLA File 07/24/40/649/AM09	Lic No. & Dt. 0710063483 dt. 09.03.2009	
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The case was considered by the committee as per the agenda. It was decided to defer the consideration of this case and re-list on 18.06.2009

Case No 97 NC-VI Dt. 21.05.2009	M/s. Shree Renuka Sugars Ltd., Belgaum	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
HQ File No. 01/85/50/00274/AM09 RLA File 07/24/40/650/AM09		Lic No. & Dt. 0710063485 dt. 09.03.2009	

The case was considered by the committee as per the agenda. It was decided to defer the consideration of this case and re-list on 18.06.2009

Case No 98 NC-VI Dt. 21.05.2009	M/s. Shree Renuka Sugars Ltd., Belgaum	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
HQ File No. 01/85/50/00275/AM09 RLA File 07/24/40/652/AM09		Lic No. & Dt. 0710063486 dt. 09.03.2009	

The case was considered by the committee as per the agenda. It was decided to defer the consideration of this case and re-list on 18.06.2009

Case No 99 NC-VI Dt. 21.05.2009	M/s. Panama Petrochem Ltd., Mumbai	Meeting No. 04/09 Dt. 21.5.09	Status: Approved
HQ File No. 01/85/50/0029/AM10 RLA File 03/95/40/878/AM09		Lic No. & Dt. 0310511438 dt. 13.03.2009	

The case was considered by the committee as per the agenda. Committee noted that production of export product involves only process of simple mixing and blending. There can not be wastage in such process. Moreover since products are costly, applicant should make effort to reach a level of Zero% wastage. Accordingly, Committee decided to ratify norms on net to net basis without wastage as under:-

Export Item	Qty.	Import Item	Qty.
Coning Oil (Anti-Static)	300000KG	1. SN-150 Mineral Base Oil	2,55,500KG
		2.Emulsifier (Ethoxylated Monyl Phenol)	30,000KG
		3. Diethylene glycol	15,000KG

RLA to take consequential action as per policy/procedure.

Case No 100 NC-VI Dt. 21.05.2009	M/s. Raj Petro Specialities Pvt. Ltd., Mumbai	Meeting No. 04/09 Dt. 21.5.09	Status: Approved
HQ File No. 01/85/50/0278/AM09 RLA File 03/95/40/0990/AM09		Lic No. & Dt. 0310511366 dt. 13.03.2009	

The case was considered by the committee as per the agenda. The committee decided to allow the inputs in this case as per SION A-3346 or as applied for, whichever is less. Accordingly, input output qty would be as under:-

Export Item	Qty.	Import Item	Qty.
White Petroleum Jelly (melting point Deg. C 56 2, Congealing Point Deg. C 541 & consistency @ 25 Deg. C 110 5)	326.4MT	Base Oil Paraffin Wax Micro-crystalline Wax	205.632MT 55.488MT 29.376MT

The RLA may take consequential action as per policy/procedure.

Case No 101 NC-VI Dt. 21.05.2009	M/s. Unibic Biscuits India Pvt. Ltd., Bangalore	Meeting No. 04/09 Dt. 21.5.09	Status: Clarified
HQ File No. 01/85/50/0036/AM08 RLA File 07/24/40/0177/AM08		Lic No. & Dt. 0710051968 dt. 13.06.2007	

The case was considered by the committee as per agenda. It was noted that committee had ratified norms in this case on 06.09.2007 for export of Fruit Mince Pie from imported Fruit Mince subject to the condition that type of Fruit Mince shall be same both in import as well as in exports. The issue referred by RLA Bangalore is that applicant has requested that he should not be asked to comply with the above condition regarding same type of Fruit Mince in import/export product. Committee observed that production process documentation should match the type of fruit mince from Bill of Entry to production, to packing & to actual shipping. Applicant should produce any type of documentary evidence to prove that same type of fruit mince has been used in import & export product. For instance, export of fruit mince pie of strawberry can not have any nexus if import of mango fruit mince has been done. If applicant is not able to prove nexus, for any particular shipment, then that shipment can not be taken into account for fulfillment of EO.

RLA may be informed accordingly.

Case No 102 NC-VI Dt. 21.05.2009	M/s. Wrigley India Pvt. Ltd., Bangalore	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/85/162/204/AM09 RLA File 07/24/40/0658/AM08		Lic No. & Dt. 0710055088 dt. 20.12.2007	

The case was considered by the committee as per agenda. It was noted that the firm has not replied to the letter dated 30.04.2009 calling for certain information. It was therefore, decided to reject the case.

RLA to take consequential action as per policy/procedure.

Case No 103 NC-VI Dt. 21.05.2009	M/s. Teesta Valley Exports Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/85/162/673/AM08 RLA File 02/77/40/221/AM08		Lic No. & Dt. 0210106138 dt. 16.11.2007	

The case was considered by the committee as per agenda. Committee observed that facilities exist for manufacturing under Customs Act where no advance authorization is required and imported goods do not touch DTA at all. Committee felt applicant should have use these facilities. Committee felt that the decision taken vide meeting No. 37 dated 05.03.2009 is logical and can not be changed. Committee decided to maintain status quo.

Case No 104 NC-VI Dt. 21.05.2009	M/s. Raghuvanshi Exports, Mumbai	Meeting No. 04/09 Dt. 21.5.09	Status: Rejected
HQ File No. 01/85/162/225/AM09 RLA File 03/95/40/0990/AM09		Lic No. & Dt. Not issued (Application is under Para 4.4.2 of HBP)	

The case was considered by the committee as per agenda. It was noted that applicant has requested for 50% Veg. Refined Palmolien Oil by weight, for production of export product. In assorted instant food mix, qty. of oil differ from item to item and requirement of oil also vary depending on the ingredients of mixing. Accordingly in the present form, it is not possible to establish nexus with qty. Veg. oil. Committee was, therefore, constrained to reject the case.

Case No 105 NC-VI Dt. 21.05.2009	M/s. Haldia Petrochemicals Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
HQ File No. 01/85/50/0030/AM10		Lic No. & Dt.	

RLA File 02/24/40/0024/AM10	0210126579 dt. 15.05.2009	
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The case was considered by the committee as per agenda. It was noted that committee decided to refer the case to M/o PN&G (Petroleum Planning Analysis Cell) for details regarding quantities of various products (Including the quantities and additional inputs for each such products) resulting from cracking of 1MT of Naphtha from first stage of production upto production of Pyrolysis Gasoline (Py Gas). To be re-listed on 18.06.2009.

Case No 106 NC-VI Dt. 21.05.2009	M/s. Himadri chemicals & inds. Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
HQ File No. 01/85/50/0031/AM10 RLA File 02/24/40/00002/AM10		Lic No. & Dt. 0210126586 dt. 18.05.2009	

The case was considered by the committee as per agenda. It was noted that the hard copy of the application has not been received. Case deferred. To relist on 18.06.2009

Case No 107 NC-VI Dt. 21.05.2009	M/s. Himadri chemicals & inds. Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
HQ File No. 01/85/50/0032/AM10 RLA File 02/24/40/00007/AM10		Lic No. & Dt. 0210126589 dt. 18.05.2009	

The case was considered by the committee as per agenda. It was noted that the hard copy of the application has not been received. Case deferred. To relist on 18.06.2009

Case No 108 NC-VI Dt. 21.05.2009	M/s. Himadri chemicals & inds. Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
HQ File No. 01/85/50/0033/AM10 RLA File 02/24/40/0008/AM10		Lic No. & Dt. 0210126590 dt. 18.05.2009	

The case was considered by the committee as per agenda. It was noted that the hard copy of the application has not been received. Case deferred. To relist on 18.06.2009

Case No 109 NC-VI Dt. 21.05.2009	M/s. Himadri chemicals & inds. Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
HQ File No. 01/85/50/0034/AM10 RLA File 02/24/40/00009/AM10		Lic No. & Dt. 0210126594 dt. 18.05.2009	

The case was considered by the committee as per agenda. It was noted that the hard copy of the application has not been received. Case deferred. To relist on 18.06.2009

Case No 110 NC-VI Dt. 21.05.2009	M/s. Himadri chemicals & inds. Ltd., Kolkata	Meeting No. 04/09 Dt. 21.5.09	Status: Deferred
HQ File No. 01/85/50/0035/AM10 RLA File 02/24/40/00012/AM10		Lic No. & Dt. 0210126595 dt. 18.05.2009	

The case was considered by the committee as per agenda. It was noted that the hard copy of the application has not been received. Case deferred. To relist on 18.06.2009

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