

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

Minutes of the meeting of NC-VI held on 04.06.2009

Meeting No. 06/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 04.06.2009 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

The Committee ratified the minutes of the meeting held on 28.05.2009. Thereafter, 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.

Case No 130	M/s.Sriroz Consultants Pvt. Ltd., Pune	Meeting No./Date:6/10 04.06.2009	Status: Approved																
HQ File :01/81/050/00264/AM08	RLA File :31/24/40/00171/AM08	Lic.No/Date:3110030413 dt. 20.08.2007																	
The Committee considered the case as per agenda. Committee perused the written comments dated 04.06.2009 of DIPP and decided to ratify norms as under:- <table> <tr> <th>Export Item</th><th>Qty</th><th>Import Item</th><th>Qty.</th></tr> <tr> <td rowspan="5">Green House Structure with film “Size 52 Mtrs X 52 Mtrs-1 No. & Size 21 Mtrs X 23 Mtrs-12 Nos”.</td><td rowspan="5">8500 Sq. Mtrs (Weight 42.55MT)</td><td>UV Stabilised Polythene film 200 Micron</td><td>1.05Kg/Kg content in the export product</td></tr> <tr> <td>Galvanised steel Profile U shape 0.7mm thick Each profile of 3990mm length (new) (5263 pcs)</td><td>20400Mtrs (6153Kgs) inclusive of 2% wastage</td></tr> <tr> <td>Aluminium Profile U Shape 0.8mm thick Each profile of 4000mm length. (oxidied finish)(2631 pcs)</td><td>10225 Mtrs (1534Kgs) inclusive of 2% wastage.</td></tr> <tr> <td>Vinipet / Zigzag Spring 2.0mm diameter,2m length</td><td>20048 Nos. (1303 Kgs) on net to net basis</td></tr> <tr> <td>Relevant Galvanised Pipe</td><td>24286Kgs inclusive</td></tr> </table>				Export Item	Qty	Import Item	Qty.	Green House Structure with film “Size 52 Mtrs X 52 Mtrs-1 No. & Size 21 Mtrs X 23 Mtrs-12 Nos”.	8500 Sq. Mtrs (Weight 42.55MT)	UV Stabilised Polythene film 200 Micron	1.05Kg/Kg content in the export product	Galvanised steel Profile U shape 0.7mm thick Each profile of 3990mm length (new) (5263 pcs)	20400Mtrs (6153Kgs) inclusive of 2% wastage	Aluminium Profile U Shape 0.8mm thick Each profile of 4000mm length. (oxidied finish)(2631 pcs)	10225 Mtrs (1534Kgs) inclusive of 2% wastage.	Vinipet / Zigzag Spring 2.0mm diameter,2m length	20048 Nos. (1303 Kgs) on net to net basis	Relevant Galvanised Pipe	24286Kgs inclusive
Export Item	Qty	Import Item	Qty.																
Green House Structure with film “Size 52 Mtrs X 52 Mtrs-1 No. & Size 21 Mtrs X 23 Mtrs-12 Nos”.	8500 Sq. Mtrs (Weight 42.55MT)	UV Stabilised Polythene film 200 Micron	1.05Kg/Kg content in the export product																
		Galvanised steel Profile U shape 0.7mm thick Each profile of 3990mm length (new) (5263 pcs)	20400Mtrs (6153Kgs) inclusive of 2% wastage																
		Aluminium Profile U Shape 0.8mm thick Each profile of 4000mm length. (oxidied finish)(2631 pcs)	10225 Mtrs (1534Kgs) inclusive of 2% wastage.																
		Vinipet / Zigzag Spring 2.0mm diameter,2m length	20048 Nos. (1303 Kgs) on net to net basis																
		Relevant Galvanised Pipe	24286Kgs inclusive																

of 2% wastage.

RLA to take consequential action as per policy/procedure.

Case No. 131	Party Name:HIMADRI CHEMICALS & INDS. LTD.	Meeting No./Date:6/10 04.06.2009	Status: Approved								
HQ File :01/85/050/00233/AM09/	RLA File :02/24/040/00241/AM09/	Lic.No/Date:0210121787 02.01.2009									
The Committee considered the case as per agenda. It is seen from the Annexure submitted by applicant for ad-hoc norms cases that ad-hoc norms have not been finalized in any of the cases starting from 22.3.2006 for the export product Coal Tar Pitch. 14 such cases have been listed. Even in this case, reference has been made to relevant technical Ministry, but no decision/ technical inputs were given. Accordingly, Committee decided to take the following decisions: (i) Applicant may be advised to file application under Para 4.4.2 of HBP Vol.I and no ad-hoc licence should be issued in future under Para 4.7 on self-declaration basis. Licence may be given only after approval of NC under Para 4.4.2. (ii) RA to check EO monitoring in all cases listed in Annexure and inform NC whether norms have been fixed in any case. In this case, technical inputs have not been received. Committee was of the view that decision in this case can not be further delayed and felt that no more than 5% wastage is justified according to the process flow chart submitted with application. Accordingly, Committee ratified input output norm with 5% wastage as under: <table border="1"> <thead> <tr> <th>Export item</th><th>Qty</th><th>Import item</th><th>Qty</th></tr> </thead> <tbody> <tr> <td>Coal Tar Pitch (Binder Pitch) (1) Softening Point: 108-112 Deg. C (2) Quinoline Insoluble: 7-12% Max (3) Toluene Insoluble: 25% Min. (4) Moisture content: 0.5% Max</td><td>4200MT</td><td>Coal Tar Pitch (Hard Pitch) (1) Softening Point: 80-100 Deg. C (2) Quinoline Insoluble: 10% Max (3) Toluene Insoluble: 28% Max</td><td>4410MT</td></tr> </tbody> </table> RLA to take consequential action as per policy/procedure.				Export item	Qty	Import item	Qty	Coal Tar Pitch (Binder Pitch) (1) Softening Point: 108-112 Deg. C (2) Quinoline Insoluble: 7-12% Max (3) Toluene Insoluble: 25% Min. (4) Moisture content: 0.5% Max	4200MT	Coal Tar Pitch (Hard Pitch) (1) Softening Point: 80-100 Deg. C (2) Quinoline Insoluble: 10% Max (3) Toluene Insoluble: 28% Max	4410MT
Export item	Qty	Import item	Qty								
Coal Tar Pitch (Binder Pitch) (1) Softening Point: 108-112 Deg. C (2) Quinoline Insoluble: 7-12% Max (3) Toluene Insoluble: 25% Min. (4) Moisture content: 0.5% Max	4200MT	Coal Tar Pitch (Hard Pitch) (1) Softening Point: 80-100 Deg. C (2) Quinoline Insoluble: 10% Max (3) Toluene Insoluble: 28% Max	4410MT								

Case No. 132	M/s. Jain Irrigation Systems Ltd., Mumbai	Meeting No./Date:6/10 04.06.2009	Status: Withdrawn
HQ File :01/85/050/00019/AM09	RLA File :03/94/40/759/AM07	Lic.No/Date:0310402990	

06.10.206

The Committee considered the case as per agenda. The Committee decided that RLA should finalise the case as per packing policy given in SION Book. The case is withdrawn from NC.

Case No. 133	M/s. IMSOFER Mfg.(I) Pvt. Ltd., Pune	Meeting No./Date:6/10 04.06.2009	Status: Rejected
HQ File :01/85/050/00268/AM09/	RLA File :31/24/040/00314/AM09/	Lic.No/Date:3110037409 19.02.2009	
The Committee considered the case as per agenda. Committee perused the drawing design along with flow chart submitted with the application. It was noted that on the export side, export obligation is given numbers without indicating composition of inputs and other items weight in Kgs. Further, the purpose import item No. 8, Mix toys Kinder Joy India, has not been given, i.e. whether it is an integral edible part of chocolate. Detailed technical specifications of inputs at Sl. No. 1,2 & 3 have also not been given. In such a situation, Committee is not in a position to ratify the case. Committee was, therefore, constrained to reject the case.			

Case No. 134	M/s. DRIPLEX WATER ENGINEERING LTD.	Meeting No./Date:6/10 04.06.2009	Status:Rejected & Transferred
HQ File :01/85/050/00266/AM09/	RLA File :05/24/040/00670/AM09/	Lic.No/Date:0510236625 17.02.2009	
The Committee considered the case as per agenda. It is seen from condition sheet of Licence that ITC (HS) Code of export product is 84210098. Committee checked up ITC(HS) Book and found that there is no such code. However, Committee found that at 4 digit level 8421, the items are Centrifuges, including centrifugal dryers, filtering or purifying machinery and apparatus for liquid or gases. In this case, export product is DM Plant. Committee found that the given ITC(HS) code is incorrect and rejected the case for want of correct ITC(HS) Code. Since, the export product has been indicated under chapter 84, Committee decided to transfer the case to DES.I for information.			

Case No. 135	M/s. ASSOCIATED CAPSULES PVT. LIMITED	Meeting No./Date:6/10 04.06.2009	Status: Transferred
HQ File :01/85/050/00253/AM09/	RLA File :03/94/040/00983/AM09/	Lic.No/Date:0310504969 02.02.2009	
The Committee considered the case as per agenda. In a similar case of this firm in Advance Licence No. 0310465295 dated 17.03.2008, Committee had observed in Meeting No. 13/09 dated 17.07.2008 that the correct ITC(HS) Code of the export product falls under Heading 3920 of Chapter 39, which pertains to NC-VII. Accordingly, it was decided to transfer this case to NC-VII			

Case No. 136	M/s. SHREE RENUKA SUGARS LTD.,	Meeting No./Date:6/10 04.06.2009	Status: Withdrawn
HQ File :01/85/050/00211/AM09/	RLA File :07/24/040/00517/AM09/	Lic.No/Date:0710061645 11.12.2008	
The Committee considered the case as per agenda. Committee observed that SION at E-52 prescribes input output norms for import of Raw Sugar for export of White Sugar. In this case also input output items are same. Accordingly, case may be strictly finalized by RA as per SION E-52. RA may also advise applicant to file application under SION fixed category.			

Case No. 137	M/s. SHREE RENUKA SUGARS LTD.,	Meeting No./Date:6/10 04.06.2009	Status: Withdrawn
HQ File :01/85/050/00264/AM09/	RLA File :07/24/040/00625/AM09/	Lic.No/Date:0710063095 18.02.2009	
The Committee considered the case as per agenda. Committee observed that SION at E-52 prescribes input output norms for import of Raw Sugar for export of White Sugar. In this case also input output items are same. Accordingly, case may be strictly finalized by RA as per SION E-52. RA may also advise applicant to file application under SION fixed category.			

Case No. 138	M/s. SHREE RENUKA SUGARS LTD.,	Meeting No./Date:6/10 04.06.2009	Status: Withdrawn
HQ File :01/85/050/00241/AM09/	RLA File :07/21/040/01070/AM09/	Lic.No/Date:0710062373 13.01.2009	
The Committee considered the case as per agenda. Committee observed that SION at E-52 prescribes input output norms for import of Raw Sugar for export of White Sugar. In this case also input output items are same. Accordingly, case may be strictly finalized by RA as per SION E-52. RA may also advise applicant to file application under SION fixed category.			

	Case No. 139	M/s. SHREE RENUKA SUGARS LTD.,	Meeting No./Date:6/10 04.06.2009	Status: Withdrawn
	HQ File :01/85/050/00242/AM09/	RLA File :07/21/040/01071/AM09/	Lic.No/Date:0710062374 13.01.2009	
	The Committee considered the case as per agenda. Committee observed that SION at E-52 prescribes input output norms for import of Raw Sugar for export of White Sugar. In this case also input output items are same. Accordingly, case may be strictly finalized by RA as per SION E-52. RA may also advise applicant to file application under SION fixed category.			

Case No. 140	M/s. SHREE RENUKA SUGARS LTD.,	Meeting No./Date:6/10 04.06.2009	Status: Withdrawn
HQ File :01/85/050/00265/AM09/	RLA File :07/24/040/00624/AM09/	Lic.No/Date:0710063096 18.02.2009	
The Committee considered the case as per agenda. Committee observed that SION at E-52 prescribes input output norms for import of Raw Sugar for export of White Sugar. In this case also input output items are same. Accordingly, case may be strictly finalized by RA as per SION E-52. RA may also advise applicant to file application under SION fixed category.			

Case No. 141	M/s. SHREE RENUKA SUGARS LTD.,	Meeting No./Date:6/10 04.06.2009	Status: Withdrawn
HQ File :01/85/050/00263/AM09/	RLA File :07/24/040/00627/AM09/	Lic.No/Date:0710063094 18.02.2009	
The Committee considered the case as per agenda. Committee observed that SION at E-52 prescribes input output norms for import of Raw Sugar for export of White Sugar. In this case also input output items are same. Accordingly, case may be strictly finalized by RA as per SION E-52. RA may also advise applicant to file application under SION fixed category.			

Case No. 142	M/s. SAI KALA POWER PVT.LTD,	Meeting No./Date:6/10 04.06.2009	Status: Transferred
HQ File :01/85/050/00037/AM10/	RLA File :07/24/040/00070/AM10/	Lic.No/Date:0710064907 21.05.2009	
The Committee considered the case as per agenda. It appears that the ITC(HS) Code of export product is incorrectly given. Since the export products relates to electrical power generation, it is covered under Chapter 85. Accordingly, Committee decided to transfer the case to NC-II.			

	Case No. 143	M/s. CORONET FISH PRODUCTS.	Meeting No./Date:6/10 04.06.2009	Status: Withdrawn
	HQ File :01/85/050/00038/AM10/	RLA File :07/21/040/00071/AM10/	Lic.No/Date:0710064908 21.05.2009	
	The Committee considered the case as per agenda. Committee decided that RA may finalise the case in terms of general policy of packing material given in SION Book. RA may also advise applicant not to file application for packing material under Para 4.7 as RA is authorized to decide such cases under general policy on packing material. The case is withdrawn from NC.			

Case No. 144	M/s. HALDIA PETROCHEMICALS LTD.	Meeting No./Date:6/10 04.06.2009	Status: Deferred
HQ File :01/85/050/00039/AM10/	RLA File :02/24/040/00032/AM10/	Lic.No/Date:0210126862 22.05.2009	
The Committee considered the case as per agenda. Committee decided to refer the case to C&PC and M/o P&NG (Petroleum Planning Analysis Cell, New Delhi) for details regarding various products including the quantities and additional inputs for each product resulting from cracking of 1MT of Naphtha from the first stage of production upto production of Pyrolysis Gasoline (PyGas).			
To re-listed on 02.07.2009			

Case No. 145	M/s. BIRLA CORPORATION LTD.,	Meeting No./Date:6/10 04.06.2009	Status: Rejected
HQ File :01/85/050/00040/AM10/	RLA File :02/24/040/00010/AM10/	Lic.No/Date:0210126877 26.05.2009	
The Committee considered the case as per agenda. Committee observed that applicant should provide the following information: (i) % content of Gypsum in export product. (ii) Past production/consumption data for import item No. 1, 2 & 4 certified by jurisdictional Excise Authorities. (iii) Specification and size of Grinding Media Committee further observed that the number of P.P. Bags (import item No. 3) on export side has not been given, which indicates that export is in bulk form. Therefore, import item No. 3 is disallowed. Committee also noted that no justification for Furnace Oil (import item No. 5) has been given. In the absence of justification, import item No. 5 is disallowed.			

In view of the above, Committee was constrained to reject the case.			
Case No. 146	M/s. BIRLA CORPORATION LTD.,	Meeting No./Date:6/10 04.06.2009	Status: Rejected
HQ File :01/85/050/00041/AM10/	RLA File :02/24/040/00011/AM10/	Lic.No/Date:0210126879 26.05.2009	
The Committee considered the case as per agenda. Committee observed that applicant should provide the following information: (iv) % content of Gypsum in export product. (v) Past production/consumption data for import item No. 1, 2 & 4 certified by jurisdictional Excise Authorities. (vi) Specification and size of Grinding Media Committee further observed that the number of P.P. Bags (import item No. 3) on export side has not been given, which indicates that export is in bulk form. Therefore, import item No. 3 is disallowed. Committee also noted that no justification for Furnace Oil (import item No. 5) has been given. In the absence of justification, import item No. 5 is disallowed. In view of the above, Committee was constrained to reject the case.			

Case No. 147	M/s. KIRAN GLOBAL CHEMS LIMITED	Meeting No./Date:6/10 04.06.2009	Status: Rejected
HQ File :01/85/050/00042/AM10/	RLA File :04/24/040/00045/AM10/	Lic.No/Date:0410104876 28.05.2009	
The Committee considered the case as per agenda. Committee noted that Chapter 20 of ITC(HS) relate to preparations of Vegetables, Fruit, Nut or other parts of plant. In this case export product is Potassium Silicate Glass/Lumps. Apparently ITC(HS) Code cited by applicant is not correct. In view of this, committee was constrained to reject the case for want of correct ITC(HS) code.			

Case No. 148	M/s. CRI LIMITED, Kolkata	Meeting No./Date:6/10 04.06.2009	Status: Rejected
HQ File :01/85/050/00043/AM10/	RLA File :02/24/040/00034/AM10/	Lic.No/Date:0210127149 01.06.2009	
The Committee considered the case as per agenda. Committee noted that applicant has not indicated weight on the export side. Therefore, quantitative nexus can not be established. Accordingly, Committee decided to reject the case.			

Case No. 149	M/s. LIMTEX (INDIA) LTD.	Meeting No./Date:6/85-ALC3/2009 04.06.2009	Status: Rejected
HQ File :01/85/050/00044/AM10/	RLA File :02/24/040/00030/AM10/	Lic.No/Date:0210127159	

01.06.2009

The Committee considered the case as per agenda. Committee noted that export of Black Tea is in bulk form. Committee assume that import of Black Tea is also in bulk. Committee felt that it is not possible to allow import in packets since export is in bulk. Committee also felt that since export and import items are same & no blending activity takes place. Accordingly, Committee decided to reject the case.

-