

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

Minutes of the meeting of NC-VI held on 16.7.2009

Meeting No.11/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 16.07.2009 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. T.M. Skaria	DDG	DGFT
3.	Sh. Raghu Nath	FTDO	DGFT

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.

263	M/S. PIOMA INDUSTRIES PROP KHAMBHATTA FAMILY TRUST, AHMEDADBAD	M.No.11/10 Dt. 16.07.2009	Status: Deferred
HQ File :01/85/050/00366/AM08	RLA File :08/81/40/00480/AM05	Lic.No/Date:0810046667 dt. 17.03.2005	
The case was considered by the Committee as per agenda. On the request of Firm, Committee deferred the case for PH on 13.08.2009. To be re-listd on 13.08.2009.			

264	M/S. VINBROS AND CO., PONDICHERYY	M.No.11/10 Dt. 16.07.2009	Status: Deferred.
HQ File :01/85/50/0020/AM10	RLA File :25/24/040/00008/AM09	Lic.No/Date:2510002336 DT. 07.01.2009	
The case was considered by the Committee as per agenda. The Committee decided to defer the case. Case to be re-listed on 13.8.2009.			

3	265	M/S. PANAMA PETROCHEM LTD., MUMBAI	M.No.11/10 Dt. 16.07.2009	Status: Approved.
	HQ File :01/85/050/0252/AM09/	RLA File :03/95/040/00832/AM09	Lic.No/Date:0310504907 dt. 02.02.2009	
	The case was considered by the committee as per agenda. In consultation with the technical representative present in the meeting, Committee decided to ratify the norms with 1% wastage as under:			
	Export Item	Qty.	Import Item	Qty.
	Base Oil (Autolub Quality)	500.000	Base Oil 150-N	306.96
		Base Oil SN-150	198.03	
RLA may take consequential action as per policy/procedure.				

4	266	M/S. PACIFIC INDUSTRIES LTD., UDAIPUR	M.No.11/10 Dt. 16.07.2009	Status: Rejected
	HQ File :01/85/162/00110/AM10	Re-fixation of SION at S.No. A-1833 for Unpolished/Polished Granite Slabs.		
	The case was considered by the Committee as per agenda. Committee felt that natural stone slabs are not as hard as Granite requiring Gangsaw Machine for production. Hence there is no requirement of its inclusion in SION. As regards the request for enhancing FOB value of Steel Grits or Shots/Gangsaw Blades from 5% to 12%, Committee observed that qty depends on realization of export value. If realization is more, qty of inputs also increases. In support of the request for increase in FOB value, applicant has stated that prices of consumables have doubled, without indicating export prices. Documents in support of price increase have not been furnished. The fact is that qty of import entitlement depends on FOB and if FOB realisation is more, import entitlement is also more. Committee found no justification for modification of SION and accordingly rejected the case.			

5	267	M/S. PHOENIX COMMODITY EXPORT PVT. LTD., KOLKADA & REF. FROM DOC	M.No.11/10 Dt. 16.07.2009	Status: Deferred.
	HQ File :01/83/050/01118/AM08	AMENDMENT IN THE DESCRIPTION OF SION E-39 FROM RICE BRAN EXTRACTION TO DE-OILED RICE BRAN		
	The case was considered by the committee as per agenda. It was noted that the comments were awaited from IARI. The Committee decided to remind IARI to expedite the comments. To be re-listed on 13.08.2009			

6	268	M/S. NATURO FOOD & FRUIT PRODUCTS PVT. LTD., BANGALORE	M.No.11/10 Dt. 16.07.2009	Status: Deferred.
	HQ File :01/85/050/00016/AM10	RLA File :07/24/040/000029/AM10/	Lic.No/Date:0710064396 DT. 28.04.2009	
	The case was considered by the Committee as per agenda. The Committee decided to call Firm for PH along-with past production/consumption data for three years certified by Central Excise for each item. To be re-listed on 13.08.2009.			

7	269	M/S. MSPL LTD., HOSPET	M.No.11/10 Dt. 16.07.2009	Status: Deferred.
	HQ File :01/85/162/300/AM09	REQUEST FOR FIXATION OF WASTAE NORMS FOR MINING, HANDLING, PROCESSING AND EXPORT OF IRON ORE		
		REF DEPTT. OF COMMERCE 1/2/2008-FT(M&O)		
	The case was considered by the Committee as per agenda. Committee decided to refer the case to Ministry of Mines for their comments. Copy may be endorsed to applicant firm. To be re-listed on 13.08.2009.			

8	270	M/S. MARICO LTD., MUMBAI	M.No.11/10 Dt. 16.07.2009	Status:Approved
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HQ File :01/85/162/0032/AM07	REQUEST FOR AMENDMENT IN SION AT SL. No.K-125
Committee noted the comments of Directorate of VVO&F vide their OM No. 4/6/2006-Exp dated 05.06.2009 that “since specifications of Free Fatty Acid (FFA) of both import item (raw coconut oil) as well as the export item (refined coconut oil) under SION K-125 are at variance with those under PFA, SION may be considered to be revised”. Committee recognized that variance in FFA has to be within PFA parameters. But, technically, in the export of coconut oil, specifications laid down in PFA Act cannot be applied and the relevant provisions of importing country will apply which will be finalized by importing country. The only condition under Advance Authorization Scheme that draws attention of Members is, in case the exportable product is not exported and the parameters in the PFA Act for coconut oil are not fulfilled, then domestic sale would not be possible as it would amount to violation of domestic rules. In that event, under Advance Authorization Scheme, default of export obligation would occur for which there are settled parameters for payment of interest on duty under Customs Act. Accordingly Committee felt that although specifications with respect to coconut oil are not strictly required to be followed in the export of coconut oil, still adequate caution should be exercised and specification should also be imposed on export side. PFA Rules stipulate that coconut oil shall conform to the following standards: Butyro refractometer reading at 40oC.....34.0 to 35.5 OR Refractive or Index at 40oC[1.4481-1.4491] Saponification value2[Not less than 250] Iodine value7.5 to 10.0 Polenske valueNot less then 13.0 Acid valueNot more than 6.0 Unsaponifiable matter.....Note more than 1.0 per cent Test for Argemone oil shall be negative. It was noted that formula for converting FFA to Acid Value is as under: % FFA X 1.99=Acid Value In this case FFA content is 0.5% which is within the specification of PFA Act for manufacture of export product. Committee has already recommended modification of norms in Meeting No. 08/08 dated 31.05.2007 which may be recommended for notification.	

9	271 Case No.:14/13/85-ALC3/2008	M/S. LALAHS SPICES & FOOD PRIVATE LIMITED	M.No.11/10 Dt. 16.07.2009	Status: Approved.
	HQ File :01/85/050/00104/AM09/	RLA File :04/24/040/00026/AM09/	Lic.No/Date:0410095840	

The case was considered by the committee as per agenda. In consultation with technical representative present in the meeting, it was decided to ratify the norms with 1 % wastage as under:-

Export Item	Qty	Import Item	Qty.KG
CURRY POWDER (CONTAINING CORRIANDER 55% TURMERIC 10% (CURCUMIN MINIMUM 2%) AND OTHER 35 % INGREDIENTS TO BE OF LOCALLY PRODUCED ITEMS)	900000KG	WHOLE CORIANDER	543500
		WHOLE TRMERIC WITH MINIMUM 2 % CURCUMIN	99000
		WHOLE TURMERIC WITH MINIMUM 2 % CURCUMIN.	98319.50
GROUND TURMERIC (TURMERIC POWDER WITH CURCUMIN MINIMUM 2 %)	97346KG		

RLA may take consequential action as per policy/procedure.

10	272 Case No.:2/11/85-ALC3/2008	M/. ASTRIX LABORATORIES LTD.,	M.No.11/10 Dt. 16.07.2009	Status: Transferred
	HQ File :01/85/050/00086/AM09/	RLA File :09/24/040/00079/AM09/	Lic.No/Date:0910034354 19.06.2008	
	The case was considered by the Committee as per agenda. It was noted that the ITC Code of export product in this case, is 29420000 and not 24920000. The committee, therefore, decided to transfer the case to NC-4			

11	273 Case No.:9/20/85-ALC3/2008	M/S. HALDIA PETROCHEMICALS LTD.	M.No.11/10 Dt. 16.07.2009	Status: Deferred.
	HQ File :01/85/050/00146/AM09/	RLA File :02/24/040/00144/AM09/	Lic.No/Date:0210116575 27.08.2008	
	The case was considered by the Committee as per agenda. Committee decided to call Firm for PH on 13.8.2009. To be relisted on 13.8.2009.			

12	274 Case No.:44/27/83-ALC1/2007	M/S. TECHMENS CHEMICALS PVT.LTD.	M.No.11/10 Dt. 16.07.2009	Status: Rejected
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HQ File :01/83/050/01118/AM08/	RLA File :02/24/040/00165/AM08/	Lic.No/Date:0210103878 06.09.2007	
Decision: The case was considered by the Committee as per agenda. It was noted that Firm has not furnished the details as requested by the Committee in the meeting on 26.06.2008, in the absence of which it is no possible to compute wastage. Committee therefore rejected the case.			
RLA may take consequential action as per policy/procedure.			

13	275 Case No.:10/3/85-ALC3/2009	M/S. HALDIA PETROCHEMICALS LTD.	M.No.11/10 Dt. 16.07.2009	Status: Deferred.
	HQ File :01/85/050/00025/AM10/	RLA File :02/24/040/00230/AM09/	Lic.No/Date:0210121526 24.12.2008	
	The case was considered by the Committee as per agenda. Committee decided to call Firm for PH on 13.8.2009. To be relisted on 13.8.2009.			

14	276 Case No.:3/11/85-ALC3/2009	M/S. ACG PHARMAPACK PVT LTD	M.No.11/10 Dt. 16.07.2009	Status: Transferred
	HQ File :01/85/050/00066/AM10/	RLA File :03/94/040/00740/AM09/	Lic.No/Date:0310528352 10.07.2009	Defer Date:
	The case was considered by the Committee as per agenda The committee decided to transfer the case to DES-7			

15	277 Case No.:13/36/81-ALC2/2007	M/S. UNI KLINGER LIMITED,	M.No.11/10 Dt. 16.07.2009	Status: Transferred
	HQ File :01/81/050/00433/AM08/	RLA File :31/24/040/00106/AM08/	Lic.No/Date:3110031556 13.11.2007	
	The case was considered by the Committee as per agenda. Committee decided to transfer the case to DES.IV.			

16		M/S. HALDIA PETROCHEMICALS LTD.	M.No.11/10 Dt. 16.07.2009	Status:
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278			Deferred.
Case No.:9/34/85-ALC3/2008			
HQ File :01/85/050/00239/AM09/	RLA File :02/24/040/00247/AM09/	Lic.No/Date:0210122028 09.01.2009	
The case was considered by the Committee as per agenda. Committee decided to call Firm for PH on 13.8.2009. To be relisted on 13.8.2009.			

17	279 Case No.:8/32/85-ALC3/2008	M/S. HALDIA PETROCHEMICALS LTD.	M.No.11/10 Dt. 16.07.2009	Status: Deferred.
	HQ File :01/85/050/00215/AM09/	RLA File :02/24/040/00219/AM09/	Lic.No/Date:0210121001 12.12.2008	
	The case was considered by the Committee as per agenda. Committee decided to call Firm for PH on 13.8.2009. To be relisted on 13.8.2009.			

18	280 Case No.:12/36/81-ALC2/2007	M/S. UNI KLINGER LIMITED,	M.No.11/10 Dt. 16.07.2009	Status:
	HQ File :01/81/050/00432/AM08/	RLA File :31/24/040/00208/AM08/	Lic.No/Date:3110031555 13.11.2007	
	The case was considered by the Committee as per agenda. Committee decided to transfer the case to DES.IV.			

19	281 Case No.:2/11/85-ALC3/2009	M/S. SRI VARSHA FOOD PRODUCTS INDIA LTD	M.No.11/10 Dt. 16.07.2009	Status: Approved.
	HQ File :01/85/050/00065/AM10/	RLA File :09/24/040/00100/AM10/	Lic.No/Date:0910038496 08.07.2009	
	The case was considered by the committee as per agenda. The committee decided to approve the case as per packing policy.			
	RA should advise applicant in such cases to apply under norms fixed category and not under Para 4.7 & RA should finalise the case.			
	RLA to take consequential action as per policy/procedure.			

20	282 Case No.:1/11/85-ALC3/2009	M/S. HALDIRAM SNACKS P LTD.	M.No.11/10 Dt. 16.07.2009 16.07.2009	Status: Approved.
	HQ File :01/85/050/00064/AM10/	RLA File :05/24/040/00198/AM10/	Lic.No/Date:0510245317 08.07.2009	
	The case was considered by the committee as per agenda. The committee decided to approve the case as per packing policy.			
	RA should advise applicant in such cases to apply under norms fixed category and not under Para 4.7 & RA should finalise the case.			
	RLA to take consequential action as per policy/procedure.			

21	283 Case No.: 3/7/85-ALC3/2009	M/S. EASTERN PETROLEUM PVT.LTD.	M.No.11/10 Dt. 16.07.2009	Status: Rejected.
	HQ File :01/85/050/00047/AM10/	RLA File :03/94/040/00182/AM10/	Lic.No/Date:0310522519 03.06.2009	
	The case was considered by the Committee as per agenda. It was noted that applicant has not furnished technical specification of import/export items and the stage-wise wastage during production. Committee is not in a position to compute the wastage and therefore rejected the case. RLA may take consequential action as per policy/procedure.			

22	284 Case No.:2/7/85-ALC3/2009	M/S. INDO GERMAN ALKALOIDS	M.No.11/10 Dt. 16.07.2009	Status: Deferred
	HQ File :01/85/050/00046/AM10/	RLA File :03/94/040/00168/AM10/	Lic.No/Date:0310522679 04.06.2009	
	The case was considered by the committee as per agenda. It was noted that applicant has cited an earlier case in Advance Licence No. 0310286247 dt. 16.08.2004 approved by ALC in meeting No. 4/05 dated 27.04.2005 allowing import qty of 19.71Kg per unit of export product. On checking it was seen that the case approved by ALC was for export product Impcacuanha Extract, whereas the export product in this case is Podophyllum Resin BP/USP. These two cases are not similar. Committee therefore deferred. Case to be re-listed on 13.08.2009.			

23	285	M/S. RAJ PETRO SPECIALITIES PVT. LTD., MUMBAI	M.No.11/10 Dt. 16.07.2009	Status: Deferred.
	HQ File :01/85/162/0055/AM10/	RLA File :03/95/040/0131/AM10/		
	ISSUE OF ADVANCE LICENCES ON UNDERA PARA 4.7 OF HBP VOL. I FOR WHITE PETROLEUM JELLY			
	The case was considered by the Committee as per agenda. Committee deferred PH in this case to 13.08.2009. To relisted on 13.8.2009.			

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