

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

Minutes of the meeting of NC-VI held on 22.07.2010

Meeting No. 16/AM11 for the licensing year 2010-11 to consider cases under Duty Exemption Schemes (Chapter-4) of Foreign Trade Policy 2009-14 pertaining to Misc. & Food Products was held on 22.07.2010 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. Shaish Kumar    | I.A.        | DIPP       |
| 2     | Sh G.Parthasarathi  | DDG         | DGFT       |
| 3     | Sh. Raghu Nath      | FTDO        | DGFT       |

Committee ratified the minutes of meeting No. 14/11 dt. 08.07.2010 & 15/11 Dt. 15.07.2010. Thereafter individual cases were 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

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| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 200 | Ref. from PC-4(B)                                                                                                                            | M.No. 16/11<br>Dt. 22.07.2010 | Status:<br>Approved |
| HQ File :01/85/162/0029/AM11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |     | Coverage of the export products under the existing SION for the purpose of extending the benefit of DEPB under the residual category of 22D. |                               |                     |
| <p>The case was considered by the committee as per agenda. It was noted that 34 cases involving for grant of DEPB benefit under DEPB rate 22D were raised a audit objection under Audit Para No. DAP No. 107of 08-09.</p> <p>As per 22D, Export Products, covered under Standard Input Output Norms and for which no specific DEEB rates have been notified, packed in any packaging material and 1.5% rate is allowed.</p> <p>Out of 34 cases, following 4 firm were called for personal hearing:-</p> <ol style="list-style-type: none"><li>1. M/s. Mahesh Agro Food Inds., Barmer</li><li>2. M/s. Shree Nath Gum Chemicals, Jodhpur</li><li>3. M/s. Shree Ram Inds., Jodhour</li><li>4. M/s. Satyam Enterprises, Jodhpur</li></ol> <p>On behalf of M/s. Mahesh Agro Food Inds., Barmer , Sh. S.K. Maheshwari and rest of three firm Sh. P.C.Mal Jain appeared for personal hearing, who were heard by the committee and observations have been made of in respect of these 4 cases.</p> <p>‘Dehusked Guar Gum’ is processed from Guar Gum Bean.</p> <p>Case No.1 M/s. Mahesh Agro Food Inds., Barmer :- It was observed by the Committee that firm has exported ‘Dehusked Gaur Gum Bean Spilts’ against 5 shipping bill Nos. 6088239 dt. 13.10.2006, 6078189 dt. 11.08.2006, 6082703 dt. 11.09.2006, 6081188 dt. 01.09.2006 &amp; 6085952 dt. 29.09.2006 under DEPB Scheme. The Committee felt that the export product as described in the 5 Shipping Bills would be covered under SION E-25.</p> <p>Case No. 2. M/s. Shree Nath Gum Industries, Jodhpur has exported ‘Guar Dehusked Spilt’ against 3 shipping bill Nos. 00458 dt. 06.06.2006, 01159 dt. 30.08.2006 &amp; 01149 dt. 29.08.2006 under DEPB Scheme. The Committee felt that the export product as described in the 3 Shipping Bills would be covered under SION E-25.</p> |     |                                                                                                                                              |                               |                     |

Case No. 3. M/s. Shree Ram Industries, Jodhpur has exported 'Guar Gum Treated and Pulverised in Powder Guar Gum Powder G-3 (Industrial Grade-II)' against 6 shipping bill Nos. 00316 dt. 07.05.2007, 00264 dt. 30.04.2007, 00358 dt. 11.05.2007, 00380 dt. 14.05.2007, 00109 dt. 12.04.2007 & 00259 dt. 30.04.2007 under DEPB Scheme. The Committee felt that the export product as described in the 6 Shipping Bills would be covered under SION E-24.

Case No. 4. M/s. Satyam Enterprises, Jodhpur has exported 'Guar Gum Spilt' against 4 shipping bill Nos. 00204 dt. 28.04.2007, 00063 dt. 07.04.2007, 00059 dt. 07.04.2007 & 00060 dt. 06.04.2007 under DEPB Scheme. The Committee felt that the export product as described in the 6 Shipping Bills would be covered under SION E-25.

RA to take consequential action as per policy/procedure to reply to Audit, in the above cases..

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| 2 | 201                                                                                                                                                                                                                        | M/S. DEVI FISHERIES LTD., VIZAG | M. No. 16/11<br>DT. 22.07.2010       | Status:<br>Deferred |
|   | HQ File :01/85/050/00352/AM05                                                                                                                                                                                              | RLA File :26/80/040/00016/AM05  | Lic.No/Date:2610004560<br>28.02.2005 |                     |
|   | The case was considered by the committee as per agenda. It was noted that the comments from MPEDA have not been received . The Committee decided to remind MPEDA to expedite their comments. To be re listed on 19.08.2010 |                                 |                                      |                     |

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| 3 | 202                                                                                                                                                                                                                                                                                                                                     | M/S. INDUSTRIAL FOAMS PVT LTD   | M. No. 16/11           | Status:<br>Rejected |
|   | Case No.:2/10/85-ALC3/2009                                                                                                                                                                                                                                                                                                              |                                 | DT. 22.07.2010         |                     |
|   | 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 noted that the some information was asked from applicant firm vide letter 01.07.2010 have not furnished so far. In the absence of this it is not possible to determine wastage of input output to ratify the norms. Therefore, the Committee decided to reject the case. |                                 |                        |                     |
|   | RA to take the consequential action as per policy/procedure.                                                                                                                                                                                                                                                                            |                                 |                        |                     |

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| 4 | 203 | M/S. UNI KLINGER LTD., PUNE | M. No. 16/11<br>DT. 22.07.2010 | Status:<br>Approved |
|   |     |                             | Lic.No/Date:3110031555         |                     |

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| HQ File :01/85/050/00432/AM08                                                                                                                                                                      | RLA File :31/24/40/208/AM08 | 13.11.2007                       |                               |
| The case was considered by the committee as per agenda. The Committee decided to approve the case as per written comments received from technical representative and ratified the norms as under:- |                             |                                  |                               |
| Export Item                                                                                                                                                                                        | Qty.                        | Import Item                      | Qty                           |
| Klinger Jointing Sheets Asbestos                                                                                                                                                                   | 1 Kg                        | Raw Asbestos White<br>Chrysotile | 1.05 Kg/Kg. content in export |
| RA to take the consequential action as per policy/procedure.                                                                                                                                       |                             |                                  |                               |

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| 5                                                           | 204                                                                                                                                                                                                | M/S. UNI KLINGER LTD., PUNE | M. No. 16/11<br>DT. 22.07.2010       | Status:<br>Approved          |
|                                                             | HQ File :01/85/050/00433/AM08                                                                                                                                                                      | RLA File :31/24/40/106/AM08 | Lic.No/Date:3110031556<br>13.11.2007 |                              |
|                                                             | The case was considered by the committee as per agenda. The Committee decided to approve the case as per written comments received from technical representative and ratified the norms as under:- |                             |                                      |                              |
|                                                             | Export Item                                                                                                                                                                                        | Qty.                        | Import Item                          | Qty                          |
|                                                             | Klinger Jointing Sheets Asbestos                                                                                                                                                                   | 1 Kg                        | Raw Asbestos<br>White Chrysotile     | 1.05 Kg/Kg.content in export |
| RA to take the consequential action as per policy/procedure |                                                                                                                                                                                                    |                             |                                      |                              |

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| 6 | 205                                                                                                                               | M/S. THE NATIONAL INDL. CORPN LTD., | M. No. 16/11<br>DT. 22.07.2010       | Status:<br>Approved |
|   | HQ File :01/85/050/0024/AM11                                                                                                      | RLA File :05/24/40/0053/AM11        | Lic.No/Date:0510264155<br>12.05.2010 |                     |
|   | The case was considered by the committee as per agenda. It was noted that similar case was ratified by NC in Meeting No. 40 dated |                                     |                                      |                     |

04.02.2010 in advance licence No. 0710068400 dt. 19.11.2009. On the same basis, Committee decided to approve the case as per packing policy or applied for which ever is less.

RA to take consequential action as per policy/procedure.

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| 7                                                                                                                                                                                             | 206                            | M/S. M & B ENGINEERING PVT. LTD. | M.No. 16/11            | Status<br>Deferred: |
|                                                                                                                                                                                               | Case No.:1/16/85-ALC3/2010     |                                  | DT. 22.07.2010         |                     |
|                                                                                                                                                                                               | HQ File :01/85/050/00052/AM11/ | RLA File :08/24/040/00062/AM11/  | Lic.No/Date:0810090367 |                     |
|                                                                                                                                                                                               |                                |                                  | 08.07.2010             |                     |
| 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 case. To be re-listed on 19.08.2010. |                                |                                  |                        |                     |

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| 8                                                                                                                                                                                             | 207                            | M/S. M & B ENGINEERING PVT. LTD. | M.No. 16/11            | Status:<br>Deferred |
|                                                                                                                                                                                               | Case No.:2/16/85-ALC3/2010     |                                  | DT. 22.07.2010         |                     |
|                                                                                                                                                                                               | HQ File :01/85/050/00053/AM11/ | RLA File :08/24/040/00063/AM11/  | Lic.No/Date:0810090369 |                     |
|                                                                                                                                                                                               |                                |                                  | 08.07.2010             |                     |
| 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 case. To be re-listed on 19.08.2010. |                                |                                  |                        |                     |

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| 9 | 208<br>Case No.:3/16/85-ALC3/2010                                                                                                                        | M/S. ALKALOIDS CORPORATION      | M.No. 16/11<br>DT. 22.07.2010        | Status:<br>Deferred |
|   | HQ File :01/85/050/00054/AM11/                                                                                                                           | RLA File :02/24/040/00051/AM11/ | Lic.No/Date:0210144764<br>09.07.2010 |                     |
|   | The case was considered by the committee as per agenda. The Committee decided to ask the applicant firm to furnish the following information:-           |                                 |                                      |                     |
|   | 1. Net content in export item Scammony Resin (Powdered ) of imported item Scammony Root<br>( Ipomoea Orizabensis )<br><br>To be re-listed on 19.08.2010. |                                 |                                      |                     |

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| 10                                                                                                                                                                                                                                                                                                                                     | 209                            | M/S. SPACEWOOD FURNISHERS       | M.No. 16/11            | Status:<br>Reject |
|                                                                                                                                                                                                                                                                                                                                        | Case No.:3/2/85-ALC3/2010      | (P)LTD.,                        | DT. 22.07.2010         |                   |
|                                                                                                                                                                                                                                                                                                                                        | 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 the some information was asked from applicant firm vide letter17.06.2010 have not furnished so far. In the absence of this it is not possible to determine wastage of input output to ratify the norms. Therefore, the Committee decided to reject the case. |                                |                                 |                        |                   |
| RA to take the consequential action as per policy/procedure.                                                                                                                                                                                                                                                                           |                                |                                 |                        |                   |

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| 11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 210                         | M/S. FOOD FATS & FERTILIZERS LTD.,<br>CHENNAI | M.No. 16/11<br>DT. 22.07.2010        | Status:<br>Approved |
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| Request for regularization of imports already made for SHEA NUTS against Advance Licence No. 410096596 dated 19.06.2008 in the export product SHEA STEARINE with reference to the actual percentage of Oil content in the import item.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                             |                                               |                                      |                     |
| <p>The case was considered by the committee as per agenda. It was noted that out of 5200 MT of Shea Nut to be imported &amp; allowed in the advance licence No. 410096596 dt. 19.06.2008 , applicant firm has already imported 3687.915 MT. The remaining quantity of 728 MT Shea Nuts yet to imported.. The Committee observed that in case the percentage of Oil content in the imported inputs Shea Nuts is higher than 45 + 1% (46%) then a quantity of imported inputs are to be reduced by 150 Kgs per MT for every percentage, in the export product resulting in the enhancement of EO proportionately. The Committee also observed that in case the percentage of Oil content in the imported inputs Shea Nuts is lesser than 45 - 1% (44%) then a quantity of imported inputs are to be enhanced by 150 Kgs per MT for every percentage, in the export product resulting in the reduction enhancement of EO proportionately.</p> <p>The Committee decided that where EO is to be enhanced on account of above, same may be allowed and where the EO is to be reduced the same may not be allowed. Accordingly as per calculations furnished by the applicant in respect of this advance licence for the imported Shea Nuts 3686.915 MT based on test reports containing 13 B/E statement on 45± 1% &amp; higher side of oil contents the EO may be enhanced from 709.215 MT to 895.883 MT of export product SHEA STEARINE. The Committee agreed to regularize the entire import with enhanced EO of export product SHEA STEARINE.</p> <p>RA to take consequential action as per policy/procedure.</p> |                             |                                               |                                      |                     |

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| 12 | 211                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | M/S. FOOD FATS & FERTILIZERS LTD.,<br>CHENNAI | M.No. 16/11<br>DT. 22.07.2010       | Status:<br>Approved |
|    | HQ File :01/85/162/293/AM10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | RLA File :04/21/40/534/AM09                   | Lic.No/Date:410101041<br>18.12.2008 |                     |
|    | Request for regularization of imports already made for SHEA NUTS against Advance Licence No. 410101041 dated 18.12.2008 in the export product SHEA STEARINE with reference to the actual percentage of Oil content in the import item.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                               |                                     |                     |
|    | <p>The case was considered by the committee as per agenda. It was noted that out of 13000 MT of Shea Nut allowed in the advance licence No. 410101041 dt. 18.12.2008, applicant firm has already imported 7049.531 MT . The remaining quantity of 5663 MT Shea Nuts yet to imported.. The Committee observed that in case the percentage of Oil content in the imported inputs Shea Nuts is higher than 45 + 1% (46%) then a quantity of imported inputs are to be reduced by 150 Kgs per MT for every percentage, in the export product resulting in the enhancement of EO proportionately. The Committee also observed that in case the percentage of Oil content in the imported inputs Shea Nuts is lesser than 45 - 1% (44%) then a quantity of imported inputs are to be enhanced by 150 Kgs per MT for every percentage, in the export product resulting in the reduction enhancement of EO proportionately.</p> <p>The Committee decided that where EO is to be enhanced on account of above, the same may be allowed and where the EO is to be reduced the same may not be allowed. Accordingly as per calculations furnished by the applicant in respect of this advance licence for the imported Shea Nuts 7049.531 MT against 12 B/E statement on 45± 1% &amp; higher side of oil contents the EO may be enhanced from 1355.680 MT to 1488.598 MT of export product SHEA STEARINE. The Committee agreed to regularize the entire import with enhanced EO of export product SHEA STEARINE.</p> <p>RA to take consequential action as per policy/procedure.</p> |                                               |                                     |                     |

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| 13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 212                                                                                                                                                                                                                                    | M/S. FOOD FATS & FERTILIZERS LTD.,<br>CHENNAI | M.No. 16/11<br>DT. 22.07.2010        | Status:<br>Approved. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | HQ File :01/85/162/157/AM10                                                                                                                                                                                                            | RLA File :04/21/40/760/AM08                   | Lic.No/Date:0410092967<br>01.01.2008 |                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Request for regularization of imports already made for SHEA NUTS against Advance Licence No. 410092967 dated 01.01.2008 in the export product SHEA STEARINE with reference to the actual percentage of Oil content in the import item. |                                               |                                      |                      |
| <p>The case was considered by the committee as per agenda. It was noted that out of 3510 MT of Shea Nut allowed in the advance licence No. 410092967 dt. 01.01.2008, applicant firm has already imported 108.360 MT . The remaining quantity of 001MT Shea Nuts yet to imported.. The Committee observed that in case the percentage of Oil content in the imported inputs Shea Nuts is higher than 45 + 1% (46%) then a quantity of imported inputs are to be reduced by 150 Kgs per MT for every percentage, in the export product resulting in the enhancement of EO proportionately. The Committee also observed that in case the percentage of Oil content in the imported inputs Shea Nuts is lesser than 45 - 1% (44%) then a quantity of imported inputs are to be enhanced by 150 Kgs per MT for every percentage, in the export product resulting in the reduction enhancement of EO proportionately.</p> <p>The Committee decided that where EO is to be enhanced on account of above, the same may be allowed and where the EO is to be reduced the same may not be allowed. Accordingly as per calculations furnished by the applicant in respect of this advance licence for the imported Shea Nuts 1081.360 MT based on test reports containing 4 B/E statement on 45± 1% &amp; higher side of oil contents the EO may be enhanced from</p> |                                                                                                                                                                                                                                        |                                               |                                      |                      |



207.954 MT to 232.597MT of export product SHEA STEARINE. The Committee agreed to regularize the entire import with enhanced EO of export product SHEA STEARINE.

RA to take consequential action as per policy/procedure.

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| 14 | 213                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | M/S. FOOD FATS & FERTILIZERS LTD.,<br>CHENNAI | M.No. 16/11<br>DT. 22.07.2010        | Status:<br>Approved |
|    | HQ File :01/85/162/292/AM10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | RLA File :04/21/40/474/AM09                   | Lic.No/Date:0410098925<br>29.09.2008 |                     |
|    | Request for regularization of imports already made for SHEA NUTS against Advance Licence No. 410098925 dated 29.09.2008 in the export product SHEA STEARINE with reference to the actual percentage of Oil content in the import item.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                               |                                      |                     |
|    | <p>The case was considered by the committee as per agenda. It was noted that out of 10010 MT of Shea Nut allowed in the advance licence No. 410098925 dt. 29.09.2008, applicant firm has already imported 10219.792 MT . The remaining quantity of 5210MT Shea Nuts yet to imported.. The Committee observed that in case the percentage of Oil content in the imported inputs Shea Nuts is higher than 45 + 1% (46%) then a quantity of imported inputs are to be reduced by 150 Kgs per MT for every percentage, in the export product resulting in the enhancement of EO proportionately. The Committee also observed that in case the percentage of Oil content in the imported inputs Shea Nuts is lesser than 45 - 1% (44%) then a quantity of imported inputs are to be enhanced by 150 Kgs per MT for every percentage, in the export product resulting in the reduction enhancement of EO proportionately.</p> |                                               |                                      |                     |

The Committee decided that where EO is to be enhanced on account of above, the same may be allowed and where the EO is to be reduced the same may not be allowed. Accordingly as per calculations furnished by the applicant in respect of this advance licence for the imported Shea Nuts 10219.792 MT against 23 B/E statement on  $45 \pm 1\%$  & higher side of oil contents the EO may be enhanced from 1965.345MT to 2090.318MT of export product SHEA STEARINE. The Committee agreed to regularize the entire import with enhanced EO of export product SHEA STEARINE.

RA to take consequential action as per policy/procedure.

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| 15 | 214                                                                                                                                                                                                                                                                                                                                                                                                                                | M/S. SAGAR GRNDI EXPORTS (P) LTD.,                                  | M.No. 16/11<br>DT. 22.07.2010 | Status:<br>Defer |
|    | HQ File :01/85/162/106/AM11                                                                                                                                                                                                                                                                                                                                                                                                        | Clarification for import of Frozen Fish against Target Plus Licence |                               |                  |
|    | The case was considered by the committee as per agenda. The firm representative Mr. Ashok Sharma appeared for personal hearing, who was heard by Committee. It was noted that the firm has exported under shipping bill No. 1753891 dt. 29.1.04 export product p/p Frozen Indian Origin three cut Crab Sanho , shipping No 2153785 dt. 13.09.05 & shipping bill No. 1963644 dt. 17.12.04 covering the nexus under SION D31 & D 32. |                                                                     |                               |                  |
|    | The Committee is of the view that Frozen Fish has nexus with marine product &nexus is clearly established from revised SION where Frozen Fish/Fish Fillets is already allowed. Since the import is for further processing, the same would be an input for the beneficiary. May refer to PC-3 for further necessary action.                                                                                                         |                                                                     |                               |                  |

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