

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

Minutes of the meeting of NC-VI held on 24.09.2009

Meeting No. 20 & 21/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 24.09.2009 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

The Committee ratified the minutes of the meeting held on 01.09.2009, 03.09.2009 & 10.09.2009 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.

PART-I

1	430	M/s. SRI TOOLS INDUSTRIES, LUDHIANA	M.No. 20/10 Dt. 24.09.2009	Status:
	HQ File :01/(81)/85/50/292/AM08	RLA File :30/21/40/0021/AM08	Lic.No/Date:3010051813 dt. 16.05.2007	Rejected
	The case was considered by the committee as per agenda. It was observed that the export product is Spark Lighter and definitely the weight of Light Flint in Spark Lighter would be very very small portion of Spark Lighter. Import quantity of Lighter Flint is 205Kgs & export items are also 205Kgs. In this case, total import quantity of Lighter Flints alone is 205Kgs. There appears to be gross mismatch in these quantities as in 205Kgs of Lighter or Lighter Flints fitted with Bush/sheet etc., very small quantity of Lighter Flint would be required. Having regard to this, Committee was constrained to reject the request.			

2	431	M/s. RIDDHI SIDDHI GLUCO BIOLS LTD., AHMEDADBAD	M.No. 20/10 DT. 24.09.2009	Status:
	HQ File :01/85/050/241/AM06/	RLA File :08/24/40/238/AM06		Rejected
	Request for fixation of SION for Liquid glucose against import of Maize/Tapioca Starch.			
	The case was considered by the committee as per agenda. It was observed that adhoc norms cannot be standerdised without industry data regarding production and consumption for the last three years for at least 3 companies, justification, application in ANF etc. In the absence of the said information, it is not possible to fix standard norms. Hence, the Committee rejected the case.			

3	432	M/s. GLOBAL EXIM, MUMBAI	M.No. 20/10 DT. 24.09.2009	Status: Clarified
	HQ File :01/85/162/128/AM10		Ref ID No. 01/94/180/883/AM09/PC-4	
	Request for clarification regarding import item “Vegetable Shortenings/Cream/Fats/Spray Fats allowed under DFIA licence against export of Biscuits”			
	The case was considered by the committee as per agenda. Committee examined the written comments received from MSME vide their UO No. 17(4)/18//2000-09-food dated 16.07.2009. MSME has stated that the term ‘Fat” would also include the term “Milk Fat” and anhydrous milk fat may be required for use in manufacturing of Biscuits. The Committee concurred with this observation. Committee accepts the observation made by MSME. Since the matter is referred by Policy division, it is reverted back to them for necessary clarification.			

4	433	M/s. BGH EXIM LTD., KOLKATA	M.No. 20/10 dt. 24.09.2009	Status: Rejected
	Case No.:2/15/85-ALC3/2009			
	HQ File :01/85/050/00078/AM10/	RLA File :02/24/040/00067/AM10/	Lic.No/Date:0210129972 04.08.2009	
	The case was considered by the committee as per agenda. It was noted that the firm has neither given stage-wise wastage during production nor blend ratio of tea. In the absence of these information, the committee is constrained to reject the case.			
	Further, RA may take note of the fact that in many cases, where import item tea & export item is blended tea, Advance authorization is issued without blend ratio, which is not desirable. Accordingly, before issue of AA, in case of import of tea against blended tea, it is mandatory that blend ratio is mentioned on export side. All RA's to take note of this.			

5	434 Case No.:1/20/85-ALC3/2009	M/s. HPP ENERGY (INDIA) PVT LTD	M.No. 20/10 dt. 24.09.2009	Status: Transferred.
	HQ File :01/85/050/00108/AM10/	RLA File :05/24/040/00240/AM10/	Lic.No/Date:0510248783 03.09.2009	
	The case was considered by the committee as per agenda. It was noted that the export product in this case actually pertains to Chapter 85 of ITC(HS) Code which is dealt by NC-II. It was decided to transfer the case to NC-II			

6	435 Case No.:2/10/85-ALC3/2009	M/s. INDUSTRIAL FOAMS PVT LTD	M.No. 20/10 dt. 24.09.2009	Status: Deferred
	HQ File :01/85/050/00056/AM10/	RLA File :05/24/040/0849/AM08/	Lic.No/Date:0510216328 13.02.2008	
	The case was considered by the committee as per agenda. The representative of DIPP present in the meeting handed over the written comments dt. 16.09.2009. On the basis of written comments, the committee decided to call for the following information from the firm:- 1. Net weight of export product namely ‘Prefabricated Telecom Shelter’. 2. Net weight of each of the imported and indigenous inputs, for the purpose of material balancing. 3. Thickness of import item at Sl. No. 1 i.e. PCGI Coil. 4. Detailed calculations for the quantities of raw material proposed for import. The case to be re-listed on 22.10.2009.			

7	436 Case No.:9/36/85-ALC3/2007	M/s. ORGANIC INDIA PVT.LTD.	M.No. 20/10 dt. 24.09.2009	Status: Withdrawn
	HQ File :01/85/050/00125/AM08/	RLA File :06/24/040/00015/AM08/	Lic.No/Date:0610012557 26.11.2007	
	The case was considered by the committee as per agenda. It was noted that the firm has informed vide their letter dated 25.08.2009 that the advance licence is unutilized and surrendered to RA, Kanpur. This may be confirmed by RA. The case is withdrawn.			

8	437 Case No.:8/36/85-ALC3/2007	M/s. ORGANIC INDIA PVT.LTD.	M.No. 20/10 dt. 24.09.2009	Status: Withdrawn
	HQ File :01/85/050/00124/AM08/	RLA File :06/24/040/00014/AM08/	Lic.No/Date:0610012556 26.11.2007	
	The case was considered by the committee as per agenda. It was noted that the firm has informed vide their letter dated 25.08.2009 that the advance licence is unutilized and surrendered to RA, Kanpur. This may be confirmed by RA. The case is withdrawn.			

9	438 Case No.:10/42/85-ALC3/2007	M/s. ORGANIC INDIA PVT.LTD.	M.No. 20/10 dt. 24.09.2009	Status: Deferred
	HQ File :01/85/050/00146/AM08/	RLA File :06/24/040/00009/AM08/	Lic.No/Date:0610012144 23.07.2007	
	The case was considered by the committee as per agenda. It was decided to seek comments of DIPP, on the information provided by the applicant vide letter dated 25.08.2009. The Committee deferred consideration of case. To be re-listed on 22.10.2009			

10

439 Case No.:2/20/85-ALC3/2009	M/s. EASTERN CONDIMENTS PVT. LTD.	M.No. 20/10 dt. 24.09.2009	Status: Approved
HQ File :01/85/050/00109/AM10/	RLA File :10/24/040/00058/AM10/	Lic.No/Date:1010035216 07.09.2009	

The case was considered by the committee as per agenda. Taking clue from SION E-82, which provides for 5% wastage, the Committee decided to allow the quantity of import item in this case as applied for as under:-

Export Item	Qty.	Import Item	Qty.
CORIANDER IN POWDER FORM PACKED IN LAMINATED POUCH/DUPLEX CARTON. - MOISTURE – NOT MORE THAN 9% BY WEIGHT, VOLATILE OIL CONTENT ON DRY BASIS – NOT LESS THAN 0.09% BY (v/w), TOTAL ASH ON DRY BASIS – NOT MORE THAN 7% BY WEIGHT, ASH INSOLUBLE IN DIL. HCI ON DRY BASIS – NOT MORE THAN 1.5% BY WEIGHT AND SALMONELLA – ABSENT. [Additional condition sheet attached].	380.952MT	CORIANDER IN RAW FORM PACKED IN 25 KGS POLYPROPYLENE BAGS MOISTURE - 8% to 12%, PURITY !! 94% to 99%, ADMIXTURE - 2% to 5%, BROKEN !! 2% to 25%.	400.000MT

RA may take consequential action as per policy/procedure.

11	440 Case No.:3/20/85-ALC3/2009		M/s. DINESH SARAOGI	M.No. 20/10 dt. 24.09.2009	Status: Approved	
	HQ File :01/85/050/00110/AM10/		RLA File :02/24/040/00109/AM10/	Lic.No/Date:0210131274 10.09.2009		
	The Committee considered the case as per agenda. It was noted that committee had ratified similar case of the Firm in meeting No. 24 dt. 20.09.2007 on the basis of 55% yield. In this case also Committee ratified the licence on repeat basis as under:-					
	EXPORT ITEM		QTY.	IMPORT ITEM		QTY.
	SHELLAC		55000KG	STICKLAC		100000KG
RLA to take consequential action as per policy/procedure.						

12	441 Case No.:7/20/85-ALC3/2009	M/s. NEWBY TEAS OVERSEAS PVT.LTD.,	M.No. 20/10 dt. 24.09.2009	Status: Deferred
	HQ File :01/85/050/00114/AM10/	RLA File :02/24/040/00083/AM10/	Lic.No/Date:0210131311 10.09.2009	
	The case was considered by the committee as per agenda. It was decided to call for the following information from the applicant:			
	1. What are infusions? Case to be re-listed on 22.10.2009			

13	442 Case No.:4/20/85-ALC3/2009	M/s. NEWBY TEAS OVERSEAS PVT.LTD.,	M.No. 20/10 dt. 24.09.2009	Status: Deferred
	HQ File :01/85/050/00111/AM10/	RLA File :02/24/040/00070/AM10/	Lic.No/Date:0210131290 10.09.2009	

The case was considered by the committee as per agenda. It was decided to call for the following information from the applicant:

1. Thickness of Aluminium Foil.
2. What are infusions?
3. GSM of Filter Paper

To re re-listed on 22.10.2009

14	443 Case No.:5/20/85-ALC3/2009	M/s. NEWBY TEAS OVERSEAS PVT.LTD.,	M.No. 20/10 dt. 24.09.2009	Status: Withdrawn
	HQ File :01/85/050/00112/AM10/	RLA File :02/24/040/00072/AM10/	Lic.No/Date:0210131298 10.09.2009	
	The case was considered by the committee as per agenda. Since the import item are packing material, RA may decide the case as per packing policy. Case is withdrawn.			

15	444 Case No.:6/20/85-ALC3/2009	M/s. NEWBY TEAS OVERSEAS PVT.LTD.,	M.No. 20/10 dt. 24.09.2009	Status:
	HQ File :01/85/050/00113/AM10/	RLA File :02/24/040/00082/AM10/	Lic.No/Date:0210131303 10.09.2009	
	The case was considered by the committee as per agenda. It was decided to call for the following information from the applicant:			
	1. What are infusions? To be re-listed on 22.10.2009.			

16	445 Case No.:8/20/85-ALC3/2009	M/s. NEWBY TEAS OVERSEAS PVT.LTD.,	M.No. 20/10 dt. 24.09.2009	Status:
	HQ File :01/85/050/00115/AM10/	RLA File :02/24/040/00103/AM10/	Lic.No/Date:0210131318 10.09.2009	
	The case was considered by the committee as per agenda. It was decided to call for the following information from the applicant: 1. Geographical source of imported tea. 2. Whether blending of imported tea is done and the blend ratio.			

To be re-listed on 22.10.2009.

17

446 Case No.:4/15/85-ALC3/2009	M/s. DRYTECH PROCESSES (I)PVT.LTD;	M.No. 20/10 dt. 24.09.2009	Status: Approved
HQ File :01/85/050/00080/AM10/	RLA File :03/94/040/00394/AM10/	Lic.No/Date:0310533103 10.08.2009	
The case was considered by the committee as per agenda. It was observed that an earlier case of the firm was approved in Adv. Lic. No.0310378843 dt. 04.05.2006 by NC in meeting No. 17 held on 26.07.2006 with 5% wastage. In this case also the committee decided to ratify the norms on the same basis, as under:-`			
Export Item	Qty.	Import Item	Qty.
Spray Dried Gum Arabic Seyal	80MT	Kibbled Gum Arabic Seyal	84MT
RLA may take consequential action as per policy/procedure.			

18	447	M/s. CLASSIC MARBLE IMPEX PVT. LTD., MUMBAI	M.No. 20/10 dt. 24.09.2009	Status: Rejected
	HQ File :01/85/050/069/AM10/	RLA File :03/94/040/1097/AM09	Lic.No. 0310511694 DT. 16.03.2009	
	Committee perused the representation of the applicant which suggests that application for import of rough marble ought to be decided on ad-hoc basis. However Committee observed that as per Policy Circular No.16/96-97 dated 30.9.1996 import of rough marble under Advanced Authorization Scheme cannot be allowed. In this case Committee has already rejected the case in Meeting No.13/10 dated 30.7.2009 in view of which it is expected that RA would take consequential action within 15 days. In this regard, no response has been received from RA. Committee directed that RA should send the action report within the next 15 days.			

PART-II

1	448	M/s. CRI LTD., KOLKATA	M.No. 21/10 dt. 24.09.2009	Status: Approved
	HQ File :01/85/050/0043/AM10/	RLA File :02/24/40/0034/AM10	Lic.No. 0210127149 DT. 01.06.2009	
	The case was considered by the committee as per agenda .The committee noted the written comments dt. 24.09.2009 given by DIPP. On the basis of written comments, the Committee decided to ratify the norms as under:-			
	Export Item	Qty.	Import Item	Qty.
Ballpen Tips made of S.S. Wire 1.60MM Dia (Net weight	147687250Nos.	S.S. Wire1.60MM Dia	15000Kgs inclusive of 73% wastage after taking	

8805Kgs)		T.C.Balls of various Dia	1/3 rd recovery from scrap. 149164.122 thousand Nos. inclusive of 1% wastage.
RLA may take consequential action as per policy/procedure.			

2	449	M/s. WAXOILS PVT. LTD., MUMBAI	M.No. 21/10 dt. 24.09.2009	Status: Approved
	HQ File :01/85/050/204/AM09	RLA File :03/95/40/216/AM09	Lic.No. 0310496294 DT. 03.12.2008	
	Correction in the description of import item from “Coto stearyl Alcohol” to “Cetostearyl Alcohol”.			
	The case was considered by the committee as per agenda. Although the export product falls under Chapter 34 of ITC(HS), this Committee had ratified norms in the meeting No. 03/10 dated 15.05.2009. Since the present request is only to correct spelling mistake in import item, Committee decided to rectify the mistake. Import items is corrected as “Cetostearyl Alcohol” in place of Cotostearyl Alcohol”.			
	RA may take consequential action as per policy/procedure.			

3	450	M/s. .LIGHTWAVE TRADING CO. PVT. LTD., MUMBAI	M.No. 21/10 dt. 24.09.2009	Status: Rejected
	HQ File :01/85/162/620/AM08		RLA File :03/95/40/606/AM08	
	Request for fixation of adhoc norms under para 4.4.2 for the export of Ramtirath Hair Oil against import of Coconut Oil.			
	The case was considered by the committee as per agenda. Applicant was asked to provide consumption data for last 3 years. Although the case was filed in 2007, the requisite information has not been furnished so far. In the absence of this information, at this stage, Committee was constrained to reject the case.			

4	451 Case No.:1/21/85-ALC3/2009	M/s. UNICARE PHARMA LIMITED	M.No. 21/10 dt. 24.09.2009	Status: Deferred :
	HQ File :01/85/050/00116/AM10/	RLA File :04/24/040/00140/AM10/	Lic.No/Date:0410107740 14.09.2009	
	The case was considered by the committee as per agenda. It was decided to call for the following information from the applicant: 1. Percentage of moisture contents in import/export. 2. Specification of packing.. 3. Export in bulk or consumer packing. 4. On export side, Qty of Anhydrous milk Fat, Butter oil,. Ghee, Cow Milk Fat separately. 5. Stage-wise production wastage. To be re-listed on 22.10.2009.			

5	452 Case No.:6/21/85-ALC3/2009	M/s. TEK ELECTROMECHANICALS PVT LTD	M.No. 21/10 dt. 24.09.2009	Status: Deferred
	HQ File :01/85/050/00121/AM10/	RLA File :31/24/040/00285/AM09/	Lic.No/Date:3110039966 17.09.2009	
	The case was considered by the committee as per agenda. Consideration of the case was deferred. To be re listed on 22.10.2009.			

6	453 Case No.:7/21/85-ALC3/2009	M/s. HALDIA PETROCHEMICALS LTD.	M.No. 21/10 dt. 24.09.2009	Status: Transferred
	HQ File :01/85/050/00122/AM10/	RLA File :02/24/040/00117/AM10/	Lic.No/Date:0210131651 17.09.2009	
	The case was considered by the committee as per agenda. It was noted that the export product in this case pertains to Chapter 27 of ITC(HS) Code which is dealt by NC-IV. It was decided to transfer the case to NC-IV			

7	454 Case No.:3/21/85-ALC3/2009	M/s. HIMADRI CHEMICALS & INDS. LTD.	M.No. 21/10 dt. 24.09.2009	Status: Transferred
	HQ File :01/85/050/00118/AM10/	RLA File :02/24/040/00124/AM10/	Lic.No/Date:0210131545 15.09.2009	
	The case was considered by the committee as per agenda. It was noted that the export product in this case pertains to Chapter 27 of ITC(HS) Code which is dealt by NC-IV. It was decided to transfer the case to NC-IV			

8	455 Case No.:2/21/85-ALC3/2009	M/s. HIMADRI CHEMICALS & INDS. LTD.	M.No. 21/10 dt. 24.09.2009	Status: Transferred
	HQ File :01/85/050/00117/AM10/	RLA File :02/24/040/00123/AM10/	Lic.No/Date:0210131544 15.09.2009	
	The case was considered by the committee as per agenda. It was noted that the export product in this case pertains to Chapter 27 of ITC(HS) Code which is dealt by NC-IV. It was decided to transfer the case to NC-IV			

9	456 Case No.:4/21/85-ALC3/2009	M/s. HIMADRI CHEMICALS & INDS. LTD.	M.No. 21/10 dt. 24.09.2009	Status: Transferred
	HQ File :01/85/050/00119/AM10/	RLA File :02/24/040/00125/AM10/	Lic.No/Date:0210131546 15.09.2009	
	The case was considered by the committee as per agenda. It was noted that the export product in this case pertains to Chapter 27 of ITC(HS) Code which is dealt by NC-IV. It was decided to transfer the case to NC-IV			

10	457 Case No.:5/21/85-ALC3/2009	M/s. GANGA RASAYANIE P. LTD.	M.No. 21/10 dt. 24.09.2009	Status: Transferred
	HQ File :01/85/050/00120/AM10/	RLA File :03/94/040/00236/AM10/	Lic.No/Date:0310528314 10.07.2009	
	The case was considered by the committee as per agenda. It was noted that the export product in this case pertains to Chapter 27 of ITC(HS) Code which is dealt by NC-IV. It was decided to transfer the case to NC-IV			

11

458 Case No.:18/13/85-ALC3/2008	M/s. INDUSTRIAL FOAMS PVT LTD	M.No. 21/10 dt. 24.09.2009	Status: Approved
HQ File :01/85/050/00108/AM09/	RLA File :05/24/040/00110/AM09/	Lic.No/Date:0510221068 27.05.2008	

The case was considered by the committee as per agenda. The representative of DIPP present in the meeting handed over the written comments dt. 24.09.2009. On the basis of written comments, the committee decided to ratify the norms as under:-

Export Item	Qty.	Import Item	Qty.
PRE FABRICATED TELECOM SHELTER; SIZE(4.0Mx3.0Mx2.9M) (INTERNAL), WITH CABLE LADDER PUFF THICKNESS:80MM	150Nos. (Net weight 221.25MT)	PRE-COATED GALVANISED IRON COILS:- Thickness: 0.5MM Thickness: 1.6MM	76.65MT 10.40MT (Total 87.05MT inclusive of 5% wastage).
		POLYOL	37.485MT inclusive of 5% wastage
		MDI(ISOCYNATE)	45MT inclusive of 1% wastage

RLA to take consequential action as per policy/procedure.

12

459 Case No.:4/19/85-ALC3/2008	M/s. INDUSTRIAL FOAMS PVT LTD	M.No. 21/10 dt. 24.09.2009	Status: Approved
HQ File :01/85/050/00136/AM09/	RLA File :05/24/040/00329/AM09/	Lic.No/Date:0510226077 25.08.2008	

The case was considered by the committee as per agenda. The representative of DIPP present in the meeting handed over the written comments dt. 16.09.2009. On the basis of written comments, the committee decided to ratify the norms as under:-

Export Item	Qty.	Import Item	Qty.
PRE FABRICATED TELECOM SHELTER; SIZE(4.0Mx3.0Mx2.9M) (INTERNAL), WITH CABLE LADDER PUFF THICKNESS:80MM	100Nos. (Net weight 147.5MT)	PRE-COATED GALVANISED IRON COILS:- Thickness: 0.5MM Thickness: 1.6MM	51098Kgs 9902Kgs (Total 61000Kg inclusive of 5% wastage)
		POLYOL	24990Kgs inclusive of 5% wastage
		MDI(ISOCYNATE)	30000Kgs inclusive of 1% wastage

RLA to take consequential action as per policy/procedure.

12	460	M/s. PARLE PRODUCTS PVT. LTD., MUMBAI	M.No. 21/10 dt. 24.09.2009	Status:										
	HQ File :01/85/162/00135/AM10/		Ref. PC-4/RLA's F.No. 03/92/76/0094/AM08											
	Inclusion of Dry Fruits under transferable DFIA against export of Biscuits.													
Committee has seen the original file in which decision to modify SION E-5 was taken based on which PN No. 82 dated 16.1.2006 was issued. The final decision taken in meting No. 35/06 dated 01.12.2005 was :- “Taking into consideration the above difficulty faced by the Exporters, the Committee decided to delete the condition of Dry Fruits (optional) 3% by weight and amend the SION at serial No. E5 as under: <table><tr><td>Sl.No.</td><td>Export Item</td><td>Quantity</td><td>Import Items</td><td>Qty. allowed</td></tr><tr><td>E-5</td><td>Biscuits(with or without dry fruits)</td><td>1 kg</td><td>Relevant dry fruits</td><td>1.01 kg/kg content in export product</td></tr></table> Note for E-5 stands deleted. Rest of the inputs allowed, remain the same” In this case, M/s. Parle Products Pvt. Ltd. has represented that for the intervening period between issue of PN 82 dated 16.1.2006 and PN 127 dated 7.1.2009 ‘dry fruits (optional)’ may also be allowed without accountability condition. The deletion of note under SION E-5 by PN 82 without deletion of ‘dry fruits option of 3% by weight’ in SION E-5 cannot be construed as legitimate right to allow import of dry fruit without accountability condition. Dry fruits, which is clearly mentioned as option, constitute an input in export product and has to be accounted for in the export product. Even with the deletion of the Note, (which specified accountability (by PN 82)), the NC is of the view that dry fruits are allowed 3% by weight only as an option for biscuits which contained dry fruits as an input. In view of this, the request of M/s. Parle Products Pvt. Ltd. for allowing dry fruits (optional) without accountability condition merits rejection. Hence the committee decided that the request of M/s. Parle Products Pvt. Ltd. cannot be agreed to and is therefore rejected.					Sl.No.	Export Item	Quantity	Import Items	Qty. allowed	E-5	Biscuits(with or without dry fruits)	1 kg	Relevant dry fruits	1.01 kg/kg content in export product
Sl.No.	Export Item	Quantity	Import Items	Qty. allowed										
E-5	Biscuits(with or without dry fruits)	1 kg	Relevant dry fruits	1.01 kg/kg content in export product										

