

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

Minutes of the meeting of NC-VI held on 29.10.2009

Meeting No. 26/AM10 for the licensing year 2009-10 to consider cases under Duty Exemption Schemes (Chapter-4) of Foreign Trade Policy 2009-14 pertaining to Misc. & Food Products was held on 29.10.2009 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
2	Sh. A.K. Ojha,	AD	MSME
3	Sh. T.M. Skaria	DDG	DGFT
4	Sh. Raghu Nath	FTDO	DGFT

The Committee ratified the minutes of the meeting held 22.10.2009. 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

1	528	M/S. NATURO FOOD & FRUITS PRODUCTS PVT. LTD., BANGALORE	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/50/0016/AM10	RLA File :07/24/40/0029/AM10	Lic.No/Date:0710064396 dt. 28.04.2009	
	The case was considered by the committee as per agenda. The Committee decided to defer the case. To be re-listed on 26.11.2009.			

2	529	M/S. NATURO FOOD & FRUITS PRODUCTS PVT. LTD., BANGALORE	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/50/00115AM09	RLA File :07/24/40/0082/AM10	Lic.No/Date:0710058417 dt. 10.07.2009	
	The case was considered by the committee as per agenda. The Committee decided to defer the case. To be re-listed on 26.11.2009.			

3	530	M/S. NEWBY TEAS OVERSEAS PVT. LTD., 24-PARGANAS	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/50/0074/AM10	RLA File :02/24/40/0065/AM10	Lic.No/Date:0210129606 DT. 28.07.2009	
	The case was considered by the committee as per agenda. The Committee decided to call the applicant firm representative for PH with samples. Other cases of the Firm also to be listed on 26.11.2009. to be re-listed on 26.11.2009.			

4	531	M/S. VINBROS & CO., PONDICHERRY	M.No. 26/10 dt. 29.10.2009	Status: Approved
	HQ File :01/85/50/0098/AM10	RLA File :25/24/40/0006/AM10	Lic.No/Date:2510002579 DT. 24.07.2009	
	The case was considered by the committee as per agenda. It was noted that applicant firm has given State Excise Data for past three years. It was observed that import item was used & consumption was more than 30ML per Ltr of export product. Accordingly, Committee allowed 30ML of Vatted Malt Spirit per Litre of export product without wastage subject to accountability, and ratified the case as under:-			
	Export Item	Qty.	Import Item	Qty.
	Bulk Blended Grain Whisky containing 30ML of Vatted Malt Spirit per Litre of export product	8,00,000 Ltrs	Vatted Malt Spirit	16,000Ltr
RLA to take consequential action as per policy/procedure.				

5	532	M/S. JYOTI OVERSEAS LTD., INDORE	M.No. 26/10 dt. 29.10.2009	Status: Approved
	HQ File :01/85/(84)/50/733/AM06	RLA File :11/24/40/0097/AM06	Lic.No/Date:1110012688 DT. 14.02.2006	
	The case was considered by the committee as per agenda. The case was ratified by NC in meeting No. 13/07 dated 06.07.2006. The Committee decided to allow ‘Paulownia Wood’ instead of ‘Pinewood’.			
	RA to take consequential action as per policy/procedure.			

6	533	M/S. OSTERN PRIVATE LTD.	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	Case No.:4/22/85-ALC3/2009			
	HQ File :01/85/050/00126/AM10/	RLA File :02/24/040/00282/AM09/	Lic.No/Date:0210131948 23.09.2009	
The case was considered by the committee as per agenda. The Committee decided to seek comments from Sh. A.K. Aggarwal, Jt. I.A, Deptt of C&PC to consider the case further. To be re-listed on 26.11.2009.				

7	534	M/S. S.M. HERBALS PVT.LTD.	M.No. 26/10 dt. 29.10.2009	Status: Approved
Case No.:1/22/85-ALC3/2009				

HQ File :01/85/050/00123/AM10/	RLA File :05/24/040/00310/AM10/	Lic.No/Date:0510249612 18.09.2009	
The case was considered by the committee as per agenda. Committee noted that no comments have been received from AYUSH so far. Accordingly, to purity of import/export items and taking into account 1% wastage, the Committee decided to ratify the norms as under:-			
Export Item	Qty.	Import Item	Qty.
Camptothecin HPLC Purity NLT 98.5%	95.000KG	Crude Camptothecin HPLC Purity NLT 95%	99.49KG
RLA to take consequential action as per policy/procedure.			

8	535 Case No.:12/36/81-ALC2/2007	M/S. UNI KLINGER LIMITED,	M.No. 26/10 dt. 29.10.2009	Status: Rejected
	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 observed that applicant has not replied to deficiency letter dated 10.03.2008. Further, Committee checked the ITC(HS) Code for export product and found that in ITC(HS) Book published recently (incorporating amendment upto 31.07.2009), the ITC(HS) Code 25240019 does not exist. Apparently, applicant has mentioned incorrect ITC(HS) Code. Accordingly, case is rejected. Committee would like to know the correct Code in order to review the case as work allocation of NCs is based in ITC(HS) of export product.			
	RA to take consequential action as per policy/procedure.			

9	536	M/S. SUKASO CERACOLORS PLTD.,	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	Case No.:9/37/85-ALC3/2008			
	HQ File :01/85/050/00262/AM09/	RLA File :09/24/040/00421/AM09/	Lic.No/Date:0910037113 18.02.2009	
	The case was considered by the committee as per agenda. It was noted that import of Zirconium Ore & concentrates under ITC(HS) Code 26151000 is free. In this case import item is Zirconium Sand which applicant has classified under 2505 9000 under Broad Heading of Natural Sands of all kinds whether or not coloured, other than metal bearing Sands of Chapter 26. Committee is of the view that Zirconium Sand appears to be metal bearing sand. Applicant company may clarify how the items is classifiable under chapter 2505 and whether they have received NoC under Atomic Energy Act & Rules 1962 for import of Zirconium Sand. To be re-listed on 26.11.2009			

10	537 Case No.:13/36/81-ALC2/2007	M/S. UNI KLINGER LIMITED,	M.No. 26/10 dt. 29.10.2009	Status: Rejected
	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 observed that applicant has not replied to deficiency letter dated 10.03.2008. Further, Committee checked the ITC(HS) Code for export product and found that in ITC(HS) Book published recently (incorporating amendment upto 31.07.2009), the ITC(HS) Code 25240019 does not exist. Apparently, applicant has mentioned incorrect			

ITC(HS) Code. Accordingly, case is rejected. Committee would like to know the correct Code in order to review the case as work allocation of NCs is based in ITC(HS) of export product.
RA to take consequential action as per policy/procedure.

11	538 Case No.:2/22/85-ALC3/2009	MS/. ELITE TOBACCO COMPANY PVT.LTD.	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/050/00124/AM10/	RLA File :05/24/040/00214/AM10/	Lic.No/Date:0510249618 22.09.2009	
	The case was considered by the committee as per agenda. The Committee decided to call for the following information from applicant Firm:-			
	1. Specification of import item S. No. 1. 2. Size of Filter (Import Item No. 3) 3. Justification for 5% wastage on tobacco Refuse & 10% wastage on filter rod. 4. Net content of each import item in export product. 5. Indigenous input alongwith quantity. 6. Geographical sources of import item s. No. 1. To be re-listed on 26.11.2009.			

12	539 Case No.:2/18/85-ALC3/2008	M/S. INDO GERMAN ALKALOIDS	M.No. 26/10 dt. 29.10.2009	Status: Withdrawn
	HQ File :01/85/050/00132/AM09/	RLA File :03/94/040/00462/AM09/	Lic.No/Date:0310481977 08.08.2008	
	The case was considered by the committee as per agenda. The Committee decided to withdraw the case since it was decided on the basis of para 4.7.1 of HBP vol. I 2009-14.			

13	540 Case No.:4/15/85-ALC3/2008	M/S. AL KABEER EXPORTS PVT. LTD	M.No. 26/10 dt. 29.10.2009	Status: Approved
	HQ File :01/85/050/00123/AM09/	RLA File :03/94/040/00383/AM09/	Lic.No/Date:0310479250 18.07.2008	
	The case was considered by the committee as per agenda. It was noted that Advance Authorization No. 0310479250 dt. 18.07.2008 can not be finalized on repeat basis on decision taken prior to Public Notice No. 37 dated 23.08.2007. Committee felt that 10% wastage was on higher side in this case and preparation of Frozen Cheese Samosa filled with Feta Cheese would hardly have any wastage except for 1-2% in preparation process. Accordingly, taking a lenient view, committee ratified import item of 40.49MT with 2% wastage, as under:-			
	Export Item	Qty.	Import Item	Qty.
	READY TO COOK FROZEN CHEESE SAMOSA (NET CONTENT OF FETA CHEESE 39.70MT)	70.783MT	FETA CHESE (DANISH WHITE CHEESE)	40.49MT
RLA to take consequential action as per policy/procedure.				

14	541 Case No.:4/15/85-ALC3/2008	M/S. ESSEM TECHNOPINZ PVT. LTD., NASIK	M.No. 26/10 dt. 29.10.2009	Status: Approved
	HQ File :01/80/85/50/457/AM08	RLA File :31/24/40/00205/AM08	Lic.No/Date:3110040878 21.09.2007	
	The case was considered by the committee as per agenda. It was noted that NC-1 had ratified norms in this case in Meeting No. 37/08 dated 11.12.2007. Committee considered the representation for review of norms and noted that since in export product two Tungsten Carbide Balls are fitted, Committee decided to enhance its quantity to 40,800 Thousand in number, as requested by the applicant Firm. Accordingly, applicant would account for 40800 Thousand numbers of TC Balls on export side.			
	Committee further decided to allow 1% wastage for import item No.3. Accordingly, import quantity will work out to 20,200 Thousand. RA to take consequential action as per policy/procedure.			

15	542 Case No.:4/15/85-ALC3/2008	M/S. KOHLICO FOODS BEVERAGES PVT. LTD., MUMBAI	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/162/442/AM08	RLA File :03/94/040/0291/AM08/	Lic.No/Date:31043691 20.07.2007	

The case was considered by the committee as per agenda. It was noted that Jt. DG, Mumbai was requested vide letter dated 17.10.07 followed by reminders to conduct a physical verification of the applicant Firm. Reply is awaited. It was decided to again remind Jt. DG, Mumbai to expedite the report. To be re-listed on 26.11.2009.

16	543 Case No.:5/19/85-ALC3/2009	M/S. NEWBY TEAS OVERSEAS PVT.LTD.,	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/050/00092/AM10/	RLA File :02/24/040/00069/AM10/	Lic.No/Date:0210130816 25.08.2009	
	The case was considered by the committee as per agenda. The Committee decided to call the applicant firm's representative for PH. To be re-listed on 26.11.2009. All cases of the Firm to be listed on that day.			

17	544 Case No.:2/10/85-ALC3/2009	INDUSTRIAL FOAMS PVT LTD	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	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. The Committee decided to defer the case. To be re-listed on 26.11.2009.			

18	545 Case No.:8/19/85-ALC3/2009	M/S. EXOTIC NATURALS	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/050/00095/AM10/	RLA File :03/94/040/00120/AM10/	Lic.No/Date:0310526775 02.07.2009	
	The case was considered by the committee as per agenda. The Committee decided to link up similar case and deferred consideration of case. To be re-listed on 12.11.2009.			

19	546 Case No.:2/26/85-ALC3/2009	M/S. S.M. HERBALS PVT.LTD.	M.No. 26/10 dt. 29.10.2009	Status:Approved
	HQ File :01/85/050/00135/AM10/	RLA File :05/24/040/00336/AM10/	Lic.No/Date:0510250912 15.10.2009	
	The case was considered by the committee as per agenda. Accordingl to purity of export/import items and taking into account 1% wastage, Committee ratified the case as under:-			
Export Item		Qty.	Import Item	Qty.

Camptothecin HPLC Purity NLT 98.5%	190.000KG	Crude Camptothecin HPLC Purity NLT 95%	198.97KG
RLA to take consequential action as per policy/procedure.			

20	547 Case No.:1/26/85-ALC3/2009	M/S. ADITYA BIRLA NUVO LIMITED.,	Meet No/Date:26/85-ALC3/2009 29.10.2009	Status:Deferred
	HQ File :01/85/050/00134/AM10/	RLA File :02/24/040/00140/AM10/	Lic.No/Date:0210132610 14.10.2009	
	The case was considered by the committee as per agenda. The Committee decided to ask applicant firm to furnish the following information:- 1. Production/Consumption data duly certified by Central Excise Authority. 2. Exact name of import item. To be re-listed on 26.11.2009.			

21	548 Case No.:3/26/85-ALC3/2009	M/S. BIRLA CORPORATION LTD.,	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/050/00136/AM10/	RLA File :02/24/040/00132/AM10/	Lic.No/Date:0210132844 22.10.2009	
	The case was considered by the committee as per agenda. The Committee decided to defer the case. To be re-listed on 26.11.2009.			

22	549 Case No.:4/26/85-ALC3/2009	M/S. BIRLA CORPORATION LTD.,	M.No. 26/10 dt. 29.10.2009	Status: Deferred
	HQ File :01/85/050/00137/AM10/	RLA File :02/24/040/00139/AM10/	Lic.No/Date:0210132849 22.10.2009	
	The case was considered by the committee as per agenda. The Committee decided to defer the case. To be re-listed on 26.11.2009.			

-X-X-X-