

**Directorate General of Foreign Trade**  
**Udyog Bhawan**  
**DES-V Section**

**Minutes of NC-V Meeting held on 28.04.2011**

The Meeting No. 4/AM-12 for the licensing year 2011-12 to consider the cases under Duty Exemption Schemes (Chapter-4) held on 28.04.2011 in Room No.213 of DGFT under the Chairmanship of Shri A.K.Singh, Jt. DGFT. The following officers were present: -

Sl. No	Name of the representatives & their designation	Department
1	Dr. R.A.Lal, Director	R.O, TC, Noida
2	Sh. Nand Lal, Sr. D.O	DIPP
3	Sh. J.D.Giri, Nominee, AEPC	AEPC
4	Sh. Kuldeep Singh, Asstt. Director	MSME
5	Sh. Pradip Kumar, F.T.D.O	DGFT

**(TEXTILES AND LEATHER ITEMS)**

At the outset the Minutes of NC Meeting No.52/AM11 dated 24.03.2011 were ratified. Thereafter agenda for Meeting No. 4/AM12 dated 28.04.2011 was taken up for discussion and the decision taken in respect of each case is enumerated below: -

**MEETING NUMBER** : 4/84-ALC3/2011      **MEETING DATE** : 28.04.2011

<b>Case No.:9/41/84-ALC3/2010</b>	Party Name:J.D. JONES & CO. PVT. LTD.	Meet No/Date:4/84-ALC3/2011 28.04.2011	<b>Status:</b> <b>Rejected</b>
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	HQ File :01/84/050/00286/AM11/	RLA File :02/24/040/00176/AM11/	Lic.No/Date:0210152795 29.12.2010	
1	<p>Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that on the export side, firm have not mentioned the correct description of export item, which should be Pacmaan gland packing NA-781 (made out of white(sealants) pack fibre white dispersion Y 096 DO). Further, firm have also not given detailed process flow chart mentioning stage-wise wastage involved therein. Therefore, committee felt that advance authorisation should be modified accordingly. In view of the above, Committee was unable to finalise the norms and constrained to reject the case.</p> <p>RLA may take suitable consequential action accordingly.</p>			

2

Case No.:5/49/84-ALC3/2010	Party Name:RICHA & CO	Meet No/Date:4/84- ALC3/2011 28.04.2011	Status: Approved								
HQ File :01/84/050/00365/AM11/	RLA File :05/24/040/00330/AM11/	Lic.No/Date:0510281536 14.01.2011									
Decision: The Committee considered the case as per agenda and decided to ratify the advance authorizations issued in this case as per written comments of DC (MSME) vide their U.O No. 37 (5)/07/2011-12/Hosy. dated 27.04.2011 as detailed below:											
<table><tr><td>Export Product</td><td>Export Qty.</td><td>Import Item</td><td>Qty. allowed</td></tr><tr><td>Ladies top made of 70% cotton 30% silk dyed woven fabric, GSM-38+/- 10% (Style No.SJ240520WN)</td><td>1070 Pcs</td><td>70% cotton 30% silk dyed woven fabric, GSM-38+/- 10%</td><td>3.07 Sq mtrs./Pc</td></tr></table>				Export Product	Export Qty.	Import Item	Qty. allowed	Ladies top made of 70% cotton 30% silk dyed woven fabric, GSM-38+/- 10% (Style No.SJ240520WN)	1070 Pcs	70% cotton 30% silk dyed woven fabric, GSM-38+/- 10%	3.07 Sq mtrs./Pc
Export Product	Export Qty.	Import Item	Qty. allowed								
Ladies top made of 70% cotton 30% silk dyed woven fabric, GSM-38+/- 10% (Style No.SJ240520WN)	1070 Pcs	70% cotton 30% silk dyed woven fabric, GSM-38+/- 10%	3.07 Sq mtrs./Pc								
The R.A shall be advised to take necessary action subject to compliance of other usual conditions.											

3	<b>Case No.:9/53/84-ALC3/2010</b>	Party Name:BIG BAGS INTERNATIONAL PVT LTD .,	Meet No/Date:4/84-ALC3/2011 28.04.2011	<b>Status: Transferred</b>
	HQ File :01/84/050/00385/AM11/	RLA File :07/24/040/00431/AM11/	Lic.No/Date:0710077152 04.02.2011	
	Decision: The Committee considered the case as per agenda and relevant details and decided to transfer this case to DES-VII (Norms Committee-VII) for their consideration and necessary action as the similar item is being dealt by them.			

	<b>Case No.:1/53/84-ALC3/2010</b>	Party Name:R & R IMPEX PVT. LTD.	Meet No/Date:4/84-ALC3/2011 28.04.2011	<b>Status: Approved</b>
	HQ File :01/84/050/00377/AM11/	RLA File :05/24/040/00423/AM11/	Lic.No/Date:0510286113 15.03.2011	
	Decision: The Committee considered the case as per agenda alongwith other relevant papers and went through the details submitted by the firm. The Committee after deliberations in consultation with the representatives of technical authorities present in the meeting decided to ratify the adhoc norms against the Advance authorization issued in this case as detailed below: -			

4	S. No	Export Item	Export Qty.	Import item	Qty. allowed
	1	Ladies Blouse made out of 70% cotton 30% silk fabric, GSM-38+/-10% (Style No.Q12H14000000)	3937 Pcs	70% cotton 30% silk fabric, GSM-38+/-10%, width-140 Cms.	5511.8 Sq mtrs.
No further export can be allowed in this case. The R.A shall be advised to take necessary action subject to compliance of other usual conditions.					

5

Case No.:2/53/84-ALC3/2010	Party Name:VRIJESH CORPORATION	Meet No/Date:4/84-ALC3/2011 28.04.2011	Status: Approved	
HQ File :01/84/050/00378/AM11	RLA File :03/95/040/00907/AM11	Lic.No/Date:0310621778 17.03.2011		
Decision: The Committee considered the case as per agenda alongwith other relevant papers and went through the details submitted by the firm. The Committee after deliberations in consultation with the representatives of technical authorities present in the meeting decided to ratify the adhoc norms against the Advance authorization issued in this case by allowing 5% wastage as detailed below: -				
S. No	Export Item	Export Qty.	Import item	Qty. allowed
1	Flax/cotton fabrics (dyed) made out of twisted/untwisted flax yarn	10500 Kgs	Flax yarn	8242.5 Kgs.
2	Flax/cotton fabrics(grey & bleached) made out of twisted/untwisted flax yarn	10500 Kgs	Flax yarn	3202.5 Kgs.
The R.A shall be advised to take necessary action subject to compliance of other usual conditions.				

6	<b>Case No.:3/53/84-ALC3/2010</b>	Party Name:GAURAV INTERNATIONAL	Meet No/Date:4/84-ALC3/2011 28.04.2011	<b>Status:</b> <b>Approved</b>														
	HQ File :01/84/050/00379/AM11/	RLA File :05/23/040/00329/AM11/	Lic.No/Date:0510286314 17.03.2011															
	<p>Decision: The Committee considered the case as per agenda alongwith other relevant papers and went through the details submitted by the firm. The Committee after deliberations in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance authorization issued in this case as detailed below: -</p> <table> <tr> <th>S. No</th><th>Export Item</th><th>Export Qty.</th><th>Import item</th><th>Qty. allowed</th></tr> <tr> <td>1</td><td>Ladies tunic made of 100% rayon dyed woven fabric, GSM -79 +/-10% Style No. TC518</td><td>1320 Pcs</td><td>100% rayon dyed woven fabric, GSM 79 with +/-10%</td><td>3194 Sq mtrs.</td></tr> <tr> <td>2</td><td>Ladies tunic made of 100% rayon bleached woven fabric, GSM -79 +/-10% Style No. TC518</td><td>1930 Pcs</td><td>100% rayon bleached woven fabric, GSM 79 with +/-10%</td><td>4670 Sq mtrs.</td></tr> </table> <p>The R.A shall be advised to take necessary action subject to compliance of other usual conditions.</p>				S. No	Export Item	Export Qty.	Import item	Qty. allowed	1	Ladies tunic made of 100% rayon dyed woven fabric, GSM -79 +/-10% Style No. TC518	1320 Pcs	100% rayon dyed woven fabric, GSM 79 with +/-10%	3194 Sq mtrs.	2	Ladies tunic made of 100% rayon bleached woven fabric, GSM -79 +/-10% Style No. TC518	1930 Pcs	100% rayon bleached woven fabric, GSM 79 with +/-10%
S. No	Export Item	Export Qty.	Import item	Qty. allowed														
1	Ladies tunic made of 100% rayon dyed woven fabric, GSM -79 +/-10% Style No. TC518	1320 Pcs	100% rayon dyed woven fabric, GSM 79 with +/-10%	3194 Sq mtrs.														
2	Ladies tunic made of 100% rayon bleached woven fabric, GSM -79 +/-10% Style No. TC518	1930 Pcs	100% rayon bleached woven fabric, GSM 79 with +/-10%	4670 Sq mtrs.														

<b>Case No.:4/53/84-ALC3/2010</b>	Party Name:GAURAV INTERNATIONAL	Meet No/Date:4/84-ALC3/2011 28.04.2011	<b>Status: Approved</b>
HQ File :01/84/050/00380/AM11/	RLA File :05/23/040/00354/AM11/	Lic.No/Date:0510286316 17.03.2011	
<p>Decision: The Committee considered the case as per agenda alongwith other relevant papers and went through the details submitted by the firm. The Committee after deliberations in consultation with the representatives of technical</p>			

7	authorities present in the meeting decided to ratify the Advance authorization issued in this case as detailed below: -				
	S. No	Export Item	Export Qty.	Import item	Qty. allowed
	1	Ladies top made of 100% cotton bleached woven fabric, GSM -91 +/-10% Style No. U5C509	1950 Pcs	100% cotton bleached woven fabric, GSM -91 +/-10%	2876 Sq mtrs.
	The R.A shall be advised to take necessary action subject to compliance of other usual conditions.				

8

Case No.:5/53/84-ALC3/2010	Party Name:GAURAV INTERNATIONAL	Meet No/Date:4/84- ALC3/2011 28.04.2011	Status: Approved	
HQ File :01/84/050/00381/AM11/	RLA File :05/23/040/00357/AM11/	Lic.No/Date:0510286318 17.03.2011		
Decision: The Committee considered the case as per agenda alongwith other relevant papers and went through the details submitted by the firm. The Committee after deliberations in consultation with the representatives of technical authorities present in the meeting decided to ratify the Advance authorization issued in this case as detailed below: -				
S. No	Export Item	Export Qty.	Import item	Qty. allowed
1	Girls short sleeve shirt made of 98% cotton 2% spandex bleached woven fabric, GSM -112 +/-10% Style No. 849682/871730	15400 Pcs	98% cotton 2% spandex bleached woven fabric, GSM -112 +/-10%	16478 Sq mtrs.
The R.A shall be advised to take necessary action subject to compliance of other usual conditions.				

## Manual agenda cases

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Case No. 8	M/s Bhadresh Trading Corporation Ltd., Mumbai
NC No.4/AM12	F.No.01/84/162/717/AM09/DES-V
Dated 28.04.2011	Fixation of SION for Raw Cotton not carded or combed.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and decided to defer the case for re-listing on 26.05.2011.

Case No. 9	M/s Lavino Kapur Cotton Pvt. Ltd., Mumbai
NC No.4/AM12	F.No.01/84/162/717/AM09/DES-V
Dated 28.04.2011	Fixation of SION for Raw Cotton not carded or combed.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and observed that applicant company (an EOU unit) vide their letter dated 29.01.2011 have made the following request:-

- i) Modification of SION, K-103 (Absorbent Cotton) and SION, K-104 (Absorbent Uncarded Cotton) against import

of raw cotton and

- ii) For applying the adhoc norms fixed by NC on 23.04.2009 since 4<sup>th</sup> May, 2006.

So far as Modification of SION, K-103 (Absorbent Cotton) and SION, K-104 (Absorbent Uncarded Cotton) is concerned, this committee has already taken a view that in absence of data from 3-4 different firm (irrespective of the fact whether the units are DTA or EOU) duly filled up in the prescribed format, the Committee is unable to finalise any modification of SIONs.

Further, as regards applicability of the adhoc norms on exports made since 4th May, 2006 is concerned, it is seen that there is no specific provision regarding applicability date of adhoc norms for EOUs in the Policy/Procedure. Normally, NC decides cases related to Advance Authorisation (AA) and such decisions are applied for that specific AA. In the case of EOU, no AA is issued. Hence, the question arises as to from what date the adhoc norms decided for this EOU shall apply. NC-VI in its meeting No.40/08 dated 23.04.2009 has decided the adhoc norms for this EOU and that decision did not mention any applicable date. For AA, this question is never raised and adhoc norms are specific to a particular AA. However, in this case of EOU, this NC has already made the adhoc norms valid for the further period i.e. (01.04.2010 to 31.03.2012) in its Meeting No. 7/AM11 dated 13.5.2010. Agreeing partially with the rational given by the applicant company in their request dated 29.01.2011 this Committee now taken the following steps:-

- (1) For extension of ad-hoc norms beyond 31.3.2012 decided for this EOU unit by NC-VI on 23.04.2009, the applicant EOU is advised to approach O/o TC, Mumbai to expedite their comments after visiting the factory of the company. A reminder may be send to TC, Mumbai, who have also been informed accordingly.
- (2) Modification of SION, K-103 (Absorbent Cotton) and SION, K-104 (Absorbent Uncarded Cotton) against import of raw cotton is not possible without following proper procedure and submission of 3-4 different companies' data duly recommended by an EPC. Hence this request stands rejected.
- (3) NC also recommends that a provision may be made in HBP Vol.I Chapter VI wherein it may be clearly specified that the ad-hoc norms as decided by NCs' are to be applied from the inception of production of the export product by the EOU's. This point may be taken up by the relevant Policy Division of DGFT for suitable incorporation of a specific provision in the Policy/Procedure.
- (4) Since the matter relates to EOU's, NC also recommends that the ad-hoc norms decision taken in NC-VI Meeting No. 40/08 dated 23.04.2009 may be applied from 4<sup>th</sup> May 2006 onwards (the date on which the application for adhoc norms and modification of SIONs was made).

Accordingly, for point 3 & 4 mentioned above, Policy Division for EOU (PC-VI) may take necessary action as may be required.



Case No. 10	M/s Superhouse Ltd.,Kanpur
NC No.4/AM12	F.No.01/84/50/363/AM11/DES-V
Dated 28.04.2011	Ratification of input output norms against advance authorisation No. 0610020958 dated 10.02.2011.

Decision: The Committee considered the case as per agenda alongwith other relevant papers and went through the details submitted by the firm. The Committee after deliberations in consultation with the representatives of technical authorities present in the meeting decided to ratify the adhoc norms against the Advance authorization issued in this case by allowing 5% wastage as detailed below: -

S. No	Export Item	Export Qty.	Import item	Qty. to be accounted for in export item	Qty. allowed
1	Kids riding breeches made of artificial leather cloth	133334 Pcs	Artificial leather cloth	19047.84 Kgs	20000 Kgs.

R.A may be advised to correct ITC (HS) code as requested by applicant firm.The R.A shall be advised to take necessary action subject to compliance of other usual conditions.

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