

Government of India
Ministry of Commerce & Industry
Department of Commerce
Notification No. 36 (RE-2013)/2009-2014
New Delhi, Dated: 26th August , 2013

Sub.: Policy for allocation of quota for import of Rough Marble Blocks for Indian companies investing abroad in marble mining, for the year 2013-14.

S.O. (E) In exercise of powers conferred under section 5 of the Foreign Trade (Development and Regulation) Act, 1992 as amended, read with paragraph 2.1 of the Foreign Trade Policy, 2009-14, the Central Government hereby makes the following amendments in Schedule-I (Imports) to the ITC (HS) Classifications of Export and Import Items:

2. Import Licensing Note No. (5) inserted at the end of Chapter 25 through Notification No.20 of 9th October 2012, is amended to read as :

“**5. Facility for Indian companies who have invested in Mining abroad .**

This will be subject to conditions laid down as under:

5(a): Eligibility;

- (i) Mining company where such investment is made must be a 100% subsidiary of the Indian company.
- (ii) Minimum investment should be Rupees 10 crores as on 31.3.2013 and is subsisting.
- (iii) Such investment should only be in plant and machinery. No plant and machinery on leased basis will be considered.
- (iv) The overseas mining company should be operational and have the operating license in its own name.

(b) Quantity to be permitted;

- (i) Only marble blocks produced from its own quarries overseas shall be allowed for import.
- (ii) The total annual import quantity will be limited to 1 lakh MT .
- (iii) The quantity to be allocated for import per applicant shall not exceed 30,000 MT or the total quantity of marble mined and sold from its overseas mines in the previous financial year, whichever is less. (Reference to financial year would be Indian

financial year i.e 1st April 2012-31st March 2013)

- (iv) If the quantity to be imported by the eligible applicants exceeds 1 lakh MT, then allocation will be on a pro rata basis. Distribution of pro rata allocation will be on the basis of total sale of quantity produced in the previous financial year from its mines overseas. Quantum of sale shall be certified by an independent Chartered Accountant and will be accompanied with annual accounts of foreign mines (subsidiary of Indian Company).

(c) Filing of Application;

Applications should reach DGFT(HQ) office at Udyog Bhavan, New Delhi before 5 pm on 5th September 2013.

(d) Floor Price;

Such imports shall be subject to a floor price of US\$ 325 per Metric Tonne (MT) .

(e) ITC HS Codes;

Such imports shall be permissible under ITC HS Codes 25151100 and 25151210.

(f) Actual User Condition;

All authorisations shall be subject to actual user condition.

(g) Monthly Return;

Authorisation holders shall file monthly returns regarding imports made by them, to the concerned Regional Authority of DGFT by the 15th of each succeeding month in which authorisation is obtained (for example if a authorisation is obtained on 13th September, the authorisation holder will file monthly return by 15th of October and for each month thereafter). This is a mandatory requirement.

(h) Validity of Import authorisation;

Authorisation for Import of marble will have a validity of 12 months from date of issue.

3. Effect of this notification:

Import Policy for allocation of quota for import of Rough Marble Blocks by Indian companies investing abroad in marble

mining has been notified with an annual quota of 1 lakh MT.

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