



WEEKLY TRADE UPDATE

Foreign Trade Update

Central Government Customs Notifications

A. Amendment of notification No. 27/2011 dated 1st March, 2011 to increase export duty on certain goods.

The Central Government vide Notification No.29/2022-Customs dated May 21, 2020 has amended Notification No.27/2011 dated March 01, 2011 to increase export duty on certain goods. In the case of Iron ore pellets, which currently does not attract export duty, a duty of 45% has been levied. In case of other classes of Iron ore and Steel intermediates, an export duty of 15% has been levied. This includes Flat-rolled products of iron or non-alloy steel.

Notification available at:

<https://taxinformation.cbic.gov.in/view-pdf/1009312/ENG/Notifications>

B. Amendment of Second Schedule of the Customs Tariff Act, 1975 to increase and levy Export duty

The Central Government vide Notification No.28/2022-Customs dated May 21, 2020 has amended Second Schedule of the Customs Tariff Act, 1975 to increase and levy export duty. In the case of Iron ore and concentrates, the duty on all categories has been increased to 50%, from 30% which now applies to Iron content above 58%. An export duty of 15% has been levied for Flat-rolled products of stainless steel, of a width of 600 mm or more, Other bars and rods of stainless steel; angles, shapes and sections of stainless steel, Bars and rods, hot-rolled, in irregularly wound coils, of other alloy steel.

Notification available at:

<https://taxinformation.cbic.gov.in/view-pdf/1009311/ENG/Notifications>

C. Reduction of duty on Anthracite/Coking Coal

The Central Government vide Notification No.27/2022-Customs dated May 21, 2020 has amended Notification No.11/2021-Customs dated February 01, 2021 to reduce duty on Anthracite/Pulverized Coal Injection (PCI) coal and Coking coal.

Notification available at:

<https://taxinformation.cbic.gov.in/view-pdf/1009310/ENG/Notifications>

D. Amendment of notification No. 50/2017- Customs dated June 30, 2017

The Central Government vide Notification No.26/2022-Customs dated May 21, 2020 has amended Notification No.50/2017-Customs dated June 30, 2017. Through the notification import duty on Coking coal and Anthracite has been reduced from 2.5% to zero, while on Coke and Semi-coke it has been reduced from 5% to zero. The import duty on Naphtha has been reduced from 2.5% to 1% and import duty on Propylene oxide has been slashed in half to 2.5%. Import duty on Polymers of Vinyl Chloride has been reduced from 10% to 7.5% while import duty on Ferro-nikel, has been reduced from 2.5% to zero.

Notification available at:

<https://taxinformation.cbic.gov.in/view-pdf/1009309/ENG/Notifications>

E. Reduction of Road and Infrastructure Cess (RIC) on Petrol and Diesel

The Central Government vide Notification No.25/2022-Customs dated May 21, 2022 has amended Notification No.18/2019-Customs dated July 06, 2019, to reduce Road and Infrastructure Cess (RIC) on Petrol and Diesel.

Notification available at:

<https://taxinformation.cbic.gov.in/view-pdf/1009308/ENG/Notifications>

Director General of Foreign Trade

A. Enlistment of an Agency and amendment in details of an authorized agency under Appendix 2E of FTP, 2015-2020 – authorized to issue Certificate of Origin (Non-preferential)

The Directorate General of Foreign Trade vide Public Notice No. 09/2015-2020 dated May 20, 2022 has enlisted the Vizagpatam Chamber of Commerce and Industry (VCCI), Andhra Pradesh under Appendix 2E of FTP, 2015-20 for issuing Certificate of Origin (Non-Preferential). The details of Nag-Vidarbha Chamber of Commerce, already enlisted under Appendix 2E, have also been amended.

Public Notice is available at:

<https://content.dgft.gov.in/Website/dgftprod/2146f1ea-fa79-445d-bee6-318a6abf01f0/PN%2009%20dt%2020-05-22%20Eng.pdf>

B. Amendment of Last date of Application as mentioned under Public Notice 06/2015-20 dated 01.05.2022

The Directorate General of Foreign Trade vide Public Notice No. 08/2015-2020 dated May 19, 2022 has extended the last date for submission of online applications for allocation of Tariff Rate

Quota (TRQ) under India—UAE CEPA. First two quarters of FY 2022-23 (May 01, 2022 to Sep 30, 2022) has been extended till May 31, 2022.

Public Notice is available at:

<https://content.dgft.gov.in/Website/dgftprod/a15dc31e-3977-47f5-b4a6-4da386bca1b7/PN%2008%20Eng.pdf>

C. Amendment in Export Policy of Bamboo Charcoal

The Directorate General of Foreign Trade vide Notification No. 08/2015-2020 dated May 19, 2022 has notified that the export of Bamboo Charcoal made from Bamboo obtained from legal source is allowed Freely subject to some policy conditions.

Notification is available at:

<https://content.dgft.gov.in/Website/dgftprod/46d92d03-3b29-47fb-a10f-f49ec4ad11ba/Noti%2008%20Eng.pdf>

D. Amendment in import policy condition of Fresh Ginger under Chapter 09 of the ITC (HS) 2022, Schedule -I (Import Policy).

The Directorate General of Foreign Trade vide Notification No. 07/2015-2020 dated May 19, 2022 has notified that import of Fresh ginger, wholly produced in Bhutan, is Free subject to Article-I of Agreement on Trade, Commerce and Transit between India and Bhutan.

Notification is available at:

<https://content.dgft.gov.in/Website/dgftprod/4fe80e34-bf7d-4e22-96fa-9e309edcec71/Notification%2007%20Eng.pdf>

E. Alignment of Appendix 4R with the Finance Act, 2021 with effect from 01.01.2022

The Directorate General of Foreign Trade vide Notification No. 04/2015-2020 dated May 11, 2022 has notified a new RoDTEP schedule (Appendix 4R) for implementation with effect from 01.01.2022 after aligning the earlier schedule with the Customs tariff Schedule as per Finance Act, 2021.

Notification is available at:

<https://content.dgft.gov.in/Website/dgftprod/344ef686-c432-4562-a94e-740981685d5d/Notification%20no%204%20dt%2011%2005%2022%20-%20English.pdf>

F. Extension of relaxation of the Provisions under Notification 20/2015-20 dated 24.08.2021

The Directorate General of Foreign Trade vide Notification No. 02/2015-2020 dated May 02, 2022 has relaxed import provisions under Notification No. 20/2015-20 dated August 24, 2021 to allow import of the remaining quantity of 5.50 Lakh MT up to 30.9.2022 or until further orders, whichever is earlier. Bill of lading of such import consignments to be on or before 30.9.2022 and “Out of Charge” of such consignments to be authorised by customs on or before 31.12.2022.

Notification is available at:

<https://content.dgft.gov.in/Website/dgftprod/c7ac300d-e6cf-4ee8-ac3d-f49d9e41123a/Notification%20%20-%20English%20version%201.PDF>

G. Amendment in Para 2.107 (TRQ under FTA/CECA) of Handbook of Procedure 2015-2020.

The Directorate General of Foreign Trade vide Public Notice No. 06/2015-2020 dated May 01, 2022 has notified the Tariff Rate Quotas (TRQ) as mentioned in Notification No. 22/2022-Customs dated April 30, 2022 under India–UAE CEPA and procedure for allocation and imports under given TRQs.

Public Notice is available at:

<https://content.dgft.gov.in/Website/dgftprod/dcc80bcb-05fa-4082-8797-fb914ac089ab/English-%20PN%20%20-%20India%20UAE%20CEPA%201May2022.pdf>

Trade Remedy Measures Update

The Directorate General of Trade Remedies (DGTR), Ministry of Commerce and Industry has recently undertaken the following measures concerning trade remedy investigations.

- **May 13, 2022**-Final findings issued in sunset review of anti-dumping investigation concerning imports of “Textured Tempered Coated and Uncoated Glass” from China PR.

Notification link:

<https://www.dgtr.gov.in/sites/default/files/TTG%20NCV.pdf>

- **May 06, 2022**-Final findings issued in sunset-review of anti-dumping investigation concerning imports of “Opal Glassware” originating in or exported from China PR and UAE.

Notification link:

<https://www.dgtr.gov.in/sites/default/files/Final%20Finding-SSR.pdf>

- **May 06, 2022**-Initiation notification issued in anti-dumping investigation concerning imports of “Dispersion Unshifted Single-mode Optical Fibre (SMOF)” originating in or exported from China, Indonesia and South Korea.

Notification link:

https://www.dgtr.gov.in/sites/default/files/Initiation%20Notification_SMOF.pdf

- **April 26, 2022**-Final findings issued in sunset review investigation concerning imports of “Polytetrafluoroethylene (PTFE)” originating in or exported from China PR.

Notification link:

<https://www.dgtr.gov.in/sites/default/files/FF%20PTFE%20NCV%20Signed.pdf>

- **March 30, 2022**-Initiation notification issued in sunset review of anti-dumping duty imposed on imports of “New/unused pneumatic radial tyres with or without tubes and/or flap of rubber (including tubeless tires) having nominal rim dia code above 16 used in buses and lorries/trucks”, originating in or exported from China PR.

Notification link:

<https://www.dgtr.gov.in/sites/default/files/Initiation%20Notification%20Radial%20%20tyres%20Eng%2030.03.22.pdf>

The **Department of Revenue, Ministry of Finance** has recently undertaken the following measures.

- **May 20, 2021**- Imposition of anti-dumping duty vide Notification No. 14/2022-Customs (ADD) on “PU Leather” originating in or exported from China PR.

Notification Link:

<https://taxinformation.cbic.gov.in/view-pdf/1009306/ENG/Notifications>

- **May 11, 2021**- Rescinding of Notification No. 21/2017- Customs (ADD) dated May 16, 2017, vide Notification No. 13/2022-Cus (ADD) to remove levy of anti-dumping duty on “Amoxicillin” also known as Amoxicillin Trihydrate.

Notification Link:

<https://taxinformation.cbic.gov.in/view-pdf/1009300/ENG/Notifications>

- **April 28, 2021**- Imposition of anti-dumping duty vide Notification No. 12/2022-Customs (ADD) on “N,N-Dicyclohexyl Carbodiimide (DCC)” originating in or exported from China PR for a period of 5 years.

Notification Link:

<https://taxinformation.cbic.gov.in/view-pdf/1009292/ENG/Notifications>

Case Law Update

Guwahati High Court

A. Century Plyboards (I) Limited Versus UOI (Review. Pet./9/2020 dated April 04, 2022)

The Guwahati High Court held that with regards the issue of whether producers related to the exporter or importer or are themselves importers of the dumped articles are excluded from the definition of “domestic industry”, various amendments made to the definition of the domestic industry under Rule 2(b) of the Anti-Dumping Rules have to be considered. The Court held that the amendment dated December 01, 2011 in Rule 2(b) of the AD Rules 1995 confers a discretion upon the authorities to include the producers related to the exporters or importers of the dumped article or the importers themselves in the definition of domestic industry.

Hence, the Department has circumstantial discretion to include exporters or importers in the purview of domestic industry.

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