

TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY PART-II,
SECTION—3, SUB SECTION (ii)

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE

NOTIFICATION No. 2(RE-2006) / 2004-2009
NEW DELHI, DATED 7th April, 2006

S.O. (E) In exercise of powers conferred by Section 5 of the Foreign Trade (Development and Regulation) Act, 1992 read with paragraph 2.1 of the Foreign Trade Policy – 2004-09, the Central Government hereby amends Schedule – I (Imports) of the ITC(HS) Classifications of Export and Import Items, 2004-09 as under:

1. 1. The Licensing Note to Chapter – 87 will be amended as follows :

"Para 2(II) (e) The above mentioned provisions will not apply to the import of new vehicles :

- (i) (i) For the purpose of certification as per para (c)
(i) above;
(ii) (ii) For the purpose of defence requirement.

Para 2(II) (f) : The above mentioned provisions will also not apply to the import of new vehicles for R & D purpose by vehicle manufacturers and auto component manufacturers. However, the vehicles imported by both these categories for R & D will not be registered under the CMVR Rules in the country and will not ply on Indian roads. The customs will make necessary endorsement at the time of clearance of these vehicles.

Para 2 (II) (g) : In case the country of manufacture is a land locked country and the shipment takes place from another country, the vehicles would deemed to have been exported from the country of manufacture provided there are supporting documents to track the vehicles from the country of manufacture to the Port of Landing and from there, to the Port of Destination."

2. 2. Import Policy for the following items will be amended as follows :

Exim Code	Item Description	Policy	Policy Conditions
-----------	------------------	--------	-------------------

44039922	Sandal Wood (Santalum Alvurm)	Restricted	Import subject to Licensing Note No. 2 of the Chapter.
----------	-------------------------------------	------------	--

3. 3. Import Licensing Note No. (2) will be added at the end of Chapter 44 and will be read as follows :

"Import of Sandal Wood will be subject to the conditions laid down in Policy Circular No. 1 (RE-06) / 2004-09 dated 7.4.2006."

4. 4. The following conditions will be added in Chapter 1A : General Notes regarding Import Policy :

"17. Import of products, equipments containing Ozone Depleting Substances (ODS) will be subject to Rule 10 of the Ozone Depleting Substances Rules, 2000. In terms of this Rule no person shall import or cause to import any product specified in Column (2) of Schedule VII which was made with or contain Ozone Depleting Substances specified in Column (3), unless he obtains a license issued by the Directorate General of Foreign Trade."

"18. Import of Genetically Modified Food, Feed, Genetically Modified Organism (GMOs) and Living Modified Organisms (LMOs) will be subject to the following conditions :

(a) (a) The import of GMOs / LMOs for the purpose of (i) R & D; (ii) Food; (iii) Feed; (iv) Processing in Bulk and (v) For Environment release will be governed by the provisions of the Environment Protection Act, 1986 and Rules 1989.

(b) (b) The import of any Food, Feed, raw or processed or any ingredient of food, food additives or any food product that contains GM material and is being used either for Industrial production, Environmental release, or field application will be allowed only with the approval of the Genetic Engineering Approval Committee (GEAC).

(c) (c) Institutes / Companies who wish to import Genetically Modified material for R & D purposes will submit their proposal to the Review Committee for Genetic Modification (RCGM) under the Department of Bio-Technology. In case the Companies / Institutes use these

Genetically Modified material for commercial purposes, approval of GEAC is also required.

(d) (d) At the time of import all consignments containing products which have been subjected to Genetic Modification will carry a declaration stating that the product is Genetically Modified. In case a consignment does not carry such a declaration and is later found to contain Genetically Modified material, the importer is liable to penal action under the Foreign Trade (Development and Regulation) Act, 1992.

"19. Import of any form of metallic waste and scrap will be subject to the provisions of Para 2.32 of the Hand Book of Procedures (Vol-I), 2004-09."

5. 5. Import Policy for the following items will be amended as follows :

Exim Code	Item Description	Policy	Policy Conditions
30029010	Human Blood	Free	Import will be subject to Licensing Note No. 1 to the Chapter.

6. 6. The following Import Licensing Note No. 1 will be added at the end of Chapter – 30.

**"(1) (a) import of blood and other biological material for diagnostic or therapeutic purposes for individual cases will be free; and
(b) Import of human biological material for bio-medical purposes will be referred to the Indian Council of Medical Research which is the nodal implementing agency for the Ministry of Health and Family Welfare guidelines dated 19th November, 1997."**

7. The Import Policy for the following items will be amended as follows :

Exim Code	Item Description	Policy	Policy Conditions
28100020	Boric Acid	Free	Import of Boric Acid for non-insecticidal purposes will be subject to an import permit issued by the Central Insecticide Board & Registration

			Committee under the Ministry of Agriculture.
--	--	--	---

8. The Import Licensing Note of Chapter – 88 will be amended to read as under:

“(1) Aircraft and Helicopters (including used/second hand aircraft and Helicopters) may be imported by the following without the need to obtain an import licence from the Director General of Foreign Trade, Department of Commerce, Ministry of Commerce & Industry, Government of India.

- (a) Air India
- (b) Indian Airlines
- (c) Vayudoot Limited
- (d) Pawan Hans Limited
- (e) National Airports Authority
- (f) International Airports Authority of India
- (g) Indira Gandhi Rashtriya Uran Academi (IGRUA)/and such other flying clubs/Academies recognised by the Ministry of Civil Aviation, Government of India
- (h) (h) Any person who has been granted permission by the Ministry of Civil Aviation, Government of India, for operating scheduled or non-scheduled air transport services (including air taxi services) for import of aircraft or helicopters, subject to the condition that the import of the aircraft or helicopter and their use is in accordance with that permission.

(i) (i) The Aero Club of India.

(2) The import of aircraft by any other category of importers shall require an import licence to be granted by the Director General of Foreign Trade, Department of Commerce, Ministry of Commerce & Industry, Government of India.”

9. Import Licensing Note No. 1 of Chapter 72 and Chapter 74 stands deleted.

10. The Import Policy for the following items will be amended as follows :

Exim Code	Item Description	Policy	Policy Conditions
4012 11 00	Of a kind used on Motor cars (including station wagons and racing cars)	Restricted	
4012 12 00	Of a kind used on buses or lorries	Restricted	
4012 13 00	Of a kind used on aircraft	Restricted	

4012 19 10	For two wheeler	Restricted	
4012 19 90	Other	Restricted	
4012 20 10	For buses, lorries and earth moving equipment including bigger size vehicles and light commercial vehicles	Restricted	
4012 20 20	For passenger automobile vehicles, including two wheelers, three wheelers and personal type vehicles	Restricted	

11. This issues in public interest.

Sd/-
(K.T. Chacko)
Director General of Foreign Trade
And Ex-Officio Additional Secretary to the Govt. of India

(Issued from File No 01/89/180/Misc.75/AM06/PC-IA)