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Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
Notification No. 99 (RE-2013)/2009-2014  
New Delhi, Dated: 20<sup>th</sup> November, 2014

Sub.: Policy for issue of import licenses of Rough Marble and Travertine Blocks for the Financial year 2014-15.

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. (2) inserted at the end of Chapter 25, will be amended to read as : “Import of rough marble blocks will be subject to conditions laid down in Notification No. 99 dated 20<sup>th</sup> November 2014.”

3. Conditions for import of marble.

(A) The following Policy provisions will be applicable for import of Rough Marble Blocks and Travertine for the financial year 2014-15. This will supersede earlier Policy /Guidelines for issue of import licenses of Rough Marble Blocks.

(B) Attention is invited to ITC HS Codes 25151100 and 25151210 indicated in Schedule-1 (Imports) of ITC (HS) Classifications of Export and Import Items. As per the provisions contained therein, import of Marble and Travertine– Crude or Roughly trimmed and merely cut, by sawing or otherwise, into blocks of a rectangular (including square) shape is restricted and subject to import licensing procedures.

(C) The applications for import license for import of rough marble blocks and travertine under the above mentioned ITC HS Codes will be considered in the following manner: -

I. Eligibility of the units will be decided based on the following four criteria:

- (a) Units who have installed marble gangsaw machine (except 100% EOUs and units in SEZ) on or prior to 31.3.2014. The marble gangsaw machine shall be in the name of the applicant only. No gangsaw on “Lease Basis” shall be considered for the purpose of allocation of import entitlement.
- (b) The Units should have been in operation for 5 years on or prior to 31.3.2014.
- (c) All eligible units as per (a) above should have cumulative turnover of at least Rs 5 Crores (Rupees Five crores) during the 3 years period i.e. financial years 2011-12 to 2013-14 irrespective of whether it is from domestic or foreign sources in respect of processed marble slabs/tiles only.
- (d) The Unit should be registered with Central Excise Authorities on the date of filing application.

II. Floor Price-

Licenses for import of crude or roughly trimmed marble and travertine blocks or merely cut, by sawing or otherwise into blocks of a rectangular (including square) shape shall be subject to a floor price of US\$ 325 per Metric Ton (MT), which shall be endorsed on all licenses.

III. Entitlement:

The total import of Rough Marble and Travertine blocks under ITC HS Codes 25151100 and 25151210 will be subject to a ceiling of 8 lakh MT for the whole of the licensing year, 2014-15. Eligible units will be entitled for an import license on the basis of cumulative turnover ( indigenous or foreign) of at least Rupees 5 crores of processed marble slabs/tiles only, over the previous three financial years 2011-12 to 2013-14. The quantity so calculated will however be subject to a ceiling of 3500 MT per gang saw, subject to overall availability.

IV. Actual User Condition:

All licenses shall be subject to actual user condition. Modalities for submitting hard copies of the applications is attached as Annexure 1 to this notification.

V. Monthly Return

License holders shall file monthly returns regarding imports made by them, to the concerned Regional Authority of DGFT by the 15<sup>th</sup> of each succeeding month in which license is obtained (for example if a license is obtained on 13<sup>th</sup> February, the license holder will file the first monthly return for imports made in February by 15<sup>th</sup> of March and for each month thereafter by the 15<sup>th</sup> of subsequent month). This is a mandatory requirement.

VI. Validity of Import licences

Licenses for Import of Marble and Travertine will have a validity upto 31<sup>st</sup> December 2015.

4. Effect of this notification:

Import policy of Rough Marble and Travertine blocks for the year 2014-15 has been notified with a quota of 8 lakh MT and an MIP of US\$ 325 per MT .

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(Issued from File No. 01/53/162/MISC/AM15/Marble-01/IC)

Annexure-1 to Notification No: 99 (RE-2013)/2009-14 Dated : 20<sup>th</sup> November, 2014

Modalities for submitting applications for grant of quota for import of rough marble blocks

1. Eligible applicants will submit hard copies of their application, in the relevant Aayat Niryat Form, along with the documents prescribed therein, to concerned RA for import of rough marble blocks for the financial year 2014-15. RA will then forward the applications to DGFT HQ for scrutiny and allocation of quota. Calendar of events is attached as Annexure 2 to this Notification.

2. The following conditions would need to be followed and documentary proof submitted to concerned RA alongwith the application for grant of quota :-

- (a) The Marble gang saw in the Unit should be in the name of the Unit and established on or prior to 31.3.2014. The gang saw should not be 'on Lease' from any other party. The marble gang saw machine should have linear movement and should have minimum 60 steel blades impregnated with diamond segments and be used only for cutting marble blocks into slabs;
- (b) The certificate of registration with Central Excise Authorities.
- (c) The applicant should furnish a certificate from Central Excise Authority indicating the number of Gang saw(s) installed and functional/operational in the Unit.
- (d) SSI/SIA Registration Certificate/Memorandum of MSME should show the Unit being in operation on or prior to 31.03.2009. State Industry Department (District Industry Centre) should certify the number of gang saw(s) established on or prior to 31.3.2014 and this certificate need to be submitted to RA.
- (e) The list of equipments / capital goods (other than Marble gang saw) set up by the applicant in the Unit for processing marble slabs / tiles should be prior to 31.3.2009, as per Balance Sheet as on 31.3.2009, duly certified by a Chartered Accountant;
- (f) Income Tax Return for the financial year 2008-09 indicating processing of marble by the Unit duly certified by a Chartered Accountant;
- (g) CA Certificate indicating domestic/foreign sales turnover of marble slabs / tiles of years 2011-12, 2012-13 and 2013-14.
- (h) A copy of Chartered Accountant certified statement of accounts, filed along with Balance Sheet to Income Tax authorities for each of the years i.e. 2011-12, 2012-13 and 2013-14 (in order to prove cumulative turnover from domestic or foreign sources) of marble slabs / tiles of atleast Rs. 5 crore in the last 3 years).
- (i) The sale against Form H and other relevant Forms, job work income earned by any unit sawing marble blocks of third parties into slabs/tiles and the amount of excise duty, service tax and sales tax/VAT paid on such indigenous sales turnover of marble slabs/tiles may also be included for calculating indigenous sales turnover of the applicant. An applicant would need to submit certified copies of VAT/Sales Tax returns filed by the applicant for each of the 3 financial years indicating the indigenous sales turnover of marble slabs/tiles alongwith the income tax returns for the same period. No trading turnover shall be considered.
- (j) With regard to calculation of indigenous sales turnover, it is clarified that the turnover will include the net sales after deducting the sales returns from the gross sales. It is also clarified that the turnover of the applicant only shall be taken into consideration and the turnover of group concerns/ sister concerns/ subsidiaries etc. shall not be counted for calculating the turnover.
- (k) The applicant must not be on DEL (Denied Entities List) of DGFT.

(l) In case any applicant/ firm is found to have furnished wrong/ false information or made any misrepresentation, then it shall be debarred from the allocation for import of marble and also liable for penal action under the provisions of FT(D&R) Act 1992, as amended.

3. The last date for receipt of hard copy of application with complete documents with RA shall be 24<sup>th</sup> December 2014.

Annexure-2 to Notification No: 99 (RE-2013)/2009-14 Dated : 20<sup>th</sup> November,2014

CALENDAR OF EVENTS

1.	Notification to be issued on	20 <sup>th</sup> November, 2014
2	Receipt of Application in RA	Upto 24 <sup>th</sup> December, 2014
3	Forwarding of Applications to DGFT HQ by RA's	Upto 31 <sup>st</sup> December, 2014
4	Declaration of Allocation	8 <sup>th</sup> January, 2015
5	Issuance of Licences	9 <sup>th</sup> to 15 <sup>th</sup> January, 2015

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