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Government of India
Ministry of Commerce & Industry
Department of Commerce
Udyog Bhawan

Notification No 9 (RE-2013)/2009-2014
New Delhi, Dated: 22nd April, 2013

Subject: Amendment in Chapter 29 and Chapter 38 of ITC(HS), 2012 Schedule 1 (Import Policy).

S.O.(E) In exercise of powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No. 22 of 1992), read with paragraph 2.1 of the Foreign Trade Policy, 2009-2014, as amended from time to time, the Central Government hereby makes the following amendments in the ITC (HS) 2012, Schedule 1 (Import Policy):

2. Consequent to a review, import policy of the following items in Chapter 29 and Chapter 38 is revised from 'restricted' to 'free' as they are not Ozone Depleting Substances. After revision, the import policy is as under:

Exim Code	Item Description	Policy	Policy Conditions
2903 19 10	Tetrachloroethane	Free	
3824 78 00	Containing perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs), but not containing chlorofluorocarbons (HCFCs)	Free	

3. Import policy of the following items in Chapter 29 and Chapter 38 is revised from 'free' to 'restricted' as they are Ozone Depleting Substances. After revision, the import policy is as under:

Exim Code	Item Description	Policy	Policy Conditions
2903 19 20	Trichloroethane	Restricted	Import permitted as per Policy Condition 1 below.
3808 91 22	<u>Methyl bromide</u>	Restricted	Import permitted as per Policy Condition 3 below.
3824 71 00	Containing chlorofluorocarbons (CFCs), whether or not containing hydrochlorofluorocarbons (HCFCs), perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs)	Restricted	Import permitted as per Policy Condition 3 below.
3824 72 00	Containing bromochlorodifluoromethane, bromotrifluoromethane or dibromotetrafluoro-ethanes	Restricted	Import permitted as per Policy Condition 3 below.
3824 73 00	Containing Hydrobromofluorocarbons (HBFCs)	Restricted	Import permitted as per Policy Condition 3 below.
3824 74 00	Containing Hydrochlorofluorocarbons (HCFCs), whether or not containing perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs), but not containing chlorofluorocarbons (CFCs)	Restricted	Import permitted as per Policy Condition 3 below.
3824 75 00	Containing carbon tetrachloride	Restricted	Import permitted as per Policy Condition 3 below.
3824 76 00	Containing 1,1,1-trichloroethane (methyl chloroform)	Restricted	Import permitted as per Policy Condition 3 below.

3824 77 00	Containing bromomethane (methyl bromide) or bromochloromethane	Restricted	Import permitted as per Policy Condition 3 below.
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4. The following Policy Condition is inserted after Policy Condition 2 appended to Chapter 38 ITC (HS) 2012, Schedule 1 (Import Policy):
“(3) Import is permitted by actual users against a licence from a country which is a party to the “Montreal Protocol on Substances that Deplete the Ozone Layer”. List of countries which are parties to the Montreal Protocol (details can be accessed from website: www.unep.org/ozone) is in Appendix IV to this Schedule. However, import from countries, which are not parties to the Montreal Protocol is ‘Prohibited’.”

5. Part A, B and C of Appendix IV to ITC (HS) 2012, Schedule 1 (Import Policy) have been revised and substituted as at **Annexure** to this Notification.

6. Effect of this Notification:

Import of items containing Ozone Depleting Substances (ODS) has been restricted and non-ODS items have been made free. A revised list of countries which are parties to the Montreal Protocol under Appendix IV to Schedule 1 is notified.

Annexure: Part A (1 Page); Part B (1 Page)& Part C (1 Page)

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APPENDIX-IV

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PART “A”

(Reference Policy Condition 1 of Chapter 29 and Policy Condition No. 3 of Chapter 38 of this Schedule)

List of Parties categorized as operating under Article 5 paragraph 1 of the Montreal Protocol

1. Afghanistan	27. Chad	53. Grenada	81. Mauritania	110. Saint Lucia	135. Turkey
2. Albania	28. Chile	54. Guatemala	82. Mauritius	111. Saint Vincent and the Grenadines	136. Turkmenistan
3. Algeria	29. China	55. Guinea	83. Mexico	112. Samoa	137. Tuvalu
4. Angola	30. Colombia	56. Guinea-Bissau	84. Micronesia (Federated States of)	113. Sao Tome and Principe	138. Uganda
5. Antigua and Barbuda	31. Comoros	57. Guyana	85. Mongolia	114. Saudi Arabia	139. United Arab Emirates
6. Argentina	32. Congo	58. Haiti	86. Montenegro	115. Senegal	140. United Republic of Tanzania
7. Armenia	33. Cook Islands	59. Honduras	87. Morocco	116. Serbia	141. Uruguay
8. Bahamas	34. Costa Rica	60. India	88. Mozambique	117. Seychelles	142. Vanuatu
9. Bahrain	35. Croatia	61. Indonesia	89. Myanmar	118. Sierra Leone	143. Venezuela (Bolivarian Republic of)
10. Bangladesh	36. Cuba	62. Iran (Islamic Republic of)	90. Namibia	119. Singapore	
11. Barbados	37. Democratic People's Republic of Korea	63. Iraq	91. Nauru	120. Solomon Islands	
12. Belize		64. Jamaica	92. Nepal		

13. Benin	38. Democratic Republic of the Congo	65. Jordan	93. Nicaragua	121. Somalia	144. Viet Nam
14. Bhutan		66. Kenya	94. Niger	122. South Africa	145. Yemen
15. Bolivia		67. Kiribati	95. Nigeria	123. Sri Lanka	146. Zambia
16. Bosnia and Herzegovina	39. Djibouti	68. Kuwait	96. Niue	124. Sudan	147. Zimbabwe
17. Botswana	40. Dominica	69. Kyrgyzstan	97. Oman	125. Suriname	
18. Brazil	41. Dominican Republic	70. Lao People's Democratic Republic	98. Pakistan	126. Swaziland	
19. Brunei Darussalam	42. Ecuador		99. Palau	127. Syrian Arab Republic	
20. Burkina Faso	43. Egypt	71. Lebanon	100. Panama	128. Thailand	
21. Burundi	44. El Salvador	72. Lesotho	101. Papua New Guinea	129. The Former Yugoslav Republic of Macedonia	
22. Côte d'Ivoire	45. Equatorial Guinea	73. Liberia	102. Paraguay	130. Timor-Leste	
23. Cambodia	46. Eritrea	74. Libya	103. Peru	131. Togo	
24. Cameroon	47. Ethiopia	75. Madagascar	104. Philippines	132. Tonga	
25. Cape Verde	48. Fiji	76. Malawi	105. Qatar	133. Trinidad and Tobago	
26. Central African Republic	49. Gabon	77. Malaysia	106. Republic of Korea	134. Tunisia	
	50. Gambia	78. Maldives	107. Republic of Moldova		
	51. Georgia	79. Mali	108. Rwanda		
	52. Ghana	80. Marshall Islands	109. Saint Kitts and Nevis		

APPENDIX-IV
PART "B"

List of Parties temporarily categorized as operating under Article 5
Paragraph 1 of the Montreal Protocol

1. South Sudan

APPENDIX-IV

PART "C"

List of Parties categorized as operating under Article 2 of the Montreal Protocol

1. Andorra	20. Iceland	39. San Marino
2. Australia	21. Ireland	40. Slovakia
3. Austria	22. Israel	41. Slovenia
4. Azerbaijan	23. Italy	42. Spain
5. Belarus	24. Japan	43. Sweden
6. Belgium	25. Kazakhstan	44. Switzerland
7. Bulgaria	26. Latvia	45. Tajikistan
8. Canada	27. Liechtenstein	46. Ukraine
9. Cyprus	28. Lithuania	47. United Kingdom of Great Britain and Northern Ireland
10. Czech Republic	29. Luxembourg	48. United States of America
11. Denmark	30. Malta	49. Uzbekistan
12. Estonia	31. Monaco	
13. European Union	32. Netherlands	
14. Finland	33. New Zealand	
15. France	34. Norway	
16. Germany	35. Poland	
17. Greece	36. Portugal	
18. Holy See	37. Russian Federation	

19. Hungary

38. Romania