

Government of India
Ministry of Commerce and Industry
(Department of Commerce)
Directorate General of Foreign Trade
Udyog Bhawan, New Delhi 110 011

Policy Circular No. - 02

Dated the 14th November, 2017

To

All Regional Authorities

All Commissioners of Customs

Subject: Order of the High Court , Hyderabad in W.P. No 34771/2014 in in respect of item at EXIM Code 1005 Maize (Corn)

The Notification No. 93 (RE-2013) dated 29.09.2014 has, *inter alia* revised the Import Policy for EXIM Code 1005- Maize (Corn) (1005 90 00- Other), removing the item from the "State Trading Enterprises" list to "free". The notification, however, has been challenged before the Hon'ble High Court of Andhra Pradesh and Telengana at Hyderabad in WP No.34771 of 2014 and in pursuance of the prayer in WPMP no.43494 of 2014, the Hon'ble High Court passed interim order dated 21.11.2014, maintaining status quo by both parties till 3.12.2014. On 3.12.2014 the Hon'ble High Court further extended the status quo for two more weeks i.e. till 17/12/2014.

2. Accordingly, in compliance with the aforementioned interim orders of the Hon'ble High Court of Andhra Pradesh & Telengana, effect of Notification No. 93 (RE-2013) dated 29.09.2014, in respect of the EXIM Code 1005- Maize (Corn) (1005 90 00 – other), was kept in abeyance until 17.12.2014.

3. Subsequently, in modification of the earlier orders, the Hon'ble court has *inter alia* directed, vide its order dated 31.12.2014, as under

"... that the persons may be permitted to import the Maize(corn) subject to fulfillment of 'actual user condition' and on payment of customs duty prevailing , but not the TRQ customs duty. the interim order dated 21.11.2014 was modified to allow import of Maize by "Actual Users" paying the normal duty and not the TRQ duty. Payment of customs duty and nature of import of Maize (corn), shall be subjected to further orders in writ petition."

4. Imports of Maize (corn) under Exim Code 1005 90 00 is accordingly governed, until further orders/ notice /circular in the matter.

5. This issues with the approval of DGFT.


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