

F.No.N-22012/3/2013-NC-I
Government of India
Ministry of Finance
Department of Revenue

Room No.48-C, North Block,
 New Delhi, the 8th July, 2014

The Narcotics Commissioner,
 Central Bureau of Narcotics,
 19-The Mall, Morar,
 Gwalior- 474006.

Subject: Guidelines for registration of import contracts for import of poppy seeds in India, pursuance to the judgment dated 29.11.2013 of the Hon'ble Allahabad High Court in PIL No. 22067 of 2013 - regarding.

Subsequent to the meeting held on 2nd July 2014 with all stakeholders on the subject under the chairpersonship of Additional Secretary (Revenue), the competent authority has approved the following guidelines for registration of import contracts of poppy seeds by the Narcotics Commissioner, in supersession of the earlier guidelines issued vide this Department's letters dated 14th February, 2014 and 6th March, 2014:

- 1) **For import of poppy seeds from Turkey**, Narcotics Commissioner should determine a provisional country cap as soon as practical at the commencement of the financial year, based on the figure of carried over stock supplied by the Turkish authorities and after discounting for the domestic consumption, export to other countries, re-sowing and wastage. In respect of the quantity likely to be produced from the fresh harvest, 50% of the estimated production as conveyed by the competent Turkish authorities may be reckoned to arrive at the provisional country cap from Turkey. Thereafter, once the actual production figures are available from the competent authority in Turkey in the month of September, the final country cap will be determined by a Committee comprising the Narcotics Commissioner, representative of DGFT and that of Department of Revenue. The

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Committee shall consider the information provided by the Turkish authorities as well as such other data on world trade available on UN websites, as deemed fit.

For import from China and the Czech Republic the country caps should be straightaway fixed by the Narcotics Commissioner on the basis of the figures supplied by their respective competent authorities, as soon as the same are available.

After the caps are fixed, the same would be apportioned to various applicants by the Narcotics Commissioner on a first come first served basis till the quantity of the country caps is reached, provided that the maximum quantity which would be registered in respect of any particular applicant in the first instance would be 180 MTs, or 10 container loads. If the total quantity contained in the applications received till the time of determination of country caps is less than the determined country cap, then in the second round, request of applicants who have sought registration for quantities in excess of 180 MT, can be considered, again on first come first served basis, but again for a quantity not in excess of 180 MT. This process shall be repeated till the country cap is reached.

This restriction of quantity for registration of import contracts will not apply in respect of imports from China and Czech Republic. This is because, presently, the number of applications and the quantity contained therein approximate the figures conveyed from the competent authorities of these countries, which was not so with Turkey. However, if at a later date it emerges that there is a considerable increase in the quantum of applications from these countries also, then the ceiling of 180 MTs to an individual applicant will be applied for imports from China and Czech Republic as well.

The import contracts which will be registered by the Narcotics Commissioner against the 'provisional' country cap determined by him for Turkey shall be valid upto 31st October, 2014. However, the import contracts which are registered after the 'final' country caps are determined for Turkey shall be valid for a period of three months only. The import contracts from China and the Czech Republic shall have a validity period of 4 month.

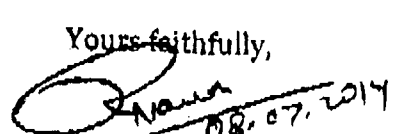
Country of Origin Certificates shall not be insisted upon at the time of registration of import contracts but the importer will have to present the same before the customs authorities at the time of actual imports.

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In order to enable the Narcotics Commissioner to monitor the actual imports against the country caps, the DG (Systems) would make available the data of import of poppy seeds from all EDI ports of the country in an aggregated as well as dis-aggregated (importer wise) manner, on a daily basis electronically at the official e-mail ID of the Narcotics Commissioner.

Receipt of this communication may please be acknowledged.

o/c
Yours faithfully,

(Rajesh Nandan Srivastava)
Director (NC)
Telefax: 2309 2686

submitted to:

- 1) Director General (System), Central Board of Excise & Customs, with reference to action on point no. (vii) above.
- 2) The Director General, Directorate General of Foreign Trade, Udyog Bhawan, New Delhi, for kind information.
- 3) JS (Customs), CBEC, North Block, New Delhi.