

**GOVERNMENT OF INDIA  
MINISTRY OF COMMERCE & INDUSTRY  
DEPARTMENT OF COMMERCE  
DIRECTORATE GENERAL OF FOREIGN TRADE**

**Udyog Bhawan, New Delhi.**

**TRADE NOTICE No. 10 /2015-20**

**Dated: 10 th December, 2015**

**TO**

**ALL IEC HOLDERS  
ALL EPCs  
ALL CHAMBERS OF TRADE AND INDUSTRY  
FEDERATION OF INDIAN EXPORT ORGANISATIONS  
ALL RA's OF DGFT**

**Subject : Clarification about eligibility of Indian Kabuli Chickpeas under FPS in FTP  
2009-14.**

Clarification has been sought in respect of eligibility of benefit under Focus Product Scheme of FTP( 2009-14) to the Indian Kabuli Chickpeas under the item description, “**EDIBLE VEGETABLES (EXCLUDING ONIONS) ALL ITEMS COVERED UNDER CHAPTER 07 (EXCEPT ONION COVERD UNDER CODES 0703 AND 0712)**”. This item appeared at Sr. No. 248 of Appendix 37D, notified vide Public Notice No. 80(RE2010)/2009-14 dated 13.10.2011 and at Sr. No. 488 of FPS Table, notified vide Public Notice No. 52 dated 25.02.2014(RE- 2013). Focus Product Scheme was available upto 31.3.2015.

2. The issue was placed before Policy Interpretation Committee (PIC). The Committee discussed the eligibility of Kabuli chickpeas under Focus Product Scheme. The Committee noted that the item was appearing at Sr. No. 248 of appendix 37D as notified by Public Notice 80 dated 13.10.2011 and renumbered at Sr. No. 488 of FPS table vide Public Notice No. 52 dated 25.02.2014 reads as under :

Sr. No.	FPS Product Code	ITC (HS) Code	Item Description	Rate Percentage
488	488	07	<b>EDIBLE VEGETABLES (EXCLUDING ONIONS) ALL ITEMS COVERED UNDER CHAPTER 07 (EXCEPT ONION COVERD UNDER CODES 0703 AND 0712)</b>	2%

It was noted that export of pulses is prohibited. However, export of Kabuli Chana is exempted from the ban. It was also noted that the description of export items, in this case, is Indian Kabuli Chickpeas whereas exemption from ban is on export is for 'Kabuli Chana'. It was also noted that custom Authorities are allowing this item for export without any authorisation from DGFT. The matter was discussed in detail and after deliberations it was decided that:

- (i) Kabuli Chana and Indian Kabuli Chickpeas are the same item. Hence, Indian Kabuli Chickpeas is also exempted from ban on export.
  - (ii) Since Kabuli Chana is exempted from ban on export, Indian Kabuli Chickpeas cannot be treated as prohibited or restricted item.
  - (iii) Chapter 7 of ITC(HS) Code, list items under the Heading Edible vegetables and certain 'Roots and 'Tubers'. Therefore all items listed under Chapter 7 of ITC HS have to be either edible vegetables or certain roots or Tubers. The committee noted that Kabuli chickpeas are neither "Roots" nor "Tubers". The HS code for chickpea is 07132000 which is under subheading 'Direct leguminous vegetables, shelled whether or not skinned or spilt'.
3. Thus, the committee was of the view that Indian Kabuli Chickpeas are "Edible vegetables" and therefore eligible under FPS.
4. Accordingly it is hereby clarified that Indian Kabuli chickpeas is eligible under Focus Product Scheme.(2009-2014).All RAs are advised to allow FPS benefit on export of Indian Kabuli chickpeas under the above description and dispose off all pending applications accordingly.

(J M Gupta)  
Joint Director General of Foreign Trade  
E-mail: jmgupta@nic.in

(Issued from File No. 01/61/180/251/AM13/PC-3)