

MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING No. 02/07-08 HELD AT 2.00 PM ON 28-06-2007 UNDER THE CHAIRMANSHIP OF SHRI R.S. GUJRAL, DGFT.

PRC Meeting was held under the Chairmanship of DGFT, and list of officers present in the meeting is given in **Annexure –I**.

2. Individual cases taken up for discussion and following decision were taken. Decisions are elaborated in **Annexure –II**.

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S.No	Name of the firm	File Number	Subject/Request	Decision Taken
1	M/s. KLA Tencor Software India P. Ltd., Chennai	01/53/162/600/K-9/AM07/ILS	To endorse the Import Licence No.0450000351 dated 09.11.2006 "valid for goods already shipped/cleared"	Approved.
2.	M/s. Shilpi Moulding Products, Mumbai	01/81/162/387/AM'07/DES.II	Extension in export obligation period against advance licence No.0310212408dated 07.07.2003	Rejected.
3.	M/s. Shilpi Moulding Products, Mumbai	01/81/162/516/AM'07/DES.II	Extension in export obligation period against advance licence No.0310230901 dated 15.10.03	Rejected.
4.	M/s. Shilpi Moulding Products, Mumbai	01/81/162/515/AM'07/DES.II	Extension in export obligation period against advance licence No.0310166496 dated 11.11.2003	Rejected.
5.	M/s. DSM Engineering Plastics (India) Pvt. Ltd., Pune	01/94/180/449/AM06/DES.VIII	Relaxation for procedural requirement of the AR3-A/CT-3 forms in the name of the licence holder against deemed exports/supplies to 100% EOU against 20 advance licence.	Rejected.
6.	M/s. Premina Exports, Mumbai	01/36/218/18/AM07/EPCG.I	Conversion of licence from zero duty scheme to 10% duty scheme due to less utilization of licence.	Rejected.
7.	M/s. Arthanari Loom Centre, Salem	18/16/AM07/ EPCG.II	Conversion of zero duty EPCG Licence No.2124446 dated 22.10.1999 to 10%	Approved.

8.	M/s. Essel Mining & Industries Ltd., Kolkata	01/94/180/404/AM-06/PC.I	Regarding benefit under Target Plus Scheme-as a group company	Approved.
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9.	M/s. Nesspur Oil	01/53/557/140/AM07/ILS	Request for validation	Rejected
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9.	M/s. Nagarjuna Oil Corporation Ltd., Chennai	01/55/557/N-40/AM07/ILS	Request for revalidation beyond 30 months of Import Licence No.04500000202 dated 22.4.2004 (Request for one year extension)	Rejected.
10.	M/s. Haldia Petrochemicals Ltd.	01/82/162/778/AM07/DES.III	Revalidation of advance licences (details in agenda)	Deferred
11.	M/s. Pragati Offset Pvt. Ltd., Hyderabad	01/94/162/DEPB/AM.07/PC.I	Condonation of delay in filing DEPB claims subsequent to issue of 7 DEPBs issued on 14.7.2006	Approved.
12.	Government of Rajasthan	01/53/8/222/AM05/G-15/ILS	Request for change of category from Private to Passenger of 3 imported Air Crafts/Helicopters on actual user condition	Approved.
13.	M/s.Gandhinagar Urban Development Authority, Gandhinagar	01/89/180/03/AM08/PC-I(B)	Request for exemption from production of certificate of compliance as per Provision of rule 126 of Central Motor Vehicle rule (CMVR)1989 for fire fighting vehicle to be imported by Gandhinagar Urban Development Authority.	Approved.
14.	M/s.Yamuna Industries Ltd.	01/92/180/374/AM06/PCII	Request for extension of the period for adjustment of Advance DTA sale permission for another 6 months till March 2007	Rejected.
15.	M/s.JVH Mel-Cut (P) Ltd., Chennai	F.NO.18/717/AM06/EPCG.II	Extension in EOP for 4 years 3 months (18.3.02 to 30.6.06) in r/o EPCG licence No.04500221 dt. 18.3.97.	EPCG Committee to decide.

16.	M/s.Hindalco Industries Ltd.,	F.NO.01/80/162/761/AM07/DES.I	Revalidation of adv.lic.no.0210059768 dt. 13.1.2004.	Approved for revalidation upto 31.1.08 subject to payment of 2% composition fee.
17.	M/s.Adler Medi equipment (P) Ltd.,	F.NO.01/80/50/1525/AM04/DES.I	Revalidation of adv.lic. No.0310250867 dt. 3.2.04	Approved for revalidation

				upto 31.1.08 subject to payment of 2% composition fee.
18.	M/S.Mangal Steel Enterprises Ltd.,	F.NO.01/80/162/404/AM07/DES.I	Clubbing of adv.lic.nos. 0210042831 dt. 23.12.2002 & 0210046238 dt. 26.3.2003	Rejected.
19.	M/S.Anburam Knit Process, Tirupur	F.NO.18/23/AM07/EPCG.II	Conversion of Zero duty EPCG Licence NO.2124446 dated 22.10.99 to 10% duty scheme.	Rejected.
20.	M/s.Western Cables Engineering (P) Ltd.,	F.NO.01/81/50/892/AM04/DES.II	Revalidation of Adv.Lic. No.0310246552 dt. 9.1.04 for six months from the date of endorsement.	Approved for revalidation upto 31.1.08 subject to payment of 2% composition fee.
21.	M/s.Loyal Textile Mills Ltd., Chennai	01/84/162/483/AM05/DES.V	Relaxation of pre-import condition for import of Raw cotton against Advance Licences where violation of pre-import condition ranges from 5% to 100%.	Rejected.
22.	M/s.India Glycols Ltd., New Delhi.	F.NO.01/82/162/1072/AM07/DES.III	Request for EO extension in r/o Adv.Lic.No.0510125266 dt. 7.5.2004.	Approved for EOP extension upto 31.1.2008 subject to payment of 1% composition fee per month.
23.	M/s.Asian Exports, Kolkata	F.NO.01/81/162/184/AM07/DES.II	Revalidation of 2 acquired DFRC Nos.1110005922 dt. 24.2.03 and No.1110005928 dt. 24.4.03 filed by transferee.	Approved the request for filing revalidation application by transferee.

24.	M/s.SRC Aviation (P) Ltd., New Delhi.	F.NO.20/21/2006-07/EPCG.III	Permission to allow to handover/transfer the car imported against EPCG licence No.0530136605 dt. 20.7.04 under 15% duty scheme to the car insurance company by relaxing the provisions.	Approved.
25.	M/s.Skanda Electronics, Bangalore	F.NO.18/04/AM08/EPCG.II	Transfer of capital goods imported under the EPCG scheme to another company with EO imposed against the EPCG lic.	Approved subject to filing of B.G /LUT by the Transferee.

26.	M/s. Super Cassettes Industries Ltd., Noida	F.NO.01/93/180/M-125/AM05/PC.I(B)	Request for import of Ferrari 430 F1 spider through an agent in Singapore.	Approved with payment of full duty.
27.	M/s. Poly Gaskets (P) Ltd., Coimbatore	F.NO.01/87/162/733/AM07/DES.VIII	Revalidation of Adv.Lic.NO.3210020519dt. 30.3.2004	Approved for revalidation upto 31.1.08 subject to payment of 2% composition fee.
28.	M/s. Whirlpool of India Ltd., Pune	F.NO.01/53/8/526/AM07/W-9/ILS	Endorsement on licence "also valid for goods already cleared by the customs"	Approved.
29.	M/s. Kajay Remedies Ltd., Mumbai	F.NO.01/82/162/391/AM07/DES.III	Extension of validity against lice.No.0310259436 dt. 19.3.04	Approved for revalidation upto 31.1.08 subject to payment of 2% composition fee.
30.	Dr. Willmar Schwabe India (P) Ltd., Noida	F.NO.01/85/050/611/AM07/DES.VI	Grant of Adv.Auth. for export of globuli sugar against export of beet sugar during the prohibition period for sugar in terms of DGFT Notification no.18 dt. 4.7.2006.	Approved.
31.	M/s. K.L.F. Oil Industries. Trichur	F.NO.01/85/162/581/AM06/DES.VI	Regularisation of imports under Adv.Lic.No.1010016265 dt. 11.6.2004, 1010019790 dt. 4.3.2005, 1010020931 dt. 15.7.2005 and 1010021183 dt. 11.8.2005.	Deferred. NOC from STC, information on amendment of licences.
32.	M/s. Keshodwala Foods, Veraval, Gujarat.	F.NO.01/85/162/182/AM04/DES.VI	Revalidation of two DEPB licences No.2410004488 dt. 16.5.2004 & 2410004495 dt. 16.5.2002.	Approved for revalidation upto 30-10-07.
33.	M/s H.V. Exports, New Delhi	F.No.01/60/162/80/AM08/EFGC (PRC)/PC-I	Extension in EOP against advance licence No.0510037691 dated 1.6.2001 upto 28.2.2005.	Approved.
34.	M/s Gaurav Pharma Pvt. Limited	F.No.01/82/162/834/AM07/DES-III	EOP Extension in respect of 5 advance licences.	Approved subject to payment of composition fee of 7% and EOP extended upto 31-7-2008.

35.	M/s Nokia India (P) Limited, Sriperumbudur	F.No.01/92/180/106/AM07/PC-II	Request for grant of Deemed Export benefits and refund of CST against supplies to SEZ developer.	Approved.
36.	M/s Biovet Private Limited	F. No. 01/94/180/605/AM 07/PC I	Request for relaxation on the requirement of Drug Manufacturing licence for issuance of EPCG authorisation.	Approved and to include in HBP on file.
37.	M/s Sriram Compounds, Noida	F. No. 01/94/180/126/AM 08/PC I	Revalidation of advance licence No. 0510139634 dated 4.10.2004 upto 03.10.2007.	Approved for revalidation upto 31.1.08 subject to payment of 2% composition fee.
38.	M/s Vardhman Industries, Kanpur	F.No.01/94/16/1103/AM06/PC I F.No.01/94/180/374/AM06/PC I F.No.01/94/180/203/AM06/PC I F.No.01/94/180/246/AM06/PC I F.No.01/94/162/398/AM06/PC I	Relaxation for condonation of delay in filing Status certificate application in time and the DFCE claim for the year 2003-04, 2004-05.	Approved.
39.	M/s Cyanides & Chemicals Co., Mumbai	F.No. 01/94/180/127/AM 08/ PC- I	Revalidation of advance licence No. 0310294619 dated 30.9.04.	Approved for revalidation upto 31.1.08 subject to payment of 2% composition fee.

40.	M/s Cyanides & Chemicals Co., Mumbai	F. No. 01/94/180/128/AM 08/ PC-I	Revalidation of advance licence No. 0310287225 dated 19.08.04 for six months.	Approved for revalidation upto 31.1.08 subject to payment of 2% composition fee.
41.	M/s Century Impex, New Delhi	F. No. 01/94/180/158/AM 08/ PC -I	Extension in EO period and revalidation of advance licence No. 0510031280 dated 31-01-2001.	Approved EOP extension upto 31.10.07 subject to payment of composition fee of 1% per month.

ANNEXURE--I

LIST OF OFFICERS PRESENT IN PRC MEETING HELD ON 28.6.2007 AT 2.00 PM

1. Shri R.S. Gujral, DGFT - in the Chair
2. Dr Shyam Agarwal, Addl.DGFT
3. Dr Maya D. Kem, Addl.DGFT
4. Shri Surat Singh, Addl.DGFT
5. Shri Sanjay Rastogi, E.C
6. Smt Sangeeta Singh, Jt DGFT
7. Shri S. K. Samal, Jt.DGFT
8. Shri Amitabh Jain, Jt.DGFT
9. Shri A.K. Singh, Jt.DGFT
10. Shri Anil Agarwal, Jt.DGFT
11. Shri O.P. Hisaria, Jt.DGFT
12. Shri Tapan Mazumder, Jt. DGFT

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ANNEXURE—II

Details of decision taken against individual cases:

Case No.1: M/s. KLA Tencor Software India P. Ltd., Chennai

F. No. 01/53/162/600/K-9/AM07/ILS

Meeting No: 2/08 Date: 28-6-07

Subject To endorse the Import Licence No.0450000351 dated 09.11.2006
“valid for goods already shipped/cleared”

Committee observed that the capital good has already been imported and cleared by the customs authority under Bond and the applicant had

Committee observed that the capital good has already been imported and cleared by the customs authority under bond and the applicant had applied for import licence prior to clearance of the consignment. Hence, the committee decided to regularize the case.

Case No.2: M/s. Shilpi Moulding Products, Mumbai

F. No. 01/81/162/387/AM'07/DES.II

Meeting No: 2/08 Date: 28-6-07

Subject Extension in export obligation period against advance licence
No.0310212408dated 07.07.2003

Committee noted from the agenda that the Company is in operation and has been in production for domestic sale. The maximum export obligation period permissible under FTP had already expired without fulfillment of any quantum of export obligation. Though the licensee has stated that he had heart trouble and undergone angiography, this reason does not seem to be reasonable enough for non-fulfilment of export obligation. So, the Committee could not accede to the request of the firm.

Case No.3: M/s. Shilpi Moulding Products, Mumbai

F. No. 01/81/162/516/AM'07/DES.II

Meeting No: 2/08 Date: 28-6-07

Subject Extension in export obligation period against advance licence
No.0310230901dated15.10.03

Committee noted from the agenda that the Company is in operation and has been in production for domestic sale. The maximum export obligation period permissible under FTP had already expired without fulfillment of any quantum of export obligation. Though the licensee has stated that he had heart trouble and undergone angiography, this reason does not seem to be reasonable enough for non-fulfilment of export obligation. So, the Committee could not accede to the request of the firm.

Case No.4: M/s. Shilpi Moulding Products, Mumbai

F. No. 01/81/162/515/AM'07/DES.I

Meeting No: 2/08 Date: 28-6-07

Subject Extension in export obligation period against advance licence
No.0310166496 dated 11.11.2003

Committee noted from the agenda that the Company is in operation and has been in production for domestic sale. The maximum export obligation period permissible under FTP had already expired without fulfillment of any quantum of export obligation. Though the licensee has stated

congestion period permission under 111 has already expired without fulfillment of any quantum of export obligation. Though the licensee has stated that he had heart trouble and undergone angiography, this reason does not seem to be reasonable enough for non-fulfilment of export obligation. So, the Committee could not accede to the request of the firm.

Case No.5: M/s. DSM Engineering Plastics (India) Pvt. Ltd., Pune

F. No. 01/94/180/449/AM06/DES.VIII

Meeting No: 2/08 Date: 28-6-07

Subject Relaxation for procedural requirement of the AR3-A/CT-3 forms in the name of the licence holder against deemed exports/supplies to 100% EOU against 20 advance licence.

Committee observed that the Central Excise Documents i.e. ARE- 3 /CT -3 evidencing supply of materials to EOU are not in the name of the licensee. So, the Committee decided not to accept the request of the firm.

Case No.6: M/s. Premina Exports, Mumbai

F. No. 01/36/218/18/AM07/EPCG.I

Meeting No: 2/08 Date: 28-6-07

Subject Conversion of licence from zero duty scheme to 10% duty scheme due to less utilization of licence.

Committee noted that the imports have been effective to the extent of only approx. 20% of the import value of EPCG licence and 25% of the minimum threshold limit required to avail Zero duty scheme, which is too low in normal course and beyond reasonable limit to be considered for relaxation. Accordingly, the Committee decided to reject the request for conversion of the licence from Zero duty scheme to 10% duty scheme.

Case No.7: M/s. Arthanari Loom Centre, Salem

F. No. 18/16/AM07/EPCG.II

Meeting No: 2/08 Date: 28-6-07

Subject Conversion of zero duty EPCG Licence No.2124446 dated 22.10.1999 to 10%

Committee noted that the cif value of imports effected under the scheme is more than 50% of the threshold limit of Rs. 1 crore for availing Zero duty scheme which seems to be reasonable value for acceding to the request of the firm. Accordingly, the committee decided to approve the

conversion of zero duty EPCG licence to 10% duty scheme.

Case No.8: M/s. Essel Mining & Industries Ltd., Kolkata

F. No. 01/94/180/404/AM-06/PC.I

Meeting No: 2/08 Date: 28-6-07

Subject Regarding benefit under Target Plus Scheme-as a group company

Committee noted that the matter was considered by GRC and GRC minutes had the approval of Commerce & Industry Minister. Accordingly, Committee accorded post facto approval of the decision taken and action thereof.

Case No.9: M/s. Nagarjuna Oil Corporation Ltd., Chennai

F. No.01/53/557/N-40/AM07/ILS

Meeting No: 2/08 Date: 28-6-07

Subject Request for revalidation beyond 30 months of Import Licence
No.04500000202 dated 22.4.2004 (Request for one year extension)

Committee noted from the agenda that the list of second hand equipments and capital goods mentioned therein also included the consumer goods such as Video Camera, spares / parts etc. So, the Committee decided not to allow revalidation of the import licence further. If the applicant wants to import further, he may apply for a separate import licence for restricted items, if any.

Case No.10: M/s. Haldia Petrochemicals Ltd.

F. No.01/82/162/778/AM07/DES.III

Meeting No: 2/08 Date: 28-6-07

Subject Revalidation of various licence
(details in agenda)

Committee discussed the case in length. However, it was noted that the percentage of E.O fulfilled against 66 advance licences (belonging to the period 2002-04) have not been reflected in the agenda paper. Hence, the Committee decided to defer the case for the next meeting.

Case No.11: M/s. Pragati Offset Pvt. Ltd., Hyderabad

F. No.01/94/162/DEPB/AM.07/PC.I

Meeting No: 2/08 Date: 28-6-07

Subject Condonation of delay in filing DEPB claims-7 DEPBs issued on
14.7.2006

Committee noted the difficulty in filing the DEPB application within the prescribed time by the firm. It was also observed that the matter was deliberated upon by GRC and recommended for consideration of the request of the firm based on the special circumstances of the case and the recommendation of GRC, Committee acceded to the request of the firm for condonation of delay.

Case No.12: Government of Rajasthan

F. No.01/53/8/222/AM05/G-15/ILS

Meeting No: 2/08 Date: 28-6-07

Subject Request for change of category from Private to Passenger of 3
imported Air Crafts/Helicopters on actual user condition

Committee noted that the case had earlier been approved on file for change of usage pattern from actual user to non-actual user. Based on the recommendation of Ministry of Civil Aviation and the request of Government of Rajasthan, Committee decided to accord ex-post-facto approval for the change of category from Private of Passenger of three imported aircrafts / helicopters on actual user condition.

Case No.13: M/s.Gandhinagar Urban Development Authority, Gandhinagar

F. No.01/89/180/03/AM08/PC-I(B)

Meeting No: 2/08 Date: 28-6-07

Subject Request for exemption from production of certificate of
compliance as per Provision of rule 126 of Central Motor Vehicle
rule (CMVR)1989 for fire fighting vehicle to be imported by
Gandhinagar Urban Development Authority.

Committee observed that the vehicle is being imported for specific purpose i.e. for rescue and fire fighting services. So, the committee decided to accede to the request of the applicant and the import clearance shall be subject to production of type approval certificate from the country of manufacture.

Case No.14: M/s.Yamuna Industries Ltd.

F. No.01/92/180/374/AM06/PCII

Meeting No: 2/08 Date: 28-6-07

Subject Request for extension of the period for adjustment of Advance
DTA sale permission for another 6 months till March 2007.

Committee deliberated upon the issue at length and noted that the advance DTA sale permission had been granted on 11-9-2003 and more than three and half years have passed from the date of approval. So, it was decided to reject the request of the firm for extension of period for adjustment of advance DTA sale for another six months. It was also decided that the applicant should get the case regularized by payment of applicable duty as per rules and regulations.

Case No.15: M/s.JVH Mel-Cut (P) Ltd., Chennai

F. No.18/717/AM06/ EPCG.II

Meeting No: 2/08 Date: 28-6-07

Subject Extension in EOP for 4 years 3 months (18.3.02 to 30.6.06) in r/o
EPCG licence No.04500221 dt. 18.3.97.

Committee noted that in terms of paragraph 2.5 of FTP, EPCG Committee is empowered to decide such EPCG cases. Accordingly, it was decided to refer the matter to EPCG Committee for taking appropriate decision.

Case No.16: M/s.Hindalco Industries Ltd.,

F. No.01/80/162/761/AM07/DES.I

Meeting No: 2/08 Date: 28-6-07

Subject Revalidation of adv.lic.No.0210059768 dt. 13.1.2004.

Committee noted that export obligation has been fulfilled to the extent of 100%. Hence, it was decided to allow revalidation of the advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 2% of the unutilized CIF value of the licence.

Case No.17: M/s.Adler Medi equipment (P) Ltd.,

F. No.01/80/50/1525/AM04/DES.I

Meeting No: 2/08 Date: 28-6-07

Subject Revalidation of adv.lic.No.0310250867 dt. 3.2.04

Committee noted that export obligation has been fulfilled to the extent of 100%. Hence, it was decided to allow revalidation of the advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 2% of the unutilized CIF value of the licence.

Case No.18: M/s.Mangal Steel Enterprises Ltd.,
F. No.01/80/162/404/AM07/DES.I
Meeting No: 2/08 Date: 28-6-07
Subject Clubbing of adv.lic.nos. 0210042831 dt. 23.12.2002 &
0210046238 dt. 26.3.2003

Committee noted that clubbing provision is applicable once the inputs are same. Since in the present case, the item of imports are different in both the licences, the Committee decided not to accept the request of the firm for clubbing.

Case No.19: M/s.Anburam Knit Process, Tirupur
F. No.18/23/AM07/EPCG.II
Meeting No: 2/08 Date: 28-6-07
Subject Conversion of Zero duty EPCG Licence NO.2124446 dated
22.10.99 to 10% duty scheme.

Committee noted that the imports have been effective to the extent of only approx. 13% of the import value of EPCG licence and 23% of the minimum threshold limit required to avail Zero duty scheme, which is too low in normal course and beyond reasonable limit to be considered for relaxation. Further, reasonable quantity of exports have also not been affected. Accordingly, the Committee decided to reject the request for conversion of the licence from Zero duty scheme to 10% duty scheme.

Case No.20: M/s.Western Cables Engineering (P) Ltd.,
F. No.01/81/50/892/AM04/DES.II
Meeting No: 2/08 Date: 28-6-07
Subject Revalidation of Adv.Lic. No.0310246552 dt. 9.1.04 for six months
from the date of endorsement.

Committee noted that export obligation has been fulfilled to the extent of 100%. Hence, it was decided to allow revalidation of the advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 2% of the unutilized CIF value of the licence.

Case No.21: M/s.Loyal Textile Mills Ltd., Chennai
F. No. 01/84/162/402/AM05/DES.V

F. NO.01/84/162/485/AM05/DES.V

Meeting No: 2/08 Date: 28-6-07

Subject Relaxation of pre-import condition for import of Raw cotton against Advance Licences where violation of pre-import condition ranges from 5% to 100%.

Committee noted the recommendation of Ministry of Textiles for condonation of procedural lapse of prior import condition. However, the Committee could not accept the request in view of the domestic sensitivity of the item and its mass consumption.

Case No.22: M/s.India Glycols Ltd., New Delhi.

F. No.01/82/162/1072/AM07/DES.II

Meeting No: 2/08 Date: 28-6-07

Subject Request for EO extension in r/o Adv.Lic .No.0510125266 dt. 7.5.2004.

Committee noted the reasons for not being able to fulfil the export obligation within the stipulated time period and decided to allow extension of export obligation period of the said advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 1% (per month) of the duty saved amount proportionate to balance export obligation.

Case No.23: M/s.Asian Exports, Kolkata.

F. No.01/81/162/184/AM07/DES.II

Meeting No: 2/08 Date: 28-6-07

Subject Revalidation of 2 acquired DFRC Nos.1110005922 dt. 24.2.03 and No.1110005928 dt. 24.4.03 filed by transferee to RA.

Committee noted that the two DFRCs in question could not be revalidated for want of enabling provision in paragraph 2.13 of HBP v1 for the facility of transferee to apply for revalidation of transferred DFRCs. Since DFRC is a transferable instrument, the Committee decided to allow the transferee to file for revalidation without insisting for filing the application by original DFRC holder i.e. M/s SAIL, Bhilai. The RA would revalidate the DFRCs subject to fulfillment of other conditions of paragraph 2.13 of HBP v1.

Case No.24: M/s.SRC Aviation (P) Ltd., New Delhi.

F. No.20/21/2006-07/EPCG.III

Meeting No: 2/08 Date: 28-6-07

Subject Permission to allow to handover/transfer the car imported against EPCG licence No.0520126605 dt. 20.7.04 under 15% duty scheme

EPCG licence NO.0550150005 dt. 20.7.04 under 15 % duty scheme to the car insurance company by relaxing the provisions.

Committee observed that export obligation had already been fulfilled and the Honda car, which met with an accident, would be of no use to the licensee. It further noted that the licensee would be entitled for insurance claim only on transfer of the damaged car to the insurance company. Hence Committee decided to relax the provision of paragraph 5.7.6 for transfer of the said car to the insurance company.

Case No.25: M/s. Skanda Electronics, Bangalore

F. No.18/04/AM08/EPCG.II

Meeting No: 2/08 Date: 28-6-07

Subject Transfer of capital goods imported under the EPCG scheme to another company with EO imposed against the EPCG lic.

Committee noted that the Proprietor of the firm had expired and the wife of the deceased, Professor of English Literature had no other option but to close the factory and sell the machineries. Hence, the Committee decided to allow the transfer of the capital goods imported under EPCG Scheme to another company along with the pending export obligation. The transferee would be required to submit Bank Guarantee / LUT to the concerned authority and make necessary amendments in the licence and other relevant documents.

Case No.26: M/s.Super Cassettes Industries Ltd., Noida

F. No.01/93/180/M-125/AM05/PC.I(B)

Meeting No: 2/08 Date: 28-6-07

Subject Request for import of Ferrari 430 F1 spider through an agent in Singapore.

Committee accepted the request of the firm for import of Ferrari car subject to payment of full duty by relaxing the requirement of import from the country of manufacture.

Case No.27: M/s.Poly Gaskets (P) Ltd., Coimbatore

F. No.01/87/162/733/AM07/DES.VIII

Meeting No: 2/08 Date: 28-6-07

Subject Revalidation of Adv.Lic.NO.3210020519dt. 30.3.2004

Committee noted that export obligation has been fulfilled to the extent of 100% and grounds for not being able to complete the imports within the stipulated time. Hence, it was decided to allow revalidation of the advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 2% of the unutilized CIE value of the licence

of composition fee @ 2% of the unutilized CIF value of the licence.

Case No.28: M/s. Whirlpool of India Ltd., Pune

F. No.01/53/8/526/AM07/W-9/ILS

Meeting No: 2/08 Date: 28-6-07

Subject Endorsement on licence “also valid for goods already cleared by the customs”

Committee observed that the capital good has already been imported and cleared by the customs authority under Bond and the applicant had applied for import licence prior to clearance of the consignment, the committee decided to regularize the case.

Case No.29: M/s. Kajay Remedies Ltd., Mumbai

F. No.01/82/162/391/AM07/DES.III

Meeting No: 2/08 Date: 28-6-07

Subject Extension of validity against lice.No.0310259436 dt. 19.3.04

Committee noted that export obligation has been fulfilled to the extent of 100% and grounds for not being able to complete the imports within the stipulated time. Hence, it was decided to allow revalidation of the advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 2% of the unutilized CIF value of the licence.

Case No.30: Dr. Willmar Schwabe India (P) Ltd., Noida

F. No.01/85/050/611/AM07/DES.VI

Meeting No: 2/08 Date: 28-6-07

Subject Grant of Adv.Auth. for export of globuli sugar against export of beet sugar during the prohibition period for sugar in terms of

DGFT Notification no.18 dt. 4.7.2006.

Committee noted that since the export product i.e. globuli sugar made out of beet sugar does not strictly fall under the purview of sugar for which restriction on export have been imposed, the Committee allowed the request of the firm for grant of advance authorisation for export of globuli sugar.

Case No.31: M/s. K.L.F. Oil Industries. Trichur

F. No.01/85/162/581/AM06/DES.VI

Meeting No: 2/08 Date: 28-6-07

Subject Regularisation of imports under Adv Lic No 1010016265 dt

Subject Regulation of imports under F. No.01/85/162/182/AM04/DES VI
11.6.2004, 1010019790 dt. 4.3.2005, 1010020931 dt. 15.7.2005
and 1010021183 dt. 11.8.2005.

Committee noted that import of copra and coconut oil which are reserved for imports through STC, were made after 7 to 8 months of the restriction imposed vide Public Notice dated 14-1-2005. The Committee deferred the case so as to ascertain the fact whether NOC from concerned STC was taken by the firm.

Case No.32: M/s. Keshodwala Foods, Veravel

F. No.01/85/162/182/AM04/DES VI

Meeting No: 2/08 Date: 28-6-07

Subject Revalidation of two DEPB licences No.2410004488 dt. 16.5.2004
& 2410004495 dt. 16.5.2002.

Committee noted that DEPB being a transferable instrument, AU condition may not be imposed on the utilisation of such instrument. Accordingly, Committee decided to revalidate both the DEPBs upto 30.9.07 without AU condition.

Case No.33: M/s. H.V. Exports, New Delhi.

F. No.01/60/162/80/AM08/EFGC (PRC)/PC-I

Meeting No: 2/08 Date: 28-6-07

Subject Extension in EOP against advance licence No.0510037691 dated
1.6.2001.

Committee observed that one of the shipment out of 47 shipments was beyond the stipulated export obligation period. It also noted that the firm had stated to have paid the composition fee @ 2% per month for EOP extension to cover the exports of the last shipment. Accordingly, decided to allow extension of export obligation period of the said advance licence upto 28.2.2005 to regularize the export subject to condition that the firm had paid the requisite composition fee.

Case No.34: M/s. Gaurav Pharma Pvt. Limited

F. No.01/82/162/834/AM07/DES-III

Meeting No: 2/08 Date: 28-6-07

Subject EOP Extension in respect of 5 advance licences.

Committee noted that the firm had produced documentary evidence substantiating their claim of fire in the factory which destroyed the

inventory including imported inputs. It also noted that the firm had been requesting to the Regional authority for extension of export obligation. Keeping in view the compensate ground, Committee decided to allow extension in export obligation upto 31.7.2008 subject to payment of composition fee of 7% of the duty saved amount of the unutilized inputs proportionate to unfilled export obligation.

Case No.35: M/s. Nokia India (P) Limited, Sriperumbudur

F. No.01/92/180/106/AM07/PC-II

Meeting No: 2/08 Date: 28-6-07

Subject Request for grant of Deemed Export benefits and refund of CST to SEZ Developer M/s Nokia for the supplies received by it during the period 17.8.05 and 7.12.05.

Committee noted the recommendation of Board of Approval and the time gap between the FTP provision and vis-à-vis the relevant customs notification. It observed that due to delay in issuance of corresponding customs notification, the firm should not be penalized and accordingly, the Committee accepted the recommendation of BOA for grant of Deemed Export benefits and for refund of CST to the firm for the supplies made during the stated period subject to production of relevant documents to the authority concerned.

Case No.36: M/s. M/s Biovet Private Limited

F. No.01/94/180/605/AM 07/PC I

Meeting No: 2/08 Date: 28-6-07

Subject Request for relaxation on the requirement of Drug Manufacturing licence for issuance of EPCG authorisation

Committee noted that the office of Drug Controller could issue Drug Licence only after installation of machinery whereas for import of machinery under EPCG scheme, Drug licence is required. It would be difficult for the firm to satisfy both the conditions simultaneously. It noted that unless the capital goods are imported, drug licence can not be obtained. So the committee decided to relax the existing provision to allow EPCG authorisation without insisting for drug licence. It also directed that EPCG policy division would make amendment in the existing provision accordingly.

Case No.37: M/s. Sriram Compounds, Noida

F. No. 01/94/180/126/AM 08/PC I

Meeting No: 2/08 Date: 28-6-07

Subject Request for Revalidation of advance licence No. 0510139634 dated 4.10.2004 upto 03.10.2007.

Committee noted that export obligation has been fulfilled to the extent of 100% and grounds for not being able to complete the imports within the stipulated time. Hence, it was decided to allow revalidation of the advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 2% of the unutilized CIF value of the licence.

Case No.38: M/s.Vardhman Industries, Kanpur, M/s Phoenic Commodity Export Pvt., Kolkata, M/s Kudos Chemie Ltd., Chandigarh, Stelco Strips Ltd., and M/s Ajanta Leather Fashions (P) Ltd.

F. No.01/94/16/1103/AM06/PC I

F.No.01/94/180/374/AM06/PCI

F.No.01/94/180/203/AM06/PC I

F.No.01/94/180/246/AM06/PC I

F.No.01/94/162/398/AM06/PC I

Meeting No: 2/08 Date: 28-6-07

Subject Relaxation for condonation of delay in filing Status certificate application in time and the DFCE claim for the year 2003-04, 2004-05.

Committee noted the recommendation of GRC and the approval of C&IM condoning the delay in filing the Status certificate application. Accordingly Committee accepted the request of the aforesaid firms allowing condonation of delay.

Case No.39: M/s. M/s. Cyanides & Chemicals Co., Mumbai

F. No.01/94/180/127/AM 08/PC-I

Meeting No: 2/08 Date: 28-6-07

Subject Request for Revalidation of advance licence No. 0310294619 dated 30.9.04 for six months.

Committee noted that export obligation has been fulfilled to the extent of almost 100% and grounds for not being able to complete the imports within the stipulated time. Hence, it was decided to allow revalidation of the advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 2% of the unutilized CIF value of the licence.

Case No.40: M/s. Cyanides & Chemicals Co., Mumbai

F. No.01/94/180/128/AM 08/PC-I

Meeting No: 2/08 Date: 28-6-07

Subject Request for Revalidation of advance licence No. 0310287225
dated 19.08.04 for six months.

Committee noted that export obligation has been fulfilled to the extent of 100% and grounds for not being able to complete the imports within the stipulated time. Hence, it was decided to allow revalidation of the advance licence for a period of six months i.e. upto 31.1.2008 subject to payment of composition fee @ 2% of the unutilized CIF value of the licence.

Case No.41: M/s. Century Impex, New Delhi

F. No.01/94/180/158/AM 08/ PC -I

Meeting No: 2/08 Date: 28-6-07

Subject Request for Extension in EO period and revalidation of advance
licence No. 0510031280 dated 31-01-2001.

Committee noted that more than 70% of export obligation had been fulfilled. It also noted the difficulty in fulfilment of balance export obligation due to insolvency of the foreign buyer in U.K. Accordingly the Committee decided to extend the EOP for a period of three months i.e. upto 31.10.2007 subject to payment of composition fee of 1% per month.