

MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO.02/AM09
HELD ON 23.06.2008 AT 3.00 PM 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.

Individual cases taken up for discussion and decisions are as under and elaborated in Annexure-II

S.No.	Name of the firm	File Number	Subject/Request	Decision
1.	M/s.Olive Tree Trading (P) Ltd., Pune	01/53/162/971/AM08 /ILS	Grant of Import Licence for import of 8000 Kgs. Japanese Rice-Sushi.	Approved
2.	Shri Diljeet Shah, Mumbai	01/93/180/2115/AM0 /PC-I(B)	Request for waiver of testing certificate from ARIA, Pune for import of a battery operated sample bicycle.	Approved
3.	M/s. L&T Komatsu Ltd., Bangalore	01/94/180/954/AM08/ PC-I	Revalidation of advance licence No. 0710025247 dt. 11.11.03 for one year	Approved
4.	M/s. Lasurab International, New Delhi.	01/94/180/646/AM08/ PC-I	Extension in EOP of advance licence No. 0510123752 dt. 20.04.04 (dup. Lic. No. 0510139314 dt. 09.10.06 for six months).	Approved
5.	M/s. Shalcot Mechanique Pvt. Ltd., New Delhi.	01/92/180/10/AM07/ PC-II	Refund of TED	Approved
6.	M/s. Yamuna Industries Ltd.,Bangalore.	01/92/180/374/AM06/ PC II	Relaxation of time limit prescribed in Appendix 14-I-H which permits advance DTA sale based on projected exports for first year subject to its adjustment against DTA sale entitlement in the subsequent two years.	Approved
7.	M/s. The Metal Powder Co. Ltd., Madurai (Tamil Nadu)	01/94/180/923/AM08/ PC-I	EOP extension against adv. Lic. No. 3510011991 dt. 19.3.2004 for regularization purpose.	Approved
8.	M/s. The Metal Powder Co. Ltd., Madurai (Tamil Nadu)	01/94/180/924/AM08/ PC-I	EOP extension against adv. Lic. No. 3510010693 dt. 26.10.2003 upto 19.7.2005 for regularization purpose.	Approved
9.	M/s. Gokaldas India, Bangalore.	01/92/180/131/AM08/ PC-VI	Condoning the delay in claiming refund of CST.	Approved
10.	M/s. Moser Baer India Ltd., New Delhi.	01/92/180/108/AM06/ PC-VI	Inter-unit transfer of raw materials between two their existing 100% EOU.	Approved

11.	M/s. GE Healthcare Pvt. Ltd., Bangalore	01/92/180/0001/AM09/PC-VI	Permission for sub-contracting activities like painting, plating, plastic moulding etc on job work basis in respect of their EHTP unit proposed to be set up for repair and refurbishing of Medical Diagnostic Equipments.	Approved
12.	M/s. Lupin Ltd., Mumbai.	01/94/180/633/AM08/PC-4	Clubbing of adv. Lic. nos. (i) 0310074829 dt. 27.02.01, (ii) 0310112374 dt. 03.12.01, (iii) 0310128129 dt. 07.03.02 & (iv) 0310157521 dt. 09.09.02. Request is for revalidate advance licence dated 09.09.02 for the purpose of clubbing.	Approved
13.	M/s. Gyan Silk Mills, Bangalore.	01/60/162/598/AM08/EFGC(PRC)	Regarding revalidation of adv. Authorization No. 0710039452 dt. 2.8.2005.	Approved
14.	M/s. Karagwal Corporation, Silvassa.	01/53/8/72/K-4/AM05/Import Cell	i) Request for grant of revalidation beyond 30 months of Import License No. 0350000936 dated 21/4/2005 -Request for revalidation upto 31/10/2008. ii) Request for enhancement in cif value by Rs. 54,73,172/- (US \$ 1,33,492).	Deferred
15.	M/s. Tata Advanced Materials Limited, Karnataka.	01/92/180/114/AM08/PC II	Reimbursement of CST	Approved
16.	M/s. Rishiraj Filaments Ltd., Mumbai.	01/60/162/11/AM09/EFGC (PRC)	Revalidation of advance authorization No. 0310335475 dt. 22.06.2005	Approved
17.	M/s. VVF Ltd., Mumbai	01/94/180/110/AM09/PC-4	Revalidation against advance licence No. 0310318058 dt. 22.2.2005	Approved
18.	M/s. Shriram Polytech, Gurgaon.	01/94/180/25/AM09/PC-4	Revalidation of Advance Licence No. 0510161536 dt. 6.7.2005	Approved
19.	M/s. Welset Plast Extrusion P. Ltd., Mumbai.	01/94/180/128/AM09/PC-4	Revalidation of Advance Licence No. 0310336132 dt. 27.6.2005 for the purpose of effecting imports	Approved
20.	M/s. Shriram Polytech, Gurgaon.	01/94/180/24/AM09/PC-4	Revalidation of Advance Licence No. 0510161535 dt. 6.7.2005	Approved
21.	M/s. Jaiprakash Associates Limited, New Delhi.	01/53/8/173/J-5/AM07/Import Cell	Permission for change of category of Augusta A-109 helicopter from Private to Passenger for non Scheduled Operation.	Approved
22.	M/s. Prakash Steelage Ltd., Mumbai.	01/94/180/112/AM09/PC-4	Revalidation of Advance Licence No. 0310315360 dt. 4.2.2005	Approved

23.	M/s. Foods and Inns Ltd., Mumbai.	01/94/180/170/AM08/PC-I	Revalidation of Advance Licence No. 0310139189 dt. 24.5.02 for clubbing with advance licence No. 0310134736 dt. 22.04.02.	Approved
24.	M/s. Hindustan Petroleum Corporation Ltd., Mumbai.	01/94/180/142/AM08/PC-4	Revalidation of 11 Advance Licences mentioned below for the purpose of payment of NCCD to Customs Authority which was under dispute earlier:-	Approved
25.	M/s. Shasun Chemicals and Drugs Ltd., Chennai.	01/94/180/669/AM08/PC-I	EOP extension against advance licence No. 0410039948 dt. 30.4.2003 upto 29.10.2006 for regularization.	Approved
26.	M/s. May (India) Laboratories P. Ltd., Chennai.	01/94/180/121/AM08/PC-IV	EOP extension against advance licence No. 0410061787 dt. 6.9.2004..	Approved
27.	M/s. Sterlite Industries (I) Ltd., Mumbai.	01/60/162/25/AM09/EFGC(PRC)	Revalidation of advance authorization No. 0310322504 dt. 22.3.2005.	Approved
28.	M/s. DSM Engineering Plastics (India) Pvt. Ltd	01/94/180/449/AM06/DES VII	Relaxation in procedural requirement of the ARE3-A/CT-3 forms in the name of the licence holder against deemed exports/supplies to 100% EOU against 20 advance licences.	Approved
29.	M/s. KGK Industries, Coimbatore	01/94/180/73/AM09/PC-4	For condonation of procedural lapse by sending export documents direct to customer instead of sending through bank against advance licence no. 3210026241 dt. 30.11.04.	Approved
30.	M/s. Air India, New Delhi	01/94/162/18/AM09/PC-3	Request for extension of validity of 8 licences issued under Served From India Scheme	Approved
31.	M/s. Hindustan Construction Company Limitd, Mumbai.	01/93/180/22/AM09/PC-I(B)	Permission to import 4 machines from project site in Saudi Arabia.	Approved
32.	M/s. Raj Petro Specialities P. Ltd., Mumbai.	01/94/180/119/AM09/PC-4	Revalidation against advance licence No.0310338417 dated 8.7.2005.	Approved
33.	M/s. Stylirte Optical Industries, Mumbai	01/94/180/604/AM08/PC-4	Revalidation against advance licence No.0310257484 dated 10.3.2004.	Approved
34.	M/s. Saru Copper Alloy Semis Pvt. Ltd., Meerut.	01/94/180/114/AM09/PC-4	Revalidation against advance licence No.0510157233 dated 10.5.2005	Approved
35.	M/s. Vivil Exports	01/94/180/135/AM09/PC-4	Revalidation against advance licence No.0310346368 dated	Approved

	P. Ltd., Mumbai.		6.9.2005.	
36.	M/s. Gujarat Agrochem Limitd, Mumbai.	01/60/162/457/AM08/EFGC(PRC)	EOP extension for advance authorization No. 0310228305 dt. 01.10.2003	Approved
37.	M/s. Emami Ltd., Kolkata	01/94/180/140/AM09/PC-4	(i) For Revalidation for further six months; and (ii) Enhancement and reduction of export obligation and import entitlement on the basis of actual exports made against following four advance licences for six months:- a) 0210074350 dt. 25.01.2005 b) 0210074216 dt. 20.01.2005 c) 0210074011 dt. 14.01.2005 d) 0210074346 dt. 25.01.2005	Approved
38.	M/s. United Metal Industries, Chennai.	01/94/180/116/AM09/PC-4	Revalidation against advance licence No.0410070959 dated 1.6.2005.	Approved
39.	M/s. Lupin Ltd.	01/82/162/1352/AM05/DES-III	Request for regularization of Pre-import condition – Pen. G Potassium First Crystals.	Approved
40.	M/s.Romsons International, New Delhi	01/60/162/25/AM08/EFGC(PRC)	Revalidation of their Advance Licence No. 0510149593 25.1.2005	Approved
41.	M/s. BASF Catalyst India Pvt. Ltd, Chennai. (earlier M/s. Engelhard Environmental Systems (India) pvt. Ltd,)	01/53/8/700/B-41/AM08/Import Cell	Policy Relaxation of Para 2.26 of Foreign Trade Policy – Endorsement “ Valid for goods already shipped/arrived and cleared”.	Approved
42.	M/s.Romsons International, New Delhi	01/60/162/579/AM08/EFGC(PRC)	Revalidation of their Advance Licence No. 0510152744 10.3.2005	Approved
43.	M/s. Sholingur Textiles Ltd., Chennai	01/94/180/144/AM09/PC-4	EOP Extension for the Export Product Carded Cotton Yarn of Counts below 40s against Advance Authorisation No. 0410069435 dt. 7.4.2006.	Approved
44.	M/s. Bharat Petroleum Corporation Ltd., Mumbai	01/94/180/323/AM08/PC-4	Revalidation of three advance licences for the purpose of clubbing with anoter advance licences.	Approved

45.	M/s. Gland Pharma Ltd., Hyderabad	01/60/162/87/AM09 /EFGC(PRC)	EOP extension of Advance licence No. 0910018480 dated 14.05.2004	Approved
46.	M/s. Dinesh Chandra Papers Private Limited, Chennai	01/60/162/048/AM 09/EFGC(PRC)	Revalidation of Advance licence No. 0410072629 dt. 25.7.2005 for six months.	Approved
47.	M/s. Ambernath Organics Pvt. Ltd., Mumbai	01/60/162/58/AM 09/EFGC(PRC)	Revalidation of Advance licence No. 0310335143 dated 20.6.2005 for six months.	Approved
48.	M/s. Agri Impex, Karnal	01/60/162/59/AM09/ EFGC(PRC)	Revalidation of Advance licence No. 33100052900 dt. 21.12.2004 for six months.	Approved
49.	M/s. S.H. Kelkar & Co. Ltd., Mumbai	01/94/180/97/AM09/ PC-4	Revalidation of advance licence No. 0310294042 dated 28.9.2004 for clubbing with advance licence No. 0310306337 dated 9.12.2004	Approved
50.	M/s. IOCEE Exports Ltd., Chennai	01/94/180/775- IOCEE/AM08/ PC-I	Revalidation of erstwhile Pass Book No. 100130 dated 17.8.1995 with a duty credit of Rs.14,58,103/- as per Hon'ble High Court's Order dated 11.10.2007	Approved

ANNEXURE-I

1. Shri R.S.Gujral, DGFT – in the Chair
2. Shri Shyam Aggawal, Addl. DG
3. Shri S.K. Prasad, Addl. DG
4. Shri Sanjay Ratogi, E.C.
5. Shri S.K.Samal, Jt.DGFT
6. Shri Anil Agarwal, Jt.DGFT
7. Shri A.K. Singh, Jt.DGFT
8. Shri O.P.Hisaria, Jt.DGFT
9. Shri G.S.R. Reddy, Jt.DGFT
10. Shri Tapan Mazumder, Jt.DGFT

Annexure –II

Details of decision taken in individual cases :

Case No. 1: M/s. Olive Tree Trading (P) Ltd., Pune

File No. 01/53/162/971/AM08/ILS

Meeting No.02/AM09 date: 23.06.08

Subject: Grant of Import Licence for import of 8000 Kgs. Japanese Rice-Sushi.

The Committee decided to relax the actual user condition as per the NOC given by Ministry of Agriculture and recommendations of EFC in its meeting dated 13.12.2007. Accordingly, import licence may be issued for import of 8000 kgs. of Japanese Rice-Sushi on a stock and sale basis subject to the condition that the rice to be imported shall be supplied to the restaurant and the items will not be put to retail sale in the market. The import shall also be subject to other regulations of the government in force.

Case No. 2 : M/s. Shri Diljeet Shah, Mumbai

File No. 01/53/162/971/AM08/ILS

Meeting No.02/AM09 date: 23.06.08

Subject: Request for waiver of testing certificate from ARAI, Pune for import of a battery operated sample bicycle.

The Committee noted that a testing certificate is essential. Accordingly, the same be obtained from the testing agency.

Case No. 3 : M/s. M/s. L&T Komatsu Ltd., Bangalore

File No. 01/94/180/954/AM08/PC-I

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of advance licence No. 0710025247 dt. 11.11.03 for one year.

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance licence No. 0710025247 dt. 11.11.03 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 4 : M/s. Lasurab International, New Delhi.

File No. 01/94/180/646/AM08/PC-I

Meeting No.02/AM09 date: 23.06.08

Subject: Extension in EOP of advance licence No. 0510123752 dt. 20.04.04 (dup. Lic. No. 0510139314 dt. 09.10.06) for six months.

The Committee noted that EO fulfilled in respect of above licence is more than 50% both qty. wise and value wise within valid EOP, as claimed by the firm. Therefore Committee decided to extend the EO period in respect of advance licence No. 0510123752 dt. 20.04.04 (dup. Lic. No. 0510139314 dt. 09.10.06) for a period of six months from the date of endorsement of the licence subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports to be made after the valid EOP and also subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 5 : M/s. Shalcot Mechanique Pvt. Ltd., New Delhi

File No. 01/92/180/10/AM07/PC-II

Meeting No.02/AM09 date: 23.06.08

Subject: Refund of TED.

The Committee noted that the basic requirement for refund of TED under Deemed Exports is that refund can be made to either of the parties, the supplier or the recipient of goods, on disclaimer from the other but double benefit should not be given. Since, M/s. Shalcot Mechanique Pvt. Ltd., New Delhi, (supplier) has returned the money to the recipient of goods i.e. M/s. Chenab Textiles Mills, Kathua (J&K), who has given a disclaimer, Committee decided to allow the refund of TED to the supplier. The Committee also decided to condone the delay in filing of claim. However, refund may be allowed subject to the case being otherwise in order.

Case No. 6 : M/s. M/s. Yamuna Industries Ltd.,Banglore.

File No. 01/92/180/374/AM06/PC II

Meeting No.02/AM09 date: 23.06.08

Subject: Relaxation of time limit prescribed in Appendix 14-I-H which permits advance DTA sale based on projected exports for first year subject to its adjustment against DTA sale entitlement in the subsequent two years.

The Committee noted that it is a matter of regularization. Hence, the Committee approved to extend the time period for adjustment of advance DTA Sale availed, upto 31.3.07. PRC in its earlier meeting had extended the period upto 10.09.06.

Case No. 7 : M/s. The Metal Powder Co. Ltd., Madurai (Tamil Nadu)

File No. 01/94/180/923/AM08/PC-I

Meeting No.02/AM09 date: 23.06.08

Subject: EOP extension against adv. Lic. No. 3510011991 dt. 19.3.2004 for regularization purpose.

The Committee noted that EO fulfilled in this case is 93.88% qty. wise within valid EOP, as claimed by the firm and the balance EO outside the EOP. Therefore Committee decided to extend the EO period in respect of advance licence No. 3510011991 dt. 19.3.2004, for regularization purposes, subject to payment of composition fee of 1% per month on the duty saved amount vis-a-vis the export made after the valid EOP and also subject to verification by RA of exports claimed to have been made within the valid EOP.

Case No. 8: M/s. The Metal Powder Co. Ltd., Madurai (Tamil Nadu)

File No. . 01/94/180/924/AM08/PC-I

Meeting No.02/AM09 date: 23.06.08

Subject: EOP extension against adv. Lic. No. 3510010693 dt. 20.10.2003 upto 19.7.2005 for regularization purpose.

The Committee noted that EO fulfilled in this case is 87.26% qty. wise within valid EOP, as claimed by the firm and the balance EO outside the EOP. Therefore Committee decided to extend the EO period in respect of advance licence No. 3510010693 dt. 26.10.2003 upto 19.7.2005, for regularization purposes, subject to payment of composition fee of 1% per month on the duty saved amount vis-a-vis the export made after the valid EOP and also subject to verification by RA of exports claimed to have been made within the valid EOP.

Case No. 9 : M/s. Gokaldas India, Bangalore.

File No. 01/92/180/131/AM08/PC-VI

Meeting No.02/AM09 date: 23.06.08

Subject: Condoning the delay in claiming refund of CST.

The Committee examined the request and allowed the time period for filing the claims alongwith late cut as mentioned hereunder:

i)	Application received after the expiry of last date but within 6 months of the last date	2%
ii)	Application received after six months from the prescribed date of submission but not later than one year from the prescribed date	5%
iii)	Application received after one year from the prescribed date of submission but not later than two years from the prescribed date	10%

Case No. 10 : M/s. Baer India Ltd., New Delhi.

File No. 01/92/180/108/AM06/PC-VI

Meeting No.02/AM09 date: 23.06.08

Subject: Inter-unit transfer of raw materials between two of their existing 100% EOUs may be permitted.

The Committee noted that this is a request for transfer raw materials from one EOU to another EOU of the same Company. Hence inter-unit transfer of raw material between two of their existing 100% EOUs, is allowed, subject to prior intimation to be given to the jurisdictional central excise authority and Development Commissioner and maintenance of proper account by both the units.

Case No. 11 : M/s. GE Healthcare Pvt. Ltd., Bangalore

File No. 01/92/180/0001/AM09/PC-VI

Meeting No.02/AM09 date: 23.06.08

Subject: Permission for sub-contracting activities like painting, plating, plastic moulding etc on job work basis in respect of their EHTP unit proposed to be set up for repair and refurbishing of Medical Diagnostic Equipments.

The Committee noted that Inter-Ministerial Standing committee for STO & EHTP in the meeting held on 27.8.2007 had recommended the above request, for consideration of PRC and the minutes have been approved by CIM as mentioned in the agenda. Accordingly, the Committee decided to approve the request.

Case No. 12 : M/s. Lupin Ltd., Mumbai.

File No. 01/94/180/633/AM08/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Clubbing of adv. Lic. nos. (i) 0310074829 dt. 27.02.01, (ii) 0310112374 dt. 03.12.01, (iii) 0310128129 dt. 07.03.02 & (iv) 0310157521 dt. 09.09.02. Request is to revalidate advance licence dated 09.09.02 for the purpose of clubbing.

The Committee decided to revalidate the advance licence No. 0310157521 dt. 09.09.02 for a period of six months from the date of endorsement on the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence, only for clubbing purpose and no further import to be allowed against this licence. This is also subject to verification by RA of EO fulfillment status as claimed by the firm within valid EOP.

Case No. 13 : M/s. Gyan Silk Mills, Bangalore.

File No. 01/60/162/598/AM08/EFGC(PRC)

Meeting No.02/AM09 date: 23.06.08

Subject: Regarding revalidation of adv. Authorization No. 0710039452 dt. 2.8.2005.

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance authorization 0710039452 dt. 2.8.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 14 : M/s. Karagwal Corporation , Silvassa.

File No. 01/53/8/72/K-4/AM05/Import Cell

Meeting No.02/AM09 date: 23.06.08

Subject: i) Request for grant of revalidation beyond 30 months of Import License No. 0350000936 dated 21/4/2005 -Request for revalidation upto 31/10/2008.

ii) Request for enhancement in cif value by Rs. 54,73,172/- (US \$ 1,33,492).

The case was deferred. Committee required the concerned section to bring up the case with more details and facts.

Case No. 15 : M/s. Tata Advanced Materials Limited, Karnataka.

File No. 01/92/180/114/AM08/PC II

Meeting No.02/AM09 date: 23.06.08

Subject: Reimbursement of CST

The Committee noted that as per policy provision, separate Bank account and separate C- form for EOU & DTA units are mandatory. Further CST reimbursement is allowed only for EOU and not for DTA units. Development Commissioner needs to ensure after verifying documents that CST has actually been paid in relation to the raw material procured by 100% EOU. After DC ensures the same, the claim may be allowed with 10% cut in addition to the normal cut imposed for delay in filing claim application.

Case No. 16 : M/s. Rishiraj Filaments Ltd., Mumbai.

File No. 01/60/162/11/AM09/PRC

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of advance authorization No. 0310335475 dt. 22.06.2005

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance authorization (No. 0310335475 dt. 22.06.2005) for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 17 : M/s. VVF Ltd., Mumbai

File No. 01/94/180/110/AM09/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation against advance licence No. 0310318058 dt. 22.2.2005

The Committee noted that EO fulfilled in this case is 97.48% qty. wise and 93.45% value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. . 0310318058 dt. 22.2.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm within valid EOP.

Case No. 18 : M/s. Shriram Polytech, Gurgaon

File No. 01/94/180/25/AM09/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Advance Licence No. 0510161536 dt. 6.7.2005

The Committee noted that EO fulfilled in this case is 100% qty. wise and value wise 98.14% within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. . 0510161536 dt. 6.7.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm.

Case No. 19 : M/s. Welset Plast Extrusion P. Ltd., Mumbai.

File No. 01/94/180/128/AM09/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Advance Licence No. 0310336132 dt. 27.6.2005 for the purpose of effecting imports

The Committee noted that EO fulfilled in this case is 100% qty. wise and value wise 95.25% within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. . 0310336132 dt. 27.6.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm.

Case No. 20 : M/S. Shriram Polytech, Gurgaon.

File No. 01/94/180/24/AM09/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Advance Licence No. 0510161535 dt. 6.7.2005

The Committee noted that EO fulfilled in this case is 98.10% qty. wise and 93.15% value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. . . 0510161535 dt. 6.7.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm.

Case No.21: M/S. . Jaiprakash Associates Limited, New Delhi.

File No. 01/53/8/173/J-5/AM07/Import Cell

Meeting No.02/AM09 date: 23.06.08

Subject: Permission for change of category of Augusta A-109 helicopter from Private to Passenger for non Scheduled Operation.

The Committee decided to approve the change of category of Augusta A-109 helicopter from Private to Passenger as per NOC granted by Ministry of Civil Aviation.

Case No. 22 : M/S. Prakash Steelage Ltd., Mumbai.

File No. 01/94/180/112/AM09/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Advance Licence No. 0310315360 dt. 4.2.2005

The Committee noted that EO fulfilled in this case is 100% both qty. wise and value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0310315360 dt. 4.2.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm.

Case No. 23 : M/s. Foods and Inns Ltd., Mumbai.

File No. 01/94/180/170/AM08/PC-I

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Advance Licence No. 0310139189 dt. 24.5.02 for clubbing with advance licence No. 0310134736 dt. 22.04.02.

Committee noted that the firm has fulfilled E.O. to the extent of 100% in this case within valid EOP. Therefore, the Committee decided to revalidate the advance licence No. 0310139189 dt. 24.5.02 (for clubbing with advance licence No. 0310134736 dt. 22.04.02) for a period of six months from the date of endorsement on the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence, only for clubbing purpose and no further import to be allowed against these licences. This is also subject to verification by RA of EO fulfillment status as claimed by the firm within valid EOP.

Case No. 24 : M/s. Hindustan Petroleum Corporation Ltd., Mumbai.

File No. 01/94/180/142/AM08/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of 11 Advance Licences mentioned below for the purpose of payment of NCCD to Customs Authority which was under dispute earlier.

S.No.	Licence No.	Date
i)	0310194275	10.04.2003
ii)	0310259670	19.03.2004
iii)	0310312276	14.01.2005
iv)	0310318673	24.02.2005
v)	0310311782	12.01.2005
vi)	0310318149	23.03.2005
vii)	0310315193	04.02.2005
viii)	0310310048	30.12.2004
ix)	0310312277	14.01.2005
x)	0310321814	17.03.2005
xi)	0310311784	12.01.2005

The Committee noted that the above licences have already been revalidated for one month for the purpose of payment of NCCD only, with the approval of DG on file. Therefore Committee, decided to accord ex-post-facto approval without payment of composition fee.

Case No. 25 : M/s. Shasun Chemicals and Drugs Ltd., Chennai.

File No. 01/94/180/669/AM08/PC-I

Meeting No.02/AM09 date: 23.06.08

Subject: EOP extension against advance licence No. 0410039948 dt. 30.4.2003 upto 29.10.2006 for regularization.

The Committee noted that EO fulfilled in respect of above licence is more than 50% both qty. wise and value wise within valid EOP, as claimed by the firm. Therefore Committee decided to extend the EO period in respect of advance licence No. 0410039948 dt. 30.4.2003 upto 29.10.2006 for regularization subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports made after the valid EOP and also subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 26 : M/s. May (India) Laboratories P. Ltd., Chennai.

File No. 01/94/180/121/AM08/PC-IV

Meeting No.02/AM09 date: 23.06.08

Subject: EOP extension against advance licence No. 0410061787 dt. 6.9.2004..

The Committee noted that EO fulfilled in respect of above licence is more than 50% both qty. wise and value wise within valid EOP, as claimed by the firm. Therefore Committee decided to extend the EO period in respect of advance licence No. 0410061787 dt. 6.9.2004 for a period of six months from the date of endorsement of the licence subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports to be made after the valid EOP and also subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 27 : M/s. Sterlite Industries (I) Ltd., Mumbai.

File No. 01/60/162/25/AM09/EFGC(PRC)

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of advance authorization No. 0310322504 dt. 22.3.2005.

The Committee noted that EO fulfilled in this case is 100% both qty. wise and value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0310322504 dt. 22.3.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm.

Case No. 28 : M/s. DSM Engineering Plastics (India) Pvt. Ltd

File No. 01/94/180/449/AM06/DES VII

Meeting No.02/AM09 date: 23.06.08

Subject: Relaxation in procedural requirement of the ARE3-A/CT-3 forms in the name of the licence holder against deemed exports/supplies to 100% EOU against 20 advance licences.

The Committee noted that the firm have represented that they had cleared deemed export goods to EOU units under AR3-A under Notification No. 36/2001 CE (NT) dated 26.06.2001 (erstwhile Notification No. 27/92 CE (NT) dated 09.10.1992) under Central Excise registration of M/s. Century Enka Ltd., Pune (Cenka). The firm has stated that AR3-A for supplies against the advance licences has been made in the name of M/s. Century against excise delivery invoice, as per the conversion/compounding agreement with them. However, due to mistake, they failed to indicate that clearance of goods by Cenka is made under the agreement with M/s. DSM.

Assistant Commissioner, Central Excise, Pune has also confirmed vide their letter No. VIII/Cus/216/Tech/01/709 dated 07.03.2008 that M/s. DSM Engineering Plastics India Ltd. are exempted from formalities of obtaining a separate Excise Registration subject to fulfillment of certain conditions as prescribed under Central Excise Notification No. 27/92 CE (NT) dated 09.10.1992 (Amended as 36/2001 CE (NT) dated 26.06.2001) which is still valid and existing.

The Committee also noted that the firm has submitted a C.A. certificate to the effect that sale to the 100% EOUs against supply invoices during the years 2000-01 to 2005-06 were duly incorporated in the annual turn over of M/s. DSM Engg. Plastic (India) Pvt. Ltd., and also to the effect that the turn over in respect of the supply invoices was not accounted for in the annual turn over of M/s. Century Enka Ltd. The Committee noted that the procedure followed by M/s. DSM Engg. Plastics is consistent with Central Excise Rules. Therefore, it was decided to grant relaxation of procedural requirement of the ARE3A/CT-3 form in the name of the licence holder against deemed exports/ supplies to 100% EOU.

Case No. 29: M/s. . KGK Industries, Coimbatore

File No. 01/94/180/73/AM09/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: For condonation of procedural lapse by sending export documents direct to customer instead of sending through bank against advance licence no. 3210026241 dt. 30.11.04.

It was noted by the Committee that at present only Status Holders are entitled for the facility of negotiating the documents directly. However, in this case, as per procedure export proceeds have been realized through the Authorized dealer only. Therefore, Committee decided to condone the procedural lapse in this case of not negotiating export documents through bank.

Case No. 30 : M/s. Air India, New Delhi

File No. 01/94/162/18/AM09/PC-3

Meeting No.02/AM09 date: 23.06.08

Subject: Request for extension of validity of 8 licences issued under Served From India Scheme.

The Committee noted that the firm were issued SFIS licences in the name of M/s Indian Airlines on 28.03.2006 for the value of Rs. 84 crores whereas they could use the licences amounting to Rs. 30 crores only leaving a balance of Rs. 54 crores owing to the completion of formalities of merger of M/s. Indian Airlines and M/s. Air India and formalities like new IEC & PAN number etc. were to be completed. Therefore, it was decided to extend the validity of following eight licences for a period of one year from the date of endorsement on licences, as a special case.

SFIS Licence No.
0510179587/0/22/00
0510179588/0/22/00
0510179589/0/22/00
0510179590/0/22/00
0510179591/0/22/00
0510179592/0/22/00
0510179593/0/22/00
0510179594/0/22/00

Case No. 31 : M/s. Hindustan Construction Company Limitd, Mumbai.

File No. 01/93/180/22/AM09/PC-I(B)

Meeting No.02/AM09 date: 23.06.08

Subject: Permission to import 4 machines from project site in Saudi Arabia.

The Committee agreed to the request and allowed import of the equipments as per agenda, before completion of the project, as the equipments have been in use for more than one year at the project site.

Case No. 32 : M/s. Raj Petro Specialties P. Ltd., Mumbai.
File No. 01/94/180/119/AM09/PC-4
Meeting No.02/AM09 date: 23.06.08
Subject: Revalidation against advance licence No.0310338417 dated 8.7.2005.

The Committee noted that EO fulfilled in this case is 100% both qty. wise and value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0310338417 dated 8.7.2005. for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm.

Case No. 33 : M/s. Stylrite Optical Industries, Mumbai
File No. 01/94/180/604/AM08/PC-4
Meeting No.02/AM09 date: 23.06.08
Subject: Revalidation against advance licence No.0310257484 dated 10.3.2004.

The Committee noted that EO fulfilled in this case is 100% both qty. wise and value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0310257484 dated 10.3.2004 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm.

Case No. 34 : M/s. Saru Copper Alloy Semis Pvt. Ltd., Meerut.
File No. 01/94/180/114/AM09/PC-4
Meeting No.02/AM09 date: 23.06.08
Subject: Revalidation against advance licence No.0510157233 dated 10.5.2005

The Committee noted that EO fulfilled in this case is 91.96% qty. wise and 96.92% value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. . 0510157233 dated 10.5.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm within valid EOP.

Case No. 35 : M/s. Vivil Exports P. Ltd., Mumbai.
File No. 01/94/180/135/AM09/PC-4
Meeting No.02/AM09 date: 23.06.08
Subject: Revalidation against advance licence No.0310346368 dated 6.9.2005.

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance licence No.0310346368 dated 6.9.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 36 : M/s. Gujarat Agrochem Limitd, Mumbai.

File No. 01/60/162/457/AM08/EFGC(PRC)

Meeting No.02/AM09 date: 23.06.08

Subject: EOP extension for advance authorization No. 0310228305 dt. 01.10.2003

The Committee noted that EO fulfilled in respect of above licence is more than 50% both qty. wise and value wise within valid EOP, as claimed by the firm. Therefore Committee decided to extend the EO period in respect of advance authorization No. 0310228305 dt. 01.10.2003 for a period of six months from the date of endorsement of the licence subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports to be made after the valid EOP and also subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 37 : M/s. Emami Ltd., Kolkata

File No. 01/94/180/140/AM09/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of following four Advance licences for further six months:

- a) 0210074350 dt. 25.01.2005
- b) 0210074216 dt. 20.01.2005
- c) 0210074011 dt. 14.01.2005
- d) 0210074346 dt. 25.01.2005

The Committee noted that EO has been fulfilled against three advance licences and more than 50% against one advance licence dated 14.01.2005 both qty. wise and value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate these four advance licences for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm within valid EOP.

Case No. 38: M/s. United Metal Industries, Chennai

File No. 01/94/180/116/AM09/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation against advance licence No.0410070959 dated 1.6.2005.

The Committee noted that EO fulfilled in this case is more than 100% both qty. wise and value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0410070959 dated 1.6.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm.

Case No. 39 : M/s. Lupin Ltd. Mumbai

File No. 01/82/162/1352/AM05/DES-III

Meeting No.02/AM09 date: 23.06.08

Subject: Request for regularization of Pre-import condition – Pen G Potassium First Crystals.

The Committee noted from the agenda that firm has informed about utilizing the imported inputs i.e Pen G Potassium first Crystals as drug intermediate. Therefore, as per DCGI clarification dated 26.6.2007, it was decided by the Committee to relax non-compliance with the pre-import condition in respect of 34 licences as mentioned hereunder:

SR. NO	LICENCE NO.	DATE	SR. NO	LICENCE NO.	DATE
1.	310225714	19.09.2003	18.	310251826	09.02.2004
2.	310226639	24.09.2003	19.	310252409	13.02.2004
3.	310226969	25.09.2003	20.	310252416	11.02.2004
4.	310232978	24.10.2003	21.	310252419	11.02.2004
5.	310232984	24.10.2003	22.	310253283	16.02.2004
6.	310235371	07.11.2003	23.	310255075	26.02.2004
7.	310237660	20.11.2003	24.	310256972	09.03.2004
8.	310242081	15.12.2003	25.	310256976	09.03.2004
9.	310243649	23.12.2003	26.	310257587	11.03.2004
10.	310243652	23.12.2003	27.	11.03.2004	15.03.2004
11.	310244154	29.12.2003	28.	310259153	18.03.2004
12.	310246240	08.01.2004	29.	310260246	23.03.2004
13.	310247390	14.01.2004	30.	310260261	23.03.2004
14.	310247602	14.01.2004	31.	310263138	12.04.2004
15.	310247865	16.01.2004	32.	310263563	15.04.2004
16.	310249163	22.01.2004	33.	310264761	21.04.2004
17.	310251099	04.02.2004	34.	310264949	22.04.2004

Case No. 40 : M/s. Romsons International, New Delhi
File No. 01/60/162/25/AM08/EFGC(PRC)
Meeting No.02/AM09 date: 23.06.08
Subject: Revalidation of their Advance Licence No. 0510149593 25.1.2005

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance licence No. 0510149593 25.1.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 41 : M/s. **BASF Catalyst India Pvt. Ltd, Chennai. (earlier M/s. Engelhard Environmental Systems (India) pvt. Ltd,)**
File No. **01/53/8/700/B-41/AM08/Import Cell**
Meeting No.02/AM09 date: 23.06.08
Subject: **Policy Relaxation of Para 2.26 of Foreign Trade Policy –**

Committee decided to relax the FTP Provision of Para 2.26 and allowed clearance of goods already shipped/arrived and cleared by customs against a licence issued subsequently.

Case No. 42 : M/s. Romsons International, New Delhi
File No. 01/60/162/579/AM08/EFGC(PRC)
Meeting No.02/AM09 date: 23.06.08
Subject: Revalidation of their Advance Licence No. 0510152744 dated 10.3.2005.

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance licence No. 0510152744 dated 10.3.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 43 : M/s. Sholingur Textiles Ltd., Chennai
File No. 01/94/180/144/AM09/PC-4
Meeting No.02/AM09 date: 23.06.08
Subject: EOP Extension for the Export Product Carded Cotton Yarn of Counts below 40s against Advance Authorisation No. 0410069435 dt. 7.4.2006.

The Committee noted that EO fulfilled in this case is 100% both qty. wise and value wise within valid EOP for the export item “Combed Cotton yarn

of Counts above 40s” and 37.63% qty. wise and 32.69% value wise for the export product “Combed Cotton Yarn of counts below 40s”,as claimed by the firm. However since, the input under the licences is same, its export product being similar and overall E.O. fulfillment is more than 50% both qty. & value wise, Committee decided to extend the EO period in respect of advance licence No. 0410069435 dt. 7.4.2006 for a period of six months from the date of endorsement on the licence, subject to payment of composition fee @1% per month on the duty saved amount vis.-a-vis the export to be made after the valid EOP and also subject to verification by RA of EO claimed to have been fulfilled within the valid EOP.

Case No. 44 : M/s. Bharat Petroleum Corporation Ltd., Mumbai

File No. 01/94/180/323/AM08/PC-4

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of three advance licences Nos.

- i) 0310148485 dt. 18.07.02
 - ii) 0310321062 dt. 11.03.05
 - ii) 0310294089 dt. 28.09.04
- for the purpose of clubbing with another advance licences.

The Committee decided to revalidate the advance licence No. 0310148485 dt. 18.07.02 ,0310321062 dt. 11.03.05 and 0310294089 dt. 28.09.04 for a period of six months from the date of endorsement on the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence, only for clubbing purpose and no further import to be allowed against these licences. This is also subject to verification by RA of EO fulfillment status as claimed by the firm within valid EOP.

Case No. 45 : M/s. Gland Pharma Ltd., Hyderabad

File No. 01/60/162/87/AM09/EFGC(PRC)

Meeting No.02/AM09 date: 23.06.08

Subject: EOP extension of Advance licence No. 0910018480 dated 14.05.2004

The Committee noted that EO fulfilled in respect of above licence is more than 50% both qty. wise and value wise within valid EOP, as claimed by the firm. Therefore Committee decided to extend the EO period in respect of advance licence No. . 0910018480 dated 14.05.2004 for a period of six months from the date of endorsement of the licence subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports to be made after the valid EOP and also subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 46 : M/s. Dinesh Chandra Papers Private Limited, Chennai

File No. 01/60/162/048/AM09/EFGC(PRC)

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Advance licence No. 0410072629 dt. 25.7.2005 for six months.

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance licence No. 0410072629 dt. 25.7.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 47 : M/s. Ambernath Organics Pvt. Ltd., Mumbai

File No. **01/60/162/58/AM09/EFGC(PRC)**

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Advance licence No. 0310335143 dated 20.6.2005 for six months.

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance licence No. 0310335143 dated 20.6.2005 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 48 : M/s. Agri Impex, Karnal

File No. **01/60/162/59/AM09/EFGC(PRC)**

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Advance licence No. 33100052900 dt. 21.12.2004 for six months.

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance licence No. 33100052900 dt. 21.12.2004 for a period of six months from the date of endorsement in the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and subject to verification of issue of EODC by RA.

Case No. 49 : M/s. S.H. Kelkar & Co. Ltd., Mumbai

File No. **01/94/180/97/AM09/PC-4**

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of advance licence No. 0310294042 dated 28.9.2004 for clubbing.

Committee noted that E.O. fulfilled against this licence is more than 100% as claimed by the firm. The Committee, therefore, decided to revalidate the advance

licence No. . 0310294042 dated 28.9.2004 for a period of six months from the date of endorsement on the licence, subject to payment of composition fee @ 1% of the unutilized cif value of the licence only for clubbing purpose and no further import to be allowed against these licences. This is also subject to verification by RA of EO fulfillment status as claimed by the firm within valid EOP.

Case No. 50 : M/s. IOCEE Exports Ltd., Chennai

File No. 01/94/180/775-IOCEE/AM08/PC-I

Meeting No.02/AM09 date: 23.06.08

Subject: Revalidation of Pass Book No. 100130 dated 17.8.1995 with a duty credit of Rs.14,58,103/- as per Hon'ble High Court's Order dated 11.10.2007.

In this case it was noted that since the time period of utilization of the credit was allowed by the Office of DGFT vide its Circular No. 15 dated 2.7.1999, and the firm could not utilize the credit for want of a corresponding Customs Notification extending the utilization time period upto 31st December, 1999, the Committee, therefore, allowed revalidation of the Pass Book for utilization within next three months by making appropriate endorsement in the Pass Book.
