

**MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC)
MEETING NO.04/AM09 HELD ON 29.08.2008 AT 11.30 AM UNDER
THE CHAIRMANSHIP OF SHRI R.S. GUJRAL, DIRECTOR
GENERAL OF FOREIGN TRADE.**

PRC Meeting was held under the Chairmanship of DGFT, and list of officers present in the meeting is given below:

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| 1. | Shri S.K. Prasad, | Addl. DG |
| 2. | Shri V.K. Srivastava, | Addl. DG |
| 3. | Shri Sanjay Rastogi, | E.C. |
| 4. | Shri S.K.Samal, | Jt.DGFT |
| 5. | Shri Anil Agarwal, | Jt.DGFT |
| 6. | Shri A.K. Singh, | Jt.DGFT |
| 7. | Shri O.P.Hisaria, | Jt.DGFT |
| 8. | Shri Tapan Mazumder, | Jt.DGFT |
| 9. | Shri A.C. Jha, | Dy.DGFT |

After deliberation, the following decisions were taken.

Case No. 1: M/S. Aurobindo Pharma Ltd., Hyderabad

File No. 01/94/180/258/AM09/PC- 4

(01/60/162/518/ AM08/EFGC(PRC))

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Regarding EOP extension in advance authorization No. 0910012804 dated 23.01.2003 and 0910019226 dated 06.07.04

The Committee noted that EO fulfilled in respect of above licence are 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. 0910012804 dated 23.01.2003 and 0910019226 dated 06.07.04 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-à-vis the exports made/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. 2: M/s. MCC PTA India Corp. P. Ltd., Kolkata.

File No. 01/94/180/197/AM09/PC-4

(01/60/162/574/AM08/EFGC(PRC))

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Extension in Export Obligation against 10 advance licence Nos. mentioned below:-

S. N.	Licence No. & Date
1.	0210063327 dt. 8.4.04
2.	0210063874 dt. 26.4.04
3.	0210064310 dt. 11.5.04
4.	0210064620 dt. 1 9.5.04
5.	0210065465 dt. 8.6.04
6.	0210065554 dt. 9.6.04
7.	02100666501dt. 30.6.04
8.	0210066596 dt. 5.7.04
9.	0210067259 dt. 19.7.04
10.	0210068100 dt. 6.8.04

The Committee noted that EO fulfilled in respect of above 10 licences 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 these 10 advance licences mentioned above, for a period of six months from the date of endorsement on the licence(s) subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports made/ 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. 3: M/s. . Aurobindo Pharma Ltd., Hyderabad

File No. 01/94/180/257/AM09/PC- 4

(01/60/162/517/AM08/EFGC(PRC))

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Regarding EOP extension in advance authorization No. 0910014560 dated 03.06.2003.

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. 0910014560 dated 03.06.2003, 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-à-vis the exports made/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. 4: M/s. Bahe Polypack Pvt. Ltd., 24 Parganas

File No. 01/94/180/261/AM09/PC-4

(01/60/162/496/AM/08/EFGC(PRC))

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Revalidation of advance authorization no. 0210075133 dt.15.02.05 for six months.

The Committee noted that RA, Kolkata had already granted Bond Waiver in this case, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0210075133 dt.15.02.05 on prorata basis 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 Bond waiver allowed to the firm after pro-rata reduction of import entitlement.

Case No. 5: M/s. Brilliant International, Mumbai

File No. 01/94/180/ 236 /AM09/PC-4

(01/60/162/47/AM09/EFGC(PRC))

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Revalidation and EOP extension of advance authorization No. 0310335319 dated 21.6.2005.

The Committee noted that EO fulfilled in respect of above licence is more than 50% both qty. wise and value wise within valid EOP for all the three export items, as claimed by the firm. Therefore Committee decided to grant extension of the EO period and also revalidation in respect of advance authorization No. 0310335319 dated 21.6.2005 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-à-vis the exports to be made after the valid EOP and 1% of unutilized cif value of the licence and also subject to verification by RA of EO claimed, to have been fulfilled by the firm, within the valid EOP.

Case No. 6: M/s. Hetero International, Mumbai

File No. 01/94/180/GRC-Hetero-838/AM08/PC-4

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Issue of DEPB against time barred Shipping Bills against the following 5 Nos. of applications submitted to RA, Mumbai:

- (i) 03/21/51/2680/AM05 (21 Shipping Bills) (Annexure-I)**
- (ii) 03/21/51/2681/AM05 (23 Shipping Bills) (Annexure-II)**
- (iii) 03/21/51/2683/AM05 (25 Shipping Bills) (Annexure-III)**
- (iv) 03/21/51/3194/AM05 (8 Shipping Bills) (Annexure-IV)**
- (v) 03/21/51/0120/AM05 (11 Shipping Bills) (Annexure-IV)**

Committee noted the recommendation of GRC vide its decision of Meeting held on 27.06.08 and perused the contents of DGFT Policy Circular No. 34 dated 18.05.04 and accordingly the committee decided to accept the recommendation of GRC to allow DEPB benefit to the firm taking into account the clause at Sl. No. 2(a) instead of the clause 2(b) of the Policy Circular No. 34 dated 18.5.04.

Case No. 7: M/s. Autoson International, Jalandhar

File No. 01/94/180/262/AM09/PC-4

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Revalidation of advance authorization no. 3010044562 dt.28.10.05 for six months.

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 authorization No. 3010044562 dt.28.10.05 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. 8: M/s. . Chiripal Industries Limited

File No. 01/94/180/ 246/AM09/PC-4

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Regarding Revalidation of Adv. Auth. at Sl. No. 4 & 5 below for the purpose of Clubbing of 7 advance authorization -

- 1.No. 0810039192 dt. 03.06.04; 2. No.0810041628 dated 30.8. 04;
3.No. 0810041660 dt. 30.8.04; 4. No.0810046749 dated 18.3.05;
5.No. 0810047586 dt. 29.4.05 6. No.0810054523 dated 07.03.06;&**

The Committee decided to allow EOP extension in respect of advance authorizations at S.No. 1,2 and 3 & Revalidation of advance authorizations at Sl. No. 4 & 5 above only for clubbing and regularization purposes and no further import or export will be allowed against these authorizations, 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 in respect of authorizations at S.Nos. 1,2 and 3 above and subject to payment of fee @ 1% of unutilized cif value of the licences at S.Nos. 4 and 5 above. This would be subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 9: M/s. Amoli Organics Pvt. Ltd., Mumbai

File No. 01/94/180/840/AM08/PC-4

(01/60/162/315/M08/EFGC(PRC))

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Revalidation of advance licence no. 0310157142 dt. 05.09.2002 required for clubbing with two other advance licence nos. 0310148964 and 0310148974, both dated 22.07.02.

Committee noted that revalidation of Advance licence for clubbing purpose is to be allowed if the request for the same is received within 3 years from the date of expiry of the licence. In the present case, the request was received beyond the time period of 3 years, which does not comply with the norm followed by PRC for relaxation for the purpose of clubbing. Hence, Committee decided to reject the request.

Case No. 10: M/s. Hindustan Construction Co. Ltd., Mumbai

File No. 01/93/180/24/AM09/PC-I(B)

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Permission for import of usable parts/components used KATO Rough Terrain Crane, Model KR 25H-V from HCC, in Saudi Arabia,

The Committee considered the request of the firm and decided to allow import of usable parts/ components used KATO Rough Terrain Crane, Model KR 25H-V from HCC, in Saudi Arabia, as the equipment had been in use at the project site for more than one year, in relaxation of Para 2.23 of FTP.

Case No. 11: M/s. Neelkamal Limited, Mumbai
File No. 01/60/162/145/AM09/EFGC(PRC)
PRC Meeting No.04/AM09 dated: 29.08.2008
Subject: Revalidation of Advance Licence No. 0310334409 dt. 15.6.05.

The Committee noted that EODC has been issued in this case. It was therefore decided to revalidate the advance licence No. 0310334409 dt. 15.6.05 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. 12: M/s. Elcome Marine Services Pvt. Ltd, Mumbai.
File No. 01/53/8/508/E-31/AM08/Import Cell
PRC Meeting No.04/AM09 dated: 29.08.2008
Subject: Grant of import license for import of ND 500 II D, Non Directional Beacon complete with all accessories and ATU 500 of NDB-ND 500 (1 set each) for supply to Deep Water Services(India) Ltd.

Committee noted that Department of Telecommunication (WPC) and MHA have given NOC to the aforesaid import. Committee decided to allow import of ND 500 II D, Non Directional Beacon complete with all accessories and ATU 500 of NDB-ND 500 (1 set each), only for supply to Deep Water Services (India) Ltd. The equipment is subject to Actual User condition for Deep Water Services(India) Ltd., who will also give an undertaking that they will use the said imported item as per condition imposed by MHA.

Case No. 13: M/s. Mehra Drug House, Amritsar
File No. 01/53/8/144/M-13/AM08/Import Cell
PRC Meeting No.04/AM09 dated: 29.08.2008
Subject: Grant of import license for import of 150 M.T. of Saussurea (Kuth-Lappa) – ITC(HS) 12119046 to be used in Ayurvedic Medicine for stock and sale purposes.

The Committee considered the request of the firm and decided to allow import of 150 M.T. of Saussurea (Kuth-Lappa) – ITC(HS) 12119046 to be used in Ayurvedic Medicine for stock and sale purposes, subject to the conditions imposed by Ministry of Environment & Forests and Deptt. of Agriculture & Cooperation.

Case No. 14: M/s. Bharat Heavy Electricals Ltd., New Delhi.

File No. 01/94/180/1095/AM08/PC-I

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Regarding procedural difficulty in utilization of duty credit scrip under Served From India Scheme – SFIS Scrip No. 0510176769 dt. 2.02.2006 (Balance Value Rs.2,24,08,310/-) – Request for revalidation.

The Committee discussed the matter at length and the following decision as taken:

SFIS scrips are non-transferable. For transferable scrips, revalidation is generally not granted. As a norm for relaxation, it was decided that first six months' revalidation can be allowed with a cut of 5% of balance unutilized value of duty scrip scrip on the date of seeking first revalidation, and further 6 months' revalidation can be allowed with a cut of 10% of the balance unutilized value of duty credit scrip available on the date of seeking second revalidation. In the present case, revalidation of 6 months from the date of endorsement is approved subject to reduction of 5% of the balance value of duty credit scrip issued under SFIS scheme.

Case No. 15: M/s. Synthite Industrial Chemicals Ltd., Cochin

File No. 01/94/180/1082/AM08/PC- 4

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: EOP Extension against 21 advance authorizations, as per details below:

Sl. No.	Authorizations No. & date	Sl. No.	Authorizations No. & date
1.	1010022949 dt.2.3.06	12	1010025732 dt.20.2.07
2.	1010023381 dt.21.4.06	13	1010025789 dt.26.2.07
3.	1010023403 dt.25.4.06	14	1010025877 dt.5.3.07
4.	1010023424 dt.27.4.06	15	1010025879 dt. 5.3.07
5.	1010023625 dt.29.5.06	16	1010025880 dt.5.3.07
6.	1010023986 dt.26.7.06	17	1010025986 dt.14.3.07
7.	1010023987 dt.26.7.06	18	1010026476 dt.9.5.07
8.	1010024678 dt.25.10.06	19	1010026776 dt.21.6.07
9.	1010024712 dt.26.10.06	20	1010026917 dt. 13.7.07
10.	1010024976 dt.28.11.06	21	1010026986 dt. 25.7.07
11	1010025335 dt.11.1.07		

The Committee considered the request of the firm and noted that relaxation for EOP extension is not required in case of authorizations at Sl. No. 14,15,16 & 19 above because EOP is valid till the end of the month. For the balance

17 advance Authorizations, the committee decided to extend the EO period for a period of six months from the date of expiry of the EOP subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports made beyond EOP subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 16: M/s. Sutej Textiles and Industries Ltd., Mumbai.
File No. 01/94/180/495/AM08/PC-I
(01/60/162/236/AM08/EFGC(PRC))
PRC Meeting No.04/AM09 dated: 29.08.2008
Subject: Revalidation of advance licence No. 0310304022 dt. 29.11.2004

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. 0310304022 dt. 29.11.2004 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. 17: M/s. Arcata Trade Links Pvt Ltd., Ahmedabad
File No. 01/94/180/234/AM09/PC- 4
(01/60/162/44/AM09/EFGC (PRC))
PRC Meeting No.04/AM09 dated: 29.08.2008
Subject: Request for EOP extension of advance authorization No. 0810043207 dated 01.11.2004.

The Committee noted that EO fulfilled in respect of above authorization 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. 0810043207 dated 01.11.2004 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-à-vis the exports made /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. 18: M/s. Pamba Fashions, Chennai
File No. 01/94/180/251/AM09/PC- 4
(01/60/162/597/AM08/EFGC(PRC))
PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Request for EOP extension of advance licence No. 0410066091 dated 10.01.2005.

The Committee noted that EO has been fulfilled in respect of above licence to the extent of 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. 0410066091 dated 10.01.2005 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-à-vis the exports made/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. 19: M/s. Stylrite Optical Industries, Mumbai.

File No. 01/94/180/282/AM09/PC- 4

(01/60/162/453/AM08/EFGC(PRC)

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Request for Revalidation of advance licence No. 0310314659 dated 01.02.2005.

The Committee noted that EO has been fulfilled in respect of above licence to the extent of 100% both qty. wise and value wise within valid EOP, as claimed by the firm. Therefore Committee decided to revalidate advance licence No. 0310314659 dated 01.02.2005 for a period of six months from the date of endorsement on the licence subject to payment of composition fee @1% of unutilized cif value of licence and also subject to verification by RA of EO claimed to have been fulfilled by the firm, within the valid EOP.

Case No. 20: M/s. Sholingur Textiles Ltd., Chennai

File No. 01/94/180/272/AM09/PC- 4

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Request for EOP extension of advance authorization No. 0410070289 dated 09.05.2005.

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. 0410070289 dated 09.05.2005 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-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. 21: M/s. Jubilant Organosys Ltd., Noida

File No. 01/83/162/1188/AM08/DES-III

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Request for waiver of not mentioning Pyridine 98% min. in export documents against 347 Advance Licences obtained during 1.11.1999 till date.

The Committee considered request of the firm and decided for waiver of not mentioning Purity Level of Pyridine in export documents against 347 Advance licences obtained during 1.11.1999 till date.

Case No. 22: M/s. Tetra Pak India Pvt. Ltd., Pune

File No. 01/83/162/480/AM07/DES-IV

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Request for counting of exports made quoting E-com. File No. 31/24/40/00062/AM04, in which the licence was not issued for non-submission of hard copy.

The Committee considered the request of the firm and decided for counting of exports made quoting E-com. File No. 31/24/40/00062/AM04, in which the licence was not issued for non-submission of hard copy.

Case No. 23: Reference received from Policy Division 4 based on representations from various Trade associations/exporting committee.

File No. 01/94/180/AA-EODC/AM 09/PC-4

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: To allow acceptance of self attested copies of shipping bills in lieu of original or reconstructed or customs attested copies for the purpose of EODC under Advance Authorization Scheme.

The Committee considered the request made in the representations from various Trade Associations/Exporting committee and noted that at times, exporters are unable to get duplicate/customs attested copies of S/Bills from the customs authority leading to delay in discharge of EO & closure of the case. It further noted that customs authority, releases BG/LUT only after cross-verification of S/Bills available with them to that of the S/Bills submitted by the exporters at the time of filing request for EODC to RA and decided to allow acceptance of self attested copies of shipping bills in lieu of original or reconstructed or customs attested copies for the purpose of EODC under

Advance Authorization Scheme subject to the condition that Customs will verify the genuineness of S/Bills and further subject to compliance with the conditions stated at Sl. No. (b), (c) & (d) stipulated in paragraph 4.30 A of HBP Vol. I. Policy Division would issue a Public Notice amending paragraph 4.30 A accordingly.

Case No. 24: M/s. Marine Electronic and Navigation System (P) Ltd, Mumbai.

File No. 01/53/162/967/M-32/AM08/ILS

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Grant of import license for import of one X-Band BME Radar ARPA 252/6/M/FS.

The Committee considered the request of the firm and decided to grant permission of import license for import of one X-Band BME Radar ARPA 252/6/M/FS subject to clearance from Ministry of Defence with following conditions:

- i) Supply to be made to International Sea Port Dredging Ltd only.**
- ii) Equipment will be with AU condition for International Sea Port Dredging Ltd.**
- iii) International Sea Port Dredging will give an undertaking that they will use said imported item as per condition imposed by MHA.**

Case No. 25: M/s. Hindustan Petroleum Ltd., Mumbai.

File No. 01/83/85/050/306/AM08/DES-VI

PRC Meeting No.04/AM09 dated: 29.08.2008

Subject: Revalidation of advance licence No. 0310341429 dt. 3.8.05 issued under SION A-2688 for export of Naphtha and import of Crude Oil.

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. 0310341429 dt. 3.8.05 issued under SION A-2688 for export of Naphtha and import of Crude Oil. 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. 26: M/s. Reliance Industries Ltd., Mumbai
File No. 01/60/162/46/AM09/EFGC (PRC)
PRC Meeting No.04/AM09 dated: 29.08.2008
Subject: Revalidation of Advance licence No. 0310333808 dt. 9.6.05

The Committee noted that EO fulfilled in this case is more than 50% both qty. wise and value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0310333808 dt. 9.6.05 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.

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