THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 04/AM14 HELD ON 30.04.2013 AT 11.30 A.M. UNDER THE CHAIRMANSHIP OF Dr. A.K PUJARI, 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:

1.	Shri D.K. Singh	Addl. DG
2.	Shri. V.K. Srivastava	Addl. DG
3.	Shri Mukesh Bhatnagar	Addl..DG
4.	Shri L.B. Singhal	Addl. DG
5.	Shri K.C. Raut	Addl. DG
6.	Shri S.K. Samal	Jt. DGFT
7.	Shri Hardeep Singh	Jt.DGFT
8.	Shri Jaikant Singh	Jt. DGFT
9.	Shri Jaykaran Singh	Jt. DGFT
10.	Shri Ajay Kumar Srivastava	Jt. DGFT
11.	Shri S.K. Mohapatra	DDG
12.	Smt. Sonika Khattar	FTDO

The decision taken on the individual cases are as under:-

Case No.1. M/s Engser Limited, Kolkata.
F.No. 01/60/162/20/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Advance Authorization No. 0210134175 dated 20.11.2009.

After deliberating the case at length the following decisions were taken:

I. Export obligation period is extended by 6 months from the date of endorsement or upto 31.10.2013, whichever is earlier.
II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
III. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% (even on pro-rata basis) within the valid EOP.
IV. The applicant is advised to submit the license for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of this minute without waiting for the endorsement is done on the Authorization.

(Action: RA Kolkata/Applicant)

Case No.2. M/s PME Power Solutions (India) Limited, New Delhi.
F.No. 01/60/162/23/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for redemption of Advance Authorization No. 0510272123 dated 06.09.2010 where shipments were made without mentioning file no./licence no. .

The committee noted that neither the file number nor the advance authorization number or the date is indorsed in the shipping bill, hence the request can not be considered.

(**Action : RA, CLA New Delhi**)

Case No.3. M/s KLJ Plasticizers Limited, New Delhi.
F.No. 01/60/162/15/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for clubbing of 2 Advance Authorization No. 0510249772 dated 23.09.2009 with 0510320659 dated 21.03.2012.

The committee deliberated the case at length and noted that exports made under Advance Authorization no. 0510249772 dated 23.09.2009 is almost 100% and last date of shipment is 14.11.2011. The validity of this authorization expired on 30.9.2012. The subsequent authorization no. 0510320659 is obtained on 21.3.2012 i.e. after the last export. This proves that subsequent authorization was obtained with the intention to surpass the revalidation of authorization provision. Actually this is a case of getting indirect revalidation of expired licence where imports could not be made within its validity.

The committee therefore decided to reject the request and directed the firm to get the case regularized in terms of Para 4.28 of HBP.

Case No.4. M/s KLJ Plasticizers Limited, New Delhi.
F.No. 01/60/162/29/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for clubbing of 2 Advance Authorization No. 0510227821 dated 19.09.2008 with 0510280982 dated 06.01.2011.

After deliberating in length and taking into consideration the facts of the case, the following decisions were taken:

i. To allow clubbing of above mentioned 2 Advance Authorizations.
ii. This is only for regularization and closure purpose and not for any further exports/imports. Excess import, if any, may be regularized in terms of Para 4.28 of HBP.

iii. RA may grant necessary extension in EO subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 15% or as stipulated in the authorization whichever is higher. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
iv. RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, CLA, New Delhi)

Case No.5. M/s Swastik Pipes Limited, New Delhi.
F.No. 01/60/162/935/AM13/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for clubbing of 3 Advance Authorizations No. 0510247091 dated 31.07.2009, 0510284564 dated 23.02.2011 and 0510286772 dated 24.03.2011.

The Committee noted that Authorisations obtained subsequently are still valid. Export Obligation are made without any imports in these Authorisations. However, these exports are actually made against the file numbers under which Authorisations have not been issued. Therefore, following decisions were taken:

i) Export made quoting F.No. 05/28/40/0060/AM-10 dt. 13.11.2009 and F.No. 05/28/040/0052/AM-11 dt. 23..062010 shall be taken into account towards discharge of export obligation against AA No. 0510247091 dated 31.07.2009.
ii) RA shall ensure that these shipping bills have not been /shall not be taken into account towards discharge of export obligation against any other Authorisation/licence.

(Action : RA, CLA, New Delhi)

Case No.6. M/s Nazareth Metals Unit 2, Thane.
F.No. 01/60/162/44/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for 1st revalidation against Advance Authorization No. 0310568679 dated 08.04.2010.

The committee noted that firm became defaulter after expiry of the licence. The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.7. M/s Grid India Power Cables Pvt. Limited, New Delhi.

F.No. 01/60/162/52/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for revalidation of Advance Authorization No. 0510271474 dated 26.08.2010.

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.8. M/s Netafim Irrigation India Pvt. Limited, Gujarat.
F.No. 01/60/162/53/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for revalidation of Advance Authorization No. 3410027689 dated 12.08.2010

The reason cited by the firm that due to commercial viability they could not utilize the licence is not convincing to the committee hence rejected the request.

Case No.9. M/s Aarti Drug Limited, Mumbai.
F.No. 01/60/162/46/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Advance Authorization No. 0310513578 dated 26.03.2009 issued under PC-9 condition.

After deliberating the case in length the following decisions were taken:

i) Export obligation period is extended from 6 months to 12 months from the date of first import consignment.
ii) This is only for regularization and closure purpose.
iii) This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
iv) The applicant has to pay duty +interest on inputs consumed and exported after 12 months from date of first import.
v) PC-18 condition is waived on this exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.

(Action : RA, Mumbai)

Case No.10. M/s Aanjaneya Lifecare Limited, Raigad.
F.No. 01/60/162/51/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for revalidation of Advance Authorization No. 0310588270 dated 18.08.2010

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.11. M/s Mangalam Drug & Organics Limited, Mumbai.
F.No. 01/60/162/47/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for extension of EOP of Advance Authorization No. 0310503320 dated 21.01.2009 issued under PC-9 condition.

After deliberating the case in length the following decisions were taken:

i) Export obligation period is extended from 6 months to 12 months from the date of first import consignment.
ii) This is only for regularization and closure purpose.
iii) This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
iv) The applicant has to pay duty +interest on inputs consumed and exported after 12 months from date of first import.
v) PC-18 condition is waived on this exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.

(Action : RA, Mumbai)

Case No.12. M/s M.K. Exim Wears, Jaipur.
F.No. 01/60/162/1820/AM11/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for relaxation under Para 2.5 of policy against 7 Advance Authorization Nos. 1310005637 dated 20.05.2002, 1310005638 dated 03.05.2002, 1310006750 dated 19.08.2002, 1310007975 dated 10.12.2002, 1310007976 dated 20.05.2002, 1310008322 dated 09.01.2003 & 1310009118 dated 28.03.2003.

After detailed discussion, it was noted that Advance Authorisations were issued with the ''Actual User'' Condition and knowing this fact, the applicant has sold the imported duty free raw material against the above referred licenses. The applicant has confessed the same. The provision of Para 2.43 of HBP quoted by the applicant is not applicable in this case. In such cases, Para 4.1.5 of FTP is applicable which does not allow transfer of raw materials as such.

This is a case of clear misuse of the Duty Exemption Scheme. Applicant is trying to abuse the process of law and has not come with clean hand. His action is ab-initio wrong. Therefore the request is rejected.

(**Action : RA**, **Jaipur** shall ensure that if the applicant fails to get the case regularized in terms of Para 4.28 of HBP within a month, action under the provisions of FTDR, Act shall be initiated and report.)

Case No.13. M/s S. Khoday Silk Twisting Factory, Bangalore.
F.No. 01/60/162/837/AM13/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Advance Authorization No. 0710054889 dated 11.12.2007.

The Committee reiterated its earlier decision of PRC meeting no. 37/AM13 dt. 22.01.2013 . Request for EOP extension beyond 48 months cannot be considered.

(**Action: RA, Bangalore** should take action if the applicant fails to get the case regularized in terms of Para 4.28 of HBP.)

Case No.14. M/s Vishnu Chemicals Limited, Hyderabad.
F.No. 01/60/162/644/AM13/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Advance Authorization No. 0910038808 dated 05.08.2009.

The Committee reiterated its earlier decision of PRC meeting no. 32/AM13 dt. 11.12.2012 and once again rejected the request of the firm as there is no merit in the facts/reasons for reconsideration.

(**Action : RA**, **Hyderabad** shall ensure that if the applicant fails to get the case regularized in terms of Para 4.28 of HBP within a month, action under the provisions of FTDR, Act shall be initiated and report.)

Case No.15. M/s Hi-Tech Pipes Limited, Sahibabad.
F.No. 01/60/162/43/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Annual Advance Authorization No. 0510234388 dated 13.01.2009.

After deliberating the case at length the following decisions were taken:

I. Export obligation period is extended by 6 months from the date of endorsement or upto 31.10.2013, whichever is earlier.
II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
III. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% within the valid EOP.
IV. The applicant is advised to submit the license for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of this minute without waiting for the endorsement is done on the Authorization.

(Action: RA CLA, New Delhi/Applicant)

Case No.16. M/s Jindal Poly Films Limited, New Delhi.
F.No. 01/60/162/677/AM12/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request clubbing of 3 Annual Advance Authorizations No. 0510096846 dated 22.07.2003, 0510136637 dated 22.08.2004 & 0510266545 dated 21.06.2010.

The Committee reiterated its earlier decision of PRC meeting dt. 01.11.2011 and once again. If the applicant could not get this case regularised as per the prevalent provisions before the issuance of Public Notice 79 dated 13.10.2011, then relief cannot be granted now for the Authorisation issued in 2003 and 2004 period as per the procedure prior to Public Notice 79 dt. 13.10.2011.

Case No.17. M/s Synthiko Foils Limited, Thane.
F.No. 01/60/162/441/AM13/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for revalidation of Advance Authorization No 0310545557 dated 13.11.2009.

The Committee noted that there was only 5 working days delay on the part of EDI in transmission of data and therefore did not agree for further revalidation of Authorisation.

Case No.18. M/s Remi Edelstahi Tubulars Limited, Mumbai.
F.No. 01/60/162/48/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request to consider fulfillment of export for Advance Authorization No. 0310197603 dated 25.04.2003 for regularization purpose.

The committee noted that no policy relaxation is required. RA is directed to calculate entitlement as per SION and if there is shortfall, same shall be regularized in terms of Para 4.28 of HBP. The Committee cannot give relaxation if item exported was of different grade then the imported one.

(**Action : RA Mumbai)**

Case No.19. M/s Pasari Inc., Kolkata.
F.No. 01/60/162/911/AM13/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for revalidation of DFIA No. 0210143747 dated 18.06.2010.

The Committee reiterated its earlier decision of PRC meeting no. 40/AM13 dt. 19.02.2013 and once again rejected the request of the firm as there is no merit in the facts/reasons for reconsideration.

Case No.20. M/s Gujarat Agrochem Limited, Bharuch.
F.No. 01/60/162/62/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Advance Authorization No. 0310275423 dated 17.06.2004 for regularization purpose.

After deliberating the case in length the following decisions were taken:

I. Export obligation period is extended upto 48 months from the date of issue of authorization..
II. This is only for regularization and closure purpose.
III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
IV. This is also subject to the condition that the case has not been adjudicated.
V. Export made beyond 48 months shall not be accounted for.
VI. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(**Action : RA Mumbai)**

Case No.21. M/s Aarti Industries Limited.
F.No. 01/60/162/658/AM13/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Advance Authorization No. 0310535665 dated 28.08.2009.

The committee noted that no considerable exports, which form merit of the case, have been made by the firm within the original validity, hence the request is rejected. The date of invoice cannot be considered the date of export. As per policy, LEO date is the relevant date for consideration. The applicant is directed to get their case regularized in terms of Para 4.28 of HBP.

(**Action RA: Mumbai**- If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT(D&R) Act. 1992 and report)

Case No.22. M/s Bilt Graphic Paper Products Limited, Pune.
F.No. 01/60/162/27/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for clubbing of (5) Advance Authorizations No. 1.3110000254 dated 21.12.1999 2.3110000250 dated 21.12.1999, 3.3110000976 dated 31.03.2000, 4.3110002367 dated 29.10.2000, 5.3110002814 dated 26.12.2000 prior to 2002.

After deliberating at length, the following decisions were taken:

i. To allow clubbing of above mentioned 5 Advance Authorizations.
ii. This is only for regularization and closure purpose and not for any further exports/imports. Excess import, if any, may be regularized in terms of Para 4.28 of HBP.
iii. RA may grant necessary extension in EO subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 15% or as stipulated in the authorization whichever is higher. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
iv. RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(**Action : RA, Pune**)

Case No.23. M/s Ashish Life Science Pvt. Limited, Mumbai.
F.No. 01/60/162/596/AM13/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Advance Authorization No. 0310408604 dated 17.11.2006 issued under PC-9 conditions

The committee observed that when the matter was earlier considered in PRC meeting held on 4.12.2012, the firm did not disclose the entire facts and the request was wrongly agreed to . On verification by RA, it was found that the firm has already availed benefit of DEPB. The firm mislead the Committee by suppressing the facts. The committee therefore expressed its strong displeasure and rejected the case.

(Action : RA, Mumbai; If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT(D&R) Act. 1992 and report)

Case No.24. M/s. Ideal Textiles, Bangalore.
F.No. 01/60/162/100/AM13/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of following 22 DFIAs Authorizations:

1. 710055537 dt. 24.01.2008
2. 710056362 dt. 12.03.2008
3. 710056363 dt. 12.03.2008
4. 710058956 dt. 08.08.2008
5. 710064154 dt. 16.04.2009
6. 710058957 dt. 08.08.2008
7. 710059896 dt. 18.09.2008
8. 710062644 dt. 29.01.2009
9. 710060681 dt. 24.10.2008
10. 710061178 dt. 20.11.2008
11. 710063139 dt. 19.02.2009
12. 710058958 dt. 18.09.2008
13. 710058959 dt. 18.09.2008
14. 710059471 dt. 29.08.2008
15. 710059472 dt. 29.08.2008
16. 710059473 dt. 29.08.2008
17. 710059897 dt. 18.09.2008
18. 710061179 dt. 20.11.2008
19. 710061725 dt. 16.12.2008
20. 710061726 dt. 16.12.2008
21. 710061727 dt. 16.12.2008
22. 710062645 dt. 29.01.2009

After discussion in details, it was decided to reject the request reiterating earlier decision as the applicant has not given any justification/reply to query raised in earlier PRC meeting no. 30/AM13 dt. 27.11.2012 that what they had done with the raw material imported duty free before 3 years?

(Action: RA Bangalore, If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT(D&R) Act. 1992 and report**)**

Case No.25. M/s Taurus Pvt. Limited, Bangalore
F.No. 01/60/162/57/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for exemption from non compliance of stipulated procedure in Advance authorization No. 0710058123 dated 25.6.2008 for regularization purpose.

The committee noted that item exported can not function without use of component allowed on net to net basis. Therefore, it was decided to allow redemption of the case without insisting upon consumption details on bill of exports. However, the applicant should be asked to submit Appendix 23 confirming consumption of imported goods.

(**Action : RA, Bangalore**)

Case No.26. M/s Axon Drugs Pvt. Limited, Chennai.
F.No. 01/60/162/61/AM14/EFGC (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for EOP extension of Advance Authorization No. 0410105792 dated 01.07.2009.

After deliberating the case in length the following decisions were taken:

I. Export obligation period is extended upto 30.11.2012.
II. This is only for regularization and closure purpose.
III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
IV. This is also subject to the condition that the case has not been adjudicated.
V. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(**Action : RA Chennai)**

Case No.27. M/s Jyotika Hassanwalia, Delhi.
F.No. 01/53/08/189/AM11/J-9/IC
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request of 2nd revalidation of import Authorization No. 0550001964 dated 15.09.2010 in relaxation of Para 2.13 of HBP

The committee considered the request and granted approval of 2nd revalidation of import licences No. 0550001964 dated 15.09.2010 for 6 months from the date of endorsement or upto 30.11.2013 for import of live animal (Horse).

{(Action : Jt. DG(HS)}

Case No.28. M/s DSM Anti-Invectives India Ltd.
F.No. 01/60/162/65/AM14/EFCG (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013

Subject: - Request for revalidation of DEPB Authorization No. 2210008511 dated 19.12.2008.

The Committee noted that the firm could not utilize the DEPB on account of non transmission of DEPB. The committee decided to revalidate the aforesaid DEPB for 3 months from the date of transmission of said DEPB to ICEGATE Custom.

(Action : EDI/RA, Chandigarh)

Case No.29. M/s Mohan Brewaries& Distilleries.
F.No. 01/60/162/186/AM12/EFCG (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
<u>Subject: - Request for EOP extension of 6 Advance Authorization No. 410063219 dt.19.10.2004, 410064468 dt. 25.11. 2004, 410069650 dt. 15.04.2005, 410069654 dt. 15.04.2005, 410071130 dt. 03.01.2005, 410072260 dt.13.07.2005.</u>

The committee noted that EOP was extended in such cases upto 31.3.2011. In spite of that the applicant could not discharge his export obligation. The export of sugar was made free thereafter. Even though, they could not discharge stipulated export obligation. The committee therefore rejected the request.

(**Action RA: Mumbai**- If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT(D&R) Act. 1992 and report)

Case No.30. M/s Stylrite Optical Industries, Mumbai.
F.No. 01/60/162/76/AM14/EFCG (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for revalidation of Advance Authorization No. 0310578326 dated 10.06.2010

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.31. M/s SSP Pvt. Limited, Faridabad.
F.No. 01/60/162/67/AM14/EFCG (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for DFIA shipping bill No. 1695444 dated 20.2.2007 to be counted against Advance Authorization No. 0510205904 dated 06.07.2007.

The Committee noted that there was considerable delay on part of RA to issue advance authorization. The applicant was forced to ship goods under DFIA file. Therefore, it was decided that the exports made against the DFIA shipping bill no. 1695444 dated 20.2.2007 may be considered towards discharge of export obligation against the Advance Authorization No. 0510205904 dated 06.07.2007 provided the exports product/products were same and the accounting of input/output could be clearly done for regularization.

(**Action : RA CLA, New Delhi**)

Case No.32. M/s Dorf Ketal Chemicals (I) P. Limited, Mumbai.
F.No. 01/60/162/46/AM12/EFCG (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for clubbing of (2) Advance Authorizations No. 0310381221 dated 22.05.2006 & 0310474035 dated 10.06.2008.

The deliberated the case at length and noted that except one import item other inputs are different in both the authorizations. Hence the committee rejected the request for clubbing.

Case No.33. M/s Prachi Pharmaceuticals Pvt. Limited, Mumbai.
F.No. 01/60/162/576/AM13/EFCG (PRC)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for clubbing of (4) Advance Authorizations No. 0310396987 dated. 29.08.2006, 0310510030 dated. 03.03.2009, 0310509144 dated. 25.02.2009 & 0310549028 dated. 03.12.2009.

The committee deliberated the case at length and reviewed the earlier decision taken in PRC meeting no. 30/AM13 dt. 27.11.2012 for the reasons of fire accident occurred in the factory on 14.10.2006. The committee also noted the casualty happened in the factory due to fire accident, thus considered the case sympathetically. Taking into consideration the genuine hardship, the following decision was taken:

i. To allow clubbing of above mentioned 4 Advance Authorizations.
ii. This is only for regularization and closure purpose and not for any further exports/imports. Excess import, if any, may be regularized in terms of Para 4.28 of HBP.
iii. RA may grant necessary extension in EO subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 15% or as stipulated in the authorization whichever is higher. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
iv. RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, Mumbai)

Case No.34. M/s Bhushan Steel Ltd. Sahibabad, UP
F.No. 01/89/180/29/AM09/PC-2(A)
PRC Meeting No. 04/AM14 dated: 30.04.2013
Subject: - Request for relaxation from Policy condition 2 (II) (d) to Chapter 87 of ITC for import of 2 nos. of Road Sweeping Machines and one number of Industrial Sweeper from Vizag Sea port.

The committee considered and granted approval for relaxation of the provisions of Import Licensing Note No. 2(II) (d) of Chapter 87 of ITC(HS) for import of 2 nos. of Road Sweeping Machines and one number of Industrial Sweeper from Vizag Sea port.

The Committee ended with the Vote of Thanks to the Chair.

****