

Directorate General of Foreign Trade

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Minutes of the Policy Relaxation Committee

Meeting No.5/AM-07 held on 7th August, 2006

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The meeting was held under the Chairmanship of DG and the list of officers present in the Meeting is given in Annexure-I to this Minutes.

The decision taken in each individual case taken up for discussion by PRC is detailed below:-

Case No.	1.
Meeting No.	5/07
Date	07.08.2006
Firm's Name	Commonwealth Youth Programme, Commonwealth Secretariat, Chandigarh
File No.	01/91/180/373/AM07/PC-III
Subject	For export of a CYP Technology Empowerment Centre (CYPTEC) on wheels to Pakistan as Gift.

The Committee taking note of the fact as reflected on the agenda that Ministry of Youth Affairs & Sports, Ministry of External Affairs & Reserve Bank of India having recommended the case, and the Commonwealth Youth Programme Technology Empowerment Centre on wheels being otherwise freely exportable, decided to relax the value limit of Rs. 5,00,000/- prescribed in Para 2.32 of the Foreign Trade Policy and permit export of Commonwealth Youth Programme Technology Empowerment Centre on wheels valued at Rs. 13,20,851/- as gift to Ministry of Youth Affairs, Government of Pakistan.

Case No.	2
Meeting No.	5/07
Date	07.08.2006

Firm's Name	M/s. Ravin Cables Ltd., Mumbai
File No.	01/81/162/429/AM05/DES-II
Subject	Revalidation of Spl. Imprest Licence Nos.: 1.03025609 dt. 29.09.98 2. 03027235 dt. 12.01.99 3. 03027230 dt. 12.01.99 4. 03027133 dt. 05.01.99 5. 03024251 dt. 30.07.98 6. 03025634 dt. 30.09.98 7. 03027414 dt. 21.01.99 for a period of 6 months from the date of endorsement.

It was noted that licences against which revalidation has been sought are as old as 8 years and no justification/reason had been put forth by the applicant for not utilizing the same within the original validity of licences. Moreover, as per details annexed to the agenda papers, Mumbai office has placed the applicant on defaulter's list. There exists no merit in considering the request, which was therefore rejected.

Case No.	3.
Meeting No.	5/07
Date	07.08.2006
Firm's Name	M/s. Rotec Industries Inc., USA.
File No.	01/93/180/09/AM07/PC-I(B)
Subjec	Relaxation in the conditions of Sl. No. (1) (2) of import Licensing Notes to Chapter 87 of ITC(HS) Classifications of Exports and Imports Items 2004-09 in terms of Para (6) of the said Licensing Notes.

The Committee agreeing to the request decided to relax the 3 year stipulation as provided under Sl. No. (1) & (2) of Import Licensing Notes to Chapter 87 of the ITC(HS) Classification category of Export & Import items 2004-09, and permit import of used Construction Machinery (Hi-Boys concrete Haulers), with date of manufacture between 1997 to 1998, without following Homologation Procedure.

Case No.	4.
Meeting No.	5/07
Date	07.08.2006
Firm's Name	Mr. Arya Sandeep, First Secretary to Embassy of India, The Hague.
File No.	01/93/180/027/AM07/PC-I(B)
Subject	Request for relaxation of Para (1) (II) (b) (i) of the Licensing Notes to Chapter 87 for import of LHD Maruti Suzuki Alto car by the Government Servant on transfer of residence

Committee observed that under the existing Motor Vehicles Act, Left Hand Driven vehicles are not permitted to ply on Indian roads. The relaxation permitted in the past related to hardship cases where either disability factor was involved or such a vehicle was required to be used as an ambulance. There being no merit in the present request, the same was rejected.

Case No.	5
Meeting No.	5/07
Date	07.08.2006
Firm's Name	Mr. Khawar Butt, New Delhi.
File No.	01/93/180/013/AM07/PC-I(B)
Subject	Request for relaxation of Para (1) (II) (b) (i) of the Licensing Notes to Chapter 87 for import of LHD 1993 model Mitsubishi 3000 GT car on transfer of residence

Committee observed that under the existing Motor Vehicles Act, Left Hand Driven vehicles are not permitted to ply on Indian roads. The relaxation permitted in the past related to hardship cases where either disability factor was considered or such a vehicle was required to be used as an ambulance. There being no merit in the present request, the same was rejected.

Case No.	6
Meeting No.	5/07
Date	07.08.2006
Firm's Name	Sh. Anil Kumar J. Bhatt
File No.	01/93/180/89/AM06/PC-I(B)
Subject	Request for relaxation of Para (1) (II) (b) (i) of the Licensing Notes to Chapter 87 for import of LHD car Model on transfer of residence.

The Committee took note of the involvement of disability factor in the instant case and relying upon the disability certificate issued by CMO, Dehradun, decided to permit import 1994 Model, Left Hand Driven, IGNDM 15ZUR B18267 car with Automatic Transmission by Sh. Anil Kumar J. Bhatt on transfer of residence, in relaxation to the provisions of the Policy.

Case No.	7.
Meeting No.	5/07
Date	07.08.2006
Firm's Name	M/S. Hobb International Pvt. Ltd., Kolkata
File No.	01/80/162/238/AM07/DES-I
Subject	Request for acceptance of S/bills for DEPB benefits considered Time Barred by the RLA.

The Committee took note of the fact, as reflected in the Agenda and as verified by ALC that the six shipping bills had finally be released by customs authorities after necessary amendments on 18.1.2006. To that extent the application submitted against these shipping bills within three months of such release by customs authorities shall be treated having been submitted on time in line within the scope of

provisions contained in Para 4.46 of Hand Book of Procedures and no relaxation is required. RLA concerned should dispose of the case accordingly.

Case No.	8.
Meeting No.	5/07
Date	07.08.2006
Firm's Name	TVS Motor Co Ltd, Chennai
File No.	01/93/180/105/AM-06/PC-I(B)
Subject	For acceptance of Type Approval Certificate from Belgium.

In the instant case the vehicle Lexus RX 350 SE-L is stated to be manufactured in Japan. It is further stated that from Japan this vehicle is shipped to United Kingdom and import of this vehicle is sought to be made from United Kingdom. Further the Type Approval Certificate which is required to be issued is to be from an internationally accredited agency located in the Country of Manufacture. In the instant case, however, although the Country of Manufacture is Japan, the Type Approval Certificate is stated to be issued by an internationally accredited agency in Bruxelles in Belgium. The relaxation has therefore been sought on two counts, i) to waive the condition in Para [(2) (II) (iv)] of Import Licensing Notes to Chapter 87 of ITC (HS) Classification of Export and Import items, 2004-09 and ii) to relax the condition No. 7 of Import Licensing Notes to Chapter 87 of ITC (HS) Classification.

Committee, after deliberating upon the issue, decided to relax the Policy Provisions of Para [(2) (II) (iv)] of Import Licensing Notes to Chapter 87 of ITC (HS) Classification of Export & Import items, 2004-09 and Condition No. 7 of Import Licensing Notes to Chapter 87 of ITC (HS) Classification in the instant case. This will however be subject to the condition that documentary evidence in the form of Bill of Lading etc. is furnished so that the link of place of manufacture to the place of shipment is established. It was further decided to accept the Type Approval Certificate from Bruxelles, Belgium, provided the same has been issued by a recognized internationally accredited agency.

Case No.	9
Meeting No.	5/07-

Date	07.08.2006
Firm's Name	M/s Meghmani Industries Ltd, Ahmedabad
File No.	01/83/162/733/Am-06/DES-IV
Subject	Revalidation of Quantity Based Advance Licence No. 0810030266 dated 27.6.2003.

Committee agreeing to the recommendation of ALC decided to allow revalidation of Advance Licence No. 0810030266 dated 27.6.2003 by six months and this six months' period will commence from the date, an endorsement to this effect is made on the licence. This revalidation will further be subject to payment of composition fee of 2% on the unutilized cif value of the licence as also subject to verification by RLA concerned that EO, stated to have been fulfilled, has actually been fulfilled within original/already extended validity of EO period.

Case No.	10.
Meeting No.	5/07-
Date	07.08.2006
Firm's Name	M/s. Sai Lakshmi Industries Pvt. Ltd., Bangalore
File No.	18/35/AM07/EPCG-II
Subject	Permission for transfer of CG.

The Committee taking note of the fact that the unit has been declared sick, agreed to the request of the applicant to transfer the equipment imported against EPCG licence No.0730003125 dated 1.8.2005 to M/s. Indus Fila Ltd. This transfer will be subject to the following conditions:

- a) The Transferee will meet the obligation imposed on the licence as per conditions annexed thereto.
- b) The Transferee will also maintain the average EO as applicable in line with present Policy and specific EO fixed against the subject licence will be over and above this average level of EO.
- c) The Transferee will execute Bank Guarantee/LUT with the authority concerned as per their entitlement before machinery in question is actually transferred.

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Case No.	11
Meeting No.	5/07-
Date	07.08.2006
Firm's Name	M/s. IFGL Refractories Ltd., Kolkata
File No.	01/80/162/184/AM07/DES-I
Subject	Request for clubbing of six advance licences Nos. i) 0210032243 dt. 06.03.2002, ii) 0210034681 dt. 17.5.2002, iii) 0210041750 dt. 22.11.2002, iv) 0210042958 dt. 27.12.2002, v) 0210053047 dt. 28.7.2003, vi) 0210071350 dt. 2.11.2004.

The case was deferred, to be discussed in the next PRC meeting.

The meeting ended with a vote of thanks to the Chair.

Annexure-I

LIST OF PARTICIPANTS

1. Sh. N.K. Gupta, Addl. DGFT
2. Ms. M.D. Kem, Addl. DGFT
3. Sh. Surat Singh, Addl. DGFT
4. Sh. S.K. Prasad, Addl. DGFT

5. Sh. S.K. Samal, Jt. DGFT
6. Sh. Sanjay Rastogi, Export Commissioner
7. Sh. O.P. Hisaria, Jt. DGFT
8. Sh. CVLN Prasad, Dy. DGFT
9. Sh. Ram Kumar, Dy. DGFT
1. Sh. M.K. Parimoo, Jt. DGFT