

MINUTES OF THE POLICY RELAXATION COMMITTEE
MEETING NO.06/AM07 HELD ON 12TH SEPTEMBER, 2006

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

The individual cases taken up for discussion and the decision taken by PRC is detailed below:

Case No.	1.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Extra Weave, Kerala
File No.	01/84/162/362/AM07/DES-V
Subject:	Revalidation of DEPB licence No.1010015304 dated 8.3.2004 and 1010015278 dated 5.3.2004.

As per details available it was seen that the particulars of the exporter given on S/Bills under claim pertained to their EOU unit and to that extent the DEPB entitlement was inadmissible and was wrongly issued in the first place. When this aspect of the case came to the notice of the Regional Authority they took up the matter with the Customs authority concerned advising them not to permit utilization of the same. The applicant thereafter pleaded that the exports actually pertained to their DTA unit and particulars of EOU unit had mistakenly been endorsed on the S/Bills. By the time they got the S/Bills corrected to this effect from the Customs authorities, DEPB licence had already expired and they could not utilize the same. Taking note of this aspect of the case, it was decided that DEPB licence No.1010015304 dated 8.3.2004 and 1010015278 dated 5.3.2004 be revalidated for a period of six months and this six months period will commence from the date endorsement to this effect is made on these licences. Both these DEPB licences will continue to have transferable status even after endorsement of revalidation on the same.

Case No.	2.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Satidham Industries Ltd., Silvassa.
File No.	01/84/162/46/AM05/DES-V
Subject:	Waiver of Composition fee –Adv. Licence No.0322363 dt. 25.3.1994.

The Committee considered the case as per details given in the Agenda. The Committee took note of the fact that the value based licence No.0322363 dt. 25.3.1994 had been converted into the quantity based licence as per directions of the PRC. It was therefore, decided that the extension in EO period be allowed for a period of 6 months i.e. upto 31.3.2007 to enable them to fulfill the balance EO due after giving effect to the conversion. This will further be subject to payment of applicable composition fee as prescribed in the erstwhile Export Import Policy / current Foreign Trade Policy during the respective period of extension, proportionate to exports made during each of this extended period.

Case No.	3.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Satidham Industries Ltd., Silvassa
File No.	01/84/162/47/AM05/DES-V
Subject:	Waiver of Composition fee –Adv. Licence No.0322335 dt. 25.3.1994.

The Committee considered the case as per details given in the Agenda. The Committee took note of the fact that the value based licence No.0322335 dt. 25.3.1994 had been converted into the quantity based licence as per directions of the PRC. It was therefore, decided that the extension in EO period be allowed for a period of 6 months i.e. upto 31.3.2007 to enable them to fulfill the balance EO due after giving effect to the conversion. This will further be subject to payment of applicable composition fee as prescribed in the erstwhile Export Import Policy / current Foreign Trade Policy during the respective period of extension, proportionate to exports made during each of this extended period.

Case No.	4.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. VKS Exports, Coimbatore
File No.	01/85/162/321/AM07/DES-VI
Subject:	Grant of DFRC for Table Eggs.

The Committee considered the case as per details given in the Agenda. The Committee observed that there was a specific provision in the policy in force as on date that for the purposes of entitlement, "let export date" as endorsed on the shipping bill will determine the date of export and this specific provision overrides general provision as detailed in para 9.12 of Handbook of Procedures Vol.I according to which "wherever the policy provisions have been modified to the disadvantage to the exporter and the same shall not be applicable to the consignment already handed over to customs for examination and subsequent exports upto the date of Public Notice".

It was seen that even if a lenient view is taken and a general provision under para 9.12 is applied, the entitlement again does not accrue to the applicant because the consignment is stated to have been handed over to the customs authority on 16.11.2004 whereas the prohibition provisions of DFRC against the export product table eggs also came into force on 16.11.2004. Therefore, there being no merit in the request, the same was rejected .

Case No.	5.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Sanyo Koreatex Pvt. Ltd.
File No.	01/92/180/012/AM07/PC-II
Subject:	Grant of DTA sale on payment of duty without achieving positive NFE.

The Committee considered the case as per details given in the Agenda. The Committee agreeing with the recommendation of the Board of Approvals decided to allow advance DTA sale permission on payment of full duty upto 30.6.2007 even though positive NFE has not been achieved. This will further be subject to the condition that unit has submitted/submits an

undertaking regarding the time frame for exports to become NFE positive before this DTA sale commences.

Case No.	6.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. UNI
File No.	01/92/180/65/AM07/PC-II
Subject:	Extension in period of DTA sale permission for period of years 2000-01, 2001-02 & 2002-03.

The Committee considered the case as per details given in the Agenda. The Committee agreeing with the recommendation of the Board of Approvals decided to extend the validity period of DTA sale entitlement for the period 2000-01 to 2002-03 upto 30.9.2007.

Case No.	7.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Letra Graphix Pvt. Ltd., Ahmedabad.
File No.	01/87/50/188/AM04/DES-VIII.
Subject:	Revalidation of 13 Advance licences.

The Committee considered the case as per details given in the Agenda. It was observed that the error had occurred in ALC in recording the minutes and subsequently these minutes were amended as late as 25.6.2006 thus not permitting the licence holder to utilize these 13 licences. It was therefore decided to revalidate these licences by a period of six months and within this extended validity period of six months they will be permitted to import only in proportion to the EO already fulfilled. This period of six months will commence from the date endorsement to this effect is made on these licences.

Case No.	8.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. BPL Ltd., Bangalore
File No.	01/81/162/299/AM06/DES-II
Subject:	Relaxation of policy procedures for realization of forex by GR waiver against realization of forex towards EO discharge against advance licence No. 070002824 dated 5.10.1999.

The Committee considered the case as per details given in the Agenda. The Committee deliberated upon the direction of GRC which stated as under:-

“The Committee gave a patient hearing to the petitioner and noted that the shortfalls in realization of export proceeds were written off by Reserve Bank of India. The Committee, therefore, directed DGFT to accept the export proceeds for the purpose of discharge of full export obligation and redeeming the licence.”

The Committee took note of these directions by the GRC which in its observations has relied upon the waiver given by the RBI. However on going through the communication received from RBI in respect of this waiver, it is seen that RBI has made a specific stipulation while waiving the outstanding GR that “exporter should surrender to the trade authorities proportionately, incentives if any in full in respect of these GR forms”. To that extent the duty exemption benefits availed cannot be regularized. It was therefore decided that the case be submitted to GRC with a request to reconsider the decision in view of specific stipulation of RBI while allowing waiver.

Case No.	9.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. VVF Ltd., Mumbai
File No.	01/83/162/99/AM07/DES-IV
Subject:	Revalidation of advance licence No.0310209459 dated 20.6.2003.

The Committee observed that although the applicant had made a request for enhancement of the licence value on 22.11.2005 to the Regional Authority concerned when the licence was valid, the Regional Authority had allowed this enhancement only on 7.3.2006 when the validity, including the extended validity of the subject licence had expired. Therefore allowing this enhancement without revalidation was not in order. However, the enhancement having already been allowed by Regional Authority concerned, it was decided that to facilitate imports of enhanced value / quantity the subject licence be revalidated for a period of three months. This three months prescribed will commence from the date endorsement to this effect is made on the licence.

Case No.	10.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. The Pride Hotel, Mumbai.
File No.	01/93//180/24/AM07/PC-I(B)
Subject:	Request for waiver of homologation condition in terms of licensing notes to Chapter 87 of ITC (HS).

The Committee considered the case as per details given in the Agenda. The Committee observed that the current policy in condition at Sl.No.(2) (II) (c) as mentioned in Para (7) of the import Licensing Notes to Chapter of ITC (HS) provides ("Import of new vehicles having an FOB value of \$40,000 or more and engine capacity of more than 3000cc for petrol run vehicle and more than 2500cc for diesel run vehicles by (a) Individuals, (b) companies and firms importing under the EPCG Scheme will be exempt from the conditions at Sl.No.(2) (II) (c) above" i.e. the homologation conditions). The waiver from homologation procedure has been sought because the licence was issued prior to this condition being incorporated in

the ITC (HS). It was, therefore decided to accept the request of the applicant and waive the requirement of following homologation procedure in the present case. This will be subject to verification of the fact that BMW 735iL RHD car imported against Bill of Entry No.573946 dated 23.4.2003 meets the engine capacity norm of more than 3000cc for petrol run vehicles and more than 2500cc for diesel run vehicles..

Case No.	11.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Cottage Industries Exposition Ltd. Srinagar.
File No.	01/21/162/57/AM07/TH-EO Cell
Subject:	Appeal for renewal of Two Star Export House Certificate by condoning delay of one day in submission of renewal application.

The Committee considered the case as per details given in the Agenda. The Committee taking a lenient view of one day's delay, after relying upon the AFL Courier Bill dated 30.3.2005, decided to condone one day's delay in filing the application for grant of status by the applicant firm. To that extent Regional Authority should consider the application for grant of status treating the same as received within the last prescribed date.

Case No.	12.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Stylrite Optical Industries , Mumbai
File No.	01/87/50/111/AM04/DES-VII I
Subject:	Request for revalidation of advance licence No.0310203202 dated 22.5.2003.

Perusal of the agenda papers along with annexures thereto as presented before the Committee revealed that exports towards discharge of EO against the subject advance licence were completed by 16.2.2004 whereas prior import condition was imposed on the said licence by the Regional Authority concerned on 13.5.2004. To that extent the prior import condition becomes irrelevant. For this reason the exporter could not utilize the licence. Therefore, subject to the verification of these critical dates i.e. date of fulfillment of EO being 16.2.2004 and date of endorsement of

prior import condition being 13.5.2004, by the Regional Authority concerned, the subject advance licence be revalidated by a period of six months and this six months period will commence from the date endorsement to this effect is made on the licence.

Case No.	13.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Punj Lloyd Ltd., New Delhi.
File No.	01/94/180/355/AM07/PC-I
Subject:	Request to revalidate DFEC No. 0510116470 dated 29.1.2004 issued under Served From India Scheme.

The Committee considered the case as per details given in the Agenda. The Committee taking note of the fact that the applicant had got only 12 months to utilize the DFCEC scrip issued under Served From India scheme as against 24 months allowed to such scrip holders issued on or after 1.4.2004, decided to take a lenient view and allow revalidation of the subject DFCEC by a period of six months and this six months period will commence from the date endorsement to this effect is made on the said scrip. This will further be subject to the condition that the unutilized balance available in the said scrip is reduced by 10%.

Case No.	14.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. DLF Golf Resorts Ltd., Gurgaon.
File No.	01/94/180/79/AM06/PC-I
Subject:	Request to revalidate 2 DFEC licence Nos. 0510129446 dt. 18.6.2004 upto 18.6.2006 and No.0510141412 dated 25.10.2004 upto 25.10.2007 under Served From India Scheme.

The Committee observed that the applicant had sufficient time to utilize the scrip even after the corresponding customs notification was issued by the Department of Revenue and one of the two scrips continues to be valid even as on date. Therefore, there was no merit in the request made by the applicant which was rejected.

Case No.	15.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Cimcon Software Services, Ahmedabad.
File No.	01/92/180/100/AM07/PC-II
Subject:	Request for renewal of LOP for 5 years.

The Committee considered the case as per details given in the Agenda. The Committee agreeing with the recommendation of the DIT decided to condone the delay of two months on the part of the applicant for filing of application for renewal of LOP for a further period of 5 years.

Case No.	16.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Sigma Industries Ltd., New Delhi
File No.	01/84/162/881/AM06/DES-V
Subject:	Appeal against revalidation of DEPB Scrip No.0510105568 dt. 15.10.2003.

The Committee considered the case as per details given in the Agenda. The Committee observed that Regional Authority concerned had taken more than a year to respond to the clarification sought by the customs authorities because of which the applicant could not utilize the DEPB scrip within its original validity. It was therefore decided that the said DEPB scrip be revalidated by a period of three months and this three months period will commence from the date endorsement to this effect is made on the licence. The said DEPB scrip will continue to be transferable even after the revalidation is done as above. The Committee also desired that the Regional Authority concerned should fix the responsibility on the officials concerned for delay in responding to the clarification sought by customs authorities and submit the report to D.G.

Case No.	17.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. IFGL Refractories Ltd., Kolkata. (Case deferred by PRC in the meeting held on 7.8.2006 for consideration in the next meeting).
File No.	01/80/162/184/AM07/DES-I
Subject:	Request for clubbing of six advance licences Nos. 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 Committee after detailed deliberations on the issue decided to agree to the request as recommended by the Norms Committee to club the subject advance licences for the purpose of regularization of imports and exports. This will further be subject to the condition that applicable composition fee is charged for the regularization purpose as per policy prevalent at the time of issue of each of these licences.

Case No.	18
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s G.P. Dalmia & Sons, Bihar
File No.	Pt.F.No.SILC/313/AM-85/DES-III/DES-I (Main file pertaining to old licenses not traceable)
Subject:	Request for issuance of fresh Special Imprest Licence in lieu of old licence for import purpose only.

This case had come up before the PRC on 10.3.2006 and it was decided to set up a Special Committee headed by Addl.DGFT(MDK) to scrutinize the details and bring out the facts to enable the Committee to take a final decision. The issue concerns the decision taken by the erstwhile Advance Licensing Committee in the year 1989 to issue a fresh Special Imprest Licence with a validity period of six months from the date of issuance and prorata enhancement of the licence in accordance with the deemed exports already made.

Two major issues before the Special Committee were to examine whether the following two documents had been submitted to facilitate the RLA, issue of fresh licence as directed by the SILC:-

- (i) Payment Certificate of the Project Authority evidencing the payment received against supplies; and
- (ii) TR towards application fee for enhanced value.

The Committee in its report has confirmed about payment of application fee in the form of TR but is silent about the submission of payment certificate by the applicant.

The Committee after going into these details decided that RLA concerned will verify this fact that payment certificate issued by the Project Authority had actually been submitted at the time of making the request for issue of the fresh licence with six months validity. In case the submission of the payment certificate is confirmed a fresh licence for US\$ 8,13,507 (as worked out by the Special Committee) will be issued with six months validity for the balance quantity of imports available on the two erstwhile expired licences. For the purposes of calculation of additional application fee to be submitted, this licence value of US\$ 8,13,507 will be converted to Indian Rupee at the current rate of US\$ vis-à-vis Indian Rupees.

The Regional Authority to take suitable action accordingly.

Case No.	19.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. EMCO Ltd., Thane
File No.	01/80/162/03/AM06/DES-I
Subject:	Extension of EO period under Advance Licence No. 0310140834 dated 06.06.2002 for a period of six months from the date of endorsement.

The Committee after perusing the agenda papers found that under the directions from the GRC the subject advance licence had already been revalidated by Regional Authority at Mumbai. Therefore fulfillment of EO at this stage cannot be denied particularly in respect of import made / proposed to be made after endorsement of this revalidation on the licence. It was therefore decided to extend the EO period by a period of six months i.e. upto 31.3.2007. This will further be subject to payment of applicable composition fee on shortfall / EO fulfilled after the expiry of the originally valid Export Obligation Period.

Case No.	20.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Desmet Chemfood Engineering Pvt. Ltd., Mumbai.
File No.	01/80/50/227/AM04/DES-I
Subject:	Amendment in norms in revalidation of advance licence No. 0310208107 dated 13.6.2003.

Perusal of the agenda put up before the Committee revealed that the applicant had sought deletion of the condition of "thickness" in respect of the import item as described in the licence. The revalidation part can be considered only after Norms Committee decides whether this condition on the licence can be deleted or not. It was therefore decided to remand the case back to the Norms Committee to apply their mind as to whether this condition can be deleted. Thereafter they can come back to PRC if deemed necessary for seeking revalidation of the advance licence.

Case No.	21.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Alcobex Metals Ltd., Jodhpur
File No.	01/80/162/156/AM07/DES-I
Subject:	Clubbing of advance licences No. 0129015 dated 31.3.1999 and No. 1310005761 dated 15.5.2002.

The Committee considered the case as per details given in the Agenda. The Committee agreeing with the recommendation of the Norms Committee decided to club the subject advance licences for the purposes of import and export already made for regularization purposes.

Case No.	22.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Marco Cables Pvt. Ltd., Mumbai/Ref. received from JDG, Mumbai
File No.	01/80/162/921/AM06/DES-I
Subject:	Revalidation of Deemed Export Advance Licence No.0310185123 dated 25.2.2003 enhancement of cif value.

The Committee considered the case as per details given in the Agenda. The committee agreeing with the recommendation of the Norms Committee decided to revalidate the subject licence for a period of six months to enable them to utilize the balance CIF value as available in the licence. This six months period will commence from the date endorsement to this effect is made on the licence.

Case No.	23.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. MIRC Electronics Ltd., Chennai.
File No.	01/53/8/482/M.48/AM06/ILS
Subject:	Request for endorsement – valid for goods already shipped/arrived and cleared on the restricted list licence No. 0350001117 dt. 24.3.06

The Committee considered the case as per details given in the Agenda. The Committee agreed to regularize the imports made against the subject licence for goods already cleared even before issue of the licence. The licence in question may be endorsed with the condition “valid for goods already cleared” to facilitate this regularization.

Case No.	24.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s.Amusement and Picnic Resorts (P) Ltd.
File No.	1/53/512/A-79/AM03/ILS
Subject:	Revalidation of import licence No.0450000213 dated 30.06.2004 for a further period of 12 months i.e. upto 28.6.2007 Allowing import of Dolphins from Indonesia on hire basis, as already approved vide original import licence dated 28.6.2004. Allowing import of Sea Lions from USA on outright basis instead of hire basis as the USA Govt. does not allow export of Sea Lion on hire basis.

The Committee considered the case as per details given in the Agenda and agreed to accept the request of the applicant firm for revalidation of the subject import licence for a period of 12 months. This 12 months period will commence from the date endorsement to this effect is made on the licence. This will however be subject to the verification of the fact that Ministry of Environment & Forest policy on the import of Dolphins and Sea Lions as allowed in the present case continues to be the same as applicable at the time of issue of the licence.

Case No.	25.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. MIRC Electronics Ltd., Chennai.
File No.	01/53/162/1523AM04/ILS
Subject:	Request for endorsement – Valid for goods already shipped/arrived and cleared on the restricted list licence No. 0350001106 dt. 14.3.06

The Committee considered the case as per details given in the Agenda. The Committee agreed to regularize the imports made against the subject licence for goods already cleared even before issue of the licence. The

licence in question may be endorsed with the condition “valid for goods already cleared” to facilitate this regularization.

Case No.	26.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. GKN sinter Metals Ltd., Pune
File No.	01/53/8/AM04/G.14/ ILS
Subject:	Request for endorsement – valid for goods already shipped/arrived and cleared on licence No. 3150000111 dt. 22.9.2003.

The Committee considered the case as per details given in the Agenda. The Committee agreed to regularize the imports made against the subject licence for goods already cleared even before issue of the licence. The licence in question may be endorsed with the condition “valid for goods already cleared” to facilitate regularization of 2000 Kgs of Cobalt based Alloy Powder – Monicro-7, cleared before issue of the licence.

Case No.	27.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Laguna Kumarakom Rersort Pvt. Ltd., Kumarakam, Kerala.
File No.	01/53/8/147/AM0/L.3/ ILS
Subject:	Request for endorsement – valid for goods already shipped/arrived and cleared on licence No. 1030000718 dt. 7.12.2005.

The Committee considered the case as per details given in the Agenda. The Committee agreed to regularize the imports made against the subject licence for goods already cleared even before issue of the licence. The licence in question may be endorsed with the condition “valid for goods already cleared” to facilitate this regularization.

Case No.	28
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Sky Hotel Cum Shopping Arcade, Chengannur.
File No.	01/53/8/211/AM07/S-43/ ILS
Subject:	Request for endorsement – valid for goods already shipped/arrived and cleared on licence No. 103000680 dt. 24.10.2005.

The Committee considered the case as per details given in the Agenda. The Committee agreed to regularize the imports made against the subject licence for goods already cleared even before issue of the licence. The licence in question may be endorsed with the condition “valid for goods already cleared” to facilitate this regularization.

Case No.	29.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Aurobindo Pharma Ltd., Hyderabad.
File No.	01/87/162/324/AM07/DES-VIII
Subject:	Extension of export obligation period under advance licence No. 0910015641 dated 3.9.2003.

The Committee considered the case as per details given in the Agenda. The Committee took note of the communication sent by the DRI stating that request for EO extension should not be accepted as DRI has noticed mis-utilization of the inputs imported against the subject advance licence. However, this observation of DRI was based on preliminary investigation and details on mis-utilization had not been reflected by the said agency. It was therefore decided that the DRI should be advised to finalize their investigation within 3 months and in this communication DRI should also be informed that DGFT will be at liberty to proceed further on the request of the applicant if no final report is received within this period of three months. The case should be brought back to the PRC after the second week of December or upon receipt of DRI report which ever is earlier.

Case No.	30.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Aurobindo Pharma Ltd., Hyderabad.
File No.	01/87/162/752/AM06/DES-VIII
Subject:	Request for revalidation of advance licence No. 0910011558 dated 1.10.2002.

The Committee considered the case as per details given in the Agenda. Taking note of the fact that EO has been fulfilled and there was some balance imports, it was decided to revalidate the advance licence by a period of six months and this six months period will commence from the date endorsement to this effect is made on the licence. This will further be subject to payment of 2% composition fee on unutilized balance available on the licence.

Case No.	31.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Aurobindo Pharma Ltd., Hyderabad.
File No.	01/87/162/323/AM07/DES-VIII
Subject:	Extension of export obligation period under advance licence No. 091001320 dated 11.3.2003.

The Committee considered the case as per details given in the Agenda. The Committee took note of the communication sent by the DRI stating that request for EO extension should not be accepted as DRI has noticed mis-utilization of the inputs imported against the subject advance licence. However, this observation of DRI was based on preliminary investigation and details on mis-utilization had not been reflected by the said agency. It was therefore decided that the DRI should be advised to finalize their investigation within 3 months and in this communication DRI should also be informed that DGFT will be at liberty to proceed further on the request of the applicant if no final report is received within this period of three months. The case should be brought back to the PRC after the second week of December or upon receipt of DRI report which ever is earlier.

Case No.	32.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Jindal Drilling & Industries Ltd., New Delhi
File No.	Part File No. 7/5/89-90/ILS
Subject:	Extension of period of CCP without any restriction on the re-export period. CCP No. 3078584 dated 30.11.1990.

The Committee considered the case as per details given in the Agenda. The Committee observed that as on date second hand equipment is freely importable. The imports in the instant case related to the regime when second hand equipment was restricted for import and that is the reason why re-export condition had been endorsed. However the applicable customs duty having been paid and present policy permits import of second hand equipment, it was decided to regularize this import. There is no need for re-export in the instant case. This will however be subject to the verification of the fact from the customs authorities that applicable customs duty has been paid and no part of duty is outstanding in customs records.

Case No.	33.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Base Metal Chemical, Baroda.
File No.	01/82/162/552/AM06/DES-III
Subject:	Request for revalidation of licence Nos: Lic. No. P/L/0138002 dated 18.01.2000 Lic. No.31400000290 dated 12.06.2000 Lic. No. 34100000289 dated 12.06.2000 Lic. No. 34100003216 dated 04.12.2001 Lic. No. 3410001135 dated 29.11.2000 Lic. No. P/L/0138212 dated 28.04.2004 Lic. No. 3410001272 dated 26.12.2000 Lic. No. 3410009457 dated 21.07.2000 Lic. No. 3410003050 dated 06.11.2001 Lic. No. 3410001366 dated 18.01.2001 Lic. No. 3410001263 dated 21.12.2000

	Lic. No. 3410000391 dated 07.07.2000 Lic. No. 3410005485 dated 04.10.2002
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The Committee considered the case as per details given in the Agenda. The Committee agreeing with the recommendation of the GRC in the Department of Commerce decided to allow revalidation in respect of the subject licences by a period of six months and this six months period will commence from the date endorsement to this effect is made on each of these licences. This will however be subject to payment of 2% composition fee on unutilized CIF value of each of these licences. Further the revalidation will be applicable for imports only in proportion to exports already made.

Case No.	34.
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. BASF India Ltd., Mumbai
File No.	01/83/50/887/AM01/DES-IV
Subject:	Revalidation of advance licence No. 0310061701 dated 20.11.2000.

The Committee taking note of the fact that because of the change in the name of the licence holder the licence could not be utilized, decided to revalidate the subject advance licence by a period of six months. This six months period will commence from the date endorsement to this effect is made on the licence. This revalidation will further be allowed subject to payment of 2% composition fee on the unutilized CIF value of the licence and will be allowed only in proportion to exports already made.

Case No.	35
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s. Leap International Pvt. Ltd., Chennai
File No.	01/53/8/152/AM07/S-43/ ILS
Subject:	Request for endorsement on licence- valid for goods already shipped/arrived and cleared.

The Committee considered the case as per details given in the Agenda. The Committee agreed to regularize the imports made against the subject

licence for goods already cleared even before issue of the licence. The licence in question may be endorsed with the condition “valid for goods already cleared” to facilitate this regularization.

Case No.	36
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	The Taj Group of Hotels The Indian Hotels Co Ltd
File No.	
Subject:	To regularize the import of Yacht (speed Boat), imported in the year 2001 under EPCG scheme and this regularization has been requested since Customs have now raised certain objections.

The Committee observed that the Yacht imported against EPCG licence No.0530131832 dated 21.5.2001 had been invoiced to the licensee by the manufacturer and had, before that, been utilized only for demonstration purposes. To that extent it cannot be treated as second hand equipment.

Even if this is treated as second hand equipment, the same is freely importable under the current policy within the scope of EPCG scheme. Moreover, both imports and exports having been completed long back, it was decided to treat the same as regular import.

Case No.	37
PRC Meeting No.	No.06/AM07
Date.	12.09.2006
Firm's Name	M/s Star Wire (India) Ltd, New Delhi (Ref: Ministry of External Affairs PAI Division)
File No.	01/94/180/443/AM07/PC-I
Subject:	Supply of 2500 sets of Bullet Proof Jackets and Helmets as a gift from Govt. of India to Govt. of Afghanistan.

The issue as reflected in the agenda concerns issue of advance Authorisation to the applicant firm for supplies of Bullet Proof Jackets and Helmets as a gift on behalf of Govt. of India to Govt. of Afghanistan and payment to be made in Indian Rupees by Ministry of External Affairs (on

behalf of Govt. of India) to the applicant firm. The policy as on date permits benefits under Export Promotion Schemes including Advance Authorisation, only in such cases where the realization against such supplies is received in foreign currency. The relaxation therefore has been sought on the realization part because the exports in question are going as a gift from Govt. of India and remittances are to be made in Indian Rupees to the exporter by MEA. The Committee after perusing the details decided to relax the provision of the Foreign Trade Policy and permit issue of Advance Authorisation to the applicant firm for import of inputs required for manufacture of Bullet Proof Jackets and Helmets for Govt. supply to Afghanistan against the order placed by the Ministry of External Affairs and payment to be received in Indian Rupees. This is however subject to the condition that the invoicing / billing between MEA and exporter takes care of the duty exemption benefits availed by the exporter in respect of imports of inputs and payment is made to the exporter for a price which takes into account the benefits of duty free import.

The meeting ended with vote of thanks to the Chair.

LIST OF PARTICIPANTS

1. Shri Neeraj Gupta, Addl.DGFT
2. Dr(Ms.) Maya D.Kem, Addl.DGFT
3. Shri S.K. Prasad, Addl.DGFT
4. Ms. Alka Bhatia, Jt.DGFT
5. Shri S.K. Samal, Jt.DGFT
6. Shri Amitabh Jain, Jt.DGFT
7. Shri A.K.Singh, Jt. DGFT
8. Shri O.P. Hisaria, Jt.DGFT
9. Shri Tapan Mazumdar, Jt. DGFT
10. Ms. Kiran Sehgal, Dy.DGFT
11. Shri P.K. Santra, Dy.DGFT
12. Shri M.K.Parimoo, Jt.DGFT
