MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO.06/AM09 HELD ON 30.10.2008 AT 11.00 AM UNDER THE CHAIRMANSHIP OF SHRI R.S. GUJRAL, DIRECTOR GENERAL OF FOREIGN TRADE.

PRC Meeting No. 06/AM09 was held under the Chairmanship of DGFT on 30.10.2008 at 11.00 AM. Following officers were present:

1.	**Shri S.K. Prasad,**	**Addl. DG**
2.	**Shri Shyam Aggarwal**	**Addl. DG**
3.	**Shri Sanjay Rastogi,**	**E.C.**
4.	**Shri S.K.Samal,**	**Jt.DGFT**
5.	**Shri Anil Aggarwal,**	**Jt.DGFT**
6.	**Shri A.K. Singh,**	**Jt.DGFT**
7.	**Shri O.P.Hisaria,**	**Jt.DGFT**
8.	**Shri Tapan Mazumder,**	**Jt.DGFT**
9.	**Shri Akash Taneja,**	**Jt. DGFT**
10.	**Shri A.C. Jha,**	**Dy.DGFT**

After deliberation, the following decisions were taken.

Case No. 1: M/s. Apar Industries Ltd., Vadodara
File No. 01/60/162/50/AM09/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 3410014555 dt. 7.10.05.

The Committee noted the claim of the firm that EO fulfilled in this case is 100% both qty. wise and value wise, within valid EOP. It was, therefore, decided to revalidate the advance licence No. 3410014555 dt. 7.10.05. for a period of six months from the date of communication of the decision of PRC, 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. 2: M/s. Asphalt Constructions (I) Pvt. Ltd, Mumbai
File No. 01/60/162/234/AM09/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 0310336893 dt. 30.06.05.

The Committee noted that EODC has been issued in this case, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0310336893 dt. 30.06.05. for a period of six months from the date of communication of the decision of PRC, 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. 3: M/s. Asphalt Constructions (I) Pvt. Ltd, Mumbai
File No. 01/60/162/233/AM09/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 0310336932 dt. 30.06.05.

The Committee noted that EODC has been issued in this case, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0310336932 dt. 30.06.05, for a period of six months from the date of communication of the decision of PRC, 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. 4: M/s. . Asphalt Constructions (I) Pvt. Ltd, Mumbai
File No. 01/60/162/231/AM09/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 0310326816 dt. 21.04.05.

The Committee noted that EODC has been issued in this case, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0310326816 dt. 21.04.05, for a period of six months from the date of communication of the decision of PRC, 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. 5: M/s. Amrut Distilleries Ltd., Bangalore.
File No. 01/94/180/375/AM08/PC-4
(01/60/162/161/AM09/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: E.O.P. Extension of Advance Licence No. 0710028790 dt. 13.04.04.

The Committee noted that PRC had granted one extension of six months in the EOP of advance licence No. 0710028790 dt. 13.04.04 and the extended EO period of Licence had expired in October, 07. The firm made the request for a further EOP extension after seven months of expiry of extended EOP. Committee saw no merits in this request as export done was negligible during the extended EOP.

Case No. 6: M/s. Prayas Woollens Pvt. Ltd., Baroda.
File No. 01/60/162/401/AM09/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 3410007545 dt. 04.06.03.

The Committee noted that EODC has been issued in this case, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 3410007545 dt. 04.06.03, for a period of six months from the date of communication of the decision of PRC, 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. 7: M/s. Yoginder Lal jain & Sons. Jalandhar.
File No. 01/94/180/129/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Regarding condoning the delay in submission of application for grant of DEPB RA, Ludhiana against S/B Nos. 009193 dt. 28.7.03 and 0011531 dt. 10.9.03.

The Committee considered the request of the firm and ratified the following decision of the Grievance Committee dated 19.9.2007:-

“Representative of the firm appeared and explained their case, about delay in submission of application for grant of DEPB licence to be issued by Ludhiana Office. Committee decided that application may be accepted with 10% cut in claim, as penalty, over and above the late cut fee of 10%. This decision of Grievance Committee may be placed before PRC for concurrence.”

Accordingly PRC decided to accept the request of the firm for the aforesaid two S/Bills subject to payment of composition fee as per GC decision.

Case No. 8: M/s. Whirlpool of India Limited.
File No. 01/60/162/501/AM09/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Condoning the delay in submitting the CST refund claim

The Committee considered the request of the firm and decided to condone the delay in submission of CST refund claim with a further 10% cut beyond the normal cut. Thus, the delay in submitting the CST refund claim was condoned with 10% + 10% cut in the entitlement.

Case No. 9: M/s. NOCIL Ltd., Mumbai
File No. 01/60/162/490/AM08/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 0310261782 dt. 30.03.04.

The Committee noted that EO fulfilled in this case is more than 100% both qty. wise and value wise within valid EOP, as claimed by the firm. It was, therefore, decided to revalidate the Advance licence No. 0310261782 dt. 30.03.04, for a period of six months from the date of communication of the decision of PRC, 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. 10: M/s. Asphalt Constructions (I) Pvt. Ltd., Mumbai
File No. 01/60/162/232/AM09/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 0310289650 dt. 01.09.04.

The Committee noted that EODC has been issued in this case, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0310289650 dt. 01.09.04, for a period of six months from the date of communication of the decision of PRC, 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. 11: M/s. Janak Healthcare Pvt. Ltd., Mumbai
File No. 01/94/180/423/AM09/PC-1
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: EOP Extension of Advance Licence No. 0310295978 dt. 08.10.04.

The Committee noted that EO fulfilled in respect of advance licence No. 0310295978 dt. 08.10.04 is more than 50%, both qty. wise and value wise within valid EOP for all the three export products, as claimed by the firm. Therefore, Committee decided to extend the EO period for a period of six months from the date of communication of the decision of PRC, 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. 12: M/s. Gland Pharma Limited, Mumbai
File No. 01/60/162/534/AM08/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: EOP extension of Advance Licence No. 0910019930 dt. 31.08.04.

The Committee noted that EO fulfilled in respect of advance licence No. 0910019930 dt. 31.08.04 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 for a period six months from the date of communication of the decision of PRC, 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. 13: M/s. Modi International, Faridabad
File No. 01/94/180/302/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: E.O.P. Extension of Advance Licence No. 0510160468 dt. 22.06.05.

The Committee noted that EO fulfilled in respect of advance licence No. 0510160468 dt. 22.06.05 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 for six months from the date of communication of the decision of PRC, 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. 14: M/s. Gardha Chemicals Ltd., Mumbai
File No. 01/94/180/925/AM08/PC-4
(01/60/162/399/AM08/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation and endorsement of transferability on the Advance Licence No. 0310373577 dt. 28.03.06.

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. 0310373577 dt. 28.03.06, for a period of six months from the date of communication of the decision of PRC, 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. However the request for endorsement of transferability being beyond the existing framework of the scheme, Committee could not accept the same.

Case No. 15: M/s. Precious Plasto Pcking Pvt. Ltd., Thane
File No. 01/60/162/121/AM08/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 0310354028 dt. 27.10.05.

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. 0310354028 dt. 27.10.05, for a period of six months from the date of communication of the decision of PRC, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status as claimed by the firm within valid EOP.

Case No. 16: M/s. Aarti Drugs Ltd., Mumbai
File No. 01/94/180/405/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 0310352165 dt. 18.10.05.

The Committee noted that EO fulfilled in respect of above licence is 99.2% qty-wise and 134% value wise, within valid EOP as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0310352165 dt. 18.10.05, for a period of six months from the date of communication of the decision of PRC, 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. Hindustan Tin Works Ltd., New Delhi
File No. 01/94/180/42/AM09/PC- 4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of Advance Licence No. 0510128527 dt. 10.06.04.(dupl. licence No. 0510191452)

The Committee noted that EO fulfilled in respect of above licence is 100% qty-wise and 96.64% value wise, within valid EOP as claimed by the firm. It was, therefore, decided to revalidate the advance licence. No. 0510128527 dt. 10.06.04.(dupl. licence No. 0510191452) , for a period of six months from the date of communication of the decision of PRC, 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. 18: M/s. S.K. Incorporation, Bangalore
File No. 01/94/180/325/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Request for extension in EO period against Advance Authorization No. 0710022127 dt. 01.07.03.

The Committee considered the request of the firm and observed that there is no justification in the request of the firm as they made the request to relax the policy provision for EOP extension after 2 ½ years of expiry of EOP. Hence, the request of the firm was rejected.

Case No. 19: M/s. Voith Paper Technology (India) Ltd. Kolkata
File No. 01/94/180/22/AM08/EPCG-II (Pol.V)/EPCG-II
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Refund of Rs.46,64,368.28 as Terminal Excise Duty (TED) on account of Deemed export supplies as per para 8.2 & 8.2(c).

The Committee considered the request of the firm and decided to allow the deemed export benefit to M/s. Voith Paper Technology (India) Ltd, in relaxation of the provision contained in Para 8.6.2 of FTP.

Case No. 20(i) M/s Kartik Traders, Ghaziabad
(ii) Shree Shivaji Global Exports, Amritsar
File No. i) 01/53/8/701/AM08/K-36/Import Cell
ii) 01/53/8/140/AM09/S-41/Import Cell
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: (i) Grant of Import Licence to M/s Kartik Traders for import of 500 Kgs. Salampanja and 25000 Kgs. of Saussurea Lappa (Kuth) for stock and sale purposes.
(ii) Grant of Import Licence to Shree Shivaji Global Exports for import of 1,50,000 Kgs. of Kuth Saussurea Laapa) for stock and sale purposes.

The Committee decided to grant import licences as mentioned at (i) and (ii) above for stock and sale purpose subject to the conditions stipulated by AYUSH, Deptt.of Agriculture & Cooperation and M/o Environment and Forests.

Case No. 21: M/s. P.S. Apparels, Chennai
File No. 01/94/180/91/AM08/PC-1
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Request for extension in EO period against Advance Licence No. 0410037459 dt. 13.03.03 upto July, 2007 for regularization purpose.

The Committee observed that the firm has applied for extension in EOP after 23 months of expiry of EOP (including extended EOP allowed under policy). Committee found no merit in the request and decided to reject the request.

Case No. 22: M/s. ER Textiles Limited, Bangalore,
File No. 01/92/180/212/AM08/PC- VI
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Request for extension of time limit for a period of two years beyond September 2007 for completing and adjusting the value of Rs.50.04 crores granted as advance DTA sale.

The Committee considered the request of the firm and decided to allow extension of time limit for adjustment of advance DTA sale, already done, by a period of 4 months, beyond September, 2007.

Case No. 23: M/s Willwin, Delhi
File No. 01/81/162/478/AM05/DES-II
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Restoration of DEPB claim for “Industrial Locking Devices” falls under 61/169 Of DEPB Schedule.

The Committee deferred consideration of the case for re-examination in the light of a report in the matter to be obtained from the concerned RA. The fact regarding date of filing of the disputed shipping bill for DEPB is to be determined based on report from RA.

Case No. 24: M/s Walchandnagar Industries Ltd., Mumbai
File No. 01/81/162/851/AM06/DES-II
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Request for amendment in ratified norms in respect of Advance Licence No. 3110023394 dated 23.12.2005 in terms of para 4.7 of HBP(Vol.-I) regarding condonation of delay in submission of representation.

The Committee considered the request of the firm and directed that let norms committee re-examine the above request of the firm on merits in consultation with technical authorities.

Case No. 25: M/s. Mass-Tech Controls Pvt. Ltd., Mumbai.
File No. 01/81/162/352/AM08/DES-II
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Request for ratification of norms in respect of Advance Licence No. 0310431011 dated 29.05.2007 issued in terms of para 4.7 of HBP(Vol.-I) regarding condonation of delay in submission of representation.

The Committee considered the request of the firm and decided to condone delay in submission of representation by the firm for ratification of norms in respect of Advance Licence No. 0310431011 dated 29.05.2007 issued in terms of para 4.7 of HBP(Vol.-I).

Case No. 26: M/s. Mass-Tech Controls Pvt. Ltd., Mumbai.
File No. 01/81/162/353/AM08/DES-I/DES-II
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Request for ratification of norms in respect of Advance Licence No. 0310431026 dated 29.05.2007 issued in terms of para 4.7 of HBP(Vol.-I) regarding condonation of delay in submission of representation.

The Committee considered the request of the firm and decided to condone delay in submission of representation by the firm for ratification of norms in respect of Advance Licence No0310431026 dated 29.05.2007 issued in terms of para 4.7 of HBP(Vol.-I).

Case No. 27: i) M/s Mehra Drug House, Amritsar
(ii) M/s. K.K. Traders, Amritsar
File No. i) 01/53/8/778/AM07/M-64/Import Cell
ii) 01/53/8/777/AM07/K-30/Import Cell
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Grant of Import Licences for import of 5,000 Kgs. of Aconitum Hetrophyllum (Atis Bitter) by each firm for stock and sale purposes

The Committee considered the request of the firm and decided to grant permission of Import Licences for import of 5,000 Kgs. of Aconitum Hetrophyllum (Atis Bitter) by each firm as at i) & ii) above for stock and sale purposes subject to the conditions imposed by Department of Agriculture & Cooperation, AYUSH and M/o Environment Forests.

Case No. 28: M/s. AGG Exports, Ludhiana

File No. 01/94/180/249/AM09/PC- 4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Extension in EO period against Advance Licence No. 0310041551 dt. 20.04.05 upto 17.06.08 for regularization purpose.

The Committee noted that EO fulfilled in this case is 94.03%, both qty. wise and 100% value wise, within valid EOP and balance 5.97% outside EOP (upto 17.6.08) for the export product "Complete Aluminum Hub Front" , as claimed by the firm. Therefore, the Committee decided to extend the EO period in respect of advance licence No. 0310041551 dt. 20.04.05 upto 30.06.08 for regularization purpose, 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. 29: M/s. Lakeland Chemicals (India) Ltd., Mumbai.
File No. 01/94/180/395/AM09/PC- 4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of advance licence No. 0310322698 dt.22.3.2005.

The Committee noted that EODC (Bond waiver) has been issued in this case, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0310322698 dt.22.3.2005, for a period of six months from the date of communication of the decision of PRC, 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. 30: M/s. Lakeland Chemicals (India) Ltd., Mumbai.
File No. 01/94/180/398/AM09/PC- 4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of advance licence No. 0310319076 dt.28.2.2005.

The Committee noted that EODC (Bond waiver) has been issued in this case, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0310319076 dt.28.2.2005, for a period of six months from the date of communication of the decision of PRC, 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. 31: M/s. Lakeland Chemicals (India) Ltd., Mumbai.
File No. 01/94/180/396/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of advance licence No. 0310321798 dt.17.3.2005.

The Committee noted that EODC (Bond waiver) has been issued in this case, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0310321798 dt.17.3.2005, for a period of six months from the date of communication of the decision of PRC, 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. 32: M/s. Metzeler Automotive Profiles India P. Ltd., Ghaziabad.
File No. 01/94/180/368/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of advance licence No. 0510169367 dt.24.10.2005.

The Committee noted that EO fulfilled in this case is more than 100% both qty. wise and value wise within valid EOP, as claimed by the firm. It was, therefore, decided to revalidate the advance licence No. 0510169367 dt.24.10.2005, for a period of six months from the date of communication of the decision of PRC, subject to payment of composition fee @ 1% of the unutilized cif value of the licence and also subject to verification by RA of EO fulfillment status, as claimed by the firm.

Case No. 33: M/s. Mission Pharmaceuticals Ltd., Mumbai.
File No. 01/94/180/426/AM09/PC- 4
01/60/162/487/AM08/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: EOP extension against advance licence No. 0310358587 dt.6.12.2005 by way of relaxation of condition of Policy Circular No.9 dated 30.6.03 on import of drugs under advance licence.

The Committee noted that EO fulfilled in respect of advance licence No. 0310358587 dt.6.12.2005 is more than 50%, both qty. wise and value wise within valid EOP, as claimed by the firm. Therefore, the Committee decided to extend the EO period for a period of six months from the date of expiry of original EOP (as allowed under policy Circular No. 9) in respect of advance licence No. 0310358587 dt.6.12.2005, for the purpose of regularization of exports made within 6 months from the date of expiry of EOP, 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. Any exports beyond this extended EOP shall not be considered for E.O. fulfillment and RA concerned should take appropriate action to close the advance licence accordingly.

Case No. 34: M/s. Meridian Shipping Agency Pvt. Ltd., Mumbai
File No. 01/93/180/030/AM09/PC-I(B)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Import of Linde Reach Stackers under EPCG licence: Request for relaxation in policy of obtaining Type Approval Certificate. (Homologation certificate).

The Committee considered the request of the firm and decided to allow import of Linde Reach Stackers under EPCG licence in relaxation of policy provisions mentioned at Para 2(II) (c) of import licensing Notes to Chapter 87 of ITC (HS).

Case No. 35: M/s. Rochiram & Sons, Jaipur
File No. 01/94/180/442/AM09/PC-4(B)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: For issue of fresh DEPB/revalidation of DEPBs in lieu of various DEPB issued in 1998/1999 as per order delivered by Hon'ble Supreme Court.

Committee noted the judgement of the Hon'ble Supreme Court and the recommendation of RA, Jaipur. In addition, since the provision for re-credit of 98% of the DEPB amount on re-export of defective item(s) imported against the said DEPB(s) was notified subsequently in 2000 after issuance of DEPB(s) and the Committee members of the opinion that the DEPB holder should be logically entitled for either duty drawback or re-credit of duty credit in the DEPB, Committee decided to revalidate the DEPBs for the balance period mentioned in the customs certificate and re-credit the duty upto 98% of the DEPB amount debited earlier on importation of the said goods.

Case No. 36: M/s. Arch Pharmalabs Ltd., Mumbai

File No. 01/94/180/207/AM08/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Extension in EOP of Advance Licence No. 0310298357, dated 21.10.04 for four months.

The Committee noted the decision taken by GRC meeting held on 19.9.08. It further noted that though the advance licence was issued under Policy Circular No. 9 dt. 30.6.03 allowing a maximum 6 months of EOP from the date of 1st importation, imports have been effected from Registered sources only, as claimed by the firm. Hence for all practical purposes, the licence was operational as a general advance licence with normal validity period. In view of above & GRC decision, the Committee decided to extend the EOP for 4 months from the date of communication of this PRC decision subject to payment of composition fee @1% p.m. of the duty saved amount vis-à-vis the exports made /to be made against the licence. This would be subject to RA conerned cross-verifying the claim of the firm that imports against this advance licence was made from Registered source(s) only.

Case No. 37: M/s. Sangam (India) Ltd., Bhilwara.
File No. 01/94/180/14/AM08/PC-I
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Request for condonation of procedural lapse & acceptance of two S/Bills with endorsement of advance licence no. 0310219411 dt. 19.8.03 instead of advance licecne no. 0310144825 dt. 1.7.2002.

The Committee decided to reject the request of the firm to condone the procedural laps for acceptance of two S/Bills Nos. 3567293 and 367300, both dated 01.7.05 having different advance license number for the E.O. fulfillment against another advance licence dt. 1.7.02.

Case No. 38: M/s. LT Oversea s, Gurgaon
File No. 01/94/180/OPH-Panipat-LT Overseas/AM08/PC-I
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: EOP Extension against Quantity based advance licence No.

1. 2309066 dt. 8.9.94
2. 0083471 dt. 25.6.97
3. 2445763 dt. 11.9.96

Committee noted that the firm had earlier completed exports against these 3 advance licences within EOP, as claimed by the firm. However the shipments were made during the EOP without endorsement of file number or advance licence number. Accordingly these shipments could not be considered by RA concerned for the purpose of E.O. fulfillment. Accordingly, the Committee decided to extend the EOP for 6 months from the date of this communication subject to payment of composition fee @1% p.m. on the duty saved amount vis-à-vis the exports to be made.

Case No. 39: M/s. Valiant Chemical Corporation, Mumbai.
File No. 01/94/180/286/AM08/PC-4
(01/60/162/125/AM08/EFGC (PRC)
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: (1) Revalidation of 5 advance licences for the purpose of Clubbing of advance licence No. 0310061369 dated 16.11.2000 with 5 Advance Licence Nos.(i) 0310249359 dated 23.1.2004 (ii) 0310252329 dated 11.2.2004 (iii) 0310254228 dated 23.2.2004 (iv)0310254227 dated 23.2.2004 and (v) 0310262268 dated 2.4.2004 issued during 2004.

The Committee noted that EODC (Bond waiver) have been issued against the 5 advance licences stated above , as claimed by the firm. It, therefore, decided to revalidate 5 advance licences for the purpose of Clubbing of advance licence No. 0310061369 dated 16.11.2000 with 5 Advance Licence Nos.(i) 0310249359 dated 23.1.2004 (ii) 0310252329 dated 11.2.2004 (iii) 0310254228 dated 23.2.2004 (iv)0310254227 dated 23.2.2004 and (v) 0310262268 dated 2.4.2004 for a period of six months from the date of communication of the decision of PRC, 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. 40: M/s. . Govind Rubber Ltd., Mumbai
File No. 01/94/180/407/AM09/PC- 4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Revalidation of following six DEPBs for twelve months.
(i) 0910027704 dt.28.09.06 (ii) 0910027705 dt.28.09.06
(iii) 0910027706 dt.28.09.06 (iv) 0910027707 dt.28.09.06
(v) 0910027886 dt.19.10.06 (vi) 0910027948 dt.24.10.06

The Committee considered the request of the firm & noted that due to delay in issuance of corresponding enabling Circulars by Deptt. of Revenue & PN by the Customs Commissionrate , the firm lost more than a year in the validity of 24 months allowed for utilization of the DEPB. Accordingly, the Committee decided to allow revalidation of following six DEPBs for twelve months from the date of expiry of validity of these DEPBs.

(i) 0910027704 dt.28.09.06 (ii) 0910027705 dt.28.09.06
(iii) 0910027706 dt.28.09.06 (iv) 0910027707 dt.28.09.06
(v) 0910027886 dt.19.10.06 (vi) 0910027948 dt.24.10.06

Case No. 41: M/s. Wanbury Limited, Maharashtra
File No. 01/94/180/419/AM09/PC4/
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Extension of Export Obligation Period against 13 advance licences, detailed below:-

1.	0310147571 dt. 15.07.02	7.	0310130778 dt. 26.3.02
2.	0310233733 dt. 30.10.03	8.	0310105816 dt. 12.10.01
3.	0310243842 dt. 24.12.03	9.	0310234182 dt, 3.11.03
4.	0310233730 dt. 30.10.03	10.	0310139203 dt. 24.5.02
5.	031234180 dt.03.11.03	11.	0310214435 dt. 16.7.03
6.	0310026878 dt. 16.2.2000	12.	0310023890 dt. 20.1.2000
		13.	0310154645 dt. 22.8.02

The Committee noted that the firm has fulfilled EO to the extent of more than 50% qty. wise against all 13 licences mention above. However, Advance Licences at Sl. No. 2,3,4,5,9 & 11 only are covered under the general principle adopted by PRC for allowing EOP extension for the purpose of clubbing. Therefore Committee decided to extend the EO period in respect of these six advance licences, for a period six months from the date of communication of the decision of PRC, 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. This would be for the purpose of clubbing only.

Case No. 42: M/s. Wanbury Limited, Maharashtra
File No. 01/94/180/421/AM09/PC4/
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: EOP extension against advance licence No. 0310181954 dt. 03.02.2003 for the purpose of clubbing.

The Committee noted that EO fulfilled was 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. 0310181954 dt. 03.02.2003 for the purpose of clubbing., 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. 43: M/s. Cadila Pharmaceuticals Ltd., Ahmedabad
File No. 01/94/180/484/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Request for EOP extension against advance authorization no. 0810033458 dt. 31.10.03 for the purpose of clubbing with advance authorization no. 0810068063 dt.24.10.07.

The Committee noted that EO fulfilled in respect of advance licence No 0810033458 dt. 31.10.03 was 94% qty. wise and 100% value wise within valid EOP, as claimed by the firm. Therefore Committee decided for EOP extension for advance authorsation dated 31.10.03 subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports made for the purpose of clubbing only and also subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 44: M/s. Cadila Pharmaceuticals Ltd., Ahmedabad
File No. 01/94/180/483/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: EOP extension against advance authorization no. 0810035680 dt. 28.01.04 for clubbing with another advance authorization No. 0810061582 dt.11.12.06.

The Committee noted that EO fulfilled in respect of advance licence No 0810035680 dated 28.1.04 was 82.7% qty. wise within valid EOP, as claimed by the firm. Therefore Committee decided for extension in EOP against advance authorization dated 28.01.04 subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports made against the other advance authorization after the valid EOP of advance licence dt. 28.01.04 for the purpose of clubbing and also subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 45: M/s. Ajanta Pharma Ltd., Mumbai

File No. 01/94/180/436/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: Extension in EO period of advance licence no. 0310282451 dt.22.07.04 upto 21.07.2007 for regularization purpose.

The Committee noted that EO fulfilled in respect of advance licence No.0310282451 dt.22.07.04 is more than 50% both qty. wise and value wise within valid EOP, as claimed by the firm. It further noted that though the advance licence was issued under Policy Circular No. 9, the RA, Mumbai had earlier extended the EOP for 12 months against advance licence dated 22.7.04. Therefore Committee decided to regularize the exports made in respect of advance licence No. 0310282451 dt.22.07.04 upto 15.3.06. This would be subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and extended EOP. However, the exports effected beyond the extended EOP could not be considered by the Committee.

Case No. 46: M/s. Lyka Labs Ltd., Mumbai

File No. 01/94/180/217/AM08/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: (i) EOP extension of advance licence no. 0310143294 dt. 21.06.02 and
(ii)Revalidation of advance licence no.0310174255 dt. 24.12.02 for the purpose of clubbing of these two advance licences.

In respect of advance licence No. 0310143294 dt. 21.06.02, the Committee decided that RA, Mumbai shall allow EOP extension upto 36 months from the date of issuance of the advance licence subject to payment of applicable composition fee for the purpose of clubbing. This would be subject to verification by RA of EO claimed, to have been fulfilled by the firm, within the valid EOP.

The Committee also noted that EO fulfilled in respect of advance licence No. 0310174255 dt. 24.12.02 is more than 100% qty. wise within valid EOP, as claimed by the firm. Therefore Committee decided to allow revalidation against advance licence No. 0310174255 dt. 24.12.02 for clubbing and regularization purpose, 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. 47: M/s. Nivas Exports, Bangalore.
File No. 01/94/180/334/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: EOP Extension against advance licence No. 0710028823 dated 16.4.2004.

The Committee decided to reject the request of the firm as the firm applied for EOP extension after 1-1/2 years of the expiry of EOP.

Case No. 48: M/s. Antrix Corporation Ltd.
File No. 01/94/180/390/AM09/PC-4
PRC Meeting No.06/AM09 dated: 30.10.2008
Subject: EOP Extension against advance authorization No. 071004775 dated 10.10.2006 without payment of composition fee for export of 2 Nos. of Communication Satellite for one year beyond original validity of 24 months.

The Committee considered the request of the firm and observed that it was a Govt. of India undertaking and export product is a very sophisticated, high precision & High Tech product. It is also a very prestigious and new venture for our country. Accordingly, the Committee decided to waive the composition fee for EOP extension of 12 months beyond the original EOP, as allowed under paragraph 4.22 of HBP. Vol.I.

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