THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 06/AM13 HELD ON 15.05.2012 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 N.P.S. Monga	Addl. DG
4.	Dr. L.B. Singhal	Jt. DGFT
5.	Dr. Rajiv Arora	Jt. DGFT
6.	Shri A.K. Singh	Jt. DGFT
7.	Shri R.S. Ratna	Jt. DGFT
8.	Shri.Hardeep Singh	Jt. DGFT
9.	Shri. S.K. Samal	Jt. DGFT
10.	Shri Jaikant Singh	Jt. DGFT
11.	Smt. Subhra	Jt. DGFT
12.	Shri A. Mishra	Stats Advisor
13.	Shri D.C. Sharma	Stats Advisor
14.	Smt. Sonika Khattar	FTDO

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

Case No.1 M/s. Cigfil Limited Bangalore
F.No. 01/60/162/108/AM13/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for EOP extension of advance licence No 0710053057 dt. 27.8.2007.

The Committee noted that the firm have made less than 50% exports during the valid EOP and, therefore, decided to reject the case on account of low exports made in the valid EOP.

Case No.2 M/s. Saint Gobain Glass India Limited
F.No. 01/60/162/106/AM13/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for EOP extension of advance licence No 0410091576 dt. 15.10.2007

The Committee decided to grant extension for 12 months beyond the permitted 36 months for the purpose of regularization and closure, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond the permissible export obligation period of 36 months. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No.3 M/s. United Phosphorus Limited Mumbai
F.No. 01/60/162/06/AM13/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for EOP extension & clubbing of advance licence No. 0310406301 dt. 2.11.2006 & 0310573871 dt. 12.5.2010

The committee noted that the firm's request of clubbing of above two authorizations is not strictly covered under the Public Notice 79 dt. 13.10.2011. However the application for the second authorization was filed on 18.3.2009 and the authorization was issued almost after a gap of 1 year. As no report was available from RA, the committee presumed that it might be due to some administrative delay on account of procedural completion. It was noted that the firm had started exporting from the date of filling of this application as was permissible under the provisions of the FTP. The date of initiation of the exports under file no. 03/95/40/1026/AM09 of second authorization and the date of the first authorization were covered under these circumstances by the time limit stipulated under PN 79. The committee therefore decided to allow clubbing of the above 2 advance authorizations for the purpose of regularization. RA may grant necessary extension in EO required with the stipulated composition fee for clubbing and regularization. RA is also directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding 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 authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations. No further imports and export will be undertaken. RA may do clubbing subject to the condition that the adjudication process for the above authorizations has not been initiated.

Case No.4 M/s Philips Carbon black Ltd.,
F.No. 01/60/162/849/AM12/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for EOP extension of advance licence No. 0210112954 dt. 29.5.2008.

The committee noted that the firm's request for reduction of value addition was not supported by any technical data warranting such relaxation. The grounds for recession was not considered as a genuine hardship warranting policy relaxation.

Case No.5 M/s Shrenik Pharma Limited Thane
F.No. 01/60/162/771/AM10/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for EOP extension of advance licence No. 315999 dt./ 9.8.1993

The Committee rejected the request of the firm as there are no merits for consideration for the badly delayed request and also the reasons quoted are not a genuine hardship warranting policy relaxation. It was also decided that the case may be finalized as per the provisions of the FTP at the earliest by RA.

Case No.6 M/s PME Power Solutions (India) Limited New Delhi
F.No. 01/60/162/80/AM13/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for clubbing and redemption of advance licence No. 0510227537 dt. 16.9.2008 & 0510227532 dt. 16.9.2008

Deferred for examining full facts on file and then placing the request before the PRC.

Case No.7 M/s Mittal Pigments Pvt Ltd Kota
F.No. 01/60/162/218/AM12/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for revalidation of DFIA No. 1310025322 dt. 16.11.2007

The Committee noted the request of the firm and decided to reject as the reasons cited are only commercial risk and not a genuine hardship warranting relaxation under Para 2.5 of FTP.

Case No.8 M/s Vikas Organics Pvt Ltd.,
F.No. 01/60/162/102/AM13/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for revalidation for advance licence no. 0510262375 dt. 15.4.2010 issued in lieu of original licence No. 0510221734 dt. 6.6.2008.

The Committee noted the request of the firm and decided to reject as the reasons cited are only commercial risk and not a genuine hardship warranting relaxation under Para 2.5 of FTP.

Case No.9 M/s Silvex Images Jaipur
F.No. 01/60/162/84/AM13/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for recommendation of revalidation of DFIA of Silver/Gold issued between 01/04/2008 to 31/3/2009.

The Committee noted the request of the firm and decided to reject as the reasons cited are only commercial risk and not a genuine hardship warranting relaxation under Para 2.5 of FTP.

Case No.10 M/s Reference recd from Michelin India Tyres Pvt Limited Faridabad
F.No. 01/53/08/573/AM-12/M-64/IC`
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for import of 50 tyres Michelin 16.00 R 20 XZL TL Radial Tubeless Tyres (Non ISI) from France, for a CIF value of Rs. 26,762,500/- for supply to Delhi International Airport Ltd

The committee considered and approved import of 50 tyres to be supplied to Delhi International Airport Pvt. Ltd. with relaxation of the condition of standard mark of BIS on the tyres.

Case No.11 Reference received from Sanathan Allied Industrial Hyderabad
F.No. 01/53/08/668/AM-12/S-155/IC
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for import of 8 Nos 10 R X 22 5” 14 Ply, tubeless Tyres of Pirelli Make.

The committee considered and approved import of 8 tyres to be supplied to Andhra Pradesh State Road Transport Corporation with relaxation of the condition of standard mark of BIS on the tyres.

Case No.12 M/s Caterpillar India Pvt Ltd, New Delhi
F.No. 01/89/180/03/AM-13/PC-2(A)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for policy relaxation for import used Off Highway Truck from China for R&D in India.

The Committee considered and approved the request of M/s Caterpillar India Pvt Ltd, New Delhi to import used off highway truck make SANY, Model no. SRT 55 C, Capacity 50T from China for R&D in India in relaxation of the provisions of Para 2 (f) of Import Licensing Note of Chapter 87 subject to the condition:

(i) That after import, the used truck is purely for Research and Development and shall be dismantled on importation at their facility in Thiruvallur, Tamilnadu for research and comparative study at component level.
(ii) That the imported used vehicle will not be used/sold for any commercial application in India. It will not be used for any on highway/off highway application except to the level of Research and Development efforts needed.

Case No.13 Reference from A.K. Enterprises, New Delhi
F.No. 01/53/08/525/AM-12/A-64
PRC Meeting No. 06/AM13 dated: 15.05.2012

Subject:- Request for import of 8 nos 245 / 45 R 20 Pirelli Tyres.

The committee considered and approved import of 8 tyres for the importers actual use for their self owned vehicle in relaxation of the condition of standard mark of BIS on the tyres.

Case No. 14 M/s Lucky Forms Pvt. Ltd. Mumbai
F.No. 01/60/162/1329/AM11/EFGC(PRC)
PRC Meeting No. 06/AM13 dated: 15.05.2012
Subject:- Request for revalidation for advance licence no. 0310410888 dt. 5.12.2006

The committee noted that the firm's case was already rejected in PRC meeting no. 03/AM12 dt. 26.4.2011. No new facts have been stated by the firm in their latest representation of dt. 26.3.12. It was noted that the decision of ALC limiting the wastage to 5% at the original stipulated level in no way prevented the firm to import the raw material under the advance authorization since the wastage norms remained the same. The committee did not consider the reason cited as a genuine hardship warranting relaxation and therefore rejected the case.