

**Minutes of the Policy Relaxation Committee Meeting held under the  
Chairmanship of DGFT, Shri Pravir Kumar, IAS on 22.07.2014**

Meeting No. 06/AM15 held on 22.07.2014 at 11.30 A.M.

List of officers present in the meeting is given below:

|                          |            |
|--------------------------|------------|
| 1. Shri D. K. Singh      | Addl. DGFT |
| 2. Shri L.B. Singhal     | Addl. DGFT |
| 4. Shri K.C. Rout        | Addl. DGFT |
| 5. Shri Jaikant Singh    | Addl. DGFT |
| 6. Shri Darshan Singh    | Jt. DGFT   |
| 7. Shri S.K. Samal       | Jt. DGFT   |
| 8. Shri A. K. Srivastava | Jt. DGFT   |
| 9. Shri Jay Karan Singh  | Jt. DGFT   |
| 10. Shri AkashTaneja     | Jt. DGFT   |
| 11. Shri S.K. Mohapatra  | Dy. DGFT   |
| 12. Smt. N.R.Choudhury   | FTDO       |

The decision taken in the individual cases is as under:-

**Agenda point No 1 was discussed in PRC meeting no. 05/AM14 held on 15.07.2014.**

**Case No.2 M/s Parabolic Drugs Ltd. Chandigarh**

F.No. 01/60/162/25/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for regularization of export made on E Com no. before generating file no. against Advance Authorization No. 2210005546 dated 18.5.2006.

**Decision:**

Deferred for seeking a report from RA whether the applicant has availed other deemed export benefits i.e. refund of TED / Duty Drawback on such supplies and to verify actual date of supply. This is necessary in order to see whether supply has been affected prior to generation of E.com reference number or after this.

**(Action: RA Chandigarh)**

**Case No.3 M/s Parabolic Drugs Ltd. Chandigarh**

F.No. 01/60/162/26/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for regularization of export made on E Com no. before generating file no. against Advance Authorization No. 2210005660 dated 16.6.2006.

**Decision:**

Deferred for seeking a report from RA whether the applicant has availed other deemed export benefits i.e. refund of TED / Duty Drawback on such supplies and to verify actual date of supply. This is necessary in order to see whether supply has been affected prior to generation of E.com reference number or after this.

**(Action: RA Chandigarh)**

**Case No.4 M/s Parabolic Drugs Ltd. Chandigarh**

F.No. 01/60/162/29/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for regularization of export made on E Com no. before generating file no. against Advance Authorization No. 2210005046 dated 6.12.2005.

**Decision:**

Deferred for seeking a report from RA whether the applicant has availed other deemed export benefits i.e. refund of TED / Duty Drawback on such supplies and to verify actual date of supply. This is necessary in order to see whether supply has been affected prior to generation of E.com reference number or after this.

(Action: RA Chandigarh)

**Case No.5 M/s Parabolic Drugs Ltd. Chandigarh**

F.No. 01/60/162/28/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for regularization of export made on E Com no. before generating file no. against Advance Authorization No. 2210005568 dated 25.5.2006.

**Decision:**

Deferred for seeking a report from RA whether the applicant has availed other deemed export benefits i.e. refund of TED / Duty Drawback on such supplies and to verify actual date of supply. This is necessary in order to see whether supply has been affected prior to generation of E.com reference number or after this.

(Action: RA Chandigarh)

**Case No.6 M/s Parabolic Drugs Ltd. Chandigarh**

F.No. 01/60/162/31/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: Request for regularization of export made on E Com no. before generating file no. against Advance Authorization No. 2210005559 dated 23.5.2006.

**Decision:**

Deferred for seeking a report from RA whether the applicant has availed other deemed export benefits i.e. refund of TED / Duty Drawback on such supplies and to verify actual date of supply. This is necessary in order to see whether supply has been affected prior to generation of E.com reference number or after this.

(Action: RA Chandigarh)

**Case No. 7 M/s MM Aqua Technologies Ltd., New Delhi**

F.No. 01/60/162/904/AM12/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for consideration of DEPB shipment towards discharge of export obligation against four Advance Authorization No.

1. 0510137716 dt. 13/09/2004
2. 0510212544 dt 26/11/2007
3. 0510212852 dt. 30/11/2007
4. 0510268286 dt 15/03/2010

**Decision:**

The committee considered the request and decided that the DEPB shipping bills that are within the original export obligation period of 36 months from the date of issuance of Advance Authorizations referred above, may be considered towards discharge of export obligation provided description of export product is same and imported inputs are accounted for properly and Shipping Bill is in the name of the Party. RA shall ensure that no DEPB benefit has been availed by the Party against the following 26 DEPB shipping bills:

| S.No. | Shipping Bill No. | Date        |
|-------|-------------------|-------------|
| 1     | 1726769           | 24/05/2007, |
| 2     | 1230657           | 28/05/2010  |
| 3     | 1401370           | 12/08/2010  |
| 4     | 1706097           | 23/10/2010  |
| 5     | 1787374           | 10/11/2010  |
| 6     | 1841350           | 23/04/2008  |
| 7     | 1925894           | 03/01/2009  |
| 8     | 1269151           | 18/06/2010  |
| 9     | 1193139           | 06/05/2010  |
| 10    | 1204851           | 13/05/2010  |
| 11    | 1677649           | 18/10/2010  |
| 12    | 2002712           | 01/10/2009  |
| 13    | 1204850           | 13/05/2010  |
| 14    | 1277018           | 22/06/2010  |
| 15    | 1279297           | 23/06/2010  |
| 16    | 1355703           | 29/07/2010  |
| 17    | 1637793           | 20/11/2010  |
| 18    | 1867965           | 26/11/2010  |
| 19    | 1972404           | 12/12/2010  |
| 20    | 1891181           | 01/12/2010  |
| 21    | 1969088           | 11/12/2010  |
| 22    | 2041432           | 21/12/2010  |
| 23    | 2119711           | 30/12/2010  |
| 24    | 2222291           | 12/01/2011  |
| 25    | 2269376           | 18/01/2011  |
| 26    | 2330517           | 25/01/2011  |

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

**Case No.8 M/s DR Aykan Chemicals Pvt.Ltd., Delhi.**

F.No. 01/60/162/7/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for acceptance of drawback shipping bill towards discharge of EO against Advance Authorization No. 0510331815 dated 09.08.2012 for redemption purpose.

**Decision:**

The Committee noted that the applicant has already availed drawback against the shipment; hence the same shipping bill cannot be taken into account towards discharge of EO against Advance Authorization. The Committee, therefore, rejected the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(Action: RA, Delhi- If the party fails to get the case regularized 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 submit an Action Taken Report).

**Case No.9 M/s DESICCANT ROTORS INTERNATIONAL**

F.No. 01/60/162/40/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for acceptance of S/Bills due to wrong receipt no. 4191 mentioned instead 4190 against Advance Authorization No. O510059637 dated 24.05.2002

**Decision:**

Deferred for seeking a report from RA to ascertain that the same shipping bill has not been accounted for discharge of EO against any other Authorization.

(Action: RA, Delhi)

**Case No.10 M/s Jonson Rubber Industries Ltd. New Delhi**

F.No. 01/60/162/152/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request of EOP extension upto 48 months in Advance Authorization No. 0510235208 dated 28.01.2009 for regularization purpose.

**Decision:**

Deferred for seeking a report from RA to ascertain that the 25 shipping bills have not been accounted for discharge of EO against Authorization under which exports are made.

(Action: RA, Delhi)

**Case No.11 M/s Simplex Chemopack Pvt. Ltd. Nagpur**

F.No. 01/60/162/86/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for clubbing of 2 of Advance Authorizations no. 5010000207 dt. 03.12.2009 with Advance Authorization no. 5010000391 dt. 24.09.2010.

**Decision:**

The Committee observed that this is not a case of policy relaxation as the provisions for clubbing of such Authorizations are allowed as per Policy Circular No. 29 dated 06/02/2008. RA is, therefore, advised to take action accordingly.

**(Action: RA, Nagpur)**

**Case No.12 M/s DSM Sinochem Pharmaceuticals India Pvt. Ltd, Gurgaon.**

F.No. 01/60/162/925/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for clubbing of 4 Advance Authorizations no. 2210007457 dated 14.02.2008, 2210007860 dated 03.06.2008, 2210008127 dated 28.08.2008 and 2210008873 dated 28.04.2009 for regularization Purpose.

**Decision:**

**Deferred for further examination by Policy – IV.**

**Case No.13 M/s DSM Sinochem Pharmaceuticals India Pvt. Ltd, Gurgaon**

F.No. 01/60/162/72/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for clubbing of 4 Advance Authorizations no. 1. 2210005378 dated 29.03.2006 2. 2210005759 dated 12.07.2006 3. 2210006310 dated 19.12.2006 4. 2210006541 dated 19.03.2007 for regularization Purpose.

**Decision:**

**Deferred for further examination by Policy – IV.**

**Case No.14 M/s DSM Sinochem Pharmaceuticals India Pvt. Ltd, Gurgaon.**

F.No. 01/60/162/892/AM13/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for clubbing of 2 Advance Authorizations no. 2210005750 dated 10.07.2006 and 2210005756 dated 11.07.2006 for regularization purpose.

**Decision:**

**Deferred for further examination by Policy – IV.**

**Case No.15 M/s Teracom Limited, Noida**

F.No. 01/06/162/85/AM15/EFGC(PRC)

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for revalidation of DEPB Scrip no. 0510328523 dated 28.06.2012.

**Decision:**

**The Justification and reasons cited by the applicant that they could not utilize the DEPB within validity of the scrip due to adverse market conditions can't be a ground of genuine hardship as the market conditions does not affect utilization of DEPB by others, being a transferable instrument. Hence, the Committee did not accede to the request.**

**Case No.16 M/s Man Trucks India Pvt. Ltd.**

F.No01/60/162/939/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for waiver of not declaring inputs in S/bills towards discharge of EO against Advance Authorization no. 3110036107 dt. 17.11.2008.

**Decision:**

RA, Pune be requested to obtain a Consumption Certificate duly certified by the Excise Authority from the applicant and submit before the Committee along with its report.

(Action: RA, Pune)

**Case No.17 M/s Glenmark Pharmaceuticals Ltd.,**

F.No. 01/60/162/13/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for waiver of submission of destruction certificate as per PC-18 against Advance Authorization No. 0310459656 dated 31/01/2008 and regularize and close authorization as per PN 22 dt. 12.08.2013 and PC-8 dated 25.10.2013.

**Decision:**

The Committee noted the request of the firm and decided that shortfall in fulfillment of stipulated export obligation against above referred Authorization may be regularized. PC-18 conditions stand waived, subject to the following condition:

The applicant shall submit to RA proof of payment of Duty + Interest on unutilised imported goods and Composition fee of Rs. 1000/-.

(Action: RA Mumbai)

**Case No.18 M/s Glenmark Pharmaceuticals Ltd.**

F.No. 01/60/162/15/AM15/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for waiver of submission of destruction certificate as per PC-18 against Advance Authorization No. 0310446409 dated 15/10/2007 and regularize and close authorization as per PN 22 dt. 12/08/2013 and PC-8 dated 25/10/2013.

**Decision:**

The Committee noted the request of the firm and decided that shortfall in fulfillment of stipulated export obligation against above referred Authorization may be regularized. PC-18 conditions stand waived, subject to the following condition:

The applicant shall submit to RA proof of payment of Duty + Interest on unutilised imported goods and Composition fee of Rs. 1000/-.

(Action: RA Mumbai)

**Case No.19 M/s Glenmark Generics Ltd., Mumbai**

F.No. 01/60/162/ 816 /AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for closure of Advance Authorization No. 0310581794 dated 2/07/2010 issued under PC-9 condition.

**Decision:**

The Committee noted that the firm is stated to have already utilized the imported material fully by exporting the resultant product manufactured from these inputs. However the same were exported against another Advance Authorization No. 0310660210 dt. 18.10.2011. Therefore it was decided to waive condition of re-export/destruction of imported raw material as stipulated in Policy Circular 18 dt. 30.10.2007 provided Customs duty + interest against shortfall is paid.

(Action: RA, Mumbai)

**Case No.20 M/s Surya Polytex Pvt. Ltd**

F.No. 01/60/162/626/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for policy relaxation in case of 3<sup>rd</sup> party export in respect of fulfillment of export obligation under Advance Authorization No. 0210107965 dtd 9/01/2008.

**Decision:**

The Committee noted that Appellate Authority has already rejected the case confirming penalty order passed by Adjudicating Authority. The PRC being an Administrative Body can't intervene in the quasi – judicial matter. Hence, the request is rejected.

**Case No. 21 M/s Universal Bio Diesel Pvt. Ltd.**

F.No. 01/60/162/750/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for grant of relaxation – Exit from EOU to EPCG license challenged. (EPCG Licence No. 2630000726 dt. 6.3.2009

**Decision:**

The committee noted that in this case, quasi – judicial order has been passed by the Excise Authority and appeal is pending before CESTAT, Bangalore. It would not be proper to intervene in the matter by PRC, being an Administrative Body.

**Case No.22 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No. 01/60/162/951/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710051368 dated 23.04.2007

**Decision:**

The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(**Action: RA, Bangalore-** If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.23 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No. 01/60/162/954/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710054854 dated 07.12..2007.

**Decision:**

**The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.**

(**Action: RA, Bangalore-** If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.24 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No. 01/60/162/952/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710057586 dated 27.5.2007

**Decision:**

**The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.**

(**Action: RA, Bangalore-** If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.25 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No. 01/60/162/950/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710054558 dated 16.11.2007

**Decision:**

**The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.**

(Action: RA, Bangalore- If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.26 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No 01/60/162/956/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710049234 dated 27.12.2006.

**Decision:**

**The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.**

(Action: RA, Bangalore- If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.27 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No. 01/60/162/955/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710054857 dated 07.12.2007

**Decision:**

**The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.**

(Action: RA, Bangalore- If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.28 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No. 01/60/162/962/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710050346 dated 28.02.2007.

**Decision:**

**The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.**

(Action: RA, Bangalore- If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.29 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No. 01/60/162/960/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710055798 dated 12.02.2008.

**Decision:**

**The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.**

(Action: RA, Bangalore- If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.30 M/s Elins Switch Boards Pvt. Ltd. Bangalore**

F.No. 01/60/162/959/AM14/PRC

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: -Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710055705 dated 06.02.2008.

**Decision:**

**The committee noted that the applicant neither generated the Bill of Exports nor mentioned the Authorization details on the ARE-1, hence the Committee decided not to accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.**

(Action: RA, Bangalore- If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

**Case No.31. Reference received from Norms Committee.**

F.No. 01/81/050/00730/AM08/DES-II

PRC Meeting No. 06/AM15 dated 22.07.2014

Subject: - Request for condonation for delay in filling representation beyond 4 months.

**Decision :**

|                  |               |                   |                        |                            |    |
|------------------|---------------|-------------------|------------------------|----------------------------|----|
| Name of the firm | AA No. & date | Date of Communica | Representation made on | Approve in meeting no. and | NC |
|------------------|---------------|-------------------|------------------------|----------------------------|----|

|                              |                              | tion       |            | date                                                |
|------------------------------|------------------------------|------------|------------|-----------------------------------------------------|
| M/s Havells India Ltd. Delhi | 0510214655<br>dt. 08.01.2008 | 17.05.2013 | 17.02.2014 | M.No. 01/81 dt.<br>08.04.2014 held on<br>22.04.2014 |

PRC condoned delay in filing representation beyond 4 months for consideration by NC-II in following cases.

**The meeting ended with a Vote of Thanks to the Chair.**

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