MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO.07/AM09 HELD ON 24.11.2008 AT 11.00 A.M. UNDER THE CHAIRMANSHIP OF SHRI R.S. GUJRAL, 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 S.K. Prasad**	**Addl. DG**
2.	**Shri V.K. Srivastava**	**Addl. DG**
3.	**Shri S.K.Samal**	**Jt.DGFT**
4.	**Shri Anil Agarwal**	**Jt.DGFT**
5.	**Shri A.K. Singh**	**Jt.DGFT**
6.	**Shri Tapan Mazumder**	**Jt.DGFT**
7.	**Shri A.C. Jha**	**Dy.DGFT**

After deliberation, the following decision were taken.

Case No. 1: M/s. Veekay Polycoats Ltd, Gurgaon
File No. 01/60/162/471/AM08/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidaton of Adv. Lic. No. 0510155702 dt. 15.04.05.

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. 0510155702 dt. 15.04.05.for a period of six months from the date of the 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. 2: M/s. Veekay Polycoats Ltd, Gurgaon
File No. 01/60/162/203/AM08/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidaton of Adv. Lic. No. 0510158447 dt. 27.05.05.

The Committee noted that EO fulfilled in this case is 100% qty. wise and 103.56 value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0510158447 dt. 27.05.05 for a period of six months from the date of the 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. 3: M/s. FDC Limited, New Delhi
File No. 01/60/162/99/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Condonation of delay in sub of request for fixation of Norms by ALC against their advance licence No. 0310229354 dt. 08.10.2003.

Committee decided that concerned norms committee will go into the reasonableness of delay in submission of representation for review of norms fixed by Norms Committee or rejection by NC as the case may be, and take its own decision as to the condonation of delay vis-a vis Notification No. 37/2004 – 2009 dated 23.8.2007.

However, in this particular case it was decided to reject the request of the firm for condonation of delay as the representation has been made after three years from the date of fixation of norms by NC.

Case No. 4: M/s. Veekay Polycoats Ltd, Gurgaon
File No. 01/60/162/472/AM08/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidaton of Adv. Lic. No. 0510156749 dt. 03.05.05.

The Committee noted that EO fulfilled in this case is 99.53% qty. wise and 101.68 value wise within valid EOP, as claimed by the firm. It was therefore decided to revalidate the advance licence No. 0510156749 dt. 03.05.05 for a period of six months from the date of the 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. 5: M/s. Ravin Cables Ltd., Mumbai
File No. 01/60/162/226/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Condonation of delay in submission of request for re-fixation of Norms by ALC against their advance icence No. 0310083242 dt. 22.11.2001.

As the representation against NC decision has been filed by the firm after a lapse of 4 years, Committee decided to reject the above request.

Case No. 6: M/s. Ravin Cables Ltd., Mumbai
File No. 01/60/162/227/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Condonation of delay in submission of request for re-fixation of Norms by ALC against their advance icence No. 0310083250 dt. 04.5.2001.

As the representation against NC decision has been filed by the firm after a lapse of 4 years, Committee decided to reject the above request.

Case No. 7: M/s. Mission Pharmaceuticals Ltd., Mumbai
File No. 01/94/180/427/AM09/PC-4
(01/60/162/95/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension against advance licence No. 0310342903 dt. 12.8.2005 by way of relaxation of condition of Policy Circular No. 9 dated 30.6.2003 on import of drugs under advance licence.

The Committee noted that EO fulfilled in respect of advance licence No. 0310342903 dt.12.8.2005 is to the extent of 97% qty. wise within valid EOP, as claimed by the firm. Committee also noted that the balance exports had already been completed by February 2008 and the request is for regularization of E.O. Therefore, the Committee decided to extend the EO period for a period of six months from the date of expiry of EOP (as allowed under policy Circular No. 9 dated 30.6.03) in respect of advance licence No. 0310342903 dt.12.8.2005, 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 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. 8: M/s. Gopinath Chem-Tech Ltd., Ahmedabad
File No. 01/94/180/505/AM09/PC-4
(01/60/162/55/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension against advance licence No. 0810039794 dt. 24.6.2004 upto 16.5.08 for regularization purpose.

The Committee noted that EO fulfilled in respect of advance licence No. 0810039794 dt. 24.06.04 is more than 50%, both qty. wise and value wise within valid EOP for the export product, as claimed by the firm. Therefore, Committee decided to extend the EO period upto 31.05.08 for the purpose of regularization of exports already made, subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports 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. 9: M/s. Lloyd Insulations (India) Ltd., New Delhi.
File No. 01/94/180/223/AM09/PC-4
(01/60/162/84/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Request for issuance of EODC against Advance Licence No.0510143440 dated 19.11.2004.

The Committee noted that in this case, based on Hon'ble High Court's Order of 2002, Special Imprest Licence bearing No. 0510143440 dated 19.11.2004 was issued to the firm. Committee also noted that the recipient of the goods i.e. the Project Authority (M/s Oswal Chemical & Fertilisers Ltd.,) had sold the unit to M/s IFFCO and M/s IFFCO was not in a position to issue the payment certified for the supplies received by M/s Oswal Chemical and Fertilisers Ltd. Accordingly, the Committee took the following decision:

(i) To accept self-certified copies of Supply Invoices duly signed by the receiving unit subject to furnishing of other documents / fees as stated in paragraph 4.30A of HBP V1 (as amended from time to time).

(ii) To accept original bank certificate in Appendix 22 B in lieu of original payment certificate from the Project Authority.

Case No. 10: M/s. Lloyd Insulations (India) Ltd., New Delhi.
File No. 01/94/180/224/AM09/PC-4
(01/60/162/85/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Request for issuance of EODC against Advance Licence No.0510155854 dated 20.4.2005.

The Committee noted that in this case, based on Hon'ble High Court's Order of 2002, Special Imprest Licence bearing No. 0510155854 dated 20.4.2005 was issued to the firm. Committee also noted that the recipient of the goods i.e. the Project Authority (M/s Oswal Chemical & Fertilisers Ltd.,) had sold the unit to M/s IFFCO and M/s IFFCO was not in a position to issue the payment certified for the supplies received by M/s Oswal Chemical and Fertilisers Ltd. Accordingly, the Committee took the following decision:

(iii) To accept self-certified copies of Supply Invoices duly signed by the receiving unit subject to furnishing of other documents / fees as stated in paragraph 4.30A of HBP V1 (as amended from time to time).

(iv) To accept original bank certificate in Appendix 22 B in lieu of original payment certificate from the Project Authority.

Case No. 11: M/s. Tanfac Industries Limited, Chennai
File No. 01/94/180/473/AM09/PC-4
(01/60/162/603/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: (i) EOP extension for advance licence No. 0410066710 dated 31.01.05.
(ii) Change of Export product to Potassium Triflouride and Potassium Flouride.

The Committee noted that EO fulfilled in respect of advance licence No. 0410066710 dt. 31.01.05 is more than 50%, both qty. wise and value wise within valid EOP for the export product, 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. On the request to change of export product, the firm may approach RA concerned for the change as per SION, once extension of EOP is endorsed by RA concerned.

Case No. 12: M/s. Mission Pharmaceuticals Ltd., Mumbai
File No. 01/94/180/425/AM09/PC-4
(01/60/162/97/AM09/EFGC(PRC)
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension against advance licence No. 0310308962 dt.23.12.2004 up to 25.10.2007 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. 0310308962 dt.23.12.2004 is to the extent of 97% qty. wise within valid EOP, as claimed by the firm. Committee also noted that the balance exports had already been completed by February 2008 and the request is for regularization of E.O. Therefore, the Committee decided to extend the EO period for a period of six months from the date of expiry of EOP (as allowed under policy Circular No. 9 dated 30.6.03) in respect of advance licence No. 0310308962 dt.23.12.2004**,** 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 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.

Committee also noted from the Agenda that the firm had completed the balance exports, thereby utilizing the balance inputs, destruction of the same now would not be possible in terms of Policy Circular No. 18 dated 30.10.07 and accordingly the Committee relaxed the condition for destruction of the balance inputs used in the product exported beyond extended EOP. However, the firm would be required to pay the Customs duty and interest for such inputs.

Case No. 13: M/s. Sun Pharmaceuticals Industries Ltd., Mumbai
File No. 01/92/180/74/AM07/PC VI
PRC Meeting No.07/AM09 dated: 24.11.2008

Subject: Extension of time limit allowed for adjustment of Advance DTA sale.

The Committee noted that BIFR vide their order dated 10.01.2007 and addendum dated 18.4.2007 have directed to adjust the advance DTA sale within the period of 5 years w.e.f. BIFR order dt. 03.01.2007. Accordingly the Committee agreed to the request of the applicant.

Case No. 14: M/s. Loyal Textiles Mills, Kovilpatti
File No. 01/84/162/483/AM05/DES- V
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Relaxation of pre-import condition against Advance Licence issued by Jt. DGFT Madurai against import of raw cotton for export of cotton yarn under Duty Exemption Scheme Advance Licence No. 0135035 dated10.5.1999; 0135059 dated17.5.99; 0135207 dated23.9.99; 0135241 dated2.11.99; 0135242 dated 2.11.99; 3510000225 dated7.3.2000; 3510000452 dated26.4.2000; 35100002671 dated12.3.2001; and 3510002239 dated2.1.2001.

The Committee decided to relax the pre-import condition for import of raw cotton against advance licences for import of raw cotton against advance licences No. 0135035 dated10.5.1999; 0135059 dated17.5.99; 0135207 dated23.9.99; 0135241 dated2.11.99; 0135242 dated 2.11.99; 3510000225 dated7.3.2000; 3510000452 dated26.4.2000; 35100002671 dated12.3.2001; and 3510002239 dated2.1.2001.

Case No. 15: M/s. Authentic Impex, Mumbai
File No. 01/94/180/477/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance licence No. 0310312004 dated 13.01.05

The Committee noted that EO fulfilled in respect of above licence is 100% both qty-wise and value wise, within valid EOP, as claimed by the firm. Committee, therefore, decided to revalidate the advance licence. No. 0310312004 dt. 13.01.05, 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. 16: M/s. Authentic Impex, Mumbai
File No. 01/94/180/478/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance licence No. 0310315053 dated 03.02.05

The Committee noted that EO fulfilled in respect of above licence is more than 95% both qty-wise and value wise, within valid EOP as claimed by the firm. It was, therefore, decided to revalidate the advance licence. No. 0310315053 dt. 03.02.05, 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. Revalidation would be subject to pro-rata adjustment (reduction) of the entitlement.

Case No. 17: M/s. Hindustan Constructions Co. Ltd., Mumbai
File No. 01/93/180/2529/AM08/PC-2(A)

PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Request for relaxation for import of used vehicles older than 3 years which has steering control in the centre (4 Nos. Used Mine Trucks. Make: Atlas Copco Wagner, Model-420; year of Manufacture-1999 and 2000).

The Committee considered the request of the firm for import of used vehicles older than 3 years which has steering control in the centre (4 Nos. Used Mine Trucks. Make: Atlas Copco Wagner, Model-420; year of Manufacture-1999 - 2000) and ex post facto approval accorded to the permission granted in this regard, duly approved by DG on file.

Case No. 18: M/s. Sterlite Technologies Ltd., Mumbai
File No. 01/94/180/487/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Procedural relaxation for acceptance of payment made by parent overseas company of an EOU unit for supplies made by DTA unit against Special Imprest Licence No. 0310039928 dated 1.6.2000- Request from DES-II Division.

The Committee considered the case of the firm and took the following decision:

(i) Concerned Norms Committee would fix norms as per the procedure laid down for the same as there is no prima facie relation of norms fixation to that of mode of payment receipt against the supplies. In case there is any specific issue on policy relaxation which is related to norms fixation, the NC can revert back to PRC.
(ii) So far as the realisation of supply proceeds from foreign principal (for supplies to an EOU Unit by a DTA Unit) is concerned, the same would require detailed examination of the reason for such mode of receipt of payment. Accordingly, the Committee could not accept the request of the firm on the receipt of payment from foreign parent company.

Case No. 19: M/s. Havells India Ltd., Noida
File No. 01/94/180/457/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Conversion of Drawback Shipping Bills into advance licecne No.0510095475 dt. 08.07.03.

The committee considered the request of the firm for acceptance of Drawback Shipping Bills as Shipping Bills under Advance Authorisation Scheme for the purpose of fulfillment of EO against Advance Licence No. 0510095475 dated 08.07.03. The Committee also noted that the firm had returned the Duty Drawback amount (availed earlier) alongwith interest to the Customs Authority. However, the Committee could not find any merit in the request and could not accept the request of the firm. Neither the reason for delay in filing the request nor the reason for not been able to get the shipping bills converted by Customs Authority reflected in firm's representation. Committee made it clear that for the purpose of fulfillment of EO, firm need to produce shipping bills under Advance Authorisation Scheme.

Case No. 20: M/s. IOCEE Exports,Ltd., Chennai

File No. 01/94/180/775-IOCEE/AM08/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of Pass Book No. 100130 dated 17.08.95 for three months. (Hon'ble High Court of Madras in W.A. No. 2314 of 2000).

Committee noted that in the present case since the Department of Revenue had referred the matter (the decision of Hon'ble High Court on revalidation of the erstwhile Passbook) to Ministry of Law, reply of which was awaited and accordingly based on the request of the Department of Revenue, the case was considered on file to revalidate the Pass Book of the firm (which expired on 31.10.08) for a further period of 3 months. So, the Committee accorded ex-post-facto approval for revalidation of the Pass Book No. 100130 dated 17.8.95 for a further period of 3 months from the date of its expiry.

Case No. 21: M/s. Bloom Dekor Ltd., Ahmedabad

File No. 01/94/180/509/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008

(i) Subject: Extension in EO period upto 15.05.08 for regularization purpose;
(ii) Revalidation for six months from the date of endorsement in proportionate to export effected.

against the advance authorisation no. 0810046628 dt. 16.03.05.

The Committee noted that EO fulfilled in respect of advance licence No. 0810046628 dt. 16.03.05 is more than 100%, both qty. wise and value wise (for two of the export products) within valid EOP and for the third item, they had fulfilled 30.66% within EO and 69.34% within 2 months of the expiry of the EOP) , as claimed by the firm i.e., overall EO was more than 50%. Therefore, Committee decided to extend the EO period upto 15.05.08 for regularization purpose, subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports 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. The Committee also decided to revalidate the aforesaid advance licence. For import of balance items 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. 22: M/s. Godrej & Boyce Mfg. Co. Mohali
File No. 01/53/8/633/AM08/G-58/Import Cell
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Request for endorsement "Valid for goods already shipped and cleared from Customs" on Import Licence No.0350001533 dated 27.06.2008

The Committee considered the request of the firm for endorsement "Valid for goods already shipped and cleared from Customs" on Import Licence No.0350001533 dated 27.06.2008 and ex post facto approval accorded to the endorsement already made on the licence in pursuance of approval of DG on file.

Case No. 23: M/s. Northern Filters P. Ltd., New Delhi
File No. 01/94/180/489/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Relaxation required against Advance Licence No.0510155817 dated 20.4.2005 to flooowing extent:,
(1). To allow re-export of the imported input on account of quality problem with the finished product; (as per buyer's rejection of sample).
(2). Waive off the condition to fulfill the export obligation.

The Committee noted that the firm could not export "cylindrical Air Intake Filter" because of rejected to final product by the foreign buyer. It was also noted that the duty free inputs "filter paper" were supplied free of cost by the foreign buyer's client. In view of the genuine hardship faced by the firm, the Committee took the following decision:

1. Allowed re-export of unutilized imported duty free inputs against the advance licence No. 0510155817 dated 20.4.2005.
2. However, for the inputs which have already been utilized for the manufacture of the finished product (which was rejected by the buyer on account of quality), it was decided by the Committee that the firm has to fulfil the export obligation proportionate to the utilized raw material against the said advance licence No. 0510155817 dated 20.4.2005 and granted extension in the export obligation period for a periods of six months subject to payment of composition fee @ 1% of the duty saved amount of utilized raw material, finished product manufactured out of it which could not be exported earlier.

Case No. 24: M/s. Lakeland Chemicals (India) Ltd., Mumbai
File No. 01/94/180/397/AM09/PC- 4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance licecne No. 0310345805 dated 1.9.2005

The Committee noted that EO in this case has already been fulfilled and Bond waiver has also been granted by RA Mumbai, as claimed by the firm. Accordingly, the Committee decided to revalidate the advance licence. No. 0310345805 dated 1.9.05 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.25: M/s. SSP (Pvt) Ltd., faridabad
File No. 01/94/180/736/AM08/PC- I

PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation & Enhancement in CIF value of of advance licecne No. 0510110720 dated 5.12.2003.

The Committee noted that EO in this case has already been fulfilled and Bond waiver has also been issued by RA New Delhi, as claimed by the firm. Accordingly, the Committee decided to revalidate the advance licence. No. 0510110720 dated 15.12.2003 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. Enhancement in CIF value, if any, shall be done by the RA concerned as per policy provision.

Case No. 26: M/s. Super Tex Industries, Mumbai
File No. 01/94/180/400/AM08/PC- 4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance licecne No. 0310295531 dated 6.10.2004.

The Committee noted that EO fulfilled in respect of above advance licence was 100% both qty-wise and value wise, within valid EOP, as claimed by the firm. The Committee also noted that Bond Waiver had been granted by RA in this case. Accordingly, the Committee decided to revalidate the advance licence. No. 0310295531 dt. 6.10.2004, 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. 27: M/s. Modepro India P. Ltd., Mumbai
File No. 01/94/180/369/AM09/PC- 4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Request against advance licence No. 0310361796 dated 3.1.2006 for:-
1.EOP extension
2. Revalidation

The Committee noted that the firm have fulfilled 75% EO both qty. and value-wise within the EOP, as claimed by the firm. It was, therefore, decided to revalidate the advance licence. No. 0310361796 dt. 3.1.2006, 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. 28: M/s. Lasurab International, New Delhi

File No. 01/94/180/263/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Extension in EO period of advance licence no. 0510155454 dt. 11.04.05 for six months.

The Committee noted that the firm had completed EO to the extent of approx. 81% within the original EOP. Accordingly, the Committee considered the request and decided to extend the EO period for a period of six months from the date of communication of the decision of PRC subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and subject to the payment of composition fee @ 1% per month on the duty saved amount for the balance inputs.

Case No. 29: M/s. Doshion Ltd., Ahmedabad

File No. 01/94/180/534/AM08/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance authorisation no. 0810051325 dt.10.10.05 for six months.

The Committee noted that EO fulfilled in respect of above advance licence was 100% qty-wise and value wise, within valid EOP, as claimed by the firm. Accordingly, the Committee decided to revalidate the advance licence. No. 0810051325 dt. 10.10.05, 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. 30: M/s. Sadhana Nitro Chem Ltd., Mumbai
File No. 01/94/180/228/AM08/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Extension in EO period of advance licence No.0310246013 dt. 07.01.04 upto 31.01.08 for the purpose of clubbing with another advance licence no. 0310402728 dated 05.10.06.

The Committee noted that EO fulfilled in respect of advance licence No. 0310246013 dt. 07.01.04 was more than 50%, both qty. wise and value wise within valid EOP. Therefore, Committee decided to extend the EO period against advance licence No. 0310246013 dt. 07.01.04 (for the purpose of clubbing with another advance licence No. 0310402728 dated 05.10.06) 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 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. 31: M/s. Doshion Ltd., Ahmedabad

File No. 01/94/180/533/AM08/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance authorisation no. 0810052000 dt.14.11.05 for six months.

The Committee noted that EO fulfilled in respect of above licence is 100% qty-wise and 90.24% value wise, within valid EOP as claimed by the firm. Accordingly, the Committee decided to revalidate the advance licence. No. 0810052000 dt. 14.11.05, 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. 32: M/s. Poddar Tyres Ltd., Ludhiana

File No. 01/94/180/401/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of following six DEPBs for twelve months. (transferred DEPBs):-
(i) 0910027708 dt.28.09.06 (ii) 0910027878 dt.19.10.06
(iii) 0910027877 dt.19.10.06 (iv) 0910027714 dt.29.09.06

The Committee noted that the 4 DEPBs mentioned above could not be utilized in time because of delay in issuance of the Department of Revenue Circular No. 36/2007 dated 3.10.2007 and the corresponding Public Notice by Customs Commissionerates, Ludhiana in 2008 for exemption from 4% SAD at the time of clearance against these DEPBs issued under Customs Notification No. 34/97. Accordingly, the Committee decided to extend the validity of these DEPBs for a period of six months from the date of communication.

Case No. 33: M/s. JSW Steel Ltd., Mumbai
File No. 01/94/180/553/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP Extension against Advance Licence No. 0310333743 dated 9.6.2005.

The Committee noted that the export obligation against advance licence No. 0310333743 dt. 9.6.2005 had been fulfilled to the extent of more than 50%, both qty. wise and value wise within valid EOP for the export product, 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 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. 34: M/s. Vani Exports, Kolkata

File No. 01/94/180/571/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of DEPB licence no. 0910027514 dt. 11.09.06 for twelve months. (transferred DEPBs).

The Committee noted that the DEPB licence No. 0910027514 dated 11.9.06 could not be utilized in time because of delay in issuance of the Department of Revenue Circular No. 36/2007 dated 3.10.2007 and the corresponding Public Notice by Customs Commissionerates, Nhava Sheva in 2008 for exemption from 4% SAD at the time of clearance against these DEPBs issued under Customs Notification No. 34/97. Accordingly, the Committee decided to extend the validity of this DEPB for a period of six months from the date of communication.

Case No. 35: M/s. Plasopan Engineers (I) P. Ltd., Faridabad.
File No. 01/94/180/579/AM08/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of Advance Licence No. 0510139895 dt.6.10.2004.

The Committee noted that the firm could not complete the imports in proportion to the exports affected against advance licence. No. 0510139895 dt. 06.10.04. Accordingly, the Committee decided to revalidate the aforesaid licence 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. Revalidation would be subject to pro-rata adjustment (reduction) of the entitlement.

Case No. 36: M/s. Global Mercantile Pvt. Ltd., Kolkata

File No. 01/94/180/572/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of DEPB licence no. 0910027718 dt. 29.09.06 for twelve months. (transferred DEPBs).

The Committee noted that the DEPB licence No. 0910027718 dated 29.9.06 could not be utilized in time because of delay in issuance of the Department of Revenue Circular No. 36/2007 dated 3.10.2007 and the corresponding Public Notice by Customs Commissionerates, Nhava Sheva in 2008 for exemption from 4% SAD at the time of clearance against these DEPBs issued under Customs Notification No. 34/97. Accordingly, the Committee decided to extend the validity of this DEPB for a period of six months from the date of communication.

Case No. 37: M/s. Stanchart Impex p. Ltd., Noida.
File No. 01/94/180/152/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance licence No.0510165149 dated 26.8.2005.

The Committee noted that the firm had fulfilled EO to the extent of more than 50% in respect of above licence No. 0510165149 dt. 26.08.05 within valid EOP as claimed by the firm. Accordingly, the Committee decided to revalidate the advance licence. No. 0510165149 dt. 26.08.05, 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. 38: M/s. Elite International Pvt. Ltd., Mumbai

File No. 01/94/180/510/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Extension in EO period of advance licence no. 0310338225 dt. 08.07.05 for 12 months.

The Committee noted that the firm has fulfilled EO to the extent of more than 50% in respect of advance licence No. 0310338225 dt. 08.07.05, as claimed by the firm and had filed the request for relaxation for EOP extension within the reasonable time period. Accordingly, the 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 after the valid EOP (if not already paid) and also subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP.

Case No. 39: M/s. Albert David Ltd., Kolkata

File No. 01/94/180/506/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Policy relaxation against advance authorisation no. 02100944433 dt. 16.10.06 for
(i) EOP extension upto 03.07.07 for regularization purpose; and
(ii) to consider the exports made against which orders were not in hand at the time of filing application for issue of authorisation.

The Committee noted that the firm has requested for EOP extension upto 03.7.07 against advance licence No. 0210094433 dt. 16.10.06 for regularization purpose. The Committee also noted that the EO had been fulfilled to the extent of 71%, qty. wise and 88% value wise within the original EOP of six months and the balance exports had been made beyond the original EOP but within 30.08.07 i.e. within the 3 months of the expiry of the original EOP. Accordingly, the Committee decided to extend the EOP upto 31.8.07 for the purpose of regularization of exports already made subject to payment of composition fee at the rate of 1% per month on the duty saved amount vis-à-vis the exports 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. 40: M/s. Claris Lifesciences Ltd., Ahmedabad

File No. 01/94/180/355/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of following 22 advance authorizations:-

S.No.	Adv Auth nos. & date	Adv Auth nos. & date	Adv Auth nos. & date
i)	0810037726 dt.12.04.04	ii) 0810040858 dt.30.07.04	iii) 0810040858 dt.30.07.04
iv)	0810050207 dt.22.08.05	v) 0810050484 dt.02.09.05	vi) 0810050484 dt.02.09.05
vii)	0810055695 dt.17.04.06	viii)0810055823 dt.21.04.06	ix) 0810055823 dt.21.04.06
x)	0810056346 dt.15.05.06	xi) 0810057532 dt.23.06.06	xii) 0810057532 dt.23.06.06
xiii)	0810058115 dt.17.07.06	xiv)0810058873 dt.14.08.06	xv) 0810058873 dt.14.08.06
xvi)	0810059906 dt.27.09.06	xvii)0810059978 dt.29.09.06	xviii) 0810059978 dt.29.09.06
xix)	0810061091 dt.17.11.06	xx)0810061689 dt.14.12.06	xxi) 0810061689 dt.14.12.06
xxii)	0810064817 dt.15.05.07		

The Committee noted that for the advance licences / authorisation at Sl. No. ii), vi), viii) xi), xiii), xv) and xxii) above, the firm had fulfilled more than 50% Qty.-wise (on cumulative basis against individual authorizations). Accordingly, the Committee decided to extend the EO period for a period of six months from the date of communication of the decision of PRC in respect of these 7 licences /authorisations only, subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports 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. 41: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.

File No. 01/94/180/557/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension against advance licence No. 0810047768 dt.10.5.2005 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 in this case, the foreign buyer company at Sweden was taken over by another company. The new Company had communicated their inability to accept and meet their obligation for the Order placed by the acquisition company. The Committee also noted that since the raw material had already been imported from the unregistered sources and the foreign buyer had subsequently denied for the supply to be made by the authorisation holder and the difficulties in initiating penal action against the foreign buyer on account of legal consequences of cancellation of the order, the Committee decided to extend the EOP for a period of six months from the date of communication subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports 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. 42: M/s. Grover Vineyards Ltd., Mumbai

File No. 01/94/180/508/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Extension in EO period of advance licence no. 0710030434 dt. 24.06.04 for three months.

The Committee noted that in this case, the EOP was earlier extended upto 31.3.2008 (45 months) as per ALC decision meeting held on 31.8.07(Adv. Lic. No. 0710030434 dated 24.06.2004). However, EO could be fulfilled to the extent of only 78.15% Qty. wise. The Committee could not find any merit in the case and accordingly decided to reject the case.

Case No. 43: M/s. Tolaram Overseas Corporation, Kolkata

File No. 01/94/180/531/AM09/PC4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension of advance licence no. 0210075234 dated 17.2.2005

The Committee noted that EO had been fulfilled for more than 50% within the EOP (including extended EOP allowed as per policy). Accordingly, the Committee decided to allow EOP extension for a period of six months from the date of communication subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports 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. 44: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.

File No. 01/94/180/559/AM09/PC-4

PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension for two months against advance licence No. 0810056307 dt.15.5.2006 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 the request for EOP extension by the firm against Advance Authorisation No. 0810056307 dated 15.5.2006. The Committee also noted that the manufactured tablets could not be exported in time because of some regulatory issue related to clearance from the Health Department of U.K. and the difficulty in getting approval of MHRA based on stability data provided by the firm. Since, the raw materials were meant for a specific client, the Committee decided to extend EOP for a period of 2 months from the date of communication subject to payment of composition fee @1% per month on the duty saved amount vis-à-vis the exports 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. No further extension could be allowed beyond this extension.

Case No. 45: M/s. Lupin Ltd., Mumbai.

File No. 01/94/180/417/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension against advance licence No. 0310390984 dt.24.7.2006 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 the firm was already granted the 2 EOP extensions against Advance Lic. No. 0310390984 dated 24.7.06 by the RA. Inspite of the fact that the original EOP was limited to six months only and the EO could be fulfilled to the extent of only 51% even within the extended EOP. The Committee could not find any merit in the case and accordingly decided not to accede to the request of the firm for further EOP extension.

Case No. 46: M/s. Lupin Ltd., Mumbai.

File No. 01/94/180/416/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension upto 7.4.06 against advance licence No. 0310215280 dt.21.7.2003 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 the firm could fulfill EO to the extent of only 42% (approx.) within the original EOP upto February, 2004. The Committee also noted that the balance EO could be fulfilled well beyond the general principle adopted by PRC. Since the inputs were imported from the unregistered sources and had been utilised in the exported product, the Committee decided to relax the policy provision without requiring the destruction of the raw material (which had already been used in the export product). However, the EOP for regularization of exports far beyond EOP could not be acceded by the Committee and the firm would be required to pay the Customs Duty and interest for the raw materials which had not been exported or the finished product made out of it within six months from the date of expiry of the original EOP.

Case No. 47: M/s. Lupin Ltd., Mumbai.

File No. 01/94/180/415/AM09/PC-4

PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: EOP extension against advance licence No. 0310279547 dt.8.7.2004 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 the firm could fulfill EO to the extent of only 76% (approx.) within the original EOP. Though the firm had completed the balance exports to consider the same for the purpose of EO fulfillment, it would require EOP upto 30.6.08 whereas the original EOP expired on 8.2.05, which means EOP extension for more than three years. Committee could not find any merit in the case. Accordingly, the Committee decided to grant EOP extension (as a general principle adopted by PRC) upto 6 months from the date of expiry of original EOP subject to payment of composition fee (if not already paid). Committee also decided that since the balance inputs had already been used and exported, the existing provision of the requirement of destruction of imported inputs stands relaxed to the extent that the same would not be required to be destroyed. However, the matter needs to be regularized by way of payment of customs duty and interest thereupon.

Case No. 48: M/s. Golden Silks, Bangalore.

File No. 01/94/180/511/AM08/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance licence no. 0710042145 dt.20.12.05 for six months.

The Committee noted that EO fulfilled in respect of above licence is 100% qty-wise and value wise, within valid EOP as claimed by the firm. It was, therefore, decided to revalidate the advance licence. No. 0710042145 dt. 20.12.05, 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. 49: M/s. Authentic Impex, Mumbai

File No. 01/94/180/476/AM09/PC-4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Revalidation of advance licence no. 0310317913 dt.22.02.05 for six months.

The Committee noted that EO fulfilled in respect of above licence is 100% qty-wise and value wise, within valid EOP as claimed by the firm. It was, therefore, decided to revalidate the advance licence. No. 0310317913 dt. 22.02.05, 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. 50: M/s. Sterlite Optical Technologies Ltd., Mumbai

File No. 01/94/180/82/AM09/PC 4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Request for EOP extension against Advance Licence No. 0310088154 dated 12.6.2001 and adjustment of export made under Shipping Bills against other advance licence of 2005 (which was cancelled earlier on request by the firm) towards E.O. short fall in the licence dt. 12.6.2001.

The Committee noted that earlier PRC had extended EOP against advance licence No. 0310088154 dated 12.6.2001 upto 7.6.2005 which is valid till the end of the month i.e. 30.6.05. Accordingly, the request for EOP extension upto 12.6.05 against the aforesaid licence No. 0310088154 dated 12.6.2001 upto 12.6.2005 is automatic and there is not need for relaxation of the policy provision. So far as acceptance of 13 shipping bills against Licence No. 0310330762 dated 19.5.2005 for the purpose of clubbing with advance licence No. 0310088154 dated 12.6.2001, the Committee could not accede to the request of the firm because the advance licence No. 0310330762 dated 19.5.2005 had aleady been cancelled by RA based on the request by the firm and there is no provision for consideration of shipments made against the cancelled licence for the purpose of inclusion in EO fulfillment against another advance licence.

Case No. 51: M/s. Sabic Innovative Plastics India Ltd., Va dodara

File No. 01/94/180/301/AM08/PC 4
PRC Meeting No.07/AM09 dated: 24.11.2008
Subject: Relaxation in policy and condonation of delay in submission of application beyond the stipulated time for obtaining DFRC licences.

The Committee noted that the request of the firm for acceptance of DFRC application is beyond the maximum time period of 2 years from the prescribed time period with late cut facility and there is no merit in the request of the firm. Accordingly, the Committee decided not to accede to the request of the firm for accepting condonation of delay in submission of the DFRC application.

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