MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO.07/AM10 HELD ON 06.01.2010 AT 4.00 P.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 Amitabh Jain	Addl. DG
2.	Shri V.K. Srivastava	Addl. DG
3.	Shri V.K. Gupta	Addl. DG
4.	Shri A. Komu	Addl. DG
5.	Shri A.K. Singh	Jt.DGFT
6.	Shri Satyen Sharda	Jt. DGFT
7.	Ms Shubhra	Jt.DGFT
8.	Shri Hardeep singh	Jt.DGFT
9.	Shri Akash Taneja	Jt. DGFT
10.	Shri Anil Agarwal	Jt.DGFT
11.	Shri Tapan Mazumder	Jt.DGFT
12.	Ms. Vibha Bhalla	Jt.DGFT
13.	Shri S.S. Sah	Dy.DGFT

Before deliberating on the individual cases, the Committee discussed the subject of composition fee as the first item of the agenda:

(I) Subject : <u>Imposition of composition fee for EOP extension.</u>

The matter regarding the scale of composition fee to be imposed for grant of EOP extension by PRC was deliberated in detail and it was decided that common guidelines should be followed for various cases for the sake of uniformity. The following decisions were taken:

(i) <u>The cases where EOP extension is required for making further exports or for regularisation of exports made beyond valid EOP</u> :- The case will normally be considered by PRC if the application is made within 18 months from the expiry of the Export Obligation Period. The committee is allowing extension of 6 months only. It was decided that a composition fee @ 6% on the duty saved amount on the excess imported inputs in proportion to balance EO, should be imposed for endorsement of extension of six months or lesser period thereof, in such cases where EOP extension is required for making further exports or for regularisation purposes.

(II) <u>The cases where EOP extension is required for clubbing and regularisation</u> :- The committee observed that earlier an application for consideration of EOP extension for clubbing purposes was required to be filed within 2 years from expiry of the EOP, which was subsequently extended to 3 years. However, on account of economic recession and hardships faced by the exporters due to the global slow down, the committee started accepting applications filed upto 4 years from the date of expiry of the EOP. Earlier, the committee imposed a composition fee @ 1% per month on the duty saved amount on the excess imported inputs in proportionate to balance EO beyond original EOP. Since committee accepts applications upto 48 months, the penalty @ 1% per month becomes very high and the benefit accorded by the committee by way of EOP extension for clubbing becomes insignificant. It was therefore decided that in case of EOP extension for purposes of clubbing for regularization, a lenient view should be taken as compared to EOP extension cases for further exports. It was decided that in future a composition fee @ 5% per year or part thereof should be imposed in case of EOP extension sought for clubbing and regularization. It was further noted that in some cases composition fee imposed @1% per month has inadvertently been changed to 6% as a one time measure, however, no such revision of earlier decisions would be considered by the committee.

Case No. 1: M/s. Welspun Gujarat Stahl Rohren Ltd., Bharuch
File No. 01/60/162/236/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of advance licence No. 3410016998 dt. 25.09.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence was more than 100% both Qty.-wise and value-wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 2 M/s. . M.G.S. Govindaraajulu Chettiar & Sons, Karur
File No. 01/60/162/242/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Extension of the EO period of Advance Licence No. 3210032869 dt. 23.06.2006.

The Committee noted from the agenda that the firm has claimed to have fulfilled EO as
Below within the valid EOP:-

S.No.	qty wise	value wise
1.	100%	93%
2.	32%	30%

within valid EOP. Accordingly, the Committee decided to extend EOP against the aforesaid licence, 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 also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation and subject to verification of EO fulfillment of above 50% as claimed by the licencee.

Case No. 3: M/s. PCL Oil & Solvents Ltd., New Delhi
File No. 01/60/162/286/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of Advance Licence No. 0510177458 dated 27.02.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence was 100% both qty. wise and value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 4: M/s. PCL Oil & Solvents Ltd., New Delhi
File No. 01/60/162/287/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of Advance Licence No. 0510195574 dated 04.12.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence was 100% both qty. wise and value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 5: M/s. PCL Oil & Solvents Ltd., New Delhi
File No. 01/60/162/288/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of Advance Licence No. 0510177460 dated 27.02.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence was 100% both qty. wise and value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 6: M/s. Welspun Gujarat Stahl Rohren Ltd., Bharuch, Gujarat
File No. 01/60/162/237/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of Advance Licence No. 3410017239 dated 20.10.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence was more than 50% both qty. wise and value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 7: M/s. Suru Chemicals & Pharmaceuticals Pvt. Ltd., Mumbai
File No. 01/60/162/460/AM09/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of Advance Licence No. 0310377572 dated 26.04.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence was 100% qty. wise and 111.45% value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 8: M/s. CRI Limited, Kolkatta
File No. 01/60/162/251/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Extension of the EO period of Advance Authorisation No. 0210090245 dated 14.06.2006.

The Committee noted that EO fulfilled against aforesaid Advance Authorisation was more than 50% both Qty.-wise and value-wise within valid EOP, as claimed by the firm. Therefore, the Committee decided to extend EOP, against the aforesaid advance authorization, 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 also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 9: M/s. Jain Tube Corporation, Falna
File No. 01/53/162/1670/AM06/J-33/Import Cell
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Request for grant of 2nd revalidation of import Licence No. 1350000272 dated 31.10.2006 for six months.

The Committee noted that the first revalidation was given by RA for six months from the date of its expiry upto 30.04.2009 to the firm and decided to allow next revalidation of above mentioned Import Licence for further six months from the date of communication.

Case No. 10: M/s. P.R.P. Exports, Madurai
File No. 01/92/180/54/AM08/PC VI
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Refund of Excise Duty suffered on HSD purchased in the Open Market in relaxation of para 6.11(c) (iv) of FTP- procurement from market and reimbursement of duty on the basis of central excise tariff.

The Committee considered the case and decision was deferred. It was decided to seek comments from Ministry of Petroleum, on the point that (1) whether the HSD Oil can be procured from open market? (2) whether the incidence of duty is same when the supplies are received from dealers vis a vis the oil companies?

Case No. 11: M/s. Clinigene International Ltd., [M/s. Biocon Ltd.,]
File No. 01/91/180/777/AM10/PC-3
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Request for extension in validity of licence No. 0710054708 dated 30.11.2007 issued under Served From India Scheme for Rs. 54,89,321/- [Total balance unutilized value : Rs.11,01,090/].

The committee discussed the matter at length and the following decision was taken:
The committee considered the fact that there is an economic slowdown and accordingly decided to take a lenient view to revalidate the SFIS scrip No. 0710054708 dated 30.11.2007 for six months from the date of endorsement on the SFIS scrip with a deduction of 5% of balance unutilized value of the duty credit scrip. However, the applicant to approach RA immediately within the next 15 days of communication of PRC decision and RA shall endorse the revalidation of SFIS Scrip No. 0710054708 dated 30.11.2007 within a maximum of 7 days thereafter.

Case No. 12: M/s. Shalina Laboratories Pvt. Ltd., Mumbai
File No. 01/60/162/451/AM8/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension of advance licence 0310331272 dt. 25.05.2005 upto 31.5.2007 to regularize exports for closure of advance licence.

The Committee noted that EO fulfilled in respect of aforesaid Advance licence upto 31.05.2007 is 84.63% Qty wise and 82.82% value wise within valid EOP, as claimed by the firm. Therefore, the Committee decided to extend EOP, against the aforesaid authorisation, for a period of six months to regularize the exports made outside the valid EOP, as the firm has already fulfilled 100% EO and also realized 100% exports proceeds, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to the payment of composition fee @ 6% of the duty saved amount for the balance inputs proportionate to unfulfilled EO.

Case No. 13: M/s. Halcyon Labs Private Ltd., Ahmedabad
File No. 01/60/162/370/AM10/EFGC (PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Request for revalidation licence no. 3410004247 dt. 21.05.02 and no. 3410009199 dated 10.12.03 for the purpose of Clubbing for redemption and regularization.

The Committee considered the request of the firm and decided for condonation of the lapse by making exports made against Annual advance Licences on the basis of ad hoc norms given by ALC against earlier Advance LIcence. They are now advised to approach NC, who is directed to consider their case for fixation of Norms.

Case No. 14: M/s. ACE International, New Delhi
File No. 01/60/162/388/AM10/EFGC (PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of advance authorisation no. 0510204047 dt. 24.05.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorisation was more than 50% both qty. wise and value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm.

Case No. 15: M/s. Intas Pharmaceuticals Ltd., Ahmedabad
File No. 01/94/180/344/AM10/PC-4/ EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension against advance authirisation no. 0810066732 dated 21.8.2007 issued under Policy Circular no. 9 dated 30.6.2003.

The Committee noted that EO fulfilled in respect of aforesaid Advance Authorisation was 82.65% Qty. wise and 100% value wise within valid EOP, as claimed by the firm. Committee also noted that the original EOP is now 12 months as per the FTP, 2009-14. Therefore, the Committee decided to extend EOP for six months, against the aforesaid advance authorization, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to the payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportionate to balance E.O. beyond original EOP.

Case No. 16: M/s. Valiant Organics Pvt. Ltd., Mumbai
File No. 01/60/162/502/AM09/ EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of advance licence no. 0310380802 dt. 17.05.2006

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence was 100% qty. wise and 103% value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm.

Case No. 17: M/s. Gurind India Pvt. Ltd., New Delhi
File No. 01/94/180/472/AM10/PC-4/ EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of Advance Authorisation no. 0510186719 dt. 14.07.06

The Committee noted from the agenda that the firm has claimed to have fulfilled EO as

1.	**100%**
2.	**97%**
3.	**98%**
4.	**97%**

within valid EOP. Accordingly, the Committee and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 18: M/s. Dorf Ketal Chemicals (I) Pvt. Ltd., Mumbai

File No. 01/60/162/125/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension against advance licence no. 0310393312 dt. 04.08.2006.

The Committee noted that EO fulfilled against aforesaid Advance Licence was more than 50% both Qty.-wise and value-wise within valid EOP, as claimed by the firm. Therefore, the Committee decided to extend EOP, against the aforesaid advance authorization, 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 also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period

Case No. 19: M/s. Medchl Chemical and Pharmaceuticals Pvt. Ltd., Secunderabad.
File No. 01/60/162/10/AM10/EFGC (PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of advance licence no. 0910025355 dt. 03.02.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence was more than 100% qty. wise and value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm.

Case No. 20: Smt. K.K. Dhodi, Advocate on behaif of Sh. Sheikh Safder
File No. 01/89/180/45/AM-10/PC-2(A)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject:. Relaxation from the conditions under ILN to Chapter 87 of ITC (HS).

Committee considered the request and decided to permit import of Brand New Toyota Land Cruiser, 200 Series, RHD vehicle in relaxation of ILN 2(II)(a)(iv) and ILN 7 under Chapter 87 of ITC(HS).

Case No. 21: M/s. Venus Album Co. (P) Ltd., New Amritsar
File No. 01/60/162/150/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of advance authorisation no. 1210003825 dt. 01.09.2005

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance licence authorisation was more than 50% both qty. wise and value wise within valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm.

Case No. 22: M/s. Godrej Industries Limited, Mumbai.
File No. 01/60/162/341/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010

Subject: Revalidation of advance authorisation no. 0310379867 dated 10.05.2006 for 6 months.

The Committee noted from the agenda that the firm has claimed to have fulfilled EO as
Below with the valid EOP:-

S.No.	Qty wise	Value wise
(i)	85.06%	96.76%
(II)	82.56%	82.00%
(iii)	144.31%	159.26%

Accordingly, the Committee and accordingly the Committee decided to revalidate the aforesaid advance authorization 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 23: M/s. Bosch Limited, Bangalore
File No. 01/53/8/337/AM-10/ILS/EFGC (PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Import of Second hand Vehicle for development of ACS Unit.

Committee considered the request of the firm and decided to permit import of Second hand Vehicle for R&D purposed for development of ACS Unit subject to the condition that the vehicle will not ply on road & not allowed registration under CMVR rules.

Case No. 24-30: M/s. Bremels Rubber Industries Pvt. Ltd., Bangalore.
File No. i) 01/60/162/67/AM10/EFGC(PRC)
ii) 01/60/162/68/AM10/EFGC(PRC)
iii) 01/60/162/69/AM10/EFGC(PRC)
iv) 01/60/162/70/AM10/EFGC(PRC)
v) 01/60/162/71/AM10/EFGC(PRC)
vi) 01/60/162/72/AM10/EFGC(PRC)
vii) 01/60/162/73/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of 7 Advance Authorization Nos. (i) 0710047280 dt. 08.09.2006; (ii) 0710047281 dt. 08.09.2006; (iii) 0710047436 dt. 19.09.2006; (iv) 0710048435 dt. 15.11.2006; (v) 0710046769 dt. 18.08.2006; (vi) 0710046998 dt. 28.08.2006 & (vii) 0710046997 dt. 28.08.2006.

The Committee noted from the agenda that the firm has claimed to have fulfilled EO as
Below within the valid EOP:-

<table>
<tr><th>S.No.</th><th>Qty.-wise</th><th colspan="2">Value-wise</th></tr>
<tr><td>(i)</td><td>86%</td><td colspan="2">65.50%</td></tr>
<tr><td>(ii)</td><td>99.70%</td><td colspan="2">95.70%</td></tr>
<tr><td>(iii)</td><td>100%</td><td colspan="2">99%</td></tr>
<tr><td rowspan="2">(iv)</td><td rowspan="2">100%</td><td>(i)</td><td>100%</td></tr>
<tr><td>(ii)</td><td>9%</td></tr>
<tr><td></td><td></td><td colspan="2"></td></tr>
</table>

(v)	100%	87.65%
(vi)	100%	98.30%
(vii)	100%	98.35%

Accordingly, the Committee and accordingly the Committee decided to revalidate the aforesaid advance authorizations 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 authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements at the time of revalidation.

Case No. 31: M/s. Hindustan Zinc Limited, Udaipur
File No. 01/89/180/43/AM-10/PC-2(A)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Relaxation of import conditions under ILN to Ch. 87 of ITC (HS).

Committee considered the request of the firm and decided to permit 18 Nos. – 240 MT Komatsu 830 E AC Dump Trucks in relaxation of ILN 7 of chapter 87 subject to the condition that the vehicles would be kept off Road.

Case No. 32: M/s. Focus Energy Limited.
File No. 01/89/180/20/AM09/PC-2(A)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Relaxation of import conditions under ILN to Chapter. 87.

Committee considered the request of the firm and decided to permit import of one Logging Truck (with Left Hand Steering and control) from China and Trailerised Coil Tubing Unit in relaxation of ILN 2 (II)(a)(ii) of chapter 87 and subject to the condition that the vehicle would be kept off Road..

Case No. 33: M/s. Suresh Transport Company, Ahmedabad
File No. 01/89/180/34/AM-10/PC-2(A)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Relaxation of Conditions laid down in ILN 2(II) © to Chapter 87.

Committee considered the request of the firm and decided to permit import of Truck Mounted Hot Oil Unit from USA in relaxation of ILN 2(II)(c) of chapter 87 subject to the condition that the vehicles would be kept off Road.

Case No. 34: M/s. . ITC Limited, Guntur
File No. (i) 01/94/180/635/AM09/PC-4/ EFGC(PRC)
(ii) 01/94/180/676/AM09/PC-4/ EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: (i) Revalidation of DEPB licence No. 0910027881 dt. 19.10.2006 and (ii) Revalidation of DEPB licence No. 0910027882 dt. 19.10.2006 due to delay in the endorsement by the RA.

The Committee considered the request of the firm & noted that for licence at Sl. No. (i) above, the decision of PRC communicated on 26.12.2008 could be implemented only on 18.3.2009 revalidating the licence for six months with effect from 26.12.2008. Thus out of six months approved, the firm could avail revalidation only for three months due to late implementation of decision by RA. Similarly, for Sl. no. (ii) above, the decision of the PRC dated 27.1.09 allowing revalidation of DEPB for six months from the date of communication i.e. 9.2.2009 could not be implemented by RA, at all due to RA's misunderstanding.

In view of above circumstances the committee decided to grant 3 months' revalidation against DEPB No. 0910027881 and 6 months revalidation against DEPB No. 0910027882 dt. 19.10.06. RA is further instructed to be more careful and avoid such incidences of delayed application of decisions and misunderstandings on their part.

Case No. 35: M/s. Standard Corporation India Limited, Barnala
File No. 01/89/180/24/AM-10/PC-2(A)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Relaxation of import condition given in ILN to Chapter 87.

Committee considered the request of the firm and decided to permit of import of one 50T Truck Mounted Crane in relaxation of ILN 1(II)(ii) & 2(II) of chapter 87 subject to the condition that the vehicle would be kept off Road.

Case No. 36: M/s. Proline Overseas, Delhi
File No. 01/53/8/488/AM-10/P-40/IC
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Import of 3990 MTs of Oats for Stock and Sale

The Committee considered the case & decided to allow Import Licence for Import of 3990 MTs of Oats for Stock and Sale on the basis of NOC given by the Deptt. Of Agriculture & Cooperation, New Delhi vide their OM 14030/2/2008-Trade dated 09.12.2009 subject to the conditions imposed by them.

Case No. 37: M/s. Poonawalla Astonish Stud (P) Ltd., Pune
File No. 01/53/8/736/P-51/Import Cell
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: 2nd Revalidation of Import Licence no. 3150000295 dated 07.05.2007 for further six months.

The request of the firm was considered and accordingly the committee decided to allow post-facto approval for 2nd Revalidation of Import Licence no. 3150000295 dated 07.05.2007 for further six months.

Case No. 38: M/s. R.P.C. Foods, Delhi
File No. 01/53/8/445/AM-10/R-40/Import Cell
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Grant of Import Licence for import of 40 MTs of Arborio Rice and 5 MTs of Carnaroli Rice from Italy for Stock and Sale.

The Committee considered the case & decided to allow Import Licence for Import of 40 MTs of Arborio Rice and 5 MTs of Carnaroli Rice from Italy for Stock and Sale on the basis of NOC given by the Deptt. Of Agriculture & Cooperation, New Delhi vide their OM 14030/02/2008-Trade dated 10.12.2009 subject to the conditions imposed by them.

Case No. 39: M/s. Lodhi Sports, New Delhi
File No. 01/53/8/672/AM-09/L-26/Import Cell
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Grant of Import Licence for import of 200 Nos. Hunting/Targeting Shooting Rifles from UK for stock and sale.

The Committee considered the case & noted that at present, import licence for air rifles is given to renowned shooters only & not for stock and sale purpose. It was also observed that no comments have been received from Department of Sports which is the concerned Administrative Ministry. Moreover, it was not clear whether the rifles are air rifles or hunting/ target shooting rifles. Committee, therefore deferred the case and decided as under:

1. Clarification from firm may be sought whether imported goods are air rifles for target shooting only or are capable of hunting also.
2. Opinion of Ministry of Youth Affair and exports be obtained regarding nature of goods to be imported.
3. Opinion of Ministry of Home Affairs be obtained as to whether hunting/ target shooting rifles should be allowed on stock & sale basis, as in normal cases air rifles are only allowed to 'Actual Users' & not permitted for trading activity.

It was decided to seek comments from Deptt. Of Sports & Youth Affairs as the rifles are being imported for sporting activity. Also the matter should be referred back to MHA to ask their confirmation on the point of free stock & sale of the Shooting rifles

Case No. 40: M/s. Nippon Audiotronix Ltd., Noida
File No. 01/53/8/414/AM-10/N-19/Import Cell
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Grant of Import Licence for import of 300000 Pcs of Remote Control Operated Electronics Cas Security Systems parts-namely-Remote for supply to Maruti Udyog M/s. Mahindra & Mahindra, Hindustan Motors Ltd., for stock and sale.

The Committee considered the case & decided to allow Import Licence for Import of 300000 Pcs of Remote Control Operated Electronics Cas Security Systems parts-namely-Remote for supply to Maruti Udyog M/s. Mahindra & Mahindra, Hindustan Motors Ltd., for stock and sale. on the basis of NOC given by the Home Ministry vide ID No. IV-2401/8/09/Prov.I dated 30.10.2009.

Case No. 41: M/s. Maruti Suzuki India Limited, Gurgaon
File No. 01/89/180/35/AM-10/PC-2(A)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Relaxation of import condition given in ILN to Chapter 87.

Committee considered the request of the firm and decided to permit import of second hand Suzuki Carry Truck from Taiwan for R&D purpose in relaxation of ILN 2(II)(f) of chapter 87 subject to the condition that the vehicle will not ply on the road.

Case No. 42: M/s. Hinduja Exports Pvt. Ltd., Ahmedabad
File No. 01/94/180/1010/AM10/PC- 4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of following 3 advance authorizations:- (i) 0810043530 dt.11.11.04, (ii) 0810044011 dt.07.12.04, (iii) 0810044290 dt.16.12.04,
For the purpose of clubbing of aforesaid authorization with other following four authorizations:
(iv) 0810044012 dt.07.12.04, (v) 0810044140 dt.13.12.04, (vi) 0810044141 dt.13.12.04, (vii) 0810045046 dt.13.01.05.

The Committee considered the request of the firm and decided to allow Revalidation of following 3 advance authorizations:- (i) 0810043530 dt.11.11.04, (ii) 0810044011 dt.07.12.04, (iii) 0810044290 dt.16.12.04 for the purpose of clubbing of aforesaid authorization with other four authorizations: (iv) 0810044012

dt.07.12.04, (v) 0810044140 dt.13.12.04, (vi) 0810044141 dt.13.12.04, (vii) 0810045046 dt.13.01.05, subject to verification of prescribed value addition achieved by them after clubbing.
The revalidation of above 3 licences is subject to payment of composition fee @1% of the unutilized cif value of the authorization.

Case No. 43 to 50 (Received from GRC):-

Case No. 43: M/s. Kopran Ltd., Mumbai
File No. 01/94/180/237/AM08/PC-4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension against advance licence Nos. (i) 03025619 dt. 29.9.98 (ii) 03023984 dt. 22.7.98 & (iii) 0310057621 dt. 17.10.2000. which expired its EOP of 30 months on 28.3.2001, 21.1.2001 & 16.4.2003 respectively, without payment of composition fee.

In this case GRC decided to allow EOP extension for the aforesaid licences, subject to payment of composition fee @1% over a period of 1-1/2 years i.e., by Sept. 2010. GRC also decided that CDR is not at par with BIFR, so Composition Fee cannot be waived off but keeping in view the loan liabilities of the firm, they may be permitted to pay the composition fee over a period of one and a half year by Sept., 2010. Composition Fee may be paid in equal quarterly installments. LUT undertaking to be executed by DGFT.

Case No. 44: M/s. Wanbury Ltd., Raigarh
File No. 01/94/180/419/AM09/PC-4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension against following 7 advance licences:

1. 0310147571 dt. 15.07.02.
2. 0310026878 dt. 16.02.00
3. 0310130778 dt. 26.03.02
4. 0310105816 dt. 12.10.01
5. 0310139203 dt. 24.05.02
6. 0310023890 dt. 20.02.00
7. 0310154645 dt. 22.08.02

In this case . GRC and decided to allow EOP extension of six advance licences for 2 months from the da e of this communication against above mentioned 7 advance licences, subject to payment of composition fee @ 1% p.m. from the date of expiry of the licence with a min. of 6%, whiever is more.

Case No. 45: M/s. Supreme Industries Ltd., Mumbai
File No. 01/94/180/639/AM08/PC-4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension against advance licence no. 0310123741 dt. 8.2.02 upto30.04.07 for regularization purpose which expired its EOP of 30 months on 7.8.2004

In this case, GRC decided to relaxation for EOP extension against advance licence Nos. 0310123741 dt. 8.2.02 upto30.04.07 for regularization purpose subject to payment of composition fee @ 1.5% p.m. EOP of 30 months expiring on 7.8.2004.

Case No. 46: M/s. . Metallic Bellows (I) Pvt. Ltd., Chennai
File No. 01/94/180/1081/AM08/PC-4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: To condone the procedural lapse and to accept free shipping bulls (white shipping bill) for the purpose of fulfillment of EO under advance licence no. 0410054636 dated 16.03.04 and no. 0410083284 dated 01.08.2006.

In this case. GRC took into consideration the recommendation of the Office of Commissioner of Customs (Expots), Jawaharlal Nehru Customs House Sheva and accordingly decided to condone the procedural lapse and to accept free shipping bulls (white shipping bill) for the purpose of fulfillment of EO under advance licence no. 0410054636 dated 16.03.04 and no. 0410083284 dated 01.08.2006. The Committee also directed that this should not be taken as precedent in future.

Case No. 47: M/s. Hindustan Plantinum Pvt. Ltd., Navi Mumbai
File No. 01/94/180/48/AM09/PC-4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Waiver of composition fee on revalidation of advance licence no. 0310321233 dt. 14.2.05.

In this case, GRC took into consideration the fact that the composition fee@ 1% of unutilized CIF of imports (allowed by PRC for revalidation) is much higher then the saving & accordingly decided to allow composition fee @ 0.25% instead of 1% allowed earlier by PRC.

Case No. 48: M/s. Nivas Exports, Bangalore
File No. 01/94/180/334/AM09/PC- 4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension against advance licence No.0710028823 dt. 16.04.04 which expired its EOP on 15.4. 07.

In this case, GRC decided to allow EOP extension for 3 months from the date of communication against advance licence No.0710028823 dt. 16.04.04, which expired its EOP on 15.4. 07, subject to payment of composition fee of 6% of duty saved amount in proportionate to unfulfilled EO.

Case No. 49: M/s. Shalina Laboratories Pvt. Ltd., Mumbai
File No. 01/94/180/253/AM09/PC- 4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension against advance licence No. 0310310820 dt. 5.1.05 (issued under Policy Circular No. 9 dt. 30.06.03) from 1.7.2005 to 31.12.06 for regularization purpose.

In this case, GRC decided to allow EOP extension against advance licence No. 0310310820 dt. 5.1.05 (issued under Policy Circular No. 9 dt. 30.06.03) upto 31.12.06 for regularization purpose. This is subject to payment of composition fee of 6% for the duty saved amount for the balance inputs in proportionate to E.O. beyond valid EOP.

Case No. 50: M/s. . NU Tech Security Printers, New Delhi
File No. 01/94/180/702/AM08/PC- 4
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EOP extension against advance licence no. 0510122019 dt. 25.3.04.

In this case, GRC decided to allow EOP extension against advance licence no. 0510122019 dt. 25.3.04 for 6 months from the date of communication subject to payment of composition fee of 6% for the duty saved amount for the balance inputs in proportionate to E.O. beyond valid EOP.

Decision for the cases from Sl. No. 43 to 50

For the cases at Sl. No, 43 to 50 of this minutes, which are based on GRC decisions, the same stands ratified as per the GRC decision, stated therein, as one time measure, which is not to be repeated or used as precedent.

Case No. 51: M/s. . Deeksha Holding Limited, New Delhi
File No. 01/89/180/44/AM-10/PC-2(A)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Policy Relaxation in Import of Old Ferrari, M 512, Model: 1996.

Committee considered the request of the firm and decided to permit import of old Ferrari, M 512, Model 1996 for the purpose of use as a showpiece only and that it will not be registered under CMVR rules & not ply on the road. The import will be allowed only through Mumbai Airport as per the Policy.

Case No. 52: M/s. Sh. Raj Kumar Marlapudi
File No. 01/89/180/47/AM-10/PC-2(A)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Permission for import of specially designed vehicles (LHD) suitable for use by Handicapped person.

Committee considered the request of the firm and decided to permit import of a specially designed LHD vehicle and a battery operated scooter for use by the physically handicapped person in relaxation of ILN 3 (I) & (II) of chapter 87.

Case No. 53: M/s. Dolphin Laboratories Limited , Mumbai
File No. 01/60/162/324/AM10/EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Revalidation of advance authorisation no. 0310156351 dt. 03.09.02 for the purpose of Clubbing with advance authorization no. 0310166768 dated 13.11.2002.

The Committee noted the agenda and decided to revalidate the advance authorisation no. 0310156351 dt. 03.09.02 for the purpose of Clubbing with advance authorization no. 0310166768 dated 13.11.2002 for regularization purpose only. RA should verify the EO fulfillment status, as claimed by the firm.

Case No. 54: M/s. Poggen-AMP Naggarsheth Powertronics Pvt. Ltd., Ahmedabad
File No. 01/94/180/274/AM09/PC- 4/ EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: EO extension for clubbing of advance licence no. 0810001998 dated 7.4.2000 with advance licence nos. 0810082007 dated 4.8.09, 0810082006 dated 4.8.09 and 0810081967 dated 4.8.09 in terms of Para 2.5 of the FTP.

The Committee considered and deferred the case for examination alongwith the other file where case has been considered as claimed by the licencee.

Case No. 55: M/s. Poggen-AMP Naggarsheth Powertronics Pvt. Ltd., Ahmedabad
File No. 01/94/180/446/AM08/PC- 4/ EFGC(PRC)
PRC Meeting No.07/AM10 dated: 06.01.2010
Subject: Seeking reduction in the Composition fee from 1% per month to one time 6%.

The Committee considered and rejected the request of the firm for reducing the composition fee from 1% p.m. to one time 6%.

Case No. 56: M/s. Bosch Limited, Bangalore
File No. 01/89/180/32/AM-10/PC-2(A)
PRC Meeting No.07/AM10 dated: 6.01.2010
Subject: Request for relaxation in ILN 2(II)(f) of chapter 87.

Committee considered the request of the firm and observed that they had imported 3 second hand vehicles under EPCG licence strictly for R&D purpose only. Now they want to conduct emission tests by running it on the road. The Committee decided to allow them use of one vehicle named BMW, on the roads for R&D purpose, with temporary registration in relaxation of the conditions earlier imposed against EPCG licence.
