

THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 08/AM14 HELD ON 04.06.2013 AT 11.30 A.M. UNDER THE CHAIRMANSHIP OF Dr. A.K PUJARI, DIRECTOR GENERAL OF FOREIGN TRADE.

PRC Meeting was held under the Chairmanship of DGFT and list of officers present in the meeting is given below:

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|--------------------------------|---------------|
| 1. Shri D.K. Singh | Addl. DG |
| 2. Shri. V.K. Srivastava | Addl. DG |
| 3. Shri Mukesh Bhatnagar | Addl.DG |
| 4. Shri L.B. Singhal | Addl. DG |
| 5. Shri K.C. Raut | Addl. DG |
| 6. Shri R. Selvam | Jt. DGFT |
| 7. Shri Hardeep Singh | Jt.DGFT |
| 8. Shri Jaikant Singh | Jt. DGFT |
| 9. Shri Jaykaran Singh | Jt. DGFT |
| 10. Shri Ajay Kumar Srivastava | Jt. DGFT |
| 11. Shri A.K. Mishra | Stats Advisor |
| 12. Shri S.K. Mohapatra | DDG |
| 13. Smt. Sonika Khattar | FTDO |

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

Case No.1. M/s Lok-Beta Pharmaceuticals (I) Limited.

F.No. 01/60/162/130/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for waiver of PC-18 condition for goods imported against Advance Authorization No. 0310457537 dated 14.01.2008 issued under PC-9 condition.

It was observed that after the importing of raw material the same were stolen within 15 days from the date of import. There doesn't seem to be any mala fide intention as the firm has already deposited custom duty with interest. The Committee therefore decided to waive the condition of PC-18 dt. 30.10.2007 to the extent of requirement of destruction/re-export of drugs imported from unregistered sources.

(Action : RA, Mumbai)

Case No.2. M/s Lok-Beta Pharmaceuticals (I) Limited.

F.No. 01/60/162/139/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for extension of EOP of Advance Authorization No. 0310541534 dated 14.10.2009 issued under PC-9 condition.

After deliberating the case at length the following decisions were taken:

After deliberating the case at length the following decisions were taken.

- i. Export obligation period is extended from 12 months to 18 months from the date of first import consignment.
- ii. This is only for regularization and closure purpose and not for prospective export.
- iii. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- iv. The applicant has to pay duty +interest on inputs consumed and exported after 18 months from date of first import.
- v. PC-18 condition is waived on this exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.

(Action : RA, Mumbai)

Case No.3. M/s Southern Sales & Services, Bangalore.

F.No. 01/60/162/101/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for revalidation of Advance Authorization No. 0710075516 dated 22.11.2010

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.4. M/s Birla Tyres, Kolkata.

F.No. 01/94/180/417/AM13/PC-4

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for issue of DEPB against 12 shipping bills pertaining to the year 2002-03.

The Committee observed that the payment against the shipping bills were realized in the July, 2002. Therefore, the applicant should have filed claim within six months from the date of realization. The applicant did not submit application within the prescribed time limit in terms of Para 4.47 read with Para 9.3 of HBP and has not given any valid reason for filing late.. The Committee, therefore, did not agree to accede the request.

Case No.5. Reference. M/s Sidhhartha Corp. Pvt.. Limited.

F.No. 01/36/218/03/AM-14/TC

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for facility of self sealing for recipients of Export Recognition Awards.

Withdrawn. In this case no relaxation has been requested. As such, is not subject matter of PRC.

Case No.6. M/s Torrent Pharmaceuticals Limited, Ahmedabad.

F.No. 01/60/162/136/AM14/EFGC(PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for grant of 6 months EOP extension of Advance Authorization No. 0810103469 dated 14.09.2011 issued under PC-9 condition.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 12 months to 18 months i.e. upto 30.04.2013 in **continuation** from the date of first import consignment.
- ii. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- iii. For balance export or export made outside the extended EOP, the applicant should follow condition of Pc-18 dt. 30.10.2007.

(Action : RA Mumbai)

Case No.7. M/s Aarti Drugs Limited, Mumbai.

F.No. 01/60/162/137/AM14/EFGC(PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for clubbing of two Advance Authorization Nos. (1) 0310427181 dated 18.04.2007 (2) 0310428363 dated 30.04.2007 issued under PC-9 condition for redemption and regularization purpose.

After deliberating the case at length the following decisions were taken:

- i. Clubbing of 2 above advance authorizations as referred above is allowed.
- ii. Exports made against subsequent authorization but within 12 months from the date of import of first consignment against earliest authorization shall only be taken into account for clubbing of authorizations.
- iii. RA may grant necessary extension in EO subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization Value addition of minimum 15% or as stipulated in the authorization whichever is higher shall be ensured. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
- iv. RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, Mumbai)

Case No.8. M/s Aarti Drugs Limited, Mumbai.

F.No. 01/60/162/138/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for extension of EOP of Advance Authorization No. 0310530968 dated 23.7.2009 issued under PC-9 condition for redemption and regularization purpose.

After deliberating the case at length the following decisions were taken:

- I. Export obligation period is extended from 6 months to 12 months i.e. upto 31.8.2010 from the date of first import consignment.
- II. This is only for regularization and closure purpose.
- III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.

(Action : RA, Mumbai)

Case No.9. M/s Indo German Alkaloids.

F.No. 01/60/162/131/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for 2nd revalidation of Advance Authorization No. 0310589403 dated 25.08.2010

The committee did not agree with the reasons and justification given by the party. Hence, the request is rejected.

Case No.10. M/s Calyx Chemicals & Pharmaceuticals Limited, Mumbai.

F.No. 01/60/162/133/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization 0310489495 dated 08.10.2008.

After detailed discussion it was opined that export obligation period has been reduced from 36 months to 18 months in the amended policy w.e.f. 5.6.2012. Therefore, there is no logic to allow extension beyond 48 months (including 12 months deemed extension) which PRC considers after 36 months in old cases). The licence under question was issued on 16.10.2008. Now 55 months have been passed but firm could not fulfil EO. Justification that goods imported four and a half years back could not be processed and exported.

The committee decided to reject the request advising the applicant to get the case regularized in terms of Para 4.28 of HBP.

(Action : RA Mumbai) If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of

presented to the party have to get the case registered in terms of F.No. 01/60/162/134/AM14/EFGC (PRC) 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 report.

Case No.11. M/s Calyx Chemicals & Pharmaceuticals Limited, Mumbai.

F.No. 01/60/162/134/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization 0310546112 dated 17.11.2009.

Deferred for further examination.

Case No.12. M/s Calyx Chemicals & Pharmaceuticals Limited, Mumbai.

F.No. 01/60/162/135/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization 0310559471 dated 10.02.2010.

Deferred for further examination.

Case No.13. M/s DCM Textiles Limited, New Delhi.

F.No. 01/60/162/1766/AM11/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for relaxation of policy procedure for filing of DEPB application for EDI generated 3 shipping bills.

The committee noted that no policy relaxation is required in this case. RA is directed to take necessary action as per Para 9.12 of HBP as the goods were handed over to the Customs Authority before the PN 57 dt. 21.4.2010..

(Action : RA Delhi)

Case No.14. M/s ITC Ltd. Chennai

F.No. 01/91/180/1256/AM12/PC-3

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for relaxation for the grant of Chapter-3 benefit/incentives under the Foreign Trade Policy.

Deferred for further examination.

Case No.15. M/s IDMC Ltd, Vadodara.

F.No. 01/60/162/1766/AM11/EFGC (PRC)

F.No. 01/60/162/178/AM13/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for revalidation of Advance Authorization 3410024191 dated 18.05.2009.

The committee noted that there was no inordinate delay on the part of RA and did not find any reason warranting policy relaxation under para 2.5 of FTP. Hence rejected the request.

Case No.16. M/s Sturdy Industries Ltd.

F.No. 01/60/162/1236/AM12/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization no. 2210007152 dated 18.10.2007 for regularization purpose.

The committee noted that in the authorization no. 2210007152 dt. 18.10.2007, PRC had already granted extension EOP upto 48 months. There is no justification for further extension in EOP. Hence the request of further extension is rejected. The applicant is hereby directed to get the case regularized in terms of Para 4.28 of HBP.

(Action : RA Chandigarh. If the party fails to get the case regularised 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 report)

Case No.17. M/s Supermax Personal Care Pvt. Ltd, Mumbai.

F.No. 01/60/162/617/AM13/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for revalidation of Advance Authorization no. 2210007152 dated 08.02.2010

Justification and reasons cited by the applicant are not convincing to the committee hence the request is rejected reiterating the earlier decision of PRC meeting 33/AM13 held on 18.12.2012.

Case No.18. M/s Hardayal Eng. Works (P) Ltd.

F.No. 01/60/162/142/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization no. 0510227709 dated 18.09.2008

The committee noted that firm has not exported any quantify. There there is no reason to believe that firm will export now against the authorization obtained more than four and a half years ago. Request is rejected. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(Action : CLA, New Delhi. If the party fails to get the case regularised 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 report)

Case No.19. M/s Hardayal Eng. Works (P) Ltd.

F.No. 01/60/162/143/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization no. 0510233976 dated 06.01.2009

The committee noted that firm has not exported any quantify. There there is no reason to believe that firm will export now against the authorization obtained more than four and a half years ago. Request is rejected. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(Action : RA CLA, New Delhi. If the party fails to get the case regularised 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 report)

Case No.20. M/s Jyoti Apparel, Delhi.

F.No. 01/60/162/140/AM13/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization no. 0510223244 dated 02.07.2008

The committee noted that in the authorization no. 0510223244 dated 02.07.2008, PRC had already granted extension EOP upto 48 months. There is no justification for further extension in EOP. Hence the request of further extension is rejected. The applicant is hereby directed to get the case regularized in terms of Para 4.28 of HBP.

(Action : RA CLA, New Delhi. If the party fails to get the case regularised 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 report)

Case No.21. M/s Apsara Silks, Bangalore.

F.No. 01/60/162/140/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization no. 0710089439 dated 04.07.2012

The committee noted that no considerable exports, which form merit of the case, have been made by the firm within the original validity, hence the request is rejected. 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 regularised 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 report)

Case No.22. M/s Vital Healthcare Pvt. Ltd.

F.No. 01/60/162/152/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization no. 0310494960 dated 20.11.2008 issued under PC-9 condition.

The Committee observed that under this licence drugs were imported from un-registered source on 8.12.2008 and only 31% exports obligation are completed. The potency of the drug so imported cannot remain intact for 4 long years. The Committee, therefore, decided to reject the request of the applicant with direction to get the case regularized in terms of Par 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action : RA Mumbai. If the party fails to get the case regularised 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 report)

Case No.23. M/s JFC Business Ltd, Kolkata.

F.No. 01/60/162/619/AM13/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for revalidation of Advance Authorization No. 0210133974 dated 18.11.2009

The Committee noted that the firm could not utilized the Advance Authorization on account of non acceptance of licence at ICEGATE because of grant of revalidation done manually. The committee on the basis of the report received from RA decided to revalidate the aforesaid authorization for 3 months from the date of endorsement or upto 30.9.2013 which ever is earlier.

(Action : RA, Kolkata)

Case No.24. M/s Vital Healthcare Pvt. Ltd.

F.No. 01/60/162/152/AM14/EFGC (PRC)

F.No. 01/60/162/133/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization no. 0310495712 dated 26.11.2008

The Committee observed that under this licence drugs were imported from un-registered source on 8.12.2008 and only 33% exports obligation are completed. The potency of the drug so imported cannot remain intact for 4 long years. The Committee, therefore, decided to reject the request of the applicant with direction to get the case regularized in terms of Par 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action : RA Mumbai. If the party fails to get the case regularised 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 report)

Case No.25. M/s. Dyynamic Technologies Ltd, Bangalore.

F.No. 01/60/162/28/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for EOP extension of Advance Authorization no. 0710092053 dated 22.11.2012

Deferred for seeking more details from RA/Applicant.

(Action : RA Bangalore/ Applicant)

Case No.26. M/s GES Polymers Pvt. Ltd, Mumbai.

F.No. 01/60/162/302/AM13/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for revalidation of Advance Authorization No. 0310527322 dated 06.07.2010.

The committee noted that there was no inordinate delay on the part of RA and did not find any reason warranting policy relaxation under para 2.5 of FTP hence rejected the request.

Case No.27. M/s Agro Tech Foods Ltd, Secunderabad.

F.No. 01/53/08/643/AM12/S-154/IC

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Request for clearance of imported Maize (Corn) from the Customs Port Nhava Sheva After 31.03.2013, which have already reached the port under TRQ issued for FY 2012-13.

The Committee observed that TRQ is issued allowing import of restricted goods under duty concession for the particular financial year which cannot

be considered for next financial year. The Committee therefore did not accede the request.

Case No.28. Tirupati Plastomatics Pvt. Ltd.

F.No. 01/60/162/145/AM14/EFGC (PRC)

PRC Meeting No. 08/AM14 dated 04.06.2013

Subject: - Closure of Advance Authorization no. 1310021120 dated 10.03.2006

The committee noted that all the supplies have been made before the EDI generated file no./ E-com reference no. therefore the same can not be counted for discharge of export obligation. Hence the request is rejected. The applicant is hereby directed to get the case regularized in terms of Para 4.28 of HBP.

(Action: RA, Jaipur If the party fails to get the case regularised 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 report)

Case No. 29 Reference received from Norms Committees

F.No.

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

Norms Committee-I

Sl.No.	Name of the firm	Adv. Authorization. No.	M. No. & Date	Date of communication of earlier decision	Representation submitted on	Present status
1.	M/s. Larsen & Toubro Limited, Mumbai F.No.01/80/050/01106/AM08/DES-I	0310461144 dt.14.02.2008	52/10 dt.30.03.2010	26.05.2010	11.01.2013	Approved
2.	M/s. Boysen India Limited, Noida	0510299447 dt.11.08.2011	NC No. 24/12	11.04.2012	14.09.2012	Approved

	F.No.01/80/050/00278/AM12/DES-I		dt.07.02.2012			
3.	M/s. Boysen India Limited, Noida F.No.01/80/050/00782/AM11/DES-I	0510282994 dt.03.02.2011	NC No. 22/12 dt.24.01.2012	14.03.2012	20.03.2013	Approved
4.	M/s. Boysen India Limited, Noida F.No.01/80/050/00129/AM11/DES-I	0510263144 dt.27.04.2010	NC No. 26/11 dt.28.09.2010	16.11.2010	20.03.2013	Approved
5.	M/s. MMP Filtration Pvt. Ltd., Kolkata F.No.01/80/050/00896/AM09/DES-I	0210111016 dt.02.04.2008	NC No. 47/09 dt.07.02.2009	19.05.2009	27.12.2012	Approved
6.	M/s. Clyde Bergemann India Pvt. Ltd., New Delhi F.No.01/80/050/00295/AM13/DES-I	0510332726 dt.28.08.2012	NC No. 17/13 dt.13.11.2012	14.12.2012	05.01.2013	Approved

Norms Committee-III

S.No,	Name of the firm	Adv. Lic. No.	Meeting No.& Date	Date of Communication Of earlier decision	Representation submitted on	Present status
1	M/s. Galaxy Surfactants Limited	0310588363 Dt.18.08.2010	29/AM13 24.01.2013	05.10.2010	18.05.2012	Deferred
2	Divis Laboratories Limited	0910045589 Dt.18.02.2011	25/AM13 29.11.2012	09.08.2011	31.07.2012	Deferred
3.	Medreich Limited	0710052078 Dt.20.06.2007 0710053240	26/AM13 13.12.2012	15.01.2013	17.05.2012	Approved

		Dt.10.09.2007				
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The Committee ended with the Vote of Thanks to the Chair.
