THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 09/AM13 HELD ON 12.06.2012 AT 11.30 A.M. UNDER THE CHAIRMANSHIP OF Dr. A.K PUJARI, DIRECTOR GENERAL OF FOREIGN TRADE.

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

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| 1. | Shri D.K Singh | Addl. DG |
| 2. | Shri. V.K. Srivastava | Addl. DG |
| 3. | Shri N.P.S. Monga | Addl. DG |
| 4. | Dr. Rajiv Arora | Jt. DGFT |
| 5. | Shri R.S.Ratna | Jt. DGFT |
| 6. | Shri A.K. Singh | Jt. DGFT |
| 7. | Shri. S.K. Samal | Jt. DGFT |
| 8. | Shri Jaikant Singh | Jt. DGFT |
| 9. | Shri Jaikaran Singh | Jt. DGFT |
| 10. | Shri D.C. Sharma | Stats Advisor |
| 11. | Shri A. Mishra | Stats Advisor |
| 12. | Shri Sanjay Kumar | Dy. DGFT |

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

Case No.1. M/s. National Steel & Agro Industries Limited
F.No. 01/60/162/638/AM12/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP of the advance licence No.1110018443 dated 19.09.2008.

The Committee considered the request and decided to extend EOP against the aforesaid advance authorization for 6 months from the date of communication, 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 exports 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No.2. M/s. National Steel & Agro Industries Limited
F.No. 01/60/162/489/AM12/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP of the advance licence No.1110018441 dated 19.09.2008.

The Committee considered the request and decided to extend EOP against the aforesaid advance authorization for 6 months from the date of communication, 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 exports 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No.3. M/s. Magsons Expoerts, New Delhi
F.No. 01/60/162/166/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for the EOP extension of the advance licence No. 0510230773 dated 14.11.2008.

The Committee noted that the firm has made no exports during the valid EOP and, therefore, decided to reject the case.

Case No.4. M/s. Umedica Laboratories Pvt. Limited, Mumbai
F.No. 01/60/162/1210/AM12/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for the EOP extension of the advance licence No. 0310502028 dated 09.01.2009.

The Committee considered the request and decided to extend EOP against the aforesaid advance authorization for 6 months from the date of communication, 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 exports 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No.5. M/s. Lupin Limited, Mumbai
F.No. 01/60/162/160/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for the EOP extension of the advance licence No. 0310616927 dated 21.02.2011.

The committee noted that the above authorization was issued under PC-9 condition. In such cases the maximum extension of 6 months in EOP is granted for the purpose of regularization. In the instant case the committee decided to grant extension upto 30.9.2012 subject to the stipulated conditions of PC-9 and subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to exports 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No.6. M/s. Lupin Limited, Mumbai
F.No. 01/60/162/156/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for the EOP extension of the advance licence No. 0310600553 dated 09.11.2010.

The committee noted that the above authorization was issued under PC-9 condition. But the firm has not undertaken any exports so far. Since the firm has still not completed the required formalities of exports to Russia, the committee rejected the request of the firm for an extension of export obligation. However, RA could consider exports made by the firm outside the valid EOP upto 30.6.2012 for the purpose of regularization.

Case No.7. M/s. Sunder Sons (India) Exports
F.No. 01/60/162/164/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for the EOP extension of the advance licence No. 3210040109 dated 27.03.2009.

The Committee considered the request and decided to extend EOP against the aforesaid advance authorization for 6 months from the date of communication, 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 exports 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No.8. M/s. Taurus Pvt. Limited
F.No. 01/60/162/158/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for exemption from non compliance of stipulated procedure advance licence No. 0710046466 dated 01.08.2006.

The committee noted that the firm in the instant case obtained advance authorization in 2006 but approached PRC only in 2012 with the request of redemption. The committee noted that the details of such exports on net to net basis have not been mentioned by the exporter on the shipping bills. Further even in ARE-1 these details of consumption are not available and can not be correlated. The committee decided to reject the case as correlation was not possible in this case.

Case No.9. M/s. Taurus Pvt. Limited
F.No. 01/60/162/155/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012

Subject:- Request for exemption from non compliance of stipulated procedure advance licence No. 0710050495 dated 08.03.2007.

The committee noted that the firm in the instant case obtained advance authorization in 2007 but approached PRC only in 2012 with the request of redemption. The committee noted that the details of such exports on net to net basis have not been mentioned by the exporter on the shipping bills. Further even in ARE-1 these details of consumption are not available and can not be correlated. The committee decided to reject the case as correlation was not possible in this case.

Case No.10. M/s. SA Rawther Spices (P) Limited, Bangalore
F.No. 01/60/162/159/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for exemption from non compliance of stipulated procedure advance licence No. 0710050513 dated 09.03.2007.

The committee noted that the firm had undertaken exports in accordance with the authorization issued by the RA. It was noted that the norms under which the authorization was issued were actually deleted/ suspended at the time of issuance of the authorization which was overlooked by RA. It was not the firm’s fault to have undertaken the exports on the basis of the authorization issued by RA. The committee also noted that mere suspension of norms did not mean that there was no sanctity between the input and the output under the aforesaid authorization. The Chairman of Norms Committee was present in the meeting confirmed that norms for such products were also fixed under para 4.7. The committee therefore agreed to regularize the export/import under taken under this authorization in accordance with norms stipulated under the appropriate SION prior to their suspension and issuance of the authorization.

Case No.11. M/s. Osaka Pharmaceuticals Pvt. Limited, Vadodara
F.No. 01/60/162/130/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for issue of letter to Customs Authority for charging Customs duty interest as per Policy Circular No. 18 dt. 30.10.2007 of advance licence No. 3410018120 dated 20.02.2007.

The committee decided to obtain a detailed report from RA, Vadodara and clarification from the firm as to why did they undertook exports under DEPB when they have specifically obtained the advance authorization with PC-9 condition.

Case No.12. M/s. Osaka Pharmaceuticals Pvt. Limited, Vadodara
F.No. 01/60/162/129/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for issue of letter to Customs Authority for charging Customs duty interest as per Policy Circular No. 18 dt. 30.10.2007 of advance licence No. 3410018130 dated 20.02.2007.

The committee decided to obtain a detailed report from RA, Vadodara and clarification from the firm as to why did they export under DEPB when they have specifically obtained the advance authorization with PC-9 condition.

Case No.13. M/s. Osaka Pharmaceuticals Pvt. Limited, Vadodara
F.No. 01/60/162/131/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for issue of letter to Customs Authority for charging Customs duty interest as per Policy Circular No. 18 dt. 30.10.2007 of advance licence No. 3410018129 dated 20.02.2007.

The committee decided to obtain a detailed report from RA, Vadodara and clarification from the firm as to why did they export under DEPB when they have specifically obtained the advance authorization with PC-9 condition.

Case No.14. M/s. Industrial Solvents & Chemicals Pvt. Ltd. Mumbai
F.No. 01/60/162/181/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 0310530679 dated 27.07.2009.

The committee noted that in the instant case imported goods under the authorization no. 0310530679 dated 27.07.2009 appeared to be shipped prior to the expiry of the validity of the authorization and as such they were covered by Para 2.12.2. HBP for imports in the country. No specific dispensation is required for such cases to permit their imports after expiry of validity of authorization. Custom Authorities should have honored the stipulated policy provision and permitted the goods for import in accordance with the condition of the aforesaid authorization. The committee therefore decided that the Custom Authorities may be informed about the policy provisions and should also be requested that no demurrage be charged from the firm in respect of this imported consignment since these were very well covered under the provisions of FTP.

Case No.15. M/s. Indo Col Chem Limited
F.No. 01/60/162/151/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 0810081224 dated 06.07.2009.

The committee noted that the imports undertaken by the firm under the advance authorization No. 0810081224 dated 06.07.2009 were covered under the existing provisions of FTP. As such Custom should have permitted the clearance of this consignment as per the usual condition of the authorization and in accordance with the provisions of the FTP. However in respect of imports yet to be made under the authorization, the committee did not agree to the request of the firm to revalidate the aforesaid authorization as no cogent reasons warranting policy relaxation under para 2.5 of FTP was stated. The request was rejected.

Case No.16. M/s. Narayan Organics Pvt. Limited
F.No. 01/60/162/162/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 0810070767 dated 18.03.2008.

The Committee noted the request of the firm and decided to reject as no cogent and justified reasons establishing genuine hardship warranting relaxation under Para 2.5 of the FTP have been provided by the firm.

Case No.17. M/s. Narayan Organics Pvt. Limited
F.No. 01/60/162/161/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 0810065275 dated 08.06.2007.

The Committee noted the request of the firm and decided to reject as no cogent and justified reasons establishing genuine hardship warranting relaxation under Para 2.5 of the FTP have been provided by the firm.

Case No.18. M/s. Impulse Enterprise, Ahmedabad
F.No. 01/60/162/157/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 0810082633 dated 31.08.2009.

The Committee noted the request of the firm and decided to reject as no cogent and justified reasons establishing genuine hardship warranting relaxation under Para 2.5 of the FTP have been provided by the firm.

Case No.19. M/s. Shri Jagdamba Polymers Ltd. Ahmedabad
F.No. 01/60/162/191/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 0810082798 dated 11.09.2009.

The committee noted that the firm had approached the RA for the revalidation of authorization after the delay of 5 months from the date of filling of FIR after loss of said authorization. The committee therefore noted that the delay was entirely on account of the firm's laxity and therefore did not consider the reasons cited genuine hardship warranting relaxation under Para 2.5 of the FTP

Case No.20. M/s. Nilkamal Limited, Mumbai
F.No. 01/60/162/174/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 0310517366 dated 27.04.2009.

The Committee noted that the firm had faced problem on account of non transmission of advance authorization on account of certain error 23 and 24 which persisted for almost an year. The committee on the basis of the technical records decided to revalidate 6 months from the date of communication

Case No.21. M/s. Autoline Industries Limited
F.No. 01/60/162/167/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 3110035537 dated 25.09.2008.

The Committee noted that the firm has only undertaken exports to an extent of 11% within the valid EOP whereas imports to an extent of 50% has been made. The committee did not agree to the request of revalidation of the authorization and decided that the case may be regularized as per the existing provision of FTP by RA.

Case No.22. M/s. Constech Enterprises Pvt. Limited, New Delhi
F.No. 01/60/162/1905/AM11/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for revalidation of advance licence No. 0510219938 dated 30.04.2008.

The committee noted that the reasons given by the firm regarding typographical error in the communication sent by the Norms Committee can not be considered as a genuine hardship as the details of item nomenclature was already contained in the original application of the firm and that the error of this kind can not be attributed to the communication of the Norms Committee. The committee decided to reject the case.

Case No.23. M/s. SAS International, Faridabad
F.No. 01/60/162/505/AM12/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for clubbing of (4) advance licence Nos. (1) 0410056494 dt. 29.04.2004 (2) 0410063526 dt. 28.10.2004 (3) 0410092397 dt. 29.11.2007 (4) 0410115965 dt. 02.08.2010.

The committee decided that the chronology of the events may be thoroughly examined and the report of the RA may be analyzed and then the case may be processed on file.

Case No.24. M/s. Bindal Exports Pvt. Limited
F.No. 01/60/162/40/AM10/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for conversion of shipping bills towards discharge of export obligation against three advance licence No. (1) 5210018517 dated 18.11.2005, (2) 5210019799 dated 06.01.2006 (3) 5210018943 dated 16.02.2006 due to delay in fixation of norms by ALC

The committee noted that the firm had obtained above mentioned 3 advance authorizations as well as DFIA no. 5210019634 dt. 18.5.2006. It was noted that under the DFIA while exports have been undertaken, no imports were made under the said authorization thus rendering the DFIA inoperative. Since, no imports have been made and also that no further imports are to be undertaken in future, the committee decided to account for the exports made under DFIA for the purpose of regularization of the above advance authorizations. Though the committee also noted that as such though advance authorization and DFIA are not clubbable but in the instant case the facts are that the DFIA remained completely inoperative. The committee decided that RA should examine and verify the facts clearly and only thereafter consider the DFIA exports against discharge of the advance authorizations subject to verification of the export product being the same in the 3 advance authorizations and DFIA.

Case No.25. M/s. Torrent Pharmaceuticals Limited
F.No. 01/60/162/152-E/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP extension of the advance licence No. 0810083718 dated 27.10.2010.

The committee noted that the above authorization was issued under PC-9 condition. In such cases the maximum extension of 6 months in EOP is granted for the purpose of regularization. The committee also noted that the conditions for regularization of PC-9 cases were amply clear in Policy Circular-18 dt. 30.10.2007. Policy Circular 18 states that **in the event of failure to export the resultant product, such material shall be re-exported or can be used to manufacture and export any other finished product utilizing such inputs irrespective of the foreign buyers**. Further it also provided **that the authorisation holder shall also have the option to destroy such inputs or the finished product made out of it, in the presence of Jurisdictional Excise Authority subject to payment of applicable customs duty with interest.**

In the instant case, also the committee noted that the firm is required to follow the established procedure under the PC-18 and the default in export obligation needs to be regularized by payment of the appropriate Customs duty alongwith the interest in accordance with the provisions of the FTP. The committee therefore decided that RA should obtain the complete details from the firm regarding the aforesaid authorization and regularize the case strictly as per the conditions of the PC-18.

Case No.26. M/s. Torrent Pharmaceuticals Limited
F.No. 01/60/162/152-A/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP extension of the advance licence No. 0810092846 dated 06.10.2010.

The committee noted that the above authorization was issued under PC-9 condition. In such cases the maximum extension of 6 months in EOP is granted for the purpose of regularization. The committee also noted that the conditions for regularization of PC-9 cases were amply clear in Policy Circular-18 dt. 30.10.2007. Policy Circular 18 states that **in the event of failure to export the resultant product, such material shall be re-exported or can be used to manufacture and export any other finished product utilizing such inputs irrespective of the foreign buyers**. Further it also provided **that the authorisation holder shall also have the option to destroy such inputs or the finished product made out of it, in the presence of Jurisdictional Excise Authority subject to payment of applicable customs duty with interest.**

In the instant case, also the committee noted that the firm is required to follow the established procedure under the PC-18 and the default in export obligation needs to be regularized by payment of the appropriate Customs duty alongwith the interest in accordance with the provisions of the FTP. The committee therefore decided that RA should obtain the complete details from the firm regarding the aforesaid authorization and regularize the case strictly as per the conditions of the PC-18.

Case No.27. M/s. Torrent Pharmaceuticals Limited
F.No. 01/60/162/152-D/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP extension of the advance licence No. 0810080665 dated 11.06.2009.

The committee noted that the above authorization was issued under PC-9 condition. In such cases the maximum extension of 6 months in EOP is granted for the purpose of regularization. The committee also noted that the conditions for regularization of PC-9 cases were amply clear in Policy Circular-18 dt. 30.10.2007. Policy Circular 18 states that **in the event of failure to export the resultant product, such material shall be re-exported or can be used to manufacture and export any other finished product utilizing such inputs irrespective of the foreign buyers**. Further it also provided **that the authorisation holder shall also have the option to destroy such inputs or the finished product made out of it, in the presence of Jurisdictional Excise Authority subject to payment of applicable customs duty with interest.**

In the instant case, also the committee noted that the firm is required to follow the established procedure under the PC-18 and the default in export obligation needs to be regularized by payment of the appropriate Customs duty alongwith the interest in accordance with the provisions of the FTP. The committee therefore decided that RA should obtain the complete details from the firm regarding the aforesaid authorization and regularize the case strictly as per the conditions of the PC-18.

Case No.28. M/s. Torrent Pharmaceuticals Limited
F.No. 01/60/162/152-B/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP extension of the advance licence No. 0810089877 dated 22.06.2010.

The committee noted that the above authorization was issued under PC-9 condition. In such cases the maximum extension of 6 months in EOP is granted for the purpose of regularization. The committee also noted that the conditions for regularization of PC-9 cases were amply clear in Policy Circular-18 dt. 30.10.2007. Policy Circular 18 states that **in the event of failure to export the resultant product, such material shall be re-exported or can be used to manufacture and export any other finished product utilizing such inputs irrespective of the foreign buyers**. Further it also provided **that the authorisation holder shall also have the option to destroy such inputs or the finished product made out of it, in the presence of Jurisdictional Excise Authority subject to payment of applicable customs duty with interest.**

In the instant case, also the committee noted that the firm is required to follow the established procedure under the PC-18 and the default in export obligation needs to be regularized by payment of the appropriate Customs duty alongwith the interest in accordance with the provisions of the FTP. The committee therefore decided that RA should obtain the complete details from the firm regarding the aforesaid authorization and regularize the case strictly as per the conditions of the PC-18.

Case No.29. M/s. Torrent Pharmaceuticals Limited
F.No. 01/60/162/152-C/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP extension of the advance licence No. 0810085981 dated 25.01.2010.

The committee noted that the above authorization was issued under PC-9 condition. In such cases the maximum extension of 6 months in EOP is granted for the purpose of regularization. The committee also noted that the conditions for regularization of PC-9 cases were amply clear in Policy Circular-18 dt. 30.10.2007. Policy Circular 18 states that **in the event of failure to export the resultant product, such material shall be re-exported or can be used to manufacture and export any other finished product utilizing such inputs irrespective of the foreign buyers**. Further it also provided **that the authorisation holder shall also have the option to destroy such inputs or the finished product made out of it, in the presence of Jurisdictional Excise Authority subject to payment of applicable customs duty with interest.**

In the instant case, also the committee noted that the firm is required to follow the established procedure under the PC-18 and the default in export obligation needs to be regularized by payment of the appropriate Customs duty alongwith the interest in accordance with the provisions of the FTP. The committee therefore decided that RA should obtain the complete details from the firm regarding the aforesaid authorization and regularize the case strictly as per the conditions of the PC-18.

Case No.30. M/s. Ajanta Pharma Limited, Mumbai
F.No. 01/60/162/749/AM10/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP extension of the advance licence No. 0310336663 dated 29.06.2005 issued under PC-9.

The committee noted that the advance authorization was issued with PC-9 condition. It was further noted that the RA has already granted 2 EOP extensions of a total period of 1 year i.e. upto 31.1.2007. The committee decided that no further extension can be granted beyond 31.1.2007. The Committee decided that the condition of re-export/destruction of imported raw material as stipulated in Policy Circular 18 dt. 30.10.2007 be waived as the firm has stated to have already utilized the imported material fully by exporting the product manufactured from these imports subject to verification by RA. However, the default in terms of duty saving proportionate to the default in export outside the EO upto 31.1.2007 as stated above may be paid by the firm in accordance with the stipulated policy provisions. RA to check and verify the aspect of raw material utilization and evaluate the duty-saving default and take necessary action as per the policy provisions.

Case No.31. M/s. Ajanta Pharma Limited, Mumbai
F.No. 01/60/162/748/AM10/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP extension of the advance licence No. 0310340855 dated 25.07.2005 issued under PC-9.

The Committee decided to extend EOP against the aforesaid advance authorization for six months i.e. total 12 months from the date of first import for the purpose of regularization and closure. RA should verify the EO claimed to be fulfilled by the firm within the valid EOP. The relaxation is 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 also directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher. The Committee also decided that the condition of re-export/destruction of imported raw material as stipulated in Policy Circular 18 dt. 30.10.2007 be waived as the firm has stated to have already utilized the imported material fully by exporting the product manufactured from these. However, the default in terms of duty saving proportionate to the default in export outside the EO period of 12 months from the date of 1st import as stated above may be paid by the firm in accordance with the stipulated policy provisions. RA to check and verify the aspect of raw material utilization and evaluate the duty-saving default and take necessary action as per the policy provisions.

Case No.32. M/s. Alembic Limited
F.No. 01/60/162/730/AM10/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject:- Request for EOP extension of the advance licence No. 3410023385 dated 04.02.2009 for regularization purpose.

The Committee decided to extend EOP against the aforesaid advance authorization for six months i.e. total 12 months from the date of first import for the purpose of regularization and closure. RA should verify the EO claimed to be fulfilled by the firm within the valid EOP. The relaxation is 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 also directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher. The Committee also decided that the condition of re-export/destruction of imported raw material as stipulated in Policy Circular 18 dt. 30.10.2007 be waived as the firm has stated to have already utilized the imported material fully by exporting the product manufactured from these. However, the default in terms of duty saving proportionate to the default in export outside the EO period of 12 months from the date of 1st import as stated above may be paid by the firm in accordance with the stipulated policy provisions. RA to check and verify the aspect of raw material utilization and evaluate the duty-saving default and take necessary action as per the policy provisions.

Case No.33. M/s. K.K. Nag Limited, Bengaluru
F.No. 01/60/162/188/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject: - Request for the revalidation of advance licence (4) advance licence No. (1) 0710066125 dt. 23.07.2009 (2) 0710066175 dt. 24.07.2009 (3) 0710066171 dt. 24.07.2009 (4) 0710066132 dt. 23.07.2009.

The Committee noted the request of the firm and decided to reject as no cogent and justified reasons establishing genuine hardship warranting relaxation under Para 2.5 of the FTP have been provided by the firm.

Case No.34. M/s. Spectrum Polymers Pvt. Limited, Mumbai
F.No. 01/60/162/194/AM13/EFGC(PRC)

PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject: - Request for the revalidation of advance licence No. 0310541723 dt. 23.10.2009.

The Committee noted that the interruption due to rains in Thailand was only for a short period and the firm has sufficient time to make imports under the said authorization. The committee did not consider the reasons warranting policy relaxation. Therefore the committee rejected the request.

Case No.35. M/s. Raj Petro Specialities Pvt. Limited, Mumbai
F.No. 01/60/162/195/AM13/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject: - Request for enhancement cum revalidation of advance licence No. 0310514135 dated 01.04.2009.

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

Case No.36. M/s. Tara Lohia Pvt. Limited, Kolkata
F.No. 01/60/162/1254/AM11/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject: - Request for condone the lapse of mentioning Advance Licence on the shipping bill while making the export against AA No. 0210082694 dated 06.10.2005

The Committee recalled its earlier decision in a similar case and decided that since these cases are already under adjudication, they may be dealt accordingly and they may not be placed before PRC.

Case No.37. M/s. K.P. Manish Global Ingredients Pvt. Limited
F. No. 01/60/162/686/AM12/EFGC(PRC)
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject: - Request for revalidation of advance licence No. 08001202 dated 25.11.1998.

The committee noted that the firm was granted a revalidation of above authorization upto 31.8.2011 based on the order dt. 8.7.2009 of Hon'ble High Court Gujarat, Ahmedabad. The committee also noted that as the advance authorization was dt. 25.11.1998, necessary instruction was given by DGFT for its manual registration by Custom. In the said process the firm has not been able to undertake imports. The committee therefore decided that the revalidation for further period of 3 months from the date of endorsement be done. No further extension of validity will however be granted.

Case No.38. M/s. Brightest Circle Jewellery Limited
F. No. 01/94/180/490/AM12/PC-4
PRC Meeting No. 09/AM13 dated: 12.06.2012

Subject: - Request for extension of time for clearance of consignment for re-import after participation in overseas exhibition.

The Committee considered the request and agreed to condone a delay of 7 days for re-importing the parcel from the time-limit of 60 days and granted ex-post fact approval for re-import of G&S consignment with extra 7 days from the date of closing of the exhibition.

Case No.39. M/s. Zinser Textile System Private Limited
F. No. 01/94/180/62/AM13/PC-4
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject: - To consider the supplies made to EPCG authorization holder (5 authorizations no. i) 0330005948 dt. 8.6.2004, ii) 1330000561 dt. 14.5.2004, iii) supply to 100% EOU vide invalidation no. CT 3 no. 268 dt.12.2.2004, iv) 0230001678 dt. 7.8.2006 and v) 0430003809 dt. 20.6.2006) made after getting invalidation letter but prior to the dates of application of 5 advance authorizations ( i) 0310290958 dt. 13.9.2004, ii) 0310295177 dt. 5.10.2004, iii) 0310299198 dt. 27.10.2004, in) 0310407299 dt. 9.11.2006 and v) 0310416252 dt. 17.1.2007).

The committee approved the deemed exports supplies made by M/s. Zinser Textile System Private Limited after invalidation of the buyers EPCG authorization but prior to the dates of application of advance authorization for discharge of deemed export obligation against the above mentioned 5 advance authorizations.

Case No.40. M/s. Arshiya International Limited
F. No. 01/89/180/06/AM13/PC-2A
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject: - Request for relaxation of import of Automobiles from Arshiya FTWZ.

The committee considered and granted ex-post-facto approval for relaxation of the provisions of Import Licensing Note No. 2(II) (d) of Chapter 87 of ITC(HS) 2012, schedule-1 (Import Policy) for import of 508 vehicles.

Case No.41. M/s. Innovative Foods Limited, Kerala
F. No. 01/89/180/09/AM13/PC-2A
PRC Meeting No. 09/AM13 dated: 12.06.2012
Subject: - Request for import of frozen fish blocks from USA.

The committee granted ex-post-facto approval to the relaxation from the stipulation of 60% self life under Para 4(B) of the General Notes of import policy to ITC(HS) classification for imports.