

MINUTES OF THE POLICY RELAXATION COMMITTEE
MEETING NO.11/AM07 HELD ON 15TH FEBRUARY, 2007

The meeting was held under the Chairmanship of DG and the list of officers present in the meeting is given in Annexure-I.

Cases listed in the Agenda were taken up for discussion and decision taken in each of these cases is detailed below:-

Case No.	1.
PRC Meeting No.	No.101/AM07
Date.	15.02.2007
Firm's Name	(i) M/s. Huntsman International (India) Pvt Ltd, Mumbai (ii) M/s Isolloyd Engineering Technologies Ltd, New Delhi (iii) M/s G.M. Technochem (P) Ltd, Delhi
File No.	01/93/180/1388/AM99/PC-IA
Subject:	Non-furnishing of prior intimation regarding import of hazardous chemicals

The Committee observed that the condition in the policy about prior intimation on import of such chemicals has been made as per the guidelines laid down by Ministry Environment & Forests. It was therefore decided that the concerned division should consult MOEF regarding dispensing with this requirement of prior intimation in the instant case. After MOEF's comments, can be decided on file with DGFT's approval.

Case No.	2.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Mittal Appliances Ltd, Pithampur
File No.	01/80/50/841/AM04/DES-I
Subject:	Revalidation of Advance licence No.1110007150 dt.6.11.2003

It is observed that the Regional Authority is empowered to allow revalidation with a total validity period of 30 months from the date of issue of licence/Authorisation. In the instant case the licence is stated to have been issued November 2003 which would mean that the 30 months period

available to the applicant for utilizing the licence expired May 2006. As per the details available in the Agenda the request for revalidation has been received by the concerned DES division of DGFT on 15.07.2006. The Committee considered this as a reasonable time frame for submission of request for revalidation. Moreover, taking into account the fact that the applicant had fulfilled the EO as detailed in the Agenda, a lenient view should be taken to enable the applicant to replenish the stocks. Taking these factors into consideration, it was decided in relaxation of the policy provision, to allow revalidation in the instant case for a period of 6 months and this 6 months period will commence from the date endorsement to this effect is made on the licence. This will further be subject to the condition that (i) the applicant pays the composition fee equivalent to 2% of the unutilized CIF value of the licence; (ii) the applicant approaches the Regional Authority concerned within a period of 15 days from the date of issue of communication regarding decision of the PRC for seeking endorsement of revalidation; and (iii) Clubbing of this revalidated licence with another licence within the scope of para 4.20 of Handbook of Procedures Vol.I shall not be permitted.

It was also decided that Norms Committee/concerned DES division will ensure to issue a formal communication to the applicant and the Regional Authority concerned apprising them of the decision of the PRC within a period of 7 days from the date of receipt of minutes in the DES division.

Case No.	3.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. National Mineral Development Corporation Ltd, Hyderabad
File No.	01/180/162/358/AM07/DES- I
Subject:	Request for waiver of submission of original S/bills for discharge of export obligation against advance licence No.0910018013 dt.29.3.2004

The Committee was not agreeable to dispensing with the requirement of submission of original S/bills and allowing attested copies of the same by MMTC to be accepted. However, it is agreeable to accepting customs attested copies of this S/bill(s) to be submitted to Regional Authority concerned for EO discharge in lieu of original S/bills.

Case No.	4.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	O/o Zonal JDG, Kolkata / M/s Century Laminating Co. Ltd, Kolkata
File No.	01/94/162/234/AM07/PC-I
Subject:	Request for refund of application fee paid through EFT mode

The Committee was not agreeable for refund in the instant case as the onus was on the applicant to submit the application correctly. It was therefore decided to reject the same.

Case No.	5.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Arihant Impex, Mumbai
File No.	01/83/162/734/AM06/DES-IV
Subject:	Relaxation of the Provision of the Foreign Trade Policy para 2.5 for revalidation beyond 30 months for advance licence

The Committee observed that the inputs from the Regional Authority concerned about fulfillment of EO and other related details were not available in the Agenda. It was therefore decided that the details on each aspect of the case be obtained from the Regional Authority concerned and case be put up before the PRC alongwith these details.

Case No.	6.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Meghamani Dyes & Intermediates Ltd, Ahmedabad
File No.	01/83/162/734/AM06/DES-IV
Subject:	Revalidation of Qty. based Advance Licence No.0810030342 dt.1.7.2003

The Committee observed that the inputs from the Regional Authority concerned about fulfillment of EO and other related details were not available in the Agenda. It was therefore decided that the details on each aspect of the case be obtained from the Regional Authority concerned and case be put up before the PRC alongwith these details.

Case No.	7.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Boss Profiles Ltd, Chennai
File No.	01/83/162/50/Dy. No.12 dt.20.04.06/AM07/DES-IV
Subject:	Refund of excess amount paid towards composition fee against advance licence No. 0410023515 dt. 21.2.2002.

The Committee was not agreeable to relax the policy for refund of the excess paid composition fee towards EO extension. However, Regional Authority concerned could examine this issue vis-à-vis the total requirement as per the policy in force and deal this issue as an administrative issue under normal fundamental rules.

Case No.	8.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Essar Investments Limited, Mumbai
File No.	01/53/8/58/E-5/AM05/ILS
Subject:	Permission for disposal of one used imported Bell helicopter 1997 Model Marking registration No VT-YAY.

The case was deferred.

Case No.	9.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Kevin Enterprises Pvt Ltd, Mumbai
File No.	01/80/50/568/AM04/DES-I
Subject:	Revalidation of advance license No. 0310223582 dated 10.9.2003.

It is observed that the Regional Authority is empowered to allow revalidation with a total validity period of 30 months from the date of issue of licence/Authorisation. In the instant case the licence is stated to have been issued September 2003 which would mean that the 30 months period available to the applicant for utilizing the licence expired March 2006. As per the details available in the Agenda the request for revalidation has been received by the concerned DES division of DGFT on 28.4.2006. The Committee considered this as a reasonable time frame for submission of request for revalidation. Moreover, taking into account the fact that the applicant had fulfilled the EO as detailed in the Agenda, a lenient view should be taken to enable the applicant to replenish the stocks. Taking these factors into consideration, it was decided in relaxation of the policy provision, to allow revalidation in the instant case for a period of 6 months and this 6 months period will commence from the date endorsement to this effect is made on the licence. This will further be subject to the condition that (i) the applicant pays the composition fee equivalent to 2% of the unutilized CIF value of the licence; (ii) the applicant approaches the Regional Authority concerned within a period of 15 days from the date of issue of communication regarding decision of the PRC for seeking endorsement of revalidation; and (iii) Clubbing of this revalidated licence with another licence within the scope of para 4.20 of Handbook of Procedures Vol.I shall not be permitted.

It was also decided that Norms Committee/concerned DES division will ensure to issue a formal communication to the applicant and the Regional Authority concerned apprising them of the decision of the PRC within a period of 7 days from the date of receipt of minutes in the DES division.

Case No.	10.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Indian Steels and Allied Products, Chennai
File No.	01/80/162/446/AM07/DES- I
Subject:	Request for grant of revalidation of advance license No. 0410043065 dated 1.7.2003.

It is observed that the Regional Authority is empowered to allow revalidation with a total validity period of 30 months from the date of issue

of licence/Authorisation. In the instant case the licence is stated to have been issued July 2003 which would mean that the 30 months period available to the applicant for utilizing the licence expired Jan 2006. As per the details available in the Agenda the request for revalidation has been received by the concerned DES division of DGFT on 01.08.2006. The Committee considered this as a reasonable time frame for submission of request for revalidation. Moreover, taking into account the fact that the applicant had fulfilled the EO as detailed in the Agenda, a lenient view should be taken to enable the applicant to replenish the stocks. Taking these factors into consideration, it was decided in relaxation of the policy provision, to allow revalidation in the instant case for a period of 6 months and this 6 months period will commence from the date endorsement to this effect is made on the licence. This will further be subject to the condition that (i) the applicant pays the composition fee equivalent to 2% of the unutilized CIF value of the licence; (ii) the applicant approaches the Regional Authority concerned within a period of 15 days from the date of issue of communication regarding decision of the PRC for seeking endorsement of revalidation; and (iii) Clubbing of this revalidated licence with another licence within the scope of para 4.20 of Handbook of Procedures Vol.I shall not be permitted.

It was also decided that Norms Committee/concerned DES division will ensure to issue a formal communication to the applicant and the Regional Authority concerned apprising them of the decision of the PRC within a period of 7 days from the date of receipt of minutes in the DES division.

Case No.	11.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Uppal Properties (P) Ltd
File No.	01/36/218/20/AM07/EPCG-I.
Subject:	Clarification in respect of release of BG against the import of Cars under EPCG Scheme against EPCG License.

The case relates to EPCG Committee and was required to be presented by the EC. However, EC was not present in the meeting today and therefore it was decided to defer the case, to be relisted again in the next meeting.

Case No.	12.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s. Siddharth Colorchem Ltd, Mumbai
File No.	01/83/162/314/AM07/DES.IV
Subject:	E.O.P Extension against Adv. Lic. No.0310175527 dt.31.12.2002

The Committee agreed to the request of the applicant and the recommendation of the Norms Committee to grant EOP extension beyond 36 months by another 3 more months i.e. upto 31.3.2006 for regularization purpose. This will further be subject to the condition that requisite composition fee is paid as per requirement of Foreign Trade Policy to the Regional Authority concerned.

Case No.	13.
PRC Meeting No.	No.11/AM07
Date.	15.02.2007
Firm's Name	M/s Mangal Polysil, Mumbai
File No.	01/82/62/468/07/DES.III
Subject:	Revalidation of Advance Licence 1. 0310235387 dt.10.11.2003 2. 0310235377 dt.10.11.2003 3. 0310242323 dt.16.12.2003

It is observed that the Regional Authority is empowered to allow revalidation with a total validity period of 30 months from the date of issue of licence/Authorisation. In the instant case the licence is stated to have been issued November/December 2003 which would mean that the 30 months period available to the applicant for utilizing the licence expired May/June 2006. As per the details available in the Agenda the request for revalidation has been received by the concerned DES division of DGFT on 08.07.2006. The Committee considered this as a reasonable time frame for submission of request for revalidation. Moreover, taking into account the fact that the applicant had fulfilled the EO as detailed in the Agenda, a lenient view should be taken to enable the applicant to replenish the stocks. Taking these factors into consideration, it was decided in relaxation of the

policy provision, to allow revalidation in the instant case for a period of 6 months and this 6 months period will commence from the date endorsement to this effect is made on the licence. This will further be subject to the condition that (i) the applicant pays the composition fee equivalent to 2% of the unutilized CIF value of the licence; (ii) the applicant approaches the Regional Authority concerned within a period of 15 days from the date of issue of communication regarding decision of the PRC for seeking endorsement of revalidation; and (iii) Clubbing of this revalidated licence with another licence within the scope of para 4.20 of Handbook of Procedures Vol.I shall not be permitted.

It was also decided that Norms Committee/concerned DES division will ensure to issue a formal communication to the applicant and the Regional Authority concerned apprising them of the decision of the PRC within a period of 7 days from the date of receipt of minutes in the DES division.

Other cases in the Agenda could not be discussed on account of paucity of time and were deferred, to be discussed in the next PRC meeting.

The meeting ended with vote of thanks to the Chair.

LIST OF PARTICIPANTS

1. Dr. Shyam Agarwal, Addl.DGFT
2. Dr(Ms.) Maya D.Kem, Addl.DGFT
3. Shri S.K. Prasad, Addl.DGFT
4. Shri S.K. Samal, Jt. DGFT
5. Shri A.K. Singh, Jt.DGFT
6. Shri O.P. Hisaria, Jt.DGFT
7. Shri M.K.Parimoo, Jt.DGFT
8. Shri R.N. Meena, Dy.DGFT
