MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO.11/AM11 HELD ON 09.11.2010 AT 4:30 P.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:

1. Shri V.K. Srivastava — Addl. DG
2. Shri V.K. Gupta — Addl. DG
3. Shri Rajiv Arora — Jt. DGFT
4. Shri L.B. Singhal — Jt. DGFT
5. Shri Satyan Sharda — Jt. DGFT
6. Shri A.K. Singh — Jt. DGFT
7. Shri Tapan Mazumdar — Jt. DGFT
8. Ms. Shubhra — Jt. DGFT
9. Ms. Vibha Bhalla — Jt. DGFT
10. M/s. R.S. Ratna — Jt. DGFT
11. Shri S.S. Sah — Dy. DGFT
12. Smt. Sonika Khattar — FTDO

The following general decisions were taken : -

i. For Policy Circular No. 9 (PC-9) dated 30.06.2003, cases of clubbing PRC decided that in such cases the maximum extended EOP of an individual advance authorization should be 1 year only. No extensions beyond this be provided even for clubbing. This would apply to all PC-9 cases agreed to for clubbing in the cases decided by PRC recently in October 2010 onwards.

The decision taken on the individual cases are as under:

Case No. 1: M/s S.B. Packagings Ltd., New Delhi.
File No. 01/94/180/749/AM10/PC-4(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization Nos. 0510080057 dt. 05.02.2003, 0510082715 dt. 13.03.2003 and 051035546 dt. 17.08.2004.

The Committee discussed the case and decided to defer to examine whether the request could be considered without the availability of BIFR package.

Case No. 2: M/s Jhagadia Copper Ltd., Gujarat.
File No. 01/60/162/804/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010

Subject: Grant of Revalidation for clubbing and EODC/Bond Waiver/Redemption Certificate for Advance Authorization No. 3410015520 dt. 24.02.2006, 3410013825 dt. 13.07.2005 and 3410015075 dt. 28.12.2005.

The Committee considered the request of the firm and decided to club the advance authorization Nos. 3410015520 dt. 24.02.2006, 3410013825 dt. 13.07.2005 and 3410015075 dt. 28.12.2005 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 3: M/s V.S. International Pvt. Ltd., Mumbai.
File No. 01/60/162/1220/AM11/EFGC(PRC)

PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0310458822 dt. 23.01.2008 issued under PC-9.

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1 ½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 4: M/s Munix (India) Pvt. Ltd., Solan.
File No. 01/60/162/1518/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of DEPB Scrip No. 3010055011 dt. 13.02.2008.

The Committee noted the request of the firm and decided to revalidate the aforesaid DEPB Authorization for 6 months from the date of communication of the PRC decision as Custom's has already issued a re-credit order dated – 14.09.2010 . The concerned Regional Authority should also verify the re-assessment and re-credit order of Customs.

Case No. 5: M/s Jackson Chemical Industries, Ankleshwar.
File No. 01/60/162/1530/AM11/EFGC (PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 3410016705 dt. 21.08.2006.

The Committee noted that the firm have made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request and no new grounds have been given. The benefits of advance authorization/deemed exports on the duty paid components against invalidation letter need to be governed by the relevant provisions of Para 8.3(a) of the FTP 2009-14.

Case No. 6: M/s Sidhartha Super Spinning Mills Ltd., Nalagarh.
File No. 01/60/162/1565/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Clubbing of 8 Advance Authorization Nos.

i. 2272710 dt. 27.06.2005
ii. 2272477 dt. 30.05.1995
iii. 2444955 dt. 14.06.1996
iv. 2272711 dt. 27.06.1995
v. 514049 dt. 03.08.1992
vi. 2272722 dt. 03.07.1995
vii. 2048844 dt. 16.11.1992
viii. 2309722 dt. 26.10.1994

The Committee considered the request of the firm and noted that RA has already granted EO extension till 31.03.12 and agreed to grant clubbing of the advance authorizations which have already been granted EO extension for the purpose of regularization with no composition fee by taking appropriate action on revalidation of one authorization and EOP extension wherever required. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 7: M/s Tara Lohia Pvt. Ltd Kolkata.
File No. 01/60/162/1024/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Advance Authorization No. 0210090288 dt. 6.10.95 First time import raw material.

The Committee noted the request of the firm and decided that firm should approach Customs for conversion of shipping bills.

Case No. 8: M/s Alembic Ltd.,
File No. 01/60/162/730/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 3410023385 dt. 04.02.2009.

The Committee noted that the firm have made nil exports during the valid EOP and, therefore, it was decided to reject the case as it does not merit consideration due to no exports made both quantity and value wise in the valid EOP. RA should take necessary action as per Policy Circular – 18 dated 30.10.2007. Since some exports have been made out side the EOP, the condition of re-export of imported material or destruction of manufactured goods may not be possible and therefore, regularization be done as per the default provisions related to payment of duty and interest there of as detailed in the Policy Circular – 18 dated 30.10.2007.

Case No. 9: M/s Vinyroyal Plasticoats Ltd
File No. 01/60/162/1249/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Clubbing & redemption Advance Authorization No. 0310341576 dt. 04.08.2005 & 310342329 dt. 10.08.2005.

The Committee considered the request of the firm and decided to club advance authorizations Nos. 0310341576 dt. 04.08.2005 & 310342329 dt. 10.08.2005 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 10: M/s Bonney Polyplast pvt ltd Delhi
File No. 01/60/162/1253/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension & revalidation of Advance Authorization No. 510196148 12.12.06, 510213616 dt. 17.12.07 & 0510229697 dt. 22.10.2008 for the purpose of clubbing.

The Committee considered the request of the firm and decided to club advance authorizations Nos. 510196148 12.12.06, 510213616 dt. 17.12.07 & 0510229697 dt. 22.10.2008 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 11: M/s Global calcium P. Ltd Bangalore
File No. 01/60/162/541/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 710039317 02.07.2005 &710039457 dt. 02.08.2005 for the purpose of clubbing.

The Committee considered the request of the firm and decided to club advance authorizations No. 710039317 02.07.2005 & 710039457 dt. 02.08.2005 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. RA should also insure that no further imports will not be allowed and inputs as revised by norms committee need to accounted only for clubbing purpose only. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 12: M/s Kanin India Ludhiana.
File No. 01/60/162/1517/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidated of 22 DEPB Authorization Nos.

The Committee decided to revalidate the aforesaid 22 DEPBs for 6 months from the date of communication of the PRC decision on the basis of the reassessment/re-credit order of customs. RA to do the revalidation after verifying the re-credit order of customs.

Case No. 13: M/s DSM Anti-Infectives India ltd., Gurgaon.
File No. 01/60/162/1261/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010

Subject: Revalidation of 5 Advance Authorization Nos. 2210005588 dt. 31.05.2006, 2210006080 dt. 28.09.2006, 2210006787 dt. 12.06.2007, 2210006807 dt. 18.06.2007,2210006746 dt. 28.05.2007 for the purpose of clubbing.

The Committee considered the request of the firm and decided to club advance authorization Nos. 2210005588 dt. 31.05.2006, 2210006080 dt. 28.09.2006, 2210006787 dt. 12.06.2007, 2210006807 dt. 18.06.2007, 2210006746 dt. 28.05.2007 for the purpose of regularization. RA may revalidate advance authorization 2210006746 dt. 28.05.2007 subject to payment of composition fee @1% of the unutilized Cif value of the authorizations and also subject to verification of EO fulfillment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA should ensure that Policy Circular-9 dated 30.06.2003 conditions are fully met for each authorization and only Policy Circular-9 dated 30.06.2003 authorizations should be clubbed. Also in no circumstance, the total EOP (including extended period) should exceed 1 year (counted from date of 1st import) be considered for clubbing.

Case No. 14: M/s Good Agro Pvt. Ltd Kottayam.
File No. 01/60/162/391/AM09/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 1010020760 dt. 30.6.05.

The Committee discussed the case and decided to defer and re-examine. It also noted that the case was transferred from Policy Division and their specific inputs be taken and than the case place before PRC.

Case No. 15: M/s DSM Anti -Infectives India Ltd Gurgaon.
File No. 01/60/162/1276/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation & CIF value enhancement against Authorization No. 2210006081 dt. 28.09.2006, 2210005401 dt. 05.04.2006, 2210005724 dt. 04.07.2006.

The Committee considered the request of the firm and decided to club advance authorization Nos. 2210006081 dt. 28.09.2006, 2210005401 dt. 05.04.2006, 2210005724 dt. 04.07.2006 for the purpose of regularization. RA may revalidate advance authorization 2210005724 dt. 04.07.2006 subject to payment of composition fee @1% of the unutilized Cif value of the authorizations and also subject to verification of EO fulfillment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA should ensure that Policy Circular-9 dated 30.06.2003 conditions are fully met for each authorization and only Policy Circular-9 dated 30.06.2003 authorizations should be clubbed. Also in no circumstance, the total EOP (including extended period) should exceed 1 year (counted from date of 1st import) be considered for clubbing.

Case No. 16: M/s Kedia Overseas (Ltd).
File No. 01/60/162/1263/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of DEPB scrip’s.

The Committee decided to revalidate the aforesaid DEPB for 6 months from the date of communication of the PRC decision on the basis of the reassessment/re-credit order of customs. RA to do the revalidation after verifying the re-credit order of customs.

Case No. 17: M/s Welset Plast Extrusions Pvt. Ltd.
File No. 01/60/162/1566/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 0310418072 dt. 02.02.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was more than 100% both Qty.-wise and value-wise within the 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 18: M/s Hero Motor Ltd.
File No. 01/60/162/238/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Clubbing of 3 Advance Authorization Nos.

0510192834 dt. 17.10.2006
0510205696 dt. 03.07.2007
0510208319 dt. 30.08.2007

The Committee considered the request of the firm and decided to club advance authorizations Nos. 0510192834 dt. 17.10.2006 0510205696 dt. 03.07.2007 & 0510208319 dt. 30.08.2007 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. RA should also ensure that no further import will be allowed and inputs as per revised norms will only be accounted for as per revised norms for clubbing purpose only.

Case No. 19: M/s Kopran Ltd., Mumbai.
File No. 01/60/162/1205/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 03190420811 dt. 23.2.07.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was more than 50% both Qty.-wise and value-wise within the valid EO period. It was also noted that as per the information provided, this was not a case under Policy Circular-9 dated 30.06.2003. 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 20: M/s Rajendra Machanical Inds. Ltd Mumbai.
File No. 01/60/162/1264/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP Extension 0310354049 dt. 27.10.2005 for the purpose of clubbing of 3 Advance Authorization Nos.
0310382388 dt. 30.05.2006
0310359352 dt. 13.12.2005
0310356682 dt. 24.11.2005

The Committee considered the request of the firm and agreed to allow clubbing of advance authorization Nos. 0310382388 dt. 30.05.2006, 0310359352 dt. 13.12.2005, 0310356682 dt. 24.11.2005 for the purpose of regularization. RA may revalidate advance authorization no. 0310359352 dt. 13.12.2005 subject to payment of composition fee @1% of the unutilized Cif value of the authorizations and also subject to verification of EO fulfillment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. 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. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 21: M/s Shalina Laboratores Ltd., Mumbai.
File No. 01/60/162/1418/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of 5 Advance Authorization Nos.
0310470027 dt. 30.04.2008
0310471569 dt. 16.05.2008
0310472743 dt. 02.06.2008
0310487203 dt. 22.09.2008
0310490075 dt. 13.10.2008

The Committee noted that the firm have made less than 50% exports against Advance Authorization No. 0310471569 dt. 16.05.2008. during the valid EOP and, therefore, it was decided to reject the case as it does not merit consideration due to low exports made both quantity and value wise in the valid EOP.

The Committee noted that the export obligation fulfilled in respect of Advance authorization Nos. 0310470027 dt. 30.04.2008, 0310472743 dt. 02.06.2008, 0310487203 dt. 22.09.2008 and 0310490075 dt. 13.10.2008 was more than 50% both Qty.-wise and value-wise within the valid EO period as claimed by the firm. Therefore, the Committee decided to extend EOP by another six months from the expiry of initial EOP of 6 months for regularization purpose only, 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 initial 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. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization.

Case No. 22: M/s Meghmani Organics Ltd Ahmedabad.
File No. 01/60/162/1233/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0810061830 dt. 20.12.2006 for the purpose of clubbing with Advance Authorization No. 0810089495 dt. 09.06.2010.

The Committee considered the request of the firm and decided to club advance authorization No. 0810061830 dt. 20.12.2006 & 0810089495 dt. 09.06.2010 for the purpose of regularization. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. 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. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 23: M/s Lupin Limited Mumbai.
File No. 01/60/162/1012/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 310406352 dt. 02.11.2006.

The Committee noted that as per details provided by the firm the authorization is not under Policy Circular 9 dated 30.06.2003. It was also noted that export obligation fulfilled in respect of aforesaid Advance authorization was more than 50% Qty.-wise within the valid EO period. 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, verification of condition of PC-9 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 24: M/s Global Mercantile Pvt. Ltd.,
File No. 01/60/162/1057/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of (5) DEPBs Authorizations.
0910027718 dt. 29.09.2006
0910027708 dt. 28.09.2006
0910027878 dt. 19.10.2006
0910027886 dt. 19.10.2006
0910027755 dt. 03.10.2006

The Committee discussed the case and noted that no evidence has been provided by the firm regarding delay either at RA or Customs. It was decided to call for a report from the Regional Authority (RA) and also evidence of delay on the part of Customs and to consider the case again by PRC.

Case No. 25: M/s Glow Pharma Mumbai.
File No. 01/60/162/1474/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Closure of Advance Authorization No. 310459257 dt. 25.01.2008

The Committee discussed the case and decided to defer to re-examine as to how much exports was outside the EOP and to what extent Policy Circular-9 dated 30.06.2003 conditions have been met.

Case No. 26: M/s Sivalakshmi Plastics Karur.
File No. 01/60/162/840/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 3210031723 dt. 28.02.2006
and revalidation & EOP extension of Advance Authorization No. 3210031841 dt. 09.03.2006.

The Committee noted that the firm have made a request for revalidation of advance authorization no. 3210031723 dt. 28.02.2006 after the period of expiry of more than 1 ½ years from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to such a highly delayed request.

The Committee noted that the export obligation fulfilled in respect of Advance authorization no. 3210031841 dt. 09.03.2006 was more than 50% Qty.-wise within the valid EO period. 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, verification of condition of PC-9 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 27: M/s Paramount Surgimed Ltd
File No. 01/60/162/1514/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Clubbing of Advance Authorization (5)
0510054072 dt. 28.02.2002
0510059779 dt. 28.05.2002
0510136947 dt. 06.09.2004
0510179136 dt. 21.03.2006
0510186622 dt. 13.07.2006

The Committee noted that the firm have made request for clubbing of advance authorization nos. 0510054072 dt. 28.02.2002, 0510059779 dt. 28.05.2002 and 0510136947 dt. 06.09.2004 after a period of expiry of more than 4 years from the date of expiry of export obligation period of the authorizations. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

The Committee however considered the request of the firm and agreed to allow clubbing of advance authorization No. 0510179136 dt. 21.03.2006 & 0510186622 dt. 13.07.2006 for the purpose of regularization. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. 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. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 28: M/s Thai Nik-Nax, Bangalore.
File No. 01/53/162/1001/AM10/T-36/IC
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Permission of import of 75 MT of Rice by Thai Nik-Nax, Bangalore.

The Committee considered the request of the M/s Thai Nick-Nax, Bangalore. It was noted that import authorization No. 0750000495 dated 07.04.2010 has been issued with actual user condition for import of 75 MTs of Rice from Thailand. It was also noted that the import item is canalized and approval required under Para 2.11 of FTP has been obtained. The Committee decided to approve relaxation of actual user condition stipulated under Para 2.16 of FTP and to allow import on stock & sale basis.

Case No. 29: M/s Madras Crocodile Bank Trust Tamilnadu.
File No. 01/53/162/701/AM11/M-25/IC
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Grant of import Authorization for import of animals by Madras Crocodile Bank Trust, Tamilnadu form Czech Republic.

The Committee noted that the Ministry of Environment & Forests have provided no objection vide their letter dated 6.1.2010 for the exchange subject to pre-shipment inspections and CITES permits issued by Regional Dy. Director, Wildlife Crime Control Bureau. The Committee agreed to relax the condition of importability as stipulated in the ITC (HS) subject to the conditions required to be met as stated by the Ministry of Environment & Forests in their letter dated 6.1.2010.

Case No. 30: M/s ACE Exports Bangalore.
File No. 01/91/180/1355/AM11/PC3
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Extension in validity VKGUY.

The Committee considered the case as per agenda and decided to take a lenient view to revalidate above VKGUY scrip of the applicant for six months from the date of endorsement on the scrip with a deduction of 5% of balance unutilized value of the duty credit scrip issued under Para 3.8.6 of the then Policy. The Committee further decided that the AU Condition would continue to be imposed on this 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 the Scrip within a maximum of 7 days thereafter.

Case No. 31: M/s PIEM Hotels Ltd N. Delhi.
File No. 01/91/180/1356/AM11/PC3
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation SFIS two scrips
0510223210 dt. 02.07.2008
0510223211 dt. 02.07.2008

The committee did not find any convincing reasons to allow revalidation of the SFIS scrips as requested by the firm. It therefore rejected the request.

Case No. 32: M/s JV Steel Traders N. Delhi.
File No. 01/91/180/1107/AM11/PC3
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of SFIS Scrips (3) Scrips
3010048267 dt. 19.07.2006
3010055366 dt. 05.03.2008
3010056058 dt. 29.04.2008

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 above said SFIS scrip's 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 relevant SFIS Scrip.

Case No. 33: M/s RPC Foods, New Delhi.
File No. 01/53/8/59/AM-11/R-4/Import Cell
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Grant of Import Authorization.

The Committee considered the request of M/s RPC Foods, New Delhi. It was noted that the import item is canalized and approval required under Para 2.11 of FTP has been obtained. The Committee decided to allow authorization for stock and sale in relaxation of Para 2.16 of FTP.

Case No. 34: M/s ACE Manufacturing Systems Ltd, Bangalore.
File No. 01/60/162/1644/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Redemption of Advance Authorization No. 0710054538 dt. 16.11.07.

The Committee discussed the case and decided to defer for re-examining especially with reference to the fact that in this case there is no bill of exports at all and the total reliance to be made on ARE-1. The Committee noted that this kind of dispensation has not been granted earlier and therefore this needs to be re-examined in light of any similar decision in the past.

Case No. 35: M/s United Phosphorus Ltd.
File No. 01/60/162/943/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Clubbing of 6 Advance Authorization Nos.

i. 0310373518 dt. 28.03.2006
ii. 0310383331 dt. 06.06.2006
iii. 0310388248 dt. 06.07.2006
iv. 0310433951 dt. 26.06.2007
v. 0310383333 dt. 06.06.2006
vi. 0310400888 dt. 25.09.2006

The Committee considered the request of the firm and decided to club above mentioned advance authorizations for the purpose of regularization. RA may revalidate advance authorization no. 0310433951 dt. 26.06.2007 subject to payment of composition fee @1% of the unutilized Cif value of the authorizations and also subject to verification of EO fulfillment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. 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. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization. CIF. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 36: M/s Virgo Polymers (India) Ltd Chennai.
File No. 01/60/162/1262/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension & amendment of date of issue of 12 DFIAs No.

i. 0410089179 dt. 26.04.2007
ii. 0410089259 dt. 10.05.2007
iii. 0410089180 dt. 26.04.2007
iv. 0410089355 dt. 10.05.2007
v. 0410089353 dt. 10.05.2007
vi. 0410089370 dt. 10.05.2007
vii. 0410098955 dt. 30.09.2008
viii. 0410089083 dt. 20.04.2007
ix. 0410089800 dt. 05.06.2007
x. 0410089354 dt. 10.05.2007
xi. 0410088952 dt. 13.04.2007
xii. 0410089084 dt. 20.04.2007

The Committee noted the contention of the firm regarding delay in RA and decided to call for a report from Regional Authority on the issue of delay to take a view in the case by PRC.

Case No. 37: M/s DSM Anti Infectives India Ltd. Gurgaon.
File No. 01/60/162/504/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Grant of permission of export against E. Com.

The Committee noted the request of the firm and decided to defer and re-examine whether these are Policy Circular -9 dated 30.06.2003 cases. It is also not clear from the request as to how many authorizations have been obtained against one E-com number. The firm should clarify why they did not take corrective steps early and carried on with the mistake too long. A detailed summarized position on authorizations and its respective E-Com, file no. etc be provided.

Case No. 38: M/s Philips Carbon Black Ltd.
File No. 01/60/162/1383/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010

Subject: Revalidation of Advance Authorization Nos. 0210078181 dt. 13.05.2005, 0210086287 dt. 15.02.2006 and 0210086289 dt. 15.02.2006. EOP extension of Advance Authorization No. 0210078184 dt. 13.05.2005 & 0210078187 dt. 13.05.2005 for the purpose of clubbing with Advance Authorization No. 0210103215 dt. 17.08.2007.

The Committee considered the request of the firm and decided to club advance authorization No. 0210078181 dt. 13.05.2005, 0210086287 dt. 15.02.2006, 0210086289 dt. 15.02.2006, 0210078184 dt. 13.05.2005, 0210078187 dt. 13.05.2005 and 0210103215 dt. 17.08.2007 for the purpose of regularization. RA may revalidate advance authorizations subject to payment of composition fee @1% of the unutilized Cif value of the authorizations and also subject to verification of EO fulfillment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. 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. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 39: M/s Trumac Engineering Co. Pvt. Ltd,.
File No. 01/60/162/953/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Audit Query Ref. 28 dt. 26.11.09.

The Committee noted the request of the firm and decided to reject as there was no merit in the request. The audit objections were correct and the firm needs to comply with the same.

Case No. 40: M/s Geltec Innovative Healthcare Mumbai.
File No. 01/60/162/1506/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0310259084 dt. 17.03.2004 issued under Policy Circular No. 9 dated 30.06.2003.

The Committee noted that the firm have made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 41: M/s BDH Industries Ltd., Mumbai.
File No. 01/60/162/1368/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: clubbing and regularization and closure of 4 Advance Authorization Nos.

i. 310060876 dt. 14.11.2000
ii. 310206964 dt. 10.06.2003
iii. 310205316 dt. 02.06.2003
iv. 310234796 dt. 05.11.2003

The Committee noted that the firm have made a request for clubbing of above mentioned advance authorizations after the period of expiry of more than 4 year from the date of expiry of authorizations. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 42: M/s Ravin Cables Ltd Mumbai.
File No. 01/60/162/177-182/AM11/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Request for clarification on composition fee in respect of Advance Authorization No. 0310405365 dt. 24.10.2006.

The Committee noted that there was no issue related to policy relaxation. It was, however, discussed that the 3 fee types i.e. revalidation, composition and enhancement were for separate purposes and were required to be paid individually.

Case No. 43: M/s Siddhartha Tubes Ltd Indore.
File No. 01/60/162/151/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Clubbing of 6 Advance Authorizations to the period of 2000-01 to 2001-02.

The Committee discussed the case and decided to defer and to re-examine with reference to earlier PRC decision, the grounds of rejection and the new grounds, if any and the GRC decision for the same.

Case No. 44: M/s Plastiblends India Ltd Mumbai.
File No. 01/60/162/795/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 0310429667 dt. 16.05.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was 100% both Qty.-wise and value-wise within the 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 45: M/s Maxwell Inc. Ludhiana.
File No. 01/60/162/754/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of DFIA No. 3010052379 dt. 10.07.20070.

The Committee noted that the export obligation fulfilled in respect of aforesaid DFIA was 100% both qty. wise and value wise within the valid EO period, as claimed by the firm, and accordingly the Committee decided to revalidate the aforesaid DFIA 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 DFIA and also subject to verification by RA of EO fulfillment status, as claimed by the firm. Further, PRC decided that these DFIA will be specifically endorsed as NON TRANSFERABLE.

Case No. 46: M/s Swan Press New Delhi.
File No. 01/60/162/779/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 051098454 dt. 25.01.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was more than 100% both Qty.-wise and value-wise within the 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 47: M/s Uttam Galva Steels Ltd., Mumbai.
File No. 01/60/162/774/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Amendment in input from Cold Rolled Galvanised Steel to Hot Rolled Steel against Advance Authorization No. 0310426798 dt. 16.04.2007.

The Committee noted the request of the firm and decided to re-examine with reference to the product actually exported and actual inputs that have gone into this export product. The case be also examine with reference to the wastages available for both SION-heads, with specific inputs from norms committee.

Case No. 48: M/s Plastiblends India Ltd., Mumbai.
File No. 01/60/162/794/AM10/EFGC(PRC)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 0310428843 dt. 09.05.2007

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was 100% both Qty.-wise and value-wise within the 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 49: M/s Parekh Marine Agencies Pvt. Ltd Mumbai.
File No. 01/89/180/23/AM-11/PC-2(A)
PRC Meeting No. 11/AM11 dated: 09.11.2010
Subject: Request for exemption from production of TAC for import.

Committee considered the request of the firm and decided to permit import of two no. of Reach Stackers Model: DRF 450 60S5 and one no. of Forklift Model : DCF-330-12LB in relaxation of TAC condition of para 7 of Import Licensing Note of chapter 87 subject to the condition that the vehicles would not ply on the public roads.

Case No. 50: M/s Hindustan Zinc Limited Udaipur.
File No. 01/89/180/AM-09/PC-2(A)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Import of two vehicles in relaxation of the Para 2 II (b) and (c) of ILN of Chapter 87.

The Committee noted that the request made by M/s.Hindustan Zinc Limited, Udaipur is to import two utility/ mining equipments, namely 1 no. of Utility Vehicle personal carrier model (Ultimate 6180) and 1 no. of Utility vehicle – Scissors Lift (Utilift 6330X) for underground mining operations. The Committee considered the request and granted permission in relaxation of the provisions of para 2(II) (b) and (c) of Import Licensing Note of Chapter 87 for import of these equipments subject to the conditions that the equipments would not ply on the public roads and would be used only on the project site.

Case No. 51: M/s Zenith Birla (India) Ltd., Mumbai.
File No. 01/94/180/992/AM09/PC-4(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Clubbing of Advance Authorization No.
i. 310083623 dt. 09.05.2001
ii. 310083613 dt. 09.05.2001
iii. 310158648 dt. 16.09.2002

The Committee noted the request of the firm and decided to re-examine with reference to the fact that if any evidence of filing the request in PRC was submitted by the firm.

Case No. 52: M/s IPCA Laboratories Ltd., Mumbai.
File No. 01/60/162/920/AM11/EFGC(PRC)
PRC Meeting No: 11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 03104369729 dt. 28.04.2008 issued under Policy Circular No. 9 dated 30.06.2003.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was 50% both Qty.-wise and value-wise within the valid EO period. Therefore, the Committee decided to extend EOP by another six months from the expiry of initial EOP of 6 months for regularization purpose only, 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 initial 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. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF. RA to also verify all conditions of Policy Circular No. -9 dated 30.06.2003 closely.

Case No. 53: M/s Prakash Metals, Mumbai.
File No. 01/60/162/829/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 0310372581 dt. 23.03.2006.

The Committee noted that the firm have made a request for revalidation of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request and no new grounds have been given.

Case No. 54: M/s Prakash Metals, Mumbai.
File No. 01/60/162/830/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 0310422807 dt. 12.03.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was 100% both Qty.-wise and value-wise within the 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 55: M/s Villa-Mode Exports (India) Pvt. Ltd., Mumbai.
File No. 01/60/162/667/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 0310429198 dt. 11.05.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was 100% both Qty.-wise and value-wise within the 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 56: M/s Karur K.C.P. Packkaging Ltd., Tamil Naadu.
File No. 01/60/162/815/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 3210036227 dt. 17.09.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was 100% both Qty.-wise and value-wise within the 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 57: M/s Arvind Limited.
File No. 01/92/180/125/AM11/PC-VI
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Refund of Terminal Excise Duty supply received from indigenous vendor under EPCG Authorization where equipment are lease financed.

It was decided to defer the case to re-examine the specific provisions of the FTP closely and also if any precedence of such kind of cases existed.

Case No. 58: M/s S.K. Age Exports, Mumbai.
File No. 01/94/180/998/AM09/PC-4(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation for clubbing of 4 Advance Authorization Nos.
i. 0310324570 dt. 04.04.2005
ii. 0310324569 dt. 04.04.2005

iii. 0310335401 dt. 22.06.2005
iv. 0310335402 dt. 22.06.2005

The Committee considered the request of the firm and decided to club for the purpose of regularization the advance authorization Nos. 0310324570 dt. 04.04.2005, 0310324569 dt. 04.04.2005, 0310335401 dt. 22.06.2005, 0310335402 dt. 22.06.2005 in view of the letter of Drug Controller General clarifying that Erythromycin Thiocyanate is used as an intermediate in the manufacturer Erythomycin Stearate and therefore, Policy Circular No. 9 is not applicable to import. RA may revalidate the required advance authorization subject to payment of composition fee @1% of the unutilized Cif value of the authorizations and also subject to verification of EO fulfillment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. Also in no circumstance, the total EOP (including extended period) should exceed 1 year (counted from date of 1st import) be considered for clubbing. 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. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF. The condition of Policy Circular No. 9 be applied and conformity established individually for each authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations and verification of Policy Circular No. 9 dated 30.06.2003 conditions.

Case No. 59: M/s Bharat Silks, Bangalore.
File No. 01/60/162/285/AM10/EFGC (PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Clubbing of 3 Advance Authorization Nos.
i. 0710041527 dt. 21.11.2005
ii. 0710042528 dt. 09.01.2006
iii. 0710042987 dt. 07.02.2006

The Committee considered the request of the firm and noted that through PN 45 dt. 14.1.2005, physical and deemed exports could be clubbed and decided to club advance authorizations No. 0710041527 dt. 21.11.2005, 0710042528 dt. 09.01.2006 and 0710042987 dt. 07.02.2006 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and Public Notice No. 45 dated 14.01.2005 to take necessary action and make necessary endorsements at the time of revalidation. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 60: M/s Alembic Ltd., Vadodara.
File No. 01/94/180/538/AM10/PC-4(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Permission to allow physical exports done instead of deemed of exports as imposed on the Advance Authorization No. 3410009318 dt. 24.12.2003.

The committee discussed the request of the firm and decided to reject as provision of Public Notice No. 45 dated 14.01.2005 can not be applied retrospectively.

Case No. 61: M/s DSM Anti-Infective India Ltd., Gurgaon.
File No. 01/60/162/1278/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation & CIF enhancement of Advance Authorization No. 2210006635 dt. 29.03.2007 for the purpose of clubbing with other 2 advance Authorization Nos. 2210007032 dt. 06.09.2007 & 2210007217 dt. 02.11.2007.

The Committee considered the request of the firm and decided to club advance authorization No. 2210006635 dt. 29.03.2007, 2210007032 dt. 06.09.2007, 2210007217 dt. 02.11.2007 for the purpose of regularization. RA may revalidate advance authorization subject to payment of composition fee @1% of the unutilized Cif value of the authorizations and also subject to verification of EO fulfillment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA should ensure that PC-9 conditions are fully met for each authorization and only PC-9 authorizations should be clubbed. Non Policy Circular No. 9 dated 30.06.2003 should be clubbed with non Policy Circular No. 9 dated 30.06.2003 authorization. In authorizations where there is violation of the conditions of PC-9, that will not be considered for clubbing and they need to be considered in accordance with PC-18. Also in no circumstance, the total EOP (including extended period) should exceed 1 year (counted from date of 1st import) be considered for clubbing.

Case No. 62: Shalina Laboratories Pvt. Ltd. Mumbai.
File No. 01/60/162/1416/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010

Subject: EOP extension of Advance Authorization No. 0310487181 dt. 22.09.2008 issued under Policy Circular No. 9 dated 30.06.2003.

The Committee noted the request of the firm and decided to re-examine with reference to decision in any similar cases in past and place before PRC.

Case No. 63: M/s Panchmahal Steel Ltd., Vadodara.
File No. 01/60/162/580/AM10/EFGC (PRC)

PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 3410017896 dt. 17.01.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance authorization was more than 50% Qty.-wise within the valid EO period. 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, 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 regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization and not just on the unutilized CIF.

Case No. 64: M/s Glasstech Industries (India) Limited.
File No. 01/60/162/1124/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Regularize the export with relaxation of Policy in r/o Advance Authorization No. 0310355203 dt. 11.11.2005.

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 65: M/s Swastik Pipes Ltd., New Delhi.
File No. 01/60/162/1490/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation of DFIA No. 0510216171 dt. 11.02.2008.

The Committee noted that the above mentioned DFIA has already been endorsed with transferability and therefore, the request is rejected.

Case No. 66: M/s Vignehwara Exports Ltd Mumbai.
File No. 01/60/162/1232/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject : Revalidation of 4 Advance Authorization Nos.

i. 0310135010 dt. 23.04.2002
ii. 0310160147 dt. 24.09.2003
iii. 0310199393 dt. 01.05.2003
iv. 0310209889 dt. 25.06.2003

The Committee noted that the firm has made a request for clubbing of above mentioned advance authorizations after the period of expiry of more than 4 year from the date of expiry of export period of authorizations. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 67: M/s Shrenik Pharma Ltd Mumbai.
File No. 01/60/162/1319/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 313280 13.04.1993.

The Committee noted that it was a procedural issue and decided that the same may be examined as per PN no. 79 dt. 2.1.2006 by RA and then with a report be sent to PRC. The case be only placed before PRC if it requires any policy/procedural relaxation.

Case No. 68: M/s Ajanta Pharma Ltd.
File No. 01/60/162/301/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Redemption and clubbing of 2 Advance Authorization No. 0310268737 dt. 15.05.2004 & 0310265345 dt. 23.04.2004.

The Committee noted that the request of the firm for revalidation of above mentioned advance authorization and observed that there is no evidence of delay on the part of RA. The Committee therefore, rejected the request of the firm.

Case No. 69: M/s Medreich Ltd., Bangalore.
File No. 01/60/162/1230/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0710017180 dt. 13.11.2002 for the purpose of clubbing with other Advance Authorization Nos. 0710017180 dt. 13.11.2002, 0710024080 dt. 19.09.2003 & 0710025294 dt. 12.11.2003.

The Committee noted that the firm has made a request for clubbing of above mentioned advance authorizations after the period of expiry of more than 4 year from the date of expiry of export period of authorizations. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 70: M/s Futura Fibres Ltd Mumbai.
File No. 01/94/180/23/AM-10/PC-4
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0410075042 dt. 03.10.2005.

The committee considered the case and that that exports made in valid EO period was low and decided to maintain rejection as no new grounds/facts have been provided by the firm.

Case No. 71: M/s Glow Pharma Pvt. Ltd Mumbai.
File No. 01/60/162/1476/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Closures of Advance Authorization No. 0310459163 dt. 25.01.2008 issued under Policy Circular No. 9 dated 30.06.2003 (EOP extension required).

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorizations after the period of expiry of more than 1 ½ year from the date of expiry of export period of authorizations. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 72: M/s S. Khoday Silk Twisting Factory Bangalore.
File No. 01/60/162/1461/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation of Advance Authorization No. 0710039542 dt. 05.08.2005.

The Committee noted that the firm has made a request for revalidation of above mentioned advance authorization after the period of expiry of more than 1 ½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 73: M/s Shabari Trading Co. Kerla.
File No. 01/60/162/762/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension and regularization of Advance Authorization No. 1010022516 dt. 30.12.2005.

The Committee discussed the case and decided to re-examine the case with reference to status of exports fulfillment within the valid EOP and reasons of shortfall, date of request etc.

Case No. 74: M/s Sreepathi Pharmaceutical Ltd., Hyderabad.
File No. 01/60/162/281/AM10/EFGC(PRC)

PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Export Obligation & Redemption letter of Advance Authorization No. 0910021906 dt. 16.02.2005.

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1 ½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 75: M/s Techno Economics Services Pvt. Ltd.,
File No. 01/60/162/646/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0310248115 dt. 19.01.2004.

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1 ½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 76: M/s Zenith Rubber & Plastics Works Mumbai.
File No. 01/94/180/398/AM10/PC-IV/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: 2nd revalidation of Advance Authorization No. 031098490 dt. 07.09.2006 and 0310402087 dt. 07.09.2006.

The committee considered the case in details and decided to reject as the grounds/facts provided by the firm for a second revalidation were not justified and cogent.

Case No. 77: M/s Sterling Biotech Ltd., Mumbai.
File No. 01/60/162/666/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 3410013965 dt. 27.07.2005 & 3410013100 dt. 29.03.2005.

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorizations after the period of expiry of more than 1 ½ year from the date of expiry of authorizations. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 78: M/s Vivimed Labs Ltd., Hyderabad.
File No. 01/60/162/932/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Clubbing of 2 Advance Authorization No. 0910020971 dt. 30.11.2004 & 0910041237 dt. 09.03.2010 and EOP extension of Advance Authorization no. 0910020971 dt. 30.11.2004.

The Committee considered the request of the firm and decided to club advance authorization No. 0910020971 dt. 30.11.2004 and 0910041237 dt. 09.03.2010 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 79: M/s Ajanta Pharma Ltd., Mumbai.
File No. 01/60/162/748/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0310340855 dt. 25.07.2005.

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1 ½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request. RA should take necessary action as per Policy Circular No-18 dated 30.10.2007 since some exports have been made out side the EOP, the condition of re-export of imported material or destruction of manufactured goods may not be possible and regularization be done as per the default provisions related to payment of duty and interest there of as detailed in the Policy Circular No. 18 dated 30.10.2007.

Case No. 80: M/s Techno Economics Services Pvt. Ltd.
File No. 01/60/162/646/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0310218880 dt. 14.08.2003.

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1 ½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 81: M/s Apex Auto Ltd.,
File No. 01/60/162/456/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: Revalidation of DEPB Authorization No. 2110000721 dt. 25.07.2007.

The Committee noted that the request of the firm and decided to reject as there is no delay on the part of Customs or Regional Authority.

Case No. 82: M/s Medreich Ltd., Bangalore.
File No. 01/60/162/268-275/AM10/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of 8 Advance Authorization Nos.

i. 0710030548 dt. 28.06.2004
ii. 0710030473 dt. 25.06.2004
iii. 0710032292 dt. 06.09.2004
iv. 0710018020 dt. 23.12.2002
v. 0710024524 dt. 09.10.2003
vi. 0710024745 dt. 21.10.2003
vii. 0710024956 dt. 29.10.2003
viii. 0710019677 dt. 12.03.2003

The Committee noted the request of the firm earlier rejected by PRC. It therefore decided to re-examine and place the case before PRC for reconsideration only if there were new facts/grounds which warranted re-consideration.

Case No. 83: M/s Kopran Ltd., Mumbai.
File No. 01/60/162/1145/AM11/EFGC(PRC)
PRC Meeting No.11/AM11 dated: 09.11.2010
Subject: EOP extension of Advance Authorization No. 0310434280 dt. 28.06.2007 issued under Policy Circular No. 9 dated 30.06.2003.

The Committee noted that the firm has made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1 ½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request. RA should take necessary action as per Policy Circular No-18 dated 30.10.2007 since some exports have been made out side the EOP, the condition of re-export of imported material or destruction of manufactured goods may not be possible and regularization be done as per the default provisions related to payment of duty and interest there of as detailed in the Policy Circular No. 18 dated 30.10.2007.

****