Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of DGFT, *Shri Anup Wadhawan, on 13.07.2016 & 14.07.2016*

Meeting No. 11/AM17 held on 13.07.2016 & 14.07.2016 at 9:30 AM

The following Members were present in the meeting:

1.	Shri K.C. Rout	Addl. DGFT
2.	Shri Darshan Singh	Addl. DGFT
3.	Shri J.V. Patil	Addl.DGFT
4.	Shri S.B.S. Reddy	Addl.DGFT
5.	Shri A.K. Srivastava	Jt. DGFT
6.	Shri Jay Karan Singh	Jt. DGFT
7.	Shri AkashTaneja	Jt. DGFT
8.	Shri S.K. Mohapatra	Dy. DGFT

Following cases were discussed. The decision taken on the individual cases are as under:-

Case No.1: M/s. Raj Petro Specialities P. Ltd., Chennai. P.H. Case
F.No. 01/60/162/130/AM16/PRC
PRC Meeting No. 11/AM17 held on 13.07.2016
Subject:- Request for revalidation of Advance Authorization No.0410141866 dt. 18.12.2012.

Mr. V. Mani, Asstt. General Manager (EXIM) and Mr. A. Pandey, Assistant Manager from M/s Raj Petro Specialities Pvt Ltd., Chennai appeared before the committee and made the following submissions:

1. They have fulfilled export obligation within 10 months from the date of issue of Advance Authorization realizing FOB value achieved value addition. Export commended on 08.10.2013 which is within 10 months from the date of issue of the Advance Authorization.
2. The Authorization was issued on 18.12.2012. Norms were fixed on 15.10.2014 as per NC Meeting no. 10/15 dated 15.10.2014 i.e. 22 months from the date of issue of the Authorization.
3. They were waiting for fixation of norms. The norms were fixed after expiry of the said Authorisation. They were under apprehension that if norms are not fixed or fixed less than the applied then they will be under obligation to pay duty and interest that is why they did not import against the Authorisation.

Decision:
The committee observed that the case was earlier decided in PRC Meeting No.10/AM16 dated 13.10.2015 and the same was reviewed in PRC Meeting No. 25/AM16 dated 18.12.2015. However, the case was rejected as no genuine hardship was established. The committee further deliberated the issue on the basis of submissions made during personal hearing and observed the following:

1. **The Authorisation was issued under self-declaration scheme to meet immediate requirement of duty free raw materials.**
2. **The Authorisation was issued to meet the requirement of the exporter to allow duty free import of raw materials so as to execute the export order in time.**
3. **Non-fixation of norms in no way make any hurdles to import.**
4. **The Authorisation holder should had imported goods within the validity of the Authorisation.**

The committee, therefore, did not find the case of any genuine hardship. Hence, reiterated its earlier stand taken in its meeting dated 18.12.2015.

Case No.2: M/s. Nocil Ltd., Mumbai.
F.No. 01/60/162/767/AM14/ PRC
PRC Meeting No. 11/AM17 held on 13.07.2016

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Subject:- Request for clubbing of 3 Advance Authorizations No.(1) 0310450977 dt. 21.11.2007; (2) 0310450982 dt. 21.11.2007 & (3) 0310578263 dt. 10.06.2010.

Ms. Reena Khair, Advocate, Mr. Rakesh Srivastava, AVP exports and Mr. Sushilkumar Chavan, Executive, Export appeared before the committee and made the following submissions:

1. That their request is not for relaxation of any provisions for clubbing of Advance Authorizations under Paragraph 4.20 of the Handbook of Procedures, v1 (HBP), nor under Public Notice No. 79 dated 13.10.2011 or the amended provisions notified on 5.6.2012 or those notified later;
2. That they have made exports and imports in the third Advance Authorization No. 0310578263 dt. 10.06.2010 keeping in view the provisions of clubbing available under Para 4.20 of HBPv1 as notified under PN 79 dated 13.10.2011;
3. That they fully complied with the provisions of PN 79 dated 13.10.2011 and that had continued for some more time, their clubbing request could have been considered in the normal course and the case could have closed at the RA level;
4. That for the purpose of clubbing in terms of PN 79 dated 18.4.2013 they were only considering exports made till 4,6,2012 i.e. before the change of clubbing policy under paragraph 4.20 as on 5.6.2012;
5. That they could file their clubbing requests for exports made till 4.6.2012 only on 30.08.2012 that was within 3 months, as realization of export proceeds from the foreign buyer took some time i.e. a credit period of 120 to 180 days.
6. They had to wait for BRCs and arrange for all documentary requirements for filing of clubbing request;
7. That they have requested only for condonation of delay in filing of clubbing requests by about 11 weeks as against the stipulation of 4.6.2012 under the PN 2 dated 18.4.2013, which is purely procedural and technical in nature.

Decision:

The committee heard representatives and deliberated the issue at length. It was noted that the two Advance Authorisations were issued during 2007 and one Authorisation was issued during 2010. Two Authorisations were issued as per FTP, 2004-2009 and the last one was issued as per FTP, 2009-2014.

As per the policy, Advance Authorisation is issued with certain export obligation that has to be fulfilled within specified and stipulated period. The Authorisation must has been redeemed and closed within two months from the date of expiry of stipulated export obligation period.

Clubbing of Authorisation is a facility, which provides clubbing of two or more Authorisations where imports are made in the earliest Authorisation and exports, due to mistake or oversight, were made in the subsequent Authorisations using raw materials imported under first Authorisation. However, such exports must be completed within the initial/extended obligation period of first Authorisation.

However, in order to reduce pendency of PRC, vide PN 79 dated 13.10.2011 Para 4.20 of HBP, 2009-2014 was amended empowering RAs to allow clubbing of old pending Authorisations provided Authorisations were issued within 36 months of span. The objective of the said PN was to regularize and close old pending cases. Hence, it was just like an amnesty scheme. Therefore, by this public notice, relaxation was granted to club Authorisation issued during EXIM Policy period 1992-1997 & 1997-2002 notwithstanding the condition to 36 months in Para 4.20.3 of the said PN. However, the scheme was in operation till 31.03.2012 for Authorisations issued prior to 1st April, 2002 and till the change of Policy that is upto 04.06.2012 for Authorisations issued after 1st April, 2002 onwards.

By Annual supplement of FTP, 2009-2014 issued on 05.06.2012, Para 4.20 and 4.22 of HBP was amended and export obligation period of Advance Authorisation was reduced to 18 months from the

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date of issue of Authorisation instead of 36 months. However, in order to disposing of pending request received prior to 05.06.2012, Para 4.20.5 of HBP, 2009-2014 was amended vide PN No2 dated 18.04.2013, which reads as under:

> *"No clubbing of authorisations issued on or before 31st March, 2004 shall be allowed. Further, no clubbing of authorisations covered under Appendix 30A of the HBPv1 or authorisations with less than 18 months EOP shall be allowed. However, requests for clubbing of Advance Licences/Authorisations, issued between 1.4.2002 and 31.5.2012, and received by RAs on or before 4.6.2012 may be disposed of as per the provisions of HBP-v1 prior to issue of Revised Edition/Annual Supplement dated 5.6.2012, provided conditions stipulated in Public Notice No. 79 dated 13.10.2011 are adhered".*

Therefore, vide PN 2, RAs were allowed to dispose of the cases received prior to 05.06.2012 as per the provisions of PN 79 dated 13.10.2012. However, request received after that shall be entertained as per the provisions of Para 4.20 of HBP, 2009-2014 as amended on 05.06.2012 because Para 4.27 of said HBP says:

> *"Advance Licences including Advance Licences for Annual Requirement issued upto 26.08.2009 shall be governed by provisions contained in Chapter-7 of HBP v1(RE- 2001), Chapter 4 of HBP v1 (2002-2007) as Notified on 31.3.2002 and Chapter 4 of HBP v1 (2004-2009) as notified on 31.8.2004 respectively as amended from time to time, excepting provisions relating to clubbing and extension in E.O. period which shall be governed by provisions of paragraphs 4.20 and 4.22.1 respectively above and any other provision, as notified by DGFT."*

The applicant has submitted request for clubbing of three Advance Authorisations on 30.08.2012 and on that date FTP/HBP, 2009-2012 as amended unto 05.06.2012 was in force. Hence, request for clubbing cannot be allowed as per PN 79 dated 13.010.2012. The policy relaxation is not a matter of right. One has to establish the case of genuine hardship for seeking relaxation. There is no case of genuine hardship as Authorisations obtained in November, 2007 should have been closed by January, 2010. The committee, therefore, did not accede to the request. The applicant is hereby directed to accept the decision dated 24.04.2015 and/or get the cases regularised separately in terms of Para 4.49 of HBP, 2015-2020.

(Action: Applicant/RA, Mumbai; if the applicant fails to get the cases regularised within a month from the date of uploading of these minutes on the Directorate website, necessary action as per the provisions of FT(DR)Act, 1992 as amended shall be initiated.)

Due to paucity of time meeting was postponed which resumed on 14.07.2016 at the same time and following cases were discussed:

Case No.3: M/s. Ashish Life Science P. Ltd., Mumbai.

F.No. 01/60/162/550/AM16/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for waiver of PC-18 condition/other condition of Advance Authorization 3510741157 dt. 11.07.2013 and waiver of procedural requirement as per HBP – issued under PC-9 condition.

Decision:

The committee noted that PRC, in its meeting dated 06.01.2016 had deferred the case for seeking report from the applicant about actual quantity of exports made against Advance Authorization No. 0310741157 dated 11.07.2013. The applicant has informed that they were issued two Advance Authorizations viz., 0310722785 dated 04.02.2013 and 0310741157 dt. 11.07.2013. Due to a clerical error while writing license numbers on the shipping bills and incorrect adjustments of exports against

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imports, resulted in shortfall in Advance Authorization No 3510741157 dt. 11.07.2013. There is surplus exports in the Authorisation No 0310722785 dated 04.02.2013 but the same has been redeemed. However, against the required obligation of 24325Kgs they have exported 25003.913kgs in two Authorisations. Taking these facts into consideration, the committee decided to waive the condition of PC-18 dated 30.10.2007 to the extent of requirement of destruction certificate provided duty plus applicable interest against the shortfall is paid.

(Action: Applicant/RA, Mumbai)

Case No. 4: M/s. Phoenix Foils P. Ltd., Mumbai.

F.No. 01/60/162/626/AM16/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for clubbing of 2 Advance Authorizations No.0310734470 dt. 15.05.2013 and 0310792000 dt. 15.12.2014.

Decision:

The committee reviewed its earlier decision taken in PRC Meeting No. 26/AM16 dated 15.03.2016 and observed that the fresh submissions of the applicant fails to counter the earlier observations of the Committee. The Committee, hence, reiterated its earlier decision and did not accede to the request. Hence, clubbing of the two Authorizations is not allowed. The applicant is hereby directed to get the case regularized separately in terms of Para 4.49 of HBP 2015-2020.

Case No.5 : M/s. Poly Worlds, Dadar and Nagar Haveli.

F.No. 01/60/162/328/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for revalidation of Advance Authorization No.0310788598 dt. 02.09.2014.

Decision:

The Committee observed that the Authorisation was issued having initial validity of 12 months. RA has already allowed 6 months extension of validity of the Authorisation. Despite that the applicant could not utilise the Authorisation. From the submissions made by the applicant, no case of genuine hardship established. Hence, the Committee did not accede to the request.

Case No.6 : M/s. Handfab Home, Panipat.

F.No. 01/60/162/319/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for revalidation of SHIS Scrip No.3310028666 dt. 06.01.2014.

Decision:

The Committee observed that the SHIS Scrip No.3310028666 dt. 06.01.2014 was also covered under Para 2.12.3 of HBP, 2009-14 being duty credit scrip. Hence, the scrip should be valid on the date of import. The applicant had made the request for transferability on 15.07.2015 whereas the said Scrip was valid till 05.07.2015 only. From the submissions made by the applicant, no case of genuine hardship established. Hence, the Committee did not accede to the request.

Case No.7 : M/s. Glenmark Pharmaceuticals Ltd., Mumbai.

F.No. 01/60/162/300/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject: - Request for EOP extension against Advance Authorization No.0310788921 dt. 09.09.2014 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310788921 dt. 09.09.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 07.01.2015, 27.01.2015, 26.02.2015, 12.05.2015 and 22.09.2015. Accordingly, initial obligation period for respective consignments were

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upto 31.01.2016, 31.01.2016, 28.02.2016 & 31.05.2016. The applicant has fulfilled more than 50% export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto 31.07.2016, 31.07.2016, 31.08.2016 & 30.11.2016 respectively.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to a payment of composition fee @ 0.5% on FOB value of export made after initial obligation period.
IV. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.
VI. The applicant has to pay duty plus interest on inputs consumed and exported after 18 months from the date of import consignment.

(Action: RA, Mumbai)

Case No.8 : M/s. Jewel Consumer Care P. Ltd., Baroda.

F.No. 01/60/162/307/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension against Advance Authorization No.3410029884 dt. 11.04.2011.

Decision:

The committee observed that the Authorisation was issued having initial obligation period of 36 months. The applicant has not even fulfilled minimum 50% of its stipulated export obligation during its initial Export Obligation Period. The committee, normally allows extension upto 48 months that has lapsed in April, 2015. No exports are made after initial obligation period. And, the request is also made after laps of extendable period. Hence, the committee did not accede to the request.

(Action: RA, Baroda: If the applicant fails to get their cases regularized within a month from the date of publication of these minutes on this Directorate web-site, RA shall initiate action as per the provisions of FT(D&R) Act, 1992, as amended and report.)

Case No.9 : M/s. Gland Pharma Ltd., Hyderabad.

F.No. 01/60/162/282/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension against Advance Authorization No.0910061712 dt. 17.03.2015 issued under conditions of PC-9.

Decision:

The Committee noted that the Authorization No. 0910061712 dt. 17.03.2015 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 24.03.2015 & 22.04.2015. Accordingly, initial obligation period was upto 24.03.2016 & 22.04.2016 respectively, against each import consignment. The applicant has fulfilled less than 50% of its stipulated export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **30.09.2016 & 31.10.2016**, respectively.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to a payment of composition fee @ 0.5% per month of unfulfilled FOB value of export made/to be made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: RA, Hyderabad)

Case No. 10: M/s. Gland Pharma Ltd., Hyderabad.

F.No. 01/60/162/281/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension against Advance Authorization No.0910061862 dt. 31.03.2015 issued under conditions of PC-9.

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Decision:

The Committee noted that the Authorization No. 0910061862 dt. 31.03.2015 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 13.04.2015. Accordingly, initial obligation period was upto 13.04.2016, against the import consignment. The applicant has fulfilled less than 50% of its stipulated export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **31.10.2016**.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to a payment of composition fee @ 0.5% per month of unfulfilled FOB value of export made/to be made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.

(Action: RA, Hyderabad)

Case No. 11: M/s. Glenmark Pharmaceuticals Ltd., Mumbai.

F.No. 01/60/162/948/AM16/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for condonation in endorsement of re-export quantity 399.98 Kgs. on debit sheet of Advance Authorization No.0310748922 dt. 10.09.2013 and waiver of PC-18 condition along with duty + interest liability by allowing re-credit of the said quantity in the same authorization for regularization purpose.

Decision:

The committee noted that the applicant has re-exported 399.98kgs raw materials under shipping bill No 6443648 dated 04.12.2014 which was imported under B/E No 4561666 dated 05.02.2014 filed against the said Authorisation. The applicant should had acquired the said quantity re-credited in the Authorisation immediately on re-exportation. However, they have not approached the Customs Authority in time.

On perusal of S/b, it was noted that goods were re-exported to the same supplier. The committee, therefore, decided to allow waiver of PC-18 dated 30.10.2007 condition for 399.98kgs. **(Action: RA, Mumbai)**

Case No. 12: M/s. Mylan Laboratories Ltd., Hyderabad.

F.No. 01/60/162/313/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for clubbing of 2 Advance Authorizations No.0910053776 dt. 12.09.2012 and 0910060166 dt. 21.05.2014..

Decision:

The Committee noted that exports in the subsequent Authorizations are made within the initial/extendable export obligation period of the first Authorization. The Committee, therefore, decided the following:

I. Clubbing of the 2 Advance Authorizations, as referred above be allowed.
II. Export obligation period against Authorisation No 0910053776 dt. 12.09.2012 be extended upto 30.09.2015.
III. This will be allowed subject to payment of composition fee @ 0.5% of FOB value of exports made and to be accounted after 18th month but upto 24th month and @ 0.5% per month of FOB value of exports made and to be accounted after 24th month but upto 30th month and @ 1% per month of FOB value of exports made beyond 30th month but upto 36th month.
IV. Exports made upto 30.09.2015 shall only be taken into account towards clubbing and discharge of EO.

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V. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.

VI. RA shall ensure proper accounting of the duty free inputs with reference to the export product while clubbing the Authorizations. On clubbing, shortfall if any, shall be regularized on payment of Customs Duty and applicable Interest in terms of Para 4.49 of HBP, 2015-2020. **(Action: RA, Hyderabad)**

Case No. 13: M/s. Royal Touch Fablon Ltd., Kolkata.

F.No. 01/60/162/363/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for revalidation of Advance Authorization No.0210204972 dt. 12.09.2014.

Decision:

The Committee observed that the Authorisation was issued having initial validity of 12 months. RA has already allowed 6 months extension of validity period against the said Authorisation. Despite that they could not utilise the Authorisation. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

Case No. 14: M/s. Kawaken Stering Surfactants P. Ltd., Mumbai.

F.No. 01/60/162/977/AM16/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for clubbing of 2 Advance Authorizations No.0310536215 dt. 02.09.2009 and 0310733987 dt. 10.05.2013 regularization purpose.

Decision:

The Committee noted that the above referred two Advance Authorizations were issued within 36 months and the export obligation in the subsequent Authorization has been completed within the original export obligation period of the first Authorization. The Committee, therefore, decided the following:

I. Clubbing of the 2 Advance Authorizations, as referred above be allowed.

II. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.

III. RA shall ensure proper accounting of the duty free inputs with reference to the export product while clubbing the Authorizations. On clubbing, shortfall if any, shall be regularized on payment of Customs Duty and applicable Interest in terms of Para 4.49 of HBP, 2015-2020. **(Action: RA, Mumbai)**

Case No. 15: M/s. Nazareth Metals, Mumbai.

F.No. 01/60/162/305/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject: - Request to accept Chartered Engineer Certificate towards proof of net content of raw material for redemption against Advance Authorizations No.0310442679 dt. 11.09.2007.

Decision:

The Committee noted that in terms of Para 4.12 of FTP, the exporter shall declare the proportion of the inputs actually used/consumed in production of export product shall be clearly indicated in shipping bills. Chartered engineer certificate will not suffice the purpose. The Committee, therefore, did not accede to the request. The applicant is hereby directed to get the case regularised in terms of Para 4.49 of HBP.

(Action: Applicant/RA; if the applicant fails to get the case regularised within a month from the date of uploading of these minutes on the Directorate website, necessary penal action as per the provisions of FT(DR)Act, shall be initiated.)

Case No. 16: M/s. IOL Chemicals & Pharmaceuticals Ltd., Tehsil Barnala.

F.No. 01/60/162/359/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

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Subject:- Request for regularization of export of IBUPROFEN against Advance Authorizations No.3010081449 dt. 08.12.2011.

Decision:

Deferred for seeking EP copy of Shipping Bills. (Action: Applicant)

Case No. 17: M/s. Banco Gaskets (India) Ltd., Vadodara.

F.No. 01/60/162/338/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for acceptance of Shipping Bills non-mentioning Advance Authorization No. / file Number for issuance of EODC in respect of Advance Authorization No.3410028318 dt. 14.10.2010.

Decision:

The Committee observed that the mistake was committed by the applicant while filing the application. Further, without getting the mistake rectified they started shipment under "free shipping bills" and 'free shipping bill' is not assessed by the Customs Authority. Thus, the same can't be accounted towards discharge of export obligation against Advance Authorization. The applicant is hereby directed to get their case regularized in terms of Para 4.49 of HBP 2015-2020. **(Action: Applicant/RA, Vadodara)**

Case No. 18: M/s. HPL Additives Ltd., New Delhi.

F.No. 01/60/162/315/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for second revalidation of Advance Authorization No.0510380275 dt. 26.02.2014.

Decision:

The Committee observed that the Authorization was issued having initial validity of 12 months. RA has already allowed 6 months extension as per request of the applicant. Despite that they could not utilize the Authorization. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

Case No. 19: M/s. Cosmo Films Ltd., Maharashtra.

F.No. 01/60/162/331/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for revalidation of Advance Authorization No.031064452 dt. 03.01.2014.

Decision:

The committee noted that Authorisation was accepted by ICEGATE with error code 44 and 45 that is customs error code. The committee, therefore, decided to seek comments of the Customs Authority why import was not allowed against the Authorisation?

The case was deferred for seeking report from Customs.

(Action: Applicant/PRC)

Case No. 20: M/s. Bihar Raffia Industries, Kolkata.

F.No. 01/60/162/333/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0210177047 dt. 27.04.2012 for regularization purposes.

Decision:

The committee observed that the applicant has not exported at all during the initial export obligation period of 36 months or thereafter and has not submitted any proof that the imported materials/resultant product are still in the possession of the applicant. Further, the committee did not allow extension beyond 48 months and that period has lapsed now. Hence, the Committee decided not to accede to the request. The applicant is hereby directed to get the case regularized in terms of Para 4.49 of HBP 2015-2020.

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(Action: Applicant/RA, Kolkata; if the applicant fails to get the case regularised within a month from the date of uploading of these minutes on the Directorate website, necessary penal action as per the provisions of FT(DR)Act, shall be initiated.)

Case No. 21: M/s. Mahalaxmi Seemless Ltd., Mumbai.

F.No. 01/60/162/347/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension relaxation of Advance Authorization No.0310562067 dt. 25.02.2010 for regularization purposes.

Decision:

The committee observed that the applicant has not even fulfilled 50% of its stipulated export obligation during its original Export Obligation Period and the Committee also observed that the maximum extendable period of 48 months, from the date of issue of the Advance Authorisation, has also lapsed in February, 2014. The Committee, since, does not allow extension beyond 48 months from the date of issue of Authorization, the request was not accede to. The applicant is hereby directed to get the case regularised in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, Mumbai: If the applicant fails to get their cases regularized within a month from the date of publication of these minutes on this Directorate web-site, RA shall initiate action as per the provisions of FT(D&R) Act, 1992, as amended and report.)

Case No. 22: M/s. Bekaert Industries P. Ltd., Pune.

F.No. 01/60/162/361/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for second revalidation of Advance Authorization No.3110063315 dt. 28.03.2014.

Decision:

The Committee observed that the Authorization was issued having initial validity of 12 months. RA has already allowed 6 months extension as per request of the applicant. Despite that they could not utilize the Authorization. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

Case No. 23: M/s. Jindal Drugs P. Ltd., Mumbai.

F.No. 01/60/162/360/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0310732715 dt. 29.04.2013.

Decision:

The Committee observed that the Authorisation No.0310732715 dt. 29.04.2013 was issued inadvertently having 36 months of original Export Obligation Period (EOP) instead of 18 months. The Regional Authority rectified the error on 21.04.2014. The Committee further observed that the stipulated export obligation was fulfilled within 33 months of the date of issue of the Authorisation. Hence, the Committee decided the following:

I. Export obligation period against Authorisation No 0310732715 dt. 29.04.2013 be extended upto 30.04.2016.

II. This will be allowed subject to payment of composition fee @ 0.5% of FOB value of exports made and to be accounted after 18th month but upto 24th month and @ 0.5% per month of FOB value of exports made and to be accounted after 24th month but upto 30th month and @ 1% per month of FOB value of exports made beyond 30th month but upto 36th month.

III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.

(Action: RA, Mumbai.)

Case No. 24: M/s. Uniworld Sugars P. Ltd., U.P.

F.No. 01/60/162/314/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

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Subject:- Request for counting of export Shipping Bill No.391391 dt. 17.07.2014 in discharge of E.O. for Advance Authorization No.0510383348 dt. 01.04.2014.

Decision:

The committee noted that the applicant had imported duty free raw sugar against the above referred Advance Authorisation. However, while making shipment they filed shipping bill under DBK scheme and availed drawback, though it was reversed subsequently, against duty free inputs. The applicant should had get these shipping bills into DEEC shipping bills at the time of reversing DBK. Accounting of such shipping bills against Advance Authorisation cannot be allowed. The committee, therefore, did not accede to the request. The applicant is hereby directed to get the case regularised in terms of Para 4.49 of HBP, 2015-2020.

(Action: Applicant)

Case No. 25: M/s. Aarti Industries Ltd., Mumbai.

F.No. 01/60/162/353/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for revalidation of Advance Authorization No.0310790036 dt. 09.10.2014.

Decision:

The Committee observed that the Authorization was issued having initial validity of 12 months. RA has already allowed 6 months extension as per request of the applicant. Despite that they could not utilize the Authorization. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

Case No. 26: M/s. CIGFIL Ltd., Bangalore.

F.No. 01/60/162/952/AM16/PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for Clubbing of 4 Advance Authorizations Nos.(i) 0710089823 dt. 23.07.2012; (ii) 0710091462 dt. 19.10.2012; (iii) 0710094831 dt. 16.04.2013 and (iv) 0710096562 dt. 09.07.2013 and allow accounting of exports made under 55 S/Bills from AA No.0710100407 dt. 10.12.2013 to AA No.0710096562 dt. 09.07.2013 for closure purpose.

Decision:

Deferred for re-examination by PRC.

Case No. 27: M/s. Radiant RSCC Speciality Cable P. Ltd., Hyderabad.

F.No. 01/60/162/299/AM17/PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension upto 32 months against Advance Authorization No.0910056371 dt. 18.06.2013 for regularization purpose.

Decision:

The committee noted that the applicant has fulfilled 28.46% export obligation within the initial obligation period and remaining 71.54% thereafter but by 32 months. The committee, therefore, decided the following:

I. Export obligation period against Authorisation No 0910056371 dt. 18.06.2013 be extended upto 30.06.2016.

II. This will be allowed subject to payment of composition fee @ 0.5% of FOB value of exports made and to be accounted after 18th month but upto 24th month and @ 0.5% per month of FOB value of exports made and to be accounted after 24th month but upto 30th month and @ 1% per month of FOB value of exports made beyond 30th month but upto 36th month.

III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.

(Action: RA, Hyderabad.)

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Case No. 28: M/s. Radiant RSCC Speciality Cable P. Ltd., Hyderabad.

F.No. 01/60/162/298/AM17/PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension upto 41 months against Advance Authorization No.0910053518 dt. 16.08.2012 for regularization purpose.

Decision:

The committee observed that the Authorisation was issued having initial obligation period of 18 months. RA is empowered, in terms of Para 4.22 of HBP, to allow two extension of 6 months each on payment of composition fee provided minimum 50% EO is completed within 24 months. PRC allow extension upto 36 months provided 100% exports are fulfilled within that period. In this case, 36 months period has over on 31.08.2015 and the applicant has not completed 100% exports. The committee, therefore, did not accede to the request. The applicant may seek extension upto 30 months from the concerned RA and get the case regularized against shortfall in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, Hyderabad: if the applicant fails to get the case regularized within a month from the date of uploading of these minutes on the Directorate website, necessary action as per the provisions of F.T.(DR)Act, 1992 shall be initiated)

Case No. 29: M/s. Kone Elevator India P. Ltd., Chennai.

F.No. 01/60/162/348/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for condoning procedural lapse of not producing bill of exports against supplies made to SEZ under Advance Authorization No.04101111263 dt. 03.02.2010.

Decision:

The committee noted that the applicant obtained the Authorisation with certain export obligation. He was aware that in order to discharge the stipulated export obligation they have to submit prescribed documents to RA concerned. For export outside the country, Shipping bill (by Ship) / Air way bill (by Air) is being generated and for export through land Customs, Bill of Export is generated. In terms of Para 4.12 of FTP, exporter shall declare consumption of inputs in the export documents.

In this case, the applicant neither generated Bill of Export nor declared the consumption of inputs and details of Advance Authorisation in any other export documents i.e. ARE-1. The committee, therefore, did not accede to the request. The applicant is hereby directed to get the case regularized in terms of Para 4.49 of HBP 2015-2020.

(Action: Applicant/RA, Chennai)

Case No. 30: M/s. SS UV Services P. Ltd., Kanpur.

F.No. 01/60/162/964/AM16/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for revalidation of 2 DFIA No.0610024034 dt. 04.10.2011 & 0610026372 dt. 26.03.2012.

Decision:

Deferred for seeking DRI letter from the RA.

Case No. 31: M/s. BHP Infrastructure P. Ltd., Faridabad.

F.No. 01/60/162/496/AM16/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for exemption from exporting balance 1 No. Crawler Mobile Screen TS 3600 Trace Mounted Mobile Screening Plant/relaxation in terms of Para 2.58 of FTP in respect of Advance Authorization No.0510233182 dt. 23.12.2008.

Decision:

The committee noted that the applicant has obtained the Advance Authorisation to import duty free goods for export of 4nos of Crawler Mobile Screen Track Mounted mobile screens. Out of that the applicant has exported 3 Nos. The request is made to waive the export of 1number of Crawler Mobile

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Screen Track. Since, duty free inputs have been imported, waiver of duty and interest cannot be allowed, as it does not fall under the purview of DGFT. Hence, the request is rejected. The applicant is hereby directed to get the case regularised in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, Hyderabad: if the applicant fails to get the case regularized within a month from the date of uploading of these minutes on the Directorate website, necessary action as per the provisions of F.T.(DR)Act, 1992 shall be initiated)

Case No. 32: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.

F.No. 01/60/162/374/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0810117419 dt. 08.01.2013 issued under PC-9 condition.

Decision:

The Committee noted that the Authorization No. 0810117419 dt. 08.01.2013 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 30.01.2013 and 08.07.2013. Accordingly, initial obligation period was upto 30.01.2014 & 08.07.2014, respectively. The applicant has fulfilled more than 50% of its stipulated export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **31.07.2014 & 31.01.2015** respectively.

II. This is only for accounting and regularization of exports already effected.

III. This is subject to a payment of composition fee @ 0.5% on FOB value of export made after initial obligation period.

IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

V. The applicant has to pay duty plus interest on inputs consumed and exported after 18 months from the date of import consignment.

VI. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.

(Action: RA, Ahmedabad)

Case No. 33: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.

F.No. 01/60/162/301/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0810122077 dt. 18.06.2013 upto 31.01.2015 issued under PC-9 condition.

Decision:

The Committee noted that the Authorization No. 0810122077 dt. 18.06.2013 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 10.07.2013. Accordingly, initial obligation period was upto 31.07.2014 against the import consignments. The applicant has fulfilled 72.28% obligation during the initial export obligation period and remaining 27.72% thereafter. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **31.01.2015**.

II. This is only for accounting and regularization of exports already effected.

III. This is subject to a payment of composition fee @ 0.5% on FOB value of export made after initial obligation period.

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IV. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.

V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: RA, Ahmedabad)

Case No. 34: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.

F.No. 01/60/162/349/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension and clubbing of two Advance Authorizations No.0810132141 dt. 04.06.2014 with 0810132835 dt. 25.07.2014 issued under PC-9 condition.

Decision:

The Committee noted that the Authorization Nos. 0810132141 dt. 04.06.2014 and 0810132835 dt. 25.07.2014 were issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The request is for extension of export obligation period and clubbing of the aforesaid Authorizations. The Committee decided the following:

I. Export obligation period be extended against Authorization Nos. 0810132141 dt. 04.06.2014 from 12 months to 18 months i.e. upto **31.01.2016.**

II. Clubbing of two Authorisations be allowed.

III. This is only for accounting and regularization of exports already effected till 31.01.2016.

IV. This is subject to a payment of composition fee @ 0.5% on FOB value of export made and to be accounted after initial obligation period. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.

V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

VI. The applicant has to pay duty plus interest on inputs consumed and exported after 18 months from the date of import of first consignment.

VII. PC-18 dated 30.10.2007 shall be followed.

(Action: RA, Ahmedabad)

Case No. 35: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.

F.No. 01/60/162/373/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0810104291 dt. 04.10.2011 issued under PC-9 condition.

Decision:

The Committee noted that the Authorization No. 0810104291 dt. 04.10.2011 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 09.11.2011. Accordingly, initial obligation period was upto 09.11.2012. The applicant has fulfilled 90.25% obligation during the initial export obligation period and remaining 9.75% thereafter. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **30.05.2012**.

II. This is only for accounting and regularization of exports already effected.

III. This is subject to a payment of composition fee @ 0.5% on FOB value of export made after initial obligation period.

IV. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.

V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

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(Action: RA, Ahmedabad)

Case No. 36: M/s. Ducol Organics & Colors P. Ltd., Mumbai.

F.No. 01/60/162/354/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for 2nd revalidation of Advance Authorization No.0310790928 dt. 11.11.2014.

Decision:

The Committee observed that the Authorization was issued having initial validity of 12 months. RA has already allowed 6 months extension as per request of the applicant. Despite that they could not utilize the Authorization. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

Case No. 37: M/s. XL Laboratories P. Ltd., New Delhi

F.No. 01/60/162/355/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EO relaxation of Advance Authorization No.0510377581 dt. 30.01.2014.

Decision:

The Committee noted that the Authorization No. 0510377581 dt. 30.01.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 25.02.2014. Accordingly, initial obligation period was upto 28.02.2015. The applicant has fulfilled 60.74% export obligation during the initial export obligation period and remaining 39.42% by 07.03.2016. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **31.08.2015**.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to a payment of composition fee @ 0.5% on FOB value of export made after initial obligation period.
IV. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: RA, CLA New Delhi)

Case No. 38: M/s. Biotech Opthalmics P. Ltd., Ahmedabad.

F.No. 01/60/162/366/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0810132955 dt. 12.08.2014 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorization No. 0810132955 dt. 12.08.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 03.09.2014 & 19.05.2015. Accordingly, initial obligation period was upto 03.09.2015 & 19.05.2016 against the import consignments. The applicant has fulfilled more than 50% of its stipulated export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **31.03.2016 & 30.11.2016** respectively.
II. This is subject to a payment of composition fee @ 0.5% on FOB value of export made after initial obligation period.
III. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.

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IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: RA, Ahemedabad)

Case No. 39: M/s. Biotech Opthalmics P. Ltd., Ahmedabad.

F.No. 01/60/162/367/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0810132332 dt. 13.06.2014 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorization No. 0810132332 dt. 13.06.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 21.06.2014 & 10.06.2015. Accordingly, initial obligation period was upto 21.06.2015 & 10.06.2016 against the import consignments. The applicant has fulfilled more than 50% of its stipulated export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **31.03.2016 & 30.11.2016,** respectively.
II. This is subject to a payment of composition fee @ 0.5% on FOB value of export made after initial obligation period.
III. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: RA, Ahemedabad)

Case No. 40: M/s. K.N. Resources P. Ltd., Mumbai.

F.No. 01/60/162/336/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for condonation of delay in claim of benefit of DEPB for the Shipping Bills applied under F.No.03/87/051/00001/AM17.

Decision:

The committee observed that in terms of Para 4.46 of HBP 2009-2014 read with Para 9.3 of said HBP claim could be filed within 36 months from the date of export or 30 months from the date of realization, whichever is later, with 10% late cut. Hence, the claim should have been filed by 13.12.2012. No cogent reason of genuine hardship is given. The committee was of the view that 3 years period is more than enough for filing such claims. The committee, therefore, did not accede to the request.

Case No. 41: M/s. Cadila Healthcare Ltd., Ahmedabad.

F.No. 01/60/162/286/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0810133439 dt. 25.09.2014 issued under PC-9 condition.

Decision:

The Committee noted that the Authorization No. 0810133439 dt. 25.09.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 25.05.2015. Accordingly, initial obligation period was upto 25.05.2016 against the import consignments. The applicant has fulfilled more than 50% of its stipulated export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

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I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **30.11.2016**.
II. This is subject to a payment of composition fee @ 0.5% on FOB value of export made after initial obligation period.
III. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: RA, Ahmedabad)

Case No. 42: M/s. Vardhman Polytex Ltd., Ludhiana.

F.No. 01/60/162/269/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for issuance of Status Holder Incentive Scrip (SHIS) for 2012-13.

Decision:

The matter is under consideration with Policy-3. Hence the case was deferred.

Case No. 43: M/s. Maharashtra Seamless Ltd., New Delhi.

F.No. 01/60/162/507/AM16/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for clubbing of 8 Advance Authorizations No.0510326274 dt. 30.05.2012; 0510337479 dt.19.10.2012; 0510344552 dt. 31.01.2013; 0510349923 dt. 22.03.2013; 0510386342 dt. 12.05.2014; 0510386478 dt. 13.05.2014; 0510387496 dt. 27.05.2014 and 0510391432 dt. 30.09.2014.

Decision:

The Committee noted that the Authorisation No 0510326274 dt. 30.05.2012 was issued having initial obligation period of 36 months and remaining 7 Authorisations with 18 months obligation. However, exports obligation under all 8 above referred Advance Authorizations were completed within 36 months of first Authorisation. The Committee, therefore, decided the following:

I. Clubbing of the 8 Advance Authorizations, as referred above be allowed.
II. Exports made against subsequent Authorisations upto **31.05.2015** shall only be taken into account towards clubbing and discharge of EO.
III. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.
IV. RA shall ensure proper accounting of the duty free inputs with reference to the export product while clubbing the Authorizations. On clubbing, shortfall if any, shall be regularized on payment of Customs Duty and applicable Interest in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, CLA New Delhi)

Case No. 44: M/s. Samarth Pharma P. Ltd., Mumbai.

F.No. 01/60/162/365/AM17/ PRC

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for 2nd revalidation of Advance Authorization No.0310782139 dt. 20.05.2014.

Decision:

The Committee observed that the Authorization was issued having initial validity of 12 months. RA has already allowed 6 months extension as per request of the applicant. Despite that they could not utilize the Authorization. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

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Case No. 45: M/s. Sterlite Copper (Merged into M/s. Sesa Goa Ltd.)

F.No. 01/81/171/298/AM16/ DES-II

PRC Meeting No. 11/AM17 dated 14.07.2016

Subject:- Request for reduction in the value addition in respect of SION C-1950 Anode Slime 71129990.

Decision:

The committee noted that minimum 15% value addition, as stipulated in FTP, is very logical considering manufacturing cost of any product. Further, shortfall in achieving prescribed value addition can be regularised in terms of Para 4.49 of HBP. The committee, therefore, did not find merit in the case hence rejected.

The meeting ended with a vote of thanks to the chair.

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