

MINUTES OF THE POLICY RELAXATION COMMITTEE
MEETING NO.12/AM06 HELD ON 4th January 2006

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

The decision taken in each individual case taken up for discussion by PRC is detailed below:

Case No.	1.
Firm's Name	M/s. Gold Seal Engg. Products Pvt. Ltd.
File No.	01/82/162/339/AM05/DES-III
Subject:	Request for revalidation of four Annual Advance licences.

The Committee considered the case as per details given in the Agenda. The Committee agreeing to the recommendation of ALC decided to allow revalidation of annual advance licence No.0310030133 dt.7.3.2000, No.0311003138 dt.7.3.2000, No.0310063092 dt.29.11.2000 and No.0210063091 dt.29.11.2000 for a period of six months and this six months period will commence from the date such endorsement is made on these licences. This will however be subject to the condition of payment of 2% composition fee on the unutilized CIF of each licence and subject to the condition that 100% EO has been fulfilled against each licences as above.

Case No.	2.
Firm's Name	M/s. Navin Flourine Industries.
File No.	01/84/162/1150/AM05/DES-IV
Subject:	Condonation for non-realization of foreign exchange proceeds.

The Committee considered the case as per details given in the Agenda. The Committee agreed to consider exports made vide Shipping bill No.712814 dated 17.7.2002 towards fulfillment of EO in terms of quantity against the subject advance licence subject to the condition that the applicant obtains waiver in respect of foreign exchange against the said shipment from RBI and also subject to the condition that they pay duty plus interest against the excess import of 1.69 MT after taking into account the quantity wise export against SB as above.

Case No.	3.
Firm's Name	M/s. Themis Medicare Ltd.
File No.	01/83/162/296/AM06/DES-IV
Subject:	Request for Relaxation- Non realization o payment from Soviet Union.

The Committee considered the case as per details given in the Agenda. It was observed that the licence has been issued in the year 1996, however, it was not clear as to whether the licence was a quantity based licence or value based licence. The details to this effect should be obtained first before the case is placed before the PRC once again.

Case No.	4.
Firm's Name	M/s. Premier Rubber Mills.
File No.	01/83/162/296/AM06/DES-IV
Subject:	Revalidation and enhancement of quantity and value of Advance licence.

The Committee considered the case as per details given in the Agenda. The Committee taking note of the fact that 100% EO has been fulfilled, decided to allow revalidation for a period of six months in respect of advance licence No.12001280 dt.12.11.2002. This six months period will commence from the date such endorsement is made on the licence and this will further be subject to payment of 2% composition fee on the unutilized CIF of the licence. This will further be subject to verification by the RLA that 100% EO has been fulfilled against the subject licence.

Case No.	5.
Firm's Name	M/s. Creatic Limited, Kolkata
File No.	01/84/162/911/AM05/DES-V
Subject:	Condonation of delay in filing DEPB application.

The Committee considered the case as per details given in the Agenda. The Committee agreed to condone the delay in submitting the application for claiming of DEPB credit in the instant case subject to the condition that the applicant furnishes necessary evidence from customs authorities that the Shipping bills passed by customs on 28.9.2002 were released by the said customs authority only on 23.3.2004.

Case No.	6.
Firm's Name	M/s. Sharman Woollen Mills Ltd., Ludhiana.
File No.	01/84/162/81/AM06/DES-V
Subject:	Revalidation of DEPB No.3010030382 dt. 18.12.2003.

The Committee considered the case as per details given in the Agenda. This being a case of DEPB claim against supplies made to Special Economic Zones, and taking into account the confusion on the part of customs leading to not allow a portion of said DEPB to be utilized, decided to allow revalidation of six months in respect of DEPB licence No.3010030382 dated 18.12.2003. This six months period will commence from the date such endorsement is made on the said DEPB scrip.

Case No.	7.
Firm's Name	M/s. Nitish International
File No.	01/84/162/661/AM06/DES-V
Subject:	Waiver of demand notice issued by RLA .

The Committee considered the case as per details given in the Agenda. The Committee after taking into consideration the facts and figures of the case about confiscation of the goods imported against advance licence No.3010018718 dated 2.9.2002 by DRI, and subsequent unconditional release after lapse of almost 3 years, decided that JDG, Ludhiana should take the assistance of Wool & Woollen Export Promotion Council to have the goods inspected and report within 30 days the condition of the said goods as to whether they are usable or not. In the meantime, Denied Entity List status of the applicant on account of non fulfillment of EO against the subject advance licence will be kept in abeyance to enable the exporter to claim various benefits under FTP as may be admissible.

Case No.	8.
Firm's Name	M/s. Hygiene Wear International Ltd., Indore
File No.	01/85/87/162/444/AM03/DES-VI
Subject:	Revalidation of Annual Advance Licence No. 1110002536 dt. 7.9.2001.

The Committee considered the case as per details given in the Agenda. The Committee with the recommendation of the ALC decided to allow revalidation in respect of the subject annual advance licence for a period of six months and this six months period will commence from the date such

endorsement is made on the licence. This will however subject to payment of 2% composition fee on the unutilized CIF of the licence and subject to verification by the RLA that 100% EO has been fulfilled.

Case No.	9.
Firm's Name	Gems & Jewellery EPC/ M/s. Jaymex, Mumbai
File No.	01/94/180/G&J/Jaymex/AM06/PC-I
Subject:	Delay to complete export order within the validity period.

The Committee considered the case as per details given in the Agenda. The Committee accorded ex-post-facto approval for allowing the extension upto 28.3.2005 for fulfillment of export obligation in the instant case.

Case No.	10.
Firm's Name	M/s. Essar Steel Ltd.
File No.	01/94/180/G&J/Jaymex/AM06/PC-I
Subject:	Request for permission to transfer CG imported under EPCG licence No. 0330009150 dt. 8.7.2005 alongwith EO to the plant of the Group company.

The Committee considered the case as per details given in the Agenda. The Committee agreeing to the request of the applicant decided that the equipment imported/proposed to be imported against the subject EPCG licence by M/s Essar Steel Ltd be allowed to be transferred to M/s Asia Motor Works Ltd, Bhuj (Gujarat) subject to the condition that

- (i) M/s Asia Motor Works Ltd is a group company within the definition given in para 9.28 of the policy; and
- (ii) EO imposed against the said EPCG licence including average EO fixed will be jointly and severally discharged by the two companies.

Case No.	11.
Firm's Name	M/s. Western Express Pvt. Ltd.
File No.	01/84/162/451/AM06/DES-V
Subject:	Request for considering the date of realization, i.e. date of RBI of approval for accepting the advance payments made to sister concern of the firm.

The Committee considered the case as per details given in the Agenda. Taking note of the fact that RBI has accorded approval for accepting the advance payment received by M/s Blueman Exports Pvt Ltd, a sister concern of the applicant firm M/s Western Express Pvt Ltd, agreed to relax the policy provision and accept the said payment as having received by M/s Western Express Pvt Ltd, Chennai for the purpose of claiming DEPB benefits.

Case No.	12.
Firm's Name	Toyota Kirloskar Motor Pvt. Ltd.
File No.	01/93/180/88/AM06/PC- I (B)
Subject:	Exemption from Homologation Conditon.

The Committee considered the case as per details given in the Agenda. The Committee accorded ex-post-facto approval for exemption allowed in this case from mandatory homologation procedure to be followed in the vehicles imported under Bill of Lading No.KKLUNEXR72557 dated 27.10.2005 and No.KKLUNEXR73510 dated 29.11.2005.

Case No.	13.
Firm's Name	Indian Institute of Emergency Medical Services, Trivandrum
File No.	01/93/180/84/AM06/PC-I(B)
Subject:	Permission for import of a donated LHD ambulance.

The Committee considered the case as per details given in the Agenda. The Committee agreed to allow import of a donated LHD Ambulance (Diesel vehicle is a 1997 Ford E350 Van type ambulance designed and constructed by McCoy Miller) equipped with all modern life saving equipment to be used with emergency medical services and rapid response system in relaxation to the condition as per import licensing notes to Chapter 87 of ITC (HS) Classifications of Exports and Imports Items 2004-09 by Indian Institute of Emergency Medical Services, Pattom – Kowdiar Road, Marappalam, Trivandrum.

Case No.	14.
Firm's Name	M/s. Maruti Udyog Ltd.
File No.	01/93/180/M-108/AM05/PC-I(B)
Subject:	Permission to sell Suzuki Baleno Wagon CBU passenger car imported against the R&D Certificate, in domestic market.

The Committee considered the case as per details given in the Agenda. It was decided to defer the case and to relist again in the next PRC meeting.

Case No.	15.
Firm's Name	M/s. Jaypee Hotels Ltd., New Delhi
File No.	01/94/180/290/AM06/PC-I
Subject:	Zero duty benefit against EPCG licence No. 0530130829 dated 7.3.2000.

The Committee considered the case as per details given in the Agenda. The committee agreeing to the request of the applicant decided to allow revalidation by a period of six months in respect of the subject EPCG licence and this six months period will commence from the date such endorsement is made on the licence. It was further decided that in case they fail to utilize the licence to meet the zero duty regime of Rs.1 Crore threshold limit within the stipulated period of six months, the licence will be automatically deemed to have been converted to 10% duty regime of EPCG.

Case No.	16.
Firm's Name	M/s. International Trade & Credit, Mumbai.
File No.	01/85/40/020/AM03/DES-VI
Subject:	Revalidation of advance licence No.0310156264 dt. 2.9.2002.

The Committee considered the case as per details given in the Agenda. The Committee observed that as on date the policy does permit import of garlic under advance licence scheme and therefore was not agreeable to revalidate the licence.

Case No.	17.
Firm's Name	M/s. Hygiene Wear International Ltd., Indore.
File No.	01/85/162/480/AM06/DES-VI
Subject:	Revalidation of advance licence No.1110005712 dt. 27.3.2003.

The Committee considered the case as per details given in the Agenda. The Committee agreeing to the recommendation of ALC decided to allow revalidation of the subject advance licence for a period of six months and this six months period will commence from the date such endorsement is made on the licence. This will however be subject to the condition of payment of 2% composition fee on the unutilized CIF of the licence and subject to the condition that 100% EO has been fulfilled.

Case No.	18.
Firm's Name	M/s. Meenachil Rubber Board Ltd., Kottayam
File No.	01/36/162/3438/AM03/EPCG-III
Subject:	Grant of EO Extension against EPCG Licence No.2093626 dt. 8.3.1995.

The Committee considered the case as per details given in the Agenda. The Committee observed that this company was promoted by Rubber Board. Further previously there was hardly any export market for rubber wood which has now picked up and has become a marketable item. Taking into consideration these facts the Committee decided to relax the policy in the instant case and allow extension in EO period by 5 years subject to condition that EO is refixed at 100% over and above the EO already fixed in the instant case.

Case No.	19.
Firm's Name	M/s. Jindal Drilling & Industries Ltd.
File No.	07/05/89-90/ILS
Subject:	Request for extension of CCP No. 3078584 dt. 30.11.89 without any restriction on the re-export period.

The Committee considered the case as per details given in the Agenda. The Committee decided that the applicant firm should first approach the customs authorities and obtain an 'No Objection Certificate' from that authority for retaining the "Offshore Drilling Jack Rig" imported in the year 1989 beyond a period of 31.3.2006 as already allowed to them.

The meeting ended with vote of thanks to the Chair.

LIST OF PARTICIPANTS

1. Dr(Ms.) Maya D.Kem, Addl.DGFT
2. Shri Surat Singh, Addl.DGFT
3. Shri S.K.Prasad, Addl. DGFT
4. Shri Vipin Saxena, Export Commissioner
5. Shri A.K.Singh, Jt. DGFT
6. Shri S.B.S. Reddy, Jt. DGFT
7. Shri Anil Aggarwal, Jt. DGFT
8. Shri Ashutosh Jindal, Jt.DGFT
9. Shri P.K. Santra, Dy. DGFT
10. Smt. Kiran Sehgal, Dy. DGFT
11. Shri M.K.Parimoo, Dy.DGFT
