Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of DGFT, Shri Anup Wadhawan, IAS on 12/AM17 dated 19.07.2016
Meeting No. 12/AM17 dated 19.07.2016 at 9:30 AM

The following Members were present in the meeting:

1.	Shri D.K.Singh	Addl. DGFT
2.	Shri K.C. Rout	Addl. DGFT
3.	Shri Jaikant Singh	Addl. DGFT
4.	Shri Darshan Singh	Addl. DGFT
5.	Shri J.V. Patil	Addl.DGFT
6.	Shri S.B.S. Reddy	Addl.DGFT
7.	Shri A.K. Srivastava	Jt. DGFT
8.	Shri Jay Karan Singh	Jt. DGFT
9.	Shri AkashTaneja	Jt. DGFT
10.	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. S.D. Intermediates, Vadodara.
F.No. 01/60/162/828/AM16/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request to consider ARO as invalidation letter against Advance Authorization No.3410039464 dt. 10.03.2014 for redemption purpose.

Decision:

The Committee noted the submissions made by the applicant that they had obtained Advance Authorization No.3410039464 dt. 10.03.2014 for deemed export supply without Invalidation letter and made the supply against ARO dated 25.04.2014 received from M/s Shirdi Chemicals, Mumbai for supply of 58000kgs of Dichlorobenzoic. They have supplied the goods without payment of duty against Tax Invoices removing goods under Excise Notification No. 44/2001 dated 26.06.2001.

The committee noted that there are two ways to procure the goods from domestic sources against Advance Authorisation. One route is to obtain Invalidation letter under Para 4.30 of HBP having tie-up agreement with domestic supplier. The domestic supplier will obtain Advance Authorisation against the said Invalidation letter to import duty free inputs and supply the resultant product to the Advance Authorisation holder towards discharge of its export obligation. Under second route, ARO is issued under Para 4.30 of HBP. Against ARO, supplier is eligible to get deemed export benefit such as DBK and TED.

In the instance case, the supplies were made to Advance Authorisation holder against ARO but supplier has obtained Advance Authorisation to import duty free inputs for manufacturing of intermediate products rather claiming refund of TED/DBK. The committee, therefore decided the following:

i. RA shall allow EODC after confirming that no drawback on inputs and no TED refund on supply of resultant product are availed either by the supplier of goods i.e. Authorisation holder or by recipient of goods.
ii. RA shall verify from the Regional Authority of the ultimate Authorisation holder that the Authorisation under which ARO was issued has been redeemed.
iii. RA shall also verify the facts that ultimate Authorisation holder has not availed/claimed deemed export benefits against disclaimer issued by the supplier.
iv. RA shall also ensure that all supply documents bears the details of Advance Authorisation against which supplies were made towards discharge of export obligation.
v. RA shall ensure that supplies were made within the validity of the Advance Authorisation issued to ultimate exporter.

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(Action: RA Vadodara/ applicant)

Case No.2: M/s. Whirlpool of India Ltd., Gurgaon.

F.No. 01/60/162/395/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for revalidation of Advance Authorizations No.0510322554 dt. 19.04.2012.

Decision:

The committee observed that the Authorisation was issued having initial validity of 24 months to import. RA is empowered to allow six months further revalidation, in terms of Para 4.23 of HBP. But the applicant did not avail the said facility. There is no case of genuine hardship established. Therefore, the Committee did not accede to the request.

Case No.3: M/s. Unichem Laboratories Ltd., Mumbai.

F.No. 01/60/162/432/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension & waiver of PC-18 condition of Advance Authorization No.0310786118 dt. 27.06.2014 issued under PC-9 condition.

Decision:

The Committee noted that the Authorization No. 0310786118 dt. 27.06.2014 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 11.08.2014 & 07.04.2015. Accordingly, initial obligation period was upto 31.08.2015 & 30.04.2016 respectively, against each import consignment. 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 **28.02.2016 & 31.10.2016** 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, Mumbai)

Case No.4: M/s. Sathe Synthetics (Prop. Rakesh Fules Pvt. Ltd.), Delhi.

F.No. 01/60/162/159/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for issuance of duplicate Advance Authorization with revalidation of 6 months against Advance Authorization No.0510382914 dt. 27.03.2014.

Decision:

The committee noted that the applicant should had submitted prescribed documents within the validity of the Authorisation for issue of duplicate Authorisation that he did not submit to RA in time. They applied for issue of duplicate Authorisation to RA after expiry of the validity of said the Authorisation but without furnishing utilisation certificate. Hence, no case of genuine hardship. The committee, therefore, did not accede to the request.

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Case No.5: M/s. Himdari Chemicals & Industries Ltd., Kolkata.

F.No. 01/60/162/377/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of exports beyond the original EOP towards regularization of EO and closure purpose against Advance Authorization No.0210124478 dt. 18.03.2009.

Decision:

The committee noted that the applicant had obtained the Advance Authorization No.0210124478 dt. 18.03.2009 having 24 months validity period for import and 36 months for fulfillment of corresponding export obligation. The applicant had imported goods fully (100%) without payment of duties. However, no export has been made towards discharge of stipulated export obligation within the initial export obligation period. The committee allows extension upto 36 months provided 100% exports are completed within this period. However, in this case, no exports are made within that period. Exports made after 36 months cannot be taken into account. The applicant has failed to establish the case of genuine hardship, which is required for seeking relaxation in policy/procedure, in terms of Para 2.58 of FTP. The committee, therefore, did not accede to the request. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, Kolkata: 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, shall be initiated)

Case No.6: M/s. Jodas Expoim P. Ltd., Hyderabad.

F.No. 01/60/162/379/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0910061602 dt. 10.02.2015 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0910061602 dt. 10.02.2015 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 28.05.2015. Accordingly, initial obligation period was upto 31.05.2016. The applicant has fulfilled less 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 **30.11.2016**.
II. This is subject to a payment of composition fee @ 0.5% per month on FOB value of export made after initial obligation period.
III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: RA, Hyderabad)

Case No.7: M/s. Wockhardt Ltd., Aurangabad.

F.No. 01/60/162/376/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension against Advance Authorization No.0310795035 dt. 31.03.2015 issued under PC-9 conditions.

Decision:

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The Committee noted that the Authorization No. 0310795035 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 20.04.2015. Accordingly, initial obligation period was upto 20.04.2016. 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 **31.10.2016**.
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, Aurangabad)

Case No.8: M/s. Reliance Industries Ltd., Mumbai.

F.No. 01/60/162/820/AM16/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for revalidation of two Duty Credit Scrip Nos.0310367082 dt. 15.02.2006 and 0310367083 dt. 15.02.2006 for six months.

Decision:

The committee noted that in the PRC meeting dated 02.02.2016 it was noted that Customs Authority took 6 years to assess levy of actual duty. The committee therefore decided that Customs Authority may examine and take suitable action in the matter. However, no comments of the Customs Authority are obtained by the Applicant. The committee, therefore, defer the case to seek comments of the Customs Authority.

(Action: Applicant/PRC)

Case No.9: M/s. Fresenius Kabi Oncology Ltd., New Delhi.

F.No. 01/60/162/387/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0510383258 dt. 01.04.2014 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0510383258 dt. 01.04.2014 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 16.04.2014 & 12.02.2015. Accordingly, initial obligation period was upto 30.04.2015 & 28.02.2016 against the import of the consignments. 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 **31.10.2015 & 31.08.2016**.
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.

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(Action: RA, CLA, New Delhi)

Case No.10: M/s. Gopinath Chem-Tech Ltd., Ahmedabad.

F.No. 01/60/162/380/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for clubbing of two Advance Authorizations No.0810118864 dt. 26.02.2013 and 0810133776 dt. 11.11.2014.

Decision:

The Committee noted that the above referred 2 Advance Authorisations were issued having initial export obligation of 18 months from the date of issue of Authorization. Exports obligation in the first and second Authorizations are completed within 24 months of 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 dated 26.02.2013 be extended upto 24 months i.e. upto **28.02.2015**.

III. This will be subject to payment of composition fee @ 0.5% of FOB value of exports made after **31.08.2014**.

IV. Exports made upto **28.02.2015** shall only be taken into account towards clubbing and discharge of EO.

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, Ahmedabad)

Case No.11: M/s. Cadila Healthcare Ltd., Ahmedabad.

F.No. 01/60/162/401/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for revalidation of FMS Scrip No.0810098285 dt. 18.04.2011 by 2 months issued under FMS of Chapter-3 of FTP, 2009-14.

Decision:

The committee noted that the Duty Credit Scrip No.0810098285 dt. 18.04.2011 was issued on 18.04.2011 under FMS and it was valid till 17.04.2013. The applicant did not disclose when the Scrip was presented to Customs for registration. It was verified by the customs on 10.04.2013 i.e. just 7 days before expiry. It means the scrip was presented to the Customs Authority before few days of expiry of the scrip. There is no case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.12: M/s. MIOT Hospitals Ltd., Chennai.

F.No. 01/60/162/335/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for revalidation of SFIS Scrip No.0410146306 dt. 17.05.2013 for re-import purpose.

Decision:

The committee considered the contents of the request that they could not utilised the scrip due to flood in Chennai in November-December, 2015. However, the committee noted that the scrip was issued on 17.05.2013 having validity of 12 months. RA has allowed six months validity thus it was remain valid till

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15.12.2014. The incidence of flood had on effect on it because the scrip has lost its validity year before the occurrence of flood. There is no case of genuine hardship established for not importing the goods within its validity of 19 months. Hence, the committee did not accede to the request.

Case No.13: M/s. Apex Exports, Kolkata.
F.No. 01/60/162/385/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for revalidation of DFIA No.0210094428 dt. 16.10.2006.

Decision:

The committee did not accede to the request as the applicant has already been given 34 months validity to import. The amendment, if any, should have been sought within the validity of the above DFIA.

Case No.14: M/s. Hi-Tech Blow Moulders Pvt. Ltd., Bangalore.
F.No. 01/60/162/400/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for revalidation of DFIA No.0710094101 dt. 07.03.2013.

Decision:

The committee noted that payments were received on 13.11.2014 and accordingly e-BRC was uploaded by the bank on 27.11.2014. The Bank has not make any endorsement in the e-BRC that payments were received through RTGS on 25.03.2013. The Committee, therefore, did not accede to the request considering no case of genuine hardship.

Case No.15: M/s. Lok Beta Pharmaceuticals P. Ltd., Mumbai.
F.No. 01/60/162/430/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for EOP extension of Advance Authorization No.0310698478 dt. 13.06.2012 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310698478 dt. 13.06.2012 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 30.06.2012. Accordingly, initial obligation period was upto 30.06.2013. The applicant has fulfilled 30% export obligation during the initial obligation period and remaining 70% thereafter. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto **31.12.2013**.
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 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.

(Action: RA, Mumbai)

Case No.16: M/s. Lok Beta Pharmaceuticals P. Ltd., Mumbai.
F.No. 01/60/162/431/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for EOP extension of Advance Authorization No.0310697883 dt. 07.06.2012 issued under PC-9 conditions.

Decision:

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The Committee noted that the Authorization No. 0310697883 dt. 07.06.2012 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 12.07.2012. Accordingly, initial obligation period was upto 31.07.2013. The applicant has fulfilled 84.88% export obligation during the initial obligation period and remaining 15.12% thereafter. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto **31.01.2014**.
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, Mumbai)

Case No.17: M/s. Sartorius Stedim India P. Ltd., Bangalore.

F.No. 01/60/162/425/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for condonation of non-mentioning the Advance Authorization No.0710056247 dt. 05.03.2008 details in the Shipping Bill.

Decision:

The committee noted that exports were made without mentioning details of Advance Authorisation on shipping bills, which leads to exports under 'free shipping Bills'. Since, valuation of free shipping bills is not being done and requirement of Para 4.12 of FTP is not meet, such shipping bills cannot be taken into account towards discharge of export obligation against Advance Authorisation. 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 action as per the provision of FT(DR)Act, shall be initiated)

Case No.18: M/s. Lok Beta Pharmaceuticals P. Ltd., Mumbai.

F.No. 01/60/162/408/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0310696315 dt. 28.05.2012 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310696315 dt. 28.05.2012 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 13.06.2012 & 20.06.2012. Accordingly, initial obligation period was upto 31.12.2013 & 31.12.2013, respectively. The applicant has fulfilled 81.66% export obligation during the initial obligation period and remaining 17.60% 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 **30.06.2014 & 31.06.2014** respectively.
II. This is only for accounting and regularization of exports already effected.

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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. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP read with PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No.19: M/s. Lupin Ltd., Mumbai.

F.No. 01/60/162/389/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0310780273 dt. 01.05.2014 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310780273 dt. 01.05.2014 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 28.05.2014, 02.06.2014, 21.06.2014, 04.07.2014, 07.08.2014 & 04.12.2014. Accordingly, initial obligation period was upto 31.05.2015, 30.06.2015, 30.06.2015, 31.07.2015, 31.08.2015 & 31.12.2015, respectively. The applicant has fulfilled NIL export obligation during the initial obligation period and 33% 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 **30.11.2015, 31.12.2015, 31.12.2015, 31.01.2016, 28.02.2016 & 30.06.2016, 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 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. Shortfall, shall be regularised in terms of Para 4.49 of HBP read with PC-18 dated 30.10.2007

(Action: RA, Mumbai)

Case No.20: M/s. Lupin Ltd., Mumbai.

F.No. 01/60/162/391/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0310778811 dt. 21.04.2014 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310778811 dt. 21.04.2014 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 28.05.2014. Accordingly, initial obligation period was upto 28.05.2015. 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 30.11.2015
II. This is only for accounting and regularization of exports already effected.

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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. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP read with PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No.21: M/s. Toshi Chemicals, New Delhi.

F.No. 01/60/162/426/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0510391837 dt. 31.10.2014 issued under PC-9 condition.

Decision:

The Committee noted that the Authorization No. 0510391837 dt. 31.10.2014 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 04.04.2015. Accordingly, initial obligation period was upto 04.04.2016. The applicant has made no exports 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 i.e. upto **31.10.2016.**
II. This is subject to a payment of composition fee @ 0.5% per month on FOB value of export made after initial obligation period.
III. 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.22: M/s. Unichem Laboratories Ltd., Mumbai.

F.No. 01/60/162/402/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension & Waiver of PC-18 condition of Advance Authorization No.0310790238 dt. 14.10.2014.

Decision:

The Committee noted that the Authorization No. 0310790238 dt. 14.10.2014 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 05.11.2014. Accordingly, initial obligation period was upto 30.11.2015. The applicant has fulfilled less 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 i.e. upto **31.05.2016**.
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 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. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP read with PC-18 dated 30.10.2007.

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(Action: RA, Mumbai)

Case No.23: M/s. Lok Beta Pharmaceuticals P. Ltd., Mumbai.

F.No. 01/60/162/411/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0310698958 dt. 18.06.2012 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310698958 dt. 18.06.2012 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 01.08.2012. Accordingly, initial obligation period was upto 01.08.2013. The applicant has fulfilled 53.33% export obligation during the initial export obligation period and remaining 46.66% thereafter. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto **28.02.2014**.
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. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP read with PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No.24: M/s. Lok Beta Pharmaceuticals P. Ltd., Mumbai.

F.No. 01/60/162/410/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0310616508 dt. 17.02.2011 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310616508 dt. 17.02.2011 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 24.02.2011. Accordingly, initial obligation period was upto 24.02.2012. The applicant has fulfilled 82.84% export obligation during the initial export obligation period and remaining 17.16% thereafter. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto **31.08.2012**.
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.
VI. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP read with PC-18 dated 30.10.2007.

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(Action: RA, Mumbai)

Case No.25: M/s. Unichem Laboratories Ltd., Mumbai.

F.No. 01/60/162/424/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension & Waiver of PC-18 condition of Advance Authorization No.0310789916 dt. 01.10.2014.

Decision:

The Committee noted that the Authorization No. 0310789916 dt. 01.10.2014 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 29.10.2014 & 07.04.2015. Accordingly, initial obligation period was upto 29.10.2015 & 07.04.2016, respectively. The applicant has fulfilled 98% 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 **30.04.2016 & 31.10.2016**, 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 the 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, Mumbai)

Case No.26: M/s. Lok Beta Pharmaceuticals P. Ltd., Mumbai.

F.No. 01/60/162/409/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0310630074 dt. 09.05.2011 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310630074 dt. 09.05.2011 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 06.06.2011. Accordingly, initial obligation period was upto 30.06.2012. The applicant has made no export during the initial export obligation period but fulfilled 100% thereafter. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto **31.12.2012.**
II. This is only for accounting and regularization of exports already effected.
III. This is subject to a payment of composition fee @ 0.5% per month 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.

(Action: RA, Mumbai)

Case No.27: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.

F.No. 01/60/162/438/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

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Subject:- Request for EOP extension of Advance Authorization No.0810133951 dt. 26.11.2014 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0810133951 dt. 26.11.2014 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 09.12.2014 & 25.06.2015. Accordingly, initial obligation period was upto 09.12.2015 & 25.06.2016, respectively. 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 **30.06.2016 & 31.12.2016**, 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 the 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, Mumbai)

Case No.28: M/s. Godavari Bio-refineries Ltd., Mumbai.

F.No. 01/60/162/398/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request of revalidation of DEPB No.0310710803 dt. 27.09.2012.

Decision:

The Committee noted that the DEPB scrip was issued having validity of 18 months. This is transferable instrument. The applicant had option to sale/transfer the same. Hence, no case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.29: M/s. BDH Industries Ltd., Mumbai.

F.No. 01/60/162/423/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0310784354 dt. 04.06.2014 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0310784354 dt. 04.06.2014 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 28.07.2014. Accordingly, initial obligation period was upto 31.07.2015. The applicant has fulfilled 97.92% export obligation during the initial export obligation period and remaining 2.08% 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 **31.01.2016**.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to a payment of composition fee @ 0.5% 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.

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

(Action: RA, Mumbai)

Case No.30: M/s. Skyrise Overseas P. Ltd., Kolkata.

F.No. 01/60/162/449/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0210194876 dt. 27.09.2013.

Decision:

The committee noted that the Advance Authorization No.0210194876 dt. 27.09.2013 was issued for export of 100% natural silk fabrics for which export obligation period was 9 months from the date of import, as per Appendix- 4J. Import were made on 21.10.2013 accordingly, initial obligation period was upto 31.07.2014. The applicant has imported 57% and exported on pro-rata basis though after initial obligation period. No exports were made during initial obligation period. Hence, the committee decided the following conditions:

I. Export obligation period be extended from 9 months to 13 months i.e. upto **30.11.2014**.
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 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 15 months from the date of import of consignment.

(Action: RA, Kolkata)

Case No.31: M/s. Saraogi Shellac Overseas Corporation, Kolkata.

F.No. 01/60/162/433/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0210184329 dt. 11.12.2012.

Decision:

The committee noted that the Advance Authorization 0210184329 dt. 11.12.2012 was issued having initial obligation period of 18 months from the date of issue. RAs are empowered to allow two extension of six months each but the said facility has not been availed. The applicant has fulfilled more than 79.75% exports obligation during the initial obligation period and remaining 20.25% thereafter. The committee therefore decided the following:

I. Export obligation period be extended from 18 to 36 months i.e. upto **31.12.2015**.
II. This will subject to payment of composition fee @ 0.5% of unfulfilled FOB value of exports made after 18^{th} month but upto 24^{th} month and @ 0.55 per month of FOB value of exports made after 24^{th} month but upto 30^{th} month and @ 1% of FOB value of export made after 30^{th} month but upto 36^{th} month.
III. This is only for accounting and regularization of exports already effected.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action RA, Kolkata)

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Case No.32: Dr. Reddy's Laboratories Ltd., Hyderabad.
F.No. 01/60/162/269/AM16/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request of revalidation of DEPB License No.0910053692 dt. 07.09.2012 for Rs.16,71,781/-.

Decision:

The committee noted that the aforesaid DEPB scrip could not be registered with customs authorities due to transmission error code 02.03 (Shipping Bills not found in customs database). Although errors were rectified on 21.07.2014, however, in the meantime the validity of the said scrip was expired on 06.03.2014. The committee, therefore, decided to revalidate the aforesaid DEPB scrip for 3 months from the date of endorsement. The applicant is directed to get the endorsement on the said scrip from the RA concerned within one month from the date of uploading of these minutes on the Directorate website.

(Action RA, Hyderabad)

Case No.33: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/392/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for EOP extension of Advance Authorization No.0810134699 dt. 02.03.2015 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0810134699 dt. 02.03.2015 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 21.03.2015. Accordingly, initial obligation period was upto 31.03.2016. The applicant has fulfilled no 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 i.e. upto **30.09.2016**.
II. This is only for accounting and regularization of exports already effected.
III. This will subject to payment of composition fee @ 0.5% per month 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.

(Action: RA, Ahmedabad)

Case No.34: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/439/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for EOP extension of Advance Authorization No.0810134487 dt. 04.02.2015 issued under PC-9 conditions..

Decision:

The Committee noted that the Authorization No. 0810134487 dt. 04.02.2015 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 21.02.2015. Accordingly, initial obligation period was upto 28.02.2016. The applicant has fulfilled less than 50% export

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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 i.e. upto **31.08.2016.**
II. This is subject to a payment of composition fee @ 0.5% per month on FOB value of export made after initial obligation period.
III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: RA, Ahmedabad)

Case No.35: M/s. Bharti International, Ludhiana.

F.No. 01/60/162/448/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for revalidation of DFIA Authorization No.3010103060 dt. 01.08.2014.

Decision:

The committee noted the content of the request that the Authorisation could not be utilised due to delay in uploading e-BRC by the Bank. However, the committee noted that payments were realised on 18.02.2016 and e-BRC was uploaded on 20.02.2016. Hence no delay at the end of the Bank. No case of genuine hardship established. The committee, therefore, did not accede to the request.

Case No.36: M/s. Emami Ltd., Kolkata.

F.No. 01/60/162/465/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for condonation of delay in claim of benefit of refund of TED of Rs.670530/- against invoice No.472 dt. 02.10.2008.

Decision:

The committee noted that in terms of Para 8.3.1(ii) of HBP 2009-14 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. However, the application for claim was submitted on 27.01.2015 against the supplies made during October, 2008. No case of genuine hardship established from the supporting documents. The committee, therefore, did not accede to the request.

Case No.37: M/s. Emami Ltd., Kolkata.

F.No. 01/60/162/464/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for condonation of delay in claim of benefit of refund of TED of Rs.20188/- against invoice No.1195001209 dt. 29.05.2008.

Decision:

The committee noted that in terms of Para 8.3.1(ii) of HBP 2009-14 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. However, the application for claim was submitted on 13.01.2015 against the supplies made during May, 2008. No case of genuine hardship established from the supporting documents. The committee, therefore, did not accede to the request.

Case No.38: M/s. Emami Ltd., Kolkata.

F.No. 01/60/162/466/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

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Subject:- Request for condonation of delay in claim of benefit of refund of TED of Rs.93545/- against invoice No.127 dt. 05.09.2008.

Decision:

The committee noted that in terms of Para 8.3.1(ii) of HBP 2009-14 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. However, the application for claim was submitted on 13.01.2015 against the supplies made during September, 2008. No case of genuine hardship established from the supporting documents. The committee, therefore, did not accede to the request.

Case No.39: M/s. Emami Ltd., Kolkata.

F.No. 01/60/162/463/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for condonation of delay in claim of benefit of refund of TED of Rs.966140/- against Invoice Nos.12 dt. 03.07.2008, 22 dated 21.09.2008 & 40 dated 05.08.2008.

Decision:

The committee noted that in terms of Para 8.3.1(ii) of HBP 2009-14 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. However, the application for claim was submitted on 10.02.2015 against the supplies made during July to September, 2008. No case of genuine hardship established from the supporting documents. The committee, therefore, did not accede to the request.

Case No.40: M/s. Gland Pharma Ltd., Hyderabad.

F.No. 01/60/162/450/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for EOP extension of Advance Authorization No.0910061941 dt. 28.04.2015 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0910061941 dt. 28.04.2015 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 02.06.2015. Accordingly, initial obligation period was upto 30.06.2016. 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 i.e. upto **31.12.2016**.
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, Hyderabad)

Case No.41: M/s. Gland Pharma Ltd., Hyderabad.

F.No. 01/60/162/437/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

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Subject:- Request for EOP extension of Advance Authorization No.0910062171 dt. 12.06.2015 issued under PC-9 conditions.

Decision:

The Committee noted that the Authorization No. 0910062171 dt. 12.06.2015 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 24.06.2015, 15.12.2015 & 28.01.2016. Accordingly, initial obligation period was upto 30.06.2016, 31.12.2016 & 31.01.2017, respectively. 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 first import consignments i.e. upto **31.12.2016**. EO is valid up to December, 2016 and January, 2017 against other two consignments.
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, Hyderabad)

Case No.42: M/s. Sonal Adhesives Ltd., Mumbai.

F.No. 01/60/162/456/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for exemption of e-BRC for Shipments made under Advance Authorization No.0310779206 dt. 23.04.2014.

Decision:

The Committee noted the content of the request that out of 35 shipment they have received e-BRC against 17 shipments. Payments against remaining shipments have been realised through FIRC but in the different Bank other than the AD declared in the Shipping Bills. The committee was of the view that there is no co-relation with the payment realised through FIRC in the other bank with reference to shipments made. And, requirement of e-BRC cannot be waived being mandatory documents for discharge of export obligation. Shipping bills against which payments have not been realised cannot be taken into account. 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.

Case No.43: M/s. Big Bags International Pvt. Ltd., Bangalore.

F.No. 01/60/162/478/AM17/ PRC

PRC Meeting No. 12/AM17 dated 19.07.2016

Subject:- Request for 2nd revalidation of DFIA No.0710094118 dt. 08.03.2013.

Decision:

The Committee observed that the Authorization was issued having initial validity of 12 months. RA has 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.44: M/s. Big Bags International Pvt. Ltd., Bangalore.

F.No. 01/60/162/474/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for 2nd revalidation of DFIA No.0710098041 dt. 04.09.2013.

Decision:

The Committee observed that the Authorization was issued having initial validity of 12 months. RA has 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.45: M/s. Kumar Wears P. Ltd., New Delhi.
F.No. 01/60/162/455/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for EOP extension of Advance Authorization No.0510313687 dt. 06.01.2012.

Decision:

The committee noted that the Authorisation was issued having initial obligation period of 36 months. The applicant has imported duty free materials almost 100% but did not affect any exports within this substantial period. The plea that during shifting of office their licence got mixed up with old records hence remained unattended was not acceptable to the committee because imports were made during that period only. And, imports were not possible without the Authorisation. There is no case of genuine hardship established. The committee, therefore, did not accede to the request. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, CLA New Delhi: 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.(D&R)Act, shall be initiated)

Case No.46: M/s. DSM Sinochem Pharmaceuticals India P. Ltd., Gurgaon.
F.No. 01/60/162/483/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for (i) extension of EOP from 12 months to 18 months and (ii) Clubbing of 2 Advance Authorizations No.2210010552 dt. 21.10.2010 and 2210012341 dt. 22.12.2011.

Decision:

The committee noted that the Authorisations were issued allowing Penicillin G Potassium as one of inputs. In terms of Public Notice No 2 dated 27.08.2009, the export obligation period was 12 months from the date of import of first consignment, which was amended vide PN 31 dated 14.02.2011 enabling 12 months from import of each consignment. Since export obligation period, in such cases, start from import of each consignment, pre-import condition becomes imperative. It was noted that exports in the Authorisation dated 21.1.2010 were completed 100% by 30.10.2010 and imports were made in this as well as in the subsequent Authorisation on or after 18.01.2012, which amounts violation of pre-import condition. The committee, therefore, did not accede to the request. The applicant is here by directed to get the case regularised individually in terms of Para 4.49 of HBP, 2015-2020 read with Policy Circular No 18 dated 30.10.2007.

(Action: Applicant/RA, Chandigarh: 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.(D&R)Act, shall be initiated)

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Case No.47: M/s. DSM Sinochem Pharmaceuticals India P. Ltd., Gurgaon.
F.No. 01/60/162/482/AM17/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for Clubbing of 2 Advance Authorizations No.2210013402 dt. 21.11.2012 and 2210013773 dt. 09.04.2013 for closure purpose.
Decision:

The committee noted that the Authorisations were issued allowing Penicillin G Potassium as one of inputs. In terms of Public Notice No 2 dated 27.08.2009, the export obligation period was 12 months from the date of import of first consignment, which was amended vide PN 31 dated 14.02.2011 enabling 12 months from import of each consignment. Since export obligation period, in such cases, start from import of each consignment, pre-import condition becomes imperative. It was noted that exports in the Authorisation dated 21.11.2012 were completed more than 100% by 12.03.2013 and imports were made in this as well as in the subsequent Authorisation on or after 08.02.2013, which amounts violation of pre-import condition. The committee, therefore, did not accede to the request. The applicant is here by directed to get the case regularised individually in terms of Para 4.49 of HBP, 2015-2020 read with Policy Circular No 18 dated 30.10.2007.

(Action: Applicant/RA, Chandigarh: 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.(D&R)Act, shall be initiated)

Case No.48: M/s. Indo Phyto Chemicals (P) Ltd., New Delhi.
F.No. 01/60/162/866/AM16/ PRC
PRC Meeting No. 12/AM17 dated 19.07.2016
Subject:- Request for 2nd revalidation of Advance Authorization No.0510336433 dt. 04.10.2012.

Decision:

The Committee noted the contents of the review request and observed that the Authorization was issued having initial validity of 17 months to import. RA has allowed 6 months revalidation as per the request of the applicant. So the Authorisation holder had effectively 23 months to import. The applicant should had obtained waiver of bond during this period if they did not have capacity to furnish BG. The Authorisation was issued having 18 months obligation period. Hence, 23 months was considerable time to discharge obligation and for seeking waiver of bond. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

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

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