Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of DGFT, Shri Anup Wadhawan, IAS on 03.11.2015

Meeting No.13/AM16 held on 03.11.2015 at 10.00 Am.

List of members present in the meeting is given below:

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.M. Gupta	Jt. DGFT
6.	Shri Jay Karan Singh	Jt. DGFT
7.	Shri AkashTaneja	Jt. DGFT
8.	Shri Anil Aggarwal	Jt. DGFT
9.	Dr. SK. Bansal	Jt. DGFT
10.	Shri S.K. Mohapatra	Dy. DGFT
11.	Smt Nivedita Roy Choudhury	FTDO

The decision taken on the individual cases are as under:-

Case No. 1: M/s. Sandeep Pharma Ltd., Vadodara (Gujarat)
F.No. 01/60/162/362/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for revalidation and extension of EOP of Advance Authorization No.3410035436 dt.05.11.2012.

Decision:

The Committee observed that the Advance Authorization No. 3410035436 has been issued on 05.11.2012 wherein the initial validity for import was up to 31.03.2014. The Committee further observed that the applicant has already been granted one revalidation of six months by RA. Thus, the applicant had 22 months to complete its balance imports. Hence, the Committee did not accede to the request, as the reasons cited by the applicant could not establish a case of genuine hardship.

So far as the request for extension of export obligation period is concerned, RAs are empowered to consider such request for regularisation of exports, if any, made beyond initial obligation period but upto 30 months from the date of issue of the Authorisation, in terms of Para 4.42 (c) of HBP, 2015-2020, as amended vide Public Notice No. 16 dt. 04.06.2015 read with Public Notice no. 20 dt. 09.06.2015. Therefore, if he wishes, he may approach to the RA concern for that purpose.

(Action: RA, Vadodara/ Applicant)

Case No. 2: M/s. Umedica Laboratories Pvt. Ltd., Mumbai (Maharashtra)
F.No. 01/60/162/303/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for extension of EOP and relaxation of PC-18 condition in Advance Authorization No.0310369056 dt.27.02.2006 for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with pre-import conditions under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 6 months export obligation period from the date of import of first consignment. The applicant has imported 5000Kgs raw materials and exported 90% within initial obligation period. The applicant's request is for waiver of PC -18 condition on 410Kgs unutilised raw materials which could not be exported due to damage of raw materials by rain water. As the applicant has lodged FIR with Vapi Police Station and paid Customs duty plus interest on it, the committee decided to waive the condition of PC-18 dated 31.10.2007 subject to payment of Rs. 5000/- as composition fee to RA.

(Action: RA, Mumbai / Applicant)

Case No. 3: M/s. YKK India Pvt. Ltd., New Delhi
F.No. 01/60/162/436/AM14/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for review of PRC decision for condonation of non -mentioning the details of 3 Advance Authorizations No. 0510212450 dt. 23.11.2007, 0510213724 dt. 18.12.2007 and 0510213821 dt. 20.12.2007 on ARE-3 Form for supplies against CT-3 Form to EOUs for the purpose of fulfillment of Export Obligation and redemption.

Decision:

The Committee noted that the applicant has supplied Metallic Zippers to EOUs against CT-3 certificate provided by these units. The goods were removed without payment of excise duty under ARE-3 for supply to EOUs. However, the applicant did not mention the details of Advance Authorisations on ARE-3 except in few AREs. The issue was earlier discussed in PRC meeting No 10.09.2013 and it was rejected on the ground that neither on ARE-3 nor on Invoices the applicant has mentioned details of Advance Authorisations. Now, the applicant has submitted certificates from respective recipient units and DCs of concerned EOUs certifying that the unit have not availed duty drawback against supplies. Consequently, there is no case of double benefits against the supplies. The status of EO fulfillment against three Advance Authorisations, as per statement submitted by the applicant, is as under:

		Advance Authorisation No 0510213821 dated 20.12.2007	**Advance Authorisation No 0510213724 dated 18.12.2007**	**Advance Authorisation No 05102450 dated 23.11.2007**
SI No	Particulars	In %	In %	In %
1.	E.O. fulfilled by direct exports	3.73	00	0.48
2.	E.O. fulfilled by mentioning AA details	8.29	0.68	4.91
3.	E.O.fulfiiled where drawback not availed(certificate produced)	53.90	31.90	22.48
4.	E.O.fulfiiled where drawback not availed but certificate not obtained	25.20	10.59	11.87
5.	E.O. unfulfilled	8.88	56.82	60.26

Sd/-

The committee was of the view that the mandate of Para 4.12 of HBP, 2009-2014 to mention the Authorisation details in export documents was to prevent exporter from availing double benefits against the same exports/supplies. The committee, therefore, decided the following:

i. Exports/supplies made by mentioning the Authorisation No/file No shall be taken into account. However, exports/supplies made after issue of File Number of respective Authorisation shall only be taken in to account.
ii. Exports/supply made without mentioning Authorisation/File No shall also be taken into account towards discharge of export obligation provided the applicant submits certificate from the DC of respective units having jurisdiction over it certifying that no drawback has been availed by the unit against such supplies. In addition to that the unit who have received goods shall also furnish certificate supported by affidavit affirming therein that he has neither availed nor will avail in future drawback against such supplies.
iii. The applicant shall also furnish affidavit-cum-indemnity bond that he has not availed any other benefits against such supplies and in future also will not claim any benefits against such supplies. In case any loss/demurrages are detected in future, he will pay to the government full duty with interest without any resistance.
iv. The applicant, for shortfall in fulfillment of EO, shall pay duty with interest in terms of Para 4.49 of HBP, 2015-2020 for regularisation of cases.

(Action: RA, CLA/applicant)

Case No. 4: M/s. Diamond Power Infrastructure Ltd., Vadodara (Gujarat)
F.No. 01/60/162/374/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for Revalidation / Extension of EOP against Advance Authorisation No. 3410037436 dated 18.07.2013.

Decision:

The Committee observed that the Advance Authorization No. 3410037436 has been issued on 18.07.2013 wherein the initial validity period was 12 months and the applicant have already been granted one revalidation of six months by the RA. Thus, the applicant had 18 clear months to complete its imports. Hence, the Committee did not accede to the request, as the reasons cited by the applicant could not make out the case of genuine hardship.

The Committee further observed that the applicant has not imported at all. Hence, there is no obligation on the part of the applicant. Therefore, there is no requirement of extension in EOP. Hence, the Committee did not accede to the request for extension of EOP. The applicant has option to surrender the Authorisation unutilised.

(Action: RA, Vadodara/ Applicant)

Case No. 5: M/s. Taksh International, Muradabad (Uttar Pradesh)
F.No. 01/60/162/622/AM15/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for revalidation of DFIA No.2910017315 dt.23.05.2012.

Decision:

The Committee observed that the applicant had an initial validity period of 24 months for import of goods. RA has allowed one revalidation of 6 months extending the validity upto 30 months. Despite this the applicant has failed to utilise the DFIA. Justification given could not make out the case of genuine hardship. The committee, therefore, did not accede to the request.

Case No. 6: M/s. Jaishri Impex, Mumbai (Maharashtra)
F.No. 01/60/162/425/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for revalidation of DFIA No.0310726049 dt.27.02.2013.

Decision:

The Committee observed that the Authorisation was issued with initial validity of 13 months. The applicant has already been granted one revalidation of six months by RA, despite that the applicant could not utilize the Authorization. The applicant did not furnish any supporting documents in support of their justification that due to arbitrary act of DRI they could not utilise the Authorisation. Hence, the Committee did not accede to the request.

Case No. 7: M/s. Malhotra Rubbers Ltd., New Delhi
F.No. 01/60/162/324/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for revalidation of DFIA No.0510373922 dt.18.12.2013.

Decision:

The applicant has submitted that they had made request to RA for revalidation of Authorisation and EODC/transferability. However, RA while endorsing transferability did not allow revalidation. The committee therefore decided to seek report from the RA.

(Action: RA. CLA shall furnish report within a week confirming the date of submission of request for revalidation. If the application was along with request for EODC or prior to that? The reason of not allowing revalidation may also be explained)

Case No. 8: M/s. Vem Technologies Pvt. Ltd., Hyderabad (Andhra Pradesh)
F.No. 01/60/162/361/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: -Request for revalidation of Advance Authorization No.0910054874 dt. 31.01.2013.

Decision:

The Committee observed that the Authorisation was issued with initial validity of 14 months. RA has allowed six months extension in validity. Accordingly the applicant had 20 months validity period to complete its imports. He has imported almost 95% and 98% against item No 1 and 2 respectively. No logical and cogent justification for not importing the balance. Hence, the Committee did not accede to the request.

Case No. 9: M/s. Sai Industries P. Ltd., Kolkata (West Bengal)
F.No. 01/60/162/363/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject:- Request for revalidation of Advance Authorization No.0210191918 dt.18.07.2013.

Decision:

The Committee observed that the Authorisation was issued with initial validity of 12 months. RA has allowed six months extension in validity. Accordingly, the applicant had 18 months validity period to complete its imports. He has imported 100% and almost 77% against item No 1 and 2 respectively. No cogent justification for not importing the balance. Hence, the Committee did not accede to the request.

Case No. 10: M/s. Metro Global Business, Mumbai.
F.No. 01/60/162/415/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - **Request for revalidation of DFIA No.0310751767 dt.30.09.2013.**

<u>Decision:</u>

The Committee observed that the applicant had the option to seek first revalidation for six months from the RA which he did not opt. It was further observed that the applicant had almost 7 months after obtaining transferability. Therefore, he had option of transferring the same to other importers. Hence, the Committee did not accede to the request of the applicant for further revalidation, as the Authorisation has been endorsed transferability clause.

(Action: RA Mumbai/ Applicant)

Case No. 11: M/s. B&A Packaging India Ltd., Kolkata.
F.No. 01/60/162/381/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: -Request for revalidation of Advance Authorization No.0210184607 dt.20.12.2012.

<u>Decision:</u>

The Committee observed that the applicant had option of getting first revalidation of six months from the RA but did not opt for. The Committee also noted that the justification given by the applicant expressing inability to complete their imports due to higher exchange rate of foreign currency cannot be construed as genuine hardship, as the applicant had option to procure the goods without payment of duties from domestic market. Hence, the Committee did not accede to the request.

Case No. 12: M/s. Shree Ganesh Metals, Sirmour (Himachal Pradesh)
F.No. 01/60/162/366/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: -**Request for revalidation of Advance Authorization No.3310026241 dt.22.05.2013.**

<u>Decision:</u>

The Committee observed that the applicant had option of getting first revalidation of six months from the RA but did not opt for. The Committee also noted that the justification given by the applicant expressing their inability to complete their imports within the initial validity period, due to delay in fixation of norms. This cannot be construed as genuine hardship, as the Authorisation was obtained under self-declaration scheme. Thus, imports should have been completed within the initial validity without waiting for fixation of norms. Hence, the Committee did not accede to the request.

Case No. 13: M/s. Nakodaplast Industries, Mumbai (Maharashtra)
F.No. 01/60/162/356/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: -Request for revalidation of Advance Authorization No.0310685576 dt.09.03.2012.

<u>Decision:</u>

The Committee observed that the Advance Authorization No. 0310685576 has been issued on 09.03.2012 wherein the initial validity period was 24 months. The applicant has already been granted one revalidation of six months by RA. Thus, the applicant had 30 clear months to complete its import. Despite that the applicant could not utilize the Authorization. He did not submit any valid reason of genuine hardship for not utilizing the Authorisation within 30 months validity period. Hence, the Committee did not accede to the request.

Case No. 14: M/s. Jumbo Bag Ltd., Chennai (Tamil Nadu)
F.No. 01/60/162/422/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: -Request for revalidation of Advance Authorization No.0410147235 dt.18.06.2013.

Decision:

The Committee observed that the applicant has already been granted one revalidation of six months by RA. Cconsiquently, the applicant had 18 months validity period to complete its imports. Despite that the applicant could not utilize the Authorization. He has not furnished any justification which indicates genuine hardship. Hence, the Committee did not accede to the request.

Case No. 15: M/s. Raj Borax Ltd., Mumbai (Maharashtra)
F.No. 01/60/162/357/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: -Request for revalidation of Advance Authorization No.0310722443 dt.30.01.2013.

Decision:

The Committee observed that the Authorisation was issued with initial validity of 14 months. The applicant has already been granted one revalidation of six months extending validity upto 20 months from the date of issue of the Authorisation. Despite that the applicant could not utilize the Authorization. The justification that they could not utilise the Authorisation due to heavy price fluctuation, cannot be construed the case of genuine hardship, as the applicant had option to procure the goods from domestic sources without payment of duty. Hence, the Committee did not accede to the request

Case No. 16: M/s. ITCO Industries Ltd., Bangalore (Karnataka)
F.No.01/60/162/376/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for revalidation of DFIA No.0710088074 dt.07.05.2012.

Decision:

The Committee observed that the DFIA has been issued on 07.05.2012 having initial validity period of 24 months. The applicant has already been granted one revalidation of six months by the RA. Consequently, the applicant had 30 clear months to complete its import. Despite that the applicant could not utilize the DFIA and has not submitted any valid reason indicating genuine hardship for not utilizing the same within 30 months validity period. Hence, the Committee did not accede to the request.

Case No. 17: M/s. New (India) Imaging Industries Pvt. Ltd., Mumbai (Maharashtra)
F.No.01/60/162/382/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: -Request for revalidation of Advance Authorization No.0310695832 dt.23.05.2012.

Decision:

The Committee observed that the Advance Authorization No. 0310695832 has been issued on 23.05.2012 having initial validity period of 24 months. The applicant has already been granted one revalidation of six months by RA. Consequently, the applicant had 30 clear months to complete its import. Despite that the applicant could not utilize the Authorization. He did not submit any valid reason indicating genuine hardship for not utilizing the Authorisation within 30 months validity period. Hence, the Committee did not accede to the request.

Case No. 18: M/s. Uttam Galva Steels Ltd., Mumbai (Maharashtra)
F.No.01/60/162/347/AM16/ EFGC (PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for revalidation of DFIA No.0310718892 dt.01.01.2013.

Decision:

The Committee observed that the DFIA was issued having initial validity of 14 months for import. Further, the applicant had option of getting first revalidation of six months by RA but did not opt for. He has completed 100% imports against two items. No cogent reason is given which could construed a case of genuine hardship. Hence, the Committee did not accede to the request.

Case No. 19: M/s. New (India) Imaging Industries Pvt. Ltd., Mumbai (Maharashtra)
F.No.01/60/162/383/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: -Request for revalidation of Advance Authorization No.0310666721 dt.23.11.2011.

Decision:

The Committee observed that the Advance Authorization No. 0310666721 has been issued on 23.11.2011 having initial validity period of 24 months. The applicant has already been granted one revalidation of six months by RA. Consequently, the applicant had 30 clear months to complete its import. Despite that the applicant could not utilize the Authorization. He did not submit any valid reason indicating genuine hardship for not utilizing the Authorisation within 30 months validity period. Hence, the Committee did not accede to the request.

Case No. 20: M/s. Milan Laboratories (India) Ltd., Thane (Maharashtra)
F.No.01/60/162/290/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - **Application for issue of DEPB credit on post export basis – Request for condonation of delay in filing application with late cut and CF.**

Decision:

The Committee observed that as per Para 4.46 of HBP, 2009-2014, application for DEPB could be made within 12 months from the date of export or 6 months from the date of realization of payment or three months from the date of release of shipping bills. Thereafter, application can be made with late cut as per para 9.3 of HBP, 2009-2014. The present application has been made even exhausting this late cut provisions without expressing any genuine hardship. Lethargy/casual approach on the part of his staff cannot be construed as a case of genuine hardship. The committee, therefore, did not accede to the request.

Case No. 21: M/s. MM Aqua Technologies Ltd., Gurgaon (Haryana)
F.No.01/60/162/297//AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Permission for acceptance of supply under Deemed Export effected vide E-com Ref. Number which has been finally ratified by E.com file Number and issuance of Authorization No.0510212822 dt.30.11.2007 & withdrawal of DEL status inspite of submission of documents in terms of Para 4.25 of Handbook of Procedure.

Decision:

The Committee observed that the applicant had obtained E.com No. on 26.02.2006. The application was made after payment of fee on 11.11.2007 i.e. after 21 months of E-com generation. The applicant has not furnished any reason for the long gap between the obtaining the E.com No. and payment of fee for obtaining Advance Authorisation. The Committee was of the view that application cannot be accepted without payment of processing fee. Until unless fee is paid, applicant cannot seek even Authorisation as a right. Placing an entity under DEL does not debar it from making application for Authorisation. Only issuance of Authorisation is kept on hold. The Committee did not find any merit in the case. Hence, did not accede to the request.

The applicant is hereby directed to get the case regularised in terms of Para 4.28 of HBO, 2009-2014.

(Action: RA, CLA. If the applicant fails to get the case regularised within a month from the date of publishing of the minutes on the Directorate website, RA shall initiate action as per FT(D&R)Act, 1992, as amended and report.)

Case No. 22: M/s. Jupiter Solar Power Ltd., Kolkata (West Bengal)
F.No.01/60/162/167/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for revalidation of two DEPBs No.0210186121 dt. 05.02.2013 & 0210186157 dt.06.02.2013.

Decision:

The Committee noted that the issuance of said two DEPB scrips were denied by RA Kolkata on the pretext of non-submission of 'Bill of Export' being export to SEZ unit. Subsequently, the said DEPBs were issued on the basis of clarification issued by this Directorate vide letter dated 17.12.2012. It was noted that the DEPBs could not be utilised due to technical problem at the Surat SEZ Custom. Hence, the committee decided to revalidate these scrips for a further period of 3 months from the date of endorsement. The applicant is directed to produce the said DEPBs to RA for necessary endorsement within a month from the date of publication of minutes on the Directorate website.

(Action: RA, Kolkata/applicant)

Case No. 23: M/s. STI Sanoh India Ltd., Dewas (Madhya Pradesh)
F.No.01/60/162/733/AM15/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for Revalidation of Advance Authorization No.5610002250 dt. 04.06.2013

Decision:

The Committee observed that the Authorisation was issued having initial validity of 12 months from the date of issue. The applicant has already been granted one revalidation of six months by RA. Consequently, the applicant had 18 months validity to complete its imports. Despite that the applicant could not utilize the Authorization. He did not furnish any justification which indicates genuine hardship. Hence, the Committee did not accede to the request.

Case No. 24: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad (Gujarat)
F.No.01/60/162/302/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015

Subject: -Permission for clubbing of Advance Authorization and redemption certificate, No.0810096859 dt. 03.03.2011 & 0810101745 dt. 25.07.2011.

Decision:

The committee noted that the two Authorisations were issued with pre-import condition of PC-9. The Advance Authorization No. 0810101745 dt. 25.07.2011 has been issued within 12 months period of the Advance Authorization No. 0810096859 dt. 03.03.2011. And, exports against both Authorisations have been completed within 18 months from the date of import of first consignment. Hence, the Committed decided the following:

I. Clubbing of the two Authorisation be allowed.
II. Export obligation period against Authorisation No 0810096859 dt. 03.03.2011 be extended by six months i.e. upto 30.09.2012 from expiry of initial obligation period.
III. This extension will be subject to payment of composition fee @0.5% on FOB value of exports to be accounted for.
IV. Exports effected upto 30.09.2012 shall only be accounted for.
V. This is only for regularization of exports already effected and closure purpose and not for any further exports/imports.
VI. 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 is to be applied on the entire FOB and CIF of the Authorizations to be clubbed.
VII. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the Authorizations. Even after clubbing, shortfall, if any, shall be regularized on payment of Customs Duty + Interest in terms of Para 4.49 of H.B.P.

(Action: RA, Ahmedabad)

Case No. 25: M/s. Lupin Ltd., Mumbai (Maharashtra)
F.No.01/60/162/203/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for EOP extension against Advance Authorization No. 0310704227 dt.06.08.2012, issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with pre-import conditions under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for exports from import of each consignment. The date of import of first consignment was 02.01.2014 and accordingly the export obligation period was upto 31.01.2015. The applicant has completed more than 50% of its stipulated export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 31.07.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports 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 unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 26: M/s. Mepro Pharmaceuticals P. Ltd. Mumbai (Maharashtra)
F.No.01/60/162/434/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for extension of EOP beyond 18 months against AA No.0310634490 dt. 03.06.2011 issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with pre-import conditions under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for exports from import of each consignment. The date of import of first consignment in this case was 21.07.2011 and accordingly the export obligation period was upto 31.07.2012. The applicant has completed less than 50% exports during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 31.01.2013, from the date of import of first consignment.
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 exports 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 unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 27: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad (Gujarat)
F.No.01/60/162/435/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for EOP extension of AA No.0810124777 dt. 13.09.2013 issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with pre-import conditions under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for exports from import of each consignment. The date of import of first consignment was 25.09.2013 and accordingly the export obligation period was upto 30.09.2014. The applicant has completed less than 50% exports during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 31.03.2015, from the date of import of first consignment.
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 exports 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 unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 28: M/s. Aarti Drugs Ltd., Mumbai (Maharashtra)
F.No.01/60/162/437/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for extension of EOP against Advance Authorization No.0310666962 dt. 24.11.2011 issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with pre-import conditions under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for exports from import of each consignment. The applicant has imported raw materials in two instalments. The date of import of first consignment was 23.02.2012 and accordingly the export obligation period against the first consigned was upto 28.02.2013. The date of import of second consignment was 02.04.2013 and accordingly the export obligation period against the second consigned was upto 30.04.2014. The applicant has completed more than 50% exports during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 31.08.2013, against the first consignment.
II. Export obligation period be extended from 12 months to 18 months i.e. upto 31.10.2014, against the second consignment.
III. This is only for accounting and regularization of exports already effected.
IV. This is subject to a payment of composition fee @ 0.5% on FOB value of exports made after initial obligation period against each consignment.
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 unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 29: M/s. Prachi Pharmaceuticals Pvt. Ltd., Mumbai (Maharashtra)
F.No.01/60/162/432/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for clubbing of 4 Advance Authorisation Numbers 0310345365 dt 30.08.2005, 0310349532 dt. 28.09.2005, 0310463558 dt. 03.03.2008 & 0310387052 dt.27.06.2006.

Decision

The Committee noted that all 4 Authorisations proposed to be clubbed have been issued within 36 months period from the earliest issued Advance Authorization No. 0310345365 dt 30.08.2005. Hence, the Committee decided the following:

I. Clubbing of the all 4 Advance Authorisations be allowed.
II. Export obligation period against Authorisation No. 0310345365 dt 30.08.2005 be extended upto 48 months i.e. upto 31.08.2009.
III. This is only for accounting and regularization of exports already effected.
IV. The applicant has to pay a composition fee @ 0.5% of consolidated FOB value of exports made after 36th months but upto 42nd months i.e. upto 28/02/2009 and @ 0.5% per month of consolidated FOB value of exports made after 42nd months and up to 48th months i.e. upto 31/08/2009.

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 customs duty plus interest on inputs consumed and exported after 48 months i.e. after 31.08.2009.

(Action: RA, Mumbai)

Case No. 30: M/s. JJ Plastally Pvt. Ltd., Varanasi (Uttar Pradesh)
F.No.01/60/162/313/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for revalidation of AA No.1510018740 dt.22.03.2013.

Decision:

The applicant has claimed that he could not utilised the Authorisation due to non-transmission of amendment carried out in the Authorisation. The committee therefore deferred the case for seeking report from EDI.

(Action: EDI)

Case No. 31: M/s. Vedanta Ltd., (formerly known as M/s. Sterlite Industries (India) Ltd., Mumbai (Maharashtra)
F.No.01/60/162/108/AM16/ EFGC(PRC)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for Clubbing and redemptions of the 196 Advance Authorizations (19 Statements) issued prior to 31.03.2009 and adverse impact on trade on account of implication of Public Notice No.16 dt.04.06.2015.

Decision:

The committee noted the request of the applicant which was for clubbing of 196 Advance Authorisations (in 19 sets) obtained prior to 01.04.2009. The committee further noted that all Authorisations proposed to be clubbed in 19 sets are issued within over lapping period of 36 months and exports have been completed within 48 months from the issue of earliest Authorisation. The applicant had submitted his request to RA, CLA for clubbing of these Authorisations prior to issue of PN.16 dated 04.06.2015. However, RA has rejected the request quoting the provisions of Para 6 (I) of the said PN which disallow clubbing of Authorisations issued prior to 31.03.2009 by RA. The committee noted that as the applicant has submitted complete documents prior to issue of PN 16 dated 04.06.2015, it was decided to relax the said condition to allow clubbing of Authorisations by RA provided the applicant meets the all other conditions prescribed in the Para 4.38 of HBP,2015-2020 as amended vide PN. 16 dated 04.06.2015 read with PN 20 dated 09.06.2015.

(Action: RA, CLA)

Case No. 32: M/s. Celebi Nas Airport Services India Pvt. Ltd., Mumbai (Maharashtra)
F.No.01/89/180/31/AM11/ PC-2(A)
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for import of second hand vehicles from Nhava Sheva Customs Sea Port instead of Mumbai Customs Sea Port.

Decision:

The Committee considered the request of the applicant and decided to relax policy condition No.1 (II) (d) (iv) of Chapter 87 of ITC (HS), 2012, Schedule – I (Import Policy) for import of one unit of second hand TREPEL Conventional Aircraft Towing Equipment type Challenger 150 (15t), Chassis No.6700006.0097, Engine No.11396293, from Nhava Sheva Customs Sea port instead of Mumbai Sea port.

Case No. 33: M/s. Ind-Swift Ltd. Chandigarh
F.No.01/92/180/06/AM15/ PC-VI
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - Request for regularization of specific period of broad banding of LoP with retrospective effect.

Decision:

The case was discussed and it was decided to seeking report from DC, NSEZ on following points:

1. Whether the applicant had obtained permission of drug controller before effecting exports of the items to be included in the LOP.
2. What were the substantive points for delayed consideration of broad banding of LOP application?

(Action: DC, NSEZ)

Case No. 34: M/s. Tata Elxsi Lt., Bangalore.
F.No.01/93/180/06/AM13/PC-2(B)/Pt.
PRC Meeting No. 13/AM16 dated 03.11.2015
Subject: - **Request for lifting the restriction of the imported Jaguar Land Rover R&D Cars to ply on public road for R&D purpose.**
Decision:

The Committee decided to grant approval for relaxation of Policy Condition 2 (II) (f) of Chapter 87 of ITC (HS) 2012, Schedule – I (import Policy) subject to the condition that for plying the vehicles on Indian roads, they have to take permission from the Road Transport Authority of the concerned jurisdiction.

The meeting ended with a Vote of Thanks to the Chair.

....