

Minutes of the Policy Relaxation Committee

Meeting no. 15/AM14 held on 23.07.2013 at 11.30 a.m.

PRC Meeting was held under the Chairmanship of DGFT. List of officers present in the meeting is given below:

1. Shri D. K. Singh,	Addl. DG
2. Shri V.K. Srivastava	Addl. DG
3. Shri L.B. Singhal	Addl. DG
4. Shri K.C. Rout	Addl. DG
5. Shri Jaikant Singh	Jt.DGFT
6. Shri S.K. Samal	Jt. DGFT
7. Shri Jay Karan Singh	Jt. DGFT
8. Shri Hardeep Singh	Jt.DGFT
9. Shri R. Selvam	Jt. DGFT
10. Shri S.K. Mohapatra	Dy. DGFT
11. Smt. Sonika Khattar	FTDO

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

Case No.1. M/s Metropolitan Eximchem Ltd.

F.No. 01/60/162/282/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP of Advance Authorization No. 0310564129 dated 11.03.2010.

After deliberating the case at length the following decisions were taken:

- I. Export obligation period is extended upto 31.01.2014 in continuation of its expiry.
- II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- III. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% within the valid EOP.
- IV. The applicant is advised to submit the licence for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of this minutes without waiting for the endorsement on the Authorisation.

(Action : RA Mumbai/Applicant)

Case No.2. M/s Wockhardt Limited, Mumbai.

F.No. 01/60/162/276/AM14/EFGC (PRC)

F.No. 01/60/162/277/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP of Advance Authorization No. 0310479092 dated 17.07.2008 issued under PC-9 condition for regularization.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 6 months to 12 months from the date of first import consignment i.e. upto 31.07.2009.
- ii. This is only for the purpose of regularization and closure.
- iii. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- iv. The applicant has to pay duty +interest on inputs consumed and exported after 12 months from date of first import consignment.
- v. PC-18 condition stands waived to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.
- vi. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action : RA Mumbai)

Case No.3. M/s Wockhardt Limited, Mumbai.

F.No. 01/60/162/277/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP of Advance Authorization No. 0310474468 dated 12.06.2008 issued under PC-9 condition for regularization.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 6 months to 12 months from the date of first import consignment i.e. upto 30.06.2009.
- ii. This is only for the purpose of regularization and closure.
- iii. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- iv. The applicant has to pay duty +interest on inputs consumed and exported after 12 months from date of first import consignment.
- v. PC-18 condition stands waived to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.
- vi. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action : RA Mumbai)

Case No.4. M/s Unimark Rededies Ltd, Mumbai.

F.No. 01/60/162/278/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP Extension of Advance Authorization No. 0310436153 dated 13.07.2007.

The Committee noted that export obligation period has been reduced from 36 months to 18 months in the amended policy w.e.f. 5.6.2012.

Therefore, there is no logic to allow extension beyond 48 months which PRC considers after 36 months in old cases. The authorization under question was issued on 13.7.2007. Now, 72 months have already passed but the firm could not fulfill stipulated EO. Hence, there is no logic to grant further extension in EOP. The committee therefore decided to reject the request advising the applicant to get the case regularized in terms of Para 4.28 of HBP.

(Action : RA Mumbai. If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT(D&R) Act, 1992 and report.

Case No.5. M/s Western Cablex Engineering Pvt. Ltd, Mumbai.

F.No. 01/60/162/386/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for revalidation of Advance Authorization No. 0310540617 dated 17.10.2009.

The committee noted that the amendment sheets no. 4 & 5 were issued on 17.11.2011 and 18.11.2011 respectively. It was also noted that there was delay in transmission of data but the firm approached at the fag end of the expiry of the extended validity of the authorization. There was 29 months available to the firm to import. Hence the reasons given by the firm are not convincing to the committee. The request is rejected.

Case No.6. M/s Amsal Chem Pvt. Ltd, Bharuch.

F.No. 01/60/162/279/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for revalidation of Advance Authorization No. 3410023745 dated 07.10.2009.

The committee noted that the contentions of the firm that they could not import due to non transmission of amendment sheet no. 1 dt. 22.4.2009, which is still not reflecting on ICEGATE is not convincing to the Committee because the applicant neither brought this facts to the notice of this office or RA concerned prior to 30.9.2011 i.e. within the validity of the Authorisation. The Committee therefore did not agree to accede to the request.

Case No.7. M/s Premier Mills Pvt. Ltd.

F.No. 01/60/162/281/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Exemption from non-compliance of procedure regarding DEPB Authorization No. 3210055030 dated 11.06.2012.

Deferred for seeking a detailed report from RA, Coimbatore under which circumstances DEPB against one shipping bill (dated 9.8.2011) was issued but denied for remaining shipping bills.

(Action : RA, Coimbatore)

Case No.8. M/s Lupin Limited, Mumbai.

F.No. 01/60/162/290/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for clubbing of 3 Advance Authorization Nos. 0310498675 dated 18.12.2008, 0310537608 dated 14.09.2009 & 0310668197 dated 30.11.2011.

After deliberating the case at length the following decisions were taken:

- i. Clubbing of 3 Advance Authorizations as referred above is allowed, subject to the condition that no redemption letter or adjudication order is issued against any licence to be clubbed.
- ii. This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP.
- iii. RA is also directed to examine the case at terms of Para 4.1.6 of FTP 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. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

(Action : RA, Mumbai)

Case No.9. M/s Delphi TVS Diesel Systems Ltd, Kanchipuram.

F.No. 01/60/162/1048/AM11/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0410089095 dated 20.04.2007.

The committee noted that the case is for review of an earlier decision of PRC. The case was also considered by GRC. The request is for EOP for an authorization was issued on 20.4.2007 and export obligation period was valid upto April, 2010. The firm made all the imports in 2007. The Euro Emission norms, as per information provided by the applicant, was changed from 31.01.2010. There was no export during this period of about 27 months. Further, the Euro norms were applicable to Europe but not for rest of world. Therefore, they should have exported to any other country. The Committee, therefore, did not accede to the request.

The applicant is hereby directed to get the case regularized in terms of para 4.28 of HBP.

(Action : RA, Chennai); If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT(D&R) Act. 1992 and report)

Case No.10. M/s Vidyut Metallies Pvt. Ltd. Mumbai

F.No. 01/60/162/995/AM12/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP of Advance Authorization No. 0310317008 dated 16.02.2005

Subject: - Request for EOP of Advance Authorization No. 0310517006 dated 16.02.2003.

The committee noted that the case is for review of an earlier decision of PRC. The Committee noted that the PRC in its meeting dated 7.2.2012 has already considered EOP extension upto 48 months from the date of issue of Authorisation. As the EO period has been reduced from 36 months to 18 months w.e.f. 5.6.2012, there is no reason to allow extension beyond this limit of 48 months. The Committee, therefore, did not agree to accede to the request. The review request is therefore rejected with advise to get the shortfall regularized in terms of par 4.28 of HBP.

(Action : RA Mumbai. If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT(D&R) Act, 1992 and submit an Action Taken Report to the PRC.

Case No.11. M/s Lupin Limited, Mumbai.

F.No. 01/60/162/1203/AM12/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP of Advance Authorization No. 0310591519 dated 08.09.2010 issued under PC-9 condition for regularization.

The committee noted that the case is for review of an earlier decision of PRC. The Committee noted that the Authorization was issued under PC-9 condition with 12 months period for fulfillment of export from the date of export. In no circumstances, EO in such cases could be extended half of its original validity. Accordingly, the PRC in its meeting dt. 13.3.2012 has already allowed six months extension. Therefore, there is no logic and ground for further extension of EO period.

(Action: RA Mumbai. If the party fails to get the case regularized in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC .)

Case No.12. M/s Medreich Limited, Bangalore

F.No. 01/60/162/395/AM12/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP of Advance Authorization No. 0710064496 dated 04.05.2009 issued under PC-9 condition for regularization.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 6 months to 12 months from the date of first import consignment i.e. upto 31.05.2010.
- ii. This is only for the purpose of regularization and closure.
- iii. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- iv. The applicant has to pay duty +interest on inputs consumed and exported after 12 months from date of first import consignment.
- v. PC-18 condition stands waived on this exports to the extent of requirement of re-export/destruction certificate on export made outside the original/ extended EOP.
- vi. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action : RA Bangalore)

Case No.13. M/s Medreich Limited, Bangalore.

F.No. 01/60/162/310/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request to waiver of PC-18 condition on payment of duty + interest against the goods imported from unregistered sources under Advance Authorization No. 0710050465 dt. 06.03.2007.

The committee noted that out of 4000 kgs of raw material imported from un-registered sources, the applicant has exported 3000 kgs within extended validity. However, remaining 1000 kgs, were re-exported to the supplier due to technical issues under provisional shipping bills but lost the original copy of shipping bill no. 95346 dt. 21.02.2008.

The Committee, therefore, decided to waive the condition of PC-18 subject to the following conditions:

- I) Proof of Duty + Interest paid on 1000 kgs raw material is submitted which has re-exported.
- II) Xerox copy of shipping bill is submitted.
- III) Copy of Bill of Entry under which the raw material were imported is submitted.
- IV) RA will accept the same if name of supplier (as per B/E) and name of buyer (as per S/bill for export of Albendazole) is the same and name of raw material and resultant product are also same.

Case No.14. M/s Medreich Limited, Bangalore.

F.No. 01/60/162/702/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for waiver of re-export or destruction – material imported from un-registered sources – reg. Advance Authorization No. 0710055121 dated 28.12.2007.

The committee noted that the case is for review of an earlier decision of PRC. The Committee decided that the condition of re-export/destruction of imported raw material as stipulated in Policy Circular 18 dt. 30.10.2007 be waived as the firm has stated to have already utilized the imported material fully by exporting the product manufactured from these and has paid duty + interest on excess consumption. The party shall submit certificate from the excise authority that raw material imported has been consumed/utilized fully. RA may check and verify the aspect of raw material utilization and payment of duty + interest and if found to be true, the case may be regularized.

(Action : RA, Bangalore)

Case No.15. M/s United Phosphorus Limited, Mumbai.

F.No. 01/60/162/993/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for clubbing of 2 Advance Authorization Nos. 0310475590 dated 20.06.2008 & 0310645796 dated 02.08.2011 where application for obtaining subsequent Authorisation was filed within 36 months from the date of issue of first Authorization.

The committee noted that the case is for review of an earlier decision of PRC. The committee noted that it is true that application for obtaining the subsequent Authorization is filed within 36 months from the date of issue of first Authorization. However, the applicant did not disclose that when the application for first Authorization was submitted and when the first shipment took place against earliest Authorization. Moreover, the date of filing of application is not the criteria for clubbing of two or more Authorization. The date of Authorization is the crucial date for consideration. The Committee, therefore, did not accede to the request of the firm.

The applicant is hereby directed to get the case regularized in terms of Para 4.28 of HBP.

(Action: RA Mumbai. If the party fails to get the case regularized in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC)

Case No.16. M/s Leap International Pvt. Ltd., Chennai / M/s Interglobe Avations Limited.

F.No. 01/89/180/31/AM11/PC-2A

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for relaxation of import Policy condition 1&2 of Chapter 87 of ITC (HS) for import of Push Back Tractor / Aircraft Tow Tractors.

The Committee considered the request and decided to grant relaxation from the conditions of para 2(II) (c) of ILN under Chapter 87 of ITC(HS) for the import of 3 nos. of Push Back Tractor / Aircraft Tow Tractors subject to the condition that they will be used within the Airport premises only and will never be driven on public roads

Case No.17. M/s Connect International Pvt. Ltd, Noida.

F.No. 01/60/162/24/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for clubbing of 2 Advance Authorization Nos. 0510207080 dated 01.08.2007 & 0510255673 dated 05.01.2010.

After deliberating the case at length the following decisions were taken:

- i. Clubbing of the 2 advance authorizations as referred above may be allowed, subject to the condition that no redemption letter or adjudication order is issued against any authorization to be clubbed.
- ii. This is only for regularization and closure purpose and not for any further exports/imports. However, exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.
- iii. Extension upto 48 months in EOP in the first authorization is allowed subject to payment of composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is directed to examine the case in terms of Para 4.1.6 of FTP 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. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
- iv. Even after clubbing, shortfall if any, may be regularised on payment of Customs Duty + Interest in terms of Para 4.28 of H R P

iv. Even after clubbing, shortfall if any, may be regularised on payment of Customs Duty + interest in terms of Para 4.28 of H.B.P.

(Action : RA, CLA, New Delhi)

Case No.18. M/s Jindal Poly Films Ltd, New Delhi.

F.No. 01/60/162/50/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for regularization of export made upto 31.12.2011 in Advance Authorization No. 0510158867 dated 01.06.2005.

The committee noted that firm has fulfilled only 1.80% of the export obligation within the original validity and 18.2% within 48 months. Committee did not find any merit in the case hence the request was rejected. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(Action: RA CLA, New Delhi. If the party fails to get the case regularized in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC)

Case No.19. M/s United Phosphorus Ltd, Mumbai.

F.No. 01/60/162/14/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for clubbing of 2 Advance Authorization Nos. 0310497818 dated 15.12.2008 & 0310695358 dated 18.05.2012.

The Committee noted that the gap between the above two authorizations is more than 36 months, therefore Committee did not agree to club these authorizations. The applicant is advised to get the case regularized in terms of Par 4.28 of HBP.

(Action: RA Mumbai. If the party fails to get the case regularized in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC)

Case No.20. M/s Shalina Laboratories Pvt. Ltd, Mumbai.

F.No. 01/60/162/828/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for clubbing of 2 Advance Authorization Nos. 0310471571 dated 16.05.2008 & 0310590196 dated 31.08.2010.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 6 months to 12 months from the date of first import consignment for Advance Authorization Nos. 0310471571 dated 16.05.2008 i.e upto 31.05.2009 and 12 months to 18 months for Advance Authorization no. 0310590196 dated 31.05.2010 i.e upto 31.03.2012.

- ii. Clubbing is not allowed.
- iii. This is only for the purpose of regularization and closure.
- iv. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- v. The applicant has to pay duty +interest on inputs consumed and exported after 12/18 months from date of first import consignment.
- vi. PC-18 condition stands waived to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.
- vii. Shortfall, if any, may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action: RA, Mumbai)

Case No.21. M/s SR Foils and Tissue Limited, New Delhi.

F.No. 01/60/162/288/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0510266162 dated 15.06.2010.

The committee noted that there was no export within the original export obligation period. Hence, there is no merit in the case for consideration of the request. The Committee therefore did not accede to the request.

(Action: RA CLA, New Delhi. If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC)

Case No.22. M/s SR Foils and Tissue Limited, New Delhi.

F.No. 01/60/162/289/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0510266161 dated 15.06.2010.

The committee noted that there was no export within the original export obligation period. Hence, there is no merit in the case for consideration of the request. The Committee therefore did not accede to the request.

(Action: RA CLA, New Delhi. If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC)

Case No.23. M/s Pellsys Pharma Pvt. Ltd, Hyderabad.

F.No. 01/60/162/292/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0910052560 dated 10.05.2012 issued under PC-9 condition.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 12 months to 18 months in **continuation** from the date of first import consignment i.e. upto 30.11.2013.
- ii. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- iii. The applicant is advised to submit the licence for endorsement to RA as early as possible.
- iv. The applicant is advised to submit the licence for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of this minutes without waiting for the endorsement is done on the Authorization by RA.

(Action : RA Hyderabad)

Case No.24. M/s Medreich Limited, Bangalore.

F.No. 01/60/162/296/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for waiver of re-export or destruction – material imported from un-registered sources – reg. Advance Authorization No. 0710088210 dated 15.05.2012.

The Committee decided that the condition of re-export/destruction of imported raw material as stipulated in Policy Circular 18 dt. 30.10.2007 be waived as the firm has stated to have already utilized the imported material fully by exporting the product manufactured from these and has paid duty + interest on excess consumption. The party shall submit certificate from the excise authority that raw material imported has been consumed/utilized fully. RA may check and verify the aspect of raw material utilization and payment of duty + interest and if found to be true, the case may be regularized.

(Action : RA, Bangalore)

Case No.25. M/s Milan Laboratories (India) Pvt. Ltd, Mumbai.

F.No. 01/60/162/273/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310562288 dated 26.02.2010 issued under PC-9 condition.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 12 months to 18 months from the date of first import consignment i.e. upto 31.10.2011.
- ii. This is only for the purpose of regularization and closure.
- iii. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- iv. The applicant has to pay duty +interest on inputs consumed and exported after 18 months from date of first import consignment.
- v. PC-18 condition stands waived on this exports to the extent of requirement of re-export/destruction certificate on export made outside the original/ extended EOP.
- vi. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action : RA Mumbai)

Case No.26. M/s SJK Silk, Bangalore.

F.No. 01/60/162/286/AM12/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0710048188 dated 01.11.2006.

The Committee noted that this is the review request against the decision taken in the PRC Meeting dated 30.10.2012. It was noted that the firm has failed to show proof of exports to RA, Bangalore and did not make any submission to RA in pursuance of decision of PRC. The Committee again deliberated in detail and did not agree to accede to the request of the firm. The firm is therefore directed to submit documents as demanded by RA and get the case regularized in terms of Para 4.28 of HBP.

(Action : RA, Bangalore; If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC)

Case No.27. M/s Chillies Export House Limited, Tamilnadu.

F.No. 01/60/162/683/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of 3 Advance Authorization Nos. 3510031593 dated 23.09.2010, 3510032266 dated 16.12.2010 & 3510034413 dated 20.06.2011.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 120 days to 240 days from the date of first import consignment.
- ii. This is only for the purpose of regularization and closure.

- iii. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- iv. The applicant has to pay duty +interest on inputs consumed and exported after 240 days from date of first import consignment.
- v. Shortfall if any may be regularized in terms of Para 4.28 of HBP.

(Action : RA Coimbatore)

Case No.28. M/s Sunrise Silk Udyog, Bangalore.

F.No. 01/60/162/254/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for revalidation of DFIA No. 0710068913 dated 15.12.2009.

The committee did not agree with the reasons and justification given by the party. The authorization has validity of 24 months. Hence, the request is rejected.

Case No.29. M/s Oil & Natural Gas Corporation Ltd, Mumbai.

F.No. 01/60/162/256/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for revalidation of DFIA Authorization No. 0310607971 dated 27.12.2010.

The committee did not agree with the reasons and justification given by the party. The authorization has validity of 24 months. Hence, the request is rejected.

Case No.30. M/s Cadila Healthcare Limited, Ahmedabad.

F.No. 01/60/162/297/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization Nos. 0810075736 dated 03.11.2008 & 0810094210 dated 29.11.2010.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 6 months to 12 months from the date of first import consignment for Advance Authorization Nos. 0810075736 dated 03.11.2008 i.e upto 30.11.2009 .
- ii. Under Advance Authorization No 0810094210 dated 29.11.2010, EOP is extended by one months from expiry of validity for second import consignment i.e. upto 31.10.2012.
- iii. This is only for the purpose of regularization and closure.
- iv. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- v. The applicant has to pay duty +interest on inputs consumed and exported after 12/18 months from date of first import consignment.

- v. The applicant has to pay duty +interest on inputs consumed and exported after 12/13 months from date of first import consignment.
- vi. PC-18 condition stands waived to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.
- vii. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action: RA, Ahmedabad)

Case No.31. M/s Cadila Healthcare Limited, Ahmedabad.

F.No. 01/60/162/298/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization Nos. 0810085800 dated 18.01.2010 & 0810091360 dated 18.08.2010.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 12 months to 18 months from the date of first import consignment for Advance Authorization No. 0810085800 dated 18.01.2010 .
- ii. EOP is extended from 12 to 14 months from import of second consignment i.e. upto 31.3.2013 under Advance Authorization No& 0810091360 dated 18.08.2010.
- iii. This is only for the purpose of regularization and closure.
- iv. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- v. The applicant has to pay duty +interest on inputs consumed and exported after 18 months from date of first import consignment.
- vi. PC-18 condition stands waived on this exports to the extent of requirement of re-export/destruction certificate on export made outside the original/ extended EOP.
- vii. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action: RA, Ahmedabad)

Case No.32. M/s Cadila Healthcare Limited, Ahmedabad.

F.No. 01/60/162/294/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization Nos. 0810090005 dated 24.06.2010 & 0810091918 dated 07.09.2010 & 0810095072 dated 29.12.2010.

After deliberating the case at length the following decisions were taken:

- i. Clubbing is not allowed.

- ii. Export obligation period is extended from 12 months to 18 months from the date of second import consignment against Advance Authorization No. 0810095072 dated 29.12.2010 i.e. upto 30.09.2012 and Advance Authorization no. 0810090005 dated 24.06.2010 and 0810091918 dated 07.09.2010 upto 30.5.2012 .
- iii. This is only for the purpose of regularization and closure.
- iv. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- v. The applicant has to pay duty +interest on inputs consumed and exported after 18 months from date of first import consignment.
- vi. PC-18 condition stands waived to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.
- vii. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action: RA, Ahmedabad)

Case No.33. M/s Cadila Healthcare Limited, Ahmedabad.

F.No. 01/60/162/300/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for acceptance/ consideration of 9 DEPB shipments towards discharge of export obligation against Advance Authorization Nos. 0810085874 dated 20.01.2010 & 0810086719 dated 22.02.2010 & 0810092526 dated 27.09.2010 issued under PC-9 condition.

After deliberating the case at length the following decisions were taken:

- I. The committee decided to accept the shipments made under DEPB scheme towards discharge of export obligation against Advance Authorization no. 0810085874 dated 20.01.2010 & 0810086719 dated 22.02.2010 where exports were made upto 31.3.2011 and under Advance Authorisation No. 0810092526 dated 27.09.2010 where exports were made upto 31.11.2011
- II. Against Advance Authorisation NO. 0810092526 dated 27.09.2010, EOP is extended from 12 to 13 months from the date of first import consignment.
- III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- IV. This is subject to the verification of counting of imported inputs.
- V. The applicant has to pay duty +interest on inputs consumed and exported after 13 months from date of first import consignment.
- VI. PC-18 condition stands waived to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.
- VII. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.
- VIII. This is also subject to confirmation that no DEPB has been obtained against the said DEPB s/bill.

(Action: RA, Ahmedabad)

Case No.34. M/s Cadila Healthcare Limited, Ahmedabad.

F.No. 01/60/162/299/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of 5 Advance Authorizations no. 1) 0810065762 dt. 4.7.2007, 2) 0810067749 dt. 11.10.2007, 3) 0810082359 dt. 18.8.2009, 4) 0810083356 dt. 6.10.2009 and 5) 0810084923 dt. 16.12.2009.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 6 months to 12 months from the date of first import consignment for Advance Authorization for sr. no. 1 to 2 and 12 months to 18 months for Advance Authorization no. 3 to 5.
- ii. This is only for the purpose of regularization and closure.
- iii. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- iv. The applicant has to pay duty +interest on inputs consumed and exported after 12/18 months from date of first import consignment.
- v. PC-18 condition stands waived on this exports to the extent of requirement of re-export/destruction certificate on export made outside the original/ extended EOP.
- vi. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action: RA, Ahmedabad)

Case No.35. M/s Cadila Healthcare Limited, Ahmedabad.

F.No. 01/60/162/293/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization Nos. 0810084862 dated 14.12.2009 issued under PC-9 condition.

After deliberating the case at length the following decisions were taken:

- i. Export obligation period is extended from 12 months to 13 months from the date of first import consignment i.e. upto 31.01.2011.
- ii. This is only for the purpose of regularization and closure.
- iii. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under para 4.1.6 of FTP is maintained.
- iv. The applicant has to pay duty +interest on inputs consumed and exported after 13 months from date of first import consignment.
- v. Shortfall if any may be regularized in terms of Para 4.28 of HBP read with PC-18 dt. 30.10.2007.

(Action : RA Ahmedabad)

Case No.36. M/s Indo Rama Synthetics (India) Ltd, Nagpur.

F.No. 01/60/162/295/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request of 3 Advance Authorizations no. 1110019984 dt. 14.2.2009, 5010001231 dt. 29.2.2012 and 5010001237 dt. 6.3.2012 issued from

Subject: Request for Advance Authorizations Nos. 0310001201 dt. 11.12.2008, 0310001201 dt. 20.12.2012 and 0310001201 dt. 01.12.2012 issued from different RAs for regularization/closure purpose.

After deliberating the case at length the following decisions were taken:

- i. Clubbing of 3 Advance Authorizations as referred above is allowed, subject to the condition that no redemption letter or adjudication order is issued against any licence to be clubbed.
- ii. This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP.
- iii. RA is also directed to examine the case at terms of Para 4.1.6 of FTP 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. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

(Action : RA, Nagpur is directed to forward the files pertaining to Advance Authorizations to RA Bhopal for clubbing of the authorization. RA, Bhopal is requested to take necessary action as per PRC decision under intimation to RA Nagpur and Hqr.)

Case No.37. M/s Concept Pharmaceuticals Limited, Mumbai.

F.No. 01/60/162/846/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for EOP extension of Advance Authorization Nos. 0310448871 dated 01.10.2007 issued under PC-9 condition.

Withdrawn for processing on file.

Case No.38. M/s Concept Pharmaceuticals Limited, Mumbai.

F.No. 01/60/162/721/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for review of the decision taken on 14.5.2013 for clubbing of Advance Authorization Nos. 0310436732 dated 13.04.2007, 0310528123 dated 09.07.2009 & 0310551924 dated 21.12.2009 issued under PC-9 condition.

Withdrawn for processing on file.

Case No.39. M/s Maithan Alloys Ltd, Kolkata.

F.No. 01/60/162/492/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for review of the decision taken on 11.12.2013 for clubbing of 2 Advance Authorization Nos. 0210115838 dated 07.08.2008 & 0210116707 dated 29.08.2008.

After discussion in details, Committee reiterated its earlier decision of PRC meeting no. 32/AM13 dated: 11.12.2013 and once again rejected the

After discussion in details, Committee reiterated its earlier decision of PRC meeting no. 02/AM13 dated: 11.12.2013 and once again rejected the request of the firm as there is no merit in the case for reconsideration.

Case No.40. M/s Apollo Tyres Ltd, Gurgaon.

F.No. 01/60/162/1025/AM13/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for review of the decision taken on 9.4.2013 and EOP extension of 2 Advance Authorization Nos. 0510256543 dated 18.01.2010 & 0510256546 dated 18.01.2010.

The committee noted that it is a case of review. There is nil export within the valid EOP. After discussion in details, Committee reiterated its earlier decision of PRC meeting no. 02/AM14 dated: 09.04.2013 and once again rejected the request of the firm as there is no merit in the case for reconsideration.

The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(Action: RA CLA, New Delhi. If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC)

Case No.41. M/s J. P. Fibres, Ghaziabad.

F.No. 01/60/162/252/AM14/EFGC (PRC)

PRC Meeting No. 15/AM14 dated 23.07.2013

Subject: - Request for conversion of shipping bills filed in Draw Back Instead of Advance Authorizations for fulfillment of export obligation in Advance Authorization No. 0510279452 dated 14.12.2010 & 0510305259 dated 14.10.2011.

The Committee noted that conversion from one scheme to other scheme is allowed by the Customs Authority and not by the DGFT. However, since the applicant has already availed draw back against the shipping bill, the question of accounting of such shipping bill under Advance Authorisation does not arise. Hence, the request is rejected advsinig to get the case regualrised in terms of para 4.28 of HBP.

(Action: RA CLA, New Delhi. If the party fails to get the case regularised in terms of Para 4.28 of HBP within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report to the PRC)

Case No. 42 Reference received from Norms Committees

F.No.

Subject:- PRC condoned delay in filing representation beyond 4 months for consideration by NC in following cases.

Norms Committee-I

Sl No.	Name of the firm	Adv. Authorization. No.	M. No. & Date	Date of communication of earlier decision	Representation submitted on	Present status
1.	M/s. Larsen & Toubro Limited, Mumbai F.No.01/80/050/00784/AM09/DES-I	0310479853 dt.23.07.2008	24/10 dt.17.09.2009	20.11.2009	15.04.2013	Approved
2.	M/s. Bharat Heavy Electrical Ltd., Chennai F.No.01/80/050/00324/AM12/DES-I	0410128752 dt.30.09.2011	24/12 dt.07.02.2012	11.04.2012	05.02.2013	Approved
3.	M/s. Larsen & Toubro Limited, Mumbai F.No.01/80/050/00014/AM11/DES-I	0310564429 dt.12.03.2010	04/12 dt.17.05.2011	05.07.2011	26.02.2013	Approved
4.	M/s. Motherson Sumi Systems Ltd., New Delhi F.No.01/80/050/00171/AM11/DES-I	0510265356 dt.02.06.2010	28/11 dt.12.10.2010	14.12.2010	12.12.2012	Approved
5.	M/s. Boysen India Ltd., F.No.01/80/050/00035/AM12/DES-I	0510288928 dt.27.04.2011	12/12 dt.24.01.2012	14.03.2012	17.08.2012	Approved
6.	M/s. IDMC Limited, Udyog Nagar F.No.01/80/050/00011/AM05/DES-I	3410011527 dt.20.09.2004	19/12 dt.13.12.2011	23.01.2012	08.03.2013	Approved

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