

**Minutes of the Policy Relaxation Committee Meeting held under the
Chairmanship of DGFT, ShriPravir Kumar, IAS on 22.12.2014**

Meeting No. 15/AM15 held on 22.12.2014 at 12.00 A.M.

List of officers present in the meeting is given below:

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|-------------------------|------------|
| 1. ShriD.K. Singh | Addl. DGFT |
| 2. Shri KC. Rout | Addl. DGFT |
| 3. ShriJaikant Singh | Addl. DGFT |
| 4. ShriDarshan Singh | Jt. DGFT |
| 5. Shri S.K. Samal | Jt. DGFT |
| 6. Shri Jay Karan Singh | Jt. DGFT |
| 7. ShriAkashTaneja | Jt. DGFT |
| 8. Shri A.K. Srivastava | Jt. DGFT |
| 9. Shri S.K. Mohapatra | Dy. DGFT |
| 10. Smt. N.R.Choudhury | FTDO |

The decision taken in the individual cases is as under:-

Case No.1 M/s Intas Pharmaceuticals Ltd.,Ahmedabad.

F.No. 01/60/162/417/AM15/EFGC (PRC)

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for EOP extension of Advance Authorization no. 0810116115 dated 5.11.2012 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the applicant has made only 18.543% of its stipulated export obligation within the initial export obligation period and 81.46% outside the export obligation period. Hence, the Committee decided the following:

- I. Export obligation period be extended from 12 months to 18 months from the date of first import consignment i.e. upto 31.05.2014.
- 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 outside the original EOP.
- IV. Minimum value addition of 15% as prescribed under Para 4.1.6 of FTP shall be maintained.

(Action: RA, Ahmedabad)

Case No.2M/s Sadhana Nitro Chem Ltd., Mumbai.

F.No. 01/60/162/436/AM15/EFGC(PRC)

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for EOP extension of Advance Authorization No. 0310591483 dated 8.9.2010.

Decision:

The Committee noted that the firm has made only 2% of its stipulated export obligation within the original export obligation period against the above referred Advance Authorization. As such there is no merit in the case for consideration. Moreover, the Committee does not allow extension beyond 48 months of the issue of Advance Authorization. The Committee, therefore, did not accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(Action: RA Mumbai- If the firm 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).

Case No.3 M/s. BDH Industries Ltd., Mumbai

F.No. 01/60/162/424/AM15/PRC

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for EOP extension of Advance Authorization No. 0310697814 dated 07.06.2012 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the applicant has made only 32% of its stipulated export obligation within the initial export obligation period and 68% outside the export obligation period. Hence, the Committee decided the following:

- I. Export obligation period be extended from 12 months to 18 months from the date of first import consignment 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% per month on FOB value of export made outside the original EOP.
- IV. Minimum value addition of 15% as prescribed under Para 4.1.6 of FTP shall be maintained.

(Action: RA, Mumbai)

Case No.4 M/s. Empire Tobacco Company Private Limited, Thane

F.No. 01/60/162/435/AM15/PRC

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for EOP extension of Advance Authorization No. 0310629706 dated 05.05.2011.

Decision:

The Committee noted that the applicant has fulfilled more than 50% of its stipulated export obligation within initial obligation period. Hence, the Committee decided the following:

- I. Export obligation period be extended upto 31.05.2015.
- II. The extension is subject to payment of composition fee @ 0.5% of FOB value of exports made after 36 months but upto 42 months and composition fee @ 0.5% per month of FOB value of exports to be made after 42 months but upto 48 months.
- III. The minimum value addition of 15% as prescribed under Para 4.1.6 of FTP shall be maintained.
- IV. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% in proportion to imports made within original export obligation period.
- V. The applicant is advised to submit the Authorisation for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of these minutes without waiting for the endorsement to be done on the Authorisation.

(Action: RA, Mumbai / applicant)

Case No.5 M/s Bhagirathi Packaging Pvt. Ltd., Kolkata

F.No. 01/60/162/397/AM15/PRC

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for extension of EOP Advance Authorization No. 0210149742 dated 27.10.2010.

Decision:

The Committee noted that the firm has made no exports within the original export obligation period against the above referred Advance Authorization. The labour unrest cited by the applicant as a reason for non – fulfillment of stipulated export obligation is an internal administrative matter of the firm and cannot be taken as a ground for granting relaxation. As such there is no merit in the case for consideration. The Committee therefore did not accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(Action: RA Kolkata- If the firm fails to get the case regularized in terms of Para4.28 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).

Case No.6 M/s. Ganesh Polychem Ltd., Mumbai

F.No. 01/60/162/476/AM15/PRC

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for EOP extension of Advance Authorization No. 0310628874 dt.29.04.2011.

Decision:

The Committee noted that the applicant has fulfilled more than 50% of its stipulated export obligation within initial obligation period. Hence, the Committee decided the following:

- I. Export obligation period be extended upto 30.04.2015.
- II. The extension is subject to payment of composition fee @ 0.5% of FOB value of exports made after 36 months but upto 42 months and composition fee @ 0.5% per month of FOB value of exports to be made after 42 months but upto 48 months.
- III. The minimum value addition of 15% as prescribed under Para 4.1.6 of FTP shall be maintained.
- IV. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% in proportion to imports made within original export obligation period.
- V. The applicant is advised to submit the Authorisation for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of these minutes without waiting for the endorsement to be done on the Authorisation.

(Action: RA, Mumbai / applicant)

Case No.7 M/s Torrent Pharmaceuticals Ltd. Ahmedabad

F.No. 01/60/162/398/AM15/PRC

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - EOP extension of Advance Authorization No. 0810121573 dated 31.05.2013 issued under PC-9 condition.

Decision:

The Committee noted that the applicant did not make any exports within the initial export obligation period. Hence, the Committee decided the following:

- I. Export obligation period be extended from 12 months to 18 months from the date of first import consignment i.e. upto 31.12.2014.
- II. This is only for accounting and regularization of exports, if any made.
- III. This is subject to a payment of composition fee @ 0.5% per month on FOB value of export made outside the original EOP and to be accounted for.
- IV. Minimum value addition of 15% as prescribed under Para 4.1.6 of FTP shall be maintained.
- V. On unutilized quantity, the applicant has to follow procedure as per Policy Circular no. 18 dt. 30.10.2007.

(Action: RA, Ahmedabad)

Case No.8 M/s. Tradewell Corporation, Thane

F.No. 01/60/162/ 399 /AM15/PRC

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for EOP extension for another 6 months of Advance Authorization No. 0310698125 dt. 11.06.2012

Decision:

The Committee noted that the firm has made less than 50% of its stipulated export obligation within the original export obligation period against the above referred Advance Authorization. As such there is no merit in the case for consideration. The Committee therefore did not accede to the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(Action: RA Mumbai- If the firm 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).

Case No.9 M/s Alps Overseas Pvt. Ltd., Gurgaon.

F.No. 01/60/162/235/AM15/PRC

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - EOP extension of Advance Authorization of 0510294676 dated 27.6.2011

Decision:

The Committee noted that the applicant has fulfilled more than 50% of its stipulated export obligation within initial obligation period. Hence, the Committee decided the following:

- I. Export obligation period be extended upto 30.06.2015.
- II. The extension is subject to payment of composition fee @ 0.5% of FOB value of exports made after 36 months but upto 42 months and composition fee @ 0.5% per month of FOB value of exports to be made after 42 months but upto 48 months.
- III. The minimum value addition of 15% as prescribed under Para 4.1.6 of FTP shall be maintained.
- IV. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% in proportion to imports made within original export obligation period.
- V. The applicant is advised to submit the Authorisation for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of these minutes without waiting for the endorsement to be done on the Authorisation.

(Action: RA, Delhi / applicant)

Case No.10 M/s. Saint-Gobain Glass India Ltd. Kanchipuram

F.No. 01/60/162/ 383 /AM14/EFGC (PRC)

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for reconsideration to treat Invalidation as ARO for the purpose of claim of Deemed Drawback benefits **as no double benefit has been obtained**, in relaxation of policy against Advance Authorization No. 0410084413 dated 21.09.2006.

Decision:

Deferred for seeking report from RA whether supplier has claimed DBK or not.

(Action: RA Chennai)

Case No.11 M/s. Saint-Gobain Glass India Ltd. Kanchipuram

F.No. 01/60/162/ 384 /AM14/EFGC (PRC)

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for justified relief for refund of Duty Drawback on the Duty paid on indigenous inputs against Advance Authorisation No.0410084466 dated 25.09.2006 on the lines of a similar case considered by PRC meeting no. 40/AM14 (case no. 20)

Decision:

Deferred for seeking report from RA whether supplier has claimed DBK or not.

(Action: RA Chennai)

Case No.12 M/s Phillips Carbon black Ltd., Kolkata

F.No. 01/60/162/450/AM15/EFGC (PRC)

PRC Meeting No. 15/AM15 dated 22.12.2014

Subject: - Request for clubbing of 9 Advance Authorizations for closure purpose

1. 0210141026 dt. 20.04.2010
2. 0210173534 dt. 03.02.2012
3. 0210173536 dt. 03.02.2012
4. 0210174787 dt. 01.03.2012
5. 0210174780 dt.01.03.2012
6. 0210174788 dt. 01.03.2012
7. 0210173711 dt. 7.02.2012
8. 0210175667 dt. 22.03.2012
9. 0210200167 dt. 18.02.2014

Decision:

The case was deferred for seeking details of exports and details of file generation in the Authorization no. 0210200167 dt. 18.02.2014

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