Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of DGFT, Shri Anup Wadhawan, IAS on 01.12.2015

Meeting No. 15/AM16 held on 01.12.2015 at 11.00 Am.

List of members present in the meeting is given below:

1.	Shri D.K. Singh	Addl. DGFT
2.	K.C. Rout	Addl. DGFT
3.	Shri Jaikant Singh	Addl. DGFT
4.	Shri Darshan Singh	Addl. DGFT
5.	Shri S.K.Samal	Jt. DGFT
6.	Shri J. M. Gupta	Jt. DGFT
7.	Shri Jay Karan Singh	Jt. DGFT
8.	Shri AkashTaneja	Jt. DGFT
9.	Shri Anil Aggarwal	Jt.DGFT
10.	Dr. S.K. Bansal	Jt. DGFT
11.	Shree S.K. Mohapatra	Dy. DG

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

Case No.1 : M/s. Worldfa Exports Pvt. Ltd., New Delhi
F.No. 01/60/162/632/AM15/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for EOP extension of DFIA No. 0510304479 dated 30.09.2011

Decision:

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

I. Export obligation period be extended upto 30.09.2015 for regularisation of exports, if any, made after expiry of initial obligation period.
II. The extension is subject to payment of composition fee @ 0.5% of FOB value of exports made after 36th month but upto 42nd month i.e. upto 31/03/2015 and @ 0.5% per month of FOB value of exports made after 42nd month and up to 48th month i.e. upto 30.09.2015.
III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) 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 initial export obligation period.
V. Shortfall, if any, shall be regularized in terms of Para 4.49 of HBP (2015-2020).

(Action: RA, CLA, Delhi / applicant)

Case No. 2: M/s. Meyer Organics Pvt. Ltd., Mumbai
F.No. 01/60/162/87/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP and waiver of destruction certificate as per PC-18; export made in 2 shipping bills no. 8447089 & 8520358 under DBK Scheme to be considered in Advance Authorization no. 0310708029 dt. 06.09.2012.

Decision:

The Committee observed that the duty free raw materials imported from unregistered sources have been consumed fully. The applicant has exported resultant product part against the Advance Authorisation and part against DBK Shipping Bills. The committee, therefore decided the following:

1. Exports made against DBK S/b shall not be taken into account towards discharge of export obligation.
2. The applicant shall pay customs duty plus interest against shortfall in fulfillment of E.O.
3. He shall submit DBK Shipping Bills of equivalent quantity of shortfall, as a proof of confirmation for utilisation and export of drugs imported from unregistered sources.
4. PC-18 condition stand waived to the extent of requirement of destruction certificate for quantity exported under DBK shipping Bills.

(Action: RA, Mumbai / Applicant)

Case No. 3: M/s. Cadila Pharmaceuticals Ltd., Ahmadabad
F.No. 01/60/162/95/AM16/ EFGC(PRC) and 01/60/162/96/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for Relaxation of Policy Provision for shipment made outside validity period of two Advance Authorization no. 0810123991 dt. 21.08.2013 & 0810123670 dt. 12.08.2013 issued under PC-9 Condition for regularization / closure purpose.

Decision:

The Committee noted that these two Authorisations were issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment in Advance Authorisation No. 0810123991 dated 21.08.2013 was 23.09.2013 and accordingly the export obligation period was upto 30.09.2014. The date of import of first consignment in Advance Authorisation No. 0810123670 dated 12.08.2013 was 07.09.2013 and accordingly the export obligation period was upto 30.09.2014. The applicant has fulfilled more than 50% of the stipulated export obligation, in each of the Advance Authorisation, 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 in **Advance Authorisation No. 0810123991 dated 21.08.2013.**
II. 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 in **Advance Authorisation No. 0810123670 dated 12.08.2013**.
III. This is only for accounting and regularization of exports already effected, if any.
IV. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each Authorisations.
V. The minimum value addition of 15% as prescribed under Para 4.09 of F.T.P.(2015-20) shall be maintained.
VI. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 4: M/s. Umedica Laboratories Pvt. Ltd., Mumbai

F.No. 01/60/162/103/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization No. 0310656739 dt. 28.09.2011 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The imports were made on 21.10.2011 and 04.02.2013. Accordingly, initial export obligation for each consignment was upto 31.10.2012 and 28.02.2014 respectively. The applicant has fulfilled less than 50% of the 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 30.04.2013, from the date of first import consignment
II. Export obligation period be extended from 12 months to 18 months i.e. upto 31.08.2014 from the date of second import consignment.
III. This is only for accounting and regularization of exports already effected, if any.
IV. This is subject to payment of a composition fee @ 0.5% per month of 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 applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 5: M/s. Umedica Laboratories Pvt. Ltd., Mumbai
F.No. 01/60/162/105/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization No. 0310753325 dt. 11.10.2013 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The imports were made on 01.11.2013 and 15.04.2014. Accordingly, initial export obligation for each consignment was upto 30.11.2014 and 30.04.2015 respectively. The applicant has fulfilled less than 50% of the 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 31.05.2015, from the date of import of first import consignment.
II. Export obligation period be extended from 12 months to 18 months i.e. upto 31.10.2015 from the date of second import consignment.
III. This is only for accounting and regularization of exports already effected, if any.

IV. This is subject to payment of a composition fee @ 0.5% per month of FOB value of exports made after initial obligation period.
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 applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 6: M/s. Umedica Laboratories Pvt. Ltd., Mumbai
F.No. 01/60/162/104/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization No. 0310771177 dt. 20.02.2014 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 10.03.2014 and accordingly the initial export obligation period was upto 31.03.2015. The applicant has fulfilled 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 30.09.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-20) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 7: M/s. Umedica Laboratories Pvt. Ltd., Mumbai
F.No. 01/60/162/102/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization No. 0310662767 dt. 01.11.2011 issued under PC-9 condition for regularization purpose

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 12.03.2012 and accordingly the initial export obligation period was upto 31.03.2013. The applicant has fulfilled less 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 30.09.2013, from the date of import of first consignment.

II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% per month 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 applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 8: M/s. Umedica Laboratories Pvt. Ltd., Mumbai
F.No. 01/60/162/100/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization No. 0310691247 dt. 18.04.2012 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 06.08.2012 and accordingly the export obligation period was upto 31.08.2013. The applicant has fulfilled 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 28.02.2014, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-20) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 9: M/s. Lupin Ltd., Mumbai
F.No. 01/60/162/558/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization no. 0310687388 dt. 21.03.2012 issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 02.04.2012 and accordingly the initial export obligation period was upto 30.04.2013. The applicant has fulfilled 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 31.10.2013, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-20) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 10: M/s. Lupin Ltd., Mumbai
F.No. 01/60/162/485/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization no. 0310714679 dt. 08.11.2012 issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The Committed further observed that the applicant has imported two consignments in the month of January, 2013. Accordingly, the initial export obligation period was upto 31.01.2014 for both the import consignments. The applicant has fulfilled 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 31.07.2014, for each consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-20) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 11: M/s. Lupin Ltd., Mumbai
F.No. 01/60/162/426/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization no. 0310748931 dt. 01.09.2013 issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The Committed further observed that the applicant has imported two consignments in the month of October, 2013. Accordingly, the initial export obligation period was upto 31.10.2014 for both the import consignments. The applicant has fulfilled less 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 from the date of import of first and the second consignment i.e. upto 30.04.2015.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% per month 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 applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 12: M/s. Lupin Ltd., Mumbai
F.No. 01/60/162/483/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for extension of EOP of Advance Authorization no. 0310751660 dt. 30.09.2013 issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The applicant has imported two consignments on 26.10.2013 and 17.09.2014. Accordingly, initial export obligation period was upto 31.10.2014 and 30.09.2015 respectively. The applicant has fulfilled more than 50% 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 30.04.2015, from the date of import of first consignment.
II. Export obligation period be extended from 12 months to 18 months i.e. upto 31.03.2016, from the date of import of second consignment.
III. This is only for accounting and regularization of exports already effected, if any.
IV. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-20) shall be maintained.
VI. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 13: M/s. Lupin Ltd., Mumbai
F.No. 01/60/162/484/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for extension of EOP of Advance Authorization no. 0310749000 dt. 10.09.2013 issued under PC-9 condition.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 31.10.2013 and accordingly the initial export obligation period was upto 31.10.2014. The applicant has fulfilled 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 30.04.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-20) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 14: M/s. Satyam Pharma - chem Pvt. Ltd., Mumbai
F.No. 01/60/162/444/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for extension of EOP of Advance Authorization no. 0310552700 dt. 29.12.2009 for regularisation purpose.

Decision:

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

I. Exports made before issue of File No shall not be taken into account towards discharge of export obligation against the Authorisation.
II. Export obligation period be extended upto 31.06.2013 for regularisation of exports, if any, made after expiry of initial obligation period.
III. The extension is allowed subject to payment of composition fee @ 0.5% of FOB value of exports made after 36th month but upto 42nd month i.e. upto 31.06.2013.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.
V. 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.
VI. Shortfall, if any, shall be regularized in terms of Para 4.49 of HBP (2015-2020).

(Action: RA, Mumbai)

Case No. 15: M/s Waaman Products Pvt. Ltd., New Delhi
F.No. 01/60/162/586/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for Revalidation and Transferability of DFIA No. 0510321673 dt. 03.04.2012.

Decision:

The Committee observed that the DFIA was issued having 24 months validity for import. The applicant has not furnished any valid reasons for not affecting imports during the initial validity period. No case of genuine hardship. Hence, the Committee did not accede to the request.

Case No. 16: M/s Waaman Products Pvt. Ltd., New Delhi
F.No. 01/60/162/587/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for Revalidation and Transferability of DFIA No. 0510358378 dt. 01.07.2013.

Decision:

The Committee observed that the DFIA was issued having 24 months validity for import. The applicant has not furnished any valid reasons for not affecting imports during the initial validity period. No case of genuine hardship. Hence, the Committee did not accede to the request.

Case No. 17: M/s. Remi Edelstahl Tubulars Ltd., Thane
F.No. 01/60/162/456/AM15/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject:- Request for accounting of 6 Bill of Exports made to SEZ unit by mentioning Advance Authorization No.0310389910 dt. 18.7.2006 for discharge of EO against Advance Authorization No.0310389972 dt. 18.07.2006.

Decision:

The Committee noted that the applicant has obtained two Authorisations for export of S.S. Trips/wide coil of grade 321 series against AA No 0310389972 dated 18.07.2006 and 304, 316 series against AA No 0310389910 dated 18.07.2006. However, inadvertently, the applicant has exported 61.53 MT SS of 321 grade through 6 bills of Export by mentioning AA No 0310389910 dated 18.07.2006 under which export of 304 and 316 series was specified. The committee therefore decided the following:

i. Accounting of 6 Bills of Export of 321 series in which AA No 0310389910 is mentioned be allowed in Advance Authorization No. 0310389972 dated 18.07.2006 for discharge of export obligation.
ii. This is subject to payment of Rs. 200/- per shipping bill as composition fee to RA.
iii. RA shall ensure that no benefits against these six bills of exports have been availed by the exporter.
iv. The applicant shall submit notarised indemnity bond-cum-affidavit to RA that these bills of exports neither have been taken into account nor shall be taken in to account towards discharge of export obligation against any other Authorisations. In case of any loss to exchequer occurs, he shall pay demurrage with applicable interest immediately without any protest.

(Action: RA, Mumbai)

Case No. 18: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/571/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for EOP extension of Advance Authorization no. 0810125616 dt. 14.10.2013 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 18.12.2013 and accordingly the export obligation period was upto 31.12.2014. The applicant has fulfilled 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 30.06.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-20) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 19: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/573/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 0810118513 dt. 19.02.2013 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 11.03.2013 and accordingly the initial export obligation period was upto 31.03.2014. The applicant has fulfilled less 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 30.09.2014, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% per month 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 applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 20: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/572/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 0810121629 dt. 31.05.2013 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 15.03.2014 and accordingly the initial export obligation period was upto 31.03.2015. The applicant has fulfilled 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 30.09.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-20) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 21: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/574/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 0810126604 dt. 22.11.2013 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 16.12.2013 and accordingly the initial export obligation period was upto 31.12.2014. The applicant has made nil 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 30.06.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% per month 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 applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 22: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/454/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 0810125470 dt. 08.10.2013 issued under PC-9 condition for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 28.10.2013 and accordingly the initial export obligation period was upto 31.10.2014. The applicant has fulfilled 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 30.04.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-20) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 23: M/s. Sanofi India Ltd., Mumbai.
F.No. 01/60/162/107/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 0310725285 dt. 22.02.2013 issued under PC-9 condition for regularization purpose

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The applicant has imported two consignments on 24.07.2013 and 27.12.2013. Accordingly, initial export obligation period was upto 31.07.2014 and 31.12.2014 respectively. The applicant has fulfilled 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 31.01.2015, from the date of import of first consignment.
II. Export obligation period be extended from 12 months to 18 months i.e. upto 30.06.2015, from the date of import of second consignment.
III. This is only for accounting and regularization of exports already effected, if any.
IV. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-20) shall be maintained.
VI. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 24: M/s. Adcock Ingram Ltd., Bangalore.

F.No. 01/60/162/566/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 0710092297 dt. 05.12.2012 for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The applicant has imported two consignments on 15.12.2012 and 14.02.2014. Accordingly, initial export obligation period was upto 31.12.2013 and 28.02.2015 respectively. The applicant has fulfilled 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 30.06.2014, from the date of import of first consignment.
II. Export obligation period be extended from 12 months to 18 months i.e. upto 31.08.2015, from the date of import of second consignment.
III. This is only for accounting and regularization of exports already effected, if any.
IV. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-20) shall be maintained.
VI. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Bangalore)

Case No. 25: M/s. Adcock Ingram Ltd., Bangalore.
F.No. 01/60/162/567/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Request for EOP extension of Advance Authorization no. 0710081878 dt. 29.08.2011 for regularization purpose.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The applicant has imported two consignments on 17.10.2011 and 16.08.2012. Accordingly, initial export obligation period was upto 31.10.2012 and 31.08.2013 respectively. The applicant has fulfilled 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 30.04.2013, from the date of import of first consignment.
II. Export obligation period be extended from 12 months to 18 months i.e. upto 28.02.2014, from the date of import of second consignment.
III. This is only for accounting and regularization of exports already effected, if any.
IV. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.

V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-20) shall be maintained.

VI. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Bangalore)

Case No. 26: M/s. Gardex, Jalandhar, Punjab
F.No. 01/60/162/297/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 3010091469 dt. 29.01.2013 for regularization purpose.

Decision:

The committee noted that the Authorisation was issued with initial obligation period of 18 months from the date of issue. The applicant has obtained two extension of six months each from RA. The applicant has fulfilled more than 85.76% exports obligation during this period. The committee therefore decided the following:

I. Export obligation period be extended further for six months in continuation i.e. upto 31.01.2016.

II. This is subject to payment of composition fee @ 1% par month of unfulfilled FOB value of exports.

III. The applicant shall submit a certificate from independent Chartered Accountant for having duty free raw materials imported against the Authorisation in possession.

(Action RA, Ludhiana/Applicant)

Case No. 27: M/s. Sadhana Nitro Chem Ltd., Mumbai.
F.No. 01/60/162/459/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 0310591483 dt. 08.09.2010.

Decision:

The committee noted the review request of the applicant. The applicant has imported 10000kgs Dibutyl Keto Acid out of permitted three inputs. During the initial obligation period of 36 months, the applicant has exported only 500kgs resultant products equivalent to 2%. The case was earlier discussed in the PRC meeting No 15 dated 22.12.2014 and rejected on the ground of no merit in the case. The applicant has not given any new ground for not making balance exports within initial obligation period. The applicant had option of continuing exports on provisional basis even after expiry of export obligation period. However, no further exports are seems to be made by the applicant against the Authorisation. There is no case of genuine hardship. Hence, the committee did not accede to the request.

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

(Action: RA, Mumbai. If the applicant is failed to get the case regularised within a month from the date of publishing of these minutes on the Directorate website, action as per the provision of FT(DR)Act, 1992, as amended shall be initiated. Action taken report will be sent to this directorate.)

Case No. 28: M/s. Shiva Pharmachem Ltd., Vadodara.
F.No. 01/60/162/477/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: - Acceptance of ARE-1 form instead of Bill of Exports to supplies made under SEZ units of Advance Authorization no. 3410035378 dt. 31.10.2012.
Decision:

The Committee observed that under Rule 30 of SEZ Rules, 2006, read with excise instruction No.6 dated 03.08.2006, export to SEZ unit must be made against Bill of exports if suppliers wish to avail exports incentives against such supplies. And, in terms of Para 4.12 of FTP the Authorisation holder shall declare the consumption of exempted materials used in the resultant products in the export documents while effecting exports. Therefore, the Bill of Export is an essential document for discharging the export obligation against Advance Authorisation. Further, valuation of such supplies are not been done by the Customs, hence, the Committee decided not to accede to the request. The applicant is directed to get the case regularised in terms of Para 4.28 of HBP, 2009-2014.

(Action: RA, Vadodara/ Applicant)

Case No. 29: M/s. Unichem Laboratories Ltd., Mumbai.
F.No. 01/60/162/465/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 0310770273 dt. 14.02.2014.

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfilment of export obligation from the date of import of each consignment. The date of import of first consignment was 07.03.2014 and accordingly the export obligation period was upto 31.03.2015. The applicant has made nil 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 30.09.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% per month 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 applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 30: M/s. Smith Therm P. Ltd., Jharkhand.
F.No. 01/60/162/464/AM16/ EFGC(PRC)
PRC Meeting No. 15/AM16 dated 01.12.2015
Subject: -Request for EOP extension of Advance Authorization no. 2110001025 dt. 05.09.2012.

Decision:

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

I. Export obligation period be extended upto 31.03.2015 for regularisation of exports, if any, made after expiry of initial obligation period.
II. The extension is subject to payment of composition fee @ 0.5% of FOB value of exports made after 18th month but upto 24th month i.e. upto 30/09/2014 and @ 0.5% per month of FOB value of exports made after 24th month and up to 30th month i.e. upto 31.03.2015.
III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) 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 initial export obligation period.
V. Shortfall, if any, shall be regularized in terms of Para 4.49 of HBP (2015-2020).

(Action: RA, Patna / applicant)

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

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