MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO.16/AM11HELD ON 15.02.2011 AT 11:00 A.M. UNDER THE CHAIRMANSHIP OF Dr. A.K.Pujari, DIRECTOR GENERAL OF FOREIGN TRADE.

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

1.	Shri Amitabh Jain	Addl. DG
2.	Shri V.K. Srivastava	Addl. DG
3.	Shri V.K. Gupta	Addl. DG
4.	Shri N.P.S Monga	Addl. DG
5.	Shri A. Mishra	Stats Advisor
6.	Shri D.C. Sharma	Stats Advisor
7.	Shri Rajiv Arora	Jt. DGFT
8.	Shri L.B. Singhal	Jt. DGFT
9.	Shri Tapan Mazumdar	Jt. DGFT
10.	Ms. Shubhra	Jt. DGFT
11.	Ms. Vibha Bhalla	Jt. DGFT
12.	Shri A.K. Cashyap	Dy. DGFT
13.	Smt. Sonika Khattar	FTDO

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

Case No. 1: M/s Celebi Nas Airport Services India Pvt. Ltd., Mumbai.
File No. 01/89/180/31/AM11/PC-2(A)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Exemption under ILN 2(II) (C)I for imports under EPCG licences.

The Committee considered the case and deferred the case for comments from EPCG division. EPCG division was also requested to furnish comments at the earliest and the case be then placed before the PRC.

Case No. 2: M/s Kesar Enterprises Limited Delhi.
File No. 01/89/180/32/AM-11/PC-2(A)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Import of one units of Toyota Hiace Vehicle from Japan.

The Committee noted that the request made by M/s Kesar Enterprises Ltd., New Delhi is to import a ten seater van in exemption of ILN of Chapter 87. It is required to transport their senior staff members from Delhi to their factory. The Committee considered the case and it was observed that similar luxury vehicles are available in the India and the reasons cited are not those of genuine hardship. The Committee, therefore, rejected the case.

Case No. 3: M/s The India Tin Industries Ltd., Bangalore.

File No. 01/60/162/699/AM10/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of 8 advance authorizations nos.

i. 0710044128 dt. 31.03.2006
ii. 0710044129 dt. 31.03.2006
iii. 0710044135 dt. 31.03.2006
iv. 0710044136 dt. 31.03.2006
v. 0710044137 dt. 31.03.2006
vi. 0710044138 dt. 31.03.2006
vii. 0710044131 dt. 31.03.2006
viii. 0710044134 dt. 30.03.2006

The Committee re-examined the request of the firm and noted that the request for revalidation of above mentioned advance authorizations was made after the period of expiry of more than 1½ year from the date of expiry of validity of authorizations. The Committee rejected the request of the firm as there are no merits for consideration due to delayed request.

Case No. 4: M/s Kopran Ltd., Mumbai.
File No. 01/60/162/1171/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: EOP extension of advance authorization no. 0310416803 dt. 22.01.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance Authorization was 50% Qty.-wise within the valid EO period. Therefore, the Committee decided to extend EO, against the aforesaid advance authorization, for a period of six months from the date of communication of the decision of PRC, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No. 5: M/s Ajanta Pharma Ltd., Mumbai.
File No. 01/60/162/1781/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: EOP extension of advance authorization no. 0310497683 dt. 12.12.2008 issued under Policy Circular no. 9 dated 30.06.2003.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance Authorization was more than 50% Qty.-wise within the valid EO period. Therefore, the Committee decided to extend EO, against the aforesaid advance authorization, for a period of six months from the date of communication of the decision of PRC, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No. 6: M/s Zenith Industrial Rubber Products Pvt. Ltd., Mumbai.
File No. 01/60/162/1819/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011

Subject: Revalidation of advance authorization no. 0310470079 dt. 30.04.2008.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 7: M/s J.B.Chemicals & Pharmaceuticals Ltd., Mumbai.
File No. 01/60/162/1798/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Redemption of advance authorization No. 0310459136 dt. 25.01.2008 issued under Policy Circular no. 9 dated 30.06.2003.

The Committee noted that as per Policy Circular no.9 dated 30.06.2003, all imported items need to be duly accounted for. If the imported items are accounted for by way of exports, the condition of destruction of material as per Policy Circular 18 dated 30.10.2007 need not be applied. However, the regularization by payment of duty on account of shortfall / default in export obligation as contained in Policy Circular 18 dated 30.10.2007 be done by satisfying all conditions of Policy Circular no. 9 dated 30.06.2003 and Policy Circular 18 dated 30.10.2007.

Case No. 8: M/s BEE ESS Agro Inputs Ltd.,
File No. 01/60/162/743/AM10/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 1210004301 dt. 02.05.2006.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 9: M/s Delton Cables Ltd., New Delhi.
File No. 01/60/162/1825/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0510185064 dt. 20.06.2006.

The Committee noted that the firm have made a request for revalidation extension of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of EO period of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to delayed request.

Case No. 10: M/s Joosub Peermahomed & Co, Kolkata.
File No. 01/60/162/1792/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0310462421 dt. 25.02.2008.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation

Case No. 11: M/s Sun Plast, Mumbai.
File No. 01/60/162/1828/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0310472338 dt. 29.05.2008.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation

Case No. 12: M/s Plastiblends India Ltd., Mumbai.
File No. 01/60/162/636/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0310428420 dt. 01.05.2007.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation

Case No. 13: M/s Chandrashekhar Exports Pvt. Ltd., Kolhapur.
File No. 01/60/162/1838/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of DFIA No. 3110029469 dt. 06.06.2007.

The Committee noted that the above mentioned DFIA has already been endorsed with transferability and, therefore, the request is rejected.

Case No. 14: M/s Timespac India Ltd., West Bengal.
File No. 01/60/162/1832/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0210097087 dt. 09.01.2007.

The Committee noted that the firm have made a request for revalidation of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to delayed request.

Case No. 15:   M/s Heni Exports, Mumbai.
File No. 01/94/180/158/AM09/PC-4(PRC)

PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of DFRCs Nos. 0310214374 dt. 16.07.2003 and 0310214964 dt. 16.07.2003.

The Committee re-examined the request and noted that the time taken by the Customs for procedural formalities was only 16 days and cannot be construed as delay on the part of Customs. Hence, the Committee decided to reject the request of the applicant.

Case No. 16: M/s PCL Oil & Solvents Ltd., New Delhi.
File No. 01/60/162/1831/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0510177460 dt. 27.02.2006.

The Committee noted that the firm have made a request for revalidation of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to delayed request.

Case No. 17: M/s PCL Oil & Solvents Ltd., New Delhi.
File No. 01/60/162/1830/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0510177458 dt. 27.02.2006.

The Committee noted that the firm have made a request for revalidation of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to delayed request.

Case No. 18: M/s Delton Cables Ltd., New Delhi.
File No. 01/60/162/1824/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0510185819 dt. 05.07.2006.

The Committee noted that the firm have made a request for revalidation of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to delayed request.

Case No. 19: M/s Bosch Limited Bangalore
File No. 01/89/180/21/AM11/PC-2(A)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for import of a second hand car for R&D purpose in relaxation of policy conditions

The Committee noted that the request made by M/s Bosch Limited, Bangalore is to import a second hand vehicle to be used in their R&D Centre. It will not be registered and not ply on the road. The Committee therefore decided to permit import of the vehicle in relaxation of the provisions of para 2 (II) (f) of Import Licensing Notes of Chapter 87 subject to the condition that it will not be registered under CMVR and not ply in the road.

Case No. 20: M/s Continental Warehousing Corporation (Nhava Seva) Limited Mumbai
File No. 01/89/180/68/AM09/PC-2(A)
PRC Meeting No. 16/AM11 dated: 15.02.2011

Subject: Request for relaxation from the requirement of TAC in respect of import of 02 (two) Linde Reach Stackers Model – C 4531 TL/5.

The Committee noted that the request made by M/s Continental Warehousing Corporation (Nhava Seva) Limited, Mumbai is to import two Linde Reach Stackers (Model – C 4531 TL/5) for use in handling of containers in their CFS at JNPT Port Area. However, the firm needs exemption from the production of TAC. The Committee considered the request and decided to permit import of the vehicle in relaxation of the provisions of para 7 of Import Licensing Notes of Chapter 87 subject to the condition that vehicle will not be registered under CMVR and will be off the public highways.

Case No. 21: M/s Unichem Laboratories Limited Mumbai.
File No. 01/89/180/458/AM09/PC-2(A)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: EOP extension and regularization of advance authorization nos. 0540765 dt. 24.11.1995 & 01000936 dt. 08.05.1997.

The Committee noted the request and decided to re-examine and then place before PRC.

Case No. 22: M/s Indoco Remedies Limited Mumbai
File No. 01/60/162/1779/AM11/EFGC(PRC)
PRC Meeting No.16/AM11 dated: 15.02.2011
Subject: Regularization of shipment effected after expiry of export period against the advance authorization no. 0310477039 dt. 02.07.2008.

The Committee noted that the firm have made a request for EOP Extension of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to delayed request.

Case No. 23: M/s Sadhna Nitro Chem Limited Mumbai.
File No. 01/60/162/852/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for EOP extension of advance authorization no. 0310452357 dt. 3.12.2007.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance Authorization was 50% Qty.-wise within the valid EO period. Therefore, the Committee decided to extend EO, against the aforesaid advance authorization, for a period of six months from the date of communication of the decision of PRC, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No. 24: M/s Kopran Limited Mumbai.
File No. 01/60/162/1146/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for extension in EOP advance authorization No 0310423162 dt. 14.3.2007.

The Committee reconsidered the decision taken in meeting no. 5/AM11 dt. 12.10.2010 and reiterated the same.

Case No. 25: M/s Suran Industries Limited Chennai.
File No. 01/60/162/1810/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for revalidation advance authorization no. 0410098296 dt. 01.08.2008.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 26: M/s Century Pulp & Paper Kolkata.
File No. 01/60/162/1856/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of the advance authorization no. 0210098741 dt. 02.03.2007.

The Committee decided to examine the case with reference to the variation in the Norms. If the variation is large, it may again be placed before PRC with complete facts.

Case No. 27: M/s Hindustan Zinc Ltd., Udaipur.
File No. 01/60/162/1808/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for revalidation of 5 DEPB authorization Nos.

i. 1310023547 dt. 11.01.2007
ii. 1310023625 dt. 22.01.2007
iii. 1310023593 dt. 16.01.2007
iv. 1310023781 dt. 15.02.2007
v. 1310023611 dt. 19.01.2007

The Committee noted the request of the firm and decided to reject as no cogent and justified reasons establishing genuine hardship have been provided by the firm.

Case No. 28: M/s Hindustan Zinc Ltd., Udaipur.
File No. 01/60/162/1805/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for revalidation of DEPB authorization No. 1310023547 dt. 11.01.2007.

The Committee noted the request of the firm and decided to reject as no cogent and justified reasons establishing genuine hardship have been provided by the firm.

Case No. 29: M/s Steel Authority of India Delhi.
File No. 01/60/162/1777/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for revalidation of 17 DFIAs.

The Committee noted the request of the firm and decided to re-examine after getting a detailed report from Regional Authority concerned.

Case No. 30: M/s Nocil Limited Mumbai.
File No. 01/60/162/1845/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0310450982 dt. 21.11.2007.

The committee considered the case in details and decided to reject as the grounds/facts provided by the firm for revalidation were not justified and cogent.

Case No. 31: M/s Malladi Drugs Pharmaceuticals Limited Chennai.
File No. 01/60/162/1545/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for revalidation of advance authorization nos. 0410082285 dt. 20.6.2006, 0410082835 dt. 13.7.2006 for clubbing of 0410084171 dt. 12.9.2006.

The Committee considered the request of the firm and decided to club advance authorizations No. 0410082285 dt. 20.6.2006, 0410082835 dt. 13.7.2006 and 0410084171 dt. 12.9.2006 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 32: M/s Sadhna Nitro Chem Ltd Mumbai.
File No. 01/60/162/1861/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for EOP extension against advance authorization no. 0310402715 dt. 05.10.2006.

The Committee noted that the export obligation fulfilled in respect of aforesaid Advance Authorization was 50% Qty.-wise within the valid EO period. Therefore, the Committee decided to extend EO, against the aforesaid advance authorization, for a period of six months from the date of communication of the decision of PRC, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No. 33: M/s Universial Oleoresins Cochin.
File No. 01/60/162/755/AM10/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for EOP extension of advance authorization No. 1010034397 dt. 08.07.2009 for regularization purpose.

The Committee considered the request and decided to extend EOP, against the aforesaid authorization, only upto 21.01.2010 for regularization of exports, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and subject to the payment of composition fee @ 6% on the duty saved amount for the balance inputs. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No. 34: M/s Motherson Sumi Electric (UP).
File No. 01/60/162/1851/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for revalidation of advance authorization No. 0510210837 dt. 19.10.2007.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 35: M/s Maladi & Pharmaceuticals Limited.
File No. 01/60/162/1469/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation in respect of advance authorization no. 0410090495 dt. 10.8.2007 for clubbing and closure purpose of advance authorization no. 0410091721 dt. 23.10.2007.

The Committee considered the request of the firm and decided to allow the request to club advance authorization No. 0410090495 dt. 10.8.2007 and 0410091721 dt. 23.10.2007 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 36: M/s Amity Thermosets Pvt. Ltd Mumbai.
File No. 01/60/162/1794/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization No. 0310468029 dt. 10.04.2008.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 37: M/s Bharat Bijlee Ltd Mumbai.
File No. 01/60/162/1846/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011

Subject: Request for revalidation of advance authorization no. 0310451382 dt. 23.11.2007.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 38: M/s Madhu Fabrics Bangalore.
File No. 01/60/162/1855/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for revalidation & EOP extension of advance authorization No. 0710057402 dt. 14.05.2008.

Case No. 39: M/s Hindustan Composites Ltd Mumbai.
File No. 01/60/162/1854/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: EOP extension against advance authorization No. 0310153070 dt. 12.08.2002.

The Committee noted the request of the firm and decided to re-examine after getting a detailed report from Regional Authority concerned.

Case No. 40: M/s Dabur India Limited Delhi.
File No. 01/60/162/1866/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation of advance authorization no. 0510220563 dt. 15.05.2008.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 41: M/s Ajanta Pharma Limited Mumbai.
File No. 01/60/162/1786/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Regularization of export made out of EOP for advance authorization no. 0310512116 dt. 18.03.2009.

The Committee considered the request and decided to extend EOP, against the aforesaid authorization, only upto 31.01.2010 for regularization of exports, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and subject to the payment of composition fee @ 6% on the duty saved amount for the balance inputs. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No. 42: M/s Bharat Bijli Limited Mumbai.

File No. 01/60/162/1847/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for revalidation of advance authorization no. 0310451359 dt. 23.11.2007.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 43: The Committee noted the nature of request and decided to withdraw the case and examine it on file.

Case No. 44: M/s Alfa Laval (India) Limited, Pune
File No. 01/60/162/1771/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Clubbing of 3 Advance Authorization nos.

i. 3110015365 dt. 20.04.2004
ii. 3110017680 dt. 06.10.2004
iii. 3110020330 dt. 25.04.2005

The Committee considered the request of the firm and decided to allow request to club advance authorizations No. 3110015365 dt. 20.04.2004, 3110017680 dt. 06.10.2004 and 3110020330 dt. 25.04.2005 for the purpose of regularization. A composition fee @1% of the unutilized cif value to be levied for revalidation of the required advance authorization for the purpose of clubbing. Extension in EO required for clubbing and regularization of authorization where there is shortfall will be done by imposing a composition fee @5% per year as already decided in the PRC meeting held on 6.1.2010. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and take necessary action and make necessary endorsements at the time of revalidation. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorization. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

Case No. 45: M/s Godavari Biorefineries Ltd Mumbai.
File No. 01/60/162/1797/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Clubbing of 3 Advance Authorization nos.

i. 0310340813 dt. 25.07.2005
ii. 0310346261 dt. 06.09.2005
iii. 0310592897 dt. 17.09.2010

The Committee noted the request of the firm and decided to re-examine the case and then place before the PRC.

Case No. 46: M/s Diamond Power Infracturer Ltd Vadodara.
File No. 01/60/162/1761/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Request for clubbing of 4 advance authorization nos.

i. 013234 dt. 26.05.2000
ii. 0138144 dt. 26.05.2000
iii. 0138147 dt. 05.09.2002
iv. 3410006829 dt. 25.03.2003

The Committee noted that the firm have made a request of above mentioned advance authorization for clubbing after the period of expiry of more than 4 year from the date of expiry of valid EOP authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 47: M/s Vidyut Metallics Pvt. Ltd Mumbai.
File No. 01/60/162/614/AM10/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Extension EOP of advance authorization no. 0310347618 dt. 16.9.2005.

The Committee noted that the firm have made a request for EOP extension of above mentioned advance authorization after the period of expiry of more than 1½ year from the date of expiry of EO period of authorization. The Committee rejected the request of the firm as there are no merits for consideration due to highly delayed request.

Case No. 48: M/s Gland Pharma Limited Hyderabad.
File No. 01/89/180/430/AM08/PC-I/PRC
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Extension in EOP & revalidation of advance authorization no. 0910019003 22.06.2004.

The Committee noted the request of the firm and decided to re-examine the case and then place before the PRC.

Case No. 49: M/s Gland Pharma Ltd., Hyderabad.
File No. 01/94/180/534/AM08/PC-4/(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: EOP extension of advance authorization No. 0910019930 dt. 31.08.2004.

The Committee noted the request of the firm and decided to re-examine the case and then place before the PRC.

Case No. 50: M/s Gland Pharma Limited Hyderabad.
File No. 01/60/162/533/AM10/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: EOP extension of advance authorization no. 0910020164 dt. 17.09.2004.

The Committee noted the request of the firm and decided to re-examine the case and then place before the PRC.

Case No. 51: M/s Eastern Condoments Limited Kerla.

File No. 01/94/180/800/AM10/PC-4/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: EOP extension of 3 advance authorization nos.

(i) 1010031009 dt. 22.09.2008
(ii) 1010031859 dt. 11.12.2008
(iii) 1010031909 dt. 15.12.2008

The Committee noted that the export obligation fulfilled in respect of Advance Authorization No. 1010031009 dt. 22.09.2008 was 79% Qty.-wise within the valid EO period and not below 50% as was stated earlier. Therefore, the Committee decided to extend EO, against the aforesaid advance authorization, for a period of six months from the date of communication of the decision of PRC, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period**.** RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher. RA should check the extent of export made of 79% (quantity-wise) in the valid EO period before implementing the aforesaid decision.

The Committee also considered the authorizations at Sr. no. 2 & 3 and noted that the firm have made less than 50% exports during the valid EOP and, therefore, it was decided to reject the case as it does not merit consideration due to such low exports made both quantity and value wise in the valid EOP.

Case No. 52: M/s Delton Cables Limited New Delhi.
File No. 01/60/162/1848/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation/ EO extension advance authorization No. 0510209764 dt. 28.09.2007.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

Case No. 53: M/s JSW Steel Limited Mumbai
File No. 01/60/162/1827/AM11/EFGC(PRC)
PRC Meeting No. 16/AM11 dated: 15.02.2011
Subject: Revalidation for advance authorization No. 0310472957 dt. 03.06.2008.

The Committee considered the case and noted that the applicant has stated that they could not import the inputs in time owing to price fluctuation in the international market. Since price fluctuation in the international market is essentially a commercial risk, it cannot be treated as genuine hardship warranted for relaxation. In view of this, the Committee rejected the case for Policy Relaxation.

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