POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 16/AM13 HELD ON 31.07.2012 AT 11.30 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 D.K Singh Addl. DG
2. Shri. V.K. Srivastava Addl. DG
3. Shri Mukesh Bhatnagar Addl. DG
4. Dr. L.B.S. Singhal Addl. DG
5. Shri Jaikant Singh Jt. DGFT
6. Shri S.K. Samal Jt. DGFT
7. Shri A.K. Singh Jt. DGFT
8. Shri Ashutosh Mishra Jt. DGFT
9. Shri. Hardeep Singh Jt. DGFT
10. Shri Ajay Kumar Srivastava Jt. DGFT
11. Smt. Shubhra Jt. DGFT
12. Shri D.C. Sharma Stats Advisor
13. Shri A.K. Mishra Stats Advisor
14. Shri Sanjay Kumar DDG
15. Smt. Sonika Khattar FTDO

Case No.1. M/s. Krishna Antioxidants Pvt. Ltd, Mumbai
F.No. 01/60/162/267/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for Revalidation of Advance Authorization No. 0310530496 dated 24.04.2009 beyond 30 months.

The Committee noted the request of the firm and decided to reject as no cogent and justified reasons establishing genuine hardship warranting relaxation under Para 2.5 of the FTP have been provided by the firm.

Case No.2. M/s. Godrej & Boyce Mfg. Co. Ltd.
F.No. 01/60/162/229/AM12/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0310472328 dated 28.05.2008.

The committee noted that the firm is involved in high technology area and developed three types of Rod-Ends used in controlling the flights which took a lot of time to develop to become global aero space supplier. Besides, it had to undergo many inspections and testings which consumed major portion of export validity. The Committee therefore decided to extend EOP against the aforesaid advance authorization for 6 months from the date of communication, 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 exports 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.3. M/s. Maccaferri Environmental Pvt. Ltd.
F.No. 01/60/162/449/AM12/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 03110033408 dated 04.04.2008.

The committee noted that the norms were fixed by the Norms Committee 16.10.2008 and the licence was valid till 30.4.2010. As such the firm had sufficient time to import. The committee therefore decided to reject as no cogent and justified reasons establishing genuine hardship warranting relaxation under Para 2.5 of the FTP have been provided by the firm.

Case No.4. M/s. Reliance Industries
F.No. 01/60/162/768/AM12/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for Revalidation of 19 DEPBs authorization no.

1. 310384249 dated 13.06.2006
2. 310391917dated 28.07.2006
3. 310394710 dated 17.08.2006
4. 310394717 dated 17.08.2006
5. 310397146 dated 29.08.2006

6. 310400193 dated 20.09.2006
7. 310401912 dated 29.09.2006
8. 310401917 dated 29.09.2006
9. 310422915 dated 13.03.2007
10. 310423160 dated 14.03.2007
11. 310424409 dated 26.03.2007
12. 310424669 dated 28.03.2007
13. 310425530 dated 03.04.2007
14. 310426095 dated 10.04.2007
15. 310426822 dated 16.04.2007
16. 310426844 dated 16.04.2007
17. 310426856 dated 16.04.2007
18. 310427957 dated 25.04.2007
19. 310428743 dated 08.05.2007

The committee noted the request of the firm for revalidation of 19 DEPBs for 6 months in order to avail re-credit of the excess duty collected by Customs. The Committee also noted the suggestion given by CBEC to simplify the procedure in these cases and decided that the case be referred to Policy Division for further examination.

Case No.5. M/s. Skipper Limited, Kolkata
F.No. 01/60/162/263/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0210126023 dated 30.04.2009.

The Committee noted that the firm have made no exports during the valid EOP and, therefore, decided to reject the case on account of no exports made both quantity and value wise in the valid EOP.

Case No.6. M/s. Reliance Ports and Terminals Limited, Mumbai
F.No. 01/61/180/0028/AM13/PC3
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for Revalidation of 7 SFIS scrip :

1. 0310548584 dt. 1.12.2009
2. 0310548585 dt. 1.12.2009
3. 0310548586 dt. 1.12.2009
4. 0310548587 dt. 1.12.2009
5. 0310548588 dt. 1.12.2009
6. 0310548589 dt. 1.12.2009
7. 0310548590 dt. 1.12.2009

The Committee noted the request of the firm and decided to reject as no cogent and justified reasons establishing genuine hardship warranting relaxation under Para 2.5 of the FTP have been provided by the firm.

Case No.7. M/s. Ruchi Infrastructure Limited, New Delhi.
F.No. 01/61/180/130/AM13/PC4(B)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for Revalidation of 4 DEPB Licences no. 0310390371 dt. 20.7.2006, 3010048375 dt. 26.7.2006, 3010048376 dt. 26.7.2006 and 0310048359 dt. 25.7.2006

The committee noted the request of the firm for revalidation of 4 DEPBs for 6 months in order to avail re-credit of the excess duty collected by Customs. The Committee also noted the suggestion given by CBEC to simplify the procedure in these cases and decided that the case be referred to Policy Division for further examination.

Case No.8. M/s. Oil Country Tubular Ltd, Hyderabad
F.No. 01/60/162/280/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for Revalidation/EOP Extension of Advance Authorization No. 0910037755 dated 24.04.2009.

The committee noted the request of the firm for extension of export obligation period and decided that a detailed statement consisting of the qty. wise and value wise details of import and exports be obtained from the firm.

Case No.9. M/s. Digjam Limited (Birla VXL Ltd), Jamnagar
F.No. 01/94/180/911/AM08/PC-IV/PC
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0020621 dated 13.05.1998 & 2401045 dated 16.03.2000 for the purpose of clubbing.

The Committee considered the request of the firm and decided to club the above referred two advance authorizations. RA may grant necessary extension in EO required with the stipulated composition fee for clubbing and regularization. RA is also 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. 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. No further imports and export will be undertaken. RA may do clubbing subject to the condition that the adjudication process for the above authorizations has not been initiated.

Case No.10. M/s. BHP Infrastructure Pvt. Ltd, Faridabad
F.No. 01/60/162/279/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0510233182 dated 23.12.2008.

The Committee considered the request and decided to extend EOP against the aforesaid advance authorization for 6 months from the date of communication, subject to verification by RA of 50% qty wise 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 exports 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.11. M/s. D K Jaganath Silk Twisting Factory, Bangalore
F.No. 01/60/160/290/AM13/EFGC)PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0710064737 dated 14.05.2009..

The committee noted that the firm has not made any exports on the Advance Authorization No. 0710064737 dated 14.05.2009. The Committee further noted that in this case except for the severe recessionary trends, no other reason has been cited evidencing genuine hardship as to why the imports could not be made during such conditions and no exports could be made. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

Case No.12. M/s. Kumari Overseas Pvt. Ltd,Bangalore
F.No. 01/60/162/283/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0710064926 dated 22.05.2009.

The committee noted that the firm has not made any exports on the Advance Authorization No. 0710064926 dated 22.05.2009. The Committee further noted that in this case except for the severe recessionary trends, no other reason has been cited evidencing genuine hardship as to why the imports could not be made during such conditions and no exports could be made. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

Case No.13. M/s. Kumari Overseas Pvt. Ltd,Bangalore
F.No. 01/60/162/286/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0710063970 dated 01.04.2009.

The committee noted that the firm has not made any exports on the Advance Authorization No. 0710063970 dated 01.04.2009. The Committee further noted that in this case except for the severe recessionary trends, no other reason has been cited evidencing genuine hardship as to why the imports could not be made during such conditions and no exports could be made. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

Case No.14. M/s. Kumari Overseas Pvt. Ltd,Bangalore
F.No. 01/60/162/287/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0710063968 dated 01.04.2009 .

The committee noted that the firm has not made any exports on the Advance Authorization No. 0710063968 dated 01.04.2009. The Committee further noted that in this case except for the severe recessionary trends, no other reason has been cited evidencing genuine hardship as to why the imports could not be made during such conditions and no exports could be made. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

Case No.15. M/s. Kumari Overseas Pvt. Ltd,Bangalore
F.No. 01/60/162/282/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0710064925 dated 22.05.2009.

The committee noted that the firm has not made any exports on the Advance Authorization No. 0710064925 dated 22.05.2009. The Committee further noted that in this case except for the severe recessionary trends, no other reason has been cited evidencing genuine hardship as to why the imports could not be made during such conditions and no exports could be made. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

Case No.16. M/s. Kumari Overseas Pvt. Ltd,Bangalore
F.No. 01/60/162/285/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0710063969 dated 01.04.2009..

The committee noted that the firm has not made any exports on the Advance Authorization No. 0710063969 dated 01.04.2009. The Committee further noted that in this case except for the severe recessionary trends, no other reason has been cited evidencing genuine hardship as to why the imports could not be made during such conditions and no exports could be made. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

Case No.17. M/s. Kumari Overseas Pvt. Ltd,Bangalore
F.No. 01/60/162/284/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0710064927 dated 22.05.2009.

The committee noted that the firm has not made any exports on the Advance Authorization No. 0710064927 dated 22.05.2009. The Committee further noted that in this case except for the severe recessionary trends, no other reason has been cited evidencing genuine hardship as to why the imports could not be made during such conditions and no exports could be made. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

Case No.18. M/s. Poddar Tyres Limited, Ludhiana
F.No. 01/60/162/717/AM10/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for Revalidation of DFIA Licence No. 3010061835 dated 25.06.2009.

The Committee noted the request of the firm and decided to reject the case of the firm as request for enhancement of import value was made by the firm to RA on 22.11.2011 i.e. before one month of the expiry of the licence which was granted on 5.12.2011 and also no cogent and justified reasons establishing genuine hardship warranting relaxation under Para 2.5 of the FTP have been provided by the firm.

Case No.19. M/s. Alicon Castalloy Limited, Pune
F.No. 01/60/162/288/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 3110031262 dated 23.10.2007.

The Committee decided to grant extension for 12 months beyond the permitted 36 months for the purpose of regularization and closure, 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 the permissible export obligation period of 36 months. 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. The above extension is further subject to the verification by RA that the exports against free shipping bills are against the above advance authorization only based on related ARE-1/ Central Excise certified invoices. RA may also verify that the firm has not availed any benefit under chapter 4 of FTP against free shipping bills. RA may after correlating the exports made as per the above parameters take further necessary action for regularization as per the FTP provisions

Case No.20. M/s. Godrej Industries Ltd, Mumbai
F.No. 01/60/162/1182/AM11/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0310413521 dated 26.12.2006.

Deferred

Case No.21. M/s. BHP Infrastructure Pvt. Ltd, Faridabad
F.No. 01/60/162/278/AM13/EFGC(PRC)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request for EOP Extension of Advance Authorization No. 0510225723 dated 19.08.2008.

The Committee considered the request and decided to extend EOP against the aforesaid advance authorization for 6 months from the date of communication, subject to verification by RA of 50% qty. wise EO pro-rata to imports made 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 exports 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.22. M/s. GDJD Exports, Chennai
F.No. 01/94/180/00029/AM13/PC-4(B)
PRC Meeting No. 16/AM13 dated: 31.07.2012
Subject:- Request to grant DEPB against Free Shipping bills dated 06.08.2011.

Deferred

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