

Minutes of the Policy Relaxation Committee

Meeting no. 16/AM14 held on 30.07.2013 at 11.30 a.m.

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

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

General Issue for Discussion

Following general issues were discussed in the meeting:

- i) Whether RA should allow clubbing of Authorisations issued before 05.06.2012 as per the clubbing procedure on the date of issue of Authorisation?
- ii) Whether waiver from PC-18 condition should be allowed by RA where Authorisation holder has paid Customs duty + Interest on unutilised imported material and submit certificate from the Excise Authority that whole imported goods have been consumed in the resultant product?

The Committee deliberated the issues at length and it was decided that:

- i) RA may allow clubbing of Authorisations issued prior to 05.06.2012 provided a) the Authorisations to be clubbed have been issued within 36 months from the date of issue of the earliest Authorisation to be clubbed, b) the date of last export in respect of all Authorisations should be within 48 months of date of issue of earliest Authorisation to be clubbed, c) Value Addition as per Para 4.20.1 of HBP is maintained. .

- ii) RA may allow waiver from destruction/re-export in terms of PC -18 dated 30.10.2007 provided duty + interest on imported raw material in proportion to shortfall is paid and a certificate from the concerned Central Excise Authority is submitted certifying that imported goods has been consumed fully for export purposes.

Decision taken on individual cases are as under:

Case No.1. M/s Ideal Textiles, Bangalore.

F.No. 01/60/162/318/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP of 07 Advance Authorization Nos.

1. 0710064155 dated 16.04.2009
2. 0710064595 dated 07.05.2009,
3. 0710065266 dated 05.06.2009,
4. 0710067753 dated 23.10.2009,
5. 0710064153 dated 16.04.2009,
6. 0710064596 dated 07.05.2009,
7. 0710068781 dated 10.12.2009.

The committee noted that the above referred DFIA's were issued before Public Notice no. 60 dated 6.5.2010 having obligation period of 36 months. The obligation period for export of silk item has been subsequently reduced to 6 months from the date of import of first consignment. Knowing these facts very well, the applicant has failed to discharge their export obligation within 36 months. Further, it has been disclosed by the applicant that when imports were made under these DFIA's, the market conditions was bad. In these circumstances there was no need to take authorization in 2009. The Committee, therefore, did not agree to allow extension beyond 36 months in such cases.

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

Case No.2. M/s Agog Pharma Ltd, Mumbai.

F.No. 01/60/162/275/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP of Advance Authorization No. 0310669239 dated 07.12.2011.

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

- i. Export obligation period is extended from 12 months to 18 months i.e. upto 30.09.2013 in **continuation** from the date of first import consignment.
- ii. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- iii. The applicant is advised to submit the licence for endorsement to RA as early as possible.

- iv. They are further advised to start discharging their stipulated balance export obligation on the basis of this minutes without waiting for the endorsement to be done on the Authorization by RA.

(Action : RA Mumbai)

Case No.3. M/s Medreich Limited, Bangalore.

F.No. 01/60/162/310/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP of Advance Authorization No. 0710088009 dated 02.05.2012.

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

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

(Action : RA Bangalore)

Case No.4. M/s Vysali Pharmaceuticals Limited, Cochin.

F.No. 01/60/162/104/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for review of earlier PRC decision dt. 14.5.2013 for EOP of Advance Authorization No. 1010025119 dated 12.12.2006 issued under PC-9 condition.

The Committee noted that this is the review request against the decision taken in the PRC Meeting dated 14.05.2013. The Committee again deliberated in detail and did not agree to accede to the request of the firm as the authorization was issued with export obligation validity of 6 months from the date of first consignment and PRC has already granted 6 months extension beyond the permitted EOP. The Committee therefore reiterated its earlier decision and rejects the request for extension beyond 12 months.

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

Case No.5. M/s Ascent Pharma, Rajkot.

F.No. 01/60/162/302/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Application for extending validity of duplicate DEPB licence No. 2410031399 dated 31.03.2011.

The committee deliberated the case at length and noted that as per our office records, the DEPB scrip was transmitted on 5.4.2011 and was acknowledged on 6.4.2011 and the scrip was remained valid upto 31.3.2013. Hence there was no delay in transmission of data. The request is rejected.

Case No.6. M/s Pleadars Kamp.

F.No. 01/60/162/434/AM13/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP of Advance Authorization No. 0410093856 dated 14.02.2008.

Deferred for re-examination by Norms Committee.

(Action : NC-V)

Case No.7. M/s Kalpataru Power Transmission Limited, Gujarat.

F.No. 01/60/162/308/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Issue of DEPB Licence for Rs. 16,97,743.80 against export of galvanized transmission line towers and parts thereof in 2009-10.

The Committee noted that DEPB is nothing but refund of duty incentive on inputs consumed in the resultant product exported. Not claiming refund of duty in the prescribed time is disadvantage to the exporter and not the Government. Therefore, the Committee decided that the DEPB may be issued with a late cut of 10% on the entitlement subject to fulfillment of other terms and conditions and with the validity of 6 months from date of issue.

(Action : RA, Ahmedabad)

Case No.8. M/s Indian Oil Corporation Limited, Mumbai.

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

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for revalidation of Advance Authorization Nos. 0310604258 dated 03.12.2010, 0310604259 dated 03.12.2010 & 0310606329 dated 15.12.2010.

The committee did not agree with the reasons and justification given by the party. Hence, the request is rejected.

Case No.9. M/s Medreich Limited, Bangalore.

F.No. 01/60/162/561/AM13/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for clubbing of Advance Authorization Nos. 0710077730 dated 01.03.2011 & 0710078865 dated 29.04.2011.

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

- i. Clubbing of 2 Advance Authorizations as referred above is allowed subject to the condition that no redemption letter/adjudication order has been issued against any Authorization to be clubbed.
- ii. EO Period under AA 0710077730 dated 01.03.2011 is extended from 6 months to 12 months from the date of import of 1st consignment.
- iii. This is subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP and Value addition of minimum 15% as stipulated in the FTP is maintained. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
- iv. Exports made against subsequent authorizations but within 12 months from the date of import of first consignment against earliest authorization shall only be taken into account for clubbing of authorizations.
- v. This is subject to payment of Customs Duty + Interest on goods consumed and exported after extended validity of EOP.
- vi. Shortfall in any may be regularized in terms of Para 4.28 of HBP read with PC-18.

(Action: RA, Bangalore)

Case No.10. M/s Morepen Laboratories Limited, New Delhi.

F.No. 01/60/162/311/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for clubbing of 7 Advance Authorizations.

1. 0510218438 dated 25.03.2008
2. 0510218439 dated 25.03.2008
3. 0510224498 dated 28.07.2008
4. 0510224493 dated 28.07.2008
5. 0510239348 dated 01.04.2009
6. 0510256554 dated 18.01.2010
7. 0510264312 dated 13.05.2010

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

- i. Clubbing of the 7 advance authorizations as referred above may be allowed, subject to the condition that no redemption letter or adjudication order is issued against any licence to be clubbed.
- ii. This is only for regularization and closure purpose and not for any further exports/imports. However, exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.
- iii. Extension upto 48 months in EOP in the first authorization is allowed subject to payment of composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
- iv. Even after clubbing, shortfall if any, may be regularised on payment of Customs Duty + Interest in terms of Para 4.28 of H.B.P.

(Action : RA, CLA, New Delhi)

Case No.11. M/s Vivimed Labs Ltd, Hyderabad.

F.No. 01/60/162/303/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for clubbing of Advance Authorization Nos. 0910036138 dated 01.12.2008 & 0910040050 dated 27.11.2009 & 0910045588 dated 18.02.2011.

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

- i. Clubbing of the 3 advance authorizations as referred above may be allowed, subject to the condition that no redemption letter or adjudication order is issued against any licence to be clubbed.
- ii. This is only for regularization and closure purpose and not for any further exports/imports. However, exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.
- iii. Extension upto 48 months in EOP in the first authorization is allowed subject to payment of composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
- iv. Even after clubbing, shortfall if any, may be regularised on payment of Customs Duty + Interest in terms of Para 4.28 of H.B.P.

(Action : RA, Hyderabad)

Case No.12. M/s Vivimed Labs Ltd, Hyderabad.

F.No. 01/60/162/304/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for clubbing of Advance Authorization Nos. 0910039804 dated 05.11.2009 & 0910048539 dated 05.09.2011.

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

- i. Clubbing of the 2 advance authorizations as referred above may be allowed, subject to the condition that no redemption letter or adjudication order is issued against any licence to be clubbed.
- ii. This is only for regularization and closure purpose and not for any further exports/imports. However, exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.
- iii. Extension upto 48 months in EOP in the first authorization is allowed subject to payment of composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
- iv. Even after clubbing, shortfall if any, may be regularised on payment of Customs Duty + Interest in terms of Para 4.28 of H.B.P.

(Action : RA, Hyderabad)

Case No.13. M/s Actavis Pharma Manufacturing Pvt. Ltd, Mumbai.

F.No. 01/60/162/316/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for revalidation of Advance Authorization No. 0410115328 dated 07.07.2010.

Report from RA Chennai may be called for as the Authorisation is issued from Chennai office. RA may inform the events in chronology.

(RA: Chennai)

Case No.14. M/s Ganesh Polychem Limited, Mumbai.

F.No. 01/94/180/190/AM10/PC-4EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for revalidation of Advance Authorization No. 0310507606 dated 17.02.2009.

The committee did not agree with the reasons and justification given by the party. Hence, the request is rejected.

Case No.15. M/s Ashish Life Science Pvt. Ltd, Mumbai.

F.No. 01/60/162/341/AM13/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for review of PRC decision dt. 11.9.2012 for EOP extension of Advance Authorization No. 0310532973 dated 10.08.2009 issued under PC-9 condition.

The Committee noted that this is the review request against the decision taken in the PRC Meeting dated 11.09.2012. The Committee again deliberated in detail and did not agree to accede to the request of the firm as the authorization was issued with export obligation validity of 6 months from the date of first consignment and PRC has already granted 6 months extension beyond the permitted EOP. The Committee therefore reiterated its earlier decision and rejects the request for further extension.

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

Case No.16. M/s Mangalam Drug & Organics Limited, Mumbai.

F.No. 01/60/162/47/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for review of PRC decision dt. 30.4.2013 for EOP extension of Advance Authorization No. 0310503320 dated 21.01.2009 issued under PC-9 condition.

The Committee noted that this is the review request against the decision taken in the PRC Meeting dated 30.4.2013. The Committee again deliberated in detail and did not agree to accede to the request of the firm as the authorization was issued with export obligation validity of 6 months from the date of first consignment and PRC has already granted 6 months extension beyond the permitted EOP. The Committee therefore reiterated its earlier decision and rejects the request for further extension.

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

Case No.17. M/s Lupin Limited, Mumbai.

F.No. 01/60/162/1200/AM12/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for review of PRC decision dated 13.3.2012 EOP extension of Advance Authorization No. 0310589114 dated 24.08.2010 issued under PC-9 condition.

The Committee noted that this is the review request against the decision taken in the PRC Meeting dated 13.03.2012. The Committee again deliberated in detail and did not agree to accede to the request of the firm as the authorization was issued with export obligation validity of 6 months from the date of first consignment and PRC has already granted 6 months extension beyond the permitted EOP. The Committee therefore reiterated its earlier decision and rejects the request for further extension.

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

Case No.18. M/s Associate Allied Chemicals (India) Pvt. Ltd.

F.No. 01/60/162/149/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for review of PRC decision dated 11.6.2013 for clubbing of 3 DFIA's Nos. 0310437256 dated 24.07.2007, 0310461717 dated 20.02.2008 & 0310519138 dated 08.05.2009.

The committee deliberated the case at length and reviewed the earlier decision taken in PRC dated 11.6.2013 for the reasons of fire accident occurred in the factory on 9.8.2009. Taking into consideration the genuine hardship and force majeure, the following decision were taken:

- i. Clubbing of the 3 DFIA's as referred above may be allowed, subject to the condition that the three DFIA's are in actual user condition and no adjudication order or redemption letter is issued against any Authorisation to be clubbed.
- ii. This is only for regularization and closure purpose and not for any further exports/imports. However, exports which is affected within the original validity of earliest authorization shall only be taken into account for clubbing purpose.
- iii. RA is directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 20%. The 20% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
- iv. Even after clubbing, shortfall if any, may be regularised on payment of Customs Duty + Interest in terms of Para 4.28 of H.B.P.

(Action : RA, Mumbai)

Case No.19. M/s Hindustan Zink Ltd, Udaipur.

F.No. 01/89/180/67/AM09/PC2(A)Pt.II

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for policy relaxation for import of underground mining equipments.

The committee considered and granted approval for relaxation of the provisions of Import Licensing Note No. 2(II) (b) & (c) of Chapter 87 of ITC(HS) for import of 11 nos. of new underground mining equipments.

Case No.20. M/s Tata Elxsi Limited, Bangalore.

F.No. 01/93/180/06/AM13/PC-2(B)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for extension of permission to import prototype vehicle to India.

The committee considered and granted relaxation of Policy Condition 1 & 2 of Chapter 87 of ITC(HS) for import of 11 prototype vehicles (new and used) for R&D purpose and also allowed import from Mumbai Airport.

Case No.21. M/s Ketan Plastic Industries Pvt. Ltd, Mumbai.

F.No. 01/60/162/323/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for revalidation of Advance Authorization No. 0310599238 dated 28.10.2010.

Deferred for seeking chronological details from the applicant.

(Action : Applicant)

Case No.22. M/s JFC Business Limited, Kolkata.

F.No. 01/60/162/315/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0210147694 dated 10.09.2010 for regularization purpose.

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

- I. Export obligation period is extended upto 30.11.2011.
- II. This is only for regularization and closure purpose.
- III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
- IV. This is also subject to the condition that the case has not been adjudicated.
- V. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(Action: RA, Kolkata)

Case No.23. M/s Vivid Global Industries Ltd, Mumbai.

F.No. 01/60/162/321/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310584387 dated 21.07.2010.

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

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

(Action : RA Mumbai/Applicant)

Case No.24. M/s Cadila Pharmaceuticals Limited, Ahmedabad.

F.No. 01/60/162/326/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0810088011 dated 07.04.2010.

The committee noted that no considerable exports, which form merit of the case, have been made by the firm within the original validity, hence the request is rejected. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

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

Case No.25. M/s PellsysPharma Pvt. Ltd, Hyderabad.

F.No. 01/60/162/286/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0910047633 dated 14.07.2011 issued under PC-9 condition.

The Committee noted that the Authorisation is issued under PC-9 condition with 12 months obligation period from import of each consignment. In such cases, Committee allows maximum 6 months more on merit. However, in this case, if 6 months extension is allowed, the extended validity also got expired in Feb, 2013. The Committee therefore did not agree to accede to the request.

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

Case No.26. M/s Medreich Limited, Bangalore.

F.No. 01/60/162/320/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0710090225 dated 14.08.2012 issued under PC-9 condition.

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

- i. Export obligation period is extended from 12 months to 18 months as requested who sought time in advance i.e. upto 28.2.2014 in **continuation** from the date of first import consignment.
- ii. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- iii. The applicant is advised to submit the licence for endorsement to RA as early as possible.
- iv. They are further advised to start discharging their stipulated balance export obligation on the basis of this minutes without waiting for the endorsement to be done on the Authorization by RA.

(Action : RA Bangalore)

Case No.27. M/s Medreich Limited, Bangalore.

F.No. 01/60/162/322/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0710090515 dated 30.08.2012 issued under PC-9 condition.

After deliberating the case at length the committee noted that even though the firm has made no exports within the validity but they approached 2 months before the expiry of export validity stating that delivery schedule has been extended by their buyer. Therefore the following decisions were taken:

- i. Export obligation period is extended from 12 months to 18 months i.e. upto 31.03.2014 in **continuation** from the date of first import consignment.

- ii. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- iii. The applicant is advised to submit the licence for endorsement to RA as early as possible.
- iv. They are further advised to start discharging their stipulated balance export obligation on the basis of this minutes without waiting for the endorsement to be done on the Authorization by RA.

(Action : RA Bangalore)

Case No.28. M/s Fresenius Kabi Oncology Limited, New Delhi.

F.No. 01/60/162/319/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Application for relaxation in compliance of rules and procedures laid down under PC-18 dated 30.10.2007 for the following 9 Advance Authorisations.

Sl. No.	Advance Authorisation No.	Date
1.	0510218148	18.03.2008
2.	0510219305	15.04.2008
3.	0510225989	22.08.2008
4.	0510243755	16.06.2009
5.	0510253271	25.11.2009
6.	0510253487	27.11.2009
7.	0510257614	03.05.2010
8.	0510264644	21.05.2010
9.	0510271007	20.08.2010

The Committee noted the honest disclosure from the applicant. Keeping in mind the situation of non-availability of raw material with the applicant as he has diverted the same in to local market, the following decision were taken:

Shortfall in fulfillment of stipulated export obligation against above referred 9 Authorisations shall be regularized subject to the condition that:

- i) Proof of Duty + Interest on unutilised imported goods are to be paid to the Customs Authority.
- ii) Composition fee @ 1% on unfulfilled FOB value of export obligation is paid to RA.
- iii) PC-18 condition stands waived.

Case No.29. M/s PellsysPharma Pvt. Ltd, Hyderabad.

F.No. 01/60/162/285/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0910043893 dated 13.10.2010 issued under PC-9 condition.

The Committee noted that the Authorisation is issued under PC-9 condition with 12 months obligation period from import of each consignment. In such cases, Committee allows maximum 6 months more on merit. However, in this case, if 6 months extension is allowed, the extended validity also got expired in May, 2012. The Committee therefore did not agree to accede to the request.

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

Case No.30. M/s Pellsys Pharma Pvt. Ltd, Hyderabad.

F.No. 01/60/162/287/AM14/EFGC (PRC)

PRC Meeting No. 16/AM14 dated 30.07.2013

Subject: - Request for EOP extension of Advance Authorization No. 0910049362 dated 17.10.2011 issued under PC-9 condition.

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

- i. Export obligation period is extended upto 30.11.2013 from the date of the expiry of the validity of the last to import consignment.
- ii. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- iii. The applicant is advised to submit the licence for endorsement to RA as early as possible.
- iv. RA is directed to verify that exports made within the validity are in consonance with import made in each consignment.
- v. They are further advised to start discharging their stipulated balance export obligation on the basis of this minutes without waiting for the endorsement to be done on the Authorization by RA.

(Action : RA Hyderabad)

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