MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 20/AM12 HELD ON 29.08.2011 AT 3.00 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 D.K Singh	Addl. DG
2.	Shri V.K. Gupta	Addl. DG
3.	Shri V.K. Srivastava	Addl. DG
4.	Shri N.P.S. Monga	Addl. DG
5.	Dr. L.B.S. Singhal	Jt. DGFT
6.	Dr. Rajiv Arora	Jt. DGFT
7.	Shri A.K. Singh	Jt. DGFT
8.	Shri R.S. Ratna	Jt. DGFT
9.	Smt. Subhra	Jt. DGFT
10.	Smt. Vibha Bhalla	Jt. DGFT
11.	Shri A. Mishra	Stats Advisor
12.	Shri A.K. Cashyap	Dy. DGFT

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

Case No.1. M/s Penam Lab. Ltd
F.No. 01/60/162/334/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Request for EOP extension of advance license No. 0510119350 dt. 27.2.2004

The committee noted that the firm had obtained the above advance authorization under the Policy Circular 9 dated 30.6.2009 wherein the firm had to import first and thereafter under take the exports by utilizing the entire imported raw material. The firm has stated that they have already utilized the raw material and have exported the manufactured product through a third party but the foreign exchange has not been realized. The committee noted that in the rehabilitation package granted by the BIFR, extension in export obligation has been recommended. EO extension will not help the exporter since the imported raw material had already been stated to be utilized and products manufactured from these inputs have been exported. The committee therefore decided that the firm may approach RBI to obtain necessary waiver for non- realization of foreign exchange and thereafter approach DGFT for further necessary action.

Case No.2. M/s. Swan Press New Delhi

F.No. . 01/60/162/1067/AM11/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation of advance license No. 0510222153 dated 13.6.2008 and 0510222154 dated 13.6.2008.

The committee noted that the quantum of imports was quite small and that the time available with the firm was sufficient to undertake imports. The ground of delay by RA as enumerated does not appear to be cogent to warrant a second revalidation of the authorization.

Case No.3. M/s Smurthi Organics Ltd.
F.No. 01/60/162/109/AM11/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Clubbing of two AA 1)3110020527 dt.16.5.2005 2)3110036144 dt.20.11.2008

The Committee noted that the request has been made for two authorizations issued in 2005 and 2008 respectively wherein the gap between the issuance date is quite substantial and therefore the Committee therefore did not agree to club these two authorizations.

Case No.4. M/s. Ajanta Pharma Ltd. Mumbai
F.No. 01/60/162/378/AM11/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Clubbing of 2 AA 1) 0310265345 dt. 23.4.2004 2) 0310268737 dt.14.5.2004.

The Committee considered the request of the firm and decided to allow to club above 2 advance authorizations for the purpose of regularization. RA may revalidate the concerned advance authorizations subject to payment of composition fee @1% of the unutilized CIF value of the authorization and also subject to verification of EO fulfilment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations 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 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.

Case No.5. M/s Sri Krishna Enterprises, Bangalore
F.No. 01/60/162/1450/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation of DFIA No. 0710055482 dt. 18.1.2008

The committee noted that the error regarding feeding of the Port code was committed by the firm and that they did not approach RA well in time to have the same rectified. The Committee further observed that validity of advance authorization of 30 months was available with the firm for imports and the reasons cited by the firm do not indicate any genuine hardship which warrants relaxation. The Committee therefore rejected the request.

Case No.6. M/s. Tara Lohia Pvt. Ltd. Kolkata
F.No. 01/60/162/1299/AM11/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject Condonation of procedural lapse of not mentioning AA no. 0210090288 dt. 15.6.2006.

Since the case is under adjudication, the committee decided that the case may be dealt as per the provisions of the policy under adjudication.

Case No.7. M/s. Grauer & Weil (India)Ltd
F.No. 01/60/162/335/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject. Revalidation of AA no. 0310449975 dt. 13.11.2007

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.8. M/s Ranbaxy Ltd. Gurgaon
F.No. 01/60/162/1637/AM11/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject- Clubbing of 4 Advance Authorizations i) 0510084975 dt. 01.04.2003, ii) 0510119114 dt. 25.02.2004, iii) 0510179899 dt. 31.03.2006 and iv) 0510198472 dt. 25.06.2007

The committee noted that the case for clubbing of above authorizations was earlier also considered in PRC meeting no. 12/AM11 dt. 26.11.2010. The committee considered the request of the firm and decided to club authorization no. 0510084975 dt. 01.04.2003 and 0510119114 dt. 25.02.2004 but separately as a sub group. This subgroup of clubbing will be entirely separate from the other subgroup of authorizations 0510179899 dt. 31.03.2006 and 0510198472 dt. 25.06.2007. Both the sub-groups are not to be clubbed in one single block. RA may revalidate the concerned advance authorizations subject to payment of composition fee @1% of the unutilized CIF value of the authorization and also subject to verification of EO fulfilment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations 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 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.

Case No.9. M/s . Indoco Remedies Ltd. Mumbai
F.No0. 01/60/162/374/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject: EO extension/revalidation of 3 advance authorization nos. i.) 0310328555 dt. 04.05.2005, ii.) 0310328997 dt. 06.05.2005 and iii.) 0310298224 dt. 21.10.2004 for the purpose of clubbing.

The Committee considered the request of the firm and decided to allow clubbing of above 3 advance authorizations for the purpose of regularization. RA may revalidate the concerned advance authorizations subject to payment of composition fee @1% of the unutilized CIF value of the authorization and also subject to verification of EO fulfilment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations 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 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.

Case No.10. M/s Nicomet Industies Ltd. Mumbai
F.No. 01/60/162/138/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation and EOP extension of 0310407977 dt. 14.11.2006

The committee noted that the firm had approached the Regional Authority at almost at the terminal stage of the expiry of EOP. On account of the low exports performance in the valid EO period and the fact that the firm has approached only at the terminal stage of EOP, the committee rejected the request of the firm.

Case No.11.   M/s. Ranbaxy Lab. Gurgaon
F.No. 01/60/162/280/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP extn. Of advance licnc no. 0510227043 dt. 8.9.2008.

The Committee decided to extend EOP against the aforesaid advance authorization for another one month i.e. total approximately 7 months (i.e. upto 30.6.2009) from the date of first import for the purpose of regularization and closure. RA should verify the EO claimed to be fulfilled by the firm within the valid EOP. The relaxation is 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 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.

Case No.12. M/s Nicomet Industies Ltd. Mumbai F.No.01/60/162/140/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation and EOP extension of 0310412125 dt. 13.12.2006

The committee noted that the firm had approached the Regional Authority at almost at the terminal stage of the expiry of EOP. On account of the low exports performance in the valid EO period and the fact that the firm has approached only at the terminal stage of EOP, the committee rejected the request of the firm.

Case No.13. M/s. FDC Ltd. Mumbai
F.No. 01/60/162/109/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP extension of AA no. 0310450616 dt. 19.11.2007

The Committee decided to extend EOP against the aforesaid advance authorization for six months i.e. total 12 months from the date of first import for the purpose of regularization and closure. RA should verify the EO claimed to be fulfilled by the firm within the valid EOP. The relaxation is 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 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 Committee also decided that the condition of re-export/destruction of imported raw material as stipulated in Policy Circular 18 dt. 30.10.2007 be waived as the firm has stated to have already utilized the imported material fully by exporting the product manufactured from these. However, the default in terms of duty saving proportionate to the default in export outside the EO period of 12 months from the date of 1st import as stated above may be paid by the firm in accordance with the stipulated policy provisions. RA to check and verify the aspect of raw material utilization and evaluate the duty-saving default and take necessary action as per the policy provisions.

Case No.14. M/s. Carborundum Universal Pvt, Ltd.
F.No. 01/60/162/372/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation of advance authorization no. 0410097370 dt. 22.7.2008.

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.15. M/s. Flow Serve, Coimbatore
F.No. 01/60/162/1924/AM11/EFGC(PRC
PRC Meeting No. 20/AM12 dated29.08.2011
Subject:- Redemption of AA No.0710051129 dt. 9.1.2007.

The committee noted that the bill of export against the supplies made to the SEZ units has been lost by the firm and the firm has provided corroborative evidence to establish the authenticity of the supplies made. The committee therefore decided that a reference be made to the Development Commissioner, Jam Nager to confirm about the supplies made to the SEZ unit. The case be then placed before PRC.

Case No.16. M/s. Seven Sea Exim India Delhi.
F.No. 01/53/162/AM12/S-19/IC
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Grant of Import authorization for import of 35 MTs of Kuth (Saussurea Laapa) for stock and sale purposes.

The committee relaxed the actual user condition of the authorization and permitted utilization of the import authorization for the stock and sale purpose.

Case No.17. M/s. Crompton Greaves Ltd, Mumbai
F.No. 01/60/162/371/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Clubbing of 3 advance authorization no. 1)0310243851 dt.24.12.2003. 2) 0310498983 dt.19.12.2008. 3)0310499138 dt.22.12.2008.

The Committee noted that the request has been made for two authorizations issued in 2003 and 2008 respectively wherein the gap between the issuance date is quite substantial and therefore the Committee therefore did not agree to club these two authorizations.

Case No.18. M/s. ITC Ltd, Guntur
F.No. 01/94/180/243/AM10/PC-4
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation of DEPB No.0910027883 dt.19.10.2006.

The committee noted the request of the firm and observed that despite the reason regarding pending clarification under notification no 34/1998 of Custom, sufficient time was available for the firm to undertake imports. The committee also noted that aforesaid authorization was not submitted to RA as per the report from the RA. The committee therefore decided to reject the request of the firm for revalidation.

Case No.19. M/s. REI Agro Ltd, New Delhi
F.No. 01/94/180/848/AM09/PC-4
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Condo nation of delay in filing DEPB application

The Committee noted that the firm had requested for applicability of the Public Notice 45 dt. 7.7.2008 retrospectively in respect of their authorization. The committee noted that the reason given by the firm regarding delay in filing of their application can not be construed as genuine hardship warranting relaxation. The committee therefore rejected the request of the firm.

Case No.20. M/s. Shree Ambika Sugar Ltd, Chennai
F.No. 01/60/162/261/AM12/EFGC(PRC)
F.No. 20/AM12 dated: 29.08.2011
Subject:- EOP of Advance Authorization No.0410072809 dt.29.7.2005

The committee noted that the authorization for exports of sugar under Advance Authorization is subject to the release order issued by Directorate of Sugar, Deptt. of Food, Ministry of Food and Consumer Affairs. The committee noted that for the said commodity the periodic releases by the Directorate of Sugar were required to be adhered to. There are no grounds of genuine hardship warranting policy relaxation In view of the above facts, the committee rejected the request of the firm.

Case No.21. M/s. Aseem Technologies Pvt, Lt, Indore
F.No. 01/60/162/229/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Redemption of advance authorization No.1110013506 dt.12.6.2006.

The committee noted that as per rule 30(3) of SEZ Rules the bill of export is a mandatory document for claiming export entitlement for the supply of goods from DTA to SEZ. Since this basic document has not been filed, the committee rejected the request of the firm to condone the lapse for their request for redemption.

Case No.22. M/s. Grauer and Weil (India) Ltd, Mumbai

F.No. 01/60/162/389/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation of advance license No.0310450438 dt.16.11.2007.

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.23. M/s. Hindustan Polyamides and Fibres Ltd, Mumbai
F.No. 01/60/162/298/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Clubbing of two A/As Nos. 0310378138 dt.28.4.2006 and 0310441771 dt.5.9.2007

The Committee considered the request of the firm and decided to allow to club above 2 advance authorizations for the purpose of regularization. RA may revalidate the concerned advance authorizations subject to payment of composition fee @1% of the unutilized CIF value of the authorization and also subject to verification of EO fulfilment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations 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 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.

Case No.24. M/s. Cartoon Sanitation Pvt, Ltd, Mathura
F.No. 01/60/162/383/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP extension of advance authorization No.0610013314 dt.30.4.2008.

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 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.25. M/s. The Bombay Dyeing & Mft.Co.Ltd, Mumbai
F.No. 01/60/162/383/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP extension of advance authorization No.0310450067 dt.13.11.2007

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 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.26. M/s. Paras Impo-Expo Pvt, Ltd, Delhi
F.No. 01/60/162/453/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Redemptions on purpose only and relaxation advance auth No.0510123999 dt.23.4.2004

M/s. Paras Impo-Expo Pvt. Ltd., Delhi had obtained an Advance authorization No. 051023999 dt. 23.4.2004 for export of two products i.e. Stainless Steel utensils and stainless steel circles. The item of import was Stainless steel sheets/Coils. The firm approached the Norms Committee to have the export item Stainless Steel utensils deleted. However, before the request was agreed to, the firm exported both the export products as originally endorsed on the advance authorization. Later the Norms Committee agreed to delete the export item Stainless Steel utensils. The Regional Office did not consider the export of the deleted export item and have adjudicated the case vide Order dated 30.6.2011. The Committee felt that the deleted item as long as the import items could be duly accounted for in the export products could be considered provided the exports were made prior to the NC's decision. However, in event of adjudication having been completed, the Committee felt that the matter may now be appropriately looked into at the appeal stage.

Case No.27.M/s. Saraf Electrico, Kolkata
F.No. 01/60/162/386/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation of Advance License N0. 0210118156 dt. 29.9.2008.

The committee noted that the request of the firm for revalidation of authorization was delayed in RA. Keeping in view that the firm could have imported during these months lost on account of piecemeal communication by RA. The Committee therefore decided to revalidate the aforesaid advance authorization for a period of 3 months from the date of endorsement or from 15.9.2011 which ever is earlier, on account of delay on the part of RA, subject to payment of composition fee @ 1% of the unutilized CIF value of the authorization and also subject to verification by RA of EO fulfillment status, as claimed by the firm. 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 at the time of revalidation.

Case No.28. M/s. Biota Agro solution Pvt, Ld, Kerala
F.No. 01/60/162/388/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP Advance Authorization No.1010028467 dt.14.1.2008.

The Committee 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 low exports made both quantity and value wise in the valid EOP.

Case No.29 M/s. Sterlite Industries (I) Ltd,
F.No01/94/180/813/AM10/PC-4/PRC
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP Advance Authorization No.0310359987 dt.19.12.2005

The committee noted that the imports made by the firm under the above authorization which were questioned and subject to adjudication by the Asstt. Commissioner of Custom was later on set aside by CESTAT order dt. 14.8.2008 in favour of the firm. The committee, in view of the above circumstances, reconsidered its earlier decision and decided to grant EOP extension of 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.30. M/s. Mohan Spintex India Ltd, Vijaywada
F.No. 01/60/162/380/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation of DFIA license No.0910033409 dt.19.3.2008.

The committee noted that the firm had not clearly stated the details of all exports made against the discharge of the EPCG wherein no chapter 4 benefit have been claimed and which they would like to consider for discharge of their obligation under the aforesaid DFIA. It also needs to be confirmed from the exporter the chapter 4 benefits claimed by them on the exports made in discharge of the EPCG authorization. After these details are obtained, the case may again be placed before PRC.

Case No.31. M/s. Ravin Cables Ltd, Mumbai
F.No. 01/60/162/1433/AM11/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Revalidation of Advance License No.0310419429 dt.13.2.2007.

The Committee noted the request of the firm and decided to reject as reasons provided by the firm do not establish any genuine hardship which warrants relaxation.

Case No.32. M/s. Penam Laboratories Ltd, New Delhi
F.No. 01/60/162/301/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP extension of advance authorization No.0510166409 dt.14.9.2005.

The committee noted that the firm had obtained the above advance authorization under the Policy Circular 9 dated 30.6.2009 wherein the firm had to import first and thereafter under take the exports by utilizing the entire imported raw material. The firm has stated that they have already utilized the raw material and have exported the manufactured product through a third party but the foreign exchange has not been realized. The committee noted that in the rehabilitation package granted by the BIFR, extension in export obligation has been recommended. It was fact that EO extension will not help the exporter since the imported raw material had already been stated to be utilized and products manufactured from these inputs have been exported. The committee therefore decided that the firm may approach RBI to obtain necessary waiver for non-realization of foreign exchange and thereafter approach DGFT for further necessary action.

Case No.33. M/s. Enzal Chemicals (India) Ltd, Mumbai
F.No. 01/60/162/294/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Clubbing of 6 Advance Authorization

1. 0003024774 dt. 24.8.1998
2. 0003027846 dt. 12.2.1999
3. 0003028975 dt. 12.4.1999
4. 0310005039 dt. 17.8.1999
5. 0310099050 dt. 27.8.2001
6. 0310175237 dt. 30.12.2002

The Committee considered the request of the firm and decided to allow to club above 6 advance authorizations for the purpose of regularization. RA may revalidate the concerned advance authorizations subject to payment of composition fee @1% of the unutilized CIF value of the authorization and also subject to verification of EO fulfilment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations 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 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.

Case No.34. M/s. Shilpa Medicare Ltd, Raichur
F.No. 01/60/162/1691/AM11/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP extension of AA No.0710021299 dt.23.5.2003.

The Committee decided to grant extension for 8 months beyond the permitted 35 months of export obligation 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.

Case No.35. M/s. JSW Steel Mumbai
F.No. 01/60/162/268/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- . Revalidation of advance authorization No.0310474531 dt.13.6.2008.

The committee noted that even though the matter regarding conversion of shipping bills from DEPB category to DFIA was under consideration of CESTAT, there was no bar on the firm to undertake imports against the aforesaid authorization. The committee did not find any justified reason for policy relaxation and therefore rejected the request.

Case No.36. M/s. Vishnu Chemicals Ltd, Hyderabad
F.No. 01/60/162/1242/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- EOP extension of Advance license No.0910017617 dt.27.2.2004.

The Committee decided to grant extension for 6 months beyond the permitted EOP validity period 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.

Case No.37. M/s. SAS International Chennai
F.No. 01/60/162/23/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Clubbing and redemption of 4 advance authorization (1) 0410055383 dt.29.3.2004 (2) 0410065465 dt.21.12.2004 (3) 0410073782 dt.24.8.2005(4) 0410097141 dt.14.7.2008.

The Committee considered the request of the firm and decided to allow to club above 3 advance authorizations i.e. (1) 0410055383 dt.29.3.2004 (2) 0410065465 dt.21.12.2004 and (3) 0410073782 dt. 24.8.2005 for the purpose of regularization. The advance authorization no. 0410097141 dt.14.7.2008 was not considered for clubbing as the same was not issued in continuity with a distinct overlap in the validity period.RA may revalidate the concerned advance authorizations subject to payment of composition fee @1% of the unutilized CIF value of the authorization and also subject to verification of EO fulfilment status as claimed by the firm by RA. Extension in EO required for clubbing and regularization of authorizations 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 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.

Case No.38. M/s. Kohinoor Foods Ltd, New Delhi
F.No. 01/60/162/415/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Redemption of advance licenses No(1) 05101104985 dt.9.10.2003.(2)510096923 dt.23.7.2003(3)0510111358 dt.11.12.2003. (4) 0510123133 dt.12.4.2004.

The Committee noted that M/s. Kohinoor Food Ltd. previously known as M/s. Satnam overseas Ltd. had obtained 4 advance authorizations wherein there was a default in Export Obligation. ALC had earlier rejected the request of the firm to grant ex-post facto approval on the transfer of raw material by the firm to the EOU as the same was done after the expiry of E.O. The Committee also noted that CLA had already placed the firm in DEL and the case has been adjudicated. The Committee, therefore, did not find it appropriate to intervene in he process of adjudication and decided that the case may be finalized as per the provisions of the FTP under the process of adjudication only.

Case No.39. M/s. PSG Steels Pvt Ltd.
F.No. 01/91/180/373/AM12/PC-3
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Request for revalidation of SFIS scrip No.3310013033 dated 15.4.2009.

The committee noted that the representation of the firm and observed that the SFIS authorization has been issued as an incentive, and the authorization does not definitely entail any obligation and therefore the reasons quoted by the firm on account of shipping to a wrong port do not signify genuine hardship which warrants policy relaxation. The period of 24 months validity was sufficient enough to undertake imports. The committee therefore rejected the request.

Case No.40. M/s The Godavari Sugar Mills Ltd, Mumbai.
F.No. 01/60/162/179/AM12/EFGC(PRC)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- DEPB shipment towards discharge of Export obligation against advance authorization No. 0310304378 dt. 30.11.2004.

The committee considered the request and noted that since Customs evaluation has already been taken place for such exports, the DEPB shipping bills may be considered towards discharge of export obligation against advance authorization no. 0310304378 dt. 30.11.2004 subject to proper verification of export product by RA. It is also clarified that PRC had granted EOP extension from the date of communication as decided in PRC meeting No. 10/AM08 dt. 7.3.2008.

Case No.41. M/s Maruti Suzuki India Ltd. Gurgaon
F.No. 01/89/180/51/AM09/PC-II(A)
PRC Meeting No. 20/AM12 dated: 29.08.2011
Subject:- Permission to ply 5 numbers of different vehicles on public roads (imported under R&D certification) to capture performance data in actual user conditions.

The Committee noted that the request made by M/s. Maruti Suzuki Ltd., to import five numbers of different vehicles on public roads for R&D purposes. Committee decided to relax the provisions of para 2(II) f of Import Licensing Note of Chapter 87 for import of the above vehicle keeping in view the no objection received from the M/o Road Transport & Highways, subject to the following conditions :

(i) M/s. Maruti Suzuki India Limited will get the vehicle registered and pay all the taxes to the concerned State Government/Union Territories.
(ii) The vehicle will strictly be used for R&D purpose for which they are imported and will not get engaged in any commercial activities.
(iii) The vehicles will not be sold in India to an individual/organization/institution etc.
(iv) The vehicles will follow all the prevalent rules and regulations related to road transport in the country.
(v) The vehicles will be dismantled after R&D test and the concerned RTO will be suitably informed so that the registration could be cancelled.