THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 21/AM13 HELD ON 11.09.2012 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. Singhal Addl. DG
5. Shri Jaikant Singh Jt. DGFT
6. Shri Hardeep Singh Jt. DGFT
7. Shri Jaikaran Singh Jt..DGFT
8. Shri Ajay Kumar Srivastava Jt. DGFT
9. Shri K.C. Raut Jt. DGFT
10. Shri A.K. Mishra Stats Advisor
11. Smt. Sonika Khattar FTDO

The decisions taken are as under:-

Case No.1. M/s. Veekay Polycoats Limited, New Delhi
F.No. 01/60/162/380/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of AA no. 0510249493 dated 17.09.2009..

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

Case No.2. M/s. Galaxy Surfactants Ltd, Mumbai
F.No. 01/60/162/360/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of AA no. 0310547358 dated 25.11.2009.

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

Case No.3. M/s. Galaxy Surfactants Ltd, Mumbai
F.No. 01/60/162/362/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of AA no. 0310547355 dated 25.11.2009.

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

Case No.4. M/s. Galaxy Surfactants Ltd, Mumbai
F.No. 01/60/162/361/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of AA no. 0310547808 dated 26.11.2009.

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

Case No.5. M/s. Galaxy Surfactants Ltd, Mumbai
F.No. 01/60/162/359/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of AA no. 0310547805 dated 26.11.2009.

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

Case No.6. M/s. Intermed, Chennai
F.No. 01/60/162/377/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of AA no. 0410088436 dated 21.03.2007 for regularization purpose.

It was noticed by the Committee that the applicant has fulfilled 100% exports though outside the EOP. Therefore the following decisions were taken for regularization purpose.

I. Export obligation period is extended from 6 months to 12 months from the date of first import consignment.
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 i.e. 31.1.2009 and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
IV. 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 raw material fully by exporting the product manufactured from these.

(Action : RA, Chennai)

Case No.7. M/s. Aarti Industries Ltd, Mumbai
F.No. 01/60/162/374/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of AA no. 0310514552 dated 03.04.2009.

The case was placed before the Committee and after deliberating the case in length the following decisions were taken:

i) Export obligation period is extended for 6 months from the date of endorsement. However, request for endorsement to RA must be made within a month from the date of communication of PRC decision.

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.

(Action : RA Mumbai,)

Case No.8. M/s. Ashish Life Science Pvt. Ltd, Mumbai
F.No. 01/60/162/374/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP for regularization purpose 6 months period against AA no. 0310532973 dated 10.08.2009.

It was noticed by the Committee that the applicant has fulfilled 100% exports though outside the EOP. Therefore the following decisions were taken for regularization purpose.

I. Export obligation period is extended from 6 months to 12 months from the date of import of each consignment.
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 i.e. 31.2.2010 and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
IV. 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 raw material fully by exporting the product manufactured from these.

(Action : RA, Mumbai)

Case No.9. M/s. United Poly Engineering Pvt. Ltd, New Delhi
F.No. 01/60/162/364/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of AA no. 0510241272 dated 13.05.2009.

Deferred as facts are not clear. (Applicant has to provide the details of any imports/exports made under advance authorization no. 0510241272 dated 13.05.2009 and quantum of export/import made under advance authorization no. (not given) dt. 29.7.2010. He will also explain that what prevented him to make export mentioning file no. instead of licence no. on the shipping bill as the policy permits export quoting file no. also.)

(Action : By applicant)

Case No.10. M/s. Medreich Ltd, Bangalore
F.No. 01/60/162/345/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for clubbing of two AA no. 0710065140 dated 02.06.2009 & 0710065507 dated 22.06.2009 issued under PC-9 condition.

The case was placed before the Committee and after deliberating the case. The following decisions were taken for regularization purpose.

i) To allow clubbing of advance authorizations no. 0710065140 dated 02.06.2009 & 0710065507 dated 22.06.2009 subject to payment of Custom duty + interest on excess inputs as per norms fixed by Norms Committee.
ii) This is only for regularization and closure purpose and not for any further exports/imports.
iii) RA may grant necessary extension in EO subject to 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% 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 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) 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 raw material fully by exporting the product manufactured from these. The party shall submit certificate from the excise authority that raw material imported has been consumed/utilized fully. RA may check and verify the aspect of raw material utilization and payment of duty + interest and if found to be true, the case may be regularized.

v) RA may do clubbing subject to the condition that the case is not adjudicated.

(Action : RA, Bangalore)

Case No.11. M/s. Medreich Ltd, Bangalore
F.No. 01/60/162/346/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for permission to regularize the AA no. 0710072314 dated 17.06.2010 issued under PC-9.

The Committee 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 and is ready to pay duty + interest on excess consumption. The party shall submit certificate from the excise authority that raw material imported has been consumed/utilized fully. RA may check and verify the aspect of raw material utilization and payment of duty + interest and if found to be true, the case may be regularized.

(Action : RA, Bangalore)

Case No.12. M/s. Medreich Ltd, Bangalore
F.No. 01/60/162/348/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for permission to regularize the AA no. 0710070729 dated 30.03.2010 issued under PC-9.

The Committee 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 and is ready to pay duty + interest on excess consumption. The party shall submit certificate from the excise authority that raw material imported has been consumed/utilized fully. RA may check and verify the aspect of raw material utilization and payment of duty + interest and if found to be true, the case may be regularized.

(Action : RA, Bangalore)

Case No.13. M/s. Medreich Ltd, Bangalore
F.No. 01/60/162/347/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for permission to regularize the AA no. 0710070684 dated 26.03.2010 issued under PC-9.

The Committee 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 and is ready to pay duty + interest on excess consumption. The party shall submit certificate from the excise authority that raw material imported has been consumed/utilized fully. RA may check and verify the aspect of raw material utilization and payment of duty + interest and if found to be true, the case may be regularized.

(Action : RA, Bangalore)

Case No.14. M/s. D. K. Jaganath Silk Twisting Factory, Bangalore
F.No. 01/60/162/372/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065228 dated 04.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065228 dated 04.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

(Action : RA, Bangalore may be requested to start action under FTDR Act., if the case is not regularized under para 4.28 of HBP)

Case No.15. M/s. D. K. Jaganath Silk Twisting Factory, Bangalore
F.No. 01/60/162/371/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065230 dated 04.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065230 dated 04.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

(Action : RA, Bangalore may be requested to start action under FTDR Act., if the case is not regularized under para 4.28 of HBP)

Case No.16. M/s. D. K. Jaganath Silk Twisting Factory, Bangalore
F.No. 01/60/162/370/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065225 dated 04.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065225 dated 04.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

(Action : RA, Bangalore may be requested to start action under FTDR Act., if the case is not regularized under para 4.28 of HBP)

Case No.17. M/s. Kumari Overseas Pvt. Ltd, Bangalore
F.No. 01/60/162/366/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065259 dated 05.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065259 dated 05.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

(Action : RA, Bangalore may be requested to start action under FTDR Act., if the case is not regularized under para 4.28 of HBP)

Case No.18. M/s. Kumari Overseas Pvt. Ltd, Bangalore
F.No. 01/60/162/367/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065257 dated 05.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065257 dated 05.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

.

(Action : RA, Bangalore may be requested to start action under FTDR Act., if the case is not regularized under para 4.28 of HBP)

Case No.19. M/s. Kumari Overseas Pvt. Ltd, Bangalore
F.No. 01/60/162/368/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065256 dated 05.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065256 dated 05.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

(Action : RA, Bangalore may be requested to start action under FTDR Act., if the case is not regularized under para 4.28 of HBP)

Case No.20. M/s. D. K. Jaganath Silk Twisting Factory, Bangalore
F.No. 01/60/162/373/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065229 dated 04.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065229 dated 04.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

(Action : RA, Bangalore may be requested to start action under FTDR Act., if the case is not regularized under para 4.28 of HBP)

Case No.21. M/s. Kumari Overseas Pvt. Ltd, Bangalore
F.No. 01/60/162/369/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065255 dated 05.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065255 dated 05.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

(Action : RA, Bangalore may be requested to start action under FTDR Act., if the case is not regularized under para 4.28 of HBP)

Case No.22. M/s. Kumari Overseas Pvt. Ltd, Bangalore
F.No. 01/60/162/365/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for extension of EOP beyond 36 months against the AA no. 0710065258 dated 05.06.2009.

The committee noted that the firm has not made any exports under the Advance Authorization No. 0710065258 dated 05.06.2009. 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 exports could not be made within stipulated period. It was also noted that they have not disclosed the status of raw material imported 3 years back. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation and rejected the case.

Case No.23. M/s. Madura Coats Pvt. Ltd.
F.No. 01/60/162/06-20-08-10-14-04-03-05-16-11-17-19/AM12/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Revalidation of 5 advance authorizations.

3510020679 dt. 28.3.2007
3510019563 dt. 14.9.2006
3510020677 dt. 28.3.2007
3510020502 dt. 23.2.2007
3510020837 dt. 24.4.2007

The committee did not find any merits in the request and rejected the same reiterating the earlier decision of PRC meeting held on 2.6.2011.

Case No.24. Shri Rommel A. Pandit, Mumbai
F.No. 01/53/162/1365/AM09/R-2/IC
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Relaxation of para 2.13 of HBP, Vol.-I i.e. grant of 2nd revalidation of import licence no. 0117751 dated 20.05.2009 (Import authorization for restricted item).

The Committee considered the request of the applicant (who is a shooter) seeking time to import and decided to grant six months more time in respect of import authorization no. 0117751 dt. 20.5.2009 subject to the other conditions as already stipulated on the authorization.

Case No.25. M/s. Intermed, Chennai
F.No. 01/60/162/377/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of AA no. 0410086087 dated 01.12.2006 issued under PC-9 condition for regularization purpose.

The Committee after deliberating the case in length the following decisions were taken:

I. Export obligation period is extended from 6 months to 12 months from the date of first import.
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. The applicant has to pay Custom duty + interest on inputs consumed and exported after 31.1.2008. Policy Circular-18 condition of re-export/destruction shall not insisted upon this position of consumption. However, since there is still shortfall of 6.22%, the applicant has to pay Custom duty + interest on inputs in proportion to shortfall and shall submit documents in terms of Policy Circular-18 for unutilized raw material

(Action : RA, Chennai)

Case No.26. M/s. Ducol Organics & Colour Pvt. Ltd,
F.No. 01/60/162/167/AM12/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- EOP extension of AA no. 031041638 dated 19.06.2008 & 0310461489 dated 18.02.2008.

The committee rejected the request for EOP extension as the firm did not avail the benefit of EOP extension already granted by PRC vide its meeting no. 13/AM12 dt. 5.7.2011 against above authorizations

Case No.27. M/s. Sun Exports, Mumbai
F.No. 01/60/162/379/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of AA no. 0310530346 dt.23.7.2009

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

Case No.28. M/s. Coromandel International Ltd, Andhra Pradesh
F.No. 01/60/162/358/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of DEPB authorization no.0910041140 dated 3.3.2010.

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

Case No.29. M/s. Intermed, Chennai
F.No. 01/60/162/376/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of AA No. 0410095386 dated 23.4.2008 issued under PC-9 condition for regularization purpose.

The Committee noted that the Advance Authorization is issued with PC-9 condition and import was made in the month of May, 2008. The export obligation is fulfilled to the extent of 30.80% only in terms of quantity. The justification that buyer had requested them not to ship further qty. is not acceptable to the committee on the ground that Authorization does not bear name of any specific buyer. Authorization holder had liberty to export the goods to any other buyer/s. This being very old case and in the absence of acceptable justification, the committee decided to reject the case with direction to the party to get the case regularized in terms of PC-18 dt. 30.10.2007 read with Para 4.28 of HBP.

(Action : RA, Chennai to initiate action under the provision of FTDR ACT, if the Authorization holder is failed to get the case regularized.

Case No.30. M/s. Rivaa Exports, Surat
F.No. 01/60/162/45/AM08/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of Advance authorization no. 5210000722 dated 8.2.2001 for regularization purpose.

The case was placed before the Committee and after deliberating the case in length the following decisions were taken:

I. Export obligation period is extended up to 48 months from the date of issue of authorization.
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.

(Action : RA, Surat)

Case No.31. M/s. Uttam Galva Steel Ltd, Mumbai
F.No. 01/60/162/774/AM10/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for amendment in input from cold Roll Galvanized Alloy steel coils to Hot Rolled Steels against advance authorization no. 0310426798 dt. 16.4.2007.

The case was discussed in length and it was decided to reject the request on following grounds:

i) DFIA was issued on 16.4.2007 with initial validity of 24 months. 6 months further revalidation was allowed by RA upto 16.9.2009.
ii) The request for change in norms was made on 1.12.2009 i.e. after expiry of validity of DFIA.
iii) The para 5 of General Note allows backward integration hence the applicant should have applied initially while making application for DFIA.
iv) They had further option to apply for change inputswithin initial validity of 24 months which they did not exercise.
v) Hence, onus could not be put on Norms Committee or RA.
vi) The committee did not agree with the justification given by the party.

Case No.32. M/s. Galaxy Surfactants Ltd, Mumbai
F.No. 01/60/162/356/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of three advance authorization no. 1) 0310531266 dt. 29.7.2009. 2) 0310547521 dt. 25.11.2009. 3) 0310530987 dt. 28.7.2009.

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

Case No.33. M/s. Wockhardt Ltd, Mumbai
F.No. 01/60/162/355/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of advance authorization no. 0310629080 dated 2.5.2011 issued under PC-9 condition dated 30.6.2003.

The case was placed before the Committee and after deliberating the case in length the following decisions were taken:

I. Export obligation period is extended from 12 months to 18 months from the date of first import consignment.
II. 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.

(Action : RA, Mumbai)

Case No.34. M/s. Dorf Ketal Chemicals India Pvt Ltd, Mumbai
F.No. 01/60/162/353/AM12/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012

Subject:- Request for clubbing of 6 advance authorizations
0310508925 dt. 24.2.2009.
0310491655 dt. 23.10.2008.
0310491060 dt. 20.10.2008
0310526499 dt. 30.6.2009.
0310491107 dt. 20.10.2008.
0310532498 dt.5.8.2009

The case was placed before the Committee and after deliberating the case in length. It was observed that the party should have approached to RA rather PRC if the licence were not issued under PC-9. Any how the committee has taken the following decision :

i) To allow clubbing of 6 above advance authorizations.
ii) This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP.
iii) RA may grant necessary extension in EO subject to 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% 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 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) RA may do clubbing subject to the condition that no adjudication is issued against any licence to be clubbed.

(Action : RA, Mumbai)

Case No.35. M/s. Medreich Ltd, Bangalore
F.No. 01/60/162/268-275/AM10/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for regularization of export made out of EOP under policy Circular no-9 dt. 30.6.2003 in advance authorization no. 0710032536 dt. 14.9.2004.

The Committee noted the request and decided that in case the firm has paid the custom duty with interest, and have submitted documents in terms of Policy circular 18, the case could be regularised as per FTP provisions. If there is any issue which still requires policy relaxation, then the same may be referred to the Policy Relaxation Committee.

(Action : RA, Bangalore)

Case No.36. M/s. Medreich Ltd, Bangalore
F.No. 01/60/162/394/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for regularization of export made out of EOP under policy circular no-9 dated 30.6.2003 in advance authorization no. 0710068522 dated 30.11.2009.

The case was placed before the Committee and after deliberating the case in length the following decisions were taken:

I. Export obligation period is extended from 12 months to 18 months.
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 i.e. 31.1.2009 and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
IV. 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 raw material fully by exporting the product manufactured from these.
V. Custom duty + interest has to be paid on inputs consumed and exported outside the EO period i.e. after 31.12.2010 and on inputs consumed and exported under free shipping bills.

(Action : RA, Bangalore)

Case No.37. M/s. Bhushan Power & Steel Ltd,
F.No. 01/60/162/378/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of 3 advance authorizations no. 0210132272 dt. 8.10.2009, 0210132478 dt. 12.10.2009 and 0210132561 dt. 15.10.2009.

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

Case No.38. M/s. Gandhar Refinery India Ltd.
F.No. 01/60/162/387/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for revalidation of AA no. 0310474698 dt. 13.6.2008.

The committee decided to obtain a detailed report regarding fact of the case from RA, Mumbai and after that the case may be placed before PRC.

(Action : RA, Mumbai)

Case No.39. M/s. Aventis Pharma Ltd., Mumbai
F.No. 01/60/162/572/AM12/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of advance authorization no. 0310392279 dt. 1.8.2006 issued under PC-9 condition.

The case was placed before the Committee and after deliberating the case in length the following decisions were taken:

I. Second EOP extension granted wrongly by RA upto 1.2.2008 is regularized.
II. No further extension beyond 1.2.2008 is allowed.
III. The applicant has to pay duty +interest on inputs consumed and exported after 1.2.2008.
IV. PC-18 condition is waived on this exports to the extent of re-export/destruction certificate on export made outside the extended EOP.
V. On balance unutilized raw material i.e. 1.24%, the party has to pay duty + interest and follow procedure of PC-18 for regularization purpose.

(Action : RA, Mumbai)

Case No.40. M/s. Medreich Ltd, Bangalore
F.No. 01/60/162/385/AM13/EFGC(PRC)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for EOP extension of advance authorization no. 0710078289 dt. 24.3.2011 issued under PC-9 condition.

The case was placed before the Committee and after deliberating the case in length the following decisions were taken:

I. Export obligation period is extended from 12 months to 13 months.
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 i.e. 31.3.2012 and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.

(Action : RA, Bangalore)

Case No.41. M/s. Ford India Pvt Ltd, Gurgaon
F.No. 01/89/180/01/AM13/PC-2(A)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Permission for temporary import registered cars (Ford Fusion and Ford Fiesta) for Global Correlation Programme .

The Committee considered the case and granted ex-post facto approval to relax the provisions of Para 2(II) (f) of Import Licensing Note of Chapter 87 for import of two LHD Cars.

Case No.42. M/s. Parimal Kar, South Sudan
F.No. 01/89/180/28/AM13/PC-2(A)

PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Request for waiver for importation of personal car left hand drive vehicle into India.

The Committee considered the case and granted ex-post facto approval for import of personal car (Left Hand Drive) into India.

Case No.43. M/s. Renault Nisan Technology & Business Center India Pvt Lttd, Tamil Nadu
F.No. 01/89/180/30/AM10/PC-2(A)
PRC Meeting No. 21/AM13 dated: 11.09.2012
Subject:- Import of one used LHD car for trial, testing and programming.

The Committee considered the case and granted ex-post facto approval to relax the provisions of Para 2(II) (f) of Import Licensing Note of Chapter 87 for import of one used LHD car.

****