RELAXATION COMMITTEE MINUTES OF THE (PRC) MEETING NO. 23/AM12 HELD ON 20.09.2011 AT 11.00 A.M. UNDER THE CHAIRMANSHIP OF Dr. A.K PUJARI, DIRECTOR GENERAL OF FOREIGN TRADE.

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

1.	Shri 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.	Shri.HardeepSingh	Jt.DGFT
10.	Smt. Subhra	Jt. DGFT
11.	Smt. Vibha Bhalla	Jt. DGFT
12.	Shri A. Mishra	Stats Advisor
13.	Shri A.K. Cashyap	Dy. DGFT
14.	Smt. Sonika Khattar	FTDO

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

Case No.1. M/s. Vidyut Metallic Pvt. Limited Mumbai
F.No. 01/60/162/782/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for clubbing against two authorizations No. 0310217854 dt. 11.8.2003 and 0310370134 dt. 6.3.2006

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 Authorization No. s 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.2. M/s. Bajaj Electrical Limited Mumbai
F.No. 01/60/162/1056AM11/EFGC(PRC)

PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension Request for EOP extension of Advance Authorization No. no. P/K 3475084 dt. 19.10.1992, 0100177 dt. 12.6.1993 and PK 001523829 dt. 26.11.1992

The Committee decided to grant extension in respect of AA no. P/K 3475084 dt. 19.10.1992, 0100177 dt. 12.6.1993 upto 6.5.1995 and for AA no. 001523829 dt. 26.11.1992 upto 17.1.1995for the purpose of regularization and closure, subject to correlation of exports with shipping bills and DEEC and self certified copies of BRCs by the firm, 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. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No.3. M/s. Supreme Rolls & Shears Pvt Limited Indore
F.No. 01/60/162/457/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. 1110016668 dt. 10.1.2008.

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.4. M/s. Medreich Limited Bangalore
F.No. 01/60/162/395/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. 0710064496 dt. 4.5.2009.

The Committee noted that the firm have made a request for EOP extension of above mentioned Advance Authorization after expiry of almost one year. The Committee noted that such PC-9 authorizations has only a short EOP and rejected the request of the firm as such a long extension was not feasible and reasons enumerated cannot be construed as a genuine hardship for EOP extension. It was decided that RA may take necessary action in accordance with the Policy Circular no. 18 dt.30.10.2007 and other appropriate FTP provisions.

Case No.5. M/s. Medreich Limited Bangalore
F.No. 01/60/162/394/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. 0710068522 dt. 30.11.2009.

The Committee noted that the firm have made a request for EOP extension of above mentioned Advance Authorization after expiry of almost one year. The Committee noted that such PC-9 authorizations has only a short EOP and rejected the request of the firm as such a long extension was not feasible and reasons enumerated cannot be construed as a genuine hardship for EOP extension. It was decided that RA may take necessary action in accordance with the Policy Circular no. 18 dt.30.10.2007 and other appropriate FTP provisions.

Case No.6. M/s. Glasstech Industries Limited Mumbai
F.No. 01/60/162/445/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. no.0310430917 dt. 29.5.2007

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.7. M/s. Iris Jewels Delhi
F.No. 01/60/162/212/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject Forwarded by Gem & Jewellery EOP extension of time for clearance of consignment for re-import after participation in overseas exhibition.

The Committee agreed to grant ex-post fact approval for re-import of G&S consignment within a time period of 10 days over and above the time-period allowed under para 4A.18(a) of HBP Vo. I from the date of closing of the exhibition.

Case No.8. M/s. Vinyroyl Plastcoates Limited Mumba
F.No. 01/60/162/470/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. no. 0310419171 dt. 9.2.2007

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.9. M/s. Hema Engineering Industries Limited New Delhi

F.No. 01/60/162/381/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for clubbing of 8 Advance Authorization No. for the purpose of regularization/redemption

1. 0510158998 dt. 2.6.2005
2. 0510160998 dt. 30.6.2006
3. 0510176503 dt. 16.2.2006
4. 0510177548 dt. 28.2.2006
5. 0510183226 dt. 24.5.2006
6. 0510195478 dt. 1.12.2006
7. 0510180481 dt. 7.4.2006
8. 0510244372 dt. 23.6.2009

The Committee considered the request of the firm and decided to club advance authorization mentioned at sr. 1 to 7 for the purpose of regularization. The advance authorization no. 0510244372 dated 23.6.2009 was not considered for clubbing as the same was issued much later and not 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 fulfillment 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. Greenply Industries Limited
F.No. 01/60/162/460/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EO extension in Advance Authorization No. 0210101704 dt. 19.6.2007

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.11. M/s. Sajal Impex Pvt Limited, Kolkata
F.No. 01/60/162/119/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011

Subject:- Request for revalidation of two DFIAs No. 0210107849 dt. 4.1.2008 and 0210109197 dt. 15.2 2008

The Committee noted the request of the firm and noted that there was delay mainly on the part of the firm in obtaining the GR clearance from their Bank which impacted utilization of their DFIA's. The Committee decided that this cannot be construed as genuine hardship under Para 2.5 of FTP warranting policy relaxation.

Case No.12. M/s. Essar Project (I) Limited, Mumbai
F.No. 01/89/180/AM07/EFGC(PC-2)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for import of Left Hand Drive Rear Dump Truck

The Committee deferred the case to check whether the request for clearance was under an EPCG authorization and also to check the information relating to the age of the imported items, and then place the case before PRC.

Case No.13. M/s. Essar Project (I) Limited, Mumbai
F.No/1. 01/89/180/AM08/EFGC(PC-2)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for import of 10-nos of Left Hand Drive Dump Truck/EFGC(PC-2)

The Committee noted that the vehicles requested for clearance are for mining purpose under an EPCG authorization and vehicles for such purpose were not covered as per the Policy Circular NO. 48 dt. 19.12.2008 for imports under EPCG. The Committee therefore decided that Addl. DG (VKG) may examine this aspect and also that age of the imported goods may be called for/checked and with both of the above information the case be then placed before PRC.

Case No. 14 M/s Precision Cars India Private Ltd.
F.No. 01/89/180/05/AM-12/PC-2(A)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Relaxation of ILN 7 for import of 13 Nos. Porsche Cayenne S Hybrid Cars (Petrol/Electrical).

The Committee considered the case as per agenda and after deliberations on the request of the applicant company it was decided to relax the ILN 7 conditions for the subject import of 13 Nos. Porsche Cayenne S Hybrid Cars (Petrol/Electrical).

Case No.15. M/s. L & T Limited Mumbai
F.No. 01/60/162/468/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension against Advance Authorization No. 0310459450 dt. 29.1.2008

The Committee noted that the firm have made less than 50% exports during the valid EOP and, therefore, decided to reject the case on account of low exports made quantity wise in the valid EOP.

Case No.16. M/s. PME Power Solutions India Limited N. Delhi
F.No. 01/60/162/323/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for issuance of No-bond/EODC of Advance Authorization No. 0510243225 dt. 8.6.2009

The committee noted the request and decided that in case substantive evidence to correlate the exports made like E.Com number, ARE-3 details etc. was available then RA could in light of such substantive evidence could correlate the exports made and take further necessary action for regularization as per the FTP provisions.

Case No.17. M/s. Ajanta Pharma Limited Mumbai
F.No. 01/60/162/1577/AM11/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of the Advance Authorization No. 0310282458 dt. 22.7.2004

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.18. M/s. Indoco remides Limited Mumbai
F.No. 01/60/162/1702/AM11/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. 0310377691 dt. 26.4.2006

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 1^{st} 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.19. M/s. Jhagadia Copper Limited Gujarat
F.No. 01/60/162/237/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of Annual Advance Authorization No. 3410020335 dt. 13.12.2007.

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.20. M/s. Gujarat Narmada valley Fertilizers Col Limited Gujarat
F.No. 01/60/162/257/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of Advance Authorization No. 3410022287 11.9.2008.

The committee decided that the case be examined in consultation with Norms Committee to verify if the imports items were the same after fixation of norms or were different. The case be again placed before PRC with these detailss.

Case No. 21 M/s Jaypee Sports International Ltd.
F.No. 01/89/180/12/AM-12/PC-2(A)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Holding of Formula 1 Grand Prix Motor Racing Events in India at Jaypee (Baddh) International Circuit, Greater Noida from 28th October 2011 to 30th October 2011; exemption under Foreign Trade Policy for import of goods thereof.

The Committee considered the case as per agenda and after deliberations on the requests of the applicant company decided as under:

1) For Second Hand Cars and Parts/Accessories thereof, it was decided to relax the following conditions:
    a. Import Licensing Note 1 of Chapter 87 of the ITC (HS) Classifications of Export and Import Items.
    b. Import Licensing Note 2(I) of Chapter 87 of the ITC (HS) Classifications of Export and Import Items.
    c. Import Licensing Note 2(II) (a) to (d) of Chapter 87 of the ITC (HS) Classifications of Export and Import Items.

The above relaxation would be with the condition of re-export (without any need for realization of foreign exchange on such re-export as this re-export would not amount to sale of goods). Applicant shall be required to submit a detailed report within 90 days of the completion of the event.

2) For Food Articles and other consumable Items, it was decided that relaxation under Para 2.2 to grant the exemption from domestic laws is not possible to grant. Applicant may approach relevant departments/ministries and seek appropriate specific exemption.

Case No.22. M/s. Asha Pens Color Pvt. Limited Mumbai
F.No. 01/60/162/284/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of Advance Authorization No. 03100453631 dt. 11.12.2007.

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. Umedica Laboratories Pvt. Limited Mumbai
F.No. 01/60/162/412/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for grant of EOP extension of advance authorization no. 0310452008 dt. 29.11.2007.

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.24. M/s. Eastman Auto & Power Limited Gurgaon
F.No. 01/60/162/471/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension against Advance Authorization No. 0510226326 dt. 27.8.2008

The Committee noted that the firm have made less than 50% exports during the valid EOP and, therefore, decided to reject the case on account of low exports made quantity wise in the valid EOP.

Case No.25. M/s. Ratnaveer Stainless Products Pvt Limited Vadodara
F.No. 01/60/162/350/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of advance authorization no. 3410012190 dt. 15.12.2004.

The Committee decided to grant extension for about 1 month i.e. upto 23.1.2007 beyond the permitted 24 months for the purpose of regularization and closure, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond the permissible export obligation period of 24 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.26. M/s. India Glycols Limited U.P.
F.No. 01/60/162/469/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of Advance Authorization No. 0510227807 dt. 19.9.2008

The committee noted that the time available with the firm was sufficient to undertake imports. Since no cogent and justified reasons establishing genuine hardship have been provided by the firm, PRC rejected the request.

Case No.27. M/s. Steelco Gujarat limited Gujarat
F.No. 01/60/162/475/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of Advance Authorization No. 3410021407 dt. 15.5.2008.
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.28. M/s. Associated Cables Pvt Limited Mumbai
F.No. 01/60/162/474/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of advance license no. 0310489754 dt. 1010.2008.

The Committee noted the request of the firm and decided to reject as the reasons cited can at best to be considered commercial risk and do not establish genuine hardship warranting relaxation.

Case No.29. M/s. Aarti Drug Limited Mumbai

F.No. 01/60/162/477/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. 0310505929 dt. 6.2.2009.

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.30. M/s. Snam Abrasives Pvt Limite
F.No. 01/02/39/AM-12/EDI
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request advance license for export, while applying for the licence, inadvertently the button of ARO was clicked.

The committee decided that the exports made against the E-com number of the application may be considered against an advance authorization which may be issued itself after canceling the advance release order either in the existing e-com application or by granting another advance authorization filed that with a fee of Rs. 200/- and thereafter transferring the exports already done on this authorization. RA may choose the option is technically feasible.

Case No.31. M/s. Grauer & Well India Limited Mumbai
F.No. 01/60/162/462/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of advance license no. 0310423887 dt. 21.3.2007.

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.32. M/s. Euro Oswal Cables Pvt Limited Jaipur
F.No. 01/60/162/486/AM12/EFGC(PRC)

PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of Advance Authorization No. 1310027702 dt. 29.12.2008.

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.33. M/s. Pankaj Extrusion Limited Vadodar
F.No. 01/60/162/437/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. 0310326732 dt. 20.4.2005, 0310329778 dt. 12.5.2005, 0310331687 dt. 26.5.2005, 0310341461 dt. 4.8.2005, 0310423541 dt. 16.3.2007.

The Committee rejected the request of the firm as there is no merit for consideration as the authorizations are too old. It was decided that the cases may be finalized as per the provisions of the FTP.

Case No.34. M/s. Alps Industries Limited Gaziabad
F.No. 01/60/162/1641/AM11/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. 0510208751 dt. 10.9.2007 and 0510210285 dt. 10.10.2007.

The Committee decided to grant extension for 6 months upto 8.9.2011 and 27.7.2011 in respect of AA no. 0510208751 dt. 10.9.2007 and AA no. 0510210285 dt. 10.10.2007 respectively 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. Emami Limited Kolkata
F.No. 01/60/162/71/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of Advance Authorization No. 0210106153 dt. 19.11.2007

The Committee noted that the firm's exports are less than 50% of the stipulated EO on the authorisation. The rationale of considering 50% on a pro-rata basis was not agreed to and the case was accordingly rejected.

Case No.36. M/s. Jumbo Bag Limited Chennai

F.No. 01/60/162/282/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation & clubbing of advance license no. 0410081764 dt. 30.5.2006 and 0410095711 dt. 8.5.2008

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.37. M/s. Bulpack Exports Limited Indore
F.No. 01/60/162/473/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of advance license no. 1110018397 dt. 12.9.2008.

The Committee noted the request of the firm and decided to reject as the reasons cited are only commercial risk and do not establish genuine hardship warranting relaxation.

Case No.38. M/s. Micro Labs Limited Bangalore
F.No. 01/60/162/431/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for clubbing of two advance license no. 0710053529 dt. 26.9.2007 and 0710065813 dt. 7.7.2009.

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.39. M/s. Grauer & Well India Limited Mumbai
F.No. 01/60/162/472/AM12/EFGC(PRC)

PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of 5 advance license no. 0310406297 dt. 27.9.2006, 0310414636 dt. 5.1.2007, 0310498340 dt. 17.12.2008, 0310424058 dt. 22.3.2007 and 0310423900 dt. 21.3.2007.

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.40. M/s. Kitex Garments Limited Kerala
F.No. 01/60/162/288/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- EOP extension of advance authorization no. 1010028968 dt. 29.2.2008.

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.41. M/s. Rushi Exports Surat
F.No. 01/60/162/382/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for 3 DFIAs no. 5210024030 dt. 30.7.2008, 5210023988 dt. 24.7.2008 and 5210024173 dt. 27.7.2008.

The committee though sympathetically noted the reasons stated by the firm but observed that these reasons could not be construed as genuine hardship for the purpose of policy relaxation under para 2.5 of FTP.

Case No.42. M/s. Multitex Filtration Engineers N. Delhi
F.No. 01/60/162/1179/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation/EOP extension of advance license no. 0510208252 dt. 29.8.2007.

The committee noted the request and directed that firm should provide substantive evidence of delay by Customs. The case with such details may then be placed before PRC.

Case No.43. M/s. Super spinning Mills Limited
F.No. 01/60/162/434/AM12/EFGC(PRC)

PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of advance license no. 3210037113 dt. 28.1.2008.

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.44. M/s. Indoco remedies Limited Mumbai
F.No. 01/60/162/1704/AM11/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of advance license no. 0310439353 dt. 13.8.2007.

The Committee decided to extend EOP against the aforesaid advance authorization for 4 months i.e. total 10 months from the date of first import 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 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.45. M/s. S.L.N. Coffee Pvt Limited Karnataka
F.No. 01/60/162/476/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of Advance Authorization No. 0710058060 dt. 23.6.2008.

The Committee noted the request of the firm and decided to reject as the reasons cited are only commercial risk and do not establish genuine hardship warranting relaxation.

Case No.46. M/s. Prabhu Polycolor Pvt Limited Kolkata
F.No. 01/60/162/433/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of advance license no. 0210112600 dt. 21.5.2008.

The committee noted that the time available with the firm was sufficient to undertake imports. However, no cogent and justified reasons establishing genuine hardship have been provided by the firm. Hence rejected the request.

Case No.47. Ask Automotive P. Limited Gurgaon
F.No. 01/60/162/1773/AM11/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for clubbing of advance license no. 0510190084 dt. 1.9.2006 and 0510196038 dt. 1.12.2006.

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.48. M/s. Avenits Pharma Mumbai
F.No. 01/60/162/583/AM10/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of advance license no. 0310406387 dt. 2.11.2006.

Deferred for getting full additional facts regarding the request which is stated to be clubbing. After details of the licences purposed to be clubbed are mentioned, case may then be placed before PRC.

Case No.49. M/s. Kopran Limited Mumbai
F.No. 01/60/162/1087/AM11/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for EOP extension of advance license no. 0310526509 dt. 30.6.2009.

The Committee noted that the firm have made a request for EOP extension of above mentioned Advance Authorization after expiry of almost one year. The Committee noted that such PC-9 authorization has only a short EOP and rejected the request of the firm as such a long extension has not feasible and reasons cannot be construed as a genuine hardship for EOP extension. It was decided that RA may take necessary action in accordance with the Policy Circular no. 18 dt.30.10.2007 and other appropriate FTP provisions.

Case No.50. M/s. SRF Technical Textiles
F.No. 01/60/162/1967/AM11/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for revalidation of advance license no. 0410091991 dt. 7.11.2007.

The committee noted that the time available with the firm was sufficient to undertake imports. Since no cogent and justified reasons establishing genuine hardship have been provided by the firm, the committee rejected the request.

Case No.51. M/s. Fourrts India Laboratories Pvt. Limited Chennai
F.No. 01/60/162/1571/AM11/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject: Clubbing of 3 advance authorization nos.
i. 0410091111 dt. 19.09.2007
ii. 0410089277 dt. 03.05.207
iii. 0410087265 dt. 01.02.2007

Deferred.

Case No.52. M/s. Visaka Industries Limited Secunderabad
F.No. 01/60/162/185/AM12/EFGC(PRC)
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- DEPB license expired due to non transmission of date from DGFT to JNPT customs

Deferred

Case No.53. M/s. Meenakshi Associate4s Pvt Limited Noida
F.No. 01/94/180/716/AM10/PC-4
PRC Meeting No. 23/AM12 dated: 20.09.2011
Subject:- Request for redemption of advance license no. 0091505 dt. 24.2.1998.

Deferred