

Minutes of the Policy Relaxation Committee

Meeting no. 25/AM14 held on 15.10.2013 at 11.30 A.M.

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

1.	Shri V.K. Srivastava	Addl. DGFT
3.	Shri L.B. Singhal	Addl. DGFT
4.	Shri K.C. Rout	Addl. DGFT
5.	Shri Jaikant Singh	Addl. DGFT
6.	Shri S.K. Samal	Jt. DGFT
7.	Shri A.K. Srivastava	Jt. DGFT
8.	Shri Jay Karan Singh	Jt. DGFT
9.	Shri Hardeep Singh	Jt.DGFT
10.	Shri Akash Taneja	Jt. DGFT
11.	Smt. Sonika Khattar	FTDO

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

Case No.1. M/s Danopharm Chemicals Pvt. Ltd, Mumbai.

F.No. 01/60/162/552/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310697170 dated 01.06.2012 issued under PC-9 condition.

The Committee decided the following:

- I. Export obligation period is extended upto 31.12.2013.
- II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- III. The applicant is advised to submit the authorization for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of these minutes without waiting for the endorsement is done on the Authorization.

(Action: Mumbai/ applicant)

Case No.2. M/s Lok-Beta Pharmaceuticals (I) Pvt. Ltd, Mumbai.

F.No. 01/60/162/555/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension and relaxation of PC-18 condition for Advance Authorization No. 0310554733 dated 12.01.2010.

The Committee decided the following:

- I. Export obligation period is extended from 12 months to 18 months i.e. upto 31.7.2011 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 and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- IV. The applicant has to pay duty +interest on inputs consumed and exported after 18 months from date of first import.
- V. PC-18 condition is waived on these exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.

(Action: RA, Mumbai)

Case No.3. M/s Frontline Exports Pvt. Ltd, Kerala.

F.No. 01/60/162/542/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 1010035578 dated 09.10.2009 and 1010036625 dated 01.01.2010 for regularization purpose.

The Committee decided the following:

- I. Export obligation period is extended upto 48 months from the date of issue of authorizations.
- II. This is only for regularization and closure purpose. DEPB shipping bill will not be counted towards fulfillment of EO under the Authorisation.
- III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
- IV. This is also subject to the condition that the case has not been adjudicated.
- V. Export made beyond 48 months shall not be accounted for.
- VI. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(Action : RA Cochin)

Case No.4. M/s Hindustan Pencils Pvt. Ltd, Mumbai.

F.No. 01/60/162/551/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310590447 dated 01.09.2010.

The Committee decided the following:

- I. Export obligation period is extended upto 30.4.2014 or 6 months from the date of endorsement whichever is earlier.
- II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- III. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50%, in proportion to import made, within original obligation period.
- IV. The applicant is advised to submit the authorization for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of these minutes without waiting for the endorsement is done on the Authorization.

(Action: Mumbai/ applicant)

Case No.5. M/s Tractor Engineers Ltd, Pune.

F.No. 01/60/162/546/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 3110032409 dated 21.01.2008.

The Committee decided the following:

- I. Export obligation period is extended upto 30.04.2011.
- II. This is only for regularization and closure purpose.
- III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
- IV. Export made beyond 30.04.2011 months shall not be accounted for.
- V. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(Action : RA Pune)

Case No.6. M/s Neutron Impex Pvt. Ltd, Mumbai.

F.No. 01/60/162/549/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310572102 dated 29.04.2010.

The Committee decided the following:

- I. Export obligation period is extended upto 30.4.2014 or 6 months from the date of endorsement whichever is earlier.
- II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- III. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50%, in proportion to import made, within original obligation period.
- IV. The applicant is advised to submit the authorization for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of these minutes without waiting for the endorsement is done on the Authorization.

(Action: Mumbai/ applicant)

Case No.7. M/s Shri Govindaraja Mills Limited, Aruppukottai, Tamil Nadu.

F.No. 01/94/180/00089/AM14/PC-4(B)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request to reinstate DEPB No. 3510036343 dated 25.11.2011 issued by RA, Madurai in terms of Public Notice No. 67 dated 04.08.2011.

Deferred for seeking RA's inputs with regard to the documents submitted by the firm that goods were handed over before 4.8.2011.

(Action : RA, Madurai)

Case No.8. M/s G.R. Corporation, Kanpur.

F.No. 01/60/162/548/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of Advance Authorization No. 0610019649 dated 09.11.2010.

No ground of genuine hardship has been given by the applicant. Hence, the request is rejected.

Case No.9. M/s Mittal Appliances Ltd, Indore.

F.No. 01/60/162/550/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of Advance Authorization No. 1110023701 dated 08.12.2010.

Deferred for seeking RA's report on circumstances under which authorization was amended after the expiry of the validity of authorization. Report from EO also need to be taken.

(Action : RA, Bhopal/EDI)

Case No.10. M/s Nitrex Chemicals India Limited, New Delhi.

F.No. 01/60/162/187/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of Advance Authorization No. 0510275507 dated 22.10.2010 upto 31.03.2014.

The committee did not agree with the reasons and justification given by the applicant that there had been a sharp downfall in the rupee as the authorization was issued in 2010 and downfall in rupee is a subsequent event. The request is rejected.

Case No.11. M/s Micro Precision Products (P) Ltd, Faridabad.

F.No. 01/60/162/493/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of DEPB Authorization No. 0510299641 dated 17.08.2011.

Case was deferred. A report on this error need to be taken from EDI.

(Action : RA, CLA New Delhi)

Case No.12. M/s Kalp Impex, Jalgaon.

F.No. 01/60/162/550/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of DFIA Authorization No. 0310558565 dated 04.02.2010.

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

Case No.13. M/s Kalp Impex, Jalgaon.

F.No. 01/60/162/553/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of DFIA Authorization No. 0310578503 dated 11.06.2010.

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

Case No.14. M/s Magsons Exports, New Delhi.

F.No. 01/60/162/398/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for clubbing of Advance Authorization No. 0510150498 dated 07.02.2005 with Annual Advance Authorization No. 0510202458 dated 12.04.2007.

The Committee decided the following:

- I. Extension in EOP is not allowed.
- II. However, Clubbing of the 2 advance authorizations as referred above is allowed.
- III. This is only for regularization and closure purpose and not for any further exports/imports. Exports which are affected within 48 months of date of earliest authorization shall only be taken into account for clubbing purpose.
- IV. Exports made within 48 months from the date of first authorization is allowed subject to payment of composition fee @ 0.5% on FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
- V. Even after clubbing, shortfall if any may be regularised on payment of Customs Duty + Interest in terms of Para 4.28 of H.B.P.

(Action: RA, CLA, New Delhi)

Case No.15. M/s Escort Heart Institute & Research Centre Ltd, New Delhi.

F.No. 01/60/162/400/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request of 3 duplicate DFCE Authorization Nos. 0510289245 dated 02.05.2011 issued in lieu of 0510245536 dated 10.07.2009, 0510289251 dated 02.05.2011 issued in lieu of 0510245535 dated 10.07.2009 & 0510289243 dated 02.05.2011 issued in lieu of 0510250323 dated 16.10.2009.

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

Case No.16. M/s Fresenius Kabi Oncology Limited, New Delhi.

F.No. 01/60/162/231/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for waiver in compliance to rules laid down under PC-18 dated 30.10.2007 in respect of Advance Authorization No. 0510260693 dated 18.03.2010.

Committee decided that shortfall in fulfillment of stipulated export obligation against above referred Authorizations be regularized subject to the condition that:

- I. Duty + Interest on unutilised imported goods is to be paid to the Customs Authority.
- II. Composition fee @ 1% on unfulfilled FOB value of stipulated export obligation is paid to RA.
- III. PC-18 condition stands waived.

(Action : RA, CLA New Delhi)

Case No.17. M/s Synthiko Foils Ltd, Mumbai.

F.No. 01/60/162/1042/AM13/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310557428 dated 28.01.2010 for regularization purpose.

The Committee decided the following:

- I. Export obligation period is extended upto 31.03.2011.
- II. This is only for regularization and closure purpose.
- III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
- IV. Export made beyond 31.03.2013 months shall not be accounted for.
- V. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(Action : RA Mumbai)

Case No.18. M/s Super Olefins Pvt. Ltd, Hyderabad.

F.No. 01/60/162/1790/AM11/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of DFIA Authorization No. 0910034426 dated 26.06.2008.

The committee noted that document for revalidation were submitted by applicant only in the last month of validity of DFIA. Also documents were deficient hence deficiency letter was issued by the RA. The applicant had two years time to import but he did not. The request is rejected.

Case No.19. M/s Grover Vineyard Ltd, Bangalore.

F.No. 01/60/162/569/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0710074620 dated 05.10.2010.

The Committee decided the following:

- I. Export obligation period is extended upto 30.4.2014 or 6 months from the date of endorsement whichever is earlier.
- II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- III. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50%, in proportion to import made, within original obligation period.
- IV. The applicant is advised to submit the authorization for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of these minutes without waiting for the endorsement is done on the Authorization.

(Action: Bangalore/ applicant)

Case No.20. M/s Danopharm Chemicals Pvt. Ltd, Mumbai.

F.No. 01/60/162/557/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310584570 dated 22.07.2010.

The Committee decided the following:

- I. Export obligation period is extended upto 30.4.2014 or 6 months from the date of endorsement whichever is earlier.

- II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- III. This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50%, in proportion to import made, within original obligation period.
- IV. The applicant is advised to submit the authorization for endorsement to RA as early as possible. They are further advised to start discharging their stipulated balance export obligation on the basis of these minutes without waiting for the endorsement is done on the Authorization.

(Action: Mumbai/ applicant)

Case No.21. M/s Vardhman Exports, Mumbai.

F.No. 01/60/162/564/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310493825 dated 11.11.2008 issued under PC-9 condition for regularization of two S/bills.

The Committee decided the following:

- I. Export obligation period is extended upto 31.08.2009.
- II. This is only for regularization and closure purpose.
- III. This is subject to a payment of composition fee @ 0.5% of FOB value of export made outside the original EOP and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
- IV. This is also subject to the condition that the case has not been adjudicated.
- V. Export made beyond 31.08.2009 months shall not be accounted for.
- VI. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(Action : RA Mumbai)

Case No.22. M/s Gadre Marine Exports Pvt. Ltd, Ratnagiri.

F.No. 01/60/162/568/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310563862 dated 10.03.2010 for regularization purpose.

The Committee decided the following:

- I. Export obligation period is extended upto 30.09.2013.
- 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. Export made beyond 30.09.2013 months shall not be accounted for.
- V. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(Action : RA Mumbai)

Case No.23. M/s Lok-Beta Pharmaceuticals (I) Pvt. Ltd, Mumbai.

F.No. 01/60/162/563/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310525292 dated 22.06.2009.

The Committee decided the following:

- I. Export obligation period is extended from 6 months to 12 months i.e. upto 31.7.2010 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 and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- IV. The applicant has to pay duty +interest on inputs consumed and exported after 12 months from date of first import.
- V. PC-18 condition is waived on these exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.

(Action: RA, Mumbai)

Case No.24. M/s Lok-Beta Pharmaceuticals (I) Pvt. Ltd, Mumbai.

F.No. 01/60/162/558 /AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for EOP extension and relaxation of PC-18 condition for Advance Authorization No. 0310564587 dated 12.03.2010.

The Committee decided the following:

- I. Export obligation period is extended from 12 months to 18 months i.e. upto 30.9.2011 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 and minimum value addition of 15% as prescribed under Para 4.1.6 of FTP.
- IV. The applicant has to pay duty +interest on inputs consumed and exported after 18 months from date of first import.
- V. PC-18 condition is waived on these exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.

(Action: RA, Mumbai)

Case No.25. M/s Man Industries (India) Ltd, Mumbai.

F.No. 01/94/180/441/AM12/PC4/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for regularization of 4 Advance Authorizations no. i) 0310488412 dt. 30.9.2008 (ii) 0310489400 dt. 7.10.2008 (iii) 0310393982 dt. 12.11.2008 and (iv) 0310494876 dt. 20.11.2008 with Negative Value Addition to be clubbed with 5 Authorizations no. 0301427458 dt. 20.4.2007, 0310435576 dt. 10.7.2007, 0310435544 dt. 10.7.2007, 0310453939 dt. 13.12.2007 and 0310502832 dt. 19.1.2009 having excess value addition.

The Committee reiterated its earlier stand of PRC meeting no. 43/AM13 dt. 19.03.2013. Committee rejected the request of the firm to club the 4 Advance Authorizations considered in earlier meeting with the 5 authorizations as mentioned above as the same have been redeemed.

Case No.26. M/s Tonira Pharma Ltd, Vadodara.

F.No. 01/60/162/556/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for closure of Advance Authorization No. 3410027520 dated 16.07.2010 issued under PC-9 condition without destruction certificate waiver of PC-18.

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 has also paid duty + interest on excess consumption.

(Action : RA, Vadodara)

Case No.27. M/s Wam India Pvt. Ltd, Thane, Mumbai.

F.No. 01/60/162/567/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of Advance Authorization No. 0310593766 dated 24.09.2010.

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

Case No.28. M/s J.J. Plastalloy Pvt. Ltd, Varanasi.

F.No. 01/60/162/565/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of Advance Authorization No. 1510012640 dated 14.03.2011.

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

Case No.29. M/s Dalas Biotech Ltd, Alwar.

F.No. 01/60/162/566/AM14/EFGC (PRC)

PRC Meeting No. 25/AM14 dated 15.10.2013

Subject: - Request for revalidation of Advance Authorization No. 0510273409 dated 23.09.2010.

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

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