

Minutes of the Policy Relaxation Committee

Meeting no. 29/AM14 held on 19.11.2013 at 12.30 P.M.

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

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| 1. | Shri D. K. Singh | Addl. DGFT |
| 2. | Shri V.K. Srivastava | Addl. DGFT |
| 3. | Shri L.B. Singhal | Addl. DGFT |
| 4. | Shri Jaikant Singh | Addl. DGFT |
| 5. | Shri Jay Karan Singh | Jt. DGFT |
| 6. | Shri Hardeep Singh | Jt. DGFT |
| 7. | Shri AkashTaneja | Jt. DGFT |
| 8. | Shri S.K. Samal | Jt. DGFT |
| 9. | Shri S.K. Mohapatra | Dy. DGFT |
| 10. | Smt. Sonika Khattar | FTDO |

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

Case No.1.M/s Timken India Ltd, Jamshedpur

F.No. 01/60/162/649/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0210115981 dated 11.08.2008.

The committee noted that the authorization was issued in 2008. The firm is seeking EOP extension as there is shortfall in EO due to re-ratification of norms by Norms Committee after expiry of the authorization. The committee is of the view that the shortfall in EO can not be attributed to the norms committee because the shortfall in EO is due to the fact that the firm has made irrational imports and not because of late fixation of norms. The committee decided to reject the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP, within a month or may avail the benefits under Public Notice no. 22 dt. 12.8.2013.

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

Case No. 2.M/s Timken India Ltd, Jamshedpur

F.No. 01/60/162/657/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0210125626 dated 17.04.2009.

The committee noted that the authorization was issued in 2008. The firm is seeking EOP extension as there is shortfall in EO due to re-ratification of norms by Norms Committee after expiry of the authorization. The committee is of the view that the shortfall in EO can not be attributed to the norms committee because the shortfall in EO is due to the fact that the firm has made irrational imports and not because of late fixation of norms. The committee decided to reject the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP, within a month or may avail the benefits under Public Notice no. 22 dt. 12.8.2013.

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

Case No. 3.M/s Timken India Ltd, Jamshedpur

F.No. 01/60/162/658/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0210118052 dated 26.09.2008.

The committee noted that the authorization was issued in 2008. The firm is seeking EOP extension as there is shortfall in EO due to re-ratification of norms by Norms Committee after expiry of the authorization. The committee is of the view that the shortfall in EO can not be attributed to the norms committee because the shortfall in EO is due to the fact that the firm has made irrational imports and not because of late fixation of norms. The committee decided to reject the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP, within a month or may avail the benefits under Public Notice no. 22 dt. 12.8.2013.

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

Case No. 4.M/s Timken India Ltd, Jamshedpur

F.No. 01/60/162/659/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0210104654 dated 28.09.2007.

The committee noted that the authorization was issued in 2008. The firm is seeking EOP extension as there is shortfall in EO due to re-ratification of norms by Norms Committee after expiry of the authorization. The committee is of the view that the shortfall in EO can not be attributed to the norms committee because the shortfall in EO is due to the fact that the firm has made irrational imports and not because of late fixation of norms. The committee decided to reject the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP, within a month or may avail the benefits under Public Notice no. 22 dt. 12.8.2013.

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

Case No. 5.M/s Timken India Ltd, Jamshedpur

F.No. 01/60/162/660/AM14/EFGC (PRC)

F.No. 01/60/162/660/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0210119722 dated 17.11.2008.

The committee noted that the authorization was issued in 2008. The firm is seeking EOP extension as there is shortfall in EO due to re-ratification of norms by Norms Committee after expiry of the authorization. The committee is of the view that the shortfall in EO can not be attributed to the norms committee because the shortfall in EO is due to the fact that the firm has made irrational imports and not because of late fixation of norms. The committee decided to reject the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP, within a month or may avail the benefits under Public Notice no. 22 dt. 12.8.2013.

(Action: RA Kolkata- If the party fails to get the case regularized in terms of Para 4.28 of HBP or PN-22 within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report).

Case No. 6. M/s Timken India Ltd, Jamshedpur

F.No. 01/60/162/661/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0210141982 dated 11.05.2010.

The Committee decided the following:

- I. Export obligation period is extended upto 31.05.2014 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: Kolkata/ applicant)

Case No. 7. M/s Gadre Marine Exports Pvt. Ltd., Ratnagiri

F.No. 01/60/162/580/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0310556121 dated 20.01.2010 for regularization purpose

Subject: - Request for EOP extension of Advance Authorization no. 0310550121 dated 20.01.2010 for regularization purpose.

The Committee decided the following:

- I. Export obligation period is extended upto 30.9.2013.
- II. This is only for regularization of exports already effected 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.

(Action: RA, Mumbai)

Case No. 8. M/s Gadre Marine Exports Pvt. Ltd., Ratnagiri

F.No. 01/60/162/616/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0310555989 dated 19.01.2010 for regularization purpose.

The committee noted that no considerable exports, which form merit of the case, have been made by the firm within the original export obligation period, hence the request is rejected. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP, within a month or may avail the benefit of Public Notice no. 22 dt. 12.8.2013.

(Action: RA Mumbai- If the party fails to get the case regularized in terms of Para 4.28 of HBP or PN- 22 within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT (D&R) Act. 1992 and submit an Action Taken Report).

Case No. 9. M/s Gadre Marine Exports Pvt. Ltd., Ratnagiri

F.No. 01/60/162/622/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0310555987 dated 19.01.2010 for regularization purpose.

The Committee decided the following:

- I. Export obligation period is extended upto 31.7.2013.
- II. This is only for regularization of exports already effected 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.

(Action: RA, Mumbai)

Case No. 10. M/s Arihantanam Organics, Mumbai.

F.No. 01/60/162/644/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0310451681 dated 27.11.2007 issued under PC-9 condition.

The committee noted that the firm had made exports prior to the date of first import against the Advance Authorization issued under Policy Circular No. 9 dt. 30.6.2003, which was not in consonance with the pre-import conditions. Hence the supplies made during the period from 9.10.2007 to 15.10.2007 cannot be taken into account for discharge of export obligation under the Advance Authorization. The request is rejected. The applicant is advised to get the case regularized in terms of para 4.28 of HBP or may avail the benefit of Public Notice no. 22 dt. 12.8.2013.

(Action : RA, Mumbai; If the party fails to get the case regularised in terms of Para 4.28 of HBP or PN-22 within a month from the date of communication of this decision, RA shall take action against the firm under the provision of FT(D&R) Act. 1992 and report)

Case No. 11. M/s DSM Sinochem Pharmaceuticals Pvt. Ltd..

F.No. 01/60/162/643/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for clubbing of 4 Advance Authorization nos. 2210010173 dated 09.07.2010, 2210010163 dated 09.07.2010, 2210010927 dated 31.01.2011 & 2210013761 dated 28.03.2013.

The committee noted that the firm has made nil import in the earliest authorization and exported the resultant product more than 150%. In the last authorization dated 28.3.2013, the firm has made 100% import without discharging any export. Revalidation of Authorization beyond 30 months is normally not considered by PRC. It appears that Authorization dated 28.3.2013 has been obtained for importing goods which is not allowed under expired Authorization with intent to get it clubbed with Authorization where imports could not have been made within validity of the Authorization. The Committee is of the view that this is an attempt of getting indirect revalidation of expired Authorization. The Committee therefore did not accede to the request.

Case No. 12. M/s Varrsana Ispat Limited, Kolkata.

F.No. 01/60/162/645/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0510272605 dated 10.09.2010.

The Committee decided the following:

- I. Export obligation period is extended upto 31.5.2014 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

- 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: RA CLA, New Delhi/ applicant)

Case No. 13. M/s Arun International, Delhi.

F.No. 01/60/162/680/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for revalidation of DFIA Authorization no. 0510293179 dated 13.06.2011.

Justification and reasons cited by the applicant are not convincing to the committee hence the request is rejected

Case No. 14. M/s Future Option Exports Pvt. Ltd, New Delhi.

F.No. 01/60/162/671/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0510004767 dated 24.06.1999 for regularization purpose.

The Committee decided the following:

- I. Export obligation period is extended upto 31.08.2002.
- II. This is only for regularization of exports already effected 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.

(Action: RA, CLA, New Delhi)

Case No. 15. M/s Naxpar Lab Pvt. Ltd, Mumbai..

F.No. 01/60/162/639/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension & waiver from destruction certificate for the purpose of redemption of Advance Authorization No.

0310481525 dated 06.08.2008 issued under PC-9 condition.

The Committee decided as following:

- I. Export obligation period is extended upto 31.5.2009.
- II. This is only for regularization of exports already effected 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 under DEPB s/bills.
- V. PC-18 condition is waived on 144.93 kg exports made under DEPB s/bills to the extent of requirement of re-export/destruction certificate provided the DEPB s/bills were made after imports under advance authorization in question.

(Action: RA, Mumbai)

Case No. 16. M/s FDC Ltd, Mumbai.

F.No. 01/60/162/662/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310706515 dated 27.08.2012 issued under PC-9 condition.

The Committee decided the following:

- I. Export obligation period is extended upto 31.3.2014 in continuation from the date of first import consignment.
- II. This is subject to payment of composition fee @ 0.5% on unfulfilled FOB value of exports and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.
- III. The applicant is advised to submit the 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. 17.M/s Larsen & Toubro Ltd, Mumbai.

F.No. 01/60/162/897/AM13/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0310554906 dated 12.01.2010.

In light of the reason/ justification given the firm which is unusual for non fulfillment of EO in the extended period, the Committee reviewed its earlier decision taken in PRC meeting no. 39/AM13 dt. 12.2.2013, being an unusual case where advance payment has been received, 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.
- IV. No request for further extension shall be considered.

(Action: Mumbai/ applicant)

Case No. 18. M/s Superfil Products Ltd..

F.No. 01/60/162/673/AM14/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0410118146 dated 19.10.2010.

The Committee decided the following:

- I. Export obligation period is extended upto 31.5.2014 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: RA Chennai/ applicant)

Case No. 19.M/s Imperial Readymade Garments Factory India Pvt. Ltd.

F.No. 01/60/162/838/AM13/EFGC (PRC)

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - Request for EOP extension of Advance Authorization no. 0410100155 dated 17.11.2009 for regularization purpose

Subject: - Request for EOP extension or Advance Authorization no. 0410109455 dated 17.11.2009 for regularization purpose.

The Committee decided as following:

- I. Export obligation period is extended upto 31.10.2013.
- II. This is only for regularization of exports already effected 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.

(Action: RA, Chennai)

Case No.20. Reference received from Norms Committees.

F.No.

PRC Meeting No. 29/AM14 dated 19.11.2013

Subject: - PRC condoned delay in filing representation beyond 4 months for consideration by NC-I in following cases.

S.No.	Name of the firm	Advance Authorization No. & Date	M.No. & Date	Date of Communication of earlier decision	Representation submitted on	Present Status
1.	M/s. Bharat Heavy Electricals Ltd; Dehradun.	6110000728 Dt.,27.12.2011	27/12 Dt.20.03.2012	24.05.2012	11.03.2013	Approved (Except item, No. 217 to 219 and items No. 228, 229 and 230)
2.	M/s. Boysen India Lt., Noida .	0510275831 Dt.,27.10.2010	37/11 Dt.08.02.2011	17.03.2011	18.06.2012 and 14.09.2012	Approved

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