

THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 32/AM13 HELD ON 11.12.2012 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:

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|-------------------------------|---------------|
| 1. Shri. V.K. Srivastava | Addl. DG |
| 2. Shri Mukesh Bhatnagar | Addl.DG |
| 3. Shri Jaikant Singh | Jt. DGFT |
| 4. Shri Jaikaran Singh | Jt..DGFT |
| 5. Shri Hardeep Singh | Jt.DGFT |
| 6. Shri Ajay Kumar Srivastava | Jt. DGFT |
| 7. Shri A.K. Mishra | Stats Advisor |
| 8. Shri S.K. Mohapatra | DDG |
| 9. Smt. Sonika Khattar | FTDO |

Case No.1-4 M/s. Welspun Corp Limited, Mumbai

F.No. 01/60/162/610-613/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for revalidation of following advance authorizations no.

- i) 3410021987 dt. 31.7.2008.
- ii) 3410020882 dt. 21.2.2008.
- iii) 3410023556 dt. 20.2.2009.
- iv) 3410022344 dt. 18.9.2008.

The Committee noted that since the authorizations except appears at Sl. No.(ii) above were expired in the possession of DRI, the party could not utilize the same. It was therefore decided to allow revalidation for the period which was remaining on the authorization on the date of seizure. Accordingly, authorizations shall be revalidated as under from the date of endorsement.

- i) 3410021987 dt. 31.7.2008 - for 2 months.
- ii) 3410020882 dt. 21.2.2008 – No, as seizure date is after the expiry of validity
- iii) 3410023556 dt. 20.2.2009 – for 4 months
- iv) 3410022344 dt. 18.9.2008 – for 3 months

(Action : RA, Vadodara)

Case No.5. M/s. Parker Hannifin India Pvt Limited, Mumbai

F.No. 01/60/162/620/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for revalidation of DFIA No. 0910035031 dt. 13.8.2008.

The committee noted no cogent reasons requiring relaxation in validity is given by the firm. The Committee did not agree and rejected the request.

Case No.6. M/s. Parker Hannifin India Pvt Limited Mumbai

F.No. 01/60/162/646/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for DFIA No. 0910032968 dt. 13.2.2008.

The committee noted no cogent reasons requiring relaxation in validity is given by the firm. The Committee did not agree and rejected the request.

Case No.7. M/s. GEC Polymers Private Limited, Mumbai

F.No. 01/60/162/302/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for 2nd revalidation of advance licence no. 0310527322 dt. 6.7.2009.

The committee noted that there was no inordinate delay on the part of RA/Custom in transmitting data and did not find any merit to relax the policy hence rejected the request.

Case No.8. M/s. Nirmal Poly Plast Pvt Limited Mumbai

F.No. 01/60/162/870/AM12/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for revalidation of advance authorization no. 0310512524 dt. 20.3.2009`

Deferred for obtaining report from RA, Mumbai.

(Action RA, Mumbai/ applicant)

Case No.9. M/s. Kunj Alloys Pvt. Limited

F.No. 01/60/162/870/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for revalidation of duplicate DEPB scrip 2310002180 dt. 16.9.2009.

The committee noted that there was no inordinate delay on the part of RA and therefore no merit to relax the policy. Hence rejected the request.

Case No.10. M/s. BDH Industries Limited Mumbai

F.No. 01/60/162/494/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for EOP extension to regularize the export done for closure against advance authorization no. 0310246318 dt. 8.1.2004.

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 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 this exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.

(Action : RA, Mumbai)

Case No.11. M/s. Vishnu Chemicals Limited, Hyderabad

F.No. 01/60/162/644/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for EOP extension of advance authorization no. 0910038808 dt. 5.8.2009.

The committee noted that no considerable exports have been made by the firm within the original period, hence the committee did not agree with the request. Request is rejected.

Case No.12 to 23. M/s. Kumari Overseas Pvt Limited, Bangalore

F.No. 01/60/162/627, 629-634, 636-640 /AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for EOP extension of the following advance authorizations

- i) 0710066806 dt. 03.09.2009
- ii) 0710066049 dt. 20.07.2009.
- iii) 0710066050 dt. 20.07.2009.
- iv) 0710066070 dt. 21.07.2009.
- v) 0710066048 dt. 20.07.2009.
- vi) 0710067255 dt. 20.09.2009.
- vii) 0710066955 dt. 15.09.2009.
- viii) 0710066047 dt. 20.07.2009.
- ix) 0710066804 dt. 03.09.2009.
- x) 0710066953 dt. 15.09.2009.
- xi) 0710067434 dt. 07.10.2009.
- xii) 0710066045 dt. 20.07.2009.

The committee noted that the firm has not made any exports under the above Advance Authorizations. The Committee further noted that no cogent reason has been cited evidencing genuine hardship as to why no exports could be made within stipulated period. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation. Thus, request is rejected.

(Action : RA, Bangalore; If the party fails to get the case regularised 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

Case No.24. M/s. Alstom Projects India Limited Mumbai

F.No. 01/60/162/391/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for clubbing of advance authorization no. 0310567657 dt. 31.3.2010 & 0310580285 dt. 23.6.2010.

Deferred for obtaining report from RA, Mumbai.

(Action RA, Mumbai/ applicant)

Case No.25. M/s. Maithan Alloys Limited Kolkata

F.No. 01/60/162/492/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for clubbing of two advance authorization no. 0210115838 dt. 7.8.2008 & 0210116707 dt. 29.8.2008.

Under DFIA scheme, authorization or material imported is freely transferable after fulfillment of stipulated export obligation. Hence clubbing facility is not allowed under the scheme. Therefore the committee rejected the request for clubbing of DFIA's.

(Action : RA, Kolkata. The party may be asked to get the case regularised within a month period from the date of communication of this decision. In case of failure, necessary action under the provision of FT(D&R) Act, 1992 shall be initiated.)

Case No.26. M/s. Hewlett Packard India Sales P. Limited, Bangalore

F.No. 01/53/8/26/AM-10/H-29/IC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Grant of 2nd revalidation of import licences No. 0750000502 dt. 1.6.2010.

The committee considered the request and granted ex-post-facto approval of grant of 2nd revalidation of import licences No. 0750000502 dt. 1.6.2010.

{{Action : Jt. DG(HS)}}

Case No.27. M/s. Distant Frontiers, Gurgaon

F.No. 01/89/180/47/AM13/PC-2(A

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for permission for Vintage Cars Travelling & Exhibition.

The committee considered the request and agreed to import of vintage cars for exhibition purpose subject to condition that the cars so imported must be re- exported within a month period from the date of exhibition is over.

{{Action : Jt. DG(GPS)}}

Case No.28. M/s. Ranbaxy Laboratories Limited, Punjab

F.No. 01/60/162/472/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for regularization of unutilized DEPB S/Bill for closure of advance licence no. 0510251026 dt. 16.10.2009 & 0510259821 dt. 4.3.2010 issued under PC-9 condition.

The Committee agreed to waive off condition of re-export/destruction of imported raw material as stipulated in Policy Circular 18 dt. 30.10.2007 as the firm has stated to have already utilized the imported raw material fully by exporting the product manufactured from these under DEPB in respect of following 4 S/bills :

- i) 202808 dt. 6.10.2010

- ii) 202811 dt. 6.10.2010
- iii) 1637108 dt. 7.10.2010
- iv) 1637152 dt. 7.10.2010

This waiver is allowed subject to payment of Custom duty + interest on exempted material used and exported under DEPB shipping bills. The case may be regularized accordingly.

(Action : RA, CLA, New Delhi)

Case No.29. M/s. Provogue (India) Limited, Mumbai

F.No. 01/94/180/164/AM13/PC-IV-EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for change SION from J-315 to J-49 against DFIA No. 0310574717 dt. 17.5.2010 (ii) 0310579094 dt. 16.6.2010 (iii) 0310600565 dt. 9.11.2010.

RA is empowered to allow inputs under backward integration if SION for both products are available subject to condition that authorizations is valid on the date of endorsement.

(Action : RA Mumbai to take action as per provision of HBP Vol. II)

Case No.30. M/s. Ram Ratna International, Mumbai

F.No. 01/60/162/599/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for revalidation of advance licence no. 0310543431 dt. 30.10.2009.

The committee did not find any cogent reason given by firm warranting relaxation. Request is rejected.

Case No.31. M/s. Grauer & well India Limited, Mumbai

F.No. 01/60/162/643/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for revalidation of advance authorization no. 0310485960 dt. 10.9.2008.

The committee did not find any cogent reason given by firm warranting relaxation. Request is rejected.

Case No.32. M/s. International Tractor Limited, Delhi

F.No. 01/60/162/621/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for revalidation of the three DFIA's No. :

- i) 3010063500 dt. 12.10.2009
- ii) 3010064214 dt. 30.11.2009
- iii) 3010064693 dt. 30.12.2009

The reason cited by the firm that due to commercial viability they could not utilize the licence is not convincing to the committee hence the request is rejected.

Case No.33. M/s. Yasho Industries Pvt Limited, Mumbai

F.No. 01/60/162/641/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for revalidation of advance licence no. 0310546950 dt. 23.11.2009.

The committee did not find any cogent reason given by firm warranting relaxation. Request is rejected.

Case No.34. M/s. Pirmamal Healthcare Limited, Mumbai

F.No. 01/60/162/293/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for EOP extension of advance authorization no. 0310580204 dt. 23.6.2010 issued under PC-9 conditions

After deliberating the case in length the following decisions were taken:

- I. Export obligation period is extended from 6 months to 7 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 and minimum value addition of 15% as prescribed under para 4.1.6 of FTP.

(Action : RA, Mumbai)

Case No.35. M/s. Shreeyam Power & Steel Industries Limited, Indire

F.No. 01/60/162/618/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for EOP extension of advance authorization no.1110019958 dt. 30.3.2009.

The committee noted that no considerable exports have been made by the firm within the original period. Hence the committee did not agree with the request to extend the period of export further.

Case No.36. M/s. Dosch Pharmaceuticals Pvt Limited, Mumbai

F.No. 01/60/162/642/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:- Request for EOP extension of advance licence no. 0310630618 dt. 11.5.2011 issued under PC-9 condition.

The committee noted that no considerable exports, which form merit, of the case have been made by the firm within the original validity hence the committee did not agree with the request.

Case No.37-41. M/s. Kumari Overseas Pvt Limited, Bangalore

F.No. 01/60/162/622-626/AM13/EFGC(PRC)

PRC Meeting No. 32/AM13 dated: 11.12.2012

Subject:-Request for EOP extension of the following advance authorizations no. :

- i) 0710066046 dt. 20.7.2009.
- ii) 0710066954 dt. 15.9.2009.
- iii) 0710066807 dt. 3.9.2009.
- iv) 0710067957 dt. 3.11.2009.
- v) 0710067958 dt. 3.11.2009.

The committee noted that the firm has not made any exports under the above Advance Authorizations. The Committee further noted that no cogent reason has been cited evidencing genuine hardship as to why no exports could be made within stipulated period. The Committee therefore did not consider the reason as genuine hardship warranting policy relaxation. Thus, request is rejected.

(Action : RA, Bangalore; If the party fails to get the case regularised 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

Case No. 42 Reference received from Norms Committee-IV

PRC Meeting No. 32/AM13 dated: 11.12.2012

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

(a) NC-IV

S. No.	Name of the firm	Adv. Autho. No.	M. No. & Date	Date of communication of earlier decision	Representation submitted on	Present status
1.	M/s Aron Universal Ltd., Bangalore	0710057643 dt. 29.5.08	27/13 dated 03.10.2012	15.12.08	20.4.2012	approved
2.	M/s Aron Universal Ltd., Bangalore	0710057644 dt. 29.5.08	27/13 dated 03.10.2012	15.12.08	20.4.2012	approved
3.	M/s Aron Universal Ltd., Bangalore	0710059148 dt. 18.8.08	27/13 dated 03.10.2012	24.03.09	20.4.2012	approved
4.	M/s Aron Universal Ltd., Bangalore	0710055388 dt. 10.1.08	27/13 dated 03.10.2012	15.12.08	20.4.2012	approved
5.	M/s Modern Insecticides Ltd., Ludhiana	3010060186 dt. 18.02.2009	29/13 dt. 17.10.12	19.11.09	22.11.11	approved
6.	M/s Indokem Ltd., Mumbai	0310142038 dt. 14.06.02	29/13 dt. 17.10.12	In 2003	23.03.2011	approved

(b) NC-II

S.N	Name of the firm	AA No. and date	Norms ratified on	Representation made on
1.	M/s. TTP Technologies Ltd.,	0710082170 09.09.2011	03.01.2012	09.07.2012
2.	M/s. TTP Technologies Ltd.,	0710077993 09.03.2010	30.08.2012	09.07.2012
3.	M/s. Codina Metalic (P) Ltd	0410112739 29.03.2010	03.03.2011	02.07.2012
4.	M/s.RR Kable Ltd., Mumbai	0310615138 09.02.2011	15/81dated 05.07.2011	13.09.2012
5.	M/s. Stera Engineering India	0410116884 01.09.2010	25/81dated 13.09.2011	20.09.2012

	(P) Ltd., Tamilnadu			
6.	M/s. Oil Country Tubular Ltd, Hyderabad	0910046271 06.04.2011	27/81 dated 27.09.2011	13.09.2012
7.	M/s. Oil Country Tubular Ltd, Hyderabad	0910044671 14.12.10	25/81 dated 13.09.2011	13.09.2012
8.	M/s. Oil Country Tubular Ltd, Hyderabad	0910038413 03.07.2009	22/81 dated 01.09.2009	13.09.2012

The committee considered ex-post-facto approval for consideration of request beyond 4 months for fixation of norms in terms of Para 4.7.6 of HBP.

The Committee ended with the Vote of Thanks to the Chair.
