

MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 33/AM12 HELD ON 20.12.2011 AT 11.30 A.M. UNDER THE CHAIRMANSHIP OF Dr. A.K PUJARI, DIRECTOR GENERAL OF FOREIGN TRADE.

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

1. Shri D.K Singh	Addl. DG
2. Shri. V.K. Srivastava	Addl. DG
3. Shri N.P.S. Monga	Addl. DG
4. Dr. Rajiv Arora	Jt. DGFT
5. Shri A.K. Singh	Jt. DGFT
6. Shri R.S. Ratna	Jt. DGFT
7. Shri Hardeep Singh	Jt. DGFT
8. Smt. Subhra	Jt. DGFT
9. Smt. Vibha Bhalla	Jt. DGFT
10. Shri D.C. Sharma	Stats Advisor
11. Smt. Sonika Khattar	FTDO

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

Case No.1. M/s. Tufropes Pvt Limited Mumbai
F.No. 01/60/162/842/AM12/EFGC(PRC)
PRC Meeting No. 33/AM12 dated: 20.12.2011
Subject:- Request for revalidation of advance licence No.0310512816 dt.23.3.2009.

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

Case No.2. M/s. White Metals Limited Noida
F.No. 01/60/162/824/AM12/EFGC(PRC)
PRC Meeting No. 33/AM12 dated: 20.12.2011
Subject:- Request for EOP extension of 2 advance license no. 0510226245 dt.27.8.2008 (2) 0510232994 dt. 16.12.2008

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 both quantity and value wise in the valid EOP.

Case No.3. M/s. Suzlon Generators Limited Pune

F.No. 01/60/162/848/AM12/EFGC(PRC)
PRC Meeting No. 33/AM12 dated: 20.12.2011
Subject:- Request for EOP extension of advance license No.3110032606 dt.7.2.2008

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.4. M/s. Gland Pharma Limited Gujarat
F.No. 01/60/162/818/AM12/EFGC(PRC)
PRC Meeting No. 33/AM12 dated: 20.12.2011
Subject:- Request for EOP extension of advance license No.0910031801dt.16.10.2007.

The Committee decided to grant extension for 6 months beyond the permitted 36 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 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.5. M/s. DSM Anti Infectives India Limited
F.No. 01/60/162/628/AM12/EFGC(PRC)
PRC Meeting No. 33/AM12 dated: 20.12.2011
Subject:- Request for clubbing of 3 advance license nos.2210005755 dt.11.7.2006 (2) 2210005587 dt.31.5.2006 (3) 2210005581 dt. 30.5.2006.

The committee decided to club the above 3 advance authorizations for the purpose of regularization. RA may grant necessary extension in EO required with the stipulated composition fee for clubbing and regularization not exceeding 6 months from the expiry of 6 months of EOP from the date of first import. 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 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.6. M/s. Shakti Pumps India Limited Pithampur
F.No. 01/60/162/845/AM12/EFGC(PRC)
PRC Meeting No. 33/AM12 dated: 20.12.2011
Subject:- Request for clubbing of 4 advance license nos.(1) 1110011427 dt.3.8.2005 (2) 1110012142 dt.8.11.2005 (3) 1110013333 dt.5.5.2006 (4) 1110014120 dt.3.10.2006.

The committee noted the request and decided to defer to examine whether the firm had applied for EOP extension earlier and to link up the past PRC decisions.

Case No.7. M/s. SM Energy Teknik & Electronics Limited Mumbai

F.No. 01/60/162/922/AM12/EFGC(PRC)

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for conversion of DFIA to advance authorization or clubbing of DFIA with 3 advance authorization Nos. 030314709 Dt.2.2.2005 (2) 0310314710 dt.2.2.2005 (3) 0310369553 dt.2.3.2006.

The Committee noted the request and decided that in case of DFIA, there is no provision of clubbing available in the policy and reiterated its decision of the earlier PRC Meeting No. 6/11 dt. 20.10.2010 and rejected the request.

Case No.8. M/s. Chandan Steel Limited Mumbai.

F.No. 01/60/162/1858/AM11/EFGC(PRC)

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for revalidation of advance license no.0310462020 dt. 21.02.2008.

The committee noted the request and observed that there was hardly any delay at the part of RA except for some administrative reasons. The firm had applied for redemption followed by enhancement and as such the firm took sufficiently long time to complete their export obligation documentation for redemption. The committee, therefore, rejected the request.

Case No.9. M/s. Wilwayfort India Limited Delhi

F.No. 01/60/162/1489/AM11/EFGC(PRC)

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for EOP extension of advance license no. 051067749 dt. 31.12.1988.

The committee noted that the decision of BIFR is of 2003 and the firm approached only in 2010. However, keeping in view the specific directions of BIFR, the Committee granted one year extension for completing remaining exports from the date of communication.

Case No.10. M/s. Technova Imaging Systems Pvt Limited Mumbai

F.No. 01/60/162/1724/AM11/EFGC(PRC)

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for revalidation of advance license No. 0310460780 dt.13.2.2008.

The committee decided that the firm may submit supportive evidence regarding the delay being stated by Customs.

Case No.11. M/s. JSW Steel Limited Mumbai

F.No. 01/60/162/268/AM12/EFGC(PRC)

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for revalidation/enhancement of advance license no.0310474531 dt. 13.6.2008.

The committee noted that the firm has not given any additional cogent reasons warranting relaxation for revalidation of their advance authorization. The committee reiterated its decision of the earlier PRC meeting no. 20/AM12 dt. 29.8.2011 and rejected the request.

Case No.12. M/s. PS Apparels Chennai

F.No. 01/94/180/91/AM08/EFGC(PRC))

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for EOP extension of advance licence No.0410037459 dt.13.3.2003.

The committee noted that the exports have been carried out on the free shipping bill and as such they can not be considered for discharge of export obligation. Further the committee also did not agree to the request for EOP extension and rejected the request.

Case No.13. M/s. Krishnapatnam Port Company Limited

F.No. 01/91/180/790/AM12/PC3)

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for revalidation of SFIS scrip No.0310536147 dt. 2.9.2009.

The committee decided that a report may be called from RA about the reasons for disposing the March 2011 application in September 2011 to examine the request further.

Case No.14. M/s. Taurian Iron & Steel Co.P.Limited

F.No. 01/53/8/253/AM11/T-21/IC

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for change of category from Private to Passenger in respect of import authorization no. 035002107 dt. 4.10.2010.

The committee considered the request for the change of category from "Private" to "passenger" and approved the same.

Case No.15. M/s. Sinha Aquarium, Howrah

F.No. 01/53/8/508/AM11/T-21/IC

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for Import of Ornamental Live Fishes for Stock & Sale purpose.

The Committee noted that no objection certificate has been provided by D/o AHD&F for import of 2,09,000 Nos. Live Ornamental Fishes for stock and sales. In view of the aforesaid recommendation, PRC acceded to the request of the applicant for grant of import licence for stock and sale purpose.

Case No.16. M/s. Symbiotec Pharma Lab Limited

F.No. 01/60/162/1634/AM11/EFGC(PRC)

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for waiving of the pre-import condition and revalidation of advance licence No.1110017051 dt.8.4.2008.

The committee noted that firm has utilized the PC-9 authorization as a normal authorization and have stated that no imports had been made from the unregistered source. Since, the authorization has been operated as a normal authorization, the committee decided to regularize the exports/imports made on this authorization on a pro-rata basis. No further imports/exports would be permitted on the said authorization. Excess imports from registered source only, if any, would be regularized as per the provisions of FTP.

Case No.17. M/s. Robert Bosch Engineering & Business Solution Limited Bangalore

F.No. 01/89/180/21/Am-11/PC-2(A)

PRC Meeting No. 33/AM12 dated: 20.12.2011

Subject:- Request for import of one new car for Software Development and Engineering R&D

The committee decided to grant ex-post facto approval for import of one new car for Software Development and Engineering R&D in relaxation of the following provisions under ILN to Chapter 87 of ITC (HS) classification of export and import items.

- a. Exemption from ILN No.(2) (I) (b) & (c) of Chapter 87 of ITC (HS) Classification of Export and Import items, Schedule-1 to permit import of pre-sold/registered car.
- b. Exemption from ILN No.2 (II) (f) to permit said import by a Software Development & Engineering R & D Company/firm
- c. To allow the vehicle to ply on roads for carrying out required tests subject to the following conditions:
 - i) Vehicle to be registered under CMVR Rules, as it will ply on the roads.
 - (ii) The vehicle will not be used for commercial and passenger purpose and will not be sold in the Domestic Tariff Area.
 - (iii) The vehicle will follow all prevalent rules and regulations related to road transport in country.
 - (iv) The car will be used only for testing purposes and not for other purpose.

- (v) The car to be re-exported at the end of 3 years from the date of import and RTO office to be informed accordingly for cancellation of registration.