THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 34/AM13 HELD ON 01.01.2013 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 Mukesh Bhatnagar — Addl.DG
4. Shri L.B. Singhal — Addl. DG
5. Shri K.C. Raut — Addl. DG
6. Shri S.K. Samal — Jt. DGFT
7. Shri Hardeep Singh — Jt.DGFT
8. Shri Jaikant Singh — Jt. DGFT
9. Shri Ajay Kumar Srivastava — Jt. DGFT
10. Shri A.K. Mishra — Stats Advisor
11. Shri S.K. Mohapatra — DDG
12. Smt. Sonika Khattar — FTDO

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

Case No.1. M/s Piramal Enterprises Ltd, Mumbai
F.No. 01/60/162/673/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for redemption of Advance authorization no. 0310514001 dt. 01.04.2009, 0310562953 dt. 04.03.2010 & 0310562954 dt. 04.03.2010.

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

i. Export obligation period is extended from 6 months to 12 months for authorization no. 0310514001 dt. 1.4.2009 and 12 months to 18 months for authorizations no. 0310562953 dt. 4.3.2010 and 0310562954 dt. 4.3.2010 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 12/18 months from date of first import consignment.
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.2. M/s Southern Lubrication (P) Ltd, Bangalore
F.No. 01/60/162/708/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for EOP extension of AA no. 0710058538 dt. 15.07.2008.

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 and report)

Case No.3. M/s MM Aqua Technologies Ltd, Gurgaon
F.No. 01/60/162/904/AM12/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for acceptance of DEPB shipment towards the discharge of EO against AA no. 0510141262 dt. 21.10.2004.

The committee considered the request and decided that the DEPB shipping bills no 4600589 dt. 20.4.2007, 1654510 dt. 29.5.2007 and 1658623 dt. 14.6.2007 may be considered towards discharge of export obligation against advance authorization no. 0510141262 dt.21.10.2004 subject to proper verification of export product by RA and also to ensure that the firm has not availed the DEPB benefit against the said shipping bills.

(Action : RA, CLA New Delhi)

Case No.4. M/s Pleaders Kamp. Chennai
F.No. 01/60/162/434/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for EOP extension of AA no. 0410093856 dt. 14.02.2008.

Deferred for obtaining details from the firm as to how much exports have been made within the validity of the authorization.

(Action : applicant)

Case No.5. M/s Ranbaxy Laboratories Ltd, Gurgaon
F.No. 01/60/162/473/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Regularization of unutilized DEPB S/bills for closure of AA no. 0510293101 dt. 13.6.2011 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) 202394 dt. 20.8.2011
ii) 202731 dt. 7.9.2011
iii) 202819 dt. 13.9.2011

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.6. M/s Hind Rectifiers Ltd, Mumbai
F.No. 01/60/162/1221/AM12/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for EOP extension of AA no. 0329226 dt. 17.11.1994 for regularization of bonafide default in completing EO

The committee deliberated the case in length in light of the report from RA, Mumbai and observed that the firm has completed export obligation only 20.39% within the initial validity and took about 5 years to complete the balance EO. The committee also observed that the applicant also took much time in responding to the queries raised by RA Mumbai. The Committee rejected the request of the firm as there is no merit for consideration. It was decided that the cases may be finalized as per the provisions of the FTP.

(Action : RA, Mumbai; 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 and report)

Case No.7. M/s RMG Polyvinyl India Ltd, New Delhi
F.No. 01/60/162/665/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for revalidation/EOP extension of AA no. 0510251934 dt. 05.11.2009.

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

i. Request for revalidation is rejected.

ii. Export obligation period is extended for 6 months from the date of endorsement or upto 31.7.2013 which ever is earlier.
iii. 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.
iv. This is further subject to verification by RA that EO as claimed to have been fulfilled more than 50% (even if pro-rata) within the valid EOP.
v. The applicant is advised to submit the licence for endorsement to RA immediately.
vi. RA shall take action against the party under Rule 7 read with Rule 14 of FT(Regulation) Rules, 1993 if statement of more than 50% of exports (even if pro-rata) already made is found to be false/incorrect.

(Action : RA CLA, Delhi)

Case No.8. M/s Medreich Limited, Bangalore
F.No. 01/60/162/732/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for regularization of AA no. 0710075465 dt. 18.11.2010.

After discussion in length, the following decisions were taken:

Condition of PC-18 is waived to the extent of raw material consumed and exported subject to following conditions.

i) Such waiver is subject to payment of duty + interest on excess import made as per norm ratified by the Norms committee.

ii) Submission of certificate issued by respective Excise Authority regarding consumption of whole imported raw material in the resultant products so exported.

(Action :RA Bangalore)

Case No.9. M/s India Fashions Ltd, Mumbai
F.No. 01/60/162/395/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for EOP extension of AA no. 0310442917 dated 13.09.2007.

After discussion in length, the following decisions were taken:

i) Since the party has exported full-sleeves shirt which is covered under SION 272/175, the wastage norms shall be calculated accordingly.
ii) Export obligation period is extended upto 48 months from the date of issue.
iii) This is only for regularization and closure purpose.
iv) 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.

(Action : RA Mumbai)

Case No.10. M/s India Foils Ltd, Kolkata
F.No. 01/60/162/720/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for exemption from non compliance of stipulated procedure of AA no. 0210097679 dt. 31.01.2007.

Deferred for obtaining details regarding the deemed benefit taken against the supplies made by the firm against ARO.

(Action : RA/Applicant)

Case No.11. M/s BSL Ltd, Mumbai
F.No. 01/60/162/738/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for EOP extension of AA no. 1310026837 dt. 04.09.2008.

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.

(Action : RA, Mumbai; 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 and report)

Case No.12. M/s BSL Ltd, Mumbai
F.No. 01/60/162/734/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for EOP extension of AA no. 1310033893 dt. 26.11.2010.

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, Mumbai; 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 and report)

Case No.13. M/s BSL Ltd, Mumbai
F.No. 01/60/162/733/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for EOP extension of AA no. 1310025563 dt. 08.01.2008.

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.14. M/s Tai Pan Exports
F.No. 01/60/162/679/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Permission for relaxation for issue of supplementary DFIA (Enhancement) after transferability. DFIA Lic. No. 3010074785 dt. 04.05.2011.

The committee decided to take detailed report from RA, Ludhiana.

(Action : RA, Ludhiana)

Case No.15. M/a Ram Ratna International, Mumbai
F.No. 01/60/162/600/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for revalidation of AA no. 0310522891 dt. 05.06.2009.

The firm has not given any documentary evidence which could prove that there was delay on the part of DGFT or Custom in transmission of data hence the request is rejected.

Case No.16. M/s Orbit Masterbatches Pvt. Ltd.
F.No. 01/60/162/709/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for grant of 6 months revalidation of AA no. 3410026361 dt. 15.02.2010.

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

Case No.17. M/s Shri Maa Polyfabs Ltd.
F.No. 01/60/162/668/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for revalidation of DFIA no. 0210123191 dt. 13.02.2009.

The Committee observed that there was delay on the part of Customs for verification of DFIA as stated by Commissioner of Custom vide their letter dt. 12.1.2012. The Committee therefore decided to revalidate the DFIA No. 0210123191 dt. 13.2.2009 for 6 months from the date of endorsement or upto 31.7.2013 whichever is earlier.

(Action : RA, Kolkata)

Case No.18. M/s Gandhar Oil Refinery India Ltd, Mumbai
F.No. 01/60/162/387/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for revalidation of AA no. 0310474698 dated 13.06.2008.

The committee noted that the firm had approached the Regional Authority almost at the stage of the expiry of extended validity. The committee also observed that each time when query has been raised by RA, the firm has taken time long to respond. Hence the request is rejected.

Case No.19. M/s President Collections, Hyderabad
F.No. 01/60/162/731/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for revalidation of DFIA no. 0910037898 dt. 13.05.2009.

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

Case No.20. M/s Maruti Koatsu Cylinders Ltd, Gujarat
F.No. 01/60/162/717/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of DFIA no. 3410017419 dt. 17.11.2006.

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. The committee, therefore, rejected the request for clubbing of DFIAs.

(Action : RA, Vadodara. The party may be asked to get the case regualrised 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.21. M/s Maruti Koatsu Cylinders Ltd, Gujarat
F.No. 01/60/162/715/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of DFIA no. 3410020282 dt. 10.12.2010.

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. The committee, therefore, rejected the request for clubbing of DFIAs.

(Action : RA, Vadodara. The party may be asked to get the case regualrised 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.22. M/s Maruti Koatsu Cylinders Ltd, Gujarat
F.No. 01/60/162/716/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of DFIA no. 3410020854 dt. 19.02.2008.

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. The committee, therefore, rejected the request for clubbing of DFIAs.

(Action : RA, Vadodara. The party may be asked to get the case regualrised 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.23. M/s Arch Pharma Ltd, Mumbai
F.No. 01/60/162/729/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Relaxation of procedure regarding redemption and closure of 10 DFIAs i) 0310420380 dt. 21.2.2007, ii) 0397048921 dt. 14.3.2007, iii) 0310424818 st. 28.3.2007, iv) 0310439874 dt. 17.8.2007, v) 0310439873 dt. 17.8.2007, vi) 0310440270 dt. 21.8.2007, vii) 0310440755 dt. 24.8.2007, viii) 0310451227 dt. 19.10.2007, ix) 0310450210 dt. 14.11.2007 and x) 0310474366 dt. 12.6.2008.
.

Deferred for obtaining a detail report regarding the benefit taken by the supplier and the ultimate exporter from RA Mumbai/Chandigarh.

(Action : RA Mumbai/Chandigarh against ARO obtained under above referred DFIAs)

Case No.24. M/s Themis Medicare Ltd, Mumbai
F.No. 01/60/162/585/AM12/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of AA nos. 0310224571 dt. 15.09.2003 & 0310250123 dt. 29.01.2004.

In view of email of applicant dt. 11.10.2012 clarification from RA need to be taken. Case is therefore deferred.

(Action : RA, Mumbai)

Case No.25. M/s Wago & Controls (India) Ltd, NOIDA
F.No. 01/60/162/727/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of AA nos. 0510226640 dt. 01.09.2008 & 0510286455 dt. 21.03.2011.

After deliberating the case in length the committee observed that the firm has approached for the clubbing of the authorization no. 0510286455 dt. 21.3.2011 which has been issued within 36 months from the date of the issue of the authorization no. 0510226640 dt. 1.9.2008. The committee observed that the firm has made the export within 48 months from the date of issuance of the first authorization and therefore the following decisions were taken:

i) To allow clubbing of 2 advance authorizations as referred above.
ii) This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP. Only exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.
iii) RA may grant extension upto 48 months in EOP in the first authorization subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure 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 authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
iv) RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, CLA, Delhi)

Case No.26. M/s Concept Pharmaceuticals Ltd, Mumbai
F.No. 01/60/162/721/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013

Subject:- Request for clubbing of 3 AA nos. 0310426732 dt. 13.04.2007, 0310528123 dt. 09.07.2009 & 0310551924 dt. 21.12.2009 issued under PC-9.

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

I. The committee rejected the request for clubbing of the above three authorizations because exports made against 2nd and subsequent authorizations are beyond the validity of export obligation period of first authorization .

II. However, Export obligation period is extended from 6 months to 12 months from the date of first import consignment under authorizations no. 0310426732 dt. 13.04.2007.

III. Export obligation period is extended from 12 months to 18 months from the date of first import consignment under authorizations no. 0310528123 dt. 09.07.2009 & 0310551924 dt. 21.12.2009.

IV. This is only for regularization and closure purpose.

V. 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.

VI. The applicant has to pay duty +interest on inputs consumed and exported after 12 months from date of first import consignment.

VII. 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.27. M/s Mothernson Sumi Systems Ltd, NOIDA
F.No. 01/60/162/710/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for redemption and clubbing of 4 AA nos 0510218621 dt. 27.3.2008, . 0510245518 dt. 10.7.2009, 0510264648 dt. 21.5.2010 and 0510280154 dt. 22.12.2010.

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

i) To allow clubbing of 4 advance authorizations as referred above.
ii) This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP. Only exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.
iii) RA may grant extension upto 48 months in EOP in the first authorization subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP

and ensure 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 authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

iv) RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, CLA, Delhi)

Case No.28. M/s Mothernson Sumi Systems Ltd, NOIDA
F.No. 01/60/162/711/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for redemption and clubbing of AA nos. 0510238023 dt. 16.03.2009, 0510247973 dt. 20.08.2009 & 0510262188 dt. 09.04.2010 for regularization purpose.

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

i) To allow clubbing of 3 advance authorizations as referred above.

ii) This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP. Only exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.

iii) RA may grant extension upto 48 months in EOP in the first authorization subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure 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 authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

iv) RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, CLA, Delhi)

Case No.29. M/s Alembic Ltd, Vadodara
F.No. 01/94/180/569/AM10/PC-4
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of AAs no. 3410002630 dated 06.09.2001 & 3410011637 dated 04.10.2004.

Deferred for obtaining the details of the policy provision under which the applicant is seeking the relaxation and date of application submitted for clubbing to concerned RA with copy of acknowledgement.

(Action : Applicant)

Case No.30. M/s SPX India Pvt. Ltd, Jaipur
F.No. 01/60/162/510/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Relaxation for clubbing of two AA nos. 1310000824 dt. 05.05.2000 and 1310001879 dt. 14.11.2000.

After deliberating the case in length the committee observed that there was inordinate delay on the part of Norms Committee in fixation of norms and therefore the following decisions were taken:

i) To allow clubbing of 2 advance authorizations as referred above.
ii) This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP.
iii) RA may grant extension subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure 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 authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
iv) RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, Jaipur)

Case No.31. M/s Jindal Poly Films Ltd.
F.No. 01/60/162/455/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for redemption/clubbing of AA nos. 0510196846 dt. 26.12.2006 with 0510263004 dt. 26.04.2010.

After deliberating the case in length the committee observed that the firm has approached for the clubbing of the authorization no. 0510263004 dt. 26.4.2010 which has not been issued within 36 months from the date of the issue of the authorization no. 0510196846 dt. 26.12.2006. The committee observed that the firm has made the last shipment within 48 months from the date of issuance of the first authorization and therefore the following decisions were taken:

i) To allow clubbing of 2 advance authorizations as referred above.
ii) This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP. Only exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.
iii) RA may grant extension upto 48 months in EOP in the first authorization subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure 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 authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

iv) RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, CLA, Delhi)

Case No.32. M/s Remi Edelstahl Tubulars Ltd, Mumbai
F.No. 01/60/162/725/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of AA nos. 0310314816 dt. 02.02.2005 with 0310357442 dt. 29.11.2005.

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

i) To allow clubbing of 2 advance authorizations as referred above.
ii) This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP. Only exports which is affected within the extended validity of earliest authorization shall only be taken into account for clubbing purpose.
iii) RA may grant necessary extension in EO in the earliest authorization subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure 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 authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
iv) RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, Mumbai)

Case No.33. M/s Remi Edelstahl Tubulars Ltd, Mumbai
F.No. 01/60/162/724/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of AA nos. 0310272011 dated 01.06.2004 with 0310383103 dated 05.06.2006.

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

i) To allow clubbing of 2 advance authorizations as referred above.
ii) This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP. Only exports which is affected within the extended validity of earliest authorization shall only be taken into

account for clubbing purpose.

iii) RA may grant necessary extension in EO in the earliest authorization subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure 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 authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.

iv) RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, Mumbai)

Case No.34. M/s Nestor Pharmaceuticals Ltd, New Delhi
F.No. 01/60/162/ 722/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing and redemption of DFIA nos. 0510195297 dated 29.11.2006 0510197135 dated 02.01.2007 0510198222 dated 22.01.2007 0510256703 dated 20.01.2010.

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. The committee, therefore, rejected the request for clubbing of DFIAs.

(Action : RA, CLA New Delhi. The party may be asked to get the case regualrised 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.35. M/s Sterlite Industries (I) Ltd.
F.No. 01/60/162/563/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of 9 AAs and 17 AAs in two groups:

Group – I

1. 310322504 dt. 22.03.2005
2. 310327830 dt. 28.04.2005
3. 310348316 dt. 21.09.2005
4. 310392068 dt. 31.07.2006
5. 310399036 dt. 11.09.2006
6. 310416401 dt. 18.01.2007
7. 310423947 dt. 22.03.2007
8. 310432045 dt. 07.06.2007
9. 310433545 dt. 22.06.2007

Group – II

1. 3510023516 dt. 13.05.2008
2. 3510023518 dt. 14.05.2008
3. 3510023523 dt. 15.08.2008
4. 3510024801 dt. 30.09.2008
5. 3510024802 dt. 03.10.2008
6. 3510024830 dt. 10.10.2008
7. 3510024863 dt. 13.10.2008
8. 3510024822 dt. 16.10.2008
9. 3510025541 dt. 02.01.2009
10. 3510025556 dt. 05.01.2009
11. 3510025557 dt. 06.01.2009
12. 3510025570 dt. 07.01.2009
13. 3510025601 dt. 09.01.2009
14. 3510028373 dt. 30.11.2009
15. 3510029294 dt. 25.02.2010
16. 3510029388 dt. 09.03.2010
17. 3510030416 dt. 02.06.2010

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

i. To allow clubbing of 9 advance authorizations (Group – I) and 17 advance authorizations (Group – II) as referred above.
ii. This is only for regularization and closure purpose and not for any further exports/imports. Excess import if any may be regularized in terms of Para 4.28 of HBP. Only exports which is affected within the extended validity of earliest authorization in each group shall only be taken into account for clubbing purpose.
iii. RA may grant necessary extension in EO in the earliest authorization subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and ensure 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 authorizations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
iv. RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed.

(Action : RA, Kolkata)

Case No.36. M/s Geltec Pvt. Ltd, Mumbai.
F.No. 01/60/162/730/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013

Subject:- Request for clubbing of AA nos. 0310370459 dt. 08.03.2006 and 0310420847 dt. 23.02.2007 issued under PC-9.

Case is not clear as to why clubbing is requested with EO fulfilled more than 100%. Report from party and RA need to be obtained. Case is deferred.

(Action : RA, Mumbai/ Applicant)

Case No.37. M/s Aurobindo Pharma Ltd, Hyderabad.
F.No. 01/60/162/723/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of 4 advance authorizations 0910033595 dated 09.04.2008, 0910040765 dated 01.02.2010, 0910041530 dated 05.04.2010 & 0910043620 dated 23.09.2010 issued under **PC-9 condition** .

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

I. The committee rejected the request for clubbing of the above three authorizations because exports made against 2nd and subsequent authorizations are beyond the validity of export obligation period of first authorization .

II. However, Export obligation period is extended from 6 months to 12 months from the date of first import consignment under authorizations no. 0910033595 dated 09.04.2008.

III. Export obligation period is extended from 12 months to 18 months from the date of first import consignment under authorizations no. 0910040765 dated 01.02.2010, 0910041530 dated 05.04.2010 & 0910043620 dated 23.09.2010 This is only for regularization and closure purpose.

IV. 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.

V. The applicant has to pay duty +interest on inputs consumed and exported after 12 months from date of first import consignment.
VI. 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, Hyderabad)

Case No.38. M/s Maruti Koatsu Cylinders ltd, Gujarat.
F.No. 01/60/162/739/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of DFIA no. 3410020720 dated 30.01.2008.

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. The committee, therefore, rejected the request for clubbing of DFIAs.

(Action : RA, CLA New Delhi. The party may be asked to get the case regualrised 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.39. M/s Maruti Koatsu Cylinders ltd, Gujarat.
F.No. 01/60/162/740/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for clubbing of DFIA no. 3410017607 dated 12.12.2006.

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. The committee, therefore, rejected the request for clubbing of DFIAs.

(Action : RA, CLA New Delhi. The party may be asked to get the case regualrised 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.40. M/s Simpex Pharma Pvt. Ltd.
F.No. 01/60/162/742/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- EOP extension of AA no. 0510294947 dated 29.06.2011.

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

I. Export obligation period is extended from 12 months to 18 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, CLA New Delhi)

Case No.41. M/s Adcock Ingram Ltd, Bangalore.
F.No. 01/60/162/744/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013

Subject:- EOP extension of AA no. 0710064390 dated 28.04.2009.

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, Bangalore)

Case No.42. M/s Zenith Birla (India) Ltd. Mumbai.
F.No. 01/60/162/741/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- EOP extension of AA no. 0310546451 dated 19.11.2009, 0310546462 dated 19.11.2009.

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.

(Action : RA Mumbai)

Case No.43. M/s Ashish Life Science Pvt. Ltd, Mumbai.
F.No. 01/60/162/745/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- EOP extension of AA no. 0310593661 dt. 23.09.2010 issued under PC-9 condition.

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

I. Export obligation period is extended from 12 months to 18 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.44. M/s R&R Impex Pvt. Ltd.
F.No. 01/60/162/743/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- EOP extension of AA no. 0510287626 dt. 06.04.2011.

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, CLA, Delhi; 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 and report)

Case No.45. M/s Geltec Pvt. Ltd, Mumbai.
F.No. 01/60/162/737/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Clubbing of 4 advance authorization no. 0310335044 dated 20.06.2005, 0310340248 dated 20.07.2005, 0310390199 dated 19.07.2006 and 0310394428 dated 11.08.2006. issued under PC-9 condition.

Case is not clear as to why clubbing is requested with EO fulfilled more than 100%. Report from party and RA need to be obtained. Case is deferred.

(Action : RA, Mumbai/ Applicant)

Case No.46. M/s Geltec Pvt. Ltd, Mumbai.
F.No. 01/60/162/736/AM13/EFGC(PRC)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Clubbing of 3 advance authorization nos. 0310333025 dt. 03.06.05, 0310336698 dt. 29.06.05 & 0310269575 dt. 19.05.04 issued PC-9.

After detailed discussion following decisions were taken:
Case is not clear as to why clubbing is requested with EO fulfilled more than 100%. Report from party and RA need to be obtained. Case is deferred.

(Action : RA, Mumbai/ Applicant)

Case No.47. M/s Tata Motors Limited, Mumbai.
F.No. 01/89/180/54/AM13/PC-2(A)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for import of second hand Range Rover and permission to register and run this vehicle on Indian roads for R&D purpose.

The Committee considered the case and granted approval for relaxation from the provisions of Para 2(II) (f) of Import Licensing Note of Chapter 87 for import of one second hand sports utility vehicle (Range Rover) for R&D purpose so as to allow the vehicle to play on roads for conducting trial run test subject to the following condition:

i) They will ensure public safety on the roads.
ii) The vehicle will be exported after tests and trials after 18 months from the date of import.

Case No.48. M/s Renault Nissan Technology & Business Centre India Pvt. Ltd.
F.No. 01/89/180/30/AM10/PC-2(A)
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Import of one left hand Drive brand New vehicle for Research & Development, trial testing needs – regarding.

The Committee considered the case and granted approval for relaxation from the provisions of Para 2(II) (a) (ii) and (f) of Import Licensing Note of Chapter 87 for import of the one new LHD car for trial, testing and R&D purpose.

Case No.49. M/s Welspun Corp Limited.
F.No. 01/61/180/0083/AM13/PC-3
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Revalidation of VKGUY Licence No. 1110020339dated 28.05.09.

The committee did not find any merit in the request given by firm warranting relaxation. Request is rejected.

Case No.50. M/s Reliance Ports and Terminals Ltd.
F.No. 01/61/180/148/AM13/PC-3
PRC Meeting No. 34/AM13 dated: 01.01.2013
Subject:- Request for extension of validity for the unutilized portion of following SFIS Scrips:

i) 0310564560 dt. 12.3.2010
ii) 0310564561 dt. 12.3.2010
iii) 0310564562 dt. 12.3.2010
iv) 0310564563 dt. 12.3.2010
v) 0310564564 dt. 12.3.2010

vi) 0310564565 dt. 12.3.2010
vii) 0310564566 dt. 12.3.2010

The committee did not find any merit in the request given by firm warranting relaxation. Request is rejected.

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

****