

MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 36/AM12 HELD ON 12.01.2012 AT 10.00 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 D.K Singh        | Addl. DG      |
| 2. Shri V.K. Gupta       | Addl. DG      |
| 3. Shri. V.K. Srivastava | Addl. DG      |
| 4. Dr. L.B.S. Singhal    | Jt. DGFT      |
| 5. Shri R.S. Ratna       | Jt. DGFT      |
| 6. Shri.Hardeep Singh    | Jt. DGFT      |
| 7. Smt. Subhra           | Jt. DGFT      |
| 8. Shri A. Mishra        | Stats Advisor |
| 9. Shri D.C. Sharma      | Stats Advisor |
| 10. Shri Sanjay Kumar    | Dy. DGFT      |
| 11. Smt. Sonika Khattar  | FTDO          |

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

Case No.1. M/s. Eastman International Ludhiana  
F.No. 01/60/162/881/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for revalidation of DFIA No. 3010060089 dt. 11.2.2009.

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. Kotak Urja Pvt Limited Bangalore  
F.No. 01/60/162/829/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for extension of EOP of licence no. 0710059579 dt. 4.9.08 or clubbing with advance authorization no. 0710070184 dt. 23.2.2010.

The Committee noted the request of the firm and decided to obtain the inputs from EDI on the reasons regarding error in the licence and then place the matter before PRC.

Case No.3. M/s. Apollo Tyres Gurgaon  
F.No. 01/60/162/883/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for revalidation of advance authorization0510240047 dt. 21.4.2009

Deferred. The issue whether Customs demanded itemwise enhancement of CIF value needs to be checked.

Case No.4. M/s. Matrix Clothing Pvt Limited Gurgaon  
F.No. 01/60/162/895/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension of advance authorizationNo. 0510202096 dt. 4.4.2007.

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.5. M/s. Sanat Products Limited New delh  
F.No. 01/60/162/888/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension of Annual Advance AuthorizationNo. 0510224435 dt. 25.7.2008.

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.6. M/s. Delphi-TVS Diesel systems Limited) Chennai  
F.No. 01/60/162/1047/AM11/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension advance licence No. 0410089095 dt. 20.4.2007.

Deferred.

Case No.7. M/s. Bhusan Power & Steel Kolkata  
F.No. 01/60/162/1706/AM11/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension of advance authorization No. 0210105479 dt. 24.10.2007.

The Committee considered the request of the firm and noted that the firm had earlier not provided details of the authorization. The details by the applicant does not merit the EOP extension and their exports are low (less than 50%). Hence the committee decided to reject the request.

Case No.8. M/s. Joosub Peermahomed & Co. Mumbai  
F.No. 01/60/162/1976/AM11/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension of advance authorization No. 0310462421 dt. 25.2.2008.

The Committee considered the request and noted that there has been a delay in providing endorsement by RA and therefore it decided to extend EOP against the aforesaid advance authorization for 3 months from the date of communication without composition fee.

Case No.9. M/s. Glasstech Industries India Pvt Limited Mumbai  
F.No. 01/60/162/501/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension in advance authorization No. 0310442514 dt. 11.9.2007.

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.10. M/s. Flowerseve India Control  
F.No. 01/60/162/1970/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for redemption of advance authorization no. 3210035688 dt. 27.6.2007.

Deferred.

Case No.11. M/s. Jain tubes Corporation Falna  
F.No. 01/53/162/35/AM09/J1/IC  
PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for grant of 2<sup>nd</sup> revalidation import authorization No.1350000448 dt. 18.11.2008.

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.12. M/s. Miracle Sandes & chemicals Tuticorin

F.No. 01/60/162/893/AM11/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for EOP extension of advance authorization No. 3510023847 dt. 13.6.2008.

Deferred.

Case No.13. M/s. Nico Extrusions Pvt Limited Mumbai

F.No. 01/60/162/878/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for EOP extension & revalidation of advance authorization No. 0310490685 dt. 16.10.2008.

The Committee considered the request and decided to extend EOP against the aforesaid advance authorization for 3 months from the date of endorsement or from 10.2.2012 which ever is earlier, 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.14. M/s. Avery Dennison India Limited New Delhi

F.No. 01/60/162/884/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for 2<sup>nd</sup> revalidation of advance authorization No.0510238568 dt. 20.3.2009.

The Committee noted the request of the firm and decided to obtain the inputs from EDI on the reasons regarding EDI error and then place the matter before PRC.

Case No.15. M/s. Matrix clothing Pvt Limited Gurgaon

F.No. 01/60/162/885/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for EOP extension of advance authorization No. 0510223844 dt.15.7.2008.

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.16. M/s. M.G.S. Govindharaajulu Chettiar & Sons Karur

F.No. 01/60/162/255/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for extension in EOP of advance authorization No. 3210035736 dt. 5.7.2007

Deferred.

Case No.17. M/s. Arch Pharmalabs Limited

F.No. 01/60/162/173/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for redemption and closure of 5 DFIA's licenses

Deferred.

Case No.18. M/s. Hindustan Plantinum Pvt. Limited Mumbai

F.No. 01/60/162/54/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for revalidation and enhancement of CIF value & quantity of advance authorization no. 0310322166 dt.18.3.2005.

Deferred.

Case No.19. M/s. Hindustan Plantinum Pvt. Limited Mumbai

F.No. 01/60/162/1473/AM11/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for revalidation and enhancement of CIF value & quantity of advance authorization no. 0310321233 dt. 14.3.2005

Deferred.

Case No.20. M/s. Victory Chemicals

F.No. 01/60/162/902/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for 2<sup>nd</sup> revalidation of advance authorization no. 0310514722 dt. 6/4/2009.

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.21. M/s. Apsara Silks Bangalore  
F.No. 01/60/162/886/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension of advance authorization No. 0710078492 dt. 31.3.2011.

Deferred.

Case No.22. M/s. L&T Komsatsu Limited Mumbai  
F.No. 01/60/162/870/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for revalidation of annual advance authorization No.0710065134 dt. 2.6.2009.

The Committee noted the request of the firm and decided to obtain the inputs from EDI on the reasons regarding delay the issue in registration of the licence and then place the matter before PRC.

Case No.23. M/s. Hitachi Home & Life Solution (India) Limited Mumbai  
F.No. 01/60/162/900/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for revalidation of advance authorization No. 0810078809 dt. 20.3.2009.

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.24. M/s. Krishna antioxidants Pvt Limited Mumbai  
F.No. 01/60/162/896/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for revalidation of advance authorization no. 0310504078 dt. 28.01.2009.

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.25. M/s. Flow Serve Coimbatore

F.No. 01/60/162/1924/AM11/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for redemption of AA No. 0710051129 dt. 9.1.2007

Deferred.

Case No.26. M/s. Nico Extrusions Pvt Ltd Mumbai  
F.No. 01/60/162/887/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension & revalidation of advance authorization no. 0310492661 dated 3.11.2008.

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.27. M/s. 3A Composites India Ltd, Mumbai  
F.No. 01/60/162/909/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for revalidation of advance authorization no. 0310505986 dated 6.2.2009.

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.28. M/s. Viki Industries Pvt, Ltd Chennai.  
F.No. 01/60/162/913/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension of advance authorization No. 0410098492 dt 10.9.2008.

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 within the valid EOP.

Case No.29. M/s. Pokarna Limited Secunderabad.  
F.No. 01/60/162/897/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for revalidation of DFIA no. 0910037950 dt 20.05.2009.

The Committee noted the request of the firm and decided to reject as the reasons cited are only commercial risk and not a genuine hardship warranting relaxation under Para 2.5 of FTP.

Case No.30. M/s. Apollo Tyres Gurgaon  
F.No. 01/60/162/907/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for revalidation of advance authorization no. 0510240045 dt.21.4.2009.

Deferred.

Case No.31. M/s. Electro copper & Alloys MFG CO. Kolkata  
F.No. 01/60/162/550/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension of advance authorization No. 0210100453 dt. 1.5.2007.

Deferred.

Case No.32. M/s. United Phosphorus Limited Mumbai  
F.No. 01/60/162/894/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for EOP extension of advance authorization No. 0310474863 dt. 16.6.2008.

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.33. M/s. RMI Cycles Rajpura  
F.No. 01/60/162/96/AM12/EFGC(PRC)  
PRC Meeting No. 36/AM12 dated: 12.01.2012  
Subject:- Request for clubbing of 5 expired qty. based advance authorizations i) 00118283 dt. 14.8.1996, ii) 1524998 dt. 3.6.1993, iii) P/L/2107356 dt. 8.10.1997, iv) 30001084 dt. 23.2.1999 and v) 3010002293 dt. 7.2.200 issued during the period from 1993-2000.

The committee noted that since the case is under adjudication, this may be dealt as per the provisions of the act under the established adjudication process.

Case No.34. M/s. Shilpa Medicare Limited Raichur  
F.No. 01/60/162/925/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for deletion of pre-import condition for the item choloic Acid in advance authorization No. 0710023074 dt. 5.8.2003.

Withdrawn.

Case No.35. M/s. J.B. Chemicals & Pharmaceuticals Limited Mumbai

F.No. 01/60/162/602/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for EOP extension of two advance license no. 0310484421 dt. 29.8.2008 and 0310466942 dt. 1.4.2008.

The Committee decided to extend EOP against the aforesaid advance authorizations for six months i.e. total 12 months from the date of first import for the purpose of regularization and closure. RA should verify the EO claimed to be fulfilled by the firm within the valid EOP. The relaxation is subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond export obligation period. 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 Committee also 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. However, the default in terms of duty saving proportionate to the default in export outside the EO period of 12 months from the date of 1<sup>st</sup> import as stated above may be paid by the firm in accordance with the stipulated policy provisions. RA to check and verify the aspect of raw material utilization and evaluate the duty-saving default and take necessary action as per the policy provisions.

Case No.36. M/s. Grasim Industries Limited Madhya Pradesh

F.No. 01/60/162/864/AM12/EFGC(PRC)

PRC Meeting No. 36/AM12 dated: 12.01.2012

Subject:- Request for renewal of DEPB no. 1110020694 dt. 16.7.2009.

The committee decided to revalidate the aforesaid DEPB for 6 months from the date of communication in view of the delay in transmission of TRA from Customs.

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