

THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 37/AM13 HELD ON 22.01.2013 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
Shri V.K. Srivastava	Addl. DG
Shri Mukesh Bhatnagar	Addl. DG
Shri L.B. Singhal	Addl. DG
Shri K.C. Raut	Addl. DG
Shri Hardeep Singh	Jt. DGFT
Shri Jaikant Singh	Jt. DGFT
Shri J.K. Singh	Jt. DGFT
Shri Ajay Kumar Srivastava	Jt. DGFT
Shri A.K. Mishra	Stats Advisor
Smt. Sonika Khattar	FTDO

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

Case No.1. M/s Imperial Readymade Garments Factory India (P) Limited Sriperumbudur

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

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0410109455 dt. 17.11.2009.

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

(Action : RA, Chennai; 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.2. M/s Suresh Industries, Agra

F.No. 01/60/162/839/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of Advance licence No. 0610015651 dt. 8.6.2009.

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

(Action : RA, Agra; 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 Amoli Organcis Pvt Limited, Mumbai

F.No. 01/60/162/848/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0310396373 dt. 24.8.2006.

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.4. M/s Fresenius Kabi Oncology Limited, New Delhi

F.No. 01/60/162/840/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0510202257 dt. 10.4.2007.

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.

(Action : RA, CLA New Delhi)

Case No.5. M/s Concept Pharmaceuticals Limited, Mumbai

F.No. 01/60/162/845/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0310426697 dt. 13.4.2007.

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.

(Action : RA Mumbai)

Case No.6. M/s Concept Pharmaceuticals Limited, Mumbai

F.No. 01/60/162/846/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0310444871 dt. 1.10.2007 issued under PC-9.

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.7. M/s GPT Steel Industries Limited, Mumbai

F.No. 01/60/162/841/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension/revalidation of advance licence no. 0310451063 dt. 21.11.2007.

The committee noted that there is no export at all made by the firm within the original obligation period, hence the committee did not agree with the justification given. Therefore request is rejected.

(Action : RA, Chennai; 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.8. M/s Agio Pharmaceuticals, Limited

F.No. 01/60/162/832/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0310520667 dt. 21.5.2009.

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.

(Action : RA, Mumbai)

Case No.9. M/s S.R. foils & Tissue Limited, New Delhi

F.No. 01/60/162/831/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of 2 advance licence no. 0510255258 dt. 24.12.2009.

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

(Action : RA, Chennai; 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.10. M/s S. Khoday Silk Twisting Factory, Bangalore

F.No. 01/60/162/836/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0710054890 dt. 11.12.2007 for regularization purpose.

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

- i. Export obligation period is extended upto 29.6.2011.
- ii. This is only for regularization and closure purpose.
- iii. This is subject to payment of composition fee @0.5% on exports made after 36 months from the licence issue date and maintain of value addition as per Para 4.1.6 of FTP.
- iv. This is also subject to the condition that the case has not been adjudicated.

(Action : RA, Bangalore)

Case No.11. M/s S. Khoday Silk Twisting Factory, Bangalore

F.No. 01/60/162/837/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0710054889 dt. 11.12.2007 for regularization purpose.

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

- I. Export obligation period is extended upto 48 months from the date of issue of authorization..
- 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. This is also subject to the condition that the case has not been adjudicated.
- V. Shortfall, if any, shall be regularized in terms of Para 4.28 of HBP.

(Action : RA Bangalore)

Case No.12. M/s S. Khoday Silk Twisting Factory, Bangalore

F.No. 01/60/162/834/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0710054894 dt. 11.12.2007 for regularization purpose.

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

- i. Export obligation period is extended upto 31.10.2011.
- ii. This is only for regularization and closure purpose.
- iii. This is subject to payment of composition fee @0.5% on exports made after 36 months from the licence issue date and maintain of value addition as per Para 4.1.6 of FTP.
- iv. This is also subject to the condition that the case has not been adjudicated.

(Action : RA, Bangalore)

Case No.13. M/s S. Khoday Silk Twisting Factory, Bangalore

F.No. 01/60/162/835/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0710054892 dt. 11.12.2007 for regularization purpose.

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

- i. Export obligation period is extended upto 29.6.2011.
- ii. This is only for regularization and closure purpose.
- iii. This is subject to payment of composition fee @0.5% on exports made after 36 months from the licence issue date and maintain of value addition as per Para 4.1.6 of FTP.
- iv. This is also subject to the condition that the case has not been adjudicated.

(Action : RA, Bangalore)

Case No.14. M/s S. Khoday Silk Twisting Factory, Bangalore

F.No. 01/60/162/833/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0710054898 dt. 11.12.2007 for regularization purpose.

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

- i. Export obligation period is extended upto 31.7.2011.
- ii. This is only for regularization and closure purpose.
- iii. This is subject to payment of composition fee @0.5% on exports made after 36 months from the licence issue date and maintain of value addition as per Para 4.1.6 of FTP.
- iv. This is also subject to the condition that the case has not been adjudicated.

(Action : RA, Bangalore)

Case No.15. M/s NEM Laboratories Pvt. Limited, Mumbai

F.No. 01/60/162/868/AM13/EFGC(PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for EOP extension of advance licence no. 0310588522 dt. 19.8.2010.

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.

(Action : RA, Mumbai)

Case No.16. M/s Cadila Laboratories Pvt. Limited, Mumbai

F.No. 01/60/162/816/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for clubbing of 3 advance licence nos. i) 0810082358 dated 18.08.2009, ii) 0810085721 dated 12.01.2010 and iii) 0810087907 dated 31.03.2010.

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

- i. The request of clubbing is rejected.
- ii. However, RA shall allow accounting of excess exports effected under Advance Authorization no. 0810082358 dated 18.08.2009 towards discharge of obligation under advance authorization no. 0810085721 dated 12.01.2010 and 0810087907 dated 31.03.2010 provided imports should have been made under Advance Authorization no. 0810085721 dated 12.01.2010 and Advance Authorization no. 0810087907 dated 31.03.2010 prior to last shipment under advance authorization no. 0810082358 dated 18.08.2009. Only imports, which are in proportion to surplus exports made under advance authorization no. 0810082358 dated 18.08.2009 shall be regularized under advance authorization 0810085721 dated 12.01.2010 and 0810087907 dated 31.03.2010.
- iii. Export obligation period is extended from 6 months to 12 months from the date of import consignment against advance authorization no 0810082358 dated 18.08.2009 and 12 months to 18 months against advance authorization no. 0810085721 dated 12.01.2010 and Advance Authorization no. 0810087907 dated 31.03.2010.
- 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. Shortfall if any under advance authorization no. 0810085721 dated 12.01.2010 and 0810087907 dated 31.03.2010 shall be regularized in terms of Para 4.28 of HBP.
- vi. PC-18 condition is waived on these exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.

(Action : RA, Ahmedabad)

Case No.17. M/s NSIL Exports Limited

F.No. 01/60/162/811/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of advance licence no. 1110022088 dt. 23.3.2010.

The committee deliberated the case in length and observed from the documents submitted that the name of supporting manufacturer was incorporated only after the exports were effected. It is also noted that no one has stopped him from making import in their own name. The committee did not agree with the reason given by the firm warranting relaxation. Hence, the request is rejected

Case No.18. M/s Delton Cables Limited, New Delhi

F.No. 01/60/162/856/AM13/EFGC (PRC)
PRC Meeting No. 37/AM13 dated: 22.01.2013
Subject: - Request for revalidation of advance licence Nos. (1) 0510188342 dt. 7.8.2006 (2)0510188591dt.10.8.2006
(3)0510212061dt.14.11.2007 (4)0510232761 dt.17.12.2008

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

Case No.19. M/s Royal Brushes (P) Limited, Mumbai

F.No. 01/60/162/857/AM13/EFGC (PRC)
PRC Meeting No. 37/AM13 dated: 22.01.2013
Subject: - Request for revalidation of advance licence no. 0310561884 dt. 25.2.2010.

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

Case No.20. M/s Veekay Polycoats Limited, New Delhi

F.No. 01/60/162/858/AM13/EFGC (PRC)
PRC Meeting No. 37/AM13 dated: 22.01.2013
Subject: - Request for revalidation of advance licence no. 0510263923 dt. 10.5.2010.

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.21. M/s Veekay Polycoats Limited, New Delhi

F.No. 01/60/162/859/AM13/EFGC (PRC)
PRC Meeting No. 37/AM13 dated: 22.01.2013
Subject: - Request for revalidation of advance licence no. 0510263550 dt. 03.5.2010.

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.22. M/s Veekay Polycoats Limited, New Delhi

F.No. 01/60/162/860/AM13/EFGC (PRC)
PRC Meeting No. 37/AM13 dated: 22.01.2013
Subject: - Request for revalidation of advance licence no. 0510263923 dt. 10.5.2010.

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.23. M/s Veekay Polycoats Limited, New Delhi

F.No. 01/60/162/861/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of advance licence no. 0510266214 dt. 16.6.2010.

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.24. M/s Jagadamba Auto-Components Limited, Pune

F.No. 01/60/162/862/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for permission for DEPB for export made 2008-09.

The Committee decided that the DEPB may be issued with a late cut of 10% on the entitlement subject to fulfillment of other terms and conditions and with the validity of 12 months from date of issue.

(Action : RA, Pune)

Case No.25. M/s United Phosphors Limited, Gujarat

F.No. 01/60/162/863/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of advance licence no. 0310557951 dt. 1.2.2010.

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

Case No.26. M/s United Phosphors Limited, Gujarat

F.No. 01/60/162/864/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of advance licence no. 0310557947 dt. 1.2.2010.

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

Case No.27. M/s Gyan Silk, Bangalore

F.No. 01/60/162/865/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of DFIA licence no. 0710071119 dt. 22.04.2010.

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

Case No.28. M/s Gyan Silk, Bangalore

F.No. 01/60/162/866/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of DFIA licence no. 0710071118 dt. 22.04.2010.

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

Case No.29. M/s Buildmet Fibres (P) Limited, Doddaballapur

F.No. 01/60/162/867/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of advance licence no. 710068446 dt. 20.11.2009.

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

Case No.30. M/s Reliance Industries Limited, Mumbai

F.No. 01/60/162/821/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of 18 DEPB/FMS/VKUY scrips for 6 months.

1. 0310464216 dated 10.03.2008

2. 5310005865 dated 26.06.2008

3. 2410022209 dated 29.08.2008

4. 0810074014 dated 18.08.2008

5. 2410022291 dated 04.09.2008

6. 0510234596 dated 16.01.2009

7. 0310481371 dated 06.08.2008

8. 0310485425 dated 08.09.2008

9. 0310485429 dated 08.09.2008

10. 0310485438 dated 08.09.2008

11. 0210484631 dated 01.09.2008

12. 1110018127 dated 11.08.2008

13.0310475756 dated 20.06.2008
14.0310487255 dated 22.09.2008
15.1010030039 dated 04.07.2008
16.0310474878 dated 16.06.2008
17.1110017994 dated 31.07.2008
18.0310482277 dated 12.08.2008

The committee noted that the excess duty collected by Customs has been reccredited to the DEPBs after their expiry. The committee deliberated the issue in detail and felt that for such cases a much simpler procedure would be that a credit note is issued by the Customs to the exporters rather than reccrediting such amount to the expired DEPBs. It was decided that the matter may be taken up with CBEC.

Case No.31. M/s Gupta Dyeing & Printing Mill, Gujarat

F.No. 01/60/162/815/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of DFIA No. 5210030101 dt. 23.3.2010.

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.32. M/s Sri Salasar Balaji Agro Tech (P) Limited, Andhra Pradesh

F.No. 01/60/162/849/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for condoning delay to two working days in receipt of application by Regional o/o DGFT at Hyderabad for grant of Star Export House status w.e.f. 01.4.2012 sent through Govt. Post on 31.3.2011.

Deferred for examination of facts.

Case No.33. M/s Tai Pan.

F.No. 01/60/162/679/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for permission for relaxation for issue of supplementary DFIA (Enhancement) after transferability DFIA Lic No. 3010074785 dt. 4.5.2011.

Withdrawn for processing on file.

Case No.34. M/s Cadila Healthcare Limited, Ahmedabad

F.No. 01/60/162/790/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for clubbing of 4 advance licences nos. 0810082357 dated 18.08.2009, 0810084549 dated 01.12.2009, 0810087774 dated 29.03.2010 & 0810090541 dated 16.07.2010 issued under PC-9 condition.

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

- i. The request of clubbing is rejected.
- ii. However, RA shall allow accounting of excess exports effected under Advance Authorization no. 0810082357 dated 18.08.2009 and 0810084549 dated 01.12.2009 towards discharge of obligation under Advance Authorization no. 0810087774 dated 09.03.2010 & 0810090541 dated 16.07.2010 provided imports should have been made under 0810087774 dated 09.03.2010 & 0810090541 dated 16.07.2010 prior to last shipment under Advance Authorization no. 0810082357 dt. 18.8.2009 and Advance Authorization no. 0810084549 dated 01.12.2009. Only imports in the subsequent two licences, which are in proportion to surplus exports made under Advance Authorization no. 0810082357 dated 18.08.2009 and 0810084549 dated 01.12.2009 shall be regularized under Advance Authorization 0810087774 dated 09.03.2010 & 0810090541 dated 16.07.2010.
- iii. Export obligation period is extended from 6 months to 12 months from the date of import consignment against Advance Authorization no 0810082357 dated 18.08.2009, and 12 months to 18 months against Advance Authorization no. 0810084549 dated 01.12.2009, 0810087774 dated 09.03.2010 & 0810090541 dated 16.07.2010.
- 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. Shortfall if any under Advance Authorization no. 0810087774 dated 09.03.2010 & 0810090541 dated 16.07.2010 shall be regularized in terms of Para 4.28 of HBP.
- 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, Ahmedabad)

Case No.35. M/s Synthite Industries Limited, Cochin

F.No. 01/60/162/827/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for clubbing against advance licence no. 1010041295 dt. 30.12.2010 & 1010041351 dt. 5.1.2011.

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

- I. To allow clubbing of 2 above advance authorizations as referred above.
- II. RA is also directed to examine the case in terms of Para 4.1.6 of FTP and to 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.

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

(Action : RA, Cochin)

Case No.36. M/s Medley Pharmaceuticals Limited, Mumbai

F.No. 01/60/162/1768/AM11/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for consideration of time-barred shipping bill (for the period 2002-03 to 2004-05) for issuance of DEPB licence.

Withdrawn due to insufficient information.

(Action : RA Mumbai is to inform that action taken in pursuance of the direction given vide letter dt. 16.8.2007.)

Case No.37. M/s Neelkamal Limited, Mumbai

F.No. 01/60/162/823/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for revalidation of advance licence no. 0310522855 dt. 5.6.2009 beyond 30 months without insisting for any composition fee as the amended quantity was not getting reflected in Online.

The Committee noted that the firm could not utilized the enhanced value and quantity of Authorization on account of non transmission of data.. Therefore, on the basis of the technical records, it was decided to revalidate the aforesaid Advance Authorization for 6 months from the date of endorsement or upto 31.7.2013. The applicant is directed to get the endorsement from RA within one month from the date of uploadation of PRC minutes.

(Action : RA, Mumbai)

Case No.38. M/s Bhusan Power & Steel Limited, Kolkata

F.No. 01/60/162/819/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for regularization of DFIA No. 0210097897 dt. 7.2.2007.

The committee did not find any cogent reason given by the firm warranting relaxation. Hence, the request is rejected.

Case No.39. M/s Oil country Tubular Limited Hyderabad

F.No. 01/60/162/818/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for clubbing (redemption) of (4) advance licence Nos. i) 0910033055 dated 22.02.2008, ii) 0910033557 dated 04.04.2008, iii) 0910041257 dated 10.03.2010 and iv) 0910051788 dated 16.03.2012.

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

- i. The request for clubbing of 3 Advance authorizations nos. 0910033055 dated 22.02.2008, 0910033557 dated 04.04.2008, and 0910041257 dated 10.03.2010 is allowed as all three Advance Authorizations were issued within 36 months of overlapping period.
- ii. Since Advance Authorization no. 0910041257 dated 10.03.2010 is valid for export upto 10.3.2013, all shipments made under Advance Authorization no. 0910051788 dated 16.03.2012 shall be treated as to have been made under Advance Authorization no. 0910041257 dated 10.03.2010.
- iii. Export Obligation period under Advance Authorisation no. 0910033055 dated 22.02.2008 is extended upto 31.8.2011.
- 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. This is only for regularization and closure purpose
- vi. RA is directed to made the Advance authorization no. 0910051788 dated 16.03.2012 in operative. .
- vii. 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.
- viii. RA may do clubbing subject to the condition that no adjudication order is issued against any licence to be clubbed

(Action : RA, Hyderabad)

Case No.40. M/s Polycab Wires Pvt. Limited, Mumbai

F.No. 01/60/162/609/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for clubbing of (5) advance licences Nos. 0310438119 dated 01.08.2007, 0310440361 dated 22.09.2007, 0310556762 dated 25.01.2010, 0310558604 dated 04.02.2010 & 0310560692 dated 17.02.2010.

After deliberating the case in length, the following decision was taken by the committee:

- i. To allow clubbing of 5 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 necessary extension in EO 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.41. M/s Oil country Tubular Limited, Hyderabad

F.No. 01/60/162/817/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for clubbing (redemption) of (4) advance licence Nos. 0910031024 dated 01.08.2007, 0910032739 dated 25.01.2008, 0910035024 dated 12.08.2008 & 0910035998 dated 18.11.2008.

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

- i. The request for clubbing of all 4 Advance Authorizations is allowed.
- ii. Export Obligation period under Advance Authorisation no. 0910031024 dated 01.08.2007 is extended upto 48 months from the issue date of Authorization.
- iii. Only exports which are effected within 48 months from the date of earliest authorizations i.e. 0910031024 dated 01.08.2007 or within 36 months of Advance Authorization no. 0910035998 dated 18.11.2008 shall only be taken into account for clubbing.
- 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. Shortfall if any shall be regularized in terms of Para 4.28 of HBP.
- vi. 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.
- vii. 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.42. M/s Kristeel Shinwa Industries Limited

F.No. 01/60/162/806/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for clubbing of advance licence nos. 0310396887 dt. 28.08.2006 (2) 0310472642 dt. 02.06.2008.

The committee noted that in Advance authorization no. 0310472642 dt. 02.06.2008 PRC had already relaxed the policy for prospective exports. To seek clubbing of this authorization with authorization issued in 2006 can not be allowed. The committee also noted that the firm has disclosed the full facts while making the submission to RA. Hence the request is rejected.

The applicant is directed to get the case regularized in terms of Para 4.28 of HBP.

(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.43. M/s Manglam Arts, Jaipur

F.No. 01/60/162/789/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for redemption of Pass Book Nos. 2427 dt. 24.2.1989, 2436 dt. 13.6.1989 & 2442 dt. 30.03.1990 issued by Assistant Chief controller of Imports & Exports without insisting upon BRC.

The committee noted that this is very old case and it could not be possible for bank to issue BRC at this juncture. The committee also noticed that RBI issues every month 'XOS' showing the name of exporter who has defaulted in getting the payments realized and GR is outstanding. It was therefore decided to allow redemption of old pass book on the basis of XOS provided name of the exporter does not appear.

Case No.44. M/s Dispokit Surgicals Pvt Limited, Delhi

F.No. 01/60/162/19/AM13/EFGC (PRC)

PRC Meeting No. 37/AM13 dated: 22.01.2013

Subject: - Request for allowing them to meet the EO in advance licence nos. 0510019240 dt. 6.6.2000 and 0510050368 dt. 07.01.2002.

The committee noted that the firm has requested for clubbing of two advance authorizations for export of identical product in two advance authorizations. Although the authorizations individually carry the export of IV Cannula using the three different imported items which the firm got imported under two different advance authorizations. The firm has undertaken exports cumulatively and have requested for the clubbing of two authorizations. The committee agreed to the request subject to the following condition:-

- i) RA should ensure the import items are fully accounted for in the export product i.e. IV Cannula.

- ii) No further imports and export will be permitted. The clubbing of inputs as were allowed in two licences is allowed for regularisation purpose.

(Action : RA, CLA Delhi)

Case No. 45 Reference received from Norms Committees

F.No. NIL

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

Sl.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. Starion India Pvt. Ltd.	1. 3110035836 dt. 20.10.2008 2. 3110038385 dt. 12.05.2009 3. 3110039118 dt. 07.07.2009 4. 3110036661 dt. 29.12.2008	NC No. 20/13 dt. 26.12.2012 3.	1. 14.12.2010 2. 27.01.2010 3. 22.02.2010 4. 27.01.2010	15.12.2011	Approved

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.
