

Minutes of the Policy Relaxation Committee

Meeting No. 37/AM14 held on 18.02.2014 at 11.30 A.M.

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

1. Shri D. K. Singh	Addl. DGFT
2. Shri L.B. Singhal	Addl. DGFT
3. Shri Jaikant Singh	Addl. DGFT
4. Shri Jay Karan Singh	Jt. DGFT
5. Shri Hardeep Singh	Jt.DGFT
6. Shri S.K. Samal	Jt. DGFT
7. Shri A. K. Srivastava	Jt. DGFT
8. Shri S.K. Mohapatra	Dy. DGFT

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

Case No.1. M/s. KRYFS Power Components Limited, Mumbai.

F.No. 01/60/162/732/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for extension of Export Obligation Period of Advance Authorisation No. 0310517162 dt. 24.04.2009 to complete balance export.

The committee observed that the norms in this case were ratified on 23.6.2009 i.e. within 2 months of issuance of the Advance Authorization No. 0310517162 dt. 24.04.2009. And, the firm had re-imported 23.71 MT vide Bill of Entry no. 851739 on 13.1.2010, therefore, the committee was of the view that the firm had sufficient time i.e. more than 1 ½ year to re – export the goods for completing its export obligation. Hence the committee did not accede to the request.

Case No.2. M/s Universal Biofuels Pvt. Ltd. Hyderabad

F.No. 01/60/162/750/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for grant of relaxation - Exit from EOU to EPCG license challenged.

Deferred.

Case No.3. M/s Paharpur Cooling Towers Ltd.

F.No. 01/94/180/473/AM13/PC-IV

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for condone non-realization of payments against 2 S/bill for the purpose of EODC against Advance Authorization no. 0210118957 dt. 24.10.2008.

The committee noted that the applicant had exported Cooling Towers through various S/bills which consist of various essential parts / components of Cooling Towers. As the required value addition has been achieved from the remittances realized against other shipments in proportion to imports made, the Committee decided to condone the non – realization of proceeds against S/bill No. 5538396 dt. 16.3.2009 and S/bill No. 5537777 dt. 12.3.2009.

(Action: RA Kolkata)

Case No.4. M/s. Narsipur Chemicals Pvt. Ltd. Mumbai.

F.No. 01/60/162/841/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorization no. 0310628355 dt. 27.4.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.5. M/s Technical Associates Ltd

F.No. 01/60/162/862/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorization No. 0510294493 dated 24.6.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.6. M/s DCW Limited.

F.No. 01/60/162/857/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for Revalidation of 3 Advance Authorizations no. 3510034680 dt. 07.07.2011, 3510034675 dt. 7.7.2011 and 3510034679 dt. 07.07.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.7. M/s S.V. Sales Corporation

F.No. 01/60/162/856/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 5210035555 dated 15.06.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.8. M/s S.V. Sales Corporation.

F.No. 01/60/162/855/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 5210033125 dated 27.12.2010.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.9. M/s Colorplast Systems Pvt. Ltd. Noida.

F.No. 01/60/162/861/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of DFIA no. 0510286763 dt. 24.03.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.10. M/s Bharat Petroleum Corp Ltd.

F.No. 01/60/162/860/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 0310633851 dated 01.06.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.11. M/s Bharat Petroleum Corp Ltd..

F.No. 01/60/162/859/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 0310635608 dated 13.06.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.12. M/s Bharat Petroleum Corp Ltd..

F.No. 01/60/162/858/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 0310639664 dated 1.7.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.13. M/s Sabero Organics Gujarat Ltd. Gujarat

F.No. 01/60/162/868/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 0310591732 dt. 09.09.2010.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.14. M/s Sabero Organics Gujarat Ltd. Gujarat.

F.No. 01/60/162/867/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 0310526336 dt. 29.6.2009.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.15. M/s Sabero Organics Gujarat Ltd. Gujarat

F.No. 01/60/162/865/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 0310619308 dt. 3.3.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.16. M/s Sabero Organics Gujarat Ltd. Gujarat

F.No. 01/60/162/866/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 0310583075 dt. 12.7.2010.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.17. M/s Bekaert Mukand Wire Industries Pvt. Ltd. Gujarat

F.No. 01/60/162/863/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of Advance Authorisation no. 3110048545 dt. 9.6.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.18. M/s. AT&S India Pvt. Ltd. Mysore.

F.No. 01/60/162/842/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation of DEPB no. 0710085127 dt. 30.12.2011.

The Committee noted that due to data transmission error the company could not utilize the DEPB in question. Therefore, it was decided to revalidate the aforesaid DEPB for 3 months from the date of endorsement or upto 31.5.2014 whichever is earlier.

(Action: RA Bangalore)

Case No.19. M/s Coromandel International Limited, Gujarat.

F.No. 01/60/162/864/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for revalidation & Enhancement in FOB value of Advance Authorisation no. 0910045160 dated. 17.01.2011.

The justification given in support of their contention could not convince the Committee hence the Committee did not accede to the request.

Case No.20. M/s Zenith Birla (India) Pvt. Ltd. Thane.

F.No. 01/60/162/597/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for request for clubbing of 5 Advance Authorization no. 0310417759 dated 31.01.2007, 0310417752 dated 31.01.2007, 0310418328 dated 05.02.2007, 0310489181 dated 06.10.2008 and 0310489186 dated 06.10.2008.

The Committee decided the following:

- I. Clubbing of the 5 Advance Authorisations as referred above be allowed.
- II. This is only for regularization of exports already effected and closure purpose and not for any further exports/imports.
- III. RA is directed to examine the case in terms of Para4.1.6 of FTP and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the Authorisations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the Authorisations.
- IV. Any exports affected before filling of application for aforesaid authorizations shall not be accounted for clubbing purpose.
- V. Even after clubbing, shortfall, if any, may be regularised on payment of Customs Duty + Interest in terms of Para4.28 of H.B.P.

(Action: RA, Mumbai)

Case No.21. M/s. Roots Industries India Ltd. Coimbatore.

F.No. 01/60/162/853/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for acceptance of time barred EDI S/bill for issuance of DEPB for export made through one S/bill no. 3948483dt. 1.11.2010. (RLA file no. 32/21/021/ 69/ AM14)

The Committee noted that there was problem in transmission of data hence delay of 15 days beyond prescribed time for filing application is condoned. RA shall issue DEPB imposing 10% cut on duty credit subject to fulfillment of other terms and conditions.

(Action: RA, Coimbatore)

Case No.22. M/s. Roots Industries India Ltd. Coimbatore.

F.No. 01/60/162/843/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for request for acceptance of time barred EDI S/bill for issuance of DEPB for export made during 2009 (RLA file no. 32/21/021/66/AM14)

The Committee noted that there was problem in transmission of data hence delay of 73 days beyond prescribed time in filing the application is condoned. RA shall issue DEPB imposing 10% cut on duty credit subject to fulfillment of other terms and conditions.

(Action: RA, Coimbatore)

Case No.23. M/s. Jai Corp Ltd. Mumbai.

F.No. 01/60/162/850/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for condonation of excess imports due to lack of knowledge against Advance Authorization no. 0310616816 dt. 21.2.2011.

The committee observed that there is no issue for relaxation in this case. However, RA may examine the case and if there is shortfall in fulfilment of EO, the case may be regularized in terms of Para 4.28 of HBP. Alternatively, if exporter is willing to discharge balance obligation, 3 months extension in EOP shall be allowed from the date of endorsement or upto 31/06/2014.

(Action: RA Mumbai)

Case No.24. M/s. Swal Corporation Ltd. Mumbai.

F.No. 01/60/162/848/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for Request for acceptance of 6 time barred EDI S/bill for issuance of DEPB for export made during 2009, 2010.

Deferred for seeking details regarding shifting of office of the firm whether any change in address has been carried out in IEC.

(Action: EDI Section)

Case No.25. M/s. Naxpar Lab Pvt. Ltd. Mumbai.

F.No. 01/60/162/846/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for clubbing of 2 Advance Authorizations no. 0310436773 dt. 19.7.2007 and 0310481525 dt. 6.8.2008 for regularization/closure purpose issued under PC-9 condition.

The committee observed that PRC in its Meeting No. 28/AM14 dated 12.11.2013 and Meeting No. 29/AM14 dated 19.11.2013 had already extended the EOP from 6 months to 12 months, from the date of first import, in each of the above mentioned Advance Authorization. Hence the

committee decided not to interfere with the earlier decision of the PRC. Accordingly the request for clubbing of the above mentioned Advance Authorization is rejected.

Case No.26. M/s. Titan Laboratories Pvt. Ltd. Mumbai

F.No. 01/60/162/851/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for clubbing of 3 Advance Authorizations no. 0310556465 dt. 21.1.2010, 0310572320 dt. 30.4.2010 and 0310590627 dt. 1.9.2010 issued under PC-9 condition for regularization/closure purpose.

The Committee decided the following:

- i. Clubbing of 3 above advance authorizations as referred above be allowed.
- ii. Exports made against subsequent authorization but within 18 months from the date of import of first consignment against earliest authorization shall only be taken into account for clubbing of authorizations.
- iii. RA may grant necessary extension upto 6 months in EO against earliest Authorization subject to composition fee @ 0.5% of FOB value of export made beyond the stipulated EOP for clubbing and regularization. Value addition of minimum 15% shall be ensured. 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.

(Action: RA, Mumbai)

Case No.27. M/s. Shilpa Medicare Ltd. Raichur

F.No. 01/60/162/844/AM14/EFGC(PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for clubbing and EOP extension of 2 Advance Authorizations No. 0710023074 dated 5.8.2003 and 0710029160 dated 30.4.2004 for regularization/ closure purpose.

The Committee decided the following:

- I. Clubbing of the 2 Advance Authorisations as referred above be allowed.
- II. This is only for regularization of exports already effected and closure purpose and not for any further exports/imports.
- III. Exports made within 48 months from the date of earliest Authorisation shall only be taken into consideration for EO fulfilment and clubbing subject to payment of composition fee @ 0.5% on FOB value of export made beyond the stipulated EOP in the earliest Authorisation. RA is directed to examine the case in terms of Para 4.1.6 of FTP and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the Authorisations to be clubbed. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the Authorisations.
- IV. Even after clubbing, shortfall, if any, may be regularised on payment of Customs Duty + Interest in terms of Para4.28 of H.B.P or may avail the benefit of Public Notice no. 22 dt. 12.8.2013.

(Action: RA, Bangalore)

Case No.28. M/s. Sri Vasavi Industries Ltd. Kolkata.

F.No. 01/60/162/847/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for clubbing of 2 DFIs no. 0210113153 dated 3.6.2008
0210119333 dated 5.11.2008 for regularization/closure purpose.

Withdrawn to process on file.

Case No.29. M/s Sabic Innovative Plastics India Pvt. Ltd. Vadodara.

F.No. 01/60/162/ 710/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for relaxation from furnishing specified document and / or particulars in the specified documents for the purpose of closure of Advance Authorization no. 3410019441 dt. 16.8.2007.

The committee noted the request and it was decided to accept the documents towards discharge of export obligation to the extent of such ARE-1/Excise attested invoice which bear the details of advance authorization/file number under which goods were removed for discharge of export obligation. RA may check that ARE-1/ARE-3 bears the details of authorization on it and no drawback has been claimed on duty free inputs by the recipient.

(Action: RA Vadodara)

Case No.30. M/s Bharat Heavy Electricals Limited, Bhopal.

F.No. 01/60/162/446/AM14/EFGC (PRC)

PRC Meeting No. 37/AM14 dated 18.02.2014

Subject: - Request for Condonation of requirement of Bill of export towards EO discharge of Advance Authorization no. 1110019455 dt. 23.1.2009 and 1110019432 dt. 19/01/2009 against supplies made to Adani Power SEZ project.

The Committee noted that there is no doubt that the goods were supplied to SEZ but it does not prove from documents that goods were supplied towards discharge of export obligation against Advance Authorization in question. Therefore, the committee decided to reiterate the earlier decision of PRC meeting no. 20/AM14 dt. 10.9.2013.

The meeting ended with a vote of thanks to the Chair.
