MINUTES OF THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 40/AM12 HELD ON 07.02.2012 AT 11.00 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:

1.	Shri V.K. Gupta	Addl. DG
2.	Shri. V.K. Srivastava	Addl. DG
3.	Shri N.P.S. Monga	Addl. DG
4.	Dr. Rajiv Arora	Jt. DGFT
5.	Shri R.S. Ratna	Jt. DGFT
6.	Shri.Hardeep Singh	Jt DGFT
7.	Shri S.K. Samal	Jt. DGFT
8.	Smt. Subhra	Jt. DGFT
9.	Shri A. Mishra	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. Sunshine Fashions, Bangalore
F.No. 01/60/162/1002/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for revalidation of DFIA license No.0710057549 dt.26.5.2008.

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.2. M/s.Eastern Copper Mfg. Co .Pvt Ltd. Kolkata
F.No. 01/60/162/962/AM12/EFGC(PRC
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for revalidation of DFIA No.0210123721 dt.25.2.2009

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.3. M/s. Calyx Chemicals& Pharmaceuticals Limited thane
F.No. 01/60/162/997/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for revalidation of advance license No.0310518759 dt. 6.5.2009.

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.4. M/s. Raj Petro Specialties Pvt Limited Mumbai
F.No. 01/60/162/999/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for revalidation of 3 advance license Nos.0310468504 dt. 16.4.2008 (2) 0310469080 dt. 22.4.2008 (3) 0310464720 dt. 12.3.2008.

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.5. M/s. Silk & Shine
F.No. 01/60/162/939/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for Surrender of transferable DFIA towards regularization of advance license No.0710068101 dt. 9.11.2009.

The committee noted that the request would be as good as clubbing of an advance authorization and DFIA which other wise is not permissible under the policy. The committee rejected the request of the firm.

Case No.6. M/s. Universal Medicap Limited Gujarat
F.No. 01/60/162/1891/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for issuing necessary guidelines as EO is completed as per License and EODC rejected by RA.

The committee noted that the norms committee have already clarified the issue and the same does not require any policy relaxation.

Case No.7. M/s. Deepak Aerosols Limited New Delhi
F.No. 01/60/162/967/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for EOP extension of advance license No. 0510157631 dt. 16.5.2005.

The Committee rejected the request of the firm as there is no merit for consideration as the authorization is too old. It was decided that the cases may be finalized as per the provisions of the FTP.

Case No.8. M/s. MSD Organon India Limited Mumbai
F.No. 01/60/162/320/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for clubbing of two advance license No. 0210089056 dt. 5.5.2006 (2) 0210100542 dt. 4.5.2007.

The committee noted the request and decided to reject as authorization no. 0210089056 dt. 5.5.2006 has already been redeemed.

Case No.9. M/s. Imperial Exports
F.No. 01/60/162/937/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for revalidation of DFIA of Silver/Gold issued between 1.4.2008 to 31.3.2009.

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.10. M/s. M.M. Aqua Technologies Limited Gurgaon
F.No. 01/60/162/941/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for acceptance of DEEC shipments towards the discharge of EO against advance licence No.0510141262 dt. 21.10.2004.

Deferred.

Case No.11. M/s. Miracle Sands & Chemicals Tuticorin
F.No. 01/60/162/893/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for EOP extension of advance license No. 3510023847 dt. 13.6.2008.

Deferred.

Case No.12. M/s. J.J. Exports Kolkata
F.No. 01/60/162/1987/AM11/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for grant of EOP extension of advance license No.0210109717 dt. 29.2.2008

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Deferred
Case No.13. M/s. Vishal Exports Overseas
F.No. 01/85/162/0066/AM-12/DES-VI
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- The Hon'ble Madras High Court order passed on the writ Petitions filed by M/s Vishal Exports
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Deferred

Case No.14. M/s. Oil Field Instrumentation (India) Pvt Limited Saharanpur
F.No. F.N. 01/91/180/1327 AM-12/P-3
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for revalidation of SFIS licence no. 0310541485 dt. 14.10.2009.

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.15. M/s. Mehra Drug House Amritsar
F.No. 01/53/8/228/AM10/M-34/IC
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for grant of revalidation of Import License No. 0550001617 dt.1.12.2009.

The committee considered and approved the revalidation for a period of 6 months of import authorization no. 0550001617 dt.1.12.2009 for import of 30 MTs of Kuth (Saussurea Laapa) for   stock and sale purposes.

Case No.16. M/s. Sakthi Sugars Limited
F.No. 01/60/162/321/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for EOP against advance license No.3210029022 dt. 9.6.2005
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The committee granted ex-post facto approval for recall and cancellation of the decision. The committee also noted that the RA (Jt. DGFT, Coimbatore) have already received a demand draft from the firm on account of decision held in PRC meeting no. 30/AM12 dated: 29.11.2011. The committee decided that the demand draft may be returned to the applicant in view of the aforesaid decision to cancel the earlier decision.

Case No.17. M/s. Videocon Industries Limited Aurangabad
F.No. 01/60/162/993/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012

Subject:- Request for 2nd revalidation of advance license No. 0310515887 dt. 16.4.2009 .

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.18. M/s. Godrej Industries Limited Mumbai
F.No. 01/60/162/1182/AM11/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Revalidation of advance license No.0310413521 dt. 26.12.2006.

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.19. M/s. Vidyut Metallics Pvt. Limited Mumbai
F.No. 01/60/162/995/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for regularization and EOP extension of advance licence No 0310317008 dt.16.2.2005.

The Committee decided to grant extension for 12 months beyond the permitted 36 months for the purpose of regularization and closure, subject to verification by RA of EO claimed to have been fulfilled by the firm within the valid EOP and also subject to payment of composition fee @ 6% of the duty saved amount for the balance inputs in proportion to export obligation beyond the permissible export obligation period of 36 months. RA is directed to examine the case in terms of Public Notice No. 23 dated 4.12.2009 and make necessary endorsements regarding value addition of minimum 15% or as stipulated in the authorization whichever is higher.

Case No.20. M/s. M.G.S. Govindharaajula Chettar & Sons Karur
F.No. 01/60/162/262/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for EOP extension of advance license 3210035940 dt. 8.8.2007.

Deferred

Case No.21. M/s. Tractors & Farm Equipment Limited Chennai
F.No. 01/60/162/804/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for expedite acceptance of DEPB shipping bills without any lat cut etc as the dispute in the description of export product with the Customs Authority has been resolved subsequently by DEPB Committee against DEPB license No.0410111246 dt. 3.2.2010.

The committee noted the request and desired that the time taken at various stages be tabulated in chronological order and case be placed again before PRC.

Case No.22. M/s. Ranbaxy Limited Gurgaon
F.No. 01/60/162/976/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for extension of 4 advance license under PC-9 condition for regularization

1) 0510218024 dt. 17.03.2008
2) 0510224334 dt. 23.07.2008
3) 0510230698 dt. 12.11.2008
4) 0510236324 dt. 12.02.2009

The Committee decided to extend EOP against the aforesaid advance authorization 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.

Case No.23. M/s. Medrich Limited Bangalore
F.No. 01/60/162/1003/AM12/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for EOP extension of advance license no.0710048342 dt. 09.11.2006.

The Committee decided to extend EOP against the aforesaid advance authorization 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 1st 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.24. M/s. Ajanta Pharma Limited Mumbai
F.No. 01/60/162/1572/AM11/EFGC(PRC)
PRC Meeting No. 40/AM12 dated: 07.02.2012

Subject:- Request for EOP extension of advance license No.0310341047 dt. 26.7.2005.

The Committee decided to extend EOP against the aforesaid advance authorization 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 1st 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.25. M/s. KEI Industries Limited New Delhi
F.No. 01/94/180/375/AM-12/PC-4
PRC Meeting No. 40/AM12 dated: 07.02.2012
Subject:- Request for clubbing of (6) advance license.

Deferred