

THE POLICY RELAXATION COMMITTEE (PRC) MEETING NO. 40/AM13 HELD ON 19.02.2013 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:

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|-----|-----------------------|---------------|
| 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 A.K. Mishra | Stats Advisor |
| 10. | Smt. Sonika Khattar | FTDO |

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

Case No.1. M/s Pragathi Shree Silks, Bangalore.

F.No. 01/60/162/924/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0710068399 dt. 19.11.2009.

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

- i) Export obligation period is extended for 3 months from the date of endorsement or upto 31.05.2013 which ever is earlier.
- ii) 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.
- iii) This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% within the valid EOP.
- iv) The applicant is advised to submit the licence for endorsement to RA as early as possible.
- v) The applicant may start discharging their export obligation without awaiting for endorsement from RA on the basis of this minutes.

(Action : RA Bangalore)

Case No.2. M/s Intas Pharmaceuticals Ltd, Ahmedabad.

F.No. 01/60/162/919/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0810093633 dated. 02.11.2010 issued under PC-9 condition for regularization.

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.
- IV. The applicant has to pay duty +interest on inputs consumed and exported after 18 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, Ahmedabad)

Case No.3. M/s Intas Pharmaceuticals Ltd, Ahmedabad.

F.No. 01/60/162/918/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0810094103dated. 24.11.2010 issued under PC-9 condition for regularization.

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.
- IV. The applicant has to pay duty +interest on inputs consumed and exported after 18 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, Ahmedabad)

Case No.4. M/s AGIO Pharmaceuticals Limited, Mumbai.

F.No. 01/60/162/933/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310522411 dated. 03.06.2009 issued under PC-9 condition for regularization purpose.

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.5. M/s Wockhardt Limited, Mumbai.

F.No. 01/60/162/915/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310659833 dated. 14.10.2011 issued under PC-9 condition for regularization purpose.

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

- I. Export obligation period is extended from 12 months to 13 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, Ahmedabad)

Case No.6. M/s S. Khoday Silk Twisting Factory, Bangalore.

F.No. 01/60/162/940/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0710066724 dated 28.08.2009.

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

- i) Export obligation period is extended for 3 months from the date of endorsement or upto 31.05.2013 which ever is earlier.
- ii) 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.
- iii) This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% within the valid EOP.
- iv) The applicant is advised to submit the licence for endorsement to RA as early as possible.

(Action : RA Bangalore)

Case No.7. M/s Lifelong India Ltd.

F.No. 01/60/162/927/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0510202718 dated 19.04.2007 for regularization.

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

- I. Export obligation period is extended upto 30.08.2010.
- 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 CLA, New Delhi)

Case No.8. M/s Galantic Pharma (India) Pvt. Ltd, Mumbai.

F.No. 01/60/162/928/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310458577 dated 22.01.2008 issued under PC-9 condition for regularization purpose.

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 each 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 each 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.9. M/s Positive Packaging industries Ltd, Mumbai.

F.No. 01/60/162/930/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of DFIA No. 0310480735 dated 01.08.2008 for regularization purpose.

After deliberation the committee decided that the shipping bill no. 4792249 dt. 30.7.2011 may be taken into consideration for discharge of export obligation against the above referred DFIA.

(Action : RA Mumbai)

Case No.10. M/s Shibu Enterprises, Jagadhri.

F.No. 01/60/162/926/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 3310013913 dated 11.09.2009.

The Committee rejected the request of the firm considering no merit in the case. However, it is advised to the party to get the case regularized in terms of Para 4.28 of HBP.

Case No.11. M/s DUCOL Organics & Colours Pvt. Ltd, Mumbai.

F.No. 01/60/162/917/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for EOP extension of Advance Authorization No. 0310471638 dated 19.05.2008.

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

- i) Export obligation period is extended for 6 months from the date of endorsement or upto 31.08.2013 which ever is earlier.
- ii) 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.
- iii) This is further subject to verification by RA that EO as claimed to have been fulfilled is more than 50% (value wise) and item no.2 & 4 more than 100% Qty. wise within the valid EOP.
- iv) The applicant is advised to submit the licence for endorsement to RA as early as possible.

(Action : RA Bangalore)

Case No.12. M/s Oil Country Tubular Limited, Hyderabad.

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

PRC Meeting No. 40/AM13 dated: 19.02.2013

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

After deliberations the committee decided the firm has option to accept the decision of PRC held on 22.1.2013 or regularize each licence individually. Export made beyond 72 months from the date of earliest authorization can't be taken into account for clubbing purpose.

Case No.13. M/s Sri Salasar Balaji Agro Tech (P) Ltd, Andhra Pradesh.

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

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for condoning delay of two working days in receipt of application by Regional O/o DGFT at Hyderabad for grant of Star Export House Status w.e.f. 01.04.2012 sent through Government Post on 31.03.2011 i.e. within prescribed last date for submission of such application.

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

Case No.14. M/s K.S. Instruments Pvt. Ltd, Bangalore.

F.No. 01/60/162/931/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for clubbing of 3 Advance Authorizations Nos. 0710074679 dated 08.01.2010, 0710072852 dated 13.07.2010 & 0710074389 dated 08.10.2010.

The committee noted that this is not a case of relaxation. Hence RA is directed to examine the request as per the policy provisions and taking into account SION prescribed for the products. All these Advance Authorizations are issued within 18 months hence they can consider request for clubbing too.

(Action : RA Bangalore)

Case No.15. M/s Vijai Electricals Ltd, Hyderabad.

F.No. 01/60/162/582/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for clubbing of 2 Advance Authorizations Nos. 0910039960 dated 18.11.2009 & 0910049878 dated 23.11.2011.

The committee noted that the date of last shipment in advance authorization no. 0910039960 dated 18.11.2009 is prior to the issue of subsequent authorization no. 0910049878 dated 23.11.2011. This amounts indirect revalidation of expired licence. Hence the request for clubbing is rejected.

(Action : RA Hyderabad)

Case No.16. M/s Vijai Electricals Ltd, Hyderabad.

F.No. 01/60/162/583/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for clubbing of 2 Advance Authorizations Nos. 0910040768 dated 02.02.2010 & 0910051658 dated 09.03.2012.

The committee noted that the date of last shipment in advance authorization no. 0910039960 dated 18.11.2009 is prior to the issue of subsequent authorization no. 0910049878 dated 23.11.2011. This amount indirect revalidation of expired licence. Hence the request for clubbing is rejected.

(Action : RA Hyderabad)

Case No.17. M/s DSM Sinochem Pharmaceuticals India Pvt. Ltd, Gurgaon.

F.No. 01/60/162/925/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for clubbing of Advance Authorizations issued under PC-9 condition for regularization purpose.

Group 1:-

1. 2210005110 dated 23.12.2005
2. 2210005111 dated 23.12.2005
3. 2210005128 dated 03.01.2006
4. 2210005133 dated 05.01.2006

5. 2210005142 dated 09.01.2006
6. 2210005174 dated 17.01.2006
7. 2210005184 dated 23.01.2006
8. 2210005183 dated 23.01.2006
9. 2210006447 dated 31.01.2007

Group 2:-

1. 2210004397 dated 06.04.2005
2. 2210005307 dated 08.03.2006

Group 3:-

1. 2210005723 dated 04.07.2006
2. 2210005749 dated 10.07.2006
3. 2210005758 dated 12.07.2006
4. 2210006784 dated 12.06.2007

Group 4:-

1. 2210007457 dated 14.02.2008
2. 2210007860 dated 03.06.2008
3. 2210008127 dated 28.08.2008
4. 2210008873 dated 28.04.2009

Group 5:-

1. 2210007455 dated 14.02.2008
2. 2210007713 dated 15.04.2008

Group 6:-

1. 2210008422 dated 27.11.2008
2. 2210008424 dated 27.11.2008
3. 2210008874 dated 28.04.2009

Group 7:-

1. 2210006595 dated 19.03.2007
2. 2210006593 dated 19.03.2007
3. 2210006598 dated 19.03.2007
4. 2210006786 dated 12.06.2007

Deferred for obtaining a detailed report from RA, Chandigarh especially in respect of the condition under which the authorization has been issued. And to know as to how exports were made prior to imports when Advance Authorizations were issued with PC-9 condition? Firm should submit the relevant details to RA.

(Action : RA Chandigarh)

Case No.18. M/s Swastik Pipes Limited, New Delhi.

F.No. 01/60/162/935/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for clubbing of 3 Advance Authorizations Nos. 0510247091 dated 31.07.2009, 0510284564 dated 23.02.2011 & 0510286772 dated 24.03.2011.

It is not clear whether exports were made without mentioning of licence/file no. on export documents or even E-com reference number. Hence it was decided to maintain rejection as per PRC dt. 10.5.2011.

Case No.19. M/s Union Plastics Quality Ltd, Mumbai.

F.No. 01/60/162/932/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for revalidation of Advance Authorizations No. 0310580051 dated 22.06.2010.

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

Case No.20. M/s Alembic Limited, Vadodara.

F.No. 01/60/162/840/AM11/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for revalidation and transferability of DFIA No. 3410021842 dated 16.07.2008.

The committee observed that in the PRC dated 01.11.2011 the request of the firm was considered to accept documents for discharge of export obligation and not for revalidation. The request for revalidation is therefore rejected.

Case No.21. M/s Pasari Inc. Kolkata.

F.No. 01/60/162/911/AM13/EFGC (PRC)

PRC Meeting No. 40/AM13 dated: 19.02.2013

Subject: - Request for revalidation of DFIA No. 0210143747 dated 18.06.2010.

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

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