Minutes of the Policy Relaxation Committee

Meeting No. 40/AM14 held on 11.03.2014 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 K.C. Rout	Addl. DGFT
2.	Shri Jaikant Singh	Addl. DGFT
3.	Shri Darshan Singh	Jt. DGFT
4.	Shri Jay Karan Singh	Jt. DGFT
5.	Shri Hardeep Singh	Jt. DGFT
6.	Shri Akash Taneja	Jt. DGFT
7.	Shri S.K. Samal	Jt. DGFT
8.	Shri A.K. Srivastava	Jt. DGFT
9.	Shri S.K. Mohapatra	Dy. DGFT

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

Case No.1. M/s Oil and natural Gas Corporation Limited, Mumbai.
F.No. 01/60/162/914/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of DFIA No. 0310641133 dated 08.07.2011.

The committee observed that since there is no import duty on crude oil, therefore, the applicant is advised to surrender the DFIA. No purpose would be served by allowing revalidation of DFIA when there is no duty on input.

Case No.2. M/s Gujarat Raffia Industries Limited, Gandhinagar.
F.No. 01/60/162/916/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of Advance Authorization No. 0810101282 dated 11.07.2011.

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

Case No.3. M/s Ebullient Packaging Pvt. Ltd, Mumbai.
F.No. 01/60/162/915/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of Advance Authorization No. 0310614361 dated 04.02.2011.

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

Case No.4. M/s RR Kabel Limited, Vadodara.
F.No. 01/60/162/917/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of Advance Authorization No. 0310616010 dated 15.02.2011.

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 RR Kabel Limited, Vadodara.
F.No. 01/60/162/918/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of Advance Authorization No. 0310615138 dated 09.02.2011.

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 Videocon Industries Limited, Aurangabad.
F.No. 01/60/162/919/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of Advance Authorization No. 0310635751 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.7. M/s Videocon Industries Limited, Aurangabad.
F.No. 01/60/162/920/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of Advance Authorization No. 0310635754 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.8. M/s Nilkamal Limited, Mumbai.
F.No. 01/60/162/899/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of Advance Authorization No. 0310634819 dated 07.06.2011.

The committee observed that e-BRC was not mandatory in May 2012 and also that nothing had prevented the applicant from completing its imports prior to waiver of bond. Therefore the Committee did not accede to the request.

Case No.9. M/s Cipla Limited, Mumbai.
F.No. 01/60/162/295/AM13/EFGC (PRC)

PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of DEPB No. 0310538374 dated 17.09.2009.

The Committee reviewed its earlier decision dated 24/09/2013 in the light of the fresh submissions made by the applicant including letter from Asstt. Commissioner of Customs and decided to revalidate the DEPB for a further period of three months from the date of endorsement on Authorization or upto 30.6.2014 whichever is earlier.

(Action: RA Mumbai)

Case No.10. M/s Calyx Chemicals and Pharmaceuticals Limited, Mumbai.
F.No. 01/60/162/921/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for EOP extension of Advance Authorization No. 0310559471 dated 10.02.2010.

The committee considered the request of the applicant and decided that exports affected within 48 months from the date of issue of the Authorization i.e. upto 28.2.2014 shall be accounted for regularization purpose. However, this will be subject to payment of composition fee @ 0.5% on FOB value of exports made outside the original EOP. The applicant has also the option of regularizing the Advance Authorization taking the benefit of PN 22 dt. 12.8.2013.

Case No.11. M/s Calyx Chemicals and Pharmaceuticals Limited, Mumbai.
F.No. 01/60/162/922/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for EOP extension of Advance Authorization No. 0310709519 dated 18.09.2012.

The committee noted that the firm has made no considerable exports within the original export obligation period against the above Advance Authorisation as such there is no merit for consideration. The committee decided to reject the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(**Action: RA Mumbai-** If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

Case No.12. M/s Calyx Chemicals and Pharmaceuticals Limited, Mumbai.
F.No. 01/60/162/923/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for EOP extension of Advance Authorization No. 0310707803 dated 05.09.2012.

The committee noted that the firm has made no considerable exports within the original export obligation period against the above Advance Authorisation as such there is no merit for consideration. The committee decided to reject the request. The applicant is hereby directed to get their case regularized in terms of Para 4.28 of HBP.

(**Action: RA Mumbai-** If the party fails to get the case regularized in terms of Para4.28 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 submit an Action Taken Report).

Case No.13. M/s Piramal Enterprises Limited, Mumbai.
F.No. 01/60/162/652/AM13/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for EOP extension of Advance Authorization No. 0310497128 dated 10.12.2008 for regularization.

The Committee went into the details of the submissions made by the applicant and noted that the applicant had made imports before receiving the approval of the regulatory bodies i.e. USFDA. The committee, however, taking into consideration the delay in receiving approval of the regulatory bodies decided the following:

I. Export obligation period be extended from 06 months to 12 months i.e. upto 31/12/2009 from the date of first import consignment.
II. This is only for regularization of exports already effected 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 31.12.2009 i.e. after 12 months from date of first import.
V. PC-18 condition stands waived on these exports to the extent of requirement of re-export/destruction certificate on export made outside the extended EOP.
VI. The applicant has also the option of regularizing the Advance Authorization under PN 22 dt. 12.8.2013

(**Action: RA, Mumbai)**

Case No.14. M/s Gandhar Oil Refinery India Limited, Mumbai.
F.No. 01/60/162/902/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for clubbing of 4 Advance Authorization No. 0310517468 dated 27.04.2009, 0310533741 dated 13.08.2009, 0310552393 dated 23.12.2009 & 0310571491 dated 27.04.2010.

The Committee noted that the applicant has sought clubbing of 4 Advance Authorizations and last date of export under AA No.0310571491 dated 27/04/2010 is 19/04/2012 i.e. within 36 months of earliest Authorization. The Committee also observed that the party had not furnished the last date of export in respect of one of the authorizations. The committee therefore decided the following:

I. Clubbing of the 4 Advance Authorisations as referred above be allowed irrespective of issue of EODC for waiver of bond.
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 shall 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, Mumbai)**

Case No.15. M/s Gandhar Oil Refinery India Limited, Mumbai.
F.No. 01/60/162/900/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for clubbing of 2 Advance Authorization No. 0310544575 dated 09.11.2009 & 0310608036 dated 27.12.2010.

The Committee decided the following:

I. Clubbing of the 2 Advance Authorisations as referred above be allowed irrespective of issue of EODC for waiver of bond.
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 shall 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, Mumbai)**

Case No.16. M/s Elins Switch Boards Pvt. Ltd, Bangalore.
F.No. 01/60/162/905/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710058236 dated 30.06.2008 for regularization purpose.

The committee noted the request and it was decided that RA may accept documents towards discharge of export obligation provided there is a corroborative evidence i.e. ARE-1/Excise attested invoice bearing the details of advance authorization/file number under which goods were removed for discharge of export obligation. RA may check that ARE-1 bears the details of authorization on it and no drawback has been claimed on duty free inputs by the recipient i.e. the SEZ unit.

(Action: RA Bangalore)

Case No.17. M/s Elins Switch Boards Pvt. Ltd, Bangalore.
F.No. 01/60/162/911/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710060131 dated 25.09.2008 for regularization purpose.

The committee noted the request and it was decided that RA may accept documents towards discharge of export obligation provided there is a corroborative evidence i.e. ARE-1/Excise attested invoice bearing the details of advance authorization/file number under which goods were removed for discharge of export obligation. RA may check that ARE-1 bears the details of authorization on it and no drawback has been claimed on duty free inputs by the recipient i.e. the SEZ unit.

(Action: RA Bangalore)

Case No.18. M/s Elins Switch Boards Pvt. Ltd, Bangalore.
F.No. 01/60/162/913/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710062730 dated 04.02.2009 for regularization purpose.

The committee noted the request and it was decided that RA may accept documents towards discharge of export obligation provided there is a corroborative evidence i.e. ARE-1/Excise attested invoice bearing the details of advance authorization/file number under which goods were removed for discharge of export obligation. RA may check that ARE-1 bears the details of authorization on it and no drawback has been claimed on duty free inputs by the recipient i.e. the SEZ unit.

(Action: RA Bangalore)

Case No.19. M/s Elins Switch Boards Pvt. Ltd, Bangalore.
F.No. 01/60/162/912/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for condonation of non-filing of Bill of export for the supplies made against Advance Authorization No. 0710061003 dated 12.11.2008 for regularization purpose.

The committee noted the request and it was decided that RA may accept documents towards discharge of export obligation provided there is a corroborative evidence i.e. ARE-1/Excise attested invoice bearing the details of advance authorization/file number under which goods were removed for discharge of export obligation. RA may check that ARE-1 bears the details of authorization on it and no drawback has been claimed on duty free inputs by the recipient i.e. the SEZ unit.

(Action: RA Bangalore)

Case No.20. M/s Apar Industries Ltd, Mumbai.
F.No. 01/60/162/426/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for grant of Duty Drawback for supply made against invalidation letter – under Para 8, 3 (b) of the FTP read with Para 8.3.1(ii) of the HBP VI.

The Committee observed that Policy Circular 16 dated 15/03/2013 categorically clarifies the provision of FTP. This circular does not make any amendment in the Policy hence applies retrospectively. Supplies of goods to Advance Authorization holder against Invalidation are exempted ab – initio from the payment of Excise Duty hence question of refund of TED does not arise. However, the applicant is eligible for refund of duty drawback for duty paid on inputs provided CENVAT Credit has not been availed.

Case No.21. M/s Magsons Exports, New Delhi.
F.No. 01/60/162/897/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Permission to return drawback and regularize the Advance Authorization No. 0510230773 dated 14.11.2008 for the purpose of redemption or EOP extension.

The committee did not accede to the request and advice the firm to regularize the case under PN 22 dt. 12.8.2013.

Case No.22. M/s United Phosphorus Limited, Mumbai.
F.No. 01/60/162/741/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for consideration of 6 S/bills of Acephate 97% DF made under Advance Authorization No. 0310640059 dated 04.07.2011 towards discharge of export obligation of Authorization No. 0310557234 dated 27.01.2010.
The Committee decided the following:

I. The exports made through following 6 S/bills shall be taken into account for discharge of export obligation against Advance Authorization No. 0310557234 dated 27.01.2010

DEEC-354/2011 dated 10.10.2011

DEEC-378/2011 dated 21.10.2011

DEEC-395/2011 dated 25.10.2011

DEEC-411/2011 dated 04.11.2011

DEEC-413/2011 dated 05.11.2011

DEEC-455/2011 dated 26.11.2011

II. The applicant shall submit declaration/undertaking that no other benefits have been availed/ will not be availed in future and the shipping bill shall not be taken into account for discharge of any other Authorization.
III. RA shall ensure that above mentioned 6 S/bills have not been taken into account towards discharge of export obligation against Advance Authorization no. 0310640059 dated 04.07.2011

(**Action: RA, Mumbai**)

Case No.23. M/s Cito Chem Industries Pvt. Ltd, Indore.
F.No. 01/60/162/582/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for restoration of the quantity of import item, value authorization & revalidation for 6 months in respect of Advance Authorization No. 1110022043 dated 18.03.2010.

The Committee observed that the applicant had imported 51Kgs raw material vide B/E No.213553 dated 04/06/2010. However, on examination of goods, it was found that the goods were not upto the set parameters hence the said goods were re-exported vide S/B No.4263514 dated 07/10/2010. There is no provisions to deal with such situation for Advance Authorization, however, for DFIA, provisions in the Para 4.35 are available. The Committee, therefore, decided to apply same analogy to Advance Authorization also. Accordingly, goods re-exported vide S/B No. 4263514 dated 07/10/2010 may be re-credited in the Advance Authorization and Authorization shall be revalidated for 3 months from the date of endorsement. It is further clarified that re-credit of quantity of goods shall be allowed only to the extent of quantity re-exported. And, re-credit of CIF value shall be allowed to the extent of 95% of CIF value debited for import of 51 Kgs.

(Action: Customs Authority & RA, Bhopal)

Case No.24. M/s Cito Chem Industries Pvt. Ltd, Indore.
F.No. 01/60/162/583/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for restoration of the quantity of import item, value authorization & revalidation for 6 months in respect of Advance Authorization No. 1110022293 dated 28.04.2010.

The Committee observed that the applicant had imported 99 Kgs raw material vide B/E No.213553 dated 04/06/2010. However, on examination of goods, it was found that the goods were not upto the set parameters hence the said goods were re-exported vide S/B No.4263514 dated 07/10/2010. There is no provisions to deal with such situation for Advance Authorization, however, for DFIA, provision in the Para 4.35 are available. The Committee, therefore, decided to apply same analogy to Advance Authorization also. Accordingly, goods re-exported vide S/B No. 4263514 dated 07/10/2010 may be re-credited in the Advance Authorization and Authorization shall be revalidated for 3 months from the date of endorsement. It is further clarified that re-credit of quantity of goods shall be allowed only to the extent of quantity re-exported. And, re-credit of CIF value shall be allowed to the extent of 95% of CIF value debited for import of 99 Kgs.

(Action: Customs Authority & RA, Bhopal)

Case No.25. M/s MIRC Electronics Limited, Mumbai.
F.No. 01/60/162/77/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request to waive off not mentioning of Advance Authorization No. 0310428698 dated 04.05.2007 on the respective sales invoices and details of exempted material used is not appearing on the sales invoices.

The committee observed that the said Authorization was obtained to import "LCD Panel Electronics" and to supply the LCD TV to EPCG Authorization holder. LCD TV can't be manufactured without use of LCD Panel. The Committee, therefore, decided to regularize the case provided documentary evidences from the recipient of goods are submitted confirming receipt of LCD TV as per specification in the Invalidation Letter.

(Action: RA Mumbai)

Case No.26. M/s Taurus Private Limited, Bangalore.
F.No. 01/60/162/155/AM13/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for re-consideration of decision by Grievance Redressal Committee in the matter of Condonation of non-mentioning the Advance Authorization details in the shipping bills in two Advance Authorization Nos. 0710050495 dated 08.03.2007 & 0710046466 dated 01.08.2006.

The committee considered the fresh submission of the firm and decided to reiterate its earlier decision taken in PRC meeting no. 09/AM13 dt. 12.06.2012 as no corroborative evidence has been produced, thus rejecting the request of the firm to condone the non-mentioning the details of Advance Authorization in the shipping bills in two Advance Authorization Nos. 0710050495 dated 08.03.2007 & 0710046466 dated 01.08.2006. The applicant is advised to get the case regularized in terms of PN-22 dated 12/08/2013.

(**Action: RA Bangalore-** If the party fails to get the case regularized in terms of PN-22 dated 12/08/2013 read with PC-8 dt. 25.10.2013 or 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 submit an Action Taken Report).

Case No.27. M/s Rubber Products Limited, Thane, Maharashtra.
F.No. 01/60/162/655/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for review of PRC decision dated 27.09.2011 with regard to period of revalidation in respect of DFIA No. 0310480939 dated 01.08.2008.

The Committee reviewed its earlier decision dated 27/09/2011 in the light of the fresh submissions made by the applicant and since there was a delay on the part of RA Mumbai for a period of 30 days, the committee decided to revalidate the DFIA for a further period of 30 days from the date of endorsement or upto 30.4.2014 whichever is earlier.

(Action: RA Mumbai)

Case No.28. M/s Arvind Limited, Ahmedabad.
F.No. 01/84/50/143/AM10/DES-V
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for enhancement of inputs against Advance Authorization No. 0810083511 dated 12.10.2009.

The Committee observed that the party was one of the applicants in getting the CIF value of chemical enhanced from 14% to 26% of FOB value of exports. The Committee, therefore, decided to allow benefits of PN 88 dated 27/12/2011 to the applicant. However, CIF value of chemicals will be enhanced as applied or upto 26% of FOB value whichever is less.

Case No.29. M/s Haldia Petrochemicals Limited, Kolkata.
F.No. 01/60/162/744/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for EOP extension of the following 61 Advance Authorizations.

1	210122139	13.01.2009
2	210137455	04.02.2010
3	210142919	04.06.2010
4	210143018	07.06.2010
5	210144772	09.07.2010
6	210145837	30.07.2010
7	210145858	02.08.2010
8	210146188	10.08.2010
9	210146328	12.08.2010
10	210149113	11.10.2010
11	210149110	11.10.2010
12	210150407	11.11.2010
13	210151572	06.12.2010
14	210151653	07.12.2010
15	210152835	29.12.2010
16	**210152845**	**30.12.2010**
17	210152846	30.12.2010
18	210154018	27.01.2011
19	210153623	17.01.2011
20	210154214	01.02.2011

21	210156142	14.02.2011
22	210154872	15.02.2011
23	210155033	18.02.2011
24	210155593	01.03.2011
25	210155759	03.03.2011
26	210155758	03.03.2011
27	210156141	14.03.2011
28	210156465	22.03.2011
29	210156661	23.03.2011
30	210156653	23.03.2011
31	210157411	07.04.2011
32	210157411	07.04.2011
33	210157708	13.04.2011
34	210158012	21.04.2011
35	210158394	29.04.2011
36	210158612	09.05.2011
37	210158805	12.05.2011
38	210158991	18.05.2011
39	210159339	23.05.2011
40	210159662	30.05.2011
41	210159770	01.06.2011
42	210159774	01.06.2011
43	210160139	10.06.2011
44	210160919	22.06.2011
45	210161207	24.06.2011
46	210161211	24.06.2011
47	210161881	06.07.2011
48	210167749	19.08.2011
49	210166534	22.09.2011
50	210166629	23.09.2011
51	210166733	23.09.2011
52	210167049	29.09.2011
53	210167090	29.09.2011
54	210167257	30.09.2011
55	210167142	30.09.2011
56	210167258	30.09.2011
57	210167881	21.10.2011
58	210167970	24.10.2011
59	210168071	24.10.2011
60	210179539	09.07.2012
61	210188734	17.04.2013

The committee decided to grant extension of EOP upto 48 months from the date of issue of Advance Authorization only in such cases where the EO has been fulfilled to the extent of 50% or more (quantity wise), even on pro-rata basis. If the EO fulfillment in respect of any of these Advance Authorizations, within original EOP, is below 50% (quantity wise), then no further extension may be allowed.

Case No.30. M/s Dhoot Compack Limited, Ahmednagar (Maharashtra).
F.No. 01/60/162/925/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for revalidation of Advance Authorization No. 0310592738 dated 16.09.2010.

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

Case No.31. M/s Ajanta Pharma Limited, Mumbai.
F.No. 01/60/162/304/AM10/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for clubbing of 4 Advance Authorization Nos. 0310205441 dated 02.06.2003, 0310205693 dated 03.06.2003, 0310288651 dated 27.08.2004 & 0310297558 dated 19.10.2004.

The Committee reviewed its earlier decision dated 12/10/2010 in the light of the fresh submissions made by the applicant and decided the following:

I. Clubbing of the 4 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 accounting 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 shall 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, Mumbai)**

Case No.32. M/s Aditya Birla Nuvo Limited, Bangalore.
F.No. 01/60/162/901/AM14/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for conversion of non-transferable DFIA to transferable Authorization.

1. 0710090389 dated 24.08.2012

2. 0710090298 dated 21.08.2012
3. 0710090296 dated 21.08.2012
4. 0710090304 dated 21.08.2012
5. 0710090709 dated 13.09.2012
6. 0710090708 dated 13.09.2012
7. 0710090474 dated 30.08.2012
8. 0710090302 dated 21.08.2012
9. 0710090250 dated 16.08.2012
10. 0710090303 dated 21.08.2012

The committee observed that transferability is not allowed for inputs under SION J270 to J 296 as per General Note no. 14 of the General Notes for Textiles in HBP Vol.II. Therefore the committee did not accede to the request of the firm.

Case No.33. M/s Nicomet Industries Ltd. Mumbai.
F.No. 01/60/162/138/AM12/EFGC (PRC)
PRC Meeting No. 40/AM14 dated 11.03.2014
Subject: - Request for EOP extension of 6 months for Advance Authorization no. 0310407977 dt. 14.11.2006.

The committee considered the fresh submission of the firm and reviewed its earlier decision taken in PRC meeting no. 20/AM12 dt. 29.8.2011 in the light of the fact that the applicant had faced genuine hardship due to closure of its operation on the direction of Goa State Pollution Board and Hon'ble High Court Mumbai. The committee also taking into account that the applicant had to approach Norms Committee to change its export product, decided to grant extension in EOP for a further period of 6 months from the date of endorsement or upto 30.09.2014 whichever is earlier. The applicant is advised to submit the Authorization for endorsement to RA as early as possible.

They are further advised to start discharging their stipulated balance export obligation on the basis of this minutes without waiting for the endorsement on the Authorization by RA.

(**Action: RA Mumbai**)

Case No.34. Reference received from Norms Committees.
F.No. 01/81/162/494/AM13/DES-II
PRC Meeting No. 40/AM14 dated 11.3.2014
Subject: - PRC condoned delay in filing representation beyond 4 months for consideration by NC-II in following cases.

SL. No.	Name of the Firm	AA No. & date	Date of communication	Representation made on
1	M/s Tema India Ltd.	0310288604 dated	20.04.2005	20.09.2013

		27.08.2004		
2	M/s Sterlite Technologies Limited	0310701351 dated 09.07.2012	10.06.2013	31.10.2013
3	M/s Sterlite Technologies Limited	0310699774 dated 26.06.2012	13.09.2012	11.10.2013
4	M/s Sterlite Technologies Limited	0310694893 dated 16.05.2012	13.09.2012	11.10.2013
5	M/s Lloyd Insulations (India) Ltd.	0510241176 dated 12.05.2009	04.03.2010	14.09.2013

The meeting ended with a Vote of Thanks to the Chair.

****