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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of Shri Alok Vardhan Chaturvedi, Director General of Foreign Trade on 02.04.2019

Meeting No.01/AM20 held on 02.04.2019

The following members were present in the meeting:

1. Shri K.C. Rout — Addl. DGFT
2. Shri R. P. Goyal — Addl. DGFT
3. Shri Vijay Kumar — Addl. DGFT
4. Shri Satyan Sharda — Addl. DGFT
5. Shri N.K. Srivastava — Addl. DGFT
6. Shri Anil Aggarwal — Addl. DGFT
7. Shri Rajbir Sharma — Jt. DGFT
8. Dr. Praveen Kumar — Dy. DGFT

Following cases were discussed. The decision taken on the individual cases are as under:-

S. No	Name of the firm	Case No.
1.	M/s. Sandoz Pvt. Ltd., Mumbai	01 to 09
2.	M/s Reliance Industries Limited, Mumbai	10 & 11
3.	M/s ABS Exports, Maharashtra	12
4.	M/s. Sanjay Kumar & Sons, Delhi	13
5.	M/s. Vikash Arora, Punjab	14
6.	M/s Wakeel Ahmed Sitapur, U P	15
7.	M/s Batra International, Delhi	16
8.	M/s Chirag Impex, Ahmedabad	17
9.	M/s Ball Aerocan India Pvt. Ltd., Ahmedabad	18
10.	M/s Ashok Leyland Limited, Chennai	19
11.	M/s High Performance Textiles Pvt. Ltd., New Delhi	20
12.	M/s Cakco Poly Technik Pvt. Ltd., Delhi	21
13.	M/s Jans Copper Pvt. Ltd., Mumbai	22
14.	M/s Arihant Corporation, Pune	23 to 28
15.	M/s Celebi Airport Service India Pvt. Ltd., Mumbai	29 & 30
16.	M/s Hind Terminals Pvt. Ltd., Mumbai	31
17.	M/s Tesla Décor, Bhadohi (UP)	32
18.	M/s Welspun Corp Limited, Vadodara	33
19.	M/s Bharat Parenterals Limited Vadodara	34 to 36
20.	M/s Jodas Expoim Pvt. Ltd., Telangana	37
21.	M/s GE India Industrial Pvt. Ltd., Pune	38
22.	M/s M.J. Biopharm Pvt. Ltd., Mumbai	39 & 40
23.	M/s Mahesh Weaving Factory, Bangalore	41

24.	M/s Premier Global Corporate Solution Pvt. Ltd., Bangalore	42

PH Case No.01: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/840/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80006/AM17 for the export made by EOU unit.

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No. 27/21/087/80006/AM17 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.02: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/842/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80008/AM17 for the export made by EOU unit.

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No. 27/21/087/80008/AM17 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.03: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/841/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80007/AM17 for the export made by EOU unit.

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No. 27/21/087/80007/AM17 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.04: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/845/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80004/AM18 for the export made by EOU unit.

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No. 27/21/087/80004/AM18 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.05: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/846/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80002/AM18 for the export made by EOU unit.

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No. 27/21/087/80002/AM18 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.06: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/844/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80003/AM18 for the export made by EOU unit.

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No. 27/21/087/80003/AM18 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.07: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/843/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80001/AM18 for the export made by EOU unit.

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No.

Vyas

27/21/087/80001/AM18 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.08: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/883/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: **To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80005/AM18 for the export made by EOU unit.**

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No. 27/21/087/80005/AM18 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.09: M/s. Sandoz Pvt. Ltd., Mumbai
F. No. 01/60/162/882/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow Chapter-3 incentive (FPS/FMS) against RA F.No.27/21/087/80005/AM17 for the export made by EOU unit.

The applicant was called for personal hearing as per the decision of PRC in its Meeting No.33&34/AM19, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided the case as per the justification provided by the firm in their application.

They have applied for FMS/FPS licenses under Chapter-3 incentives scheme to the O/o the D.C. SEEPZ, Mumbai for the export made during AM15 period. Their application was returned stating that their office is processing only MEIS/SEIS under Chapter-3 of FTP 2015-20 and no other Incentive Scheme under Chapter-3 for the Year AM15. DC SEEPZ expressed their inability to process their application under Chapter-3 incentives for the Year 2014-15. The SEEPZ office has informed them that their office have been granted an access on DGFT Site restricted to issue of MEIS and SEIS Scrip and they do not have authorization to access Chapter-3 incentive for the Year 2014-15. Prior to this they were submitting their application to RA Mumbai and the delay in filing this application of AM15 in 2017 was due to various technical issues they had with EDI Cell with respect to VFFM Tick/e-BRC not getting attached to the application. During their personal visit to EDI Cell, Delhi they have resolved these issues with support from EDI Cell & could submit these application successfully.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. It observed that applications for FPS were required to be filed to RA and not to SEZ. The Committee decided to accede to the request of the firm for grant of Chapter-3 benefit (FPS/FMS) against RA File No. 27/21/087/80005/AM17 subject to prescribed late cuts and the condition that shipping bills should not be time barred at the time of filling the application.

(Action: RA/Applicant)

PH Case No.10: M/s Reliance Industries Limited, Mumbai
F. No. 01/60/162/633/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Change in duty credit entitlement under MEIS due to wrong finalization of Foreign Currency of export in US$ instead of EURO at the time of final assessment of shipping bill.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Ashutosh Verma, Vice President (EXIM) appeared before the committee on behalf of the firm and made the following submissions:

They have exported benzene vide shipping bill no. 7330839 dated 13.07.2017 in **"EURO"** currency on provisional basis as quantity and pricing were not final at the time of export but when they approached customs authority for finalization of shipping bill, Customs authority due to oversight finalized the shipping bill with wrong foreign currency "USD" instead of EURO. When they approached Sikka Customs for correction of the same, Customs authority issued certificate of amendment manually stating that amendment in EDI system is not possible once EGM is filed. Due to this shipping bill data in USD has been transmitted to DGFT server which should be in

EURO actually. They have realized the export proceeds in EURO and not in USD. Since both, the foreign currency have different exchange rate for arriving FOB in INR on which MEIS benefit is calculated which is adversely affecting their MEIS entitlement.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to accede to the request of the firm for change in duty credit entitlement under MEIS due to wrong finalization of Foreign Currency of export in US$ instead of EURO at the time of final assessment of Shipping bill No.7330839 dated 13.07.2017. It was also decided that EDI/NIC division would develop required Protocol in this regard.

(Action: EDI/NIC/Applicant)

PH Case No.11: M/s Reliance Industries Limited, Mumbai
F. No. 01/60/162/919/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Grant of duty credit under MEIS.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Ashutosh Verma, Vice President (EXIM) appeared before the committee on behalf of the firm and made the following submissions:

They have stated that they are unable to file MEIS application due to ITC HS code 39076100 / 39076920 / 39076990 /39076910 being missed out in the DGFT Public Notice No 61 dated 7th March 2017. These codes were later made eligible wef 1.1.2017 as per PN 22.8.2017.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to allow the firm to file application for grant of duty credit under MEIS against the shipping bills exported under ITC HS codes 39076100 / 39076920 / 39076990 /39076910 and where reward column is "NO" due to change in Indian Trade Classification (Harmonized System) from 01.01.2017. A Protocol may be developed by PC 3 division and EDI/NIC in this regard.

(Action: PC 3/EDI/NIC/Applicant)

PH Case No.12: M/s ABS Exports, Maharashtra
F. No. 01/60/162/786/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Acceptance of e BRC for FPS/VKGUY and MEIS benefit which was uploaded delay by their bankers.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.13: M/s. Sanjay Kumar & Sons, Delhi
F. No. 01/60/162/770/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow FPS/VKGUY and MEIS benefit against shipping bill pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time but the e BRC have been uploaded by the bank in 2017, 2018.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.14: M/s. Vikash Arora, Punjab
F. No. 01/60/162/769/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow FPS/VKGUY and MEIS benefit against shipping bill pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time but the e BRC have been uploaded by the bank 2017, 2018.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.15: M/s Wakeel Ahmed Sitapur, U P
F. No. 01/60/162/772/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow FPS/VKGUYand MEIS benefit against shipping bills pertain to 2014-15 which payments have been realized on time but the e BRC have been uploaded by the bank in 2017, 2018.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.16: M/s Batra International, Delhi
F. No. 01/60/162/771/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow FPS/VKGUY and MEIS benefit against shipping bill pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time but the e BRC have been uploaded by the bank in 2017, 2018.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.17: M/s Chirag Impex, Ahmedabad
F. No. 01/60/162/768/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow FPS/VKGUY and MEIS benefit against shipping bill pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time but the e BRC have been uploaded by the bank in 2017, 2018.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.18: M/s Ball Aerocan India Pvt. Ltd., Ahmedabad
F. No. 01/60/162/904/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow MEIS benefit against 91 shipping bills in which inadvertently selected "N" instead of 'Y' in shipping bills at tab of reward scheme.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Ajith Kumar, Director appeared before the committee on behalf of the firm and made the following submissions:

They have stated that their all 91 shipping bills have inadvertently been ticked "N" in the reward item box. Due to this they are unable to file their 91 Shipping Bills for MEIS benefit.

Decision: The Committee having examined the statement made by the firm found no merit in their case and decided to reject it.

(Action: Applicant)

PH Case No.19: M/s Ashok Leyland Limited, Chennai
F. No. 01/60/162/918/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: EOP extension, regularization the procedural lapses in installing the goods in different vendors locations whose names were not endorsed and regularization of imported Capital Goods against 12 EPCG License Nos. (i) 0430010918 dated 02.03.2012, (ii) 0430010946 dated 09.03.2012, (iii) 0430010988 dated 21.03.2012, (iv) 0430010939 dated 08.03.2012, (v) 0430010931 dated 06.03.2012, (vi) 0430010989 dated 21.03.2012, (vii) 0430011130 dated 23.04.2012, (viii) 0430011131 dated 23.04.2012, (ix) 0430011132 dated 23.04.2012, (x) 0430010440 dated 28.10.2011, (xi) 0430010441 dated 28.10.2011 and (xii) 0430010442 dated 28.10.2011.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Alok Agarwal, Authorized Representative appeared before the committee on behalf of the firm and made the following submissions:

They have stated that the imported capital goods covered under the above 12 EPCG Authorizations were installed at the premises of the Group Company. As such the goods were not installed at the notified place concerning the 12 EPCG Authorizations. Further, stated that they could not be fulfill the EO within time due to issues between joint venture partners (Ashok Leyland and Nissan Motors). Now, the JV Company has been merged with Ashok Leyland, as approved by NCLT and consequently the assets and liability now belong to Ashok Leyland, and therefore EO would also be completed by Ashok Leyland. Goods covered under the above Authorizations are available in good condition and EO can be fulfilled in full against all these licenses.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to condone and regularize the earlier installation of Capital Goods at the place not approved in above 12 EPCG Authorizations and allowed to shift the Capital Goods to the factory premises of M/s Ashok Leyland Limited. Further committee also allowed extension in EOP for a further period of two years in continuity against above 12 EPCG Authorizations.

(Action: Applicant/RA)

PH Case No.20: M/s High Performance Textiles Pvt. Ltd., New Delhi
F. No. 01/60/162/919/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To count the export of free shipping bill towards fulfillment of EO against four Advance Authorization Nos.(i) 0510404841 dated 11.12.2017, (ii) 0510405268 dated 08.01.2018, (iii) 0510405269 dated 08.01.2016 and (iv) 0510405785 dated 06.03.2018.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Dr. Nandan Kumar, Managing Director and Shri Ramesh, Representative appeared before the committee on behalf of the firm and made the following submissions:

They have stated that they had completed the export obligation within time period. But at the time of export online data, their clearing agent who prepared shipping bills could not get the advance license number since it was showing error. They exported HDPE Yarn (made of Imported Yarn and other raw material) under normal shipping bills because they could not hold the shipment. This happened every time against invoice of these advance authorizations. They also tried to get the permission for manual shipping bills, but there was no such provision. They have mentioned the Advance Authorization Numbers on all the free shipping bills.

Decision: The Committee went through the statement made by the applicant and observed that there is a genuine hardship in the case and therefore decided to count the export of Free Shipping Bills towards fulfillment of EO against four Advance Authorisations nos.(i) 0510404841 dated 11.12.2017, (ii) 0510405268 dated 08.01.2018, (iii) 0510405269 dated 08.01.2016 and (iv) 0510405785 dated 06.03.2018 subject to the following conditions:-

i. Composition fee of Rs.200/-per shipping bill shall be imposed.
ii. Advance Authorization number should be mentioned in all free shipping bills.
iii. RA shall ensure that above shipping bills have not been taken into account in any other Advance Authorization for discharge of export obligation.

(Action: RA/Applicant)

PH Case No.21: M/s Calco Poly Technik Pvt. Ltd., Delhi
F. No. 01/60/162/896/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Relaxation in payment of import duty against Advance Authorization No.05103585 dated 02.07.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Harish Gulati, Authorized Representative appeared before the committee on behalf of the firm and made the following submissions:

They have made the export of the consignment under the same license but till the date they could not receive the payment against the subject license, because the buyer was declared bankrupt by the concerned Government. Apart from that all the obligations have been fulfilled by them.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and found no merit in the case as firm has not even approached RBI for any waiver of realization etc. so far. Accordingly, it decided to reject it. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2010 within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.22: M/s Jans Copper Pvt. Ltd., Mumbai

F. No. 01/60/162/713/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow exports under specific SION (C-1185, C-1890, C-1184) against Advance Authorization No.0310738123 dated 19.06.2013 for redemption purpose whereas the import already been made under generic SION -1184.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Naresh P. Jain, Director and Shri Ashish Khetan, Representative appeared before the committee on behalf of the firm and made the following submissions:

They have stated that they have made exports of same & similar products manufactured out of one common input imported under one advance authorization. They had imported copper scrap & exported Copper Strip, Copper bar & Copper rods under generic SION C-1184. They submit that their application for allowing exports of other products manufactured by using common input i.e copper scrap import under same advance license under specific SION, may be accepted. They have used generic SION C-1184 of extruded products rather than specific SION i.e SION C-1185, C-1890, C 1184. All their exports are of copper extruded products only. Hence, requested to regularize export under specific SION for the purpose of redemption.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to accede to the request of the firm and regularized the exports made under specific SIONs (C-1185,C-1890,C-1184) towards fulfillment of EO against Advance Authorization No.0310738123 dated 19.06.2013 whereas the import has been made under generic SION C-1184.The wastage will be allowed as per different SIONs based on whatever quantities pertaining to that particular SIONs have been exported by the firm. The firm shall submit breakup of exported quantities of different export items with SION number duly certified by Chartered Engineer.

(Action: RA/Applicant)

PH Case No.23: M/s Arihant Corporation, Pune
F. No. 01/60/162/864/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To accept manual BRC in lieu of e-BRC for refund to TED claim against EPCG Authorization No.3130008861 dated 25.08.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Sanjay Jain, Director, Shri Brijesh Mishra and Shri K.L. Prajapati, Representatives appeared before the committee on behalf of the firm and made the following submissions:

They have stated that the concerned Bank is not issuing e-BRC. Bank can issue BRC to Accudyne Industries India Pvt. Ltd only. They approached that company also to cooperate them in this regard but that firm is not cooperating. The company said they sold their company to another party who has further sold it to other. They are not customer of the concerned bank that is why the bank is not helping them. They have only manual BRC.

Decision: The Committee went through the statement made by the applicant and concluded that there is a genuine hardship in their case and therefore decided to accede to the request of the firm for allowing the refund of TED claim against EPCG Authorization No. 3130008861 dated 25.08.2015 on the basis of Manual BRC. The firm shall submit some corroborative documents in original from their bank towards proof of payment.

(Action: Applicant/RA)

PH Case No.24: M/s Arihant Corporation, Pune
F. No. 01/60/162/865/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To accept manual BRC in lieu of e-BRC for refund of TED claim against EPCG Authorization No.3130008862 dated 25.08.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Sanjay Jain, Director, Shri Brijesh Mishra and Shri K.L. Prajapati, Representatives appeared before the committee on behalf of the firm and made the following submissions:

They have stated that the concerned Bank is not issuing e-BRC. Bank can issue BRC to Accudyne Industries India Pvt. Ltd only. They approached that company also to cooperate them in this regard but that firm is not cooperating. The company said they sold their company to another party who has further sold it to other. They are not customer of the concerned bank that is why the bank is not helping them. They have only manual BRC.

Decision: The Committee went through the statement made by the applicant and concluded that there is a genuine hardship in their case and therefore decided to accede to the request of the firm for allowing the refund of TED claim against EPCG Authorization No. 3130008862 dated 25.08.2015 on the basis of Manual BRC. The firm shall submit some corroborative documents in original from their bank towards proof of payment.

(Action: Applicant/RA)

PH Case No.25: M/s Arihant Corporation, Pune
F. No. 01/60/162/868/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To accept manual BRC in lieu of e-BRC for refund of TED claim against EPCG Authorization No.3130008856 dated 24.08.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Sanjay Jain, Director, Shri Brijesh Mishra and Shri K.L. Prajapati, Representatives appeared before the committee on behalf of the firm and made the following submissions:

They have stated that the concerned Bank is not issuing e-BRC. Bank can issue BRC to Accudyne Industries India Pvt. Ltd only. They approached that company also to cooperate them in this regard but that firm is not cooperating. The company said they sold their company to another party who has further sold it to other. They are not customer of the concerned bank that is why the bank is not helping them. They have only manual BRC.

Decision: The Committee went through the statement made by the applicant and concluded that there is a genuine hardship in their case and therefore decided to accede to the request of the firm for allowing the refund of TED claim against EPCG Authorization No. 3130008856 dated 24.08.2015 on the basis of Manual BRC. The firm shall submit some corroborative documents in original from their bank towards proof of payment.

(Action: Applicant/RA)

PH Case No.26: M/s Arihant Corporation, Pune
F. No. 01/60/162/869/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To accept manual BRC in lieu of e BRC for refund of TED claim against EPCG Authorization No.3130008863 dated 25.08.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Sanjay Jain, Director, Shri Brijesh Mishra and Shri K.L. Prajapati, Representatives appeared before the committee on behalf of the firm and made the following submissions:

They have stated that the concerned Bank is not issuing e-BRC. Bank can issue BRC to Accudyne Industries India Pvt. Ltd only. They approached that company also to cooperate them in this regard but that firm is not cooperating. The company said they sold their company to another party who has further sold it to other. They are not customer of the concerned bank that is why the bank is not helping them. They have only manual BRC.

Decision: The Committee went through the statement made by the applicant and concluded that there is a genuine hardship in their case and therefore decided to accede to the request of the firm for allowing the refund of TED claim against EPCG Authorization No. 3130008863 dated 25.08.2015 on the basis of Manual BRC. The firm shall submit some corroborative documents in original from their bank towards proof of payment.

(Action: Applicant/RA)

PH Case No.27: M/s Arihant Corporation, Pune

F. No. 01/60/162/866/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To accept manual BRC lieu of e-BRC for refund of TED claim against EPCG Authorization No.3130008855 dated 24.08.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Sanjay Jain, Director, Shri Brijesh Mishra and Shri K.L. Prajapati, Representatives appeared before the committee on behalf of the firm and made the following submissions:

They have stated that the concerned Bank is not issuing e-BRC. Bank can issue BRC to Accudyne Industries India Pvt. Ltd only. They approached that company also to cooperate them in this regard but that firm is not cooperating. The company said they sold their company to another party who has further sold it to other. They are not customer of the concerned bank that is why the bank is not helping them. They have only manual BRC.

Decision: The Committee went through the statement made by the applicant and concluded that there is a genuine hardship in their case and therefore decided to accede to the request of the firm for allowing the refund of TED claim against EPCG Authorization No. 3130008855 dated 24.08.2015 on the basis of Manual BRC. The firm shall submit some corroborative documents in original from their bank towards proof of payment.

(Action: Applicant/RA)

PH Case No.28: M/s Arihant Corporation, Pune
F. No. 01/60/162/867/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To accept manual BRC lieu of e BRC for refund of TED claim against EPCG Authorization No.3130008854 dated 24.08.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Sanjay Jain, Director, Shri Brijesh Mishra and Shri K.L. Prajapati, Representatives appeared before the committee on behalf of the firm and made the following submissions:

They have stated that the concerned Bank is not issuing e-BRC. Bank can issue BRC to Accudyne Industries India Pvt. Ltd only. They approached that company also to cooperate them in this regard but that firm is not cooperating. The company said they sold their company to another party who has further sold it to other. They are not customer of the concerned bank that is why the bank is not helping them. They have only manual BRC.

Decision: The Committee went through the statement made by the applicant and concluded that there is a genuine hardship in their case and therefore decided to accede to the request of the firm for allowing the refund of TED claim against EPCG Authorization No. 3130008854 dated 24.08.2015 on the basis of Manual BRC. The firm shall submit some corroborative documents in original from their bank towards proof of payment.

(Action: Applicant/RA)

PH Case No.29: M/s Celebi Airport Service India Pvt. Ltd., Mumbai
F. No. 01/60/162/863(b)/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Regularization of import already made under EPCG License No.0530151353 dated 23.02.2010.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Laxman K. Prasad, Chief Finance Officer, Shri Shailender Choudhary, Legal Head and Shri Adil Bhatt, Technical Head appeared before the committee on behalf of the firm and made the following submissions:

They imported Contrac Co-bus for rendering ground handling services in the airport premises against the EPCG Licenses. It is imperative to note that based on the EPCG License issued by this office, they imported the Contrac Co-bus and have also fulfilled the 100% Export Obligations imposed on the said EPCG Licenses. However, now at the time of redeeming the EPCG Licenses, they are being asked to pay the Customs Duty on the grounds that the EPCG benefits were not allowed for ground handling services even though there were no such restrictions in the FTP/HBP. Further, they mentioned that EPCG Committee vide its meeting dated 20.01.2011 has examined the issue of import of Co-bus to M/s. Bhadra International India Limited and confirmed that the equipment were essentially required for providing ground handling services at Airports as the specifications of the vehicles are entirely different from the conventional vehicles and that these vehicles cannot ply on road and cannot be used for purposes other than those required for ground handling services within the premises of the Airport.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to accede to the request of the firm for regularization of import of Contrac Co-bus already made under EPCG Authorization No.0530151353 dated 23.02.2010.

(Action: RA/Applicant)

PH Case No.30: M/s Celebi Airport Service India Pvt. Ltd., Mumbai
F. No. 01/60/162/863(a)/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Regularization of import already made under EPCG License No.0330023006 dated 11.09.2009.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 02.04.2019. Shri Laxman K. Prasad, Chief Finance Officer, Shri Shailender Choudhary, Legal Head and Shri Adil Bhatt, Technical Head appeared before the committee on behalf of the firm and made the following submissions:

They imported Contrac Co-bus for rendering ground handling services in the airport premises against the EPCG Licenses. It is imperative to note that based on the EPCG License issued by this office, they imported the Contrac Co-bus and have also fulfilled the 100% Export Obligations imposed on the said EPCG Licenses. However, now at the time of redeeming the EPCG Licenses, they are being asked to pay the Customs Duty on the grounds that the EPCG benefits were not allowed for ground handling services even though there were no such restrictions in the FTP/HBP. Further, they informed that EPCG Committee vide its meeting dated 20.01.2011 has examined the issue of import of Co-bus to M/s. Bhadra International India Limited and confirmed that the equipment are essentially required for providing ground handling services at Airports as the specifications of the vehicles are entirely different from the conventional vehicles and that these vehicles cannot ply on road and cannot be used for purposes other than those required for ground handling services within the premises of the Airport.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to accede to the request of the firm for regularization of import of Contrac Co-bus already made under EPCG Authorization No. 0330023006 dated 11.09.2009.

(Action: RA/Applicant)

Case No.31: M/s Hind Terminals Pvt. Ltd., Mumbai
F. No. 01/60/162/924/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow supplementary claim under SEIS Scheme on eligible earning which was inadvertently not included in the application.

They have stated that during compilation of the eligible earnings data, the newly appointed executives had made errors while selecting accounting codes. Due to the selection of few earnings accounting codes, only 6.40% of the 2015-16 data got captured and 93.60% of earnings data remained un-claimed in the above SEIS application. Later on, their audit team pointed out this discrepancy to the management. But they could not revise the application as SEIS ECOM-ONLINE and amendment in Para 9/03 by PN 16 dated 28.06.2018 did not allow revision of application already filed for the year 2015-16. They are ready to accept a 10% late cut on the unclaimed amount in addition to 2% cut on the amount of supplementary scrip as per para 9.03 of HBP. Further, stated that they have given a declaration that they have not claimed any SEIS Duty Credit benefit on the un-claimed amount of the 2015-16 till date.

Decision: The Committee having discussed the case found no merit in it and hence decided to reject the request of the firm.

(Action: Applicant)

Case No.32: M/s Tesla Decor, Bhadohi (UP)
F. No. 01/60/162/926/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow time extension for filling of MEIS application against three shipping bills No.5336198 dated 18.01.2016, 5336209 dated 18.01.2016 and 5336193 dated 18.01.2016.

They have stated that due to late payment by overseas buyer they are unable to file MEIS application for the above three shipping bills for which they have to apply within three years from the shipping bill date as per MEIS Scheme.

Decision: The Committee having examined the statement made by the firm found no case of genuine hardship in their case and accordingly decided to reject it.

(Action: Applicant)

Case No.33: M/s Welspun Corp Limited, Vadodara
F. No. 01/60/162/912/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Second revalidation of Advance Authorization No.3410042808 dated 03.01.2017.

They have stated that they could not complete the balance import as Norms Ratification was delayed by Eighteen Months. The subject advance authorization was valid till 10.09.2018 and the Norms Ratification received on 12.11.2018. Hence, requested revalidation for further six months.

Decision: The committee went through the statements made by the firm and noted that there is no merit in the case and decided to reject the request of the firm.

(Action: Applicant)

Case No.34: M/s Bharat Parenterals Limited, Vadodara
F. No. 01/60/162/914/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Extension in EOP against Advance Authorization No.3410038791 dated 23.12.2013 issued under PC-9 condition.

They have stated that the shortfall in export was due to cancellation of export order. Further stated that due to payment problem with overseas buyer (payment terms:100 advance) and because of late receipt of payment, Merchant Exporter could export the product only after the validity of license (exported on 08.04.2015, authorization expired on 21.01.2015). Hence, this export was done under free shipping bill.

Decision: The Committee went through the statement made by the firm and discussed the matter at length and found no merit in the case and hence decided to reject it.

(Action: Applicant)

Case No.35: M/s Bharat Parenterals Limited, Vadodara
F. No. 01/60/162/915/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Regularization of Advance Authorization No.3410040293 dated 30.06.2015 under which product description mismatch between advance authorization and shipping bills.

They have stated that description mismatch of export item mentioned in the subject authorization and shipping bill is there , but product exported is exactly as per advance authorization. The said authorization is not under PC 9. They imported 2100 kg of Amoxycillin Trihydrate BP out of which 2093.44 kg., was consumed for export, leaving a balance of 6.56 kg. They had paid the customs duty with interest for this excess RM. Hence, requested approval for regularization.

Decision: The Committee went through the justification furnished by the firm and discussed the matter at length. The Committee decided to accede to the request of the firm for regularization of Product description mismatch between advance authorization and shipping bills, subject to the condition if wastage Norms are same for the exported product.

(Action: Applicant/RA)

Case No.36: M/s Bharat Parenterals Limited, Vadodara
F. No. 01/60/162/913/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Regularization of Advance Authorization No.3410041467 dated 20.08.2015 under which product description mismatch between advance authorization and shipping bills.

They have stated that description mismatch of export item mentioned in the subject authorization and shipping bill. Instead of mentioning generic name as per advance authorization, Band name followed by generic name was mentioned in Shipping Bill. Product was registered with importing country in brand name. But product exported is qualitatively same as per advance authorization.

Decision: The Committee went through the justification furnished by the firm and discussed the matter at length. The Committee decided to accede to the request of the firm for regularization of Product description mismatch between advance authorization and shipping bills subject to the condition if wastage Norms are same for the exported product.

(Action: Applicant/RA)

Case No.37: M/s Jodas Expoim Pvt. Ltd., Telangana
F. No. 01/60/162/897/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Extension in E.O. period against Advance Authorization No.0910061673 dated 09.03.2015 for regularization.

They have stated that customs have allowed shipment of 250 kg on 12.02.2019 subject to specific condition that post facto approval in EO extension would be produced immediately. They have fulfilled 75.84% EO. They are conscious of discharging EO.

Decision: The committee went through the statement made by the firm in its application and noted that the facts of the case have not been clearly specified by the firm and hence decided to call the firm for **Personal Hearing.**

(Action: PRC/Applicant)

Case No.38: M/s GE India Industrial Pvt. Ltd., Pune
F. No. 01/60/162/920/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To relax the requirement for furnishing Bill of Exports towards fulfillment of EO against Advance Authorization No.3110065057 dated 13.11.2014.

They made exports to a SEZ unit for fulfillment of its EO. However, inadvertently missed filing the Bill of Export. Hence, requested to relax the requirement for furnishing Bill of Export and documentary evidence confirming that payment received from Foreign Currency account of SEZ unit for the company.

Decision: The committee went through the statements made by the firm and noted that bill of export is a mandatory requirement and therefore decided to reject the request.

(Action: Applicant)

Case No.39: M/s M.J. Biopharm Pvt. Ltd., Mumbai
F. No. 01/60/162/921/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow re-export of import material against Advance Authorization No.0310811588 dated 02.03.2017.

They have stated that the certificate was due for renewal for South African business, which amounts to large business of Insulin. Their Auditors had come to inspect their plant. They however, come up with a few observations and till the time the same is not adhered to no further supplies can be made to this territory. Compliance to their queries might take some time and by that time, the shelf life of the imported goods might expire and hence, they are requesting to grant them permission to return the goods to the supplier, who is willing to take back the same.

Decision: The Committee having examined the case on the basis of justification furnished by the firm decided to allow supply/re-export of 20 kgs of import material, back to 100% EOU M/s Scigen Biopharma Pvt. Ltd., Pune, which was procured under Advance Authorization No.0310811588 dated 02.03.2017, subject to the condition that concerned DC (SEZ) would also be informed about it.

(Action: Applicant/RA)

Case No.40: M/s M.J. Biopharm Pvt. Ltd., Mumbai
F. No. 01/60/162/931/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: To allow re-export of import material against Advance Authorization No.0310812298 dated 30.03.2017.

They have stated that, firstly due to cancellation of order by overseas buyer they could not locate another buyer for quite a long time. Secondly, they could not tap the South African territory, where they have a huge market for Insulin Injections, as the Certificate issued by their Health Authorities was due to renewal and during the course of their Audit they raise several queries, compliance of which will take long time. Hence, they are left with no option but to return the imported material to the supplier, who has agreed to take back the same.

Decision: The Committee having examined the case on the basis of justification furnished by the firm decided to allow supply/re-export of 20 kgs of import material, back to 100% EOU M/s Scigen Biopharma Pvt. Ltd., Pune, which was procured under Advance Authorization No.0310812298 dated 30.03.2017, subject to the condition that concerned DC (SEZ) would also be informed about it.

(Action: Applicant/RA)

Case No.41: M/s Mahesh Weaving Factory, Bangalore
F. No. 01/60/162/536/AM19/PRC
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Revalidation and enhancement of Advance Authorization No.0710108557 dated 24.07.2015.

This is a review case of PRC decision in its Meeting No.22/AM19 dated 06.11.2018 (Case No.5). The matter was referred to EDI/NIC for implementation of PRC decision. However, EDI/NIC has informed that there is no mechanism to restore cancelled Advance Authorizations. Even if new license is issued under same file number, Customs rejects such license.

Decision: The Committee went through the comments /views furnished by EDI/NIC and case was discussed at length. The Committee observed that cancelled Advance Authorization cannot be restored. Hence, decided to reject the request of the firm.

(Action: Applicant)

Case No.42: M/s Premier Global Corporate Solutions Pvt. Ltd., Bangalore
F. No. 01/85/171/0086/AM19/DES-VI
PRC Meeting No. 01/AM20 dated 02.04.2019

Subject: Reconsideration for fixation of norms of Advance Authorization No.0710111709 dated 05.06.2017 which was rejected by NC in its meeting No.16/85 dated 27.12.2018.

They have exported the goods to their buyer M/s Melenco Hong Kong Limited, Hong Kong vide Shipping Bill No.2553035 dated 31.01.2018. They applied for fixation of norms to close the transaction to Norms Committee-VI in its Meeting No.16/85 held on 03.01.2019. However, their application has been rejected that they are ineligible. Due to the inordinate delay in clearing the issue they are facing huge financial crisis.

Decision: The committee went through the statements made by the firm and noted that in this case Advance authorization has been issued to the firm by RA under Para 4.07 of HBP for an item which is not eligible as per para 4.11 of the FTP. Item applied by the firm was Ascorbic Acid which in effect is Vitamin C and Vitamins fall under ineligible category.NC 6 has rejected norms fixation on the ground that License was not issuable in this case in the first place. Report has also been called form the concerned RA which has replied that item sought for import is Ascorbic Acid and nowhere word Vitamin is mentioned and therefore, application was processed in normal routine and license issued. Thus RA has no expertise to ascertain if item applied is Vitamin or not, unless it is specifically indicated. After discussions, Committee decided that issue of ineligible item in the authorization is relaxed in view of above reasons and NC 6 may reconsider its decision and fix the necessary norms in this case.

(Action: NC-6)

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