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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 16.04.2019

Meeting No. 03/AM-20

The following members were present in the meeting:

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

The following cases were discussed:

S. No.	Name of the firm	Case No.
1.	M/s Galaxy Sufactants Ltd., Mumbai	1
2.	M/s Bachiwind Commission Agent Punjab	2
3.	M/s S.P. Exim Hosur, Tamilnadu	3 to 6
4.	M/s. Jodas Expoim Pvt. Ltd.,Telangana	7 & 8
5.	M/s Swiss Parenterals Pvt. Ltd., Gujarat	9 &10
6.	M/s Orbit Lifescience Pvt. Ltd., Mumbai	11
7.	M/s Infinijewel Synergies Pvt. Ltd., Mumbai	12
8.	M/s Usha Fashions Pvt. Ltd., Maharashtra	13
9.	M/s Remi Edelstahl Tubulars Limited, Maharashtra	14
10.	M/s Shubhalakshmi Polyesters Limited, Gujarat	15
11.	M/s Bharat International, Gujarat	16
12.	M/s Davinci Leather Pvt. Ltd., Tamil Nadu	17
13.	M/s. SAS International, Faridabad	18
14.	M/s. Everest Kanto Cylinders Limited, Mumbai	19
15.	M/s. Saint Gobain India Pvt. Ltd., Chennai	20
16.	M/s. Diamines and Chemicals Ltd., Vadodara	21
17.	M/s. Big Bags International Pvt. Ltd., Bangalore	22
18.	M/s. Prasol Chemicals Pvt. Ltd., Mumbai	23
19.	M/s Dow Chemicals International Private Limited, Mumbai	24
20.	M/s Enlivening Technology Pvt. Ltd.	25

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

PH Case No.01 M/s Galaxy Sufactants Ltd., Mumbai
F. No. 01/60/162/703/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Revalidation of MEIS Scrip No. 3719001727 dated 17.12.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019. Shri Kapin Rambia, Authorized Representative of the applicant firm appeared before the committee and made the following submissions:

They have submitted that Customs Server was not modified as required under PN No. 33/2015-2020 dated 23.10.2017 for extension of automatic revalidation from 18 months to 24 months. The said PN had extended the validity period from 18 to 24 months for duty credit scrip issued on or after 01.01.2016 under Chapter 3 of FTP. The Customs server was showing the expiry date as 30.06.2018 instead of correct expiry date of 16.12.2018. Due to the above error at Customs server they were not in position to utilize the scrip.

Decision: The Committee having examined the statement made by the firm found no merit in their case and decided to maintain earlier decision of rejection taken in PRC Meeting No. 29/AM19 dated 30.01.2019.

(Action: Applicant)

PH Case No.02 M/s Bachiwind Commission Agent, Punjab
F. No. 01/60/162/790/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

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

Decision: The applicant was called for personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.03 M/s S.P. Exim Hosur, Tamil Nadu
F. No. 01/60/162/833/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Revalidation and Extension in EO period against Advance Authorization No. 0410162154 dated 01.08.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019. Ms. Poornima Suresh, Proprietrix of the applicant firm appeared before the committee and made the following submissions:

They have stated that due to demonetization of the Indian currency, their buyer postponed making of advance payment and after a few days cancelled the order which was placed earlier on them at the time of obtaining the said advance authorization. Due to this, they could not complete the EO within the EO period. Now, they are getting export orders from some of their buyers and they can complete EO and import for balance quantity available within 6 months.

Decision: The Committee heard the submission made by the firm and found no hardship and merit in their reasoning that demonetization could lead to postponement of the advance payment and cancellation of the order and accordingly decided to reject it.

(Action: Applicant)

PH Case No.04 M/s S.P. Exim Hosur, Tamil Nadu
F. No. 01/60/162/70/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Revalidation and Extension in EO period against Advance Authorization No.0410161763 dated 31.03.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, Ms. Poornima Suresh, Proprietrix of the applicant firm appeared before the committee and made the following submissions:

They have stated that due to demonetization of the Indian currency, their buyer postponed making of advance payment and after a few days cancelled the order which was placed on them earlier at the time of obtaining the said advance authorization. Due to this, they could not complete the EO within the EO period. Now, they are getting export orders from some of their buyers and they can complete EO and import for balance quantity available within 6 months.

Decision: The Committee heard the submission made by the firm and found no hardship and merit in their reasoning that demonetization could lead to postponement of the advance payment and cancellation of the order and accordingly decided to reject it.

(Action: Applicant)

PH Case No.05 M/s S.P. Exim Hosur, Tamil Nadu
F. No. 01/60/162/69/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Revalidation and Extension in EO period against Advance Authorization No.0410162153 dated 01.08.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, Ms. Poornima Suresh, Proprietrix of the applicant firm appeared before the committee and made the following submissions:

They have stated that due to demonetization of the Indian currency, their buyer postponed the making of advance payment and after a few days cancelled the order which was placed on them earlier at the time of obtaining the above advance authorization. Due to this, they could not complete the EO within the EO period. Now, they are getting export orders from some of their buyers and they can complete EO and import for balance quantity available within 6 months.

Decision: The Committee heard the submission made by the firm and found no hardship and merit in their reasoning that demonetization could lead to postponement of the advance payment and cancellation of the order and accordingly decided to reject it.

(Action: Applicant)

PH Case No.06 M/s S.P. Exim Hosur, Tamil Nadu
F. No. 01/60/162/68/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Revalidation and Extension in EO period against Advance Authorization No.0410161765 dated 01.04.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, Ms. Poornima Suresh, Proprietrix of the applicant firm appeared before the committee and made the following submissions:

They have stated that due to demonetization of the Indian currency, their buyer postponed the making of advance payment and after a few days cancelled the orders which was placed on them earlier at the time of obtaining the said advance authorization. Due to this, they could not complete the EO within the EO period. Now, they are getting export orders from some of their buyers and they can complete EO and import for balance quantity available within 6 months.

Decision: The Committee heard the submission made by the firm and found no hardship and merit in their reasoning that demonetization could lead to postponement of the advance payment and cancellation of the order and accordingly decided to reject it.

(Action: Applicant)

PH Case No.07 M/s. Jodas Expoim Pvt. Ltd.,Telangana
F. No. 01/60/162/897/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Extension of EOP for regularization against Advance Authorization No.0910061673 dated 09.03.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019. Shri M. Kiran Kumar, Company Secretary and

Head of the applicant firm appeared before the committee and made the following submissions:

They have stated that the initial EOP expired on 07.04.2016. EO was fulfilled up to 60.69%. On repeated requests the Customs had allowed shipments of 250 kgs on 12.02.2019 subject to the condition that post facto approval in EO extension from DGFT would be produced immediately. With this 75.84% of EO was fulfilled. They could have fulfilled the entire EO if Customs had allowed shipments earlier.

Decision: The Committee examined the case in detail and in view of justification provided by the firm decided to regularize export made in February, 2019 payment of composition fee @ 0.5% of FOB of that shipping bills and to allow further EOP extension for a period of 6 months from the date of endorsement subject to the payment of composition fee @ 0.5% per month on unfulfilled FOB value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.08 M/s. Jodas Expoim Pvt. Ltd.,Telangana
F. No. 01/60/162/716/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Extension in EOP for regularization against Advance Authorization No.0910061672 dated 09.03.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, Shri M. Kiran Kumar, Company Secretary of the applicant firm appeared before the committee and made the following submissions:

They have stated that the initial EOP expired on 07.04.2016 and EO was fulfilled up to 68.36%. They made efforts to export but the customs did not allow exports in the absence of valid EOP. Allowing first extension in EOP was incorporated in Para 4.42 (d) of HBP updated as on 05.12.2017 subject to payment of composition fee. In fact where EO was fulfilled less than 50%, first extension is permissible under the said para provided composition fee is deposited. Thus we are eligible to get EOP extension.

Decision: The Committee examined the case in detail and in view of justification provided by the firm decided to allow EOP extension for a period of 6 months from the date of endorsement subject to the payment of composition fee @ 0.5% per month on unfulfilled FOB value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.09 M/s Swiss Parenterals Pvt. Ltd., Gujarat
F. No. 01/60/162/729/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Extension in E.O. period against Advance Authorization No.0810135225 dated 08.05.2015 issued under Normal Advance Authorization for regularization purpose.

Decision: The applicant had sought for personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.10 M/s Swiss Parenterals Pvt. Ltd., Gujarat
F. No. 01/60/162/730/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Extension in E.O. period of against Advance Authorization No.0810138307 dated 18.07.2016 issued under Normal Advance Authorization for regularization purpose.

Decision: The applicant had sought for personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.11 M/s Orbit Lifescience Pvt. Ltd., Mumbai
F. No. 01/60/162/28/AM20/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Extension in E.O. period against Advance Authorization No.0310805748 dated 20.06.2016.

Decision: The applicant had sought for personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.12 M/s Infinijewel Synergies Pvt. Ltd., Mumbai
F. No. 01/60/162/26/AM20/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: EOP Extension of 6 days towards export of gold jewellery.

Decision: The applicant had sought for personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.13 M/s Usha Fashions Pvt. Ltd., Maharashtra
F. No. 01/60/162/618/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Consideration of TED claim against 12 invoices/supplies made after issuance of EPCG License No.0330033030 dated 28.06.2012 but before issuance of invalidation letter.

Decision: The applicant had sought for personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.14 M/s Remi Edelstahl Tubulars Limited, Maharashtra
F. No. 01/60/162/322/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: To consider the date of supply as 2005 which was wrongly mentioned as 2004 in supply documents towards redemption of Advance Authorization No.03103106861 dated 15.02.2005.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019. Shri Hanmantha K., Assistant Manager Commercial of the applicant firm appeared before the committee and made the following submissions:

They have stated that the year of supply was wrongly mentioned as 2004 in the supply documents whereas it should have been 2005. It was later on corrected and in this regard, they also obtained a letter from the receiving unit, i.e., M/s IOCL stating the correct year of supply as 2005. They also obtained letter dated 03.03.2010 from their excise range office, i.e., Office of the Superintendent Excise Range IOC-L, Panipat, confirming the year of supply as 2005. They have completed 100% EO.

Decision: The Committee heard the submission made by the firm and found no merit in their claim that during the entire supply chain undertaken by the goods in 2005, wrong year 2004 could be endorsed on all the supply documents without any detection and thus decided to reject it.

(Action: Applicant)

PH Case No.15 M/s Shubhalakshmi Polyesters Limited, Gujarat
F. No. 01/60/162/27/AM20/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: To allow MEIS benefit against 27 shipping bills in which 'N' was mentioned in the reward column.

Decision: The applicant had sought for personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 16.04.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

Case No.16 M/s Bharat International, Gujarat
F. No. 01/60/162/32/AM20/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: To allow MEIS benefit against shipping bills which are time barred.

All the export documents were submitted to the concerned bank for issue of Bank Realization Certificate within time, but the bank misplaced their documents and did not issue BRC on time. Once the bank located their documents and issued the BRC, they applied for the post export benefit, which is within the valid period as per the policy provisions. However, RA issued deficiency letter dated 19.02.2019 stating that their application is time barred.

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.17 M/s Davinci Leather Pvt. Ltd., Tamil Nadu
F. No. 01/60/162/17/AM20/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: To allow MEIS benefit against shipping bill No.7258810 dated 30.08.2018 in which, they mentioned 'No' in the Reward Column.

They have stated that while filing the Shipping Bill, in the Remark Column they have mentioned that the Shipping Bill is filed under MEIS benefit but by oversight they had mentioned 'NO' in the Reward Column. The EGM was filed and the Shipping Bill was sent to History. When they were filing MEIS Scheme application, they realized that the reward is mentioned as 'NO' in the Shipping Bills.

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

(Action: Applicant)

Case No.18 M/s. SAS International, Faridabad
F. No. 01/60/162/29/AM20/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Extension in EOP of 4 Annual Authorization No.(i)0510390018 dated 30.07.2014, (ii) 0510395575 dated 10.09.2015, (iii) 0510392102 dated 21.11.2014 and (iv) 0510393955 dated 24.04.2015.

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.19 M/s. Everest Kanto Cylinders Limited, Mumbai
F. No. 01/60/162/479/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Extension in EOP up to 06.11.2018 against Advance Authorization No.0310803839 dated 07.04.2016 for regularization purpose.

It is noted that RA had granted first EOP but declined the request for second EOP extension of six months as the applicant did not fulfill the EO up to minimum 50% that was required. The applicant has said that they have completed 100% Export Obligation within 30 Months in quantity and value. They have now requested EO extension up to 30.10.2018 for regularization.

Decision: The Committee examined the statement made by the firm and found no fresh merit and hardship in their claim and maintained its earlier rejection in PRC Meeting No. 27/AM19 dated 08.01.2019.

(Action: Applicant)

Case No.20 M/s. Saint Gobain India Pvt. Ltd., Chennai
F. No. 01/60/162/680/AM17/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Request to (i) consider all the exports by SEPR Refractories India Pvt. Ltd., (Ceased Entity) as exports of Saint Gobain India Pvt. Ltd., (ii) All shipping bill with IEC No. of SEPR Refractories India Pvt. Ltd., (Ceased Entity) as IEC No. of Saint Gobain India Ltd., and (iii) Allow Saint Gobain India Pvt. Ltd., to apply for FMS/FPS Authorization manually for grant of Chapter-3 benefit as per High Court of Kerala Order.

The applicant Saint Gobain India Pvt. Ltd. has stated that since the application for MEIS is to be applied with IEC of the exporter, it is causing hindrance to apply for Rewards under FPS/FMS Scheme of Foreign Trade Policy 2009-2014 in consequent to merger of SEPR Refractories India Pvt. Ltd. with Saint Gobain India Pvt. Ltd. Thus, in pursuance of the directions of the Hon'ble High Court of Kerala vide Judgment dated 11.07.2018, they have submitted the copy of NOC issued by the Customs vide Amendment Order vide F.No.EDC/01/77/2017-Cus dated 13.03.2019 and requested to allow Saint Gobain India Pvt. Ltd. to apply manually for FPS/FMS rewards for exports made by SEPR Refractories India Pvt. Ltd.

Decision: The Committee went through the statement made by the firm and the judgment dated 11.07.2018 passed by the Hon'ble High Court of Kerala and discussed the matter at length. It is noted that Saint Gobain India Pvt. Ltd. has undergone the process of amalgamation with SERP Refractories India Pvt. Ltd. and in pursuance of High Court's order has produced No Objection Certificate (NOC) from Customs, Cochin dated 13.03.2019 in respect of listed shipping bills (Total 239 numbers) amending the exporter's name and IEC to read as Saint Gobain India Pvt. Ltd, Egmore. Accordingly, the Committee decided to accept the amended name and IEC number and exports effected through Cochin Sea Port on account of M/s SEPR Refractories India Pvt. Limited and M/s Saint Gobain Crystals and Detectors India Limited along with all the shipping bills (total 239 shipping bills, which are falling within the purview of Cochin Customs House), in which necessary amendments were made in the listed Shipping Bills vide Custom's letter dated 13.03.2019 and also allow FMS/FPS/MEIS benefit for the period from 2014-15 and 2015-16 under FTP 2009-14 and FTP 2015-20 and allowed the request of the party.

(Action: Applicant/RA)

Case No.21 M/s. Diamines and Chemicals Ltd., Vadodara
F. No. 01/60/162/460/AM16/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Waiver from submission of Customs attested invoices and packing list towards redemption of Advance Authorization No.P/L/0022703 dated 07.03.1997.

It was noted that the PRC in its meeting No. 10/AM17 dated 06.07.2016 had given the directions to the RA, one of which was that the RA shall allow EODC on the basis of original EP copy of Shipping Bill provided it does not indicate any remarks on it that details are as per Invoice/Packing list attached. Out of three shipping bills of the applicant firm, one shipping bill No.720780/05-02-97 bears remarks as- "Details are as per Invoice/Packing list" and hence RA, Vadodara did not accept this shipping bill and refused to issue EODC. In this regards the applicant firm has stated that the Invoice / Packing list of this shipping bill do not mention any details other than what is mentioned on this shipping bill and thus this shipping bill with remarks "Details are as per Invoice/Packing list" may be accepted and EODC be granted.

Decision: The Committee noted the above facts and decided to give direction to the RA to accept the shipping bill No.720780/05-02-97 which bears the remarks- "Details are as per Invoice/Packing list" for the purpose of EODC after verifying the facts that the Invoice / Packing list of this shipping bill do not mention any details other than what is mentioned on this shipping bill.

(Action: Applicant/RA)

Case No.22 M/s. Big Bags International Pvt. Ltd., Bangalore
F. No. 01/60/162/218,123,219,220/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Implementation of decision of PRC Meeting No. 10/AM19 dated 09.8.2018 Case Nos. 03 to 06.

This is regarding problem in implementation of the decision of PRC Meeting No. 10/AM19 dated 09.8.2018 in Case Nos. 03 to 06. The firm has approached RA, Bangalore for amending the DFIA by incorporating the EDI port shipping bills as per the PRC decision. However, RA, Bangalore vide mail dated 11.04.2019 intimated that they are facing difficulty in adding the shipping bills to the DFIA as there is no provision in the software to carry out the decision of the PRC. Further, RA, Bangalore intimated that all the DFIA issued to the firm have been utilized by the firm.

Decision: The Committee reviewed the case on the basis of the communication received from RA, Bangalore to the effect that DFIAs have already been utilized and transferred by the firm. The Committee observed that the decision of PRC Meeting No.10/Am19 dated 09.08.2018 in case no. 03 to 06 cannot be implemented because of the fact that the DFIAs have already been utilized and transferred by the firm. Hence, the PRC decided to reject the request of the firm.

(Action: Applicant/RA)

Case No.23 M/s. Prasol Chemicals Pvt. Ltd., Mumbai
F. No. 01/60/162/795/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: To count the export of 3 Shipping Bill Nos.(i) 4121734 dated 16.11.2015, (ii) 4342888 dated 27.11.2015 and (iii) 4948004 dated 28.12.2015 against Advance Authorization No.0310757684 dated 12.11.2013 instead of Advance Authorization No.0310797284 dated 16.07.2015 for regularization purpose only.

They have stated that both the above licenses have the same Export & Import Products and the Exports were being made simultaneously under both advance licenses in order to fulfill the EO. But at the time of preparation of the Pre-export documents due to oversight their logistics staff wrongly mentioned the Advance license number as 0310797284 dated 16.07.2015 instead of 0310757684 dated 12.11.2013 which got reflected in the above 3 shipping bills. Moreover all the said shipping bills are EDI SBills and hence no amendment can be done once the S/Bill is processed / locked in the system of Customs Department.

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

(Action: Applicant)

Case No.24 M/s Dow Chemicals International Private Limited, Mumbai
F. No. 01/60/162/783/AM19/PRC
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: For ex-post facto approval of already imported restricted item HCFC (1.1 Dichloro – Fluoroethane under para 2.13 of FTP.

They have utilized import product HCFC-141 B (1, 1-Dichloro Fluoroethane) in the manufacturing of finished product – Blended Polyol. They are regularly importing the above said import item under restricted import license. Their old License No.0350003289 was re-validated till November, 2018. They constantly followed up with ministry of Environment for required NOC but the same was delayed. Normally, restricted import license will be received within 30-45 days. They finally received the NOC copy from EFC on 09th January, 2019. Their import order is on regular basis but due to delay in issuance of NOC by EFC their license was issued on 23.01.2019 and the order that had already placed earlier had arrived at port.

Decision: The Committee examined the case on the basis of justification furnished by the firm and decided to accede to the request of the firm and granted ex-post facto approval of already imported restricted item, i.e., HCFC(1,1 Dichloro-1 Fluoroethane) under para 2.13 of FTP.

(Action: Applicant/RA)

Case No.25 M/s Enlivening Technology Pvt. Ltd.
F. No. 01/89/26/AM-11/PC-2(A)
PRC Meeting No. 03/AM20 dated 16.04.2019

Subject: Relaxation of ARAI-NOC for Customs clearance of Hino-500 series chassis.

It was noted that the firm had approached this Directorate with the following submission:

"The Government of Telangana placed an order with them for arranging a bullet and blast resistant vehicle for the use of Hon'ble Chief Minister of Telangana. RA, Hyderabad vide mail dated 28.02.2019 intimated that the firm has imported Hino 500 Series Chassis from Australia under Chapter 87 Rule No.7 of ITC (HS) Schedule-I, 2012 to meet the weight to power ratio requirement to build the bullet and blast resistant vehicle within India. They will be fabricating the vehicle as per CMVR regulations and comply to CMVR's Rules No.122 and 138 and duly submit the form No.22 within six months from the date of release of Chassis. Accordingly, it is requested for approval for Customs clearance of the Chassis Hino 500 GH1832 without ARAI's No Objection letter.

The request was examined on file and with the approval of the competent authority, i.e., DGFT as Chairman of the PRC, it was decided to grant relaxation of policy to allow import of "Chassis Hino 500 GH1832 from Australia without Type Approval Certificate for fabricated SPV for use of Hon'ble CM, Telangana, subject to payment of fees as prescribed in Appendix 2K without of FTP 2015-2020. This decision was conveyed to the applicant firm vide latter dated 18.03.2019.

Decision: The Committee examined the matter and decided to regularize in the PRC the above decision already taken on file and conveyed to the applicant firm vide letter No. 01/89/180/26/AM-11/PC-2A/P-546 dated 18.03.2019.

(Action: Applicant/PC-2A)

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