Directorate General of Foreign Trade
(PRC-section)

Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of DGFT Shri A.K. Bhalla, Director General of Foreign Trade on 26.04.2017

Meeting No. 03/AM18 held on 26.04.2017 at 10:00 AM

The following members were present in the meeting:

1.	Shri K.C. Rout	Addl. DGFT
2.	Shri Darshan Singh	Addl. DGFT
3.	Shri J.V. Patil	Addl. DGFT
4.	Shri S.B.S Reddy	Addl. DGFT
5.	Shri N. K. Srivastava	Addl. DGFT
6.	Shri Jay Karan Singh	Jt. DGFT
7.	Shri AkashTaneja	Jt. DGFT
8.	Shri Rakesh Kumar	Jt. DGFT
9.	Shri Lokesh H.D	Jt. DGFT
10.	Shri Munish Kumar	Dy. DGFT

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

Case No.1: M/s. Haldia Petrochemicals, Kolkata.
F.No. 01/60/162/498/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorisation No.0210122139 dt. 13.01.2009.

Decision: The case was discussed in the PRC meeting No 32/AM17 held on 07.03.2017. After hearing the applicant, it was decided to refer the case to DoR for their comments and NOC, as the extension beyond 48 months in the remaining Authorisations were considered on the basis of cabinet decision, which was moved by DoR. In response to the committee decision, DoR vide letter dated 19.04.2017 has recommended that request for EOP extension may be considered in spirit of the cabinet decision in case of earlier similar 90 Advance Authorisation.

as matter pertained to the Cabinet decision, it

The committee, therefore, decided that ~~case~~ shall be examined on file and request may be considered after obtaining the approval of CIM.

(Action: PRC)

Case No.2: M/s. Ferro Alloys Corporation Ltd., Odisha. RA Cuttack
F.No. 01/60/162/241/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for issue of supplementary Duty Credit against Shipping Bill NO.3309526 dt. 02.01.2013.

Decision: The committee noted that the applicant had submitted request for issue of duty credit scrip against two shipping bills. However, RA issued scrip against one shipping bills only on the ground that no e-BRC was submitted against shipping bill No. 3309526 dated 02.01.2013. The applicant has informed that their Bank has issued one consolidated e-BRC against two shipping Bills by mistake.

NIC has suggested that the applicant should surrender the duty credit scrip and get the activation letter from the concerned RA. NIC on the basis of activation letter will release the e-BRC along with shipping bill for resubmitting the revised application.

Taking into consideration the genuine hardship and mistake of the Bank, the committee decided the following:

i. The applicant shall surrender the duty credit scrip if not utilized so far to RA.
ii. RA shall accordingly cancel the said scrip and issue letter to NIC for reactivation of e-BRC and shipping bills;
iii. On re-activation of e-BRC/Shipping Bills, the applicant shall submit fresh request after obtaining separate e-BRC against each shipping bills.
iv. If, duty scrip has already been utilized, the applicant shall submit online new application against left out shipping bill and indicating remaining value of the same e-BRC.
v. Since the scrip issued under FPS was not being transmitted online earlier too, RA shall issue fresh Duty Credit Scrip against Shipping Bill No 3309526 dated 02.01.2017 for FOB value which was not considered in Duty Credit Scrip No 2310003327 dated 02.04.2013.

(Action: RA, Vishakhapatnam/Applicant)

Case No.3: M/s. Jindal Saw Ltd., New Delhi.
F.No. 01/60/162/576/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for revalidation of DEPB No.3110053566 dt. 29.03.2012 and removal of errors issued from RA, Pune.

Decision: The committee noted that the shipments were made through EDI port however, the applicant by mistake filled online application by choosing manual mode i.e. the details of shipping bills were fed manually. Therefore, DEPB could not be transmitted to ICEGATE server. On the basis of report received from NIC, the committee decided the following:

i. The applicant shall surrender the DEPB No.3110053566 dt. 29.03.2012 to RA concerned for cancellation.
ii. The applicant shall submit fresh application online attaching shipping bills and e-BRC.
iii. RA shall issue new DEPB, after cancelling the old one, having validity of 12 months.

(Action: RA, Pune /Applicant)

Case No.4: M/s. Halcyon Labs Pvt. Ltd., Mumbai.
F.No. 01/60/162/1209/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0310567222 dt. 30.03.2010 issued under PC-9 condition.

Decision: The Committee noted that the Authorization No. 0310567222 dt. 30.03.2010 was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A, which allows 12 months period for EO fulfilment from import of each consignment. The imports under this Authorisation were made on 27.01.2011,08.06.2011, 05.09.2011 and 12.12.2011. Accordingly, initial obligation period was upto 31.01.2012,30.06.2012, 30.09.2012 and 31.12.2012, respectively. The applicant has stated to have fulfilled 55% export obligation during the initial export obligation period and remaining thereafter. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against import of each consignments i.e. upto **30.06.2012, 31.12.2012, 31.03.2013 and 30.06.2013,** respectively.
II. This is only for accounting and regularization of exports already effected.
III. This will, however, be subject to a payment of composition fee @ 0.5% per month on FOB value of export made after initial obligation period.
IV. RA shall check that minimum 50% exports were made within initial export obligation period, against each consignments. If not, composition fee will be charged @ 1% per month.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

(Action: Applicant/RA, Mumbai)

Case No.5: M/s. Phoenix Foils Pvt. Ltd., Mumbai.
F.No. 01/60/162/1011/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for clubbing of two Advance Authorizations No.(i) 0310760256 dt. 03.12.2013 and (ii) 0310798003 dt. 07.08.2015 issued within a period of 21 months for the same type of export products and same type of imported inputs.

Decision: The committee noted that the Authorisation dated 03.12.2013 was issued having initial validity of 12 months to import and 18 months to fulfil export obligation. The applicant has effected 104% exports and imported only 45% against this Authorisation. Whereas the Authorisation dated 07.08.2015 was obtained after expiry of validity of the Authorisation dated 03.12.2013. Under this second Authorisation the applicant has imported 91.47% and exported only 12.10%. Clubbing of such Authorisations are not allowed because it would amount to indirect revalidation of expired Authorisation . The committee, therefore, did not accede to the request.

The applicant is hereby directed to get the Authorisations regularised separately and individually.

(Action: RA, Mumbai/Applicant)

Case No.6: M/s. Loyal Textile Mills Ltd., Madurai.
F.No. 01/60/162/1060/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for clubbing of 7 Advance Authorizations No (i).3510026302 dt. 08.04.2009; (ii) 3510028513 dt. 14.12.2009; (iii) 3510029331 dt. 02.03.2010; (iv) 3510030745 dt. 24.06.2010; (v) 3510033691 dt. 27.04.2011; (vi) 3510035276 dt. 26.08.2011 & (vii) 3510035277 dt. 26.08.2011.

Decision: The committee noted that all 7 Advance Authorisations were issued within 36 months having initial export obligation period of 36 months. Imports are made under all Authorisations partially but no exports are made under first three Authorisations. However, surplus exports are made against last four Authorisations but within 48 months of first Authorisation. The committee, therefore, decided the following:

i. Export obligation period be extended from 36 months to 48 months against Authorization 3510026302 dt. 08.04.2009.
ii. This will, however, be allowed subject to payment of composition fee @ 0.5% per month of unfulfilled FOB value of exports made after 36th month but upto 42nd month and @ 1% per month of unfulfilled FOB value of exports made after 42nd month but upto 48th month i.e. upto 30.04.2013.
iii. Clubbing of above referred 7 Authorisations be allowed.
iv. Exports effected till 30.04.2013 shall only be taken into account for regularization purpose.
v. RA shall ensure accounting of inputs as per SION.
vi. Authorisations issued under same customs Notification shall only be clubbed.
vii. Minimum 15% VA shall be maintained on clubbing.
viii. Shortfall, if any, shall be regularized in terms of Para 4.49 of HBP, 2015-2020.

(Action: Madurai)

Case No.7: M/s. Gland Pharma Ltd., Hyderabad.
F.No. 01/60/162/1197/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0910062907 dt. 27.11.2015 issued under PC-9 conditions.

Decision: The Committee noted that the Authorization was issued with conditions stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported consignments on 01.02.2016. Accordingly, the export obligation period was upto 31.01.2017. The applicant has stated to have fulfilled 45.03% exports by 23.12.2016 and hence requested for EOP extension by 6 months from initial validity period of EO. Taking all these facts into account, the Committee decided the following:

(i) Export obligation period be extended from 12 to 18 months i.e. upto 31.07.2017.
(ii) This will, however, be subject to payment of composition fee @ 1% per month of FOB value of export made after initial obligation period.
(iii) RA shall ensure that shipments were effected indicating File number or Authorization number in question.
(iv) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

Case No.8: M/s. Gland Pharma Ltd., Hyderabad.
F.No. 01/60/162/1199/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0910063032 dt. 23.12.2015 issued under PC-9 conditions.
RA, Hyderabad.

Decision: The Committee noted that the Authorization in question was issued with condition stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported on 11.01.2016 and on 29.11.2016. Accordingly, the export obligation period was upto 10.01.2017 and 28.11.2017, respectively. The applicant has stated to have fulfilled 87.16% against first export item and 100% exports against rest two items. Hence, requested for 6 months further extension for fulfilment of balance EO. Export obligation against second consignment is still valid till 28.11.2017. Taking all these facts into account, the Committee decided the following:

(i) Export obligation period be extended from 12 to 18 months i.e. upto 31.07.2017 against first import consignment.
(ii) This will, however, be subject to payment of composition fee @ 0.5% per month of FOB value of export made after initial obligation period;
(iii) RA shall check that minimum 50% exports were made within initial export obligation period, against each consignments. If not, composition fee will be charged @ 1% per month.
(iv) RA shall ensure that shipments were effected indicating File number or Authorization number in question.
(v) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

(Action: RA, Hyderabad)

Case No.9: M/s. Gland Pharma Ltd., Hyderabad.
F.No. 01/60/162/1198/AM17/PRC

PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0910063062 dt. 31.12.2015 issued under PC-9 conditions.
RA, Hyderabad.

Decision: The Committee noted that the Authorization in question was issued with condition stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported goods on 21.01.2016, 16.04.2016, 17.11.2016, 29.11.2016 and on 15.12.2016. Accordingly, the export obligation period was upto 20.01.2017, 15.04.2017, 16.11.2017, 29.11.2017 and 14.12.2017, respectively. The applicant has stated to have fulfilled 14.18% exports by 26.11.2016 and hence requested for 6 months extension. The export obligation period is still valid against last three import consignment. Taking all these facts into account, the Committee decided the following:

(i) Export obligation period be extended from 12 to 18 months i.e. upto 19.07.2017 and 14.10.2017, respectively against first and second import consignments.
(ii) This will, however, be subject to payment of composition fee @ 1% per month of unfulfilled FOB value.
(iii) RA shall ensure that shipments were effected indicating File number or Authorization number in question.
(iv) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

(Action: RA, Hyderabad)

Case No.10: M/s. Gland Pharma Ltd., Hyderabad.
F.No. 01/60/162/1196/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0910062612 dt. 14.09.2015 issued under PC-9 conditions.
RA, Hyderabad.

Decision: The Committee noted that the Authorization in question was issued with condition stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported consignments on 31.10.2015, 02.11.2015, 23.11.2015, 20.02.2016 and 20.12.2016. Accordingly, the export obligation period was upto 30.10.2016, 01.11.2016, 22.11.2016, 19.2.2017 and 19.12.2017, respectively. The applicant has stated to have fulfilled 88.37% exports by 31.08.2016 and hence requested for 6 months further extension. Export obligation against last import consignment is still valid till 19.12.2017. Taking all these facts into account, the Committee decided the following:

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(i) Export obligation period be extended from 12 to 18 months against first, second, third and fourth consignments i.e. upto 29.04.2017, 30.04.2017, 21.04.2017 and 18.08.2017, respectively.

(ii) This will, however, be subject to payment of composition fee @ 0.5% per month of FOB value of export made/to be made after initial obligation period.

(iii) RA shall check that minimum 50% exports were made within initial export obligation period, against each consignments. If not, composition fee will be charged @ 1% per month of FOB.

(iv) RA shall ensure that shipments were effected indicating File number or Authorization number in question.

(v) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

Case No.11: M/s. Cadila Healthcare Ltd., Ahmedabad.
F.No. 01/60/162/1155/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for extension of EOP by 6 months against Advance Authorization No.0810134922 dt. 25.03.2015 issued under PC-9 conditions.

Decision: The Committee noted that the Authorization in question was issued with condition stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported first consignments on 06.04.2015 and 11.01.2016. Accordingly, the export obligation period was upto 05.04.2016 and 10.01.2017, respectively. The applicant has stated to have fulfilled 42.92% exports by 04.01.2017. Taking all these facts into account, the Committee decided the following:

(i) Export obligation period be extended from 12 to 18 months i.e. upto 30.09.2017 and 31.07.2017, respectively.

(ii) This will, however, be subject to payment of composition fee @ 1% per month of FOB value of export made/to be made after initial obligation period.

(iii) RA shall ensure that shipments were effected indicating File number or Authorization number in question.

(iv) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

(Action: RA, Ahmedabad)

Case No.12: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/1189/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0810135945 dt. 28.08.2015 issued under PC-9 conditions.
RA, Ahmedabad.

Decision: The Committee noted that the Authorization was issued with condition stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported on 09.09.2015 and 28.07.2016. Accordingly, the export obligation period was upto 08.09.2016 for first consignment and EOP is still valid till 27.07.2017 against second consignment. The applicant has stated to have fulfilled 83.78% exports obligation within initial obligation period and remaining 16.22% by 21.11.2016 against first import consignment. Taking all these facts into consideration, the Committee decided the following:

(i) Export obligation period be extended from 12 to 18 months i.e. upto 30.11.2016 for 1st import consignment for regularization of exports already effected against the Authorization.
(ii) This will, however, be subject to payment of composition fee @ 0.5% per month of FOB value of export made after initial obligation period.
(iii) RA shall check that minimum 50% exports were made within initial export obligation period, against each consignments. If not, composition fee will be charged @ 1% per month of FOB.
(iv) RA shall ensure that shipments were effected indicating File number or Authorization number in question.
(v) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

(Action: RA, Ahmedabad)

Case No.13: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/1187/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0810136626 dt. 03.12.2015 issued under PC-9 conditions.

Decision: The Committee noted that the Authorization was issued with condition stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported consignments on 09.12.2015 and 29.11.2016. Accordingly, the export obligation period was upto 08.12.2016 against fist import consignment and EOP still valid till 28.11.2017 against second consignment. The applicant has stated to have fulfilled 92.78% within initial period and 7.22% by 02.01.2017 against first import consignment. Taking all these facts into account, the Committee decided the following:

(i) Export obligation period be extended from 12 to 18 months i.e. upto 31.01.2017 for regularization of exports already effected against fist import consignment.
(ii) This will, however, be subject to payment of composition fee @ 0.5% per month of FOB value of export made after initial obligation period.

(iii) RA shall check that minimum 50% exports were made within initial export obligation period, against each consignments. If not, composition fee will be charged @ 1% per month of FOB.
(iv) RA shall ensure that shipments were effected indicating File number or Authorization number in question.
(v) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

Case No.14: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/1186/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: - Request for EOP extension of Advance Authorization No.0810135442 dt. 05.06.2015 issued under PC-9 conditions.
RA, Ahmedabad.

Decision: The Committee noted that the Authorization was issued with condition stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported first consignment on 26.06.2015 and another one on 28.11.2015. Accordingly, the export obligation period was upto 25.06.2016 and 27.11.2016, respectively. The applicant has stated to have fulfilled 100% exports by 10.01.2017 and requested for regularisation of it. Taking all these facts into account, the Committee decided the following:

(i) Export obligation period be extended from 12 to 18 months i.e. upto 31.08.2016 and 10.01.2017, respectively for regularization of exports already effected against the Authorization.
(ii) This will, however, be subject to payment of composition fee @ 0.5% per month of FOB value of export made after initial obligation period.
(iii) RA shall check that minimum 50% exports were made within initial export obligation period, against each consignments. If not, composition fee will be charged @ 1% per month of FOB.
(iv) RA shall ensure that shipments were effected indicating File number or Authorization number in question.
(v) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

(**Applicant / RA Ahmedabad**)

Case No.15: M/s. Kunjan Plastic Industries Pvt. Ltd., Nagpur.
F.No. 01/60/162/1195/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017
Subject: - Request for revalidation of Advance Authorization No.5010002192 dt. 23.03.2015 for further six months.

Decision: The committee noted that the Authorization was issued having initial validity of 12 months. The RA has allowed six months' further revalidation on the request of the applicant. They have imported almost 91% raw materials. Therefore, the plea that they had paid in advance but the supplier had not supplied the goods was not found convincing by the committee. PP granules is not such a material which is not available easily in the other countries. It is available domestically also and nobody prevented applicant from procuring the raw material from domestic Sources. The committee, therefore, did not accede to the request.

Case No.16: M/s. Danopharm Chemicals Pvt. Ltd., Mumbai.
F.No. 01/60/162/1172/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for revalidation against Advance Authorization No.0310794575 dt. 16.03.2015.

Decision: The committee noted that the reason cited by the applicant was purely their commercial decision. The same does not qualify to be case of hardship. The RA has already allowed one revalidation of six months. The committee, therefore, did not accede to the request.

Case No.17: M/s. Emco Limited Mumbai.
F.No. 01/60/162/1204/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for revalidation against Advance Authorization No.0310793919 dt. 18.02.2015.

Decision: The committee noted from the content of the request that they could not import balance raw materials because they could not export 7 Nos transformers to Nepal due to earthquake in Nepal on 25.04.2015. However, the committee noted that the Authorisation was issued on 18.02.2015 having initial validity of 12 months and the RA has allowed further six months validity on their request. They have exported 14Nos transformers to Africa so the remaining transformers could also have been exported to the same African country or any other buyers. Therefore, the plea given by the applicant could not convince the committee to justify the case as one of genuine hardship. Hence, the request was not acceded to.

(Action: **Applicant/RA Mumbai**)

Case No.18: M/s. Kovalam Resort Pvt. Ltd., Trivandrum
F.No. 01/60/162/1162/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for revalidation of Served from India Scrip No.5310018518 dt. 18.08.2015.

Decision: The committee noted that the Duty Credit under SFIS scheme was issued having initial validity of 18 months. The applicant was aware that no further revalidation of such scrip is allowed unless its validity expires while in the possession of any Government agencies. This is not a case where validity expired while in custody of Customs or DGFT office. The committee, therefore, did not accede to the request.

Case No.19: M/s. Marudhar Tanchem Pvt. Ltd., Chennai.
F.No. 01/60/162/1169/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for consideration of Custom Attested Invoice for EO Discharge of Advance Authorization No.0410145341 dt. 18.04.2013.

Decision: The committee noted that in terms of Para 4.12 of FTP, exporter is required to declare the quantities and consumption of inputs in export documents which is 'Shipping bill' in case of export by sea and in 'Bill of Export' in case export by land customs station towards discharge of export obligation against an Advance Authorisation. In this case exports were made to SEZ against ARE-1 without generating Bill of Export. In ARE-1, neither the consumption of inputs is certified nor valuation of goods is carried out by the Customs Authority. Therefore, such document cannot be accepted towards discharge of export obligation. Further, for getting incentives on exports to SEZ, Bill of Export is a mandatory prescribed document under Rule, 30 of SEZ Rules, 2006. Taking these facts in to consideration, the committee did not accede to the request.

The applicant is hereby directed to get the case regularised in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, Chennai/Applicant)

Case No.20: M/s. J.B. Chemicals Pharmaceuticals Ltd., Mumbai.
F.No. 01/60/162/1174/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0310801571 dt. 05.01.2016 issued under PC-9 conditions.
RA, Mumbai.

Decision: The Committee noted that the Authorization was issued with condition stipulated under PC-9 dated 30.06.2003 read with appendix-4J of FTP, 2015-2020, which allows 12 months for EO fulfilment from import of each consignment. The applicant has imported consignments on 20.01.2016, 10.02.2016, 10.03.2016, 22.03.2016, 28.03.2016 and 15.04.2016. Accordingly, the export obligation period was upto 19.01.2017, 09.02.2017, 09.03.2017, 21.03.2017, 27.03.2017 and 14.04.2017. The applicant has stated to have fulfilled 56.96% (item No. 1), 15.59% (item No. 2) and 100% (item No. 3) exports by 28.12.2016 and requested for extension to complete balance export. Taking all these facts into account, the Committee decided the following:

(i) Export obligation period be extended from 12 to 18 months i.e. upto 31.07.2017, 31.08.2017 against first and second import consignments, upto 30.09.2017 against third, fourth and fifth consignments and upto 30.10.2017 against last import consignment.

(ii) This will, however, be subject to payment of composition fee @ 1% per month of unfulfilled FOB value of exports made/to be made after initial obligation period.

(iii) RA shall ensure that shipments were effected indicating File number or Authorization number in question.

(iv) The minimum value addition of 15% as prescribed under para 4.09 of FTP (2015-20) shall be maintained.

(Action: RA, Mumbai)

Case No.21: M/s. Fresenius Kabi Oncology Ltd., New Delhi.
F.No. 01/60/162/933/AM16/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for relaxation for consideration of exports made prior to import and waiver of PC-18 conditions against Advance Authorization No.0510303712 dt. 26.09.2011.

Decision: The committee noted that import of unapproved drugs from unregistered sources are allowed under Advance Authorisation with pre-import and Actual User condition. Replenishment of such sensitive item is not allowed. Therefore, exports made prior to import cannot be taken into consideration towards discharge of export obligation unless the Authorisation holder submits a proof that raw materials imported against the Advance Authorisation were consumed fully in the resultant product, which were exported subsequently within the obligation period of the Authorisation.

No such evidence have been submitted by the applicant. The committee, therefore, reiterated its earlier decision dated 17.01.2017.

(Action: CLA)

Case No.22: M/s. Ashutosh Fibre Pvt. Ltd., Ahmedabad.
F.No. 01/60/162/985/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017
Subject:- Request for clubbing of 2 Advance Authorizations No.(i) 0810119073 dt. 06.03.2013 & (ii) 0810133535 dt. 09.10.2014.

Decision: The committee noted that the applicant has stated to have fulfilled 100% export obligation against both the Authorisations. Therefore, no clubbing of such Authorisation is required. Clubbing is allowed where imports are made in the first Authorisation leaving shortfall and surplus exports are made in the subsequent Authorisation but within export obligation period of the first Authorisation, which is not the case here. The committee, therefore, rejected the request.

The applicant is hereby directed to submit individual Authorisation to RA for redemption.

(Action: RA, Ahmedabad)

Case No.23: M/s. Vedanta Ltd., New Delhi.
F.No. 01/60/162/644/AM17/PRC (pt)
PRC Meeting No. 03/AM18 dated 26.04.2017
Subject:- Request for grant of pro-rata enhancement in terms of Para 4.21.1 of HBP 2009-14 and revalidation of DFIA No.0510393686 dt. 23.03.2015.

Decision: The committee noted that the applicant after fulfilling 177% exports submitted request to RA on 06.06.2016 for enhancement, split-up and revalidation of DFIA, as per the prevalent policy and procedure. The RA rejected the request on the ground that online facility for split up of DFIA was not available. The Authorisation was revalidated ultimately on 01.08.2016 till 22.09.2016. The committee was of the view that if the request for revalidation was considered on 22.06.2016, the date on which rejection was made, the applicant could have got three months to import. The committee, therefore, decided to revalidated the DFRC for three months from the date of endorsement.

The applicant is hereby directed to submit the Authorisation to RA within a month from the date of uploading of these minutes on the Directorate website.

(Action: RA, CLA)

Case No.24: M/s. Flexituff International Ltd., Dhar (M.P.)
F.No. 01/60/162/1171/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017
Subject: Request for revalidation of Advance Authorization No.5610004615 dt. 01.06.2015.

Decision: The committee noted that the Authorisation was issued having 12 months validity to import. RA has allowed six months' revalidation on the request of the applicant. The Authorisation holder has imported three items completely and two items partially. Therefore, the applicant's plea that they could not import balance due to some technical problem the date of revalidation was not transmitted to ICEGATE, was not accepted by the committee. The committee, therefore, did not accede to the request.

Case No.25: M/s. Jodas Expoim Pvt. Ltd., New Delhi.
F.No. 01/60/162/249/AM17/PRC
PRC Meeting No. 03/AM18 dated 26.04.2017

Subject: Request for EOP extension of Advance Authorization No.0510391568 dt. 13.10.2014 issued under PC-9 conditions.

Decision: The committee noted that the request of the applicant for extension of export obligation was considered from 12 months to 18 months in its meeting dated 24.04.2016. Imports under this Authorisation were made from un-registered sources. Therefore, extension beyond 18 months is not considered. The committee, therefore, did not accede to the request to allow extension beyond 18 months.

The applicant is hereby directed to follow the procedure prescribed under Policy Circular No 18 dated 30.10.2007 read with Para 4.49 of HBP, 2015-2020 for regularization of shortfall.

(Action: RA, CLA)

The meeting ended with a vote of thank to the Chair.

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