Date of Uploading 23-07-19

Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting held on 09.07.2019 under the Chairmanship of Shri Alok Vardhan Chaturvedi, Director General of Foreign Trade

Meeting No.11/AM20 held on 09.07.2019

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 Anil Aggarwal	Addl. DGFT
6.	Shri Rajbir Sharma	Jt. 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 Adcock Ingram Ltd., Bangalore	1 to 4
2.	M/s Ladhar Paper Mills, Jalandhar	5
3.	M/s Gujarat Ambuja Exports Ltd., Ahmedabad	6 to 8
4.	M/s Shashi Cables Ltd., Kanpur	9
5.	M/s Honda Motorcycle and Scooter India Pvt. Ltd., Gurgaon	10
6.	M/s Sharda Energy & Minerals Ltd., Raipur	11
7.	M/s Selmax Exports Pvt. Ltd., Mumbai	12
8.	M/s Paragon Industries Ltd., New Delhi	13
9.	M/s Big Bags International Pvt. Ltd., Bangalore	14
10.	M/s Skoda Auto India Pvt. Ltd., Aurangabad	15
11.	M/s Renault Nissan Technology & Business Centre India Pvt. Ltd.,	16
12.	M/s Tribal Krafts, New Delhi	17
13.	M/s Reliance Industries Limited, Mumbai	18
14.	M/s Stonemen Craft India Pvt. Ltd., Agra	19
15.	M/s Kogta Exporters Pvt. Ltd., Maharashtra	20
16.	M/s Ami Lifsciences Pvt. Ltd., Vadodara	21
17.	M/s Mulberry Silks Limited, Bangalore	22
18.	M/s Serum Institute of India Pvt. Ltd., Pune	23
19.	M/s ITC Limited, Kolkata	24
20.	M/s Maruti Rub Plast Pvt. Ltd., Greater Noida	25
21.	M/s Mangalam Drugs and Organics Limited, Mumbai	26
22.	M/s All Time Plastics Pvt. Ltd., Mumbai	27

PH Case No. 01 M/s Adcock Ingram Ltd., Bangalore
F. No. 01/60/162/705/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To allow MEIS benefits against 12 shipping bill for the period 2017-18.

Decision: The applicant was called for personal hearing on 09.07.2019, as per the decision of PRC in its Meeting No.29/AM19 dated 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to close the case, since request of the firm is not clear and the case cannot be kept pending.

(Action- Applicant)

PH Case No. 02 M/s Adcock Ingram Ltd., Bangalore
F. No. 01/60/162/706/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To allow MEIS benefits against 20 shipping bills.

Decision: The applicant was called for personal hearing on 09.07.2019, as per the decision of PRC in its Meeting No.29/AM19 dated 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to close the case, since request of the firm is not clear and the case cannot be kept pending.

(Action- Applicant)

PH Case No. 03 M/s Adcock Ingram Ltd., Bangalore
F. No. 01/60/162/707/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To allow MEIS benefits against 24 shipping bill for the period 2015-16.

Decision: The applicant was called for personal hearing on 09.07.2019, as per the decision of PRC in its Meeting No.29/AM19 dated 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to close the case, since request of the firm is not clear and the case cannot be kept pending.

(Action- Applicant)

PH Case No. 04 M/s Adcock Ingram Ltd., Bangalore
F. No. 01/60/162/708/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To allow MEIS benefits against 12 shipping bill for the period 2016-17.

Decision: The applicant was called for personal hearing on 09.07.2019, as per the decision of PRC in its Meeting No.29/AM19 dated 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to close the case, since request of the firm is not clear and the case cannot be kept pending.

(Action- Applicant)

PH Case No. 05 M/s Ladhar Paper Mills, Jalandhar
F. No. 01/60/162/172/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Regularization of exports already made beyond E.O. period (2 Months) against EPCG Authorization No.3030002682 dated 26.04.2007.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019. Shri Rajiv Bhardwaj, Commercial Head, appeared before the committee on behalf of the firm and made the following submissions:

They have stated that they completed 85% of the EO up to 25.04.2017. They have completed the balance 15% EO within 2 months from the date of expiry of the EOP. They had filed the application with EPCG Committee for extension in EOP. The Committee vide meeting dated 24.01.2019 allowed them extension of 2 years after paying 50% of the duty in proportion to the unfulfilled EO. They have calculated Rs.1100848 as 50% of the duty in proportion to unfulfilled EO, which is very harsh on them. Their request is to condone delay of 2 months in fulfillment of the EO.

Decision: The Committee went through the submission made by the firm and observed no merit in their case and accordingly decided to reject it.

(Action: Applicant)

PH Case No. 06 M/s Gujarat Ambuja Exports Ltd., Ahmedabad
F. No. 01/60/162/78/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Revalidation of DFIA No.0810139401 dated 28.12.2016 for six months by extending a relaxation of Para 4.29 (vii) of FTP 2015-20 by allowing the exports made through GOA and Mundra Port consequent to amendment made under P.N. 13/2018 dated 20.06.2018.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No. 07 M/s Gujarat Ambuja Exports Ltd., Ahmedabad
F. No. 01/60/162/76/AM20/PRC

PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Revalidation of DFIA No.0810139994 dated 03.04.2017 for six months by extending a relaxation of Para 4.29 (vii) of FTP 2015-20 by allowing the exports made through GOA and Mundra Port consequent to amendment made under P.N. 13/2018 dated 20.06.2018.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No. 08 M/s Gujarat Ambuja Exports Ltd., Ahmedabad
F. No. 01/60/162/77/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Relaxation in pre-import condition from the date of issuance of authorization up to the date of first import i.e. 03.05.2018 to 07.02.2019 against Advance Authorization No.0810142521 dated 03.05.2018.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No. 09 M/s Shashi Cables Ltd., Kanpur
F. No. 01/60/162/806/AM16/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: 2ndrevaldiationof DFIA No.0610029174 dated 28.09.2012.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No. 10 M/s Honda Motorcycle and Scooter India Pvt. Ltd., Gurgaon
F. No. 01/60/162/144/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Relaxation of Policy of condition No.10 (e) of Chapter 87 to the ITC (HS) in Schedule 1 – Import Policy, for import of motorcycles for racing events.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019. Shri S.C. Jain, Authorized Representative, appeared before the committee on behalf of the firm and made the following submissions:

They have stated that they intend to import approximately 100 Bikes of Honda with Bifurcation CRF-250R-35(Nos), CRF125F-40(Nos) and CRF 450R-25(Nos) bike for racing and training purpose of riders for a minimum period of 4-5 years. The FOB cost of each bike is approx. ranging from JPY 5,00,000/- to JPY 20,00,000 or INR 3,20,320/- to INR 1281279/- per vehicle excluding other miscellaneous charges (Customs, insurance & Freight). There will be approx. 5 training events and 6 six races to be conducted every year. Therefore, they intend to import customized motorcycles which are specifically meant for racing events and their request is to relax the Policy Condition No.10 (e) of Chapter 87 to the ITC(HS) in schedule 1 – Import Policy, for import of the racing bikes.

Decision: The Committee, after hearing the submission made by the firm and decided to accede the request of the firm to import 100 racing bikes of Honda with the following conditions:-

(i) The vehicles shall not ply on public roads;
(ii) The vehicles shall be used only for approved racing events at racing tracks and
(iii) After completion of racing events, within 3 years, the vehicles shall be re-exported or dismantled/scrapped, before the Customs Authorities.

(Action: Applicant/RA)

Case No. 11 M/s Sarda Energy & Minerals Ltd., Raipur
F. No. 01/60/162/216/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Revalidation of two MEIS scrip No. 6319000322 dated 02.02.2017 and 6319000323 dated 02.02.2017.

They have stated that the above 2 MEIS scrips were issued to them and were lost in transit during customs verification by Courier Service. They had applied for duplicate MEIS licenses at RA, Raipur and same was issued, but unfortunately license could not be utilized due to lapse of validity on Customs Department Website. Wherein, the expiry date was showing 31.08.2018 instead of 02.02.2019 according to PN No. 33/2015-2020 dated 23.11.2017. But the same was not updated on the Customs Department's website.

Decision: The Committee having discussed the case on the basis of justification furnished by the firm observed that there is no merit in firm's contention and decided to reject the request of the firm.

(Action: Applicant)

Case No. 12 M/s Selmax Exports Pvt. Ltd., Mumbai
F. No. 01/60/162/256/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Re-activation of 29 Shipping Bills to file MEIS application as the MEIS Scrip No. 0319179462 dated 06.08.2018 issued against 29 shipping bills was not utilized due to transmission error code 00, 02, 38 and surrendered to RA.

They have stated that the MEIS License 0319179462 dated 06.08.2018 is issued for total 29 S/Bills against E-com 03/00/070/38100/0438/451 but in transmission error code no. 00, 02, 38 is occurred & license is not registered. They surrendered the above license and apply for reactivation of all S/Bills. Reactivation letter issued but in website only 10 S/bills at Sr.No.1,2,3,4,5,7,8,9,10&11 against E-com No.03/00/070/38100/0438 /4581 are reactivated. They have prepared the MEIS application for these 10 S/bills against E-com ref.03/00/070/38100/0596/6580. However, 100% late cut is mentioned in E-com, which is technical and not their fault.

Decision: The Committee went through the submission made by the firm and noted that it is not a case of Policy Relaxation. Hence, Committee decided to refer the case to EDI division to sort out the matter.

(Action: Applicant/EDI division)

Case No. 13 M/s Paragon Industries Ltd., New Delhi
F. No. 01/60/162/214/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Allowing them to deposit the Customs duty of 50% in terms of Para 5.11 (b) of HBP 2009-14 for 2nd Extension in EPCG by way of Bank Guarantee at Customs, Since they have already made the entire exports and their case is pending in RA Delhi for regularization of exports made beyond the extended export obligation period under the following 5 EPCG Authorizations (1) 0530145510 dated 30.01.2008, (2) 0530143735 dated 24.05.2007, (3) 0530144493 dated 06.09.2007, (4) 0530144418 dated 24.08.2007 and (5) 0530143848 dated 08.06.2007.

They have stated that they have been granted one extension of two year after condonation of fulfillment condition in block wise EO. Some of their exports are out of EO period. They submitted their application to CLA, Delhi to regularize and allow redemption of the said EPCG Licenses. CLA, Delhi asked them to deposit Customs Duty of 50% in terms of Para 5.11(b) of HBP 2009-14. Then they applied to EPCG Committee for waiver of 50% Customs Duty for second extension in EOP, but it did not considered their request. They have already made the entire exports and their case is pending with CLA Delhi for regularization of export made beyond the extended EOP under the above 5 EPCG licenses.

Decision: The Committee went through the submission made by the firm and observed no merit in their case and accordingly decided to reject it.

(Action: Applicant)

Case No. 14 M/s Big Bags International Pvt. Ltd., Bangalore

Urgant

F. No. 01/60/162/196/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Relaxation of Para 4.29 of FTP 2015-20 against following 7 DFIAs allowing the exports after receiving the transferability for the part DFIAs and allow to claim the DFIA for balance exports benefit with revalidation: (i) 0710102098 dated 06.09.2017, (ii) 0710111987 dated 09.08.2017, (iii) 0710112102 dated 06.09.2017, (iv) 0710111999 dated 09.08.2017, (v) 0710112887 dated 27.02.2018, (vi) 0710112671 dated 10.01.2018 and (vii) 0710112877 dated 26.02.2018.

They have stated that they had obtained above mentioned DFIAs and completed the exports against all the DFIAs. Since, the delay in issue of some Electronic Bank Realization Certificate by their Bank, they had applied for the transferability for some of the shipping bills. They have received the transferability for those shipping bills and utilized the same. Then after receiving the Electronic Bank Realization Certificate for the remaining shipping bills, they had filed the online application for inclusion of the balance shipping bills, enhancement in quantities and values. But RA, Bangalore had rejected their application stating that the transferable DFIA cannot be amended by adding more shipping bills.

Decision: The Committee having discussed the case found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 15 M/s Skoda Auto India Pvt. Ltd., Aurangabad
F. No. 01/60/162/98/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Approval to run imported right hand drive vehicles (two cars) on public road in India for R&D purpose.

They have stated that they are developing current range of models to meet new regulation Bharat Stage-IV emission norms effective from 1st April, 2020 mandated by Government of India. These 2 cars will be imported from their parent company Skoda Auto, Czech Republic and these are required to perform several development tests and will run up to 1,00,000 KMs on Indian roads according to provision of Central Motor Vehicles Rules 41(a) with use of trade certificates issued by registering authority for the purpose of testing. After testing, said cars may be re-exported or scrapped. Hence, requested approval to run the imported R&D vehicles on public road accordingly for testing purpose as per the CMVY provisions.

Decision: Committee went through the justification provided by the firm and decided to accede to the request of the firm to import right hand drive vehicles (two car) for R&D purposes and its plying on Indian roads subject to permission from the Ministry of Road Transport & Highways.

(Action: Applicant/RA)

Case No. 16 M/s Renault Nissan Technology & Business Centre India Pvt. Ltd.,
F. No. 01/89/180/39/AM11/PC-2(A)
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Seeking relaxation in policy and procedure in terms of Para 2.58(c) of Foreign Trade Policy for import of used left hand drive car for Advance Electronic Systems programming support.

They have stated that the Renault SAS is sending a Grand Scenic car as a reference vehicle for their Global Engineering services activity carried out in RNTBCI. They have stated that the car will be shipped to the country on "No Commercial Value" basis vide invoice No.OT12345 on free of charge basis. They have further stated that they want to clear the car through Chennai Seaport (INMAA1) and the same will be destroyed after testing purpose is over. Hence, they have requested to issue import authorization for relaxation on the policy condition (1) (II) (a), (1) (II) (b) (i) & (iii) and (1) (II) (d) (iv) of chapter 87 of ITC (HS), 2017 Schedule -1.

<u>Decision</u>: The Committee discussed the case on the basis of justification furnished by the firm and decided to accede to the request of the firm for import of used left hand drive car vide Invoice No.OT12345 for advance electronic systems programming through Chennai sea port.

(Action: Applicant/PC-2(A) Divison)

Case No. 17 M/s Tribal Krafts, New Delhi
F. No. 01/60/162/223/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To activate shipping bills for grant of MEIS license for shipping bills for which claim is not being granted since it is made beyond 3 years time of shipment.

They have stated that due to major fire break out in their Factory at Saharanpur on 22.06.2015 their all orders were shipped late and those already shipped in part could not be completed. Their buyers namely Alfari and PTMD stopped their payments and later on released their payments in installments. Consequently their e-BRC's were issued beyond 3 years so their entitlement has become time barred. Hence requested to activate their above mentioned S/Bills so that they can file MEIS claims.

<u>Decision</u>: The Committee went through the submission made by the firm and observed no merit in their case and accordingly decided to reject it.

(Action: Applicant)

Case No. 18 M/s Reliance Industries Limited, Mumbai
F. No. 01/60/162/219/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To allow MEIS benefit against 2 shipping bills No.4717618 dated 08.05.2018 and 9781055 dated 08.11.2017.

They have stated that they had exported RELPET (ITC HS – 3907 61 00) & Polyester Filament Yarn (ITC HS – 5402 47 00), under above 2 shipping bills from Sonauli & Raxaul Ports respectively for which the product is covered under eligible category for MEIS benefit. At the time of filing they have inadvertently selected the rewards scheme as "No" instead on "Yes" due to which these shipping bills are not available for MEIS application in DGFT system. When they approached to Customs for amendment of these shipping bills, Customs have issued them manual amendment certificate stating since no EDI modification in shipping bills cannot be available for MEIS is filed.

Decision: The Committee having discussed the case at length observed that reflection of such manual amendments in the automated system is not possible. Accordingly, it found no merit in it and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 19 M/s Stonemen Craft India Pvt. Ltd., Agra
F. No. 01/60/162/229/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Exemption from non compliance of stipulated procedure against Advance Authorization No.0610038977 dated 14.09.2018.

They have stated that the said advance authorization was issued by RA, Kanpur on self-declaration basis under para 4.07 and they have done import and export goods are ready for exports. Now license had been submitted as demanded by RA, Kanpur as per Para 4.11 of FTP, which told them that it was issued wrongly by oversight. They have availed the export order on the basis of quality of the imported stone which is not available in India and they have passed this benefit to the buyer on the basis of issued license. Hence, requested to consider their import & export made against this license as valid.

Decision: The Committee went through the submissions made by the firm and after discussing the matter at length decided to accede to the request of the firm for making exports and allowed regularization of the import already made against Advance Authorization No.0610038977 dated 14.09.2018. Quantities of import would be as approved by the concerned NC.

(Action: Applicant/RA)

Case No. 20 M/s Kogta Exporters Pvt. Ltd., Maharashtra
F. No. 01/60/162/222/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Extension in EOP against 3 Advance Authorization No.0310796053 dated 21.05.2015, 0310818154 dated 02.01.2018 and 0310802168 dated 02.02.2016.

They have stated that the reason for this delay in export is due to cancellation of order from buyer, they had to search for new buyer for the product. In the first license they have fulfilled the EO within 90 days for Quantity 360.748 MT & out of EO quantity 84.441 MT. In second license, they have fulfilled the EO within 90 days for Quantity 68.724 MT & out of EO quantity 45.724 MT. In third license, they have fulfilled the EO within 90 days for Quantity 541.183 MT of Red Lentils & 825.78 MT of Chick Peas and out of EO quantity 22.907 MT of Red Lentils & 22.748 MT of Chick Peas.

Decision: The committee went through the statements made by the firm and noted there is no merit in their case and decided to reject the request of the firm for extension in the EOP. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020 within 30 days from the date of uploading of the minutes of meeting.

(Action: RA, Mumbai: if the applicant fails to get the case regularized within a month from the date of uploading of these minute on the Directorate website, necessary action as per the provisions of F.T.(DR)Act, shall be initiated)

Case No. 21 M/s Ami Lifesciences Pvt. Ltd., Vadodara
F. No. 01/60/162/856/AM19/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To consider the re export made out of EOP vide shipping Bill No.03722180 dated 27.01.2017 toward fulfillment of EO against Advance Authorization No. 3410038409 dated 11.11.2013 and 3410038410 dated 11.11.2013.

They have stated that they had exported Rutoside Trihydrate EP under SB Nos. 8642348 dated 27.03.2015, 8779907 dated 02.04.2015 and 8968670 dated 13.04.2015. Total quantity exported under these S/Bills was 21000 Kgs (10435 kgs against the first advance authorization and 10565 Kg against the second advance authorization). The total exported quantity has been re-imported vide BE No. 3274125 dated 17.11.2015. After reprocessing, the re-imported quantity was re-exported vide shipping bill dated 27.1.2017. This export happened after the expiry of EOP of the said licenses. Thereafter, they applied for redemption to RA, Vadodara, however, they have been issued a deficiency letter dated 25.01.2019 informing that the re-export made vide SB No.3722180 dated 27.01.2017 cannot be considered towards discharge of EO as it is outside EOP.

Decision: The Committee examined the case in detail and in view of justification provided by the firm decided to accede to the request of the firm to consider the re-export made vide Shipping bill no. 3722180 dated 27.01.21017 towards fulfillment of EO against Advance Authorization No.3410038409 dated 11.11.2013 and 3410038410 dated 11.11.2013 subject to fulfillment of other provisions of chapter 4. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No. 22 M/s Mulberry Silks Limited, Bangalore
F. No. 01/60/162/221/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Relaxation regarding time limit restriction for shipping bills to issue duty credit script against 4 files.

They have stated that the shipping bills got time barred due to on-line non visibility. RA, Bangalore rejected the same FPS file, quoting time barred SBs. They submitted that they have applied for FPS file well in time. The online non-visibility of shipping bills was the cause for S/Bills being time barred.

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. 23 M/s Serum Institute of India Pvt. Ltd., Pune
F. No. 01/60/162/231/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To allow MEIS benefit against file No.27/21/090/50004/AM19 dated 02.04.2014.

They have stated that they filed their MEIS Scrip application on DGFT website, against 7 EDI shipping bills, under file no. 27/21/090/50004/AM19, dated 02.04.2018 and submitted to the office of the DC, SEEPZ-SEZ, Mumbai, online. MEIS scrip was not issued to them, though the DGFT website showed application status as "Transmitted". On pursuing the matter, they were asked to submit hard copy of application and supporting documents. After pursuing the matter on regular basis for two months, on 06.06.2018 office of the Development Commissioner issued a letter informing them that their application has been rejected on the ground that they did not submit hard copy of application for two months. They submitted hard copy of application and supporting document to office of DC, SEEPZ-SEZ. Their application was not rejected electronically and on DGFT website the status of their application was "Transmitted", instead of "rejected" and the status of shipping bills were "MEIS Utilized". But they could not file fresh application. Thereafter, the said shipping bills were got reinstated only on 13.05.2019, for filing fresh application, based on letter dated 26.04.2019, from office of the DC, SEEPZ – SEZ. But when they prepared the fresh application, the actual entitlement is shown as "0.00" in respect of all seven shipping bills.

Decision: The Committee discussed the case on the basis of justification furnished by the firm and decided to accept request of the firm and allow examination of their applications by concerned DC, SEZ for grant of Chapter-3 benefit against file No.27/21/090/50004/AM19 dated 02.04.2014. The late cut, if any, would be imposed on the entitlement, on the basis of date of original filing of the applications with the SEEPZ.

(Action: Applicant/SEEPZ)

PH Case No. 24 M/s ITC Limited, Kolkata
F. No. 01/60/162/220/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: To allowing MEIS against 17 files and to drop the SCN issued to them.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019. Shri Kasturi Iyengar, Manager - Finance, appeared before the committee on behalf of the firm and made the following submissions:

They have stated that as per Para 3.06 of the HBP, they required to file applications seeking rewards under the Merchandise Exports from India Scheme (MEIS) before any one RA, they have however claimed MEIS rewards by filing applications before multiple RAs of the DGFT. Importantly, applications were filed before the RA under whose jurisdiction their respective divisional headquarter falls, and hence, there has been no dual claim for MEIS benefit. Given this, since they have in no manner unduly benefitted out of filing applications before multiple RAs, their request is to grant relaxation of Para 3.06 of the HBP.

Decision: The Committee heard the submission made by the firm and noted that the company is a multi-business enterprise and has many divisions in the country. Hence, after detailed deliberations, it decided to allow MEIS benefit against 17 files by giving one time relaxation in the Para 3.06 of HBP 2015-2020. The matter related to dropping the SCNs issued to them is not a case of policy relaxation. For that matter they may approach concerned RA. Accordingly, the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No. 25 M/s Maruti Rub Plast Pvt. Ltd., Greater Noida
F. No. 01/60/162/227/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Extension in E.O. period against Advance Authorization No.0510396385 dated 20.11.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019. Shri G. Nageshwar, General Manager - Commercial, appeared before the committee on behalf of the firm and made the following submissions:

They have stated that they have not got any export orders due to various reasons. But now, they got the orders and also got assurance from their customer that they will be getting further orders till December 2019. Furthermore, stated that they had imported one of the raw materials as specified in the import them list.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and found no merit in the case and hence decided to reject it. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020 within 30 days from the date of uploading of the minutes of meeting.

(Action: CLA, New Delhi: if the applicant fails to get the case regularized within a month from the date of uploading of these minute on the Directorate website, necessary action as per the provisions of F.T.(DR)Act, shall be initiated)

PH Case No. 26 M/s Mangalam Drugs and Organics Limited, Mumbai
F. No. 01/60/162/223/AM20/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Relaxation and re-issuance of e-BRC in free Foreign Exchange against four advance authorizations.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 09.07.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

Case No. 27 M/s. All Time Plastics Pvt. Ltd., Mumbai
F. No. 01/60/162/884/AM19/PRC
PRC Meeting No. 11/AM20 dated 09.07.2019

Subject: Issuance of DFIA license against 7 DFIA files or cancel DFIA files and issue DFIA individual SION wise or issue advance license against these 7 DFIA files individual SION wise.

They have stated that they were issued 7 DFIA files from Mumbai office having multiple SIONs. They have completed 100% EO of Rs. 30.00 Crores against these DFIA Licenses. However, they are unable to get the DFIA license issued from RA, Mumbai as the EDI system does not accept shipping bills having multiple SION and therefore, they are unable to proceed further and so the relaxation. Their case was earlier discussed in PRC meeting no. 19/AM19 and 24/AM19.

Decision: The Committee went through the submission made by the firm and comments received from EDI. After detailed discussions, it decided to reject the request of the firm since no change is possible in the software which has been designed in line with the Policy provisions as under Para 4.29 of FTP.

(Action: Applicant)

*****