

**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 01.08.2017**

**Meeting No. 11/AM18 held on 01.08.2017 at 10:00 AM**

The following members were present in the meeting:

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|--------------------------|------------|
| 1. Shri K. C. Rout       | Addl. DGFT |
| 2. Shri Jaikant Singh    | Addl. DGFT |
| 3. Shri Darshan Singh    | Addl. DGFT |
| 4. Shri J. V. Patil      | Addl. DGFT |
| 5. Shri N. K. Srivastava | Addl. DGFT |
| 6. Shri Jay Karan Singh  | Jt. DGFT   |
| 7. Shri Akash Taneja     | Jt. DGFT   |
| 8. Shri Rakesh Kumar     | Jt. DGFT   |
| 9. Shri Lokesh H.D       | Jt. DGFT   |

**Case No.1: M/s. Preminer Mills Pvt. Ltd., (RA, Coimbatore)**

**F.No.** 01/60/162/281/AM14/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Exemption from non-compliance of procedure regarding DEPB Scrip No.3210055030 dated 11.06.2012

**Decision:** It was noted that vide PN 67 dated 04.08.2011, DEPB on export of cotton yarn including Melange yarn was allowed w.e.f. 01.04.2011. This being retrospective policy, exports made between 01.04.2011 till 04.08.2011 against free shipping were also allowed vide Policy Circular No 47 dated 08.11.2011. Exports made on or after 04.08.2011 under free shipping bills were not eligible for DEPB benefits. Hence, DEPB Scrip No 3210055030 dated 11.06.2012 issued against shipments effected after 04.08.2011 needs to be cancelled. Online transmission of free shipping bills from Customs Server to DGFT server are not being done. Hence, issue of DEPB scrip online and transmission thereof could not be done. Therefore, the said DEPB Scrip was not registered with Customs.

As already mentioned above, exports made on or after 04.08.2011 under free shipping bills were not eligible for DEPB benefit. The committee, therefore, did not accede to the request. The applicant is hereby directed to surrender the DEPB No 3210055030 dated 11.06.2012 unutilized to RA, Coimbatore.

**(Action: RA, Coimbatore/Applicant)**

**Case No.2: M/s Rochem Separation Systems India Pvt. Ltd., Mumbai**

**F.No.** 01/60/162/1257/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017




**Subject:** Request for redemption of Advance License No.0310525500 dated 23.06.2009 and waiver of Bill of export. (R.A. Mumbai)

**Decision:** It was noted that as per Para 4.1.3 of FTP, an Advance Authorisation is issued to allow duty free import of inputs, which are physically incorporated in export product (making normal allowance for wastage). And, in terms of Para 4.12 of FTP, exporter is required to indicate consumption of inputs in the export documents. And, an application for redemption of Advance Authorisation is required to be submitted on ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it is categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. Further, for getting incentive on supply of goods to SEZ, "Bill of Export" is a prescribed document under Rule 30 of SEZ, Rule, 2006. In view of these provisions, it becomes imperative that Export obligation against an Advance Authorisation cannot be discharged without establishing nexus of duty free imported inputs [ or procured indigenously against advance authorization] and resultant product exported to the SEZ Unit. Since ARE-1 does not have such information and no valuation of ARE-1 is being carried out by the Customs/Excise Authority at receiving end; such supplies are considered free shipment meaning thereby that the exporter/supplier do not intend to take any benefit against the supply made. Therefore, the committee was of the view that requirement of 'Bill of Export' cannot be dispensed with being mandatory and vital document. Therefore, the committee did not accede to the request.

**(Action: Applicant/ RA, Mumbai shall initiate action as per the provisions of FT(DR)Act, against the applicant if they fail to get the case regularized within a month from the date of uploading of these minutes on the Directorate website.)**

**Case No.3: M/s Rochem Separation Systems India Pvt. Ltd., Mumbai (R.A. Mumbai)**

**F.No.** 01/60/162/206/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for redemption of Advance License No.0310600057 dated 03.11.2010 and waiver of Bill of export.

**Decision:** Decision taken in case No 2 is reiterated.

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

**Case No.4: M/s Rochem Separation Systems India Pvt. Ltd., Mumbai (R.A. Mumbai)**

**F.No.** 01/60/162/208/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for redemption of Advance License No.0310601578 dated 16.11.2010 and waiver of Bill of export.

**Decision:** Decision taken in case No 2 is reiterated.

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




**Case No.5: M/s Rochem Separation Systems India Pvt. Ltd., Mumbai (R.A. Mumbai)**

**F.No.** 01/60/162/207/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for redemption of Advance License No.0310709793 dated 20.09.2012 and waiver of Bill of export.

**Decision:** Decision taken in case No 2 is reiterated.

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

**Case No.6: M/s Union Quality Plastic Ltd., Mumbai (R.A. Mumbai)**

**F.No.** 01/60/162/1264/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for clubbing of two advance authorizations No.0310580051 dated 22.06.2010 and No 0310732214 dated 22.04.2013

**Decision:** The committee noted that Authorisation No 0310580051 dated 22.06.2010 was having 36 months to fulfil export obligation and remain valid for import till 30.06.2012. The applicant has fulfilled more than 131% export obligation and made partial imports. The Authorisation No 0310732214 dated 22.04.2013 was issued having 18 month's export obligation period and 12 month's validity to import. The imports under this Authorisation were made after expiry of validity of first Authorisation. Clubbing of such amounts to giving indirect revalidation, which is against the norms. The committee, therefore, did not accede to the request.

**Case No.7: M/s Alok Industries Ltd., Mumbai (RA Mumbai)**

**F.No.** 01/60/162/472/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for Extension of E.O. period against Advance Authorization No.0310731212 dated 15.04.2013 for regularization of exports made against S/B No.6536575 18.03.2016 in anticipation of granting E.O. extension by PRC

**Decision:** The committee noted that the applicant has fulfilled more than 100% export obligation against 3 items out of 6 within its initial export obligation period and remaining outside EOP but within 36 months. The Committee, therefore, decided the following:

- i. Exports made after 30 months but upto 36 months from the issue of the Authorisation shall be accounted for EO fulfillment.
- ii. This will, however, be subject to a composition fee @ 1% per month of unfulfilled FOB value of exports made after 30 months;
- iii. Authorisation number or File number indicated on shipping bills made in anticipation shall only be accounted for.

**(Action: RA, Mumbai)**

**Case No.8: M/s Tega Industries Ltd., Kolkata (R.A. Kolkata)**

**F.No. 01/60/162/216/AM18/PRC**

**PRC Meeting No. 11/AM18 dated 01.08.2017**

**Subject:** Request for EOP Extension for six months of Advance Authorization No.0210201572 dated 25.03.2014

**Decision:** The committee noted that the Authorisation under consideration was issued allowing import of natural rubber as one of the inputs and having 18 month's period for fulfillment of EO. Vide P.N. 81 dated 09.01.2015, export obligation for natural rubber was reduced to 6 months from import of each consignment and this item was included under Appendix 4-J of 2015-20 FTP. RA is not empowered to allow extension in export obligation period where item appears in Appendix-4J. However, RA has allowed extension up to 30 months being Authorisation of earlier period which was issued during 2009-14 FTP. EOP extension and clubbing of Authorisation is facility provided under HBP which are governed as per present provision and not on the date of issue of Authorisation. Therefore, extension allowed by RA after 09.01.2015 was not proper. Keeping the facts and circumstances of the instant case, the committee, decided to regularize the extension granted upto 30 months but did not accede to the request for further extension beyond 30 months.

The applicant is hereby directed to get the case regularized in terms of Para 4.49 of HBP, 2015-20.

**(Action: RA/Applicant)**

**Case No.9: M/s Tega Industries Ltd., Kolkata (R.A. Kolkata)**

**F.No. 01/60/162/215/AM18/PRC**

**PRC Meeting No. 11/AM18 dated 01.08.2017**

**Subject:** Request for EOP Extension for six months of Advance Authorization No.0210204772 dated 13.08.2014

**Decision:** Decision taken in case No 8 above is re-iterated.

**Case No.10: M/s Mahalaxmi Seamless Ltd., Raigad (RA Mumbai)**

**F.No. 01/60/162/347/AM17/PRC**

**PRC Meeting No. 11/AM18 dated 01.08.2017**

**Subject:** Request for Extension of EOP and Clubbing of two Advance Authorization No. (i) 0310562067 dated 25.02.2010 (ii) 0310567436 dated 31.03.2010 for regularization purpose

**Decision:** The committee decided the following:

- i. Export obligation period be extended from 36 to 48 months against Authorisation Number 0310562067 dated 25.02.2010.
- ii. This will, however, be subject to payment of a composition fee @ 0.5% per month of unfulfilled FOB value of exports made after 36<sup>th</sup> month but upto



- 42<sup>nd</sup> month and @ 1% of unfulfilled FOB value of exports made after 42<sup>nd</sup> month but upto 48<sup>th</sup> month;
- iii. File No/Authorisation No indicated while making shipments shall only be accounted for;
  - iv. Clubbing of both the Authorisation be allowed;
  - v. Value addition of minimum 15% is maintained on clubbing;
  - vi. Duty free inputs are accounted for as per SION.

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

**Case No.11: M/s Cadila Healthcare Limited Ahmedabad, (RA Ahmedabad)**

**F.No.** 01/60/162/1277/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for EOP Extension by 6 months from the initial validity period of EO against Advance Authorization No.0810135523 dated 22.06.2015 issued under PC- 9 conditions

**Decision:** The Committee noted that the Authorization No. 0810135523 dt. 22.06.2015 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 month's period for EO fulfillment from import of each consignment. The imports were made on 14.08.2015 and 16.03.2016. Accordingly, initial obligation period was upto 13.08.2016 and 15.03.2017, respectively. 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 13.02.2017 and 15.09.2017, respectively.
- II. This is subject to a payment of composition fee @ 0.5% per month of unfulfilled FOB value of export made after initial obligation period;
- III. RA shall check that 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 1% per month of unfulfilled FOB;
- IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-2020) shall be maintained.

**(Action: RA, Ahmedabad)**

**Case No.12: M/s Haldia Petrochemicals Ltd., Kolkata**

**F.No.** 01/60/162/1297/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for consideration of Clubbing for Advance Authorization Nos.(1) 0210156661 dated 23.03.2011 (2) 0210157708 dated 13.04.2011 (3) 0210167049 dated 29.09.2011 (4)0210178252 dated 04.06.2012 and (5) 0210203844 dated 05.06.2014 (RA Kolkata)

**Decision:** The committee noted that Authorisations listed at serial nos. (1) to (4) were issued having initial export obligation of 36 months, and, the Authorisation dated 31.12.2015 was issued having initial export obligation period of 18 months. Considering

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genuine hardship, the export obligation period for fulfillment of balance export against first four Authorisations has already been extended upto 22.12.2019 in pursuance of the cabinet decision. Therefore, facility of clubbing of such Authorisations in which special dispensation has already been granted cannot be extended. The committee, therefore, did not accede to the request.

So far as last Authorisation dated 05.06.2014 is concerned, no imports have been made thereunder hence no obligation on the part of the applicant. They may surrender this Authorisation unutilized to RA Kolkata.

The applicant is hereby directed to fulfill the balance export obligation against remaining Authorisations individually within extended obligation period i.e. by 22.12.2019, as per the cabinet decision and submit documents to RA for redemption.

**(Action: RA, Kolkata)**

**Case No.13: M/s. Haldia Petrochemicals Ltd., Kolkata (RA Kolkata)**

**F.No.** 001/60/162/1296/AM17/PRC

PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for consideration for Clubbing of Advance Authorization No 0210143018 dated 07.06.2010 with Authorisation No 0210202539 dated 21.04.2014 dated 05.06.2014

**Decision:** The committee noted that Authorisation no. 0210143018 dated 07.06.2010 was issued having initial export obligation of 36 months and the Authorisation no. 0210202539 dated 21.04.2014 was issued having initial export obligation period of 18 months. Considering genuine hardship, the export obligation period for fulfillment of balance exports against first Authorisation has already been extended upto 22.12.2019, in pursuance of the cabinet decision. Therefore, facility of clubbing of such Authorisations in which special dispensation has already been granted cannot be extended. The committee, therefore, did not accede to the request.

The applicant is hereby directed to fulfill the balance export obligation against the Authorisations within the extended obligation period i.e. up 22.12.2019, as per the cabinet decision and submit documents to RA for redemption.

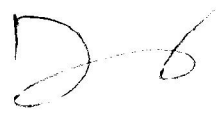
So far as second Authorisation is concerned, the applicant has imported 100% and fulfilled only 55.31% export obligation and export obligation period has expired on 31.10.2015. No extension has been sought as permitted under HBP, 2015-2020 and extendable period has lapsed. Therefore, the applicant is hereby directed to get this Authorisation regularized in terms of Para 4.49 of HBP, 2015-2020 within a month from the date of uploading of these minutes on the Directorate website. In case of failure, RA shall initiate action as per provision under FT(DR)Act, 1992 as amended.

**(Action: RA, Kolkata/Applicant)**

**Case No.14: M/s Caterpillar India Pvt. Ltd., Chennai (RA Chennai)**

**F.No.** 01/60/162/951/AM16/PRC

PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for condonation of procedural lapse of not generating Bill of exports against Advance Authorization No.0410150712 dated 07.10.2013 for supply of one No. of DG Set and allowing ROD (reimbursement of duty) in lieu of drawback for supply of 6 DG Sets under Invoice No.890014812 dated 22.10.2013, 890015280 dated 31.01.2014, 890015281 dated 31.01.2014, 890015282 dated 31.01.2014, 890015283 dated 31.01.2014 and 890015343 dated 13.02.2014

**Decision:** It was noted that as per Para 4.1.3 of FTP, an Advance Authorisation is issued to allow duty free import of inputs, which are physically incorporated in export product (making normal allowance for wastage). And, in terms of Para 4.12 of FTP, exporter is required to indicate consumption of inputs in the export documents. And, an application for redemption of Advance Authorisation is required to be submitted on ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it is categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. Further, for getting incentive on supply of goods to SEZ, "Bill of Export" is a prescribed document under Rule 30 of SEZ, Rule, 2006. In view of these provisions, it becomes imperative that Export obligation against an Advance Authorisation cannot be discharged without establishing nexus of duty free imported inputs [ or procured indigenously against advance authorization] and resultant product exported to the SEZ Unit. Since ARE-1 does not have such information and no valuation of ARE-1 is being carried out by the Customs/Excise Authority at receiving end; such supplies are considered free shipment meaning thereby that the exporter/supplier do not intend to take any benefit against the supply made. Therefore, the committee was of the view that requirement of 'Bill of Export' cannot be dispensed with being mandatory and vital document. Therefore, the committee did not accede to the request.

So far as allowing Drawback against 6 Invoices without Bill of Export, DBK scheme is administered by Customs Authority under Development Commissioner and not by DGFT. Hence the applicant may approach the Development Commissioner. However, provision of Rule 30 of SEZ rules are very clear which applies on DBK also.

**(Applicant/RA, Chennai)**

**Case No.15: M/s Jubliant Life Sciences Ltd., Noida (CLA, New Delhi)**  
**F.No.** 01/60/162/812/AM17/PRC  
**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request to review PRC decision dated 29.11.2016 for relaxation of time period for filing of Chapter-3 export incentive applicants under para 2.58 of FTP, 2015-20.

**Decision:** The committee again discuss the case at length. It was noted that no new facts have been brought by the applicant which could establish the case of genuine hardship. The committee, therefore, reiterated the decision taken in PRC meeting No 25/AM17 dated 29.11.2016.

**Case No.16: M/s Tina Organics (P) Ltd., New Delhi (CLA, New Delhi)**




**F.No.** 01/60/162/150/AM16/PRC  
**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for condonation of the procedural lapse obtaining the Bill of exports of Advance Authorisation No.0510245912 dated 15.07.2009

**Decision:** It was noted that as per Para 4.1.3 of FTP, an Advance Authorisation is issued to allow duty free import of inputs, which are physically incorporated in export product (making normal allowance for wastage). And, in terms of Para 4.12 of FTP, exporter is required to indicate consumption of inputs in the export documents. And, an application for redemption of Advance Authorisation is required to be submitted on ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it is categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. Further, for getting incentive on supply of goods to SEZ, "Bill of Export" is a prescribed document under Rule 30 of SEZ, Rule, 2006. In view of these provisions, it becomes imperative that Export obligation against an Advance Authorisation cannot be discharged without establishing nexus of duty free imported inputs [ or procured indigenously against advance authorization] and resultant product exported to the SEZ Unit. Since ARE-1 does not have such information and no valuation of ARE-1 is being carried out by the Customs/Excise Authority at receiving end; such supplies are considered free shipment meaning thereby that the exporter/supplier do not intend to take any benefit against the supply made. Therefore, the committee was of the view that requirement of 'Bill of Export' cannot be dispensed with being mandatory and vital document. Therefore, the committee did not accede to the request.

The applicant is hereby directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020 within a month of uploading of these minutes on the Directorate website failing which action under the provision of FT(DR)Act, 1992, as amended shall be initiated.

**(Action: Applicant/RA, CLA)**

**Case No.17: M/s Tina Organics (P) Ltd., New Delhi (CLA, New Delhi)**  
**F.No.** 01/60/162/152/AM16/PRC  
**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for condonation of the procedural lapse obtaining the Bill of exports of Advance Authorisation No.05102267699 dated 07.07.2010

**Decision:** Decision taken in case No.16 is reiterated.

**(Action: RA, CLA, New Delhi/Applicant)**

**Case No.18: M/s Tina Organics (P) Ltd., New Delhi (CLA, New Delhi)**  
**F.No.** 01/60/162/151/AM16/PRC  
**PRC Meeting No.** 11/AM18 dated 01.08.2017




**Subject:** Request for condonation of the procedural lapse obtaining the Bill of exports of Advance Authorisation No.0510278028 dated 22.11.2010

**Decision:** Decision taken in case No.16 is reiterated.

**(Action: RA, CLA, New Delhi/Applicant)**

**Case No.19: M/s Asian Metal Printed & Containers Pvt. Ltd. Hyderabad**

**F.No.** 01/60/162/743/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for revalidation of DFIA No.0910054652 dated 02.01.2013 (R.A. Hyderabad)

**Decision:** The Committee noted that the applicant could not utilize the above mentioned Authorisation due to data transmission error. The DFIA No. 0910054652 dated 02.01.2013 was valid for import upto 30.09.2014. However, as per EDI/NIC report, amendment no.2 made on 17.06.2014 to the Authorisation got accepted on 04.08.2014. Due to delay in transmission, the applicant could not utilize the Authorisation. The Committee, therefore, decided to revalidate the aforesaid Authorisation for 2 months from the date of endorsement. The applicant is hereby directed to get the endorsement from RA within one month from the date of uploading of PRC minutes on the Directorate website.

**(Action: RA Hyderabad)**

**Case No.20: M/s Cadia Healthcare Limited Ahmedabad (RA Ahmedabad)**

**F.No.** 01/60/162/915/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for (i) EOP Extension of Advance Authorization No.0810094647 dated 15.12.2010 issued under PC-9 condition and (ii) Accounting of three S/Bill No.4877051 dated 05.08.2011, 4837254 dated 03.08.2011 & 6369152 dated 23.11.2011 towards fulfillment of E.O. against Advance Authorization No.0810094647 dated 15.12.2010 instead of Advance Authorization No.0810094648 dated 15.12.2010 under PC- 9 conditions

**Decision:** The Committee noted that the Authorization No. 0810094647 dated 15.12.2010 was issued with pre import conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 month's period for EO fulfillment from import of each consignment. Exports against the above mentioned S/bills were made prior to import of last consignment dated 14.12.2011. Hence, accounting of such shipping bills are not allowed. So far as EOP extension is concerned no exports are made after initial export obligation period and that period has expired in December, 2012. Therefore, the committee, did not accede to the request for EOP extension.

The applicant is hereby directed to get the Authorisation regularized in terms of Para 4.49 of HBP, 2015-20 read with PC-18 dated 30.10.2007 within a month from the date of uploading of these minutes on the Directorate website. In case of failure, action under the provision of FT(DR)Act, 1992, as amended shall be initiated by RA.

**(Action: Applicant/RA, Ahmedabad)**

**Case No.21: M/s Sunlord Apparels Mfg. Co. Pvt. Ltd., Noida** (CLA, New Delhi)  
**F.No.** 01/60/162/929/AM17/PRC

PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request to accept fabric consumption as per their production record bills i.e. 17837 Sq. Mtrs towards fulfillment of EO of Advance Authorization No.0510359087 dated 08.07.2013

**Decision:** The committee noted that as per general note for textile and textile products under SION book, GSM of fabrics to be imported and exported shall be indicated in Bill of Entry and Shipping Bills respectively. It is mandatory to establish nexus between item imported and item exported. Dispensation of such mandatory requirement is not allowed because this would lead to diversion of duty free goods in domestic market and misuse of duty exemption scheme. Establishing nexus without indicating GSM after shipment is not possible except pre-shipment test report, which is not submitted. The committee, therefore, did not accede to the request.

The applicant is hereby directed to get the case regularized in terms of Para 4.49 of HBP, 2015-20 within a month from the date of uploading of these minutes on the Directorate website. In case of failure, RA shall initiate action under the provisions of FT(DR)Act, 1992 as amended.

**(Action: Applicant/RA, CLA)**

**Case No.22: M/s Calico Trends Kanpur** (RA Kanpur)

**F.No.** 01/60/162/422/AM17/PRC

PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for revalidation of DFIA's No.0610029344 dated 23.10.2012 and 0610029391 dated 29.10.2012

**Decision:** The committee, noted that the contents of letter dated 09.09.2015 of Assitt. Commissioner of Custom, Kanpur. It was noted that the above referred two Authorisations could not be utilized due to seizure of imported goods by Customs Authority. However, goods imported under the Authorisation was re-exported vide shipping bill No 9923698 dated 01.06.2015 as per Commissioner (A) Allahabad order dated 13.11.2014 passed in appeal. The applicant, therefore requested for re-credit of said quantity and value and revalidation for enabling them to import.

Taking into consideration the facts, the committee agreed to allow six month's revalidation of both the Authorisations from the date of endorsement. The applicant is hereby directed to get endorsement from RA concerned within a month from the date of uploading of these minutes on the Directorate website.

So far re-credit of quantity and value, the applicant should approach the Customs Authority concerned. Debit/re-credit of Authorisation falls under the purview of Customs Authority and not DGFT, as the Bill of entry is not transmitted to DGFT server.

**(Action: Applicant/RA, Kanpur)**

**Case No.23: M/s Unichem Laboratories Ltd., Mumbai (RA Mumbai)**

**F. No. 01/60/162/402/AM17/PRC**

**PRC Meeting No. 11/AM18 dated 01.08.2017**

**Subject:** Request for review of PRC decision dated 19.07.2016 and allow waiver of PC-18 condition of Advance Authorization No.0310790238 dated 14.10.2014 accounting their shipping Bill No.2528603 dated 30.11.2016 which is exported after extended EOP under the advance authorization issued under PC-9 condition.

**Decision:** The case was discussed length. It was noted that PRC in its meeting dated 19.07.2016 has allowed EOP extension for six months in continuity. Exports made thereafter cannot be accounted for discharge of EO. There is no ground of allowing EOP beyond 18 months, as the Authorisation was issued with pre-import condition and having 12 month's obligation period. The applicant was fully aware of these facts. The committee, therefore, did not accede to the request. However, PC-18 condition is waived to the extent of requirement of destruction certificate for the quantity consumed and exported against S/b No 2528603 dated 30.11.2016. This will, however, be subject to payment of Customs duty with applicable interest to the customs authority.

**(Action: Applicant/RA)**

**Case No.24: Fresenius Kabi Oncology Limited New Delhi (CLA New Delhi)**

**F.No. 01/60/162/261/AM17/PRC**

**PRC Meeting No. 11/AM18 dated 01.08.2017**

**Subject:** Request for relaxation in respect of exports made prior to import against Advance Authorization No.0510268512 dated 21.07.2010 and waiver of PC-18 conditions issued under PC-9 conditions.

**Decision:** The committee noted that Authorisation in question was issued with pre-import condition under the provision of PC-9 dated 30.06.2003 read with appendix - 30A. Therefore, exports made prior to imports and subsequent import from unregistered sources is not allowed. The applicant has not submitted any documents that imports made after fulfilment of EO were from registered sources or imports made from unregistered sources were consumed in the resultant products which were exported subsequently. Diversion of drugs imported from unregistered in domestic market is prohibited. The committee, therefore, did not accede to the request.

The applicant is hereby directed to follow the procedure prescribed under Para 4.49 read with PC-18 dated 30.10.2007 for regularization of the case. RA shall initiate action under FT(DR)Act, 1992, as amended, in case the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website.

**(Action: Applicant/RA, CLA)**





**Case No.25: M/s Glasstech Industries India Pvt. Ltd., Mumbai (RA Mumbai)**  
**F.No. 01/60/162/422/AM12/PRC**  
 PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for EOP extension of Advance Authorization No.0310360666 dated 23.12.2005

**Decision:** The committee noted that in this case the Authorisation was issued having initial export obligation period of 36<sup>th</sup> month and the committee in its meeting dated 27.09.2011 has already allowed extension for further 12 months for regularization of exports made upto 48<sup>th</sup> month. Extension beyond 48 months is not allowed unless force majeure that is not the case here. The committee, therefore, did not accede to the request.

The applicant is hereby directed to get the case regularized within a month from the date of uploading of these minutes on the Directorate website failing which RA shall initiate action under the provision of FT(DR)Act, 1992, as amended.

The Authorisation was issued in 2005 and after laps of 12 years the case is still pending for closure. The committee viewed it very seriously and noted the failure of RA in monitoring of old cases. The committee, therefore, directed to seek report from the RA concerned with details of action taken so far.

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

**Case No.26: M/s Mauria Udyog Ltd., New Delhi (CLA, New Delhi)**  
**F.No. 01/60/162/178/AM16/PRC**  
 PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for revalidation of DFIA No.0510329173 dated 10.07.2012

**Decision:** The committee, on perusal of RA's report, noted that the applicant had submitted request for second revalidation of the Authorisation on 01.08.2014 but it was allowed by RA on 02.09.2014 and amendment was transmitted on 05.09.2014 giving validity upto 30.09.2014. Whereas, Para 9.11 of HBP allows 15 days for disposal of such request. The committee, therefore decided to allow one month's revalidation from the date of endorsement. The applicant is directed to get the endorsement from the RA within a month from the date of uploading of these minutes on this Directorate website.

**(Action: Applicant/RA, CLA)**

**Case No.27: M/s Mauria Udyog Ltd., New Delhi (CLA, New Delhi)**  
**F.No. 01/60/162/367/AM16/PRC**  
 PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for revalidation of DFIA No.0510324392 dated 10.05.2012

**Decision:** On perusal of RA's report, it was noted that though there was delay at the end of RA in issuing deficiency letter however request was considered for



transferability and revalidation on 21.08.2014 giving validity for import till 30.11.2014. The applicant had three months for making imports in addition to initial validity of 24 months. The committee, therefore, did not accede to the request considering no case of genuine hardship.

**Case No.28: M/s Mauria Udyog Ltd., New Delhi (CLA, New Delhi)**

**F.No.** 01/60/162/368/AM16/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for revalidation of DFIA No.0510322196 dated 13.04.2012

**Decision:** The committee, on perusal of RA's report, noted that the applicant had submitted request for second revalidation and transferability of the Authorisation on 26.07.2012. RA issued deficiency letter on 09.08.2012 which was responded on 29.10.2012. Again D/L was issued on 19.12.2012 which was replied on 19.12.2013. Again some queries were raised on 31.03.2014 which were finally replied on 23.04.2014. Their request was considered on 06.05.2014 giving validity till 31.10.2014. The committee, was of the views that complete application was not submitted by the applicant which cause delay in granting benefit. However, the Authorisation was remain valid for 5 months from the date of endorsement. The applicant was enough time for making imports, as the Authorisation was issued having initial validity of 24 months. The committee, therefore, did not accede to the request.

**Case No.29: M/s Mauria Udyog Ltd., New Delhi (CLA, New Delhi)**

**F.No.** 01/60/162/611/AM15/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for revalidation of DFIA No.0510317182 dated 09.02.2012

**Decision:** The committee, on perusal of RA's report, noted that the applicant had submitted request for revalidation and transferability of the Authorisation on 01.07.2014 which was allowed by RA on 22.08.2014 and amendment was transmitted on 27.08.2014 giving validity upto 31.08.2014 leaving no time to import. Whereas, Para 9.11 of HBP allows 15 days for disposal of such request. The committee, therefore decided to allow one month's revalidation from the date of endorsement. The applicant is directed to get the endorsement from the RA within a month from the date of uploading of these minutes on this Directorate website.

**(Action: Applicant/RA, CLA)**

**Case No.30: M/s Britacel Silicones Ltd., Mumbai (RA Mumbai)**

**F.No.** 01/60/162/973/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for clubbing of Advance Authorization No. (1) 0310063285 dated 04.12.2000 (2) 0310068332 dated 12.01.2001 (3) 0310163847 dated 22.10.2002

**Decision:** The Committee observed that all the three Advance Authorisations were issued within 36 months from the first Authorisation and exports under subsequent




Authorisations have been completed within 48 months of earliest Authorisation. All Authorisations were issued having initial export obligation period of 18 months which could be extended upto 36 months, as per the prevalent procedure but no extension has been availed. The Committee discussed the case at length and decided the following:

- I. Clubbing of above mentioned 3 Advance Authorizations be allowed.
- II. Export obligation period against Authorisation 0310063285 dated 04.12.2000 shall be extended up to 48<sup>th</sup> month subject to payment of a composition fee @ 0.5% of unfulfilled FOB value of exports made after 18<sup>th</sup> month but upto 36<sup>th</sup> month, @ 0.5% per month of unfulfilled FOB value of exports made after 36<sup>th</sup> month but upto 42<sup>nd</sup> month and @ 1% of unfulfilled FOB value of exports made after 42<sup>nd</sup> month but upto 48<sup>th</sup> month.
- III. Exports made after 48<sup>th</sup> month shall not be accounted for clubbing.
- IV. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.
- V. RA shall ensure proper accounting of the duty free inputs with reference to the export product as per SION.
- VI. On clubbing, shortfall, if any, shall be regularized in terms of Para 4.49 of HBP, 2015-2020.

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

**Case No.31: M/s Britacel Silicones Ltd., Mumbai (RA Mumbai)**

**F.No.** 01/60/162/971/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for clubbing of 13 Advance Authorization No.

1. 0310071876 dt. 06.02.2001
2. 0310079116 dt. 30.03.2001
3. 0310080879 dt. 17.04.2001
4. 0310112190 dt. 29.11.2001
5. 0310120607 dt. 22.01.2002
6. 0310130557 dt. 22.03.2002
7. 0310137967 dt. 15.05.2002
8. 0310166631 dt. 12.11.2002
9. 0310173863 dt. 20.12.2002
10. 0310211317 dt. 01.07.2003
11. 0310218571 dt. 13.08.2003
12. 0310232307 dt. 21.10.2003
13. 0310250542 dt. 30.01.2004

**Decision:** The Committee observed that all the thirteen Advance Authorisations were issued within 36 months from the first Authorisation and exports under subsequent Authorisations have been completed within 48 months of earliest Authorisation. All Authorisations were issued having initial export obligation period of 18 months which could be extended upto 36 months, as per the prevalent procedure. The Authorisations

at Sl No 1,4,5,8,9 and 13 have been extended upto 30 months. The Committee discussed the case at length and decided the following:

- I. Clubbing of above mentioned 13 Advance Authorizations be allowed.
- II. Export obligation period against Authorisation 0310071876 dated 06.02.2001 shall be extended up to 48<sup>th</sup> month subject to payment of a composition fee @ 0.5% of unfulfilled FOB value of exports made after 30<sup>th</sup> month but upto 36<sup>th</sup> month, @ 0.5% per month of unfulfilled FOB value of exports made after 36<sup>th</sup> month but upto 42<sup>nd</sup> month and @ 1% of unfulfilled FOB value of exports made after 42<sup>nd</sup> month but upto 48<sup>th</sup> month.
- III. Exports made after 48<sup>th</sup> month shall not be accounted for clubbing.
- IV. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.
- V. RA shall ensure proper accounting of the duty free inputs with reference to the export product as per SION.
- VI. On clubbing, shortfall, if any, shall be regularized in terms of Para 4.49 of HBP, 2015-2020.

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

**Case No.32: M/s Britacel Silicones Ltd., Mumbai (RA Mumbai)**

**F.No.** 01/60/162/970/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for clubbing of Advance Authorization No.(1) 0310200715 dated 07.05.2003 and 0310370613 dated 09.03.2006

**Decision:** The Committee observed that both the Advance Authorisations were issued within 36 months from the first Authorisation and exports under subsequent Authorisations have been completed within 48 months of earliest Authorisation. Both the Authorisations were issued having initial export obligation period of 18 months which could be extended upto 36 months, as per the prevalent procedure. Second Authorisation has been extended upto 24 months. The Committee discussed the case at length and decided the following:

- I. Clubbing of above mentioned 2 Advance Authorizations be allowed.
- II. Export obligation period against Authorisation 0310200715 dated 07.05.2003 shall be extended up to 48<sup>th</sup> month subject to payment of a composition fee @ 0.5% of unfulfilled FOB value of exports made after 18<sup>th</sup> month but upto 36<sup>th</sup> month, @ 0.5% per month of unfulfilled FOB value of exports made after 36<sup>th</sup> month but upto 42<sup>nd</sup> month and @ 1% of unfulfilled FOB value of exports made after 42<sup>nd</sup> month but upto 48<sup>th</sup> month.
- III. Exports made after 48<sup>th</sup> month shall not be accounted for clubbing.
- IV. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.

- V. RA shall ensure proper accounting of the duty free inputs with reference to the export product as per SION.
- VI. On clubbing, shortfall, if any, shall be regularized in terms of Para 4.49 of HBP, 2015-2020.

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

**Case No.33: M/s Britacel Silicones Ltd., Mumbai**

**F. No. 01/60/162/974/AM17/PRC**

PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for clubbing of Advance Authorization No. 0310079678 dated 03.04.2001 and 0310240454 dated 08.12.2003

**Decision:** The Committee observed that both the Advance Authorisations were issued within 36 months from the first Authorisation and exports under subsequent Authorisations have been completed within 48 months of earliest Authorisation. Both the Authorisations were issued having initial export obligation period of 18 months which could be extended upto 36 months, as per the prevalent procedure but no extension has been availed. The Committee discussed the case at length and decided the following:

- I. Clubbing of above mentioned 2 Advance Authorizations be allowed.
- II. Export obligation period against Authorisation No 0310079678 dated 03.04.2001 shall be extended up to 48<sup>th</sup> month subject to payment of a composition fee @ 0.5% of unfulfilled FOB value of exports made after 18<sup>th</sup> month but upto 36<sup>th</sup> month, @ 0.5% per month of unfulfilled FOB value of exports made after 36<sup>th</sup> month but upto 42<sup>nd</sup> month and @ 1% of unfulfilled FOB value of exports made after 42<sup>nd</sup> month but upto 48<sup>th</sup> month.
- III. Exports made after 48<sup>th</sup> month shall not be accounted for clubbing.
- IV. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.
- V. RA shall ensure proper accounting of the duty free inputs with reference to the export product as per SION.
- VI. On clubbing, shortfall, if any, shall be regularized in terms of Para 4.49 of HBP, 2015-2020.

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

**Case No.34: M/s Britacel Silicones Ltd., Mumbai (RA Mumbai)**

**F. No. 01/601/162/972/AM17/PRC**

PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for clubbing of Advance Authorization Nos.0310232306 dated 21.10.2003 and 0310328472 dated 04.05.2005

**Decision:** The Committee observed that both the Advance Authorisations were issued within 36 months from the first Authorisation and exports under subsequent

Authorisations have been completed within 48 months of earliest Authorisation. Both the Authorisations were issued having initial export obligation period of 18 months which could be extended upto 36 months, as per the prevalent procedure. The first Authorisation has been extended upto 30 months. The Committee discussed the case at length and decided the following:

- I. Clubbing of above mentioned 2 Advance Authorizations be allowed.
- II. Export obligation period against Authorisation 0310232306 dated 21.10.2003 shall be extended up to 48<sup>th</sup> month subject to payment of a composition fee @ 0.5% of unfulfilled FOB value of exports made after 30<sup>th</sup> month but upto 36<sup>th</sup> month, @ 0.5% per month of unfulfilled FOB value of exports made after 36<sup>th</sup> month but upto 42<sup>nd</sup> month and @ 1% of unfulfilled FOB value of exports made after 42<sup>nd</sup> month but upto 48<sup>th</sup> month.
- III. Exports made after 48<sup>th</sup> month shall not be accounted for clubbing.
- IV. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.
- V. RA shall ensure proper accounting of the duty free inputs with reference to the export product as per SION.
- VI. On clubbing, shortfall, if any, shall be regularized in terms of Para 4.49 of HBP, 2015-2020.

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

**Case No.35: M/s Britacel Silicones Ltd., Mumbai (RA Mumbai)**

**F. No. 01/60/162/1210/AM17/PRC**

**PRC Meeting No. 11/AM18 dated 01.08.2017**

**Subject:** Request for clubbing of Advance Authorization Nos. (1) 0310275119 dated 16.06.2004 (2) 0310288650 dated 27.08.2004 (3) 0310301830 dated 10.11.2004 (4) 0310321840 dated 17.03.2005 (5) 0310321474 dated 31.03.2005 and (6) 0310340970 dated 25.07.2005

**Decision:** The Committee observed that all the six Advance Authorisations were issued within 36 months from the first Authorisation and exports under subsequent Authorisations have been completed within 48 months of earliest Authorisation. All Authorisation were issued having initial export obligation period of 18 months which could be extended upto 36 months, as per the prevalent procedure. All the Authorisations were extended upto 24 months. The Committee discussed the case at length and decided the following:

- I. Clubbing of above mentioned 6 Advance Authorizations be allowed.
- II. Export obligation period against Authorisation No 0310275119 dated 16.06.2004 shall be extended up to 48<sup>th</sup> month subject to payment of a composition fee @ 0.5% of unfulfilled FOB value of exports made after 24<sup>th</sup> month but upto 36<sup>th</sup> month, @ 0.5% per month of unfulfilled FOB value of exports made after 36<sup>th</sup> month but upto 42<sup>nd</sup> month and @ 1% of unfulfilled FOB value of exports made after 42<sup>nd</sup> month but upto 48<sup>th</sup> month.
- III. Exports made after 48<sup>th</sup> month shall not be accounted for clubbing.

- IV. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.
- V. RA shall ensure proper accounting of the duty free inputs with reference to the export product as per SION.
- VI. On clubbing, shortfall, if any, shall be regularized in terms of Para 4.49 of HBP, 2015-2020.

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

**Case No.36: M/s Indauto Filter Bangalore** (RA Bangalore)

**F.No.** 01/60/162/365/AM18/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for EOP extension of Advance Authorization No.0710106864 dated 20.10.2014

**Decision:** The committee noted that the Authorisation in question was issued having validity of 12 months to import and 18 months to export. The applicant has imported almost full quantity but did not affect any export towards discharge of export obligation. RA is empowered to allow two extensions of six months each on merit of the case but the facility available in the HBP has not been availed by the applicant. No case of genuine hardship is proved. The committee, therefore, did not accede to the request.

The applicant is hereby directed to get the case regularized in terms of Para 4.49 of HBP, 2015-20 within a month from the date of uploading of these minutes on the Directorate website failing which action under the provisions of FT(D&R) Act shall be initiated by RA.

**(Action: Applicant/RA, Bangalore)**

**Case No.37: M/s. Indauto Filter Bangalore** (RA Bangalore)

**F.No.** 01/60/162/364/AM18/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for EOP extension of Advance Authorization No.0710106258 dated 31.07.2014

**Decision:** Decision at case No 36 is reiterated.

**(Action: Applicant/RA, Bangalore)**

**Case No.38: M/s. Indauto Filter Bangalore** (RA Bangalore)

**F.No.** 01/60/162/366/AM18/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for EOP extension of Advance Authorization No.0710104370 dated 22.05.2014




**Decision:** Decision at case No 36 is reiterated.

**Case No.39: M/s Haldia Petrochemcials Ltd., Kolkata (RA Kolkata)**

**F.No.** 01/60/162/1298/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for clubbing of five Advance Authorization No. (1) 0210159339 dated 23.05.2011 (2) 0210159662 dated 30.05.2011 (3) 0210168515 dated 03.11.2011 (4) 0210200988 dated 11.03.2014 (5) 0210203576 dated 28.05.2014 in relaxation of the amended provision of Para 4.20 of HBP Vol. I.

**Decision:** The committee noted that Authorisations listed at serial nos. (1) to (3) were issued having initial export obligation of 36 months. And, the Authorisation at Sl. No (4) and (5) were issued having initial export obligation period of 18 months. Considering genuine hardship, the export obligation period for fulfillment of balance export against first three Authorisations has already been extended upto 22.12.2019 in pursuance of the cabinet decision. Therefore, facility of clubbing of such Authorisations in which special dispensation has already been cannot not be extended. The committee, therefore, did not accede to the request.

So far as last two Authorisations are concerned, no imports have been made thereunder hence no obligation on the part of the applicant. They may surrender these Authorisations unutilized to RA within 30 days.

The applicant is hereby directed to fulfill the balance export obligation against remaining Authorisations individually within the extended obligation period, as per the cabinet decision and submit documents to RA for redemption.

**(Action: RA, Kolkata)**

**Case No.40: M/s Jindal Saw Limited New Delhi (RA Pune)**

**F.No.** 01/60/162/1068/AM17/PRC

**PRC Meeting No.** 11/AM18 dated 01.08.2017

**Subject:** Request for issuance of DEPB Claim against one S/Bill No.134659 dated 23.07.2010 Filed vide No.31/81/51/001/AM17 dated 16.06.2016

**Decision:** The committee noted that in terms of Para 4.46 of HBP, 2009-2014, application for DEPB could be filed within 12 months from the date of export or six months from the date of realization of payments or three months from the date of release /printing of shipping bill, whichever is later. The shipping bill in this case has been uploaded on 14.06.2016 and application has been submitted on 09.06.2016. Therefore, no relaxation is warranted in such cases. The RA is directed to re-examine the case and issue DEPB as per prevalent policy procedure.

**(Action: RA, Pune)**

**Case No.41: M/s Jiwanram Sheoduttari Industries Pvt. Ltd., Kolkata (RA Kolkata)**

**F.No.** 01/60/162/913/M16/PRC






PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for allow permission for redemption without insistence for specific mention of GSM of the fabric in the export documents under relaxation of FTP and procedure, in respect of Advance Authorization No.0210131920 dated 23.09.2009.

**Decision:** The committee noted that as per general note for textile and textile products under SION book, GSM of fabrics to be imported and exported shall be indicated in Bill of Entry and Shipping Bills respectively. It is mandatory to establish nexus between item imported and item exported. Dispensation of such mandatory requirement is not allowed because this would lead to diversion of duty free goods in domestic market and misuse of duty exemption scheme. Establishing nexus without indicating GSM after shipment is not possible except pre-shipment test report, which is not submitted. The committee, therefore, did not accede to the request.

The applicant is hereby directed to get the case regularized in terms of Para 4.49 of HBP, 2015-20 within a month from the date of uploading of these minutes on the Directorate website. In case of failure, RA shall initiate action under the provisions of FT(DR)Act, 1992 as amended.

**(Action: Applicant/RA, CLA)**

**Case No.42: M/s Vedanta Ltd., New Delhi (CLA, New Delhi)**

**F.No.** 091/60/162/709/AM17/PRC

PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for EODC Revalidation and transferability of DFIA No.0510390907 dated 01.09.2014

**Decision:** The Committee noted that the shipments in this case were effected indicating two DFIA numbers. However, resultant product is only one. On perusal of report of NIC, it was observed that bifurcation of value and quantity for using the same shipping bill under two or more DFIA was not possible in case of single resultant product. The committee, therefore, decided the following:

- i. The applicant may use such complete shipping bills against any of DFIA for EODC/enhancement/transferability purpose.
- ii. RA shall allow revalidation of such DFIA for six months from the date of endorsement if balance imports are available after enhancement.
- iii. The applicant shall get the other DFIA regularized on payment of duty and applicable interest in which imports are made in excess.

**(Action: RA, CLA, New Delhi/Applicant)**

**Case No.43: M/s Vedanta Ltd., New Delhi (CLA, New Delhi)**

**F. No.** 091/60/162/702/AM17/PRC

PRC Meeting No. 11/AM18 dated 01.08.2017




**Subject:** - Request for EODC Revalidation and transferability of DFIA No.0510390215 dated 08.08.2014

**Decision:** Decision taken in case No 42 is reiterated.

**(Action: RA, CLA, New Delhi/Applicant)**

**Case No.44: M/s Vedanta Ltd., New Delhi** (CLA, New Delhi)  
**F.No.** 091/60/162/700/AM17/PRC  
 PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for EODC Revalidation and transferability of DFIA No.0510390782 dated 27.08.2014

**Decision:** Decision taken in case No 42 is reiterated.

**(Action: RA, CLA, New Delhi/Applicant)**

**Case No.45: M/s Vedanta Ltd., New Delhi** (CLA, New Delhi)  
**F.No.** 091/60/162/710/AM17/PRC  
 PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for EODC Revalidation and transferability of DFIA No.0510390875 dated 01.09.2015

**Decision:** Decision taken in case No 42 is reiterated.

**(Action: RA, CLA, New Delhi/Applicant)**

**Case No.46: M/s Alps Industries Limited Ghaziabad** (RA CLA, New Delhi)  
**F.No.** 01/60/162/996/AM17/PRC  
 PRC Meeting No. 11/AM18 dated 01.08.2017

**Subject:** Request for EOP extension of against Advance authorization No.0510363932 dated 29.8.2013

**Decision:** The Committee noted that the authorization in question was issued having initial obligation period of 18 months i.e. upto 29.02.2015. RAs are empowered to allow two extension of six months each on merit. The applicant has stated to have fulfilled 51.21% export obligation within initial export obligation period. However, facility available in the HBP has not been availed and no reason for that is given. Extension in obligation period beyond 36 months is not allowed unless force majeure is established. That is not the case here. Therefore, the Committee did not accede to the request.

The applicant is hereby directed to get the case regularized within a month from the date of uploading of these minutes on the Directorate website, failing which action under FT(D&R) Act shall be initiated by the RA.

**(Action: Applicant/RA, CLA)**

**Case No.47: M/s Globe Textiles (India) Pvt. Ltd., Ahmedabad (RA Ahmedabad)**  
**F.No. 01/60/162/688/AM17/PRC**  
**PRC Meeting No. 11/AM18 dated 01.08.2017**

**Subject:** Request for revalidation of DFIA NO.0810133121 dated 26.8.2014

**Decision:** The Committee noted that the DFIA No. 0810133121 dated 26.08.2014 was issued having initial validity period of 12 months and RA has allowed six month's further validity i.e. upto 29.02.2016. However, they could not import goods within this validity period. They submitted that the delay in import occurred on account of technical glitches but no evidence to that effect has been submitted. Therefore, the Committee did not accede to the request.

**Case No.48: M/s Ratnesh Metal Industries Pvt. Ltd., Ahmedabad (RA Ahmedabad)**  
**F.No. 01/60/162/221/AM18/PRC**  
**PRC Meeting No. 11/AM18 dated 01.08.2017**

**Subject:** Request for extension of EOP against Advance Authorization No.0810085115 dated 21.12.2009

**Decision:** The Committee noted that the authorization in question was issued having initial obligation period of 36 months under self -declaration scheme due to no SION for the resultant product. The applicant has submitted declaration to abide by the norms to be fixed by the committee. The committee ratify the norms on 1 and the Authorisation was remain valid till 31.12.2012 for discharge of EO. In case there was any hardship, they must had approached the committee immediately after expiry of export obligation period. Approaching the committee after 5 years has no meaning, as the committee does not allow extension beyond 48 months, which has lapsed long back. Therefore, the Committee did not accede to the request.

The applicant is hereby directed to get the case regularized within a month from the date of uploading of these minutes on the Directorate website, failing which action under FT(D&R) Act shall be initiated by the RA.

**(Action: Applicant/RA, Ahmedabad)**

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

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