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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting held on 07.11.2019 under the Chairmanship of Shri Amit Yadav, Director General of Foreign Trade

Meeting No.20/AM20 held on 07.11.2019

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. K. T. Exports (India) Pvt. Ltd., Mumbai	1
2.	M/s. House of Tuhina, New Delhi	2
3.	M/s. Riviera Exports, New Delhi	3&4
4.	M/s. Umedica Laboratories Pvt. Ltd., Mumbai	5
5.	M/s. Dev Ansh Exports Pvt. Ltd., New Delhi	6
6.	M/s. Vippy Industries Limited, Dewas	7
7.	M/s. Shalimar Paints Ltd., Mumbai	8 to 10
8.	M/s. Tulsyan NEC Limited, Bangalore	11&12
9.	M/s. Imperial Readymade Garments Factory India Pvt. Ltd., Tamil Nadu	13
10.	M/s. Cadila Healthcare Limited, Ahmedabad	14
11.	M/s. Bharat Silks, Bangalore	15
12.	M/s. Abhinandan Steels, Delhi	16
13.	M/s. Mahindra & Mahindra Ltd., Punjab	17
14.	M/s. Adyar Gate Hotels Ltd., Chennai	18
15.	M/s. Fortune Cotton and Agro Industries, Karnataka	19&20
16.	M/s. Volkswagen India Private Limited, Pune	21
17.	M/s. Sri Poorna Chandra and Co., Ernakulum	22
18.	Incomplete Cases	23

Case No. 01 M/s. K. T. Exports (India) Pvt. Ltd., Mumbai

F. No. 01/60/162/847/AM19/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: To allow MEIS benefit against 92 shipping bills.

The applicant has stated that they are merchant exporters and procure their export products from Karam Multipack Pvt. Ltd., who are manufactures holding Advance Authorization. Shipping bill is generated under IEC of the manufacturer and they are declared as third party exporter in shipping bill. Foreign exchange is realized by them being merchant exporters. When they login with their toggle for claiming MEIS (being exporter) the shipping bills details are not reflected. When the toggle of Karam Multipack Pvt. Ltd. (IEC no. 2406005054) is used for login, E-BRC of K. K. Exports (merchant exporter) does not get linked showing e-BRC details. In the system, there is a provision to attach 3rd party BRC, however, the same is not operational and the status shows 'No third Party e-BRC data available'. Due to the above, neither they as merchant exporters or Karam Multipack Pvt. Ltd. as manufacturers are in a position to claim MEIS benefit.

This case was placed earlier in PRC meeting no. 32 dated 26.2.209 and it was decided to refer the matter to NIC/EDI to sort out the matter and EDI has reported that S/bill transmitted by customs does not contain 3rd party details.

Decision: The Committee having reviewed the case on the basis of justification furnished by the firm and comments received from the EDI/NIC decided to refer the case again to EDI/NIC to get the detail of shipping bills from ICEGATE and resolve the matter.

(Action: EDI/NIC)

Case No. 02 M/s. House of Tuhina, New Delhi
F. No. 01/60/162/454/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Condonation of delay to file Chapter-3 benefit against RA file No.05/51/087/50075/AM19 (8 S/bills).

The applicant has stated that they had applied FPS claim on 20.03.2019 after appearance of their BRC on the DGFT Portal. Although their payment realised was in time but problem was that without BRC uploading, they cannot attach any BRC with shipping bill, due to which they could not file the claim in time. When they found that BRC are available in portal they applied their claim, but concerned CLA, New Delhi rejected their case as 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** along with all the documents/details in support of their justification.

(Action: PRC/Applicant)

Case No. 03 M/s. Riviera Eports, New Delhi
F. No. 01/60/162/453/AM20/PRC

PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Condonation of delay of file Chapter-3 benefit against RA file No.05/52//087/50040/AM19 (5 Shipping Bills).

The applicant has stated that they had applied FPS claim on 12.12.2018 after appearance of their BRC on the DGFT Portal. Although their payment realised was in time but problem was that without BRC uploading, they cannot attach any BRC with shipping bill, due to which they could not file the claim in time. When they found that BRC are available in portal they applied their claim, but concerned CLA, New Delhi rejected their case as 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** along with all the documents/details in support of their justification.

(Action: PRC/Applicant)

Case No. 04 M/s. Riviera Exports, New Delhi
F. No. 01/60/162/452/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Condonation of delay of file Chapter-3 benefit against RA file No.05/52//087/50039/AM19 (5 Shipping bills).

The applicant has stated that they had applied FPS claim on 20.03.2019 after appearance of their BRC on the DGFT Portal. Although their payment realised was in time but problem was that without BRC uploading, they cannot attach any BRC with shipping bill, due to which they could not file the claim in time. When they found that BRC are available in portal they applied their claim, but concerned CLA, New Delhi rejected their case as 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** along with all the documents/details in support of their justification.

(Action: PRC/Applicant)

Case No. 05 M/s. Umedica Laboratories Pvt. Ltd., Mumbai
F. No. 01/60/162/878/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Revalidation of MEIS No.0319090784 dated 07.11.2016.

The applicant has stated that they have obtained MEIS scrip from RA, Mumbai but data was not transmitted to ICEGATE and related Customs Port for verification & registration with port in-spite of their continued follow with ICEGATE and DGFT, EDI

(HQ) Delhi. Their case was also placed earlier in the PRC Meeting No.02/AM20 dated 09.04.2019, wherein EDI/NIC was requested to resolve the matter.

Decision: The Committee reviewed the case on the basis of comments received from the EDI/NIC. It observed that since the issue of transmission error has been resolved, therefore it decided to allow revalidation of MEIS No.0319090784 dated 07.11.2016 for a further period of 6 months from the date of endorsement. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting, for revalidation.

(Action: Applicant/RA, Mumbai)

Case No. 06 M/s. Dev Ansh Exports Pvt. Ltd., New Delhi
F. No. 01/60/162/456/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Condonation of delay to file Chapter-3 benefit against 5 RA file No.(i) 05/51/087/50006/AM-20, (ii) 05/51/087/50008/AM20, (iii) 05/51/087/50011/AM-20, (iv) 05/51/087/50012/AM20 & (v) 05/51/087/50013/AM20.

The applicant has stated that they had applied FPS claim on 30.6.2019 after appearance of their BRC on the DGFT Portal. Although their payment realised was in time but problem was that without BRC uploading, they cannot attach any BRC with shipping bill, due to which they could not file the claim in time. When they found that BRC are available in portal they applied their claim, but concerned CLA, New Delhi rejected their case as 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** along with all the documents/details in support of their justification.

(Action: PRC/Applicant)

Case No. 07 M/s. Vippy Industries Limited, Dewas
F. No. 01/60/162/459/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: To allow MEIS benefit against Shipping Bill No.5832845 dated 03.05.2017.

The applicant has stated that the shipping bills No.5832845 dated 03.05.2017 has been wrongly filed mentioning Sea Freight amount as $216000 instead of US $21600. Therefore the FOB value of the consignment against the SB reduced to US $4136.40 instead of correct FOB for US $198536.40. Accordingly they are entitled for MEIS license to the tune of Rs.13112/- only. However considering the correct FOB to read as US $198536.40, actual MEIS entitlement against this shipping bill should be Rs.633715/-. They have obtained a certificate of Amendment F.No S/6-arsb-526/2017-18 (EXP) dated. 25.05.2017- issued from the office of the Deputy Commissioner of Custom (export), JNCH, Nhava Sheva showing amount of freight as $21600. Accordingly the FOB comes to the tune of Rs.1,26,74,314/- and MEIS entitlement @5% should be Rs.633715/-.

<u>Decision</u>: The Committee having discussed the case at length and observed that manual amendments in the automated system is not possible, the responsibility of correct entry in System lies with the Firm. After skip has left there is no mechanism for change. Accordingly, it found no merit in it and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 08 M/s. Shalimar Paints Ltd., Mumbai
F. No. 01/60/162/466/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Extension of EOP against Advance Authorization No.0310449519 dated 07.11.2007.

The applicant has stated that there was a major fire in their factory in 2016 and all documents were destroyed and they could not export. They had applied for utilization report from Customs and are waiting for the same. Now, they have export orders in hand and they can fulfill the Export Obligations, so the request for EO extension.

<u>Decision</u>: The Committee discussed the case and observed that the fire had taken place in 2016 whereas this particular authorization was taken in 2007. It found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm. 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/Applicant)

Case No. 09 M/s. Shalimar Paints Ltd., Mumbai
F. No. 01/60/162/468/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Extension of EOP against Advance Authorization No.0310449518 dated 07.11.2007.

The applicant has stated that there was a major fire in their factory in 2016 and all documents were destroyed and they could not export. They had applied for utilization report from customs and are waiting for the same. Now, they have export orders in hand and they can fulfill the Export Obligations, so the request for EO extension.

Decision: The Committee discussed the case and observed that the fire had taken place in 2016 whereas this particular authorization was taken in 2007. It found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm. 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/Applicant)

Case No. 10 M/s. Shalimar Paints Ltd., Mumbai
F. No. 01/60/162/467/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Extension of EOP against Advance Authorization No.0310449522 dated 07.11.2007.

The applicant has stated that there was a major fire in their factory in 2016 and all documents were destroyed and they could not export. They had applied for utilization report from customs and are waiting for the same. Now, they have export orders in hand and they can fulfill the Export Obligations, so the request for EO extension.

Decision: The Committee discussed the case and observed that the fire had taken place in 2016 whereas this particular authorization was taken in 2007. It found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm. 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/Applicant)

Case No. 11 M/s. Tulsyan NEC Limited, Bangalore
F. No. 01/60/162/128/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Consideration of the export PP Woven Fabric towards EO against Advance Authorization No.0710021925 dated 20.03.2003.

The applicant has stated that their exported product PP Woven Fabrics is a product which is one stage earlier to the FIBC. The exported product PP woven fabrics is by itself finished goods and are used in the manufacture of Flexible Intermediate Bulk container by undertaking cutting and stitching operations. Despite export of the project one stage earlier, the value addition achieved is 56.9% which is much in excess of the minimum requirement. The raw material used for the exported product and FIBC are the same i.e., Polypropylene granules.

Decision: The Committee examined the case in detail and in view of justification provided by the firm agreed to the request of the firm subject to the firm accounting for the imported duty free input in the product exported by the firm against Advance Authorization No.0710021925 dated 20.03.2003, if SION are already there, for the duty free inputs. If SIONs are not fixed, the firm may approach NC-7 DGFTHQ for fixation of Norms. The firm shall approach RA/NC-7 DGFTHQ within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA, Bangaluru/NC-7 DGFTHQ)

Case No. 12 M/s. Tulsyan NEC Limited, Bangalore
F. No. 01/60/162/129/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Consideration of the Export PP woven fabric towards EO against Advance Authorization No.0710030693 dated 02.07.2004.

They applicant stated that they had obtained the license to export PP Woven Sacks but have exported PP Woven Fabrics as per the changed instructions received from the customer. Despite discharging the EO, the Authorization could not be redeemed due to the change in the product exported. The exported product PP woven Fabrics is a product which is one stage earlier to the PP woven Sacks. The exported product PP woven fabrics is by itself are finished goods and are used in the manufacture of PP Woven sacks by undertaking cutting and stitching operations. Despite export of the project one stage earlier, the value addition achieved is 19.68% which is much in excess of the minimum requirement. The raw material used for the exported product and PP woven Sacks are the same i.e., Polypropylene granules.

Decision: The Committee examined the case in detail and in view of justification provided by the firm it decided to accede to the request of the firm subject to the firm accounting for the imported duty free input in the product exported by the firm against Advance Authorization No. 0710030693 dated 02.07.2004, if SION are already there, for the duty free inputs. If SIONs are not fixed, the firm may approach NC-7 for fixation of Norms. The firm shall approach RA/NC-7 within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA/NC-7)

Case No. 13 M/s. Imperial Readymade Garments Factory India Pvt. Ltd., Tamil Nadu
F. No. 01/60/162/474/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Extension of EOP against Advance Authorization No.0410137984 dated 10.07.2012.

The applicant stated that they had obtained the subject authorization for import of fabrics, zippers etc. They have completed export to the tune to almost 95% and a balance of around 5% is pending for shipment. The balance quantity of the import items is in their stock and they are having regular orders with them for export of the same export product.

Decision: The Committee went through the submission made by the firm and it found no merit in their case of extension of EOP. Hence, it decided to reject the request of the firm. 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, Chennai: 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/Applicant)

Case No. 14 M/s. Cadila Healthcare Limited, Ahmedabad
F. No. 01/60/162/462/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: To relax Para 4.35 of HBP-2015-20 by allowing to get the name of supporting manufacture / co-license, endorsed in their 08 Advance Authorizations issued under PC-9 & 15 condition for transferring / Procuring raw materials and getting the final product manufactured for discharging the EO.

The applicant has stated that they have imported materials against the 8 advance authorizations issued with PC-9 and 15 conditions for manufacture and export of injectable product at their injection manufacture plant at Moraiya for export to US and other regulated market. However due to recent US FDA Audit they had to make major changes in the injection Manufacture facility which may take another 12-24 months time. Since they have to urgently meet the export commitment to the overseas buyer and to fulfill the condition laid down in the PC-9 and 15, they need to change the manufacturing site by transferring the raw material and getting it manufactured at one of their group company M/s. Liva Pharmaceutical Ltd., a separate entity and recently US FDA approved facility exclusively catering to injectable products for export to US and other regulated markets. They have approached RA, Ahmadabad to incorporate the address in their authorizations after the imports made, but RA rejected their request for addition of supporting manufacturer / co-license in the license issued with PC-9 & 15 / 2003 conditions.

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** along with all the documents/details in support of their justification and in the meantime it was also decided to call a detailed report from RA in the matter.

(Action: PRC/Applicant/RA, Ahmedabad)

Case No. 15 M/s. Bharat Silks, Bangalore
F. No. 01/60/162/473/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Clubbing of 2 Advance Authorization No.0710101676 dated 27.01.2014 & 0710104362 dated 22.05.2017.

The applicant stated that the primary reason for seeking clubbing permission is that the export order for which they had obtained the Authorization got cancelled and they have used the imported fabric in exporting the goods under another authorisation without importing full quantity of fabric in that authorisation. Sometime later they got another export order and for that order they have obtained Advance Authorisation No.710104362 dated 22.05.2017 and the raw material meant for import in this authorization was similar. Whatever raw material was imported in both the authorizations have been utilised to manufacture and export readymade garments under the Advance Authorization No.0710104362 and export obligation have been fulfilled in proportion to the total quantity of import in both the authorizations.

Decision: The Committee went through the submission made by the firm and noted that policy provisions are very clear with regard to clubbing. After detailed discussions, it found no merit in their case. It decided to reject the request of the firm. 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, Bangalore: 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/Applicant)

Case No. 16 M/s. Abhinandan Steels, Delhi
F. No. 01/60/162/472/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Relaxation in Appendix-4J condition & EOP Extension against Advance Authorization No.0510406086 dated 11.04.2018.

The applicant stated that they had taken the subject authorization for duty free import of raw materials i.e. Stainless Steel Coils, for manufacture and export. They have exported around 90% of EO within the original plus extended period as per FTP/HBP, however still around 10% of material is pending for export and EOP has expired as per para 4.42(d) of HBP. As on date there is no Appendix-4J condition on their product and they have already exported 90.13% obligation within normal plus extended EOP (6+3 months). Normal EOP of 18 months is still valid and further they are entitled for 6+6 months EOP extension as per para 4.42 (e)/(f) if there is no appendix-4J condition. They have enough exports in hand to complete the balance obligation.

Decision: The Committee after discussing the case at length decided to relax Appendix 4J condition against Advance Authorization No.0510406086 dated

11.04.2018 and granting EOP extension for a period of 3 months from the date of endorsement subject to payment of composition fee @ 0.5% per month of the extension period granted, as above, on the unfulfilled FOB value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA New Delhi)

Case No. 17 M/s. Mahindra & Mahindra Ltd., Punjab
F. No. 01/60/162/480/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: To allow MEIS benefit without late cut against 14 Shipping Bills pertaining to December 2016, whose let export order dated (LEO) is falling in January, 2017 due to changes in ITC(HS) Code.

The applicant stated that they had made the shipments where shipping bills date were of end December 2016 (from 26.12.2016 to 31.12.2016) and Let Export Order (LEO) date of January 2017 (from 01.01.2017 to 07.01.2017). They had filed the 14 shipping bills with ITC (HS) Code 87019090, which prior to 01.01.2017, were correct at that time, matching ITC(HS) Code and Item Description. The ITC (HS) code has been changed vide Notification No.36 dated 17.01.2017, Public Notice No.61/2015-20 dated 07.03.2017 and Public Notice No.17/2015-20 dated 22.08.2017 and made it applicable w.e.f. 01.01.2017. They are unable to file MEIS as their shipping bills are not able to attach in MEIS online application.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. The Committee found that the due to changes in MEIS module, the firm has faced the problem which was beyond their control and decided to allow them MEIS benefit without late cut against 14 shipping bills No.(i)3083438 dated 27.12.2016, (ii)3184005 dated 31.12.2016, (iii)3051413 dated 26.12.2016, (iv)3051433 dated 26.12.2016, (v)3051428 dated 26.12.2016, (vi)3057986 dated 26.12.2016, (vii)3057132 dated 26.12.2016, (viii)3056849 dated 26.12.2016, (ix)3056722 dated 26.12.2016, (x)3057333 dated 26.12.2016, (xi)3057618 dated 26.12.2016, (xii)3056670 dated 26.12.2016, (xiii)3056471 dated 26.12.2016, (xiv)3056662 dated 26.12.2016,

(Action: Applicant/RA Ludhiana/EDI)

Case No. 18 M/s. Adyar Gate Hotels Ltd., Chennai
F. No. 01/60/162/230/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Waiver of Annual Average Performance condition against 2 EPCG Authorisation No.0430009396 dated 01.12.2011 and 0430009405 dated 13.01.2011.

The applicant stated that due to steep fall in forex in the subsequent year for various reasons such as decrease in international tourists on global advisory on travel restrictions, political Instability etc., they could not maintain Annual Average Performance as per the conditions of EPCG Scheme.

Ujjayal

Decision: The Committee examined the records submitted and statement made by the firm. It observed that applicant's their request had been discussed in detail by the EPCG Committee and has been rejected giving detailed reasons. After discussing the matter at length, the Committee found no merit in its application. Hence, decided to reject the request of the firm.

(Action: Applicant)

Case No. 19 M/s. Fortune Cotton and Agro Industries, Karnataka
F. No. 01/60/162/424/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Condonation for procedural lapse of not mentioning the EPCG license number and name on third party shipping bills towards fulfillment of EO against EPCG Authorization No.0730012446 dated 17.06.2013..

The applicant stated that they had obtained the subject EPCG license for import of machine during 2013. EO was discharged by third party exports in full value vide three shipping bills. But EPCG license number was not mentioned in the shipping bills by the third party exporter. The Shipping Bill Numbers are (i) 9057900 dated 17.04.2015 USD 436655.25, (ii) 209059271 dated 17.04.2015 USD 186508.22 & (iii) 9059427 dated 17.04.2015 USD 186508.22 respectively. Export Obligation as per EPCG Authorization is Rs.39228132/-. Actual exported value is Rs.50159161.20-, which is more than the EO value by 127%. Remittance was received by them from third party against export proceeds and can be verified through bank statement. At the time of removal of material from the factory they had mentioned EPCG license number and date in their tax invoice. Since they exported Raw Cotton which is not excisable and hence no ARE-1 applicable for the same. The H form issued by the Sales Tax Department, Govt. of Karnataka also mentioned the bill number and date and bill of landing.

Decision: The Committee examined the statement made by the firm and observed that their request has been discussed in detail by the EPCG Committee and has been rejected giving detailed reasons. After discussing the matter at length, the Committee found no merit in it. Hence, decided to reject the request of the firm.

(Action: Applicant)

Case No. 20 M/s. Fortune Cotton and Agro Industries, Karnataka
F. No. 01/60/162/425/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Condonation for procedural lapse of not mentioning the EPCG license number in shipping bills towards fulfillment of EO against EPCG License No. 0730012026 dated 16.01.2013.

The applicant stated that they had obtained the subject EPCG license for import of capital machine during 2013. EO was discharged by third party exports in full value vide one shipping bill. But EPCG License number was not mentioned in the Shipping

Bill No.9059683 dated 17.04.15 USD 74581.77 by the third party exporter. The Export Obligation as per EPCG Authorization is 651288/- and actual exported value is Rs.4620340.65-. Actual Export is more than the EO value by 709%. Remittance was received by them from third party against export proceeds and can be verified through bank statement. At the time of removal of material from the factory they had mentioned EPCG license number and date in their tax invoice. Since they exported Raw Cotton which is not excisable and hence no ARE-1 applicable for the same. The H form issued by the Sales Tax Department, Govt. of Karnataka also mentioned the bill number and date and bill of landing.

Decision: The Committee examined the statement made by the firm and observed that their request has been discussed in detail by the EPCG Committee and has been rejected giving detailed reasons. After discussing the matter at length, the Committee found no merit in it. Hence, decided to reject the request of the firm.

(Action: Applicant)

Case No. 21 M/s. Volkswagen India Private Limited, Pune
F. No. 01/60/162/389/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Permission to import two cars (chassis number WVWZZZ3CZLE001164 engine number CZP02071178 and chassis number WVWZZZ3CZLE001187 Engine number CZP0207196) to play on the road for R & D purpose.

The applicant stated that Volkswagen Group is one of the leading global car manufacturers. They need to import 2 new Right Hand Drive vehicles from Germany & Czech Republic to perform development testing & R&D purposes. If these tests are successful, there is a potential to manufacture the cars at the plant at Chakan, Pune for export. Firm informed that they have already received permission of M/o Road Transport and Highways for plying the cars on Indian roads.

Decision: The Committee went through the justification provided by the firm and decided to agree to the request of the firm to import right hand drive vehicles (Two Cars) for R&D purposes and its playing on Indian roads based on the permission granted by Ministry of Road Transport & Highways to ply the cars on Indian roads which they are importing for testing and R&D purposes.

(Action: Applicant)

Case No. 22 M/s. Sri Poorna Chandra and Co., Ernakulum
F. No. 01/60/162/400/AM20/PRC
PRC Meeting No. 20/AM20 dated 07.11.2019

Subject: Permission to import of green peas as per contracts (agreements) made with the exporters of USA. At least onetime import permission considered.

The applicant stated that the contract as per para 1.05 of FTP since the Advance Payment were made prior to the restriction and due to numerous issues of Notifications / Public Notices/ Trade Notices they could not register. Sales Contract Number (i) 21799, (ii) 21815, (iii) 21864, (iv) 21865, (v) 21897, (vi) 21898, (vii) 21899, (viii) 21911, (ix) 21911 & (x) 21915 dated 20.03.2018 to 18.04.2018 and payment swift advice issued by their banker vide swift reference number 020 FOTT001318 dated 17.04.2018. Due to the restrictions imposed on importing Peas and Pulses they could not import the same. The sellers are refusing to refund the advance amount and insisting them to import the goods as per the contract.

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

(Action: Applicant)

Case No. 23: Incomplete Cases

Following cases were discussed. The Committee observed that the applications have been received without ANF 2D and Application Fee as per Appendix 2K (fully/partly) and also without Reasons/Justifications as per Para-15 of ANF 2D are to be treated as incomplete applications. Therefore, such cases are not been taken up by the Committee as mentioned below:

S. No.	Name of the firm	Subject of the firm	Remarks
1.	M/s. CMR Toyotsu Aluminium India Private Limited, Tamil Nadu	Extension in EOP against AA No. 0510400971 dated 27.12.2016	ANF 2D and Proof of application fee not submitted
2.	M/s. Mulberry silks Limited, Bangalore	To relax pre-import condition against AA No.0710110830 dated 22.12.2016.	ANF 2D and Proof of application fee not submitted
3.	M/s. Indian Cork Industries, Haryana	Clubbing of two AA no. 0510237309 dated 27.02.2009 and 0510205086 dated 19.06.2007	ANF 2D and Proof of application fee not submitted
4.	M/s. Press Stamping Industries Limited, Vadodara	To allow Central Excises Installation Certificate against EPCG License No.3430001977 dated 25.07.2011.	ANF 2D and Proof of application fee not submitted
5.	M/s. Kempsz Trading Pvt. Ltd., Bangalore	Waiver of Penalty Against Advance License No. 0710062284 dated 07.01.2019.	ANF 2D and Proof of application fee not submitted
6.	M/s. Linc Pen & Plastic Limited, Kolkata	To allow supplementary MEIS benefit.	ANF 2D and Proof of application fee not submitted
7.	M/s. R. K. Mining Private Ltd., Hyderabad	Redemption of EPCG license No. 0930004388 dated 12.09.2008.	ANF 2D and Proof of application fee not submitted

8.	M/s. Jayemm Impex, Moradabad	Regularization of benefit obtained under FPS.	ANF 2D not submitted
9.	M/s. Durlax India Pvt. Ltd., Mumbai	Second Extension of EOP against AA No.0310814878 dated 27.07.2017.	ANF 2D and Proof of application fee not submitted
10.	M/s. Morepen Laboratories Limited, Delhi	Second EOP Extension when 50% EO not fulfilled in terms of Qty and within 24 months but 100 % EO fulfilled within 26 Months. AA No.0510398846 dated 20.06.2016	ANF 2D not submitted
11.	M/s. Morepen Laboratories Limited, Delhi	Second EOP Extension when 50% EO not fulfilled in terms of Qty and within 24 months but 100 % EO fulfilled within 26 Months. AA No.0510398391 dated 05.05.2016.	ANF 2D not submitted
12.	M/s. SRS Expomart Pvt. Ltd., Moradabad	Consideration of manual BRC	ANF 2D not submitted
13.	M/s. Alkaloids Corporation, Kolkata	EOP Extension against AA no. 0210206771 dated 20.06.2016	Proof of application fee not submitted
14.	M/s. Modison Metals Ltd., Mumbai	Revoking of Advance Authorization No.0310816355 dated 12.10.2017	ANF 2D and Proof of application fee not submitted

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