Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of Shri Alok Vardhan Chaturvedi, IAS, DGFT

Meeting No. 22/AM18 held on 24.10.2017 at 10:00 AM

The following members were present in the meeting:

1.	Shri N.P.S. Monga	Addl. DGFT
2.	Shri K.C. Rout	Addl. DGFT
3.	Shri Jaikant Singh	Addl. DGFT
4.	Shri Darshan Singh	Addl. DGFT
5.	Shri J.V.Patil	Addl. DGFT
6.	Shri S.B.S.Reddy	Addl. DGFT
7.	Shri N.K.Srivastava	Addl. DGFT
8.	Shri Jay Karan Singh	Jt. DGFT
9.	Shri AkashTaneja	Jt. DGFT
10.	Shri Rajbir Sharma	Jt. DGFT

The decision taken on the individual cases are as under:

Case No.1: M/s. International Tractors Limited, Hoshiarpur, Punjab (PH case)
F.No. 01/60/162/339/AM18/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for revalidation, EODC, Endorsement of Transferability of 30 DFIAs.

M/s. International Tractors Limited, Hoshiarpur, Punjab sought Personal Hearing before Policy Relaxation Committee, in terms of Para 2.59 of FTP, 2015-2020. Accordingly, a personal hearing was afforded to them on 24.10.2017. Shri Ramesh Kaushik, Manager-Costing, appeared before the Committee. During the course of hearing he made following submissions stating inter alia that:

1. They obtained 30 DFIA's against export of Tractors for agriculture use in CKD/SKD/CBU/SKID condition as per SION -A 969.

2. Out of 30DFIAs, 3 DFIA's as shown in the statement (S.No.1 to 3) were endorsed with transferability. The balance 27 DFIA's at (S.No.4 to 30) are yet to be transferred after EODC. They have discharged E.O. in full as stipulated in the relevant DFIA.

3. They were unable to present the 27 DFIA licences for endorsement of EODC/transferability/revalidation to RA within its validity in view of the amendment made in FTP vide insertion of new Para 4.1.15 in the FTP(2009-14). That the said amendment sought to declare used inputs in the shipping bill for the entitlement of DFIA benefit under the DFIA Scheme.

4. In term of para 4.1.15, it is mandatory to declare the actually used input in the shipping bills. However, the said condition is impractical since the EDI system has no provision to include the ingredients of more than 5/6 items in the shipping bill. There are large number of varying inputs that is of more than 8000 items which cannot be incorporated in the shipping bill. The fact was confirmed by the Commissioner of Customs Hyderabad and Commissioner of Customs Ahmedabad.

5. It was further submitted that in most of the case, EP copies of shipping bill were transmitted to DGFT server by ICEGATE after considerable time gap. In as many as 12 cases, the relevant Shipping bills have been transmitted to DGFT server after the expiry of the authorizations, more specifically mentioned in the aforementioned statement.

6. In respect of the remaining cases, the EP copies weretransmittedtaking a period ranging from 6 months to 2 years. In few cases the system was showing either 'error'or "not available" etc.

7. Their request for issue of EODC/endorsement of transferability and revalidation had been rejected by the O/o Jt. DGFT Ludhiana.

8. Hence, they requested for revalidation for 3 DFIA (Sr. No.1 to 3) for a period of 6 months from the date of endorsement and under remaining 27 DFIAs allow endorsement of transferability/ EODC with 12 month's revalidationfrom the date of endorsement or the period as may be decided by the PRC.

Decision: Having heard to the applicant, the case was discussed at length. It was noted that the applicant has obtained 30 DFIAs under duty exemption/remission scheme of FTP, 2009-2014. As per the FTP 2009-14 the validities and export obligation period of DFIAs were 24 month's for import and 36 months to fulfil EO. Due to the amendments effected on 05.06.2012, the validity for import was reduced to 12 months and validity to fulfil export obligation was reduced to 18 months. However, due to technical problems, EP copy of shipping Bills were transmitted from ICEGATE to DGFT server by delay ranging between one month to 24 months. List of Authorisations with time taken in transmission of Shipping Bills are indicated as under:

Cases where EODC/Transferability endorsed by RA.

S.No	DFIA No. & Date	Valid Till	Item imported if any	Remarks.
1	3010082935Dt. 03.01.2012	22.07.2014	No import	More than 6 months delay in transmitting EP copy of shipping bill
2.	3010084189Dt 05.03.2012	05.09.2014	No Import	More than 1 months delay in transmitting EP copy of shipping Bill
3	1210009154Dt 28.01.2014	28.01.2015	Sr. 8 & 26	Transferability endorsed after Expiry. And more than 1 months delay in Transmitting EP copy of Shipping Bill.
Cases where EODC/Transferability could not be issued				
4	1210008372 Dt.25.09.2012	25.9.2014	No import	More than 100days
5.	1210008324 Dt. 23.8.2012	23.08.2014	No Import	More than 18 months
6.	1210008500Dt. 28.2.2013	28.02.2014	No import	More than 100days
7.	1210008284 Dt.01.08.2012	01.08.2014	No import	More than 18 months
8.	1210008423Dt.04.12.2012	04.12.2013	No Import	More than 24 months
9.	1210008443Dt. 01.01.2013	01.01.2014	No import	More than 6 months
10	1210008490Dt. 18.12.2013	18.02.2014	No import	More than 11months
11.	1210008390 Dt 19.10.2012	19.10.2014	No import	More than 18 months
12	1210008456Dt 16.01.2013.	16.01.2014	No import	More than 11 months
13.	1210009417Dt 25.07.2014	25.07.2015	Sr. No.8	After expiry
14	1210009422Dt 27.08.2014	27.08.2015	Sr. No.8	After expiry
15	1210009448Dt 11.12.2014	11.12.2015	Sr. No.8	After expiry
16	1210009444Dt 26.11.2014	26.11.2015	Sr No.8	After expiry
17	1210009440Dt. 29.10.2014	29.10.2015	Sr. No.8	After expiry

18	1210009435Dt 17.10.2014	17.10.2015	Sr. No.8	After expiry
19	1210008789Dt 19.07.2013	19.07.2014	Sr. No.8	After expiry
20	1210009300Dt 24.04.2014	24.04.2015	Sr. No.8	After expiry
21	1210009395 Dt 20.06.2014	20.06.2015	Sr. No.8	After expiry
22	1210008869Dt 02.09.2013	02.09.2014	Sr. No.8	After expiry
23	1210008868Dt 02.09.2013	02.09.2014	Sr.No.8	After 3 months
24	1210009229Dt 04.3.2014	04.03.2015	Sr. No. 8	Approx 1 months
25	1210008611Dt 26.4.2013	26.04.2014	Sr.No. 8 & 12	After 11 months
26	1210009459Dt 28.1.2015	28.01.2016	Sr. No. 8&16	After expiry
27	1210009465Dt 25.2.2015	25.02.2016	Sr. No. 8	After expiry
28	1210009455Dt 09.1.2015	31.01.2016	Sr. No. 8	After expiry
29	1210008686 Dt.11.6.2013	30.06.2014	Sr. No.11	After expiry
30	3010085169Dt 12.4.2012	30.04.2014	Sr. No. 8	More than 1 months

The committee noted that in terms of Para, 4.36 of HBP, 2009-14, "*Provision of paragraph 4.25 above shall apply. Original DFIA holder shall maintain a true and proper account of consumption and utilisation of duty free imported / domestically procured goods against each authorisation as prescribed in Appendix-23. These records are required to be sent to concerned RA along with request for bond waiver / redemption / discharge of export obligation/ transferability. Such records should be preserved for a period of at least three years from date of redemption.*" And, in terms of Para 4.36A of said HBP, "*Once export obligation is fulfilled and required documents as stipulated in Paragraph 4.36 above have been furnished, RA shall make authorisation transferable subject to conditions stipulated for this scheme including an endorsement on the authorisation itself as to liability of additional customs duty / excise duty in respect of imported / indigenously procured inputs, as the case may be, which have already been imported under Actual User DFIA and are sought to be transferred after fulfilment of E.O.*"

However, vide Notification No 31 dated 01.08.2013, Para 4.1.15 was inserted which provides, "*4.1.15 Wherever SION permits use of either (a) a generic input or (b) alternative inputs, unless the name of the specific input(s) [which has (have) been used in manufacturing the export product] gets indicated / endorsed in the relevant shipping bill and these inputs, so endorsed, match the description in the relevant bill of entry, the concerned Authorisation will not be redeemed. In other words, the name/description of the input used (or to be used) in the Authorisation must match exactly the name/description endorsed in the shipping bill. At the time of discharge of export obligation (EODC) or at the time of redemption, RA shall allow only those inputs which have been specifically indicated in the shipping bill.*"

The Authorisations in questions were issued under SION C-969 which allows 39 inputs. In addition to that the Authorisation holder can import components on net to net basis. The Authorisations in question were issued having list of inputs in hundreds of numbers. Dy. Director Systems of ICEGATE vide e-mail dated 09.10.2017 has confirmed that there was no provision to select any inputs other than those mentioned in the license. The option to declare the inputs is available only in the description column of the Shipping Bill meant for description of export goods. The option to declare inputs in the export product description column is not mandatory and the exporter can declare according to the character length provided in the description column, should he so choose.

From the screen shots of DGFT system provided by the applicant, it is noted that the shipping bills were transmitted to DGFT server after one month to 24 months from the date of shipments. No EODC could be issued without EP copy of Shipping bill and e-BRC because it is allowed on submission of online application tagging these two mandatory documents. The Authorisations appearing at Sl No 1 EODC/transferability has been endorsed but it was allowed towards the end of validity leaving no time to import whereas shipping bills were transmitted to DGFT repository after six months. However, against Authorisations at Sl No 2 and 3, delay was of only one months and request for EODC was made by the applicant itself at the fag end. Taking into consideration the circumstances of the case and genuine hardship, the committee decided as follows:

i. The applicant shall furnish a certificate from the concerned jurisdictional Excise/Customs Authority certifying consumption of inputs used in the resultant product exported towards discharge of export obligation against the above-mentioned Authorisations to RA concerned.
ii. RA shall issue EODC endorsing transferability against Authorisations.
iii. Only inputs, consumption of which will be certified by Excise/Customs Authority, shall be allowed for import as replenishment.
iv. Revalidation of above mentioned Authorisations (except Authorisation at Sl No 2 and 3) to be allowed for six months from the date of endorsement.
v. RA shall make Authorisation transferable subject to condition as specified in the Para 4.36A of HBP, 2009-2014.

(Action: Applicant/RA, Ludhiana)

Case No.2: M/s Ravi Foods Pvt. Ltd., Hyderabad (PH case)
F.No. 01/60/162/58/AM17/EPCG(PRC)
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for revalidation of DFIA No. 0910055370 dt. 12.03.2013 and 0910055369 dated 12.03.2013

Being aggrieved by the decision of Policy Relaxation Committee meeting held on 07.03.2017 & 09.03.2017, M/s Ravi Foods Pvt. Ltd., Hyderabad sought Personal Hearing before the Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was afforded to them. Shri Ramesh Agarwal, MD and Shri G. Subba Rao, General Manager, appeared before the Committee on 24.10.2017. During the course of hearing they made the following submissions stating inter alia that:

1. In its decision dated 8.08.2017 the PRC in Meeting No.12/AM18 dated 8.8.2017 the Committee has referred to the report received from DG Systems and interpreted that though there was no provision to select any inputs other than those mentioned in the license however, the exporter can declare any other information such as details of specific inputs, in the description column. Dispensing of such requirement can't be waived.
2. However, PRC has taken a contradictory decision in spite of the fact that there is no provision available to select any specific inputs other than those mentioned in the Licences.

3. Further, the provision mentioned in the DG System report that "the exporter can declare any other information such as details of specific inputs, in the description column" is referring to the facility available to the exporters to mention the specific inputs at the time of making the application for obtaining a DFIA from the RA.
4. There is a facility to declare inputs in description column of application and not during filing of shipping bill. There is no description column in shipping bill available to enter specific inputs at the time of exports. They requested to explain the distinction between the two.
5. In the instant case, the application was made on 11.2.2013 and the Notification No.31 dated 01.08.2013 was issued after more than 5 months after filing of application. As on date of filing application, the Notification No. 31 was not in existence. Hence, their application was filed with generic description of the SION only and accordingly the RA had issued them above authorization No. dated 12.3.2013 with generic description only and the same data was transmitted to the Customs Software.
6. In the report of DG System "that there is no provision available to select any specific inputs other than those mentioned in the license". Clearly indicates that mentioning of specific inputs is not possible at the time of exports.
7. Two different provisions have been wrongly clubbed together to form a view while rejecting their case. Therefore, they humbly requested to review the decision basing on the fact that there is no software available for the exporters or for the Customs Officers to mention the names of the specific inputs at the time of exports in Shipping Bills which had already been clarified by the Chief Commissioner of Customs vide their letter dated 1.7.2016 addressed to this office and also the report of DG Systems dated 17.7.2017.
8. They have further stated that they have also exported to USA and as they were registered with US FDA, they need to maintain batch records meticulously and any authority can verify the same.
8. They could not utilise the above referred DFIA due to non-issue of EODC / transferability in time. Hence, they requested for EODC, Transferability and revalidationof DFIA No.0910055370 dated 12.3.2013 and 0910055369 dated 12.03.2013.

Decision: After hearing the applicant, the case was discussed again at length. A report from Shri Kshitij Jain, Deputy Director of Directorate of Systems ICEGATE was received vide e-mail dated 09.10.2017. In his report he informed, "*It was clarified categorically that there was no provision to select any inputs other than those mentioned in the license. The option to declare the inputs is available only in the description column of the Shipping Bill meant for description of export goods. The option to declare inputs in the export product description column is not mandatory and the exporter can declare according to the character length provided in the description column, should he so choose. Your understanding of our letter seems to be in order and there was no contradiction as such*".

It was noted that it is a fact that Authorisation is issued against online application submitted by the applicant. Inputs are fetched automatically by system on indicating SION Serial Number. Exporter can add description, quantity, value of inputs and resultant product while submitting application for issue of Authorisation. Once application is uploaded, the same is transmitted to the RA as well as the Customs Authority as per the port of registration declared in the application. Authorisation is issued as per information fed by the applicant and the same is transmitted to Customs Server. While filing the shipping bill, information provided in the Authorisation is auto populated by the system on indicating the Authorisation number. The exporter cannot modify /amend/add inputs descriptions. Taking into consideration the fact of the case and the hardship expressed by the applicant, the committee decided the following:

i. The applicant shall furnish a certificate from the jurisdictional Central Excise/Customs Authority certifying consumption of inputs used in the resultant product exported towards discharge of export obligation against the above-mentioned Authorisations.
ii. RA shall issue EODC endorsing transferability against the Authorisations.
iii. Only inputs, consumption of which will be certified by Excise/Customs Authority shall be allowed for import as replenishment.
iv. Revalidation of above mentioned Authorisations be allowed for six months from the date of endorsement.
v. RA shall make Authorisation transferable subject to condition as specified in the Para 4.36A of HBP, 2009-2014.

(Action: Applicant/RA, Hyderabad)

Case No.3: M/s Feelwell Garments and Accessories Pvt. Ltd., Mumbai (PH case)
F.No. 01/60/162/1240/AM17/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for EOP extension of Advance Authorization No. 0310753122 dt. 10.10.2013 for six months from date of endorsement.

Being aggrieved by the decision of Policy Relaxation Committee meeting held on 04.05.2017, M/s Feelwell Garments and Accessories Pvt. Ltd., Mumbai sought Personal Hearing before Policy Relaxation Committee, in terms of Para 2.59 of FTP, 2015-2020. Accordingly, a personal hearing was afforded to them. Shri Kapil Choudhary, Advocate, appeared before the Committee on behalf of the firm on 24.10.2017. During the course of hearing they made the following submissions stating inter alia that:

1. While making shipments towards fulfilment of EO, by an error, they have exported under Duty Drawback Scheme resulting in to shortfall in fulfilment of EO under the Advance License.
2. They wereextremely sorry for this adding that the mistake occurred due to the carelessness and negligence of their staff. They went to school to study design and are unaware of the procedures and hence hired so-called trained and qualified staff to hold them in this area. These notices were also hidden from them by their staff. As they knew that these problems were going to be surfaced, they (the staff and employees) resigned and now they (the applicant) were stuck in this awkward and uncomfortable situation.
3. However, they were willing to do everything to resolve this situation. They have a clean past record and have always abided by the law. They, therefore, pleaded to give them one chance for fulfilment of stipulated export obligation.

<u>**Decision**</u>: After hearing the applicant, the case was discussed again at length. It was noted that the Authorisation in question was issued to allow duty free import of inputs within 12 months from the date of issue and having 18 months period for fulfilment of export

obligation. The applicant has imported almost 99 % without affecting any exports towards discharge of EO. As per Para 4.42 of HBP, 2015-2020, RAs are empowered to allow two extension of six months each on merit. However, second extension is allowed provided minimum 50% exports are completed. The facility available in the policy was not availed by the applicant. Duty Drawback against duty free inputs used in the resultant products are not allowed as only one of the benefits (either duty exemption or Duty Drawback) is permitted to be availed on export of a product, against an input. The committee, came to conclusion that it is not a case of genuine hardship. Ignorance or negligence of the staff of an exporter cannot be construed to be cause of genuine hardship. The committee, therefore, did not accede to the request.

The applicant is hereby directed to get the case regularised, in terms of para 4.49 of HBP,2015-2020 within a month from the date of uploading of these minutes. Failing which, action under the provisions of FT(DR) Act, 1992, as amended shall be initiated by the RA.

(Action: Applicant/RA, Mumbai)

Case No.4: M/s Southern Hydrocarbons, Puducherry (PH case)
F.No. 01/60/162/72/AM18/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Clubbing and redemption of three Advance Authorizations No. (1) 2510004386 dt. 13.01.2015, (2) 2510004395 dt. 13.04.2015 and (3) 2510004584 dt. 20.07.2016.

Being aggrieved by the decision of the Policy Relaxation Committee meeting held on 31.08.2017, M/s Southern Hydrocarbons, Puducherry sought Personal Hearing before the Committee, in terms of Para 2.59 of FTP, 2015-20. Accordingly, a personal hearing was afforded to them. Shri V. Thandapaani, Managing Director, appeared before the Committee on 24.10.2017. During the hearing they made the following submissions stating inter alia that:

1. All the authorizations were obtained from RA Pondicherry.
2. All the authorizationswere issued within 18 months if month to month is taken into account however from the date of issue of first authorization the date of last authorization was exceeding by 8 days from 18 months.
3. Value addition after clubbing of Authorization was achieved 77 % against the average value addition as per Authorization issued is 17.5 %.
4. EO has been completed by 91% within the 18 months period from the date of issue of first authorization and 100 % within 20 months against available 24 months.
5. The First authorization's validity was extended by RA by another 6 months and hence the question of issue of last authorization after the expiry of first authorization was also not correct.
6. Hence, they requested for clubbing and redemption of three Advance Authorizations.

<u>Decision</u>: After hearing the applicant, the case was again discussed at length. It was noted that the Authorisation No 2510004386 dt. 13.01.2015 was issued having 12 months validity to import and 18 months to exports, which were extended further for six months by the RA. The last Authorisation was issued on 20.07.2016 that is within the validity of first Authorisation. Entire exports were completed within 24 months from the date of issue of the first Authorisation. The committee, therefore, decided the following:

i. Clubbing of all three Authorisations be allowed for redemption and regularization purposes.
ii. No further import and export shall be allowed.
iii. Exports affected under all three Authorisations within 24 months from the date of issue of first Authorisation shall only be accounted for discharge of export obligation.
iv. Inputs shall be accounted as per SION.
v. Minimum 15% value addition on clubbed CIF and FOB value shall be maintained.

(Action: Applicant/RA, Puducherry)

Case No.5: M/s Supreme Tex Mart Ltd., Ludhiana (PH case)
F.No. 01/60/162/29/AM18/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for EOP extension of Advance Authorization no. 3010085028 dt. 02.04.2012. Condonation of delay in export shipments made up to 21.01.2017.

Being aggrieved by the Policy Relaxation Committee decision dated 13.06.2017, M/s Supreme Tex Mart Ltd., Ludhiana sought Personal Hearing before Policy Relaxation Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was afforded to them. Shri Ashok Sharma, Manager Export, appeared before the Committee on 24.10.2017. During the course of hearing they made the following submissions stating inter alia that:

1. The Advance Authorization no. 3010085028 dated 02.04.2012 was issued with original EOP of 36 months i.e. up to 01.04.2015.
2. They have imported 95.71 % of the total license quantity and fulfilled 71.93 % of proportionate EO within original license validity / EO Period.
3. They applied & got extension from RA, Ludhiana for 6 months i.e. up to 01.10.2015.
4. However despite their best efforts no shipments was made possible for one and half years due to tremendous slump and cut throat competition for the export item in the international market. The statement of export made S/Bills has been furnished.
5. The shipments made possible on 05.10.2016 and 21.01.2017 only after expiry of 1 and half year of original period. And these shipments were allowed by Ludhiana Customs provisionally on the condition taking in writing that they will not claim the Duty Drawback on these shipments in future and get condone taking in writing that they will not claim the duty Drawback on these shipments in future and get condone the delay from DGFT.
6. Thus they had applied to condone delay up to 21.01.2017 and the extension granted in the subject meeting for 12 months in continuity with original expiry (out of that 6 months already granted by RA,. Ludhiana) will be of no use.
7. They also could not claim the drawback on the said two shipments which they made to remain clan on EO side on the part of Company. They have taken the risk of completing the EO on minimum possible price of export item. If not consider these shipment towards fulfillments of EO, they would lose DBK. It would be double loss for them and they were not in position to bear that.
8. Hence, they requested to grant EOP extension up to 21.01.2017 against above Advance Authorization for the purpose of regularization / closing of the case.

Decision: After hearing the applicant, the case was discussed again at length. It was noted that the Advance Authorisation was issued having 24 months validity to import and 36 months to fulfil stipulated export obligation. The applicant was fully aware that there was no provision of EOP extension in the prevalent policy/procedure to extend export obligation beyond 36 months. Considering genuine hardship, the committee has allowed extension upto 48 months including regularising of six months extension granted by the RA. The committee, therefore, did not accede to the request and reiterated its earlier decision.

The applicant is hereby directed to get the case regularised 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. Failing which, RA shall initiate action under the provisions of FT(DR)Act, 1992, as amended.

The applicant, if he so wish, may approach the concerned Customs Authority for getting the shipping bills, which will not be accounted against the Authorisation, converted into DBK scheme, as per rules.

(Action: Applicant/RA, Ludhiana)

Case No.6: M/s Tata Communications Ltd., Mumbai (PH case)
F.No. 01/60/162/82/AM17/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of SFIS Scrip no. 0300000357 dt. 11.03.2014.

As per the Hon'ble Mumbai High Court Order dated 20.09.2017, M/s Tata Communications Ltd., Mumbai was granted Personal Hearing before Policy Relaxation Committee on 24.10.2017. Shri P.S. Saini, Manager Finance, appeared before the Committee and made the following submissions stating inter alia that:

1. Tata Communication Ltd. ('TLC' / Company') was entitled for SFIS benefits for the period 2006-07 to 2009-10.
2. This entitlement was also endorsed by the Hon'ble High Court of Bombay vide order dated 05/06 July 2011 in Writ Petition No. 932 of 2011 and subsequent Orders dated 25.11.2013, 23.12.2013, 03.12.2013 and 20.01.2014 and 21.04.2014 in Writ Petition no. 2734 of 2013, wherein the Hon'ble High Court upheld the entitlement of the company to get Scrips and directed the DGFT to issue the Scrips within a specified timeframe.
3. Pursuant to the said directions, the DGFT issued the various Scrips for 2006-07 to 2009-10 in one go in Dec. 2013 / March 2014, for a validity of 18 Months, although the validity period as applicable under the FTP during the filling of the applications was 24 Months.
4. In these unusual circumstances where the entirety of the Scrips were issued in one go with a validity period of 18 months, TLC was incapable of fully utilizing the Scrips within the said timeframe. Accordingly, out of the Duty Credit Scrips of a total amount of Rs. 305,78,46,410/-, the company has not been able to utilize scrips amounting to Rs. 167,48,61,649/- (comprising 47 scrips) pertaining to the period FY 2006-07 to 2009-10.
5. For sake of equity and also to sub-serve the object and purpose of SFIS, it is required that appropriate relief aimed for optimal utilization of the Duty Scrips should be urgently considered. Absent the relief, the entire purpose of procuring the Scrips Will stand defeated.
6. Hence, in these extraordinary facts and circumstance, the company requires the following.
   A). The company be granted an extension of a reasonable time period of a further 24 months for utilization of the above scrip.

B). in the alternative, the Company be allowed an extension of a further 6 months in addition to the 18 months validity already granted (in accordance with the 24 months validity as prescribed during the relevant period) and the option to freely transfer the above Scrip.

Decision: After hearing the applicant and observing their written submissions and the orders of the Hon'ble High Court, the case was discussed again at length. It was noted that applications for issue of Duty Credit Scrips under SFIS scheme were submitted by the applicant in time for all relevant years. These scrips were issued in one go to honour the order of Hon'ble High Court, Mumbai during December 2013 to March, 2014 against application submitted for licensing year 2006-07, 2007-08, 2008-2009 and 2009-10.

Hon'ble Delhi High Court in its order dated 20.09.2017 directed the DGFT to grant personal hearing and after giving opportunity of being heard, pass a reasoned order, specifically considering the rationale provided by the petitioner for seeking extension of the duty credit scrips in the present petition.

The Hon'ble court while passing the order has observed that genuine hardship in utilising the scrips, which were issued in one go for four consecutive years, was not considered by the committee. Further, the applicant was forced to pay duty amount of Rs 96 Crore in cash during 2006-2010 due to non-issue of Duty Credit Scrips.

The committee observed that if these scrips had been issued in time under the provisions of prevalent procedure, the applicant would have got the Scrips of 24 months validity to utilise against each of years. Issuing scrips in one go for four consecutive years with reduced validity period from 24 months to 18 months seems unfair as it deprived the applicant from importing the items due to short validity allowed. The committee, therefore, decided the following:

i. The applicant shall submit all unutilised duty credit scrip to RA concerned within a month from the date of uploading of these minutes on the Directorate website.
ii. RA shall extend six months further validity from the date of endorsement.

(Action: Applicant/RA, Mumbai)

Case No.7: M/s Tata Communications Ltd., Mumbai (PH case)
F.No. 01/60/162/80/AM17/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017
Subject: Request for Revalidation of SFIS Scrip no. 0300000356 dt. 11.03.2014.

Similar submissions as stated in the case No 6 above.

Decision: As per case No 6 above.

(Action: Applicant/RA, Mumbai)

Case No.8: M/s Tata Communications Ltd., Mumbai (PH case)
F.No. 01/60/162/81/AM17/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of SFIS Scrip no. 0300000313 dt. 11.03.2014.

Similar submissions as stated in the case No 6 above.

Decision: As per case No 6 above.

(Action: Applicant/RA, Mumbai)

Case No.9: M/s Tata Communications Ltd., Mumbai (PH case)
F.No. 01/60/162/969/AM17/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of SFIS Scrip no. 0300000354 dt. 11.03.2014.

Similar submissions as stated in the case No 6 above.

Decision: As per case No 6 above.

Case No.10 : M/s Tata Communications Ltd., Mumbai (PH case)
F.No. 01/60/162/79/AM17/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of SFIS Scrip no. 0300000355 dt. 11.03.2014.

Similar submissions as stated in the case No 6 above.

Decision: As per case No 6 above.

(Action: Applicant/RA, Mumbai)

Case No.11: M/s ABB India Ltd. Bangalore (PH case)
F.No. 01/60/162/614/AM15/ EPCG(PRC)
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for condoning of procedural lapse in obtaining the Bill of Exports against three Advance Authorizations i.e. No. (i) 0710065927 dt. 14.07.2009 (ii) 0710068577 dt. 01.12.2009 and (iii) 0710065928 dt, 14.07.2009.

Being aggrieved by the Policy Relaxation Committee decision dated 29.08.2016, M/s ABB India Ltd. Bangalore sought Personal Hearing before Policy Relaxation Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was accorded to them. Shri Dhruv Matta, Senior Associate, appeared before the Committee on 24.10.2017. During the course of hearing they made the following submissions stating inter alia that:

1. They have obtained these Advance Authorizations against SEZ supplied. They have completed the supplies and applied for redemption of authorization to RA, Bangalore against which they have received deficiency directing them to submit the Bill of Exports to process their redemption application.
2. Bill of Exports is not available with them, and without this RA has rejected their case. These supplies pertain to FY 2008-09 and 2009-10 the procedures was not clear to them they have not supplied the items with Bill of Export, however they have supplied with ARE-1 and invoices.
3. Subsequently, in lieu of the Bill of Export they have obtained Certificate of Receipt of Supply endorsed by the Customs, SEZ unit, against each advance authorization where in it contains all the details, like Excise Invoice No., ARE-1 Number, Description of the items, value etc. and said certificate is signed by the authorized officer of Customs, SEZ unit.

4. They have not mentioned Authorization number in the ARE-1. However, in other relevant documents like Central Excise, Invoices Advance Authorization number is mentioned.
5. In view of the above, they have requested to condone the procedural lapse to closure these Advance Authorizations.

Decision: Taking into consideration the averments and having heard to the representative, the case was discussed again at length. The committee was of the views that requirement of Bill of Export cannot be waived because no other documents at this stage could prove actual consumption of duty free inputs in the resultant products exported towards discharge of EO against the Authorisations. ARE-1/Invoices generated without indicating Authorisation number could be used for getting Duty drawback or any other incentives against same supplies that amounts double benefits to exporter and revenue loss to the exchequer. Due to these reasons policy insist that while removing goods from factory for export purpose, exporter should indicate Authorisation Number or File Number in the export documents. In the instance case, neither ARE-1 nor Tax Invoice indicates details of the Authorisation, nor Bill of export were generated to show their intent of removing/exporting goods towards discharge of export obligation against a particular Authorisation. Such documents cannot be accepted towards discharge of export obligation for the reason given above. The committee, therefore, did not accede to the request and reiterated its earlier decision.

The applicant is hereby directed to get the case regularised 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. Failing which, RA shall initiate action under the provisions of FT(DR)Act, 1992, as amended.

(Action: Applicant/RA, Bangalore)

Case No.12: M/s Royale Manor Hotels and Industries Ltd., Ahmedabad (PH case)
F.No. 01/60/162/145/AM18/ PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of SFIS scrip No. 0810134075 dt. 17.12.2014.

Aggrieved by the Policy Relaxation Committee decision dated 22.08.2017, M/s Royale Manor Hotels and Industries Ltd., Ahmedabad sought Personal Hearing before the Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was afforded to them. Shri Ummed Singh P. Champawat, Chairman & Managing Director, appeared before the Committee on 24.10.2017. During the course of hearing he made the following submissions stating inter alia:

1. The scrip could not be utilised as their Hotel Operator that is The Indian Hotels Ltd (Taj Group) has issued them the 6 months termination Notice on 09.11.2015 (copy enclosed) and thus use of license could not be ascertained.
2. Father of Chairman & Managing Director was not well since long at their home town Jodhpur and has to stay &devote his time at Jodhpur to serve him. Suddenly, in the month of Jan, 2016 his father had hospitalized at Jodhpur &later on for better treatment shifted at Ahmedabad. But to unfortunate, his father abode for heaven in the month of March, 2016.It has also contributed for uncertainty towards the ascertaining the use of license.
3. From the above it is evident that the company remained unable to avail the use of aforesaid license well in time on account of unforeseen circumstances beyond the control of the company.
4. Hence, they have requested for revalidation of above SFIS Scrip.

Decision: Averments of the petitioner were heard by the committee. It was noted that the Duty Credit Scrip in question was obtained by the applicant on 17.12.2014 under Served From India Scheme (SFIS) of FTP, 2009-2014. The scrip was issued having 24 months validity to utilise for import. The scrip was transferable within group company and managed hotels. Father of MD was fell sick in the Month of January 2016 and died in the month of March, 2016 whereas the scrip was valid till 16.12.2016. Therefore, as the applicant had nearly 9 months period to make imports after the father of CMD expired. The committee, therefore, did not accede to the request.

(Action: Applicant)

Case No.13: M/s Royale Manor Hotels and Industries Ltd., Ahmedabad (PH case)
F.No. 01/60/162/152/AM18/ PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of SFIS scrip No. 0810133013 dt. 19.08.2014.

Same submissions as stated in the case No 12 above

Decision: Decision at case No 12 is reiterated.

(Action: Applicant)

Case No.14: M/s Royale Manor Hotels and Industries Ltd., Ahmedabad (PH case)
F.No. 01/60/162/146/AM18/ PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of SFIS scrip No. 0810134234 dt. 05.01.2015.

Same submissions as stated in case No 12 above

Decision: Decision at case No 12 is reiterated.

(Action: Applicant)

Case No.15: M/s Shree Pushkar Chemicals & Fertilisers Ltd., Mumbai (PH case)
F.No. 01/60/162/1050/AM17/ PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for relaxation under para 4.38 for clubbing of 3 Advance Authorizations (i) 0310696805 dt.30.05.2012 (ii) 0310705060 dt.13.08.2012 and (iii) 0310783341dt. 08.05.2014

Aggrieved by the Policy Relaxation Committee decision dated 22.08.2017, M/s Shree Pushkar Chemicals & Fertilisers Ltd., Mumbai sought Personal Hearing before the Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was afforded to them. Shri Dilip Shah, General Manager, appeared before the Committee on 24.10.2017. During the course of hearing they made the following submissions stating inter alia that:

1. They intended to withdraw advance authorization No.0310682410dt.17.02.2012 from the clubbing request.
2. The validity of Advance Authorization No. 0310696805dt.30.05.2012 has been extended till 30.11.2014 as per amendment sheet no.3 dated 09.09.2014.
3. The validity of Advance authorization No. 0310705060dt.13.08.2012 has been extended till 30.09.2014 as per amendment sheet No.2 dated 26.03.2015.
4. The advance Authorization No.0310783341dt.28.05.2014 was remain valid till 31.05.2015.
5. Considering the validity of all above 3 AAs are well within the last date of import under all 3 AAs. Hence there is no question of "indirect revalidation" of un utilized authorization.
6. Even after clubbing of 3 advance authorizations i.e. 0310696805 dated. 30.05.2012, 0310705060 dated 13.08.2012 and 0310783341dt.28.05.2014, they agree to pay duty & interest on any "excess import".
7. The clubbing is requested for regularization purpose only and for that if any composition fee is payable, they agree to pay the same.
8. Hence, they requested to re-consider the request of clubbing of 3 advance authorizations i.e. 0310696805dt.30.05.2012, 0310705060dt.13.08.2012 and 0310783341dt.28.05.2014 for regularization purpose only.

Decision: After hearing the applicant, the case was discussed again at length. It was noted that The Authorisation No 0310696805dt.30.05.2012 was issued having initial validity upto 30.05.2014 which was extended till 30.09.2014 by the RA. Subsequent Authorisations were issued within its validity. The committee, therefore, decided the following:

i. Clubbing of three Authorisations i.e. No 0310696805dt.30.05.2012, 0310705060dt.13.08.2012 and 0310783341dt.28.05.2014 be allowed.
ii. Exports made within initial/extended export obligation period of first Authorisation shall only be accounted in the clubbed Authorisation.
iii. Duty free Inputs shall be accounted as per SION.
iv. Minimum 15% VA shall be maintained on clubbed CIF and FOB value.
v. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP, 2015-2020

(Action: Applicant/RA, Mumbai)

Case No.16: M/s Angelique International Ltd., New Delhi (PH case)
F.No. 01/60/162/141/AM18/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for relaxation under para 9.02 of FTP for filing of Chapter III incentives.

Aggrieved by the Policy Relaxation Committee decision dated 17.08.2017, M/s Angelique International Ltd., New Delhi sought Personal Hearing before Policy Relaxation Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was afforded to them. Shri Pankaj Goyal, Director and Chief Financial Officer (CFO), appeared before the Committee on 24.10.2017. During the course of hearing they made the following submissions stating inter alia that:

1. The payment against their export bill are realized as per contractual terms i.e. Advance + Against Shipment and balance payment after completion/handling over the project. Some time payment are realized within time frame stipulated in policy some time their payment are getting delay due to completion of project.
2. It is submitted that the Modal of e-BRC was introduced in August 2012 by DGFT and there is special arrangements in every Bank and they will depute dedicated staff for uploading realization data on DGFT site.
3. From the beginning they are facing challenges from Bankers for updating of e-BRC, resulting they are losing huge amount of incentives every year. As per para 9.02 of FTP, the entitlement Chapter-III incentives is maximum 2 years from the date of shipping bill after imposing late cut.
4. The list of Shipping Bill is enclosed for which chapter III incentives were already lapsed due to non availability of e-BRCs. The Chapter III incentives for Rs.269 Crores have already been lapsed.
5. The list of shipping (Annexure-II) is enclosed for which chapter-III incentives were already lapsed due to outstanding payments. The Chapter-III incentives for Rs.165 crores have already been lapsed.
6. They are regularly chasing up the matter with their bankers but the updating of e-BRC is their last priority in result their incentives are getting lapsed and huge amount of chapter-III has been time barred. Therefore it is requested to link these incentives from the date of e-BRC instead of date of export.
7. Hence they have requested for relaxation under para 9.02 of FTP for fling of Chapter-III incentives.

Decision: Having heard to the applicant, it was noted that no policy relaxation is required in this case if the applicant has submitted applications within prescribed time in terms of Para 3.15 read with Para 9.03 of HBP, 2015-2020.

The applicant was advised to approach the RA concerned.

(Action: Applicant/RA, CLA)

Case No.17: M/s Mauria Udyog Ltd., New Delhi (PH case)
F.No. 01/60/162/368/AM16/ EPCG(PRC)
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of DFIA No. 0510322196 dt. 13.04.2012.

Aggrieved by the Policy Relaxation Committee decision dated 01.08.2017, M/s Mauria Udyog Ltd., New Delhi sought Personal Hearing before Policy Relaxation Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was afforded to them. Shri Gopal Gupta, GM –Commerce, appeared before the Committee on 24.10.2017. During the course of hearing they made the following submissions stating inter alia that:

1. The license was never returned but was in possession of RA for 712 days and original validity was expired when license with RA. The initial validity of license was for 24 months i.e. upto 30.4.2014, the mandated export obligation was completed

on 30.5.2012. On 25.7.2012 License along with relevant documents was submitted to DGFT for obtaining transferability on 7.5.2014 after giving six months validation. Complete query was not raised within 15 days but piecemeal queries were raised for five time. It took 459 days for raising these queries and licensee took 253 days to reply these queries after procuring documents from Customs. It is also submitted that procuring customs related information is not in the hands of licensee.

2. The licensee is entitled for 30 months period to use license but due to above referred reasons were left with on 5 months validity time. The licensee could not utilize the DFIA license due to unparalled recession in steel second sine 2013-13 which is account as Force majeure and cannot be termed as the fault of licensee.
3. Hence, the firm has prayed PRC should reconsider it's decision in view of the above referred facts and revalidate licence for the period. RA took time (459 days) to raise query or any period which DGFT feels sufficient to utilize the DFIA licence to affect allowed imports against the export already made.

Decision: After hearing the applicant the case was discussed again at length. It was noted that there was undue delay in granting EODC to the applicant by RA. The committee, therefore, decided the following:

i. The Authorisation be revalidated for three months from the date of endorsement.
ii. The applicant shall submit Authorisation to RA concerned within a month from uploading of these minutes on the Directorate website for necessary endorsement.
iii. Before revalidation RA may verify the correctness of submissions made by the party.
iv. Request of transferability, if any, may be subject to condition specified in the Para 4.36A of HBP, 2009-2014.

(Action: Applicant/RA, CLA)

Case No.18: M/s Mauria Udyog Ltd., New Delhi (PH case)
F.No. 01/60/162/369/ AM16/ EPCG(PRC)
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of DFIA No. 0510325790 dt. 24.05.2012.

Similar submissions as per case No 17 above.

Decision: Decision at case No 17 is reiterated.

(Action: Applicant/RA, CLA)

Case No.19: M/s Mauria Udyog Ltd., New Delhi (PH case)
F.No. 01/60/162/367/ AM16/ EPCG(PRC)
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Revalidation of DFIA No. 0510324392 dt. 10.05.2012.

Similar submissions as per case No 17 above.

Decision: Decision at case No 17 is reiterated.

(Action: Applicant/RA, CLA)

Case No.20: M/s Cadila Healthcare Limited, Ahmedabad, (PH case)
F.No. 01/60/162/915/AM17/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for (i) EOP extension of Advance Authorization No.0810094647 dated 15.12.2010 issued under PC-9 conditions and (ii) count three s/bills no.4877051 dt.5.08.2011, 5894641 dt.18.10.2011 & 6391152 dt.23.11.2011 12.06.2011 towards fulfillment of EO against AA no.0810094647dt.15.12.2010 instead of AA no.0810094648 dated 15.12.2010

Being aggrieved by the Policy Relaxation Committee decision dated 01.08.2017, M/s Cadila Healthcare Limited, Ahmedabad, sought Personal Hearing before the Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was afforded to them. Shri Sunny Abraham, Sr. Manager, appeared before the Committee on 24.10.2017. During the course of hearing he made the following submissions stating inter alia that:

1. To extend the EOP for 6 months i.e. for period of 01.02.2012 to 31.07.2012 from the date of 1st import consignment. They have exported total 1107.53 kgs (61.75 %) during valid EOP from the date of each import consignment and exported 712.24 kgs (39%) outside 6 months from the date of 1st / 2nd import consignment. To count the exports made during 01.02.2012 to 31.07.2012 from the date of 1st / 2nd import consignment towards discharge of export obligation, they request for EO extension.
2. To count S.Bill no. 4877051 dt. 05.08.2011, 4837254 dt. 03.08.2011 and 6369152 dt. 23.11.2011 towards fulfilment of EO against AA no. 0810094647 dt. 15.12.2010 instead of Advance license no. 0810094648 dt. 15.12.2010. Because export was done through shipping bill during valid EOP, after importation and both advance authorization are issue under SION 412.
3. Further they hereby confirm and undertake that these 3 shipping bills were not taken towards fulfilment of EO against advance authorization no. 0810094648 dt. 15.12.2010 or any other Advance Authorization.

Decision: After hearing the applicant, the case was discussed again at length. It was noted that the Authorisation in question was issued to allow import of drugs from unregistered sources having 12 months export obligation period from import of each consignment. Accounting of even minute quantity of even a gram of imported materials is mandatory. The applicant was very much aware of these facts. Exports made under any other Authorisation cannot be accounted towards discharge of EO because replenishment of such inputs is not allowed. It is allowed only for waiver of destruction certificate subject to payment of applicable customs duty and interest. It is not a case of genuine hardship. The committee, therefore, did not accede to the request.

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

(Action: Applicant/RA, Ahmedabad)

Case No.21: M/s Indogulf Cropsciences Ltd., Delhi (PH case)
F.No. 01/60/162/1129/AM17/PRC

PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for condoning of Export Obligation of Advance Authorization No. 0510398231 dated 19.04.2016.

Being aggrieved by the Policy Relaxation Committee decision dated 27.03.2017, M/s Indogulf Cropsciences Ltd., Delhi, sought Personal Hearing before the Committee, in terms of Para 2.59 of FTP. Accordingly, a personal hearing was afforded to them. Shri Dr. K.K.Sharma, Export Manager, appeared before the Committee on 24.10.2017. During the course of hearing they made the following submissions stating inter alia that:

1. The 39 kg material was balance of earlier imported quantity (170Kgs) under this license and they had consumed 130.80Kgs for export of 6000Ltr material against target of 8000Liters. Which was destroyed in the fire.
2. The said material imported under advance licence and they had not paid the duty on that.
3. In this regard they once again submitted that they have claimed the cost of material from the insurance company as per their books of accounts excluding import duty which they had not paid. So they are not getting any re-imbursement of import duty. Since the said material has already burnt so in order to fulfil the short obligation they need material. The material which has been burned can't used. Therefore, the export obligation of said material should be condone on parties ground.
4. This is total a natural calamity which was beyond their control and hence their case must be accepted for condonation as the material has damaged and this is a foreign original material.
5. Hence they requested the Committee to pass a suitable order condoning their export obligation though material has damaged as they had already completed 80% of the good value addition.

Decision: After hearing the applicant, the case was discussed again at length. It was noted that the Authorisation was issued to allow import of duty free inputs with certain conditions and export obligation. PRC is empowered to allow relaxation in Foreign Trade Policy and procedure on genuine hardship. In the instant case the Applicant is seeking to relax provisions of other Act/Rules. The mandate of PRC is not to allow relaxation of provisions under the Act. In the instant case the applicant has already received reimbursement of the material lost in fire from Insurance Company. Hence nothing prevents them to buy the inputs and fulfil the export obligation. There no mandate to the PRC to waive the duty and interest payable by the applicant to the Customs Authority under the Customs Act. The committee, therefore, did not accede to the request and reiterated its earlier decision.

The applicant is hereby directed to get the case regularised 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. Failing which, RA shall initiate action under the provisions of FT(DR)Act, 1992, as amended.

(Action: Applicant/RA, CLA)

Case No.22: M/s Man Industries (India) Ltd., Mumbai (PH case)
F.No. 01/60/162/901/AM12/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for restoration of positive VA and waiver of composition fee for extension under peculiar circumstances in respect of Advance Authorization No. 0310491550 dt. 22.10.2008.

Decision: Aggrieved by the committee's decision dated 04.10.2016 , the applicant sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded to them on 24.10.2017. The date of personal hearing was communicated to them through e-mail. The applicant vide e-mail dated 23.10.2017 requested for postponement, as unable to attend hearing due to pre-occupation in Diwali celebration. The committee, therefore, in the interest of natural justice decided to defer the case. The applicant may seek next date.

(Action: Applicant)

Case No.23: M/s Auto tech Industries Pvt. Ltd., Chennai (PH case)
F.No. 01/60/162/652/AM17/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for clubbing & EOP extension for accounting of 5 Advance Authorizatios no. (i) 0410142832 dt. 23.01.2013, (2). 0410147660 dt. 01.07.2013 (3). 0410152254 dt. 26.01.2013, (4). 0410156908 dt. 08.04.2014 and (5).0410159109 dt. 28.07.2014 regularization purpose.

Decision: Aggrieved by the committee's decision dated 20.09.2016 , the applicant sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded to them on 24.10.2017. The date of personal hearing was communicated to them through e-mail. However, no one turned up for PH nor they requested for postponement of date. The committee, however, in the interest of natural justice decided to defer the case. The applicant may seek next date.

(Action: Applicant)

Case No.24: M/s Auto tech Industries Pvt. Ltd., Chennai (PH case)
F.No. 01/60/162/952/AM18/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for Clubbing & EOP extension for accounting of 5 Advance Authorization no. (1). 0410101668 dt. 16.01.2009, (2). 0410110480 dt. 31.12.2009 (3). 0410114549 dt. 14.06.2010, (4). 0410130238 dt. 11.11.2011 and (5).0410125099 dt. 17.06.2011 regularization purpose.

Decision: Aggrieved by the committee's decision dated 20.09.2016, the applicant sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded to them on 24.10.2017. The date of personal hearing was communicated to them through e-mail. However, no one turned up for PH nor they requested for postponement of date. The committee, however, in the interest of natural justice decided to defer the case. The applicant may seek next date.

(Action: Applicant)

Case No.25: M/s Siddhartha tubes Ltd., Indore (PH case)
F.No. 01/60/162/151/AM10/PRC
PRC Meeting No. 22/AM18 dated 24.10.2017

Subject: Request for clubbing of six Advance Authorisations No 1110001229 dated 13.12.2000, 1110001409 dated 23.01.2001, 1110001410 dated 23.01.2001, 1110003132 dated 30.01.2002, 1110003303 dated 04.03.2002 and 1110004469 dated 19.09.2002 -Compliance of Hon'ble High Court order dated 08.01.2015 in WP No. 621 of 2013 and CM diary No.1179/2013

Decision: Aggrieved by the committee's decision dated 09.11.2010 , the applicant sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded to them on 24.10.2017. The date of personal hearing was communicated to them through e-mail. However, no one turned up for PH nor they requested for postponement of date. The committee, however, in the interest of natural justice decided to defer the case. The applicant may seek next date or approach to the RA concerned for considering their request in terms of PN 34 dated 24.10.2017 issued by DGFT.

RA is hereby directed to furnish status report within 15 days from the date of uploading of these minutes on the Directorate website.

(Action: Applicant/RA, Indore)

The meeting ended with vote of thanks to the Chair.

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