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 15.01.2019

Meeting No.28/AM19 held on 15.01.2019 at 02:30 PM

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 Kirti Vardhan	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 M.B. Laminators, Mumbai	1&2
2.	M/s Grover Zampa Vinyards Limited, Bangalore	3 to 15
3.	M/s Rhine Power Private Limited, Delhi	16
4.	M/s. Jodas Expoim Pvt. Ltd., Hyderabad	17&18
5.	M/s. Microtex Energy P. Limited, Bangalore	19
6.	M/s. Arch Pharmalabs, Mumbai	20
7.	M/s. V-Ensure Pharma Technologies Pvt. Ltd., Mumbai	21
8.	M/s Concord Exotic Voyages India Pvt. Ltd., Kerala	22
9.	M/s Jindal Poly Films Ltd., New Delhi	23
10.	M/s Jodas Expoim Pvt. Ltd., Hyderabad	24 to 27
11.	M/s Aarti Drugs Limited, Mumbai	28
12.	M/s Mew Electricals Limited, Vadodara	29
13.	M/s Apar Industries Ltd., Mumbai	30
14.	M/s Paragon Industries Ltd., New Delhi	31
15.	M/s Cigfil Limited, Bangalore	32
16.	M/s SRS Exports (P) Ltd., Mumbai	33
17.	M/s Shadiram & Sons Pvt. Ltd., Jalandhar	34
18.	M/s Shah Traders, Mumbai	35
19.	M/s Wintac Limited, Bangalore	36
20.	M/s. Impel Exports, Bangalore	37
21.	M/s Spirotec Heat Exchangers Pvt. Ltd., New Delhi	38
22.	M/s International Tractors Limited Mumbai	39

23.	Incomplete Cases	40

PH Case No.01: M/s M.B. Laminators, Mumbai
F. No. 01/60/162/662/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Revalidation of Advance Authorization No. 0310806889 dated 08.08.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri Shashikant Morwal, Partner of the firm appeared before the Committee and made the following submissions:

He explained that earlier there was a provision in FTP/HBP that at the time of allowing waiver of Bond, Regional Authority may revalidate the Authorization in continuation for further six month from the date of endorsement provided applicant has made a specific request and paid request fee for revalidation. However this provision was removed when midterm review of the FTP was done in December 2017. He requested that amended provision of restriction of total period for revalidation up to 24 months introduced w.e.f 05.12.2017 vide para 4.47 (vi) of FTP 2015-2020 may not be applied in their case, as it is causing undue hardship to them and same condition was not there at the time of issue of the authorization. EO in their case has been fulfilled in full and within time.

Decision: The Committee went through the contention of the firm and decided to allow revalidation for further six months from the date of endorsement with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.02: M/s M.B. Laminators, Mumbai
F. No. 01/60/162/663/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Revalidation of Advance Authorization No. 0310809626 dated 06.12.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri Shashikant Morwal, Partner of the firm appeared before the Committee and made the following submissions:

He explained that earlier there was a provision in FTP/HBP that at the time of allowing waiver of Bond, Regional Authority may revalidate the Authorization in continuation for further six month from the date of endorsement provided applicant has made a specific request and paid request fee for revalidation. However this provision was removed when midterm review of the FTP was done in December 2017. He requested that amended provision of restriction of total period for revalidation up to 24 months introduced w.e.f 05.12.2017 vide para 4.47 (vi) of FTP

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2015-2020 may not be applied in their case, as it is causing undue hardship to them and same condition was not there at the time of issue of the authorization. EO in their case has been fulfilled in full and within time.

Decision: The Committee went through the contention of the firm and decided to allow revalidation for further six months from the date of endorsement with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.03: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/181(A)/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against Advance Authorization No. 0710059642 dated 09.09.2008 and allowed E.O. extension upto 26.09.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.04: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710059642 dated 09.09.2008 and allowed E.O. extension upto 13.09.2017.

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The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.05: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710030423 dated 23.06.2004 and allowed E.O. extension upto 26.09.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.06: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710038222 dated 31.05.2005 and allowed E.O. extension upto 30.03.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and found no merit in the case as exports have been made much beyond the EOP and hence decided to reject it. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020 within 30 days from the date of uploading of the minutes of meeting.
(Action: Applicant/RA)

PH Case No.07: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710054141 dated 26.10.2007 and allowed E.O. extension upto 07.12.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.08: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710054142 dated 26.10.2007 and allowed E.O. extension upto 12.08.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.09: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710055063 dated 19.12.2007 and allowed E.O. extension upto 18.06.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.10: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 071030434 dated 24.06.2004 and allowed E.O. extension upto 26.02.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.11: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710048691 dated 28.11. and allowed E.O. extension upto 19.08.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.12: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710049874 dated 31.01.2007 and allowed E.O. extension upto 31.03.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.13: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710049858 dated 31.01.2007 and allowed E.O. extension upto 04.03.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and found no merit in the case as exports have been made much beyond the EOP and hence decided to reject it. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020 within 30 days from the date of uploading of the minutes of meeting.
(Action: Applicant/RA)

PH Case No.14: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710049857 dated 31.01.2007 and allowed E.O. extension upto 01.09.2016.

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The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.15: M/s Grover Zampa Vinyards Limited, Bangalore
F. No. 01/60/162/648/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of delay to fulfil the export obligation against advance authorization No. 0710055061 dated 19.12.2007 and allow E.O. extension upto 22.04.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri C.H.U. Rao, United Head of the firm appeared before the Committee and made the following submissions:

He explained that ageing of wine is the main part of their process for making their export product and if it is not processed under proper temperature, its volatile acid content goes higher beyond permissible limits. During the processing of raw wine which was imported under authorization, there was a major breakdown in their machineries and after rectification of the machineries they had reprocessed this wine but it did not match the standards which were required by their buyers. All these factors resulted in delays in fulfilling the EO in spite of their sincere efforts. Now exports have been made and their request was for regularization of the exports already made after the EO period.

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

(Action: Applicant/RA)

PH Case No.16: M/s Rhine Power Private Limited, Delhi
F. No. 01/60/162/88/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Allowing the TED refund on supply the goods to EPCG No.0530151311 dated 19.12.2010 and 0530151319 dated 19.02.2010 in terms of para 8.2 © of FTP 2009-14.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.17: M/s. Jodas Expoim Pvt. Ltd., Hyderabad
F. No. 01/60/162/616/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Export Obligation Period for regularization of Advance Authorization No. 0510398631 dated 26.05.2016 issued under PC-9 condition.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri Rajendra Dave, Representative of the firm appeared before the Committee and made the following submissions:

Based on the actual imports made on pro-rata basis EO was fulfilled 83.67% in quantity and 76.97% in value with balance EO of 16.63 % in quantity and 23.03 % value wise. He explained that the balance was completed in excess by 26.05.2018 after expiry of initial export EOP, which was upto 20.1.2018. They request that EO may be extended up to 26.05.2018 for the purpose of regularization subject to payment of composition fee.

Decision: The Committee went through the statements made by the applicant and observed that it is not a case of policy relaxation, since RA is empowered to grant one EOP extension for 6 months as per Public notice 32/2015-2020 dated 15.10.2017. Hence the Committee allowed to withdraw the case from PRC and refer the same to RA.

(Action: Applicant/RA)

PH Case No.18: M/s. Jodas Expoim Pvt. Ltd., Hyderabad
F. No. 01/60/162/614/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Export Obligation Period for regularization of Advance Authorization No. 0510391568 dated 13.10.2014 issued under PC-9 condition.

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The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri Rajendra Dave, Representative of the firm appeared before the Committee and made the following submissions:

He explained that due to production problem their shipment was delayed by 10 days. They could not complete the Export Obligation within initial EOP / Extended EOP. They requested to extend EOP for 10 days up to 10.06.2016 for regularization purpose.

Decision: The Committee examined the case in detail and in view of justification provided by the firm decided to accede to the request and allowed EOP extension up to 10.06.2016 only for regularization purpose subject to the payment of composition Fee as follows;

i) From 12 month to 18 months- @0.5% per month on the unfulfilled FOB Value, if exports are fulfilled more than 50% within initial EOP or @ 1% per month where exports have been made less than 50% within initial EOP.

ii) From 18 month onwards, composition fee @ 1% per month on unfulfilled FOB value.

The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.19: M/s. Microtex Energy P. Limited, Bangalore
F. No. 01/60/162/541/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Consideration of free shipping bills for fulfilment of export obligation against EPCG License No. 0730002957 dated 10.06.2005.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

Case No.20: M/s. Arch Pharmalabs Limited, Mumbai
F. No. 01/60/162/675/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Permission to issue of Status Holder Incentive Scrip (SHIS) pertaining to financial years 2009-10, 2010-11, 2011-12 & 2012-13.

Firm in their request has explained that due to Chinese dumping of pharma products in the market their export got severely affected and as a consequence, their finance came under severe stress leading to working capital shortage. Although their status certificate was valid but they could not apply for SHIS scrip. They could resume exports from 2016 only and on the basis of exports done in years 2016-18 they could get fresh Export House Certificate and the immediately applied for said scrip.

Decision: The Committee noted that the firm has not cited any valid reasons for not applying for SHIS scrip in time and moreover SHIS scheme has ceased to exist many years back and no genuine hardship has been brought on record by the firm and therefore decided to reject the case of the firm.

(Action: Applicant)

Case No.21: M/s. V-Ensure Pharma Technologies Pvt. Ltd., Mumbai
F. No. 01/60/162/669/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Relaxation in Para 3.04 (b) of FTP 2015-20 to file SEIS claim for financial year 2015-16 for second time.

The firm requested to allow them to claim SEIS for 2nd time for Balance Realization of FY 2015-16. They accept that it was totally their Mistake, but they were of the view that SEIS Application procedure is same as MEIS and hence they can put Part Claims as they do in MEIS. Because of this mistake, they are losing huge amount of money.

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

(Action: Applicant)

Case No.22: M/s Concord Exotic Voyages India Pvt. Ltd., Kerala
F. No. 01/60/162/687/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Revalidation of 7 SFIS Duty Scrip Authorization No.(i) 1710006554 dated 30.01.2017, (ii) 1710006555 dated 30.01.2017, (iii) 1710006556 dated 30.01.2017, (iv) 1710006557 dated 30.01.2017, (v) 1710006558 dated 30.01.2017, (vi) 1710006559 dated 30.01.2017 and (vii) 1710006560 dated 30.01.2017.

Applicant explained that they are into Inbound Tourism Services; so they do not have any requirements of Imported Office equipment, office furniture and consumables to the extent of duty credit they have earned. The only option they had was to import Cars for taxi services for serving foreign tourist but due to Speed governor condition they have not been in a position to import the car. They tried to get approval from the Transport Commissioner to import cars without speed governor but same was rejected, for which they are re approaching the Transport Commissioner.

Decision: The Committee went through the justification furnished by the firm and noted there is no merit in the case of the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No.23: M/s Jindal Poly Films Ltd., New Delhi
F. No. 01/60/162/681/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Revalidation of SFIS Scrip No.0510401060 dated 03.01.2017.

Firm explained that they are unable to utilize the entire value of scrip due to limited items allowed for import under the scrip. Hence, they have requested for revalidation of above SFIS scrip.

Decision: The Committee having examined the statement made by the firm and found no genuine hardship in their case and accordingly decided to reject it.

(Action: Applicant)

Case No.24: M/s Jodas Expoim Pvt. Ltd., Hyderabad
F. No. 01/60/162/671/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Extension in E.O. period of advance Authorization No. 0510400696 dated 09.12.2016.

Firm mentioned that the initial export obligation expired on 27.04.2018 and quantity wise exports were made 69.60%. Balance export obligation 27.72% was fulfilled by them by 17.7.2018 (delay of around 3 months). Thus export obligation up to 97.32% was fulfilled within 3 months outside initial export obligation period. The balance quantity was 2.68% or 229 grams. This was unaccounted process loss at various stages of production.

Decision: The Committee went through the statements made by the applicant and observed that it is not a case of policy relaxation. RA is empowered to grant EOP extension as per Public Notice 32/2015-2020 dated 15.10.2017. Hence the Committee allowed the case to be withdrawn and decided to refer the case to RA. For the balance quantity, which could not be accounted, firm needs to pay customs duties for regularization.

(Action: Applicant/RA)

Case No.25: M/s Jodas Expoim Pvt. Ltd., Hyderabad
F. No. 01/60/162/679/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Extension in E.O. period against Advance Authorization No.0510398132 dated 05.04.2016 for regularization.

The resultant product was exported during the initial export obligation period, which was till 21.09.2017. The remaining quantity of 14.97% of export product was exported on 10.10.2017 i.e. after 20 days from the initial EOP and therefore, requested that export obligation period may be extended up to 10.10.2017 for the purpose of regularization.

Decision: The Committee went through the statements made by the applicant and observed that it is not a case of policy relaxation. RA is empowered to grant EOP extension as per Public notice 32/2015-2020 dated 15.10.2017. Hence the Committee allowed the case to be withdrawn and decided to refer the case to RA.

(Action: Applicant/RA)

Case No.26: M/s Jodas Expoim Pvt. Ltd., Hyderabad
F. No. 01/60/162/680/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Extension of EOP against Advance Authorization No.0910061603 dated 10.02.2015 for regularisation.

Initial EO period expired on 17.2.2016 and PRC had extended EOP further up to 31.8.2016 However still export obligation of 30300 injections could not immediately be exported due to circumstances beyond their control in as much as there was no imported material for export production as it was fully consumed on self declared Norm in export of 333333 injections (66666 grams/333333 injections=200mg). In addition there was no immediate buyer. Duty paid material was procured on 09.03.2017. finally balance export obligation was completed on 08.05.2017.

Decision: The Committee noted that the firm has not cited any compelling reasons for not fulfilling the EO within the stipulated EOP/ Extended EOP and therefore decided to reject the case of the firm. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2010 within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.27: M/s Jodas Expoim Pvt. Ltd., Hyderabad
F. No. 01/60/162/672/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Acceptance of free shipping bill for discharge of EO and extension of EOP of Advance Authorization No.0510395388 dated 20.08.2015.

Firm explained that due to an inadvertent bona-fide oversight exports in fulfillment of obligation were made against free shipping bills Nos 5918405 dated 08.05.2017 and 1371410 dated 06.12.2017. Despite best efforts free shipping bills could not be converted into Advance Authorization shipping bills because of ban in Para 4 of Circular 36/2010 - Customs dated 23.09.2010.

Decision: The Committee having examined the statement made by the firm, found no merit in their case and decided to reject it. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020 within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.28: M/s Aarti Drugs Limited, Mumbai
F. No. 01/60/162/673/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: EOP extension till 08.03.2019 against Advance Authorization No.0310800754 dated 08.12.2015 and waiver of composition free or in alternative club the subject authorization with Advance Authorization No.0310816437 dated 23.10.2017 and 0310817900 dated 19.12.2017 without payment of composition fee.

Firm has made a request for review of rejection of their case earlier by PRC. (Case no. 3 in the PRC Meeting No. 21/AM19 dated 30.10.2018)

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

(Action: Applicant/RA)

Case No.29: M/s Mew Electricals Limited, Vadodara
F. No. 01/60/162/682/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Clubbing of Advance Authorization No.3410038844 dated 30.12.2013 and 3410041230 dated 18.05.2015.

Firm expressed that Clubbing is not allowed by RA as Input and Output are different and SION are also different. They have stated that under both SION, for both Export Product, they can use input Copper Rod/ Copper cathode. They have opted Input as per availability at that time. Difference in Input is in form of material, contents are same.

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

(Action: Applicant/RA)

Case No.30: M/s Apar Industries Ltd., Mumbai
F. No. 01/60/162/357/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Clubbing of Advance Authorization No.3410041489 dated 02.09.2015 and 3410041129 dated 09.04.2015.

Firm explained that as per para 4.38(viii) when there is excess import arrived in first Authorization and excess exports are made in subsequent Authorization can be clubbed. However this condition may not be insisted when validity period of Authorizations runs concurrently and imports made in subsequent Authorizations falls within validity period of first Authorization. The above procedure has been inserted in HBP 2015-2020 only with effect from 05.12.2017 whereas their request for clubbing was already been submitted with RA on 10.08.2017 i.e. prior to insertion of this condition. Accordingly old procedure is applicable in their case meeting all conditions as stipulated in the old procedure. However, RA Vadodara is of the opinion that procedure prevailing at the time of scrutiny of the application is applicable but they had submitted their application on 10.08.2017 and RA, Vadodara has scrutinized their request after one year and adopting the current procedure which is not justifiable. Further they have submitted their request for clubbing on 10.08.2017 and first deficiency was notified by RA after one year i.e. 27.07.2018 resulting huge amount is payable towards interest on excess import which is no fault of theirs.

Decision: Committee decided that clubbing provisions need to be reviewed in view of difficulties being faced by AA applicants. At the same time, it also decided to call DDG RA Vadodara along with the relevant file for discussions in hqrs.

(Action: PC IV Section/ RA)

Case No.31: M/s Paragon Industries Ltd., New Delhi
F. No. 01/60/162/668/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Clubbing of Advance Authorization No. 0510397853 dated 09.03.2016, 0510403467 dated 21.07.2017 and 0510402715 dated 26.05.2017.

They have successfully completed the exports and imports against the said licenses and they made the request to the office of CLA New Delhi to allow redemption of the said advance authorizations after clubbing the same in terms of provision of para 4.38 of HBP in force. Initially the RA, New Delhi has raised the query that 1st authorization/earliest authorization no.0510397853 dated 09.03.2016 is valid upto 08.03.2017 for clubbing whereas import of advance authorization no. 0510403467 dated 21.07.2017 and 0510402715 dated 26.05.2017 are not made within the validity period of 1st advance authorization no. 0510397853 dated 09.03.2016 as required by para(viii) of 4.38 of HBP 2015-20 as amended by PN 32 dated 17.10.2017 actually 18.10.2017.

Decision: Committee decided that clubbing provisions need to be reviewed in view of difficulties being faced by AA applicants.

(Action: PC IV section)

Case No.32: M/s Cigfil Limited, Bangalore
F. No. 01/60/162/689/AM19/PRC

PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Clubbing of 4 Advance Authorizations No. (i) 0710089821 dated 20.07.2012, (ii) 0710096313 dated 28.06.2013, (iii) 0710108318 dated 04.06.2015 and (iv) 0710108539 dated 22.07.2015.

They found that there are NIL import and excess exports in certain licenses hence they are seeking to club the licenses to offset/utilise the import/export between licenses.
Decision: Committee decided that clubbing provisions need to be reviewed in view of difficulties being faced by AA applicants.

(Action: PC-IV)

Case No.33: M/s SRS Exports (P) Ltd., Jalandhar
F. No. 01/60/162/665/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Relaxation of registration of Peas Contract in RA Madurai.

Applicant mentioned that they could not register their contract on time due to their concerned person who was looking after this matter has taken leave for family reason and eventually left employment due to same reasons. Hence this file was sitting with their pending work & after their audit they had come to know this was not transmitted.

Decision: The Committee having examined the statement made by the firm found no case of genuine hardship in their case and accordingly decided to reject it.

(Action: Applicant)

Case No.34: M/s Shadiram & Sons Pvt. Ltd., Jalandhar
F. No. 01/60/162/664/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Relaxation of registration of Peas Contract in RA Madurai.

They could not register their contract on time due to their concerned person who was looking after this matter has taken leave for family reason and eventually left employment due to same reasons. Hence this file was sitting with their pending work & after their audit they had come to know this was not transmitted.

Decision: The Committee having examined the statement made by the firm found no case of genuine hardship in their case and accordingly decided to reject it.

(Action: Applicant)

Case No.35: M/s Shah Traders, Mumbai
F. No. 01/60/162/674/AM19/PRC

PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Condonation of 2 days delay in re-import of 18KT studded Gold Jewellery.

Firm mentioned that their Goods were re-imported 02 days after the prescribed limit of 60 days, as stipulated in para 4.80 of HBP (2015-2020) and that too for the reasons, which were beyond their control. The delay occurred primarily due to late return of goods from the customers and unexpected last minutes procedural change wherein the consignment was referred to criminal Search Department – capital P.S. Branch, State of Qatar for a CID approval certificate. The criminal Search Department –capital P.S. Branch, State of Qatar released the consignment of 06.09.2018 i.e. after the expiry of last date of prescribed period of 05.09.2018. Goods finally landed on 7.9.2018- with delay of 2 days.

Decision: The Committee went through the justification submitted by the applicant and discussed the matter at length. It decided to accede to the request of the firm for condonation of 2 days delay in re-import of 18KT studded Gold Jewellery after participation in Overseas Exhibition.

(Action: Applicant/RA)

Case No.36: M/s Wintac Limited, Bengaluru
F. No. 01/60/162/458/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Transfer of 4 Advance Authorization No. (i) 0710112304 dated 25.10.2017, (ii) 0710113020 dated 23.03.2018, (iii) 0710112960 dated 13.03.2018 and (iv) 0710112959 dated 13.03.2018 along with the unutilized raw materials imported under the above Advance Authorizations.

The Company has recently entered into a Business Transfer Agreement dated 26 April 2018 ("BTA") with M/s Par Formulations Pvt. Ltd., for the sale / transfer of its business along with all its assets and liabilities lying with the signing of the BTA. Therefore, the Company seeks to transfer the captioned Advance Authorizations to M/s Par Formulations along with the all unutilized raw materials lying with the Company imported by it under the cover of the captioned Advance Authorizations.

Decision: The Committee having examined the case and found that it is not a case of policy relaxation and advised the firm to approach RA in the matter.

(Action: Applicant/RA)

Case No.37: M/s. Impel Exports, Bangalore
F. No. 01/60/162/690/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Approval of two free shipping bills and 11 duty drawback shipping bills (with repayment of DBK and its interest) towards fulfilment of export obligation of Advance Authorization No.0710107235 dated 19.12.2014.

They have obtained this license and subsequently invalidation letter from RA Bangalore. After obtaining, they have started procuring the raw material using the invalidation and then while filling the shipping bill; they came to know that the above license had transmission issue. Due to this, they have filed 2 free shipping bills and other 11 shipping bills under duty drawback without amending the shipping bills. Now their request is to consider these exports towards fulfillment of EO against above mentioned AA.

Decision: The committee went through the statement made by the firm in its application and noted that the facts of the case have not been clearly specified by the firm and hence decided to call the firm for Personal Hearing.

(Action: PRC/Applicant)

Case No.38: M/s Spirotech Heat Exchangers Pvt. Ltd., New Delhi
F. No. 01/60/162/688/AM19/PRC
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: Relaxation for not mentioning the Technical specification of input on Export shipping bills towards fulfilment of EO against Advance Authorization No.0510393957 dated 24.04.2015.

The NC decision was received on 08.01.2016, when the Export Obligation had already been fulfilled up to 15.10.2015, therefore, the thickness of input (imposed by NC) could not be reflected on the shipping bill of Exports.

Decision: The Committee went through the justification furnished by the firm and observed that the facts of the case have not been clearly specified by the firm and hence decided to call the firm for Personal Hearing.

(Action: PRC/Applicant)

PH Case No.39: M/s International Tractors Limited, Hoshiarpur Punjab
F. No. 01/94/180/352/AM19/PC-4
PRC Meeting No. 28/AM19 dated 15.01.2019

Subject: To allow input in DFIA license as per decision of PRC Meeting No.22/AM18 dated 24.10.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 15.01.2019, Shri Ramesh Kaushik, Manager - Costing of the firm appeared before the committee and made the following submissions:

He explained that they have submitted reply with the certified documents by central excise / GST department for the input used in the export product. The DFIA licenses were submitted to RA, Ludhiana for the endorsement of revalidation and transferability. They have received a query from RA, Ludhiana "stating that the said DFIA has already been transferable. As there is no packing materials mentioned in the shipping bills, the packing material was not allowed in this case as requested".

As per PRC decision out of 30 DFIAs license the DFIA License no. 3010082935 dated 23.01.2012 notified that EODC / Transferability has been endorsed by RA. As per the General Policy for packing Materials their claim is for allowing for packing mentioned whereas the SION C-969 is not providing packing materials as an import inputs.

Decision: After hearing the submissions made, the Committee decided that the firm shall give necessary details of inputs used by them to the RA who will examine the case and send a report.

(Action: Applicant/RA)

Case No. 40: 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) are to be treated as incomplete applications. Therefore, the committee decided to reject such cases as mentioned below:

S. No.	Name of the firm	Subject of the firm	Remarks
1.	M/s. Bharat Parenterals Limited, Vadodra	Regularization of EODC documents Advance Authorization no. 3410041467 dated 20.08.2015.	ANF 2D not submitted
2.	M/s. Bharat Parenterals Limited, Vadodra	Regularization of EODC documents Advance Authorization no. 3410040293 dated 30.06.2015.	ANF 2D not submitted
3.	M/s. Tanu Garments Pvt. Ltd	Extension of claim period for MEIS	ANF 2D and proof of fee not submitted
4.	M/s. Thyssenkrupp Industries India Limited, Pune	Removal of their name from DEL.	ANF 2D and proof of fee not submitted
5.	M/s. Aurobindo Pharma Limited, Hyderabad	Removal of 6-APA from Appendix 4J (srl. No.3) and from the general note as it is not a drug.	ANF 2D and proof of fee not submitted
6.	M/s. Jubilant Life Sciences Ltd., Noida	Payment of composition fee under protest against advance authorisation no.0510365511 db.13.09.2013. EO extension allowed with the condition of payment of composition fee.	Proof of fee and ANF 2D for review not submitted
7.	M/s. Shreeyam Power and Steel Industries, Indore	Extension of EOP against 32 advance authorizations for 2 years from the date of endorsement as company was declared sick under BIFR from year 2012.	Shortage of Fee

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