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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting held on 18.02.2020 under the Chairmanship of Shri Amit Yadav, Director General of Foreign Trade

Meeting No.31/AM20 held on 18.02.2020

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

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. Magnum Lubricant Pvt. Ltd., Mumbai	1
2.	M/s. Bharat Silks, Bangalore	2
3.	M/s. M. M. Aqua Technologies Ltd., Gurgaon	3
4.	M/s. Vedanta Limited, New Delhi	4
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6.	M/s. D. K. Bio Pharma Pvt. Ltd., Thane	6
7.	M/s. Trident Limited, Ludhiana	7
8.	M/s. R & S Oilfield Pvt. Ltd., Mehsana	8
9.	M/s. M. P. Impex, Mumbai	9
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11.	M/s. Aqua World Exports (Pvt.) Ltd., Tamil Nadu	11
12.	M/s. Goldmarine Exports Limited, Chennai	12
13.	M/s. Birtto Sea Food Export Pvt. Ltd., Chennai	13
14.	M/s. Expovan Pollachi, Tamil Nadu	14
15.	M/s. Inwac Metals & Chemicals Pvt. Ltd., Mumbai	15&16
16.	M/s. Aimco Pesticides Limited, Mumbai	17&18
17.	M/s. Pankaj Export, Delhi	19
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PH Case No. 01 M/s. Magnum Lubricant Pvt. Ltd., Mumbai
F. No. 01/60/162/726/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Extension in EOP against Advance Authorization No.0310773445 dated 07.03.2014.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri Manpreet Singh Kohli, Director appeared on behalf of the firm and made the following submissions:

The applicant stated that they are in the manufacturing line for the last more than 25 year and established exporters. They had supplied their product world wide as per buyer's specification. They had installed latest technology to get best outcome and has the capacity of more than 5000 MT. They are also supplying their product to international market as per there standard and packing. However, it is very difficult to manage international standard quality they achieved through their skill and efforts. They manufacture widest range of product as per country and the vehicle used i.e. various type of Lubricating Oil Grease that suits the Vehicle of high end heavy vehicle. Their export & domestic turnover is almost Rs 90 cr. They are Status Holder having Status Holder Certificate No.03/01/0257/150928. Unfortunately they could not fulfill export obligation due to the overseas buyers cancelled the orders abruptly with the result the balance ordered quantities could not be exported through some of the quantity were in finished form. All the items being manufactured by them are specific based on requirement of buyers the viscosity of the product appearance, colour, Gravity, Flash point. Now, they have export order in hand of 1530 MT which is to be supplied to UAE / Africa which is time bound export order as mentioned above.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and noted that the AA was issued more than 6 years back in 2014 and applicant has not submitted any cogent reason/ justification in support of any genuine hardship being faced by them. Accordingly, the Committee decided to reject the request.

(Action: Applicant)

PH Case No. 02 M/s. Bharat Silks, Bangalore
F. No. 01/60/162/473/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Clubbing of 2 Advance Authorization No.0710101676 dated 27.01.2014 and 0710104362 dated 22.05.2014.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri Rajul Poddar, Manager – Export & Import appeared on behalf of the firm and made the following submissions:

The applicant stated that they had obtained the Advance Authorization No.0710101676 dated 27.01.2014 to manufacture and export readymade garments after importing Silk Fabric. The order for the export items in this authorization were cancelled after they had imported the Fabric. Therefore, exports could not be made due to cancellation of the order. Sometime later they got another export order and for that order they have obtained the Advance Authorisation No.710104362 dated

22.05.2014. The raw material meant for import in this authorization was similar as one of the import item in the first authorization. They did not import full quantity of raw material in the authorization and they used the fabric which they have imported in first authorization. Whatever raw material was imported in both the authorizations together have been utilised to manufacture and export readymade garments under the second and export obligation have been fulfilled in proportion to the total quantity of import in both the authorizations. Hence, requested approval for clubbing of these authorizations, so that both the authorization files can be closed and EODC can be issued to them.

Decision: The Committee after going through the representation observed that no policy relaxation appears to be involved in the case. Hence, the Committee decided to remand back the case to RA concerned for its detailed examination. Request appears to be covered under the existing policy for clubbing. Accordingly, RA may take the decision as per the existing clubbing provisions. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bengaluru)

PH Case No. 03 M/s. M. M. Aqua Technologies Ltd., Gurgaon
F. No. 01/60/162/297/AM16/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Permission for acceptance of supply under Deemed export effected vide E-Com Ref number which has been finally ratified by E.com file number and issuance of Authorization No.0510212822 dated 30.11.2007 and withdrawal of DEL status inspite of submission of documents in terms of Para 4.25 of HBP.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri Raman Nanda, Vice - Chairman appeared on behalf of the firm and made the following submissions:

The applicant stated that they had started deemed export supplies under E com reference number # 05/90/000/24100/0095/5394 dated 26.02.2006 before the generation of file number # 05/24/040/00644/AM08 dated 12.11.2007 and obtained the subject authorization. They were not able to complete advance license application submission process including submission of application fee, as the DGFT online system was not allowing further processing, as they were at that time under DEL due to non-submission of documents regarding fulfillment of EO against some previous advance licenses issued to them. Thus, no file number was generated for their online application. The said E com reference number and Advance License No.0510212822 dated 30.11.2007 was mentioned in each invoices submitted to the CLA, New Delhi for redemption of their advance license. They had subsequently submitted their export document as proof of fulfillment of EO against other previous licenses and the same were re-deemed and their company was removed from DEL and they were able to complete the application process and a file number was generated after a gap of 21 months after the generation of E com number. They had recently made 02 applications under MEIS Scheme for the physical exports made by them and have been allotted E com reference number (1)

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02/90/000/24100/0592/8291 and (2) 05/90/000/24100/0592/8331. The fees for these applications have also been paid but the DGFT online system is not generating the file number with the error code that further process cannot be completed as their firm is under DEL as the said deemed exports supplies are not being accepted by CLA, New Delhi. This is affecting their exports since they are not able to get raw material required for their exports at international price and also avail any export incentives permitted by the Government. They have fulfilled the EO against the said license and should not be penalized for a technical error due to the DGFT online system and the same was not their fault.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and it decided to seek a detailed report from CLA, New Delhi in the matter along with comments on the representation made by the firm, before deciding the case.

(Action: CLA-New Delhi)

PH Case No. 04 M/s. Vedanta Limited, New Delhi
F. No. 01/60/162/738/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Revalidation of 08 DFIAs.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No. 05 M/s. Alchem International Pvt. Ltd., New Delhi
F. No. 01/60/162/259/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Extension in EO Period against Advance Authorization No.0510392602 dated 29.12.2014 for regularisation purpose.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri Devender Singh Rawat, Manager - Purchase appeared on behalf of the firm and made the following submissions:

The applicant stated that they are a Pharma Exporter with export turnover for Rs.220.61 crores in 2018-19 with a low ratio of availing duty free imports under advance authorization in comparison to their exports. Being a Pharma product it has a highly fluctuating demand in the international market and they have a direct competition with China. They are regularly exporting this product and had been successful in fulfilling the EO against all pending advance licenses except the subject advance license. They could not start the EO in initial EO period, even after making the huge investment in imported raw material. But with lots of efforts and having their quality image in international market, they could fulfill only 57.71% of E.O. within 36 months.

Decision: The Committee examined the case in detail and in view of justification provided by the firm it decided to accede to the request and allowed EOP extension up to December 2017 against Advance Authorisation No.0510392602 dated 29.12.2014 only for regularization purpose subject to the payment of composition fees as follows;

i) From 18 month to 24 months @0.5% of the shortfall in EO.
ii) From 24 month to 30 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.
iii) From 30 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/CLA-New Delhi)

PH Case No. 06 M/s. D. K. Bio Pharma Pvt. Ltd., Thane
F. No. 01/60/162/748/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Second EOP extension against Advance Authorization no. 0310816992 dated 13.11.2017.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No. 07 M/s. Trident Limited, Ludhiana
F. No. 01/60/162/735/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: To allow MEIS benefit against 10 shipping bills in which 'No' has been ticked in reward column instead of 'Yes'.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri Sudershan Kumar Sindhu, Manager – Strategic Finance appeared on behalf of the firm and made the following submissions:

The applicant stated that they had submitted all the requisite document viz. Invoice / Packing list etc. to Customs, Mundra and Mandideep against Shippng Bill No.4908299 dated 17.05.2018, 5772274 dated 24.06.2018, 5772261 dated 24.06.2018, 5772237 dated 24.06.2018, 5721555 dated 21.06.2018, 5721423 dated 21.06.2018, 6989807 dated 18.08.2018, 7546986 dated 12.09.2018 & 8245313 dated 14.10.2018 with declaration that "they intend to claim reward under MEIS " for export made against above mentioned shipping bills. Their CHA had filed shipping bills accordingly with declaration of intent to claim the intent for claiming reward under MEIS as "Yes" which in customs software is defaulted set as "NO". So they are not able to make their application for MEIS.

Decision: The Committee heard the submission made by the firm and discussed the matter at length. The Committee observed that the Shipping Bills where 'No' is ticked (for whatsoever reason) do not get electronically transmitted on-line in the automated environment. Accordingly, it decided to reject the case.

(Action: Applicant)

PH Case No. 08 M/s. R & S Oilfield Pvt. Ltd., Mehsana
F. No. 01/60/162/737/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: To allow FPS benefit against RA file No.08/98/087/50001/AM20 dated 21.08.2019.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri Raghav Bajaj, Authorised Representative appeared on behalf of the firm and made the following submissions:

The applicant stated that RA, Ahmedabad has not examined their request in detail based on the representation, facts and is totally inconsistent with Trade Notice No.16 dated 07.06.2018. The rejection letter issued by RA regarding FPS claim stating application is time bared. HS Code 8481 was notified as being eligible for benefit under Focus Product Scheme (FPS). HS 8481 includes items of a kind used on bicycles: Taps, Cocks, Valves and similar appliances for Pipes, Boiler Shells, Tanks, Valves or the like, including pressure - reducing valves and thermostatically controlled valves with an MEIS rate of 4%. Based on the above scheme many exporters of industrial value had filed applications for availing benefit since the goods falls under HS Code 8481. However, DGFT rejected various claims on the premise that only goods pertaining to bicycle are covered under the scheme and other goods like industrial valve are not eligible for the claim. Trade Notice No.11/2015 dated 14.12.2015 was issued clarifying goods other than parts of bicycle are not eligible for benefit under FPS. Bearing in mind the Trade Notice, they did not file their claim during the stated period. Pursuant to Supreme Court's decision, DGFT issued a Trade Notice 16/AM18 dated 07.06.2018, withdrawing the earlier Trade Notice (No.11/2015 dated 14.12.2015) citing the reason as stated above. In light of the above, from 07.06.2018, for the first time, other items, which are not part of Bicycle covered under HS code 8481 became eligible for FPS benefit. Further, stated that for shipment already made prior to the inclusion / modification of the items / markets in relevant appendices by various Public Notices have issued from time to time. Trade Notice 16/2018 came into existence on 07.06.2018, after which, various RAs granted / issued FPS authorizations in similar matter. However RA has rejected their request for MEIS as time barred.

Decision: The Committee went through the statements made by the firm and noted that there is merit in the case and accordingly the Committee decided to allow the benefit of MEIS to the firm against shipping bills applied under File No. 08/98/087/50001/AM20 dated 21.08.2019. Concerned RA may accept the application and process the case. Late cut, if any, on the entitlement will be decided taking the date of issue of Trade Notice No.16/2018 i.e. 07.06.2018 as the basis. The firm shall approach RA within 90 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Ahmedabad)

PH Case No. 09 M/s. M. P. Impex, Mumbai
F. No. 01/60/162/448/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Revalidation of DFIA No.3010103922 dated 06.01.2017 for import of refined sugar.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri CA Rohit and Shri Rajendra Nakhwa, Authorised Representatives appeared on behalf of the firm and made the following submissions:

The applicant stated that the subject DFIA was obtained against exports of Biscuits. Cane Sugar is one of the items allowed to be imported. The DFIA issued to them is printed with ITC HS Code of raw Cane Sugar (17011190) as against refined Cane Sugar (1701990) which is used in Biscuit manufacturing. Their request for rectification of this error was rejected by RA. Now, they have come across multiple DFIAs issued by the same RA i.e. RA, Ludhiana with correct ITC HS Code for refined Cane Sugar. Due to this refusal by the concerned licensing authority the DFIAs could not be used for import of Cane Sugar as without proper ITC HS Code the Customs would not have allowed imports. They could utilise the DFIA for import of all other inputs before the expiry of the DFIAs, but not for Cane Sugar as the right ITC HS Code was not allowed by the licensing authority. In view of the foregoing facts it is requested for revalidation of DFIA which had expired without being used for import of Cane Sugar.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to seek report from RA, Ludhiana in the matter before deciding the case.

(Action: Applicant/RA-Ludhiana)

PH Case No. 10 M/s. Rushil Decor Limited, Gujarat
F. No. 01/60/162/784/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Clubbing of 2 Advance Authorization No.0810119526 dated 18.03.2013 and 0810134777 dated 12.03.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri/Ms Hasmukh Modi, Company Secretary appeared on behalf of the firm and made the following submissions:

The applicant stated that between the years 2013 to 2016, crash of Brazil economy caused disruption in supply and availability of paper. US which buys 65% of Brazil's export were competing to buy from European nations. This competition to acquire paper affected its availability in the market place reducing its access for them. Incidentally, at the same time world economy suffered a shock beginning late 2013 up to mid 2014 due to USA FED decision on bond buying commonly world financial markets crashed and also causing the rupee to tumble by almost 16%. With weak rupee they were unable to compete with US and European buyer to acquire the inputs. By late 2014 the situation and panic subsided and market stabilized, but the import validation period had expired a couple months prior. After much deliberations and meetings in 2015 they availed the 2nd authorization and imported in anticipation of clubbing.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and in view of the data submitted and reasoning furnished, decided to relax the condition of 18 months as laid down in Para 4.38(vi) as amended vide Public Notice No.70/2015-20 dated 30.01.2019 for clubbing of Advance Authorization No.0810119526 dated 18.03.2013 and 0810134777 dated 12.03.2015. The other terms and conditions for clubbing shall remain same as per policy/HBP provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 11 M/s. Aqua World Exports (Pvt.) Ltd., Tamil Nadu
F. No. 01/60/162/597/AM19/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: To regularise the MEIS for chilled prawns under HS Code 03061760 and 03063600 retrospectively.

The applicant stated that they are exporter of chilled fish and prawns since 2002. Availed benefits under DEPB and VKGUY same as frozen prawns. Post MEIS, firm used code 03061790 for chilled prawns. Export procedures completed by Chennai Air Customs declared chilled prawns on shipping bill, packing list, invoice and airway bill. Received Forex, corresponding BRC, applied and availed MEIS benefit from DGFT with description Chilled Prawns. There was sudden rise of ambiguity in HS Code for chilled prawns from authorities. It was stated that 03061790 code is for Frozen and not chilled. Chilling industry exists on these benefits as risk involved due to being highly perishable in nature. Shelf life of frozen products is 18 months and of chilled product is only 7 days. Air transportation costs much higher than sea. The volume of chilled exports is huge, paving way for more labour and forex earnings. Perhaps that's why they have been treated in par with frozen in the past. Hence, requested to regularize the MEIS for chilled prawns under HS code 03061790 and 03063600 retrospectively.

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

(Action: Applicant)

Case No. 12 M/s. Goldmarine Exports Limited, Chennai
F. No. 01/60/162/619/AM19/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Regularisation of MEIS reward on chilled prawns as it was before the instruction of MEIS under ITC (HS) code 03061790 and 03063600 with effect from policy dated 01.04.2015.

The applicant stated that they are the exporters of chilled fish and prawns since 1997. They have been availing benefit for chilled prawns earlier under DEPB and VKGUY at par with frozen prawns. Post MEIS, they used the code 03061790, for export of chilled prawns. The export procedures were completed by Chennai air customs declared chilled prawns in shipping bill, invoice, packing list and airway bill; have received forex, corresponding BRC, applied and availed MEIS benefit from DGFT with description chilled Prawns. There was sudden rise of ambiguity in HS Code for chilled prawns from authorities. It was stated that 03061790 code is for Frozen and not chilled. Chilling industry exists on these benefits as risk involved due to being highly perishable in nature. Shelf life of frozen products is 18 months and of chilled product is only 7 days. Air transportation costs much higher than sea. The volume of chilled exports is huge, paving way for more labour and forex earnings. Perhaps that's why they have been treated in par with frozen in the past. Hence, requested to regularize the MEIS for chilled prawns under HS code 03061790 and 03063600 retrospectively from 2015.

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

(Action: Applicant)

Case No. 13 M/s. Birtto Sea Food Export Pvt. Ltd., Chennai
F. No. 01/60/162/606/AM19/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Regularization of MEIS reward on chilled prawns as it was before the instruction of MEIS under ITC (HS) code 03061790, 03063500 and 03063600 with effect from policy dated 01.04.2015.

The applicant stated that they are the exporters of chilled fish and prawns since 2008. Availed benefit earlier under DEPB and VKGUY in par with frozen prawns. Post MEIS, they used the code 03061790, 03063500 for chilled prawns. Export procedures completed by Chennai air customs declared chilled prawns in shipping bill, invoice, packing list and airway bill. Received forex, corresponding BRC, applied and availed MEIS benefit from DGFT with description chilled Prawns. There was sudden rise of ambiguity in HS Code for chilled prawns from authorities. It was stated that 03061790 code is for Frozen and not chilled. Chilling industry exists on these benefits as risk involved due to being highly perishable in nature. Shelf life of frozen products is 18 months and of chilled product is only 7 days. Air transportation costs much higher than sea. The volume of chilled exports is huge, paving way for more labour and forex earnings. Perhaps that's why they have been treated in par with frozen in the past. Hence, requested to regularize the MEIS for chilled prawns under HS code 03061790 and 03063600 retrospectively from 2015.

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

(Action: Applicant)

PH Case No. 14 M/s. Expovan Pollachi, Tamil Nadu
F. No. 01/60/162/828/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: To allow MEIS benefit against 7 Shipping Bill Nos.(i) 9555292 dated 19.08.2016, (ii) 9899135 dated 06.09.2016, (iii) 9751800 dated 30.08.2016, (iv) 9901613 dated 06.09.2016, (v) 2098167 dated 08.11.2016, (vi) 2379790 dated 23.11.2016, (vii) 27276168 dated 09.12.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 18.02.2020. Shri Muruganandan and Ms. Vidhya Singh, Authorised Representatives appeared on behalf of the firm and made the following submissions:

The applicant stated that they are agro based manufacture exporter of Vanilla Beans from Pollachi, near Coimbatore of Tamil Nadu. They have made lot of farmers to manufacture Vanilla Bean in & around Pollachi and through this they make livelihood of more than 1000 peoples. Under this circumstances, being all their products are exported they converted their DTA Unit into 100% EOU. While Government of India introduced the new scheme of MEIS in April, 2015, being a 100% EOU, they are not eligible for claiming said export benefit. DGFT issued PN No.44/2015-20 dated 05.12.2017, stating that those who are all not availing direct tax benefits under 100% EOU are eligible to claim MEIS benefits. Please note that long back the Government of India stopped all the direct tax benefits for EOUs. There is no direct tax benefit to EOUs since, 2011 onwards. No special schemes/ incentives to EOUs for their exports. EOU exporters are also struggling with tough competition in the world market to grab / sustain their business. As aware that the weight –age & benefits of 100% EOUs have become drastically down since 2012 onwards, even direct tax benefits also stopped. All shipping bills are filed under scheme code of 21 (100% EOU). Though they are in 100% EOU all their cargoes are being physically examined by the Customs Officer as well Plant Quarantine Officers. There is no proper notification / guidelines by Govt of india, they are unable to get MEIS benefit from RA. Hence, requested to consider the case as per Customs Section 149. Their shipping bills had 'No" in the reward column but they received NOC from Customs MEIS scheme reward indicating this as 'Yes'.

Decision: The Committee examined the case on the basis of justification furnished by the firm and discussed the matter at length. The Committee observed that the Shipping Bills where 'No' is ticked (for whatsoever reason) do not get electronically transmitted on-line in the automated environment. Accordingly, it decided to reject the case.

(Action: Applicant)

Case No. 15 M/s. Inwac Metals & Chemicals Pvt. Ltd., Mumbai
F. No. 01/60/162/784/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Waiver from non generation of bill of export and accepting the certificate issued by SEZ unit towards fulfillment of EO against 3 Advance Authorization Nos.(1) 3410040336 dated 04.07.2014, (2) 3410040820 dated 19.12.2014 & (3) 3410040878 dated 19.01.2015.

The applicant stated that they had made supplied materials to SEZ Unit. However by oversight they have not generated bill of export at the time of supply. In support of their claim they had collected certificate endorsing receipt of material. Their Licenses are issued under SION 62/1071 and they have submitted EODC application to RA, Vadodara. All documents and proof of exports have been submitted except bill of export. In the first license 1000.00 Kgs out of the total EO 5607.476 Kgs, in the second license 1000.00 Kgs out of the total EO 4672.900 Kgs and in the third license 1500. Kgs out of total EO 4672.900 Kgs respectively were supplied to SEZ Unit. Hence, requested for relaxation for non generation of Bill of Export and accepting the Certificate issued by SEZ Unit for final closure of the file.

Decision: The Committee having examined the statement made by the firm discussed the matter at length. It reiterated that Bill of export is a mandatory document for discharge of EO of advance authorization in case of supplies to SEZ Unit. Accordingly, decided to reject the request of the applicant.

(Action: Applicant)

Case No. 16 M/s. Inwac Metals & Chemicals Pvt. Ltd., Mumbai
F. No. 01/60/162/783/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Waiver from non generation of bill of export and accepting the certificate issued by SEZ unit towards fulfillment of EO against 4 Advance Authorization Nos.(1) 3410038588 dated 29.11.2013, (2) 3410038998 dated 13.01.2014, (3) 3410039659 dated 28.03.2014 and (4) 3410039999 dated 08.05.2014.

The applicant stated that made supplied materials to SEZ Unit. However by oversight they have not generated bill of export at the time of supply. In support of their claim they had collected certificate endorsing receipt of material. Their Licenses are issued under SION 62/1071 and they have submitted EODC application to RA, Vadodara. All documents of proof of exports have been submitted except bill of export. In first license 1500.00 Kgs of the total EO 4672.900 Kgs, in second license 1000.00 Kgs of the total EO 4672.900 Kgs, in third license 1500. Kgs of total EO 4672.900 Kgs and in fourth license 2500.00 Kgs of the total EO 9345.800 Kgs respectively were supplied to SEZ Unit. Hence, requested for relaxation for non generation of Bill of Export and accepting the Certificate issued by SEZ Unit for final closure of the file.

Decision: The Committee having examined the statement made by the firm discussed the matter at length. It reiterated that Bill of export is a mandatory document for discharge of EO of advance authorization in case of supplies to SEZ Unit. Accordingly, decided to reject the request of the applicant.

(Action: Applicant)

Case No. 17 M/s. Aimco Pesticides Limited, Mumbai
F. No. 01/60/162/777/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Extension of EOP against Advance Authorization No.0310814795 dated 24.07.2017.

The applicant stated that they could not complete the EO due to season not being favourable for last 2 years. Their past performance of exports, since last 8 years they have received around 130 advance authorizations from RA, Mumbai for the same export product and in all 130 advance licenses have completed the export obligations within licensing period as per HBP and received EO discharge / redemption certificates. They have received an export order to export of 240 MT Triclopyr Technical 94% Min. in their hand and to process the same they require six months, time for fulfill their export order. Hence, requested for extension of EO.

Decision: The Committee went through the submission made by the firm and observed that no exports have been made within 24 months of EO period and there is no merit in firm's contention. Accordingly, it decided to reject the request of the firm. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020 within 30 days from the date of uploading of the minutes of meeting.

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

Case No. 18 M/s. Aimco Pesticides Limited, Mumbai
F. No. 01/60/162/822/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Extension of EOP against Advance Authorization No.0310814744 dated 21.07.2017.

The applicant stated that they could not complete the EO due to season not being favourable for last 2 years. Their past performance of exports, since last 8 years they have received around 130 advance authorizations from RA, Mumbai for the same export product and in all 130 advance licenses have completed the export obligations within licensing period as per HBP and received EO discharge /

redemption certificates. They have received an export order to export of 240 MT Triclopyr Technical 94% Min. in their hand and to process the same they require six months, time for fulfill their export order. Hence, requested for extension of EO.

Decision: The Committee went through the submission made by the firm and observed that no exports have been made within 24 months of EO period and there is no merit in firm's contention. Accordingly, it decided to reject the request of the firm. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020 within 30 days from the date of uploading of the minutes of meeting.

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

Case No. 19 M/s. Pankaj Export, Delhi
F. No. 01/60/162/782/AM20/PRC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Regularisation of export already made against Advance Authorization No.0510405287 dated 10.01.2018 and remove the condition of appendix 4J from Advance Authorization.

The applicant stated that this is their first advance license to import the raw material. Prior to this, they used to export the utensils under drawback scheme in FY 2015-16. 2016-17, and 2017-2018. They applied 1st time for advance license for import of the raw material against their export and accordingly, they import the same and as per face of license it is mentioned that export obligation time period 18 months, but were unaware about Appendix 4J condition because it is mentioned on condition sheet with the license in which export time period was 6 months from the date of each shipment of import. They had fulfilled the pre import condition but not exported the material within 6 months from each import consignment. Hence, requested to remove appendix 4J condition and regularize of export already made till 10.01.2020 against the subject authorization against import of Stainless Steel Circle with consideration of PN No.77 dated 06.03.2019.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length and observed that there is merit in the case as the item under consideration has already been moved out of appendix 4 and it was there in appendix 4 J for some time only. Accordingly, it decided to relax Appendix 4J condition against Advance Authorization No.0510405287 dated 10.01.2018 and allowed EOP extension up to 10.01.2020 only for regularization purpose, subject to payment of usual composition fee as per HBP. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA New Delhi)

Case No. 20 M/s. Sanjay Gandhi Biological Park, Patna
F. No. 01/53/162/Misc/AM17/S-7/IC
PRC Meeting No.31/AM20 dated 18.02.2020

Subject: Extension of Validity of Import License No.2150000081 dated 02.12.2016.

The applicant stated that due to some unavoidable reasons, the exchange of animal has not been materialized. The applicant has also submitted copy of letter no. 23-2/2008-CZA (Vol. VI) (PKR) / 1482/2019 dated extending the validity of exchange for a period of one year i.e. upto 18.09.2020.

Decision: The Committee examined the case on the basis of justification furnished by the applicant and discussed the matter at length. It decided to allow revalidation up to 18.09.2020 of Import License No.2150000081 dated 02.12.2016.The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Patna)

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