Date of Uploading 24 / 12 /2019

Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting held on 03.12.2019 under the Chairmanship of Shri Amit Yadav, Director General of Foreign Trade

Meeting No.23/AM20 held on 03.12.2019

The following members were present in the meeting:

1. Shri K.C. Rout Addl. DGFT
2. Shri R. P. Goyal Addl. DGFT
3. Shri Vijay Kumar Addl. DGFT
4. Shri Satyan Sharda Addl. DGFT
5. Shri Anil Aggarwal Addl. DGFT
6. Shri Rajbir Sharma Jt. DGFT

Following cases were discussed. The decision taken on the individual cases are as under:-

S. No	Name of the firm	Case No.
1.	M/s Fermenta Biotech Limited, Thane	1&2
2.	M/s Sanjay International, Ahmedabad	3
3.	M/s Zenith Birla (India) Limited, Mumbai	4
4.	M/s Crystal Crop Protection Limited, Gujarat	5&6
5.	M/s BF Elbit Advanced Systems Pvt. Ltd., Pune	7
6.	M/s Usha Martin Limited, Kolkata	8
7.	M/s Kuloday Plastomers Pvt. Ltd., Mumbai	9
8.	M/s Shibu Enterprises, Jadadhri. Haryana	10
9.	M/s Dev Life Corporation, Mumbai	11
10.	M/s Sachdeva Fabric World Pvt. Ltd., New Delhi	12
11.	M/s R.K. Jewels, Mumbai	13
12.	M/s Penta Gold Limited, Ahmedabad	14
13.	M/s Fresenius Kabi Oncology Limited, New Delhi	15
14.	M/s Chittoor Canning Pvt. Ltd., Chittoor (MP)	16
15.	M/s Arvind Pipes & Fitting Industries Pvt. Ltd., Mumbai	17
16.	M/s Fashion Flare International Pvt Ltd., New Delhi	18
17.	M/s Alstom Transport India Limited, Bengaluru	19
18.	M/s Sivakame Trading Company, Virudhunagar, TN	20
19.	M/s Kaleeswari Agencies, Virudhunagar, TN	21
20.	M/s O.M.S.P. Columbus Partners, Virudhunagar, TN	22
21.	M/s V Amirthammal & Company, Virudhunagar, TN	23
22.	M/s S.S.P.P. Trade Links Virdhunagar, TN	24

23.	M/s Feenix Agro Products Virudhunagar, TN	25
24.	M/s NVR & Co., Virudhunagar, TN	26
25.	Incomplete Cases	27

Case No. 01 M/s Fermenta Biotech Limited, Thane
F. No. 01/60/162/527/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: To allow MEIS benefit against 2 time barred Shipping Bills No.0004080 dated 13.06.2016 & 0004581 dated 30.06.2016.

The applicant stated that they were not able to file MEIS claim for these S/Bills in prescribed time due to non-availability of S/bills details at DGFT server.

Decision: The Committee discussed the case at length and found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 02 M/s Fermenta Biotech Limited, Thane
F. No. 01/60/162/528/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: To allow Chapter-3 benefit (MEIS) against 6 time barred Shipping Bill No.(i) 0002979 dated 29.04.2016, (ii) 0002511 dated 15.04.2016, (iii) 0002512 dated 15.04.2016, (iv) 0002513 dated 15.04.2016, (v) 0002978 dated 29.04.2016 and (vi) 0002953 dated 29.04.2016.

The applicant stated that they were not able to file MEIS claim for these S/Bills in prescribed time due to non-availability of S/bills details at DGFT server.

Decision: The Committee discussed the case at length and found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 03 M/s Sanjay International, Ahmedabad
F. No. 01/60/162/525/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: To allow FPS/VKGUY/MEIS benefit against shipping bills pertaining to the year 2014-15 & 2015-16.

The applicant stated that their claims pertain to the period 2014-15 and 2015-16 for which payments have been realized on time but the BRCs have been uploaded by the bank late in 2018. Now when they are submitting the application for claim the software itself is imposing 100% cut.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. The Committee observed that due to delay in uploading of BRC by the banker in DGFT Portal, the firm has faced the problem which was beyond their control and accordingly decided to accede to the request of the firm for grant of FPS/VKGUY and MEIS benefit against shipping bills pertaining to 2014-15 and 2015-16 without any late cut. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No. 04 M/s Zenith Birla (India) Limited, Mumbai
F. No. 01/60/162/547/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: To allow SHIS benefit against the export made during year 2010-11.

The applicant stated that for the exports made during 2010-11 they were entitled for SHIS benefit of Rs.2,54,20,384/-. In that year they had obtained 3 Zero Duty EPCG licenses, hence they did not apply for SHIS as per para 5.1A of HBP. However, Zero EPCG Scheme was not available to applicants, who avail SHIS in that year. They applied for SHIS for exports made during 2009-10 and obtained the Scrip No.0310756882 dated 06.11.2013 for Rs.1,65,10,432/-. However, their SHIS entitlement for 2010-11 exports was Rs. 2,54,20,384/-. Subsequently they received a letter from RA, Mumbai to surrender to SHIS scrip as the same was wrongly issued. Immediately they submitted their reply on 20.04.2015 wherein it was also requested to consider their application for 2010-11 exports for grant of SHIS scrip as they did not digitally apply due to ambiguity in policy provision. Along with the letter they also submitted their manual application for Rs.2,54,20,384/- and requested to condone the delay due to above said reasons. They approached to RA, Mumbai on 14.09.2018 and explained their case and requested to accept the application for 2010-11 exports and as advised by RA, Mumbai, they submitted online application and obtained File No.03/93/088/00001/AM19 dated 21.02.2019. They have been following up for grant of scrip against 2010-11 exports after adjusting the amount (Rs.1,65,10,432/-) from Rs.2,54,20,384/- where they were eligible for under SHIS for the exports made during 2010-11.

Decision: The Committee went through the statement made by the firm in its application and noted that the facts of the case have not been clearly specified by the firm and hence decided to call the firm for **Personal Hearing** along with all the documents/details in support of their justification and also decided to call for a detailed report from RA, Mumbai. Case would be placed again in PRC on receipt of report from RA Mumbai.

(Action: Applicant/RA/PRC)

Case No. 05 M/s Crystal Crop Protection Limited, Gujarat
F. No. 01/60/162/574/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: To allow MEIS benefit against 7 Shipping Bills No.9907500 dated 15.11.2017, 9907568 dated 15.11.2017, 1017278 dated 20.11.2017, 1283577 dated 01.12.2017, 9956131 dated 17.11.2017, 1109217 dated 24.11.2017 and 3319638 dated 07.03.2018 where firm inadvertently ticked "No" in the reward column.

The applicant stated that they have inadvertently ticked "No" instead of "Yes" in reward column of above 7 shipping bills during filing of the EDI shipping bills. But simultaneously, they have declared the intent (in wordings) in shipping bills to get benefit of Merchandise Export from India Scheme (MEIS). These shipping bills are pertaining to FY 2017-18.

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 S/bills where 'No' is ticked (for any reason) do not get electronically transmitted on-line in the automated environment. Accordingly, it decided to reject the case.

(Action: Applicant)

Case No. 06 M/s Crystal Crop Protection Limited, Gujarat
F. No. 01/60/162/575/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: To allow MEIS benefit against 3 Shipping Bill No.(i) 1927390 dated 21.07.2015, (ii) 1982516 dated 23.07.2015 and (iii) 1881166 dated 18.07.2015 pertaining FY 2015-16.

The applicant stated that they had applied for MEIS benefits against 3 Shipping Bill No.(i) 1927390 dated 21.07.2015, (ii) 1982516 dated 23.07.2015 and (iii) 1881166 dated 18.07.2015 pertaining FY 2015-16 where inadvertently they have not mentioned required declaration while filing the EDI shipping bill. These shipping bills are pertaining to FY 2015-16.

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 S/bills where 'Declaration of intent' is not mentioned, such S/bills do not get electronically transmitted on-line in the automated environment. Accordingly, it decided to reject the case.

(Action: Applicant)

Case No. 07 M/s BF Elbit Advanced Systems Pvt. Ltd., Pune
F. No. 01/60/162/526/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Revalidation of Import License No.3150000715 dated 13.01.2017.

The applicant stated that they had been granted the above import license for import of "Cardom 120 mm Mortar along with standard accessories, consisting of Barrel, Tripod Stand, Sighting System and Travel Assist Base – 1 Set". This License was valid until July, 2018 for shipment. The shipper of the above item, viz Elbit Systems Land and C41Ltd., Israel, was however not ready with the above item to be shipped to them within the validity period of the import license. The same is however ready now ready and can be shipped to them. Hence, requested for revalidation up to 31.07.2020 to enable for shipment.

Decision: The Committee discussed the case at length and found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 08 M/s Usha Martin Limited, Kolkata
F. No. 01/60/162/551/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: To allow MEIS benefit manually in view of late uploading of the e-BRC by the banks against 94 shipping bills.

The applicant stated that in these S/bills, the e-BRCs have been uploaded by the Banks after a considerable delay of more than 3 years although the realization has been done in time. Some of their e-BRCs have not been uploaded even now though the realization has been made in time and the time period is expiring. This is causing undue hardship to them and their rightful claim is being denied. Their request is to allow manual filing of their claims.

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. In some of the cases in the staement, uploading date is of 2015 and 2016 and in some cases realization is beyond 3 years. Accordingly, it decided to call the firm for **Personal Hearing** along with copies of Shipping bills and eBRCs.

(Action: Applicant/PRC)

Case No. 09 M/s Kuloday Plastomers Pvt. Ltd., Mumbai
F. No. 01/60/162/576/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: To allow MEIS benefit against 3 Shipping Bill No.(i) 1430146 dated 19.01.2019, (ii) 1431096 dated 15.01.2019 and (iii) 1435794 dated 19.01.2019 in which inadvertently ticked 'No' instead of 'Yes' in reward column.

The applicant stated that due to a minor clerical error on the S/Bills effected during 2018-19, the intention column for claiming MEIS benefit were erroneously ticked as 'N' (No) instead of 'Y' (Yes). However the declaration for MEIS was already mentioned on these S/Bills, which authenticates their intention for the benefits. They are clearly of the opinion that on account of a minor clerical error on the part of their forwarding agent, they should not be penalized for the same. The lapse was no intentional & hence be condoned. Subsequent to that they have got the certificate of

Amendment issued by Superintendent of Customs, ICD Tumb, Valsad authenticating the amendment from "No" to "Yes". The MEIS applications were then submitted to RA, Mumbai, however they had received deficiency letter asking them to approach NIC DGFT Delhi for the necessary correction in the system to enable them to file their relevant claims. The above incentive were already computed on their export costing to meet the competitive international pricing at the time of shipment & any such denial of the claim will put them to huge losses.

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 reflection of such manual amendments carried by customs authorities in the automated system is not possible in the on-line system. As no amendment as well as no electronic transmission is possible, committee decided to reject the case.

(Action: Applicant)

Case No. 10 M/s Shibu Enterprises, Jagadhri, Haryana
F. No. 01/60/162/530/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Regularisation of export already effected beyond 6 months after stipulated EOP i.e. till March, 2014 against 3 Advance Authorisation No.(i) 3310013913 dated 11.09.2009, (ii) 33100024898 dated 28.12.2012 and (iii) 3310027455 dated 29.08.2013.

The applicant stated that they had taken the above advance authorizations and imported Aluminum scrap of 5,64,761 kg of USD 10,44,842.39 from December 2009 to June 2013. The export items are table kitchen & other household articles made of Aluminum of 4,73,084 kg of USD 15,62,907 from July 2011 to March 2014. They have done export of 102.91% in quantity terms & 127.66% in value terms. Although they have completed the exports in March 2014, there is delay of 3 months after extension granted for 48 months from date of first bill of entry in December 2009 for first Authorization No.3310013913 dated 11.09.2009 (as in case of clubbing the date of exports are determined from the oldest license first bill of entry date) – the export order were to be dispatched in September 2013 but as per buyers request the shipments has to be delayed. The buyer had requested for delay in shipment due to low sales of the product & piling up of stocks. Thus they have requested to ship the goods in next 6 months in order to solve their problem. The same had resulted in delay in shipment for 6 months & finally shipments were made in March 2014.

Decision: The Committee went through the submission made by the firm and noted that policy provisions are very clear with regard to clubbing of AAs. After detailed discussions, it found no merit in their case and it was 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 or get these cases clubbed as per clubbing provisions within 30 days from the date of uploading of the minutes of meeting.

(Action: RA, Panipat: if the applicant fails to get the case regularized/clubbed 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, may be taken /Applicant)

Case No. 11 M/s Dev Life Corporation, Mumbai
F. No. 01/60/162/531/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Extension in E.O. period of Advance Authorisation No.0310797461 dated 21.07.2015.

The applicant stated that they had imported Nystatin Raw Material 122.7 kg (750 bou) from Romania to fulfill the export order. They completed the shipment of 50% after receipt of the payment from the importer within the EOP limit. The payment of the next 50% of order was not received from the importer in-spite of various follow ups, hence the goods were not manufactured and they were unable to make the shipment within the EO. They have visited the importer in April 2017 (Cameroon) and requested for payment of the balance shipment. They got the payment of 50% balance in April 2017 and then the goods were produced and exported on 10 August 2017. Their request is to regularize the exports made about 20 days after the expiry of first EO extension.

Decision: The Committee examined the case in detail and noted that there is merit in their case and therefore decided to allow 2nd EOP extension of Advance Authorization No.0310797461 dated 21.07.2015 up to 10.08.2017 only for regularization purpose subject to payment of composition fee @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. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA Mumbai)

Case No. 12 M/s Sachdeva Fabric World Pvt. Ltd., New Delhi
F. No. 01/60/162/537/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Revalidation of Advance Authorisation No.0510399795 dated 21.09.2016.

The applicant stated that due to price hike in Raw Material, they could not make import in stipulated time period, so they are waiting until the rate of the raw material dropped. But, the rate in fact has increased. They had completed the EO. Now, they wish to import the Raw Material, so that they can finish their import and regularize their license.

Decision: The Committee discussed the case at length and found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 13 M/s R.K. Jewels, Mumbai
F. No. 01/60/162/543/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Condonation of 3 days delay for regularisation of re-import of gold Jewellery after participation in exhibition in Dubai which was handed over to Dubai Customs within prescribed period for re-import of 60 days.

The applicant stated that they had participated in a Gold jewellery exhibition in Dubai held from 20.05.2019 to 04.07.2019 and Gold Jewellery was exported by them against Shipping Bill No.4309108 dated 21.05.2019. The Gold Jewellery should have been re-imported within a period of 60 days from the close of exhibition as provided under Para 4.80(C)(i)(a) of HBP. They had handed over the Gold Jewellery for a quantity of (gross weight 6013.710 gms/net weight 5990.453 gms to Dubai Customs against Master Airway Bill (MAWB) No.1767916991 dated 03.09.2019 and House Airway Bill (HAWP) No.194E13486IN dated 03.09.2019. The said Gold Jewellery was cleared by Customs against bill of entry No.4773066 dated 05.09.2019. Their re-import are within 60 days from the date of closure of exhibition but according to Customs Authority at Mumbai there is a delay of 3 days on re-import.

Decision: The Committee examined the case on the basis of justification furnished by the firm and discussed the matter at length. The Committee decided to accept the request of the firm to condone the delay of 3 days for regularization of re-import of Gold Jewellery vide Master Airway Bill (MAWB) No.1767916991 dated 03.09.2019, after participation in an exhibition in Dubai
(Action: Applicant)

Case No. 14 M/s Penta Gold Limited, Ahmedabad
F. No. 01/60/162/564/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: EOP extension against Advance Authorisation No.0310827863 dated 22.03.2019 for a period of 90 days from the date of endorsement.

Applicant stated that they have fulfilled 68% of EO within the original EO validity against above mentioned AA, and were unable to complete the Balance EO due to their major consignees based in Hongkong in which protests begins in June 2019, also known as the Anti-Extradition Law Amendment Bill (ELAB) Movement, and ongoing series of demonstrations in Hong Kong which began with the aim to oppose the introduction of "the Fugitive Offenders amendment bill" proposed by the Hong Kong Government. Due to persistent protest and situation of the country, the Jewellery business has been affected the most. Consequently, their prominent buyers were not in a position to remit their dues. In fact, further export orders have also been deferred. In view of the above, the whole business cycle has been paralyzed and they had no other choice but to stop the further Jewellery consignment to their overseas buyers. Eventually, they have delayed the export of their finished goods (Gold Jewellery) and piled up the stock with them only. Because of this they could not complete EO balance within the initial validity. Currently, the situation is getting better in Hong Kong and they are receiving their over dues from their overseas buyers. They are also having new export orders from overseas parties and keen to export the goods to complete the EO balance

Decision: The Committee having examined the statement made by the firm observed that AA for import of gold are with pre-import condition and lower EOP than normal AAs. Accordingly, it found no merit in their case and it decided to reject the request.

(Action: Applicant)

Case No. 15 M/s Fresenius Kabi Oncology Limited, New Delhi
F. No. 01/60/162/560/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Second EOP extension against Advance Authorisation No.0510404320 dated 17.10.2017.

The applicant stated that they got the EO period extended from 18 months to 24 months. However, they could not fulfill 50% EO within the extended EOP of 24 months as input quantities were reduced as per adhoc norms ratified by NC in the HQ and they intended to do additional export against reduced inputs quantities. They have obtained multiple advance authorizations of the same export product. Adhoc norms against initial advance authorizations were ratified in January 2018, hence they were required to revisit previous licenses to do additional exports against reduced inputs quantities. Hence they could fulfill only 31% export against the subject authorisation. As per their projected exports, they will be able to fulfill 100% export during second extension i.e. from 24 months of 30 months.

Decision: The Committee examined the case in detail and in view of justification provided by the firm it was decided to accede to the request and allow second EOP extension of Advance Authorization No.0510404320 dated 17.10.2017 for a further period of 6 months from the date of expiry of first EOP extension (i.e. 24 Months to 30 Months from the date of issue of Advance authorisation) subject to payment of 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)

Case No. 16 M/s Chittoor Canning Pvt. Ltd., Chittoor (MP)
F. No. 01/60/162/489/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Condonation of procedural lapse for not mentioning the Advance Authorization No.0910033732 dated 24.04.2008 in the S/Bills towards fulfillment of EO.

The applicant stated that they had obtained the subject authorization to import of Al. Foil Aseptic Bags for a Quantity of 11,424 No's for a CIF Value of Rs. 29,37,816.00 with export obligation of Rs.1,09,50,000 (US$ 2, 75,818.64). They have imported a Quantity of 5712 No's valued at US$ 36,540 vide bill of entry no.760184 dated

05.06.2008. The balance quantity of numbers was not imported. They have made 3rd party exports through M/s. ITC Limited, Agri. Business Division, Secunderabad to the tune of US$ 2,17,381.40 Valued to Rs.1,06,34,835.80. Further the applicant has stated that due to inadvertent error on the part of exporter the advance license number was not indicated on the shipping bills.

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

(Action: Applicant)

Case No. 17 M/s Arvind Pipes & Fitting Industries Pvt. Ltd., Mumbai
F. No. 01/60/162/557/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Extension in E.O. period of Advance Authorisation No.0310814454 dated 05.07.2017.

The applicant stated that they had 4 overseas orders from Italy for supply of stainless steel cold drawn butt welded fittings, however, the order were suddenly cancelled by mail dated 20.12.2017 for which the material was by then already imported, leaving them stranded for the EO fulfillment. They tried their best and desperately even as a third party exporter to export the same, but meanwhile the EOP had expired. They have now taken alternative source to export the material through on hand export purchase order from M/s. Stalesia SP Z.O.O., Poland of total value US$ 24204.50 approx INR 17 lacs as well as for the rest of the value they will fulfill from their expected forthcoming overseas export orders; as they are keen to fulfill the EO against the said advance authorisation.

Decision: The Committee went through the submission made by the firm and observed that no exports have been made so far against this authorization. After detailed discussions; it found no merit in their case. Therefore, it was 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, may be taken /Applicant)

Case No. 18 M/s Fashion Flare International Pvt. Ltd., New Delhi
F. No. 01/60/162/554/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Counting of export of 4 Shipping Bill No.(i) 1259742 dated 25.02.2014, (ii) 1259743 dated 25.02.2014, (iii) 1362565 dated 03.03.2014 and (iv) 1669288 dated 19.03.2014 towards fulfillment of EO against Advance Authorisation No.0510375570 dated 07.01.2014.

The applicant stated that they have made export of one garment i.e. Ladies Blouse consisting of two fabrics which were imported under two different Advance Authorisations i.e.0510373205 dated 11.12.2013 and 0510375570 dated 07.01.2014. While filing the shipping bills for one item they have mentioned following descriptions in the above 4 Shipping Bills. Description:(i) Ladies Blouse made from 100% Rayon Woven Solid Fabric, GSM= 85 +/- 10% (as per utilization) Nt. Wt. Kgs. 0510373205 dated 11.12.2013) and (ii) 100% Nylon lace Fabric, GSM +40 +/- 10% Mtr. Nt. Wt...Kgs. Imported vide license no. 0510375570 dated 07.01.2014) (under free S/B involving only remittance of Foreign exchange). The export against these shipping bills have been made under both the advance licenses and the consumption of fabric, advance authorization, GSM and other vital information have been mentioned in the shipping bills. Though CLA, New Delhi has redeemed one Authorization No.0510373205 dated 11.12.2013 but has shown their inability to redeem the other Authorization No.0510375570 dated 07.01.2014 (exports made through free shipping bills).

Decision: The Committee examined the case on the basis of justification furnished by the firm and discussed the matter at length and decided to reject the request of the firm for accounting of above 4 Free Shipping Bills towards fulfillment of EO against Advance Authorization No. 0510375570 dated 07.01.2014. 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: CLA New Delhi: 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, may be taken /Applicant)

Case No. 19 M/s Alstom Transport India Limited, Bengaluru
F. No. 01/60/162/347/AM20/PRC
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Relaxation to the provision of Para 4.38 (vi), (vii) and (xii) to FTP 2015-20 of HBP for clubbing of 8 Advance Authorization No.(i) 0710090351 dated 21.08.2012, (ii) 0710090531 dated 31.08.2012, (iii) 0710095554 dated 23.05.2013, (iv) 0710096369 dated 02.07.2013, (v) 0710096370 dated 02.07.2013, (vi) 0710099232 dated 28.10.2013 and (vii) 0710101246 dated 10.01.2014 and (viii) 0710105249 dated 20.06.2014.

This is regarding review of the decision of the earlier PRC Meeting No. 17/AM20 dated 27.08.2019 (case no.15) in which the applicant has requested to clarify the issue regarding the above 8th Advance Authorisation No.0710105249 dated 20.06.2014. They have received the minutes of Norms Committee-I dated 11.09.2019 wherein the decision of PRC has been interpreted that the (export obligation of Advance Authorisation No.0710105249 dated 20.06.2014 would remain as it is even after clubbing).

Decision: The Committee reviewed the case and observed that request of the firm and minutes recorded in the earlier PRC decision were very clear. It reiterated that in view of the submissions made by the firm, all the above 8 advance authorizations need to be clubbed for imports and exports purposes wherein export obligation of the 8th Advance Authorisation No. 0710105249 dated 20.06.2014 be treated as 'NIL' as its EO is subsumed in the export Obligation of the other 7 advance authorisations taken together. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting, for clubbing.

(Action: Applicant/RA, Bangalore)

Case No. 20 M/s Sivakame Trading Company, Virudhunagar, TN
F. No. 01/60/162/ /AM20/PRC (Main File No.01/60/162/633/AM20/PRC)
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Relaxation for 2 hrs delay in arrival of import consignment as per Trade Notice No.38/2019-20 dated 05.11.2019 against Import License No.3519016113 dated 24.06.2019.

The applicant stated that they had imported Green Mung Beans against Import License No.3519016113 dated 24.06.2019 valid till 31.10.2019. They have specifically informed the shipper that the consignment must reach the destination port (Tuticorin Port – INTUTI) before 31.10.2019, however, the consignment got delay due to unforeseen circumstances of rough weather resulting in congestion at transshipment port. The vessel finally arrived at Tuticorin port at 02.00 hrs on 01.11.2019 (delay of about 2 hrs.)

Decision: Committee discussed the case and decided to get the full facts about late arrival of the vessel from the concerned customs/port authorities. Upon getting the confirmation of 2 hrs delay, the case for relaxation would be put on file for approval of the DGFT.

(Action: PC 4)

Case No. 21 M/s Kaleeswari Agencies, Virudhunagar, TN
F. No. 01/60/162/ /AM20/PRC (Main File No.01/60/162/633/AM20/PRC)
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Relaxation for 2 hrs delay in arrival of import consignment as per Trade Notice No.38/2019-20 dated 05.11.2019 against Import License No.3519016118 dated 24.06.2019.

The applicant stated that they had imported Green Mung Beans against Import License No.3519016118 dated 24.06.2019 valid till 31.10.2019. They have specifically informed the shipper that the consignment must reach the destination port (Tuticorin Port – INTUTI) before 31.10.2019, however, the consignment got delay due to unforeseen circumstances of rough weather resulting in congestion at transshipment port. The vessel finally arrived at Tuticorin port at 02.00 hrs on 01.11.2019 (2 hrs delay).

Decision: Committee discussed the case and decided to get the full facts about late arrival of the vessel from the concerned customs/port authorities. Upon getting the confirmation of 2 hrs delay, the case for relaxation would be put on file for approval of the DGFT.

(Action: PC 4)

Case No. 22 M/s O.M.S.P. Columbus Partners, Virudhunagar, TN
F. No. 01/60/162/ /AM20/PRC (Main File No.01/60/162/633/AM20/PRC)
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Relaxation for 2 hrs delay in arrival of import consignment as per Trade Notice No.38/2019-20 dated 05.11.2019 against Import License No.3519016195 dated 25.06.2019.

The applicant stated that they had imported Green Mung Beans against Import License No.3519016195 dated 25.06.2019 valid till 31.10.2019. They have specifically informed the shipper that the consignment must reach the destination port (Tuticorin Port – INTUTI) before 31.10.2019, however, the consignment got delay due to unforeseen circumstances of rough weather resulting in congestion at transshipment port. The vessel finally arrived at Tuticorin port at 02.00 hrs on 01.11.2019 (2 hrs delay).

Decision: Committee discussed the case and decided to get the full facts about late arrival of the vessel from the concerned customs/port authorities. Upon getting the confirmation of 2 hrs delay, the case for relaxation would be put on file for approval of the DGFT.

(Action: PC 4)

Case No. 23 M/s V Amirthammal & Company, Virudhunagar, TN
F. No. 01/60/162/ /AM20/PRC (Main File No.01/60/162/633/AM20/PRC)
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Relaxation for 2 hrs delay in arrival of import consignment as per Trade Notice No.38/2019-20 dated 05.11.2019 against Import License No.3519016182 dated 24.06.2019.

The applicant stated that they had imported Green Mung Beans against Import License No.3519016182 dated 24.06.2019 valid till 31.10.2019. They have specifically informed the shipper that the consignment must reach the destination port (Tuticorin Port – INTUTI) before 31.10.2019, however, the consignment got delay due to unforeseen circumstances of rough weather resulting in congestion at transshipment port. The vessel finally arrived at Tuticorin port at 02.00 hrs on 01.11.2019 (2 hrs delay).

Decision: Committee discussed the case and decided to get the full facts about late arrival of the vessel from the concerned customs/port authorities. Upon getting the confirmation of 2 hrs delay, the case for relaxation would be put on file for approval of the DGFT.

(Action: PC 4)

Case No. 24 M/s S.S.P.P. Trade Links Virdhunagar, TN
F. No. 01/60/162/ /AM20/PRC (Main File No.01/60/162/633/AM20/PRC)
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Relaxation for 2 hrs delay in arrival of import consignment as per Trade Notice No.38/2019-20 dated 05.11.2019 against Import License No.3519016661 dated 30.07.2019.

The applicant stated that they had imported Green Mung Beans against Import License No.3519016661 dated 30.07.2019 valid till 31.10.2019. They have specifically informed the shipper that the consignment must reach the destination port (Tuticorin Port – INTUTI) before 31.10.2019, however, the consignment got delay due to unforeseen circumstances of rough weather resulting in congestion at transshipment port. The vessel finally arrived at Tuticorin port at 02.00 hrs on 01.11.2019 (2 hrs delay).

Decision: Committee discussed the case and decided to get the full facts about late arrival of the vessel from the concerned customs/port authorities. Upon getting the confirmation of 2 hrs delay, the case for relaxation would be put on file for approval of the DGFT.

(Action: PC 4)

Case No. 25 M/s Feenix Agro Products Virudhunagar, TN
F. No. 01/60/162/ /AM20/PRC (Main File No.01/60/162/633/AM20/PRC)
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Relaxation for 7 days delay in arrival of import consignment as per Trade Notice No.38/2019-20 dated 05.11.2019 against Import License No.3519016156 dated 24.06.2019.

The applicant stated that they had imported Green Mung Beans against Import License No.3519016156 dated 24.06.2019 valid till 31.10.2019. They have specifically informed the shipper that the consignment must reach the destination port (Tuticorin Port – INTUTI) before 31.10.2019, however, the consignment got delay due to unforeseen circumstances of rough weather resulting in congestion at transshipment port. They had been informed by APL that due to unforeseeable upsurge, Cargo had to change to another vessel/voyage at the transshipment port and intimated new date (rescheduled) of the arrival date as on 07.11.2019 from the original date of 31.10.2019.

Decision: Committee discussed the case and decided to get the full facts about late arrival of the vessel from the concerned customs/port authorities. Upon getting the confirmation of delay, the case for relaxation would be put on file for approval of the DGFT.

(Action: PC 4)

Case No. 26 M/s NVR & Co., Virudhunagar, TN
F. No. 01/60/162/ /AM20/PRC (Main File No.01/60/162/633/AM20/PRC)
PRC Meeting No. 23/AM20 dated 03.12.2019

Subject: Relaxation for 7 days delay in arrival of import consignment as per Trade Notice No.38/2019-20 dated 05.11.2019 against Import License No.3519016107.

The applicant stated that they had imported Green Mung Beans against Import License No.3519016107 valid till 31.10.2019. They have specifically informed the shipper that the consignment must reach the destination port (Tuticorin Port – INTUTI) before 31.10.2019, however, the consignment got delay due to unforeseen circumstances of rough weather resulting in congestion at transshipment port. They had been informed by APL that due to unforeseeable upsurge, Cargo had to change to another vessel/voyage at the transshipment port and intimated new date (rescheduled) of the arrival date as on 07.11.2019 from the original date of 31.10.2019.

Decision: Committee discussed the case and decided to get the full facts about late arrival of the vessel from the concerned customs/port authorities. Upon getting the confirmation of delay, the case for relaxation would be put on file for approval of the DGFT.

(Action: PC 4)

Case No. 27: Incomplete Cases

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

S. No.	Name of the firm	Subject of the firm	Remarks
1.	M/s. Baliga Lighting Equipment Private Ltd., Chennai	Redemption of LUT-AA no. 041013447 dated 07.03.2012.	ANF 2D and Proof of application fee not submitted
2.	M/s. Scigenics (India) Pvt. Ltd., Chennai	Request for consider shipping bill under advance license and allow them to extend EOP against AA no. 0410162152 dated 01.08.2016.	ANF 2D not submitted
3.	M/s AET	To allow chapter-3 benefit	ANF 2D not

	Laboratories P.Ltd., Telangana	against s/bill no.8570809 dated 29.06.2016	submitted
4.	M/s Veekay Smelters p. Ltd., Andhra Pradesh	Time relaxation for fulfilling EO against AA no.2610012779 dated 15.12.2016,2610012763 dated 14.07.2016 and 2610012767 dated 17.08.2016	ANF 2D and proof of application fee submitted
5.	M/s. ITC Limited, Secunderabad	EOP against AA no. 0910065097 dated 24.05.2017.	ANF 2D and proof of application fee submitted
6.	M/s Salicylates and Chemicals Pvt Ltd., Hyderabad	Removal of their name from DEL	ANF 2D and proof of application fee submitted
7.	M/s Dee Dovelopment Engineers Ltd., Haryana	EOP extension against Advance Authorisation No.0510402670 dtd.23.05.2017	ANF 2D and proof of application fee submitted
8.	M/s Bosch limited, Karnataka	To allow MEIS benefit against 185 S/bills	ANF 2D not submitted
9.	M/s Bosch Chassis Systems India P limited, Karnataka	To allow MEIS benefit against 57 S/bills	ANF 2D not submitted
10.	M/s. Suprajit Engineering limited, Karnataka	Relaxation of 79 days – excise certificate for installation of machinery, EPCG authorization no. 0530134980 dated 01.10.2003.	ANF 2D and proof of application fee submitted
11.	M/s Essar Steel India Limited, Mumbai	Accepting the manual BRCs, FIRCs ,Bank statement as a proof of realisation in lieu of e-BRC	ANF 2D and proof of application fee submitted
12.	M/s Essar Steel India Limited, Mumbai	Considering shipping bills pertaining to the period between 01.04.2016 to 09.06.2017, to be considered under the purview of Trade Notice no.24 dated 21.02.2018	ANF 2D and proof of application fee submitted
13.	M/s. Ram Ratna International, Mumbai	Clubbing and redemption of Advance Authorization no. 0310435343 dated 09.07.2007 and 0301474434 db. 12.06.2008 along with refund of excess amount paid.	ANF 2D not submitted
14.	M/s. CHL Limited, New Delhi	Exemption in maintaining Annual Average Sent to EPCG section -1.	ANF 2D and proof of application fee submitted
15.	M/s. Nextgen Comm. Technologies Pvt.	Non fulfilment of EO towards EPCG License no. 0530160546 dated 15.03.2013, Request for	ANF 2D and proof of application fee submitted

Uycu

	Ltd., Ghaziabad	Extension of EPCG license no. 0530160546 dated 15.03.2013	
16.	M/s. Jaypee Footwear Private Limited, MP	EOP extension of EPCG authorization no. 1130002209 dated 10.08.2011.	Proof of application fee not submitted
17.	M/s. Masu International Products	Regarding claim of SHIS under Chapter 3	ANF 2D and proof of application fee submitted
18.	M/s. Sanghar Exports, Mumbai	Consideration of SBs for the purpose of EO against AA no. 3110047146 dated 01.03.2011.	ANF 2D not submitted
19.	M/s. Karwa Spinnrs (Pvt) Ltd., Varanasi	Prayer for claim of Duty Scrip Rejected by Jt. DGFT, Varanasi (15/21/087/50001/AM20)	ANF 2D and proof of application fee submitted
20.	M/s. Karwa Spinnrs (Pvt) Ltd., Varanasi	Prayer for claim of Duty Scrip Rejected by Jt. DGFT, Varanasi (15/21/087/50002/AM20)	ANF 2D and proof of application fee submitted
21.	M/s. AXA Leather Group, Vaniyambadi	Redeem EPCG authorization no. 0430015723 dt. 02.05.2016.	Proof of application fee not submitted
22.	M/s Inwac Metals and chemicals Ltd., Vadodara	To accept SEZ certificate in lieu of Bill of export against seven AA no.3410038588 dated 29.11.2013, 3410038998 dated 13.01.2014, 3410039659 dated 28.03.2014, 3410039999 dated 08.05.2014, 3410040336 dated 04.07.2014, 3410040820 dated 19.12.2014 and 3410040878 dated 19.01.2015	ANF 2D and fee not given

(Action: All 22 firms as mentioned in column 2 of table above).

*****