

Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting held on 30.01.2019 under
the Chairmanship of Shri Alok Vardhan Chaturvedi,
Director General of Foreign Trade

Meeting No.29/AM19 held on 30.01.2019

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 |
| 7. 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 QTL Export House, Delhi	01-05
2.	M/s QTL Creations, Delhi	06-11
3.	M/s Quality Trade Linkers, Delhi	12-17
4.	M/s Vedanta Limited, New Delhi	18
5.	M/s R R Kabel Limited, Mumbai	19
6.	M/s Great Banyan Art Company Pvt. Ltd., New Delhi	20
7.	M/s Indian Oil Corporation Ltd., Mumbai	21
8.	M/s Pilot Industries Ltd., New Delhi	22
9.	M/s Narri Pharma Pvt. Ltd., New Delhi	23
10.	M/s Sterling Auxiliaries Pvt. Ltd., Mumbai	24-32
11.	M/s Payal Polyplast Pvt. Ltd., New Delhi	33
12.	M/s Kishore Chandra Kalyanji Agri LLP. Mumbai	34
13.	M/s Bharat Forge Limited, Pune	35
14.	M/s Rhine Power Limited, Delhi	36
15.	M/s Adcock Ingram Ltd., Bangalore	37-40
16.	M/s Dinodia Fashion, New Delhi	41
17.	M/s Bangera Seaworld Pvt. Ltd., Mumbai	42
18.	M/s Stove Kraft Limited, Karnataka	43
19.	M/s Galaxy Surgactants Ltd., Mumbai	44
20.	M/s Krishnapatnam Port Company Limited, AP	45
21.	M/s Concord Exotic Voyages India Pvt. Ltd., Kerala	46

Chyans

22.	M/s Supriya Packaging Pvt. Ltd., Nagpur	47
23.	M/s R R Kabel Limited, Mumbai	48
24.	M/s Pahwa Manufactures Sitapur (UP)	49
25.	M/s Salicylates & Chemicals Private Limited, Hyderabad	50
26.	M/s Sun Pharmaceuticals Industries Limited, Vadodara	51
27.	M/s Olympic Zipper Ltd., Delhi	52
28.	M/s. Jodas Expoim Pvt. Ltd., New Delhi	53
29.	M/s. Gilwood Fashions Pvt. Ltd., Karnataka	54
30.	M/s. L&T Kobelco Machinery Private Limited, Tamilnadu	55
31.	M/s. Omega Icehill Pvt. Ltd., New Delhi	56
32.	M/s. Etco Deco Denim Private Limited, Maharashtra	57
33.	M/s. Alps Industries Ltd., Ghaziabad	58
34.	M/s. Jindal Aluminium Ltd., Bengaluru	59
35.	M/s. Cadila Healthcare Limited, Ahmedabad	60
36.	M/s. Tattva Enterprises LLP, Mumbai	61
37.	M/s. Volkswagen Indian Pvt. Limited, Mumbai	62
38.	Incomplete Cases	63

PH Case No.01: M/s QTL Export House, Delhi

F. No. 01/60/162/685(A)/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow chapter 3 benefit against R.A F. no. 05/52/073/00016/AM13 relaxing the intent of declaration.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.02: M/s QTL Export House, Delhi

F. No. 01/60/162/685(A)/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow chapter 3 benefit against R.A F. no. 05/52/087/0004399/AM13 relaxing the intent of declaration.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)



PH Case No.03: M/s QTL Export House, Delhi
F. No. 01/60/162/685(B)/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow chapter 3 benefit against R.A F. no. 05/52/087/0003063/AM13 relaxing the intent of declaration.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.04: M/s QTL Export House, Delhi
F. No. 01/60/162/743/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 126 shipping bills.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.05: M/s QTL Export House, Delhi
F. No. 01/60/162/742/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 47 shipping bills.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.06: M/s QTL Creations, Delhi
F. No. 01/60/162/699/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 30 shipping bills.

Uyans

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.07: M/s QTL Creations, Delhi

F. No. 01/60/162/685(E)/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow chapter 3 benefit against R.A F. no. 05/51/087/02317/AM11 relaxing the intent of declaration.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.08: M/s QTL Creations, Delhi

F. No. 01/60/162/700/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 77 shipping bills.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.09: M/s QTL Creations, Delhi

F. No. 01/60/162/685(F)/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow chapter 3 benefit against R.A F. no. 05/52/087/03064/AM13 relaxing the intent of declaration.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.10: M/s QTL Creations, Delhi

F. No. 01/60/162/685(C)/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow chapter 3 benefit against R.A F. no. 05/52/087/04406/CLA) relaxing the intent of declaration.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.11: M/s QTL Creations, Delhi

F. No. 01/60/162/701/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 29 shipping bills.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.12: M/s Quality Trade Linkers, Delhi

F. No. 01/60/162/747/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 85 shipping bills

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.13: M/s Quality Trade Linkers, Delhi

F. No. 01/60/162/685(G)/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow chapter 3 benefit against RA F. No. 05/52/073/02311/CLA relaxing the intent of declaration.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.



(Action: Applicant)

PH Case No.14: M/s Quality Trade Linkers, Delhi

F. No. 01/60/162/685(H)/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow chapter 3 benefit against RA F. No. 05/52/073/00015/CLA relaxing the intent of declaration.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.15: M/s Quality Trade Linkers, Delhi

F. No. 01/60/162/745/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 8 shipping bills.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.16: M/s Quality Trade Linkers, Delhi

F. No. 01/60/162/746/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 20 shipping bills.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.17: M/s Quality Trade Linkers, Delhi

F. No. 01/60/162/744/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019



Subject: Relaxation for the declaration of intent claim the benefits admissible under chapter 3 of FTP and condone the delay in filing of chapter -3 benefit against 20 shipping bills.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.18: M/s Vedanta Limited, New Delhi

F. No. 01/60/162/474/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: (i) Grant of MIES Entitlement against Actual foreign exchange value realized in respect of shipping bill no.1777184 dated 14.07.2015 and 1799444 dated 15.07.2015 and (ii) Grant of MEIS in respect of export made to eligible country (incorrect country entered by customs in the Shipping Bill No.3758716 dated 26.10.2015).

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Ms. Swati Dhamija, representative of the firm appeared before the committee and made the following submissions:

At the time of transmission of Shipping Bills to DGFT Server, the Customs Department have entered the incorrect (highly inflated) Insurance values in respect of Shipping Bill No. 1777184 dated 14.07.2015 and 1799444 dated 15.07.2015.

Actual Value of Insurance against Shipping Bill No. 1777184 dated 14.07.2015 and 1799444 dated 15.07.2015 was USD 65.98 and 87.66 respectively as against 2,95,337.06 USD and 5,21,302.67 entered by Customs.

The Customs Department have issued firm a certificate dated 08.10.2015 confirming the same.

Due to wrongly transmitted values of Insurance, they are unable to claim the actual MEIS benefit that they are eligible against the subject shipping bills.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and noted that the amendment has been made manually by the customs which is not available on EDI Portal. Hence the Committee decided to take up the matter with Customs by EDI Division stating that either the manual amendment may not be given to the exporters at all, or if given, the same may also be made available on EDI portal, online, so that chapter-3 benefit may be given to the applicant.

(Action: EDI/NIC)

PH Case No.19: M/s R R Kabel Limited, Mumbai

F. No. 01/60/162/143/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019



Subject: To issue of IEIS license for Rs.55,65,229.59 against file no. 03/21/92/80008/AM17.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019 and Shri Sunit Mohandas, Manager Accounts & Finance of the firm appeared before the Committee and made the following submissions:

They are a three star export house awarded by Mumbai DGFT and due to this they were eligible for IEIS License for which they had applied on 28th March 2016. However, due to technical failure, they were unable to pay the application fee, which was finally paid by them on 7th April 2016 only. Due to the above the RA has rejected their IEIS claim for which they can't be held responsible.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and found no merit in the case and hence decided to reject it.

(Action: Applicant)

PH Case No.20: M/s Great Banyan Art Company Pvt. Ltd., New Delhi

F. No. 01/60/162/543/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Acceptance of one manually amended shipping bill no. 2962957 dated 19.02.2018 for MEIS benefit.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, Shri Neeraj Batra, Chairman & Founder, Shri Sanjay Gopal, Head Accounts and Shri Vikas Chopra, representative of the firm appeared before the Committee and requested for review of the decision of PRC regarding acceptance of one manually amended shipping Bill No. 2962957 dated 19.02.2018 (Case no. 18 in the PRC meeting no. 22AM19 dated 06.11.2018).

Decision: The Committee heard the submission made by the firm and discussed the matter at length and noted that the amendment in reward column from N to Y has been made manually by the customs which is not available on EDI Portal. Hence the Committee decided to take up the matter with Customs by EDI Division stating that either the manual amendment may not be given to the exporters at all, or if given, the same may also be made available on EDI portal, online, so that chapter-3 benefit may be given to the applicant.

(Action: EDI/NIC)

PH Case No.21: M/s Indian Oil Corporation Ltd., Mumbai

F. No. 01/60/162/354/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To grant of Policy Relaxation for the applicability of para 3.14 of HBP (Vol.I) regarding declaration of intent on shipping bill for claiming rewards under MEIS.



The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, Shri S. Rana, Deputy General Manager (Commercial), Ms. Sunita Minj, Deputy General Manager (Commercial) and Ms. K.R. Lalitha, Chief Manager (Finance) of the firm appeared before the Committee and made the following submissions:

The goods were exported under Duty Drawback Scheme (DBK), where the examination norms by Customs are more stringent and the case is not the one where goods are exported under free shipping bill without any examination. Procedure for declaration of intent is prescribed at Para 3.14 of HBP, which is a procedural requirement. Substantial benefit conferred under FTP cannot be taken away due to failure to follow a procedural requirement.

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)

PH Case No.22: M/s Pilot Industries Ltd., New Delhi

F. No. 01/60/162/815/AM18/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in fulfilling of EO under Advance Authorization no. 0510375028 dated 31.12.2013.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Upainder Aggarwal, Business Head of the firm appeared before the Committee and made the following submissions:

They have stated that on the path of their growth, the management had decided to enter into export of their product for the purpose of which the company approached M/s Sebang Global, a company in South Korea for export of their product, viz. Lead & Lead Alloy. Their company entered into an agreement for exporting 99.97% Pure Lead Jumbo Block – 1100 MT and Lead Alloys ingots A30 – 1100 MT for the period 01.03.2014 to 01.01.2015. As they were new in the production of Pre Lead Jumbo Ingots 99.97% and Lead Alloys A-30, they were not able to manufacture the goods with desired international quality by their buyer. Moreover, it was not possible to check the percentage of dross while making Pure Lead Jumbo Ingots 99.97% and Lead Alloys A30 because, it can only be measured during the processing of material by the buyer and there is no equipment for measuring dross percentage in Pure Lead Jumbo Ingots 99.97% and Lead Alloys A30. Only buyer will come to know about the percentage of dross generation when they will use this material on their production lines, while manufacturing the final product i.e. Lead Acid Batteries. Further, the quality as desired by buyer was not possible to meet out in Indian scenario i.e. LME of Lead had drastically dropped which were beyond their control and they were new in the export market therefore unable to sustain their company. Due to specific quality as desired by buyer and economic factor formed a reason for their company to unable to fulfill the balance export within validity period.



Decision: The Committee examined the case in detailed and in view of justification provided by the firm decided to accede to the request and allowed EOP extension up to 03.10.2016 only for regularization purpose subject to the payment of composition Fee as follows;

- i) From 24 months to 30 months- @0.5% per month on the unfulfilled FOB Value, if exports are fulfilled more than 50% within initial /extended EOP or @ 1% per month where exports have been made less than 50% within initial/extended EOP.
- ii) From 30 month onwards, composition fee @ 1% per month on unfulfilled FOB value.
- iii) The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.23: M/s Narri Pharma Pvt. Ltd., New Delhi

F. No. 01/60/162/530/AM18/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in Export obligation for another 03 months against advance authorization no. 0510397978 dated 18.03.2016.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, but no one appeared on behalf of the firm. Therefore, the Committee decided to defer the case.

(Action: Applicant)

PH Case No.24: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai

F. No. 01/60/162/448/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310806581 dated 25.07.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.



(Action: Applicant/RA)

PH Case No.25: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai

F. No. 01/60/162/450/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310806464 dated 21.07.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.26: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai

F. No. 01/60/162/449/AM19/PRC

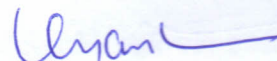
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310802283 dated 08.02.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)



PH Case No.27: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai

F. No. 01/60/162/451/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310802661 dated 17.02.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.28: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai

F. No. 01/60/162/447/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310799822 dated 29.10.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.29: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai

F. No. 01/60/162/453/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310806465 dated 21.07.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.30: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai

F. No. 01/60/162/452/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310806458 dated 21.07.2016

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.31: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai

F. No. 01/60/162/268/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019



Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310791532 dated 28.11.2014.

- The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.32: M/s Sterling Auxiliaries Pvt. Ltd., Mumbai
F. No. 01/60/162/172/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

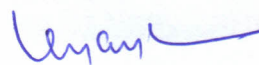
Subject: Extension in EOP for 6 months from the date of endorsement against advance authorization no. 0310789164 dated 15.09.2014.

- The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Vijendra Salunke, Senior Export Executive of the firm appeared before the Committee and made a request for review/amendment of decision of PRC. (Case No. 24 in the PRC meeting no. 25 AM19 dated 18.12.2018). The Committee had given extension of 30 months which has already expired. Therefore, extension granted by PRC would not help them to complete their export obligations.

Decision: The Committee went through the statements made by the firm during the personal hearing and after detailed deliberations decided to accede to the request of the firm for granting extension in EO for a period of 6 months from the date of endorsement subject to payment of composition fee @1% per month on the unfulfilled FOB Value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

- **(Action: Applicant/RA)**

PH Case No.33: M/s Payal Polyplast Pvt. Ltd., New Delhi
F. No. 01/60/162/575/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019



Subject: Clubbing of 2 advance authorizations no. (i) 0510394707 dated 25.06.2015 and (ii) 0510399236 dated 27.07.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019, Shri P.K. Bahl, Senior Executive of the firm appeared before the Committee and requested for review of rejection of their earlier request by PRC. (Case No. 36 in the PRC meeting No. 23 AM19 dated 20.11.2018). Due to oversight they could not complete 100% Import and Export in each license. It is a great hardship to them to pay the customs duty and excess import as they are regularly exporting and were never in default against any license.

Decision: The Committee was informed that the Public Notice 70/2015-2020 dated 30.01.2019 related to facility of clubbing of authorizations has been issued today. Hence the Committee decided to refer the case to RA for taking necessary action in terms of Public Notice 70/2015-2020 dated 30.01.2019.

(Action: Applicant/RA)

PH Case No.34: M/s Kishore Chandra Kalyanji Agri LLP. Mumbai
F. No. 01/60/162/660/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Permission for import of peas under RC no. 03/27/153/00017/AM19.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Nilesh Veera, Business Head of the firm appeared before the Committee and requested for review of rejection of their earlier request by PRC (Case no. 25 in the PRC meeting no. 26 AM19 dated. 20.11.2018). They have submitted that the supplier has asked them to honor the actual contractual quantity of 1,10,000 MTS, otherwise their advance of USD 440,000 will be forfeited by them as per terms of the contracts, apart from claims of damages for backing out of contract.

Decision: The Committee went through the statements made by the firm and decided to refer the case to Policy-2(A) Division for its examination.

(Action: PC-2(A) division)

PH Case No.35: M/s Bharat Forge Limited, Pune
F. No. 01/60/162/678/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Clarification on requirement of import license for goods imported under ATA carnet scheme and sold to Defence.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Devinder Bagia, Joint Partner/Advocate and Shri Subrata Das, Senior Manager of the firm appeared before the committee and made the following submissions:

The goods were imported under ATA carnet scheme, no restriction applied to the same and the same were imported into India with a license. On receipt of CDEC from EME, they approached the Customs department to regularize the import vide letter dated 29.06.201. Customs directed them to procure an import license for the imported parts. At the time of imports the parts were classified under tariff item 93052090. The imported goods in the present case have been supplied to EME and are being used for defense purposes. Thus, as the imported goods are put to defense, it is submitted that no import license is required for import of any restricted goods.

Decision: The Committee went through the statements made by the firm and decided to refer the case to Policy-2(A) Division for its examination.

(Action: PC-2(A) division)

PH Case No.36: M/s Rhine Power Pvt. Limited, Delhi

F. No. 01/60/162/88/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Allowing the TED refund on supplying the goods to EPCG authorization holder against invalidation letter EPCG authorization no. 0530151311 dated 19.12.2010 and 0530151319 dated 19.02.2010 in terms of para 8.2 (c) of FTP 2009-14.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 30.01.2019. Shri Sanjay Surana, Director of the firm appeared before the Committee and requested for review of rejection of their earlier request by the PRC (Case no. 25 in the PRC meeting no. 15/AM19 dated 11.09.2018). They have supplied the goods directly to EPCG Authorization holder and not to the third party. The firm further requested for grant of relaxation as per Para 2.58 of FTP for getting the approval for TED on the ground of genuine hardship.

Decision: The Committee having discussed the case observed that both supplies to and payment has been made by L & T, who is not an EPCG authorization holder. Thus it found no merit in the case and hence decided to maintain rejection of the request of the firm.

(Action: Applicant)

Case No.37: M/s Adcock Ingram Ltd., Bangalore

F. No. 01/60/162/707/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow MEIS benefit against 20 shipping bills.

They have received MEIS Authorizations where they found error codes as 02:00:38 (While MEIS Authorization details transmission from DGFT to Customs). Henceforth, due to error code again they surrendered the above three MEIS Authorizations and also re-received MEIS Authorizations for the same (vide MEIS authorization Nos. 0719019261 dated 17.05.2017, 0719019262 dated 17.05.2017 & 0719021560 dated

07.09.2017). They are unable to avail MEIS benefit due to 3 years time limit as per FTP and also not reflecting the Shipping Bills details in the DGFT server. They confirmed that they have not utilized any shipping bill for the same.

Decision: The Committee went through the statement made by the firm in their 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. At the same time it decided to send request of the firm to EDI for their examination.

(Action: EDI/PRC)

Case No.38: M/s Adcock Ingram Ltd., Bangalore

F. No. 01/60/162/705/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow MEIS benefit against 12 shipping bills for the period of 2017-2018.

They are unable to apply MEIS application, due to shipping bills are not reflecting at DGFT. Each shipping bill transmitted from customs to DGFT server and also, closed the EGM from Customs for the same. They confirmed that they are eligible to avail MEIS benefits as per DGFT MEIS list and they also declared in the shipping bill as a "They intend to claim rewards under MEIS with "Y".

Decision: The Committee went through the statement made by the firm in their 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. At the same time it decided to send request of the firm to EDI for their examination.

(Action: EDI/PRC)

Case No.39: M/s Adcock Ingram Ltd., Bangalore

F. No. 01/60/162/706/AM19/PRC

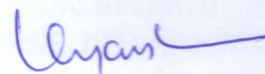
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow MEIS benefits for the period of 2017-2018.

They are unable to apply MEIS application, due to shipping bills are not reflecting at DGFT. Each shipping bill transmitted from customs to DGFT server and also, closed the EGM from Customs for the same. They here by confirm you that they are eligible to avail MEIS benefits as per DGFT MEIS list and they also declared in the shipping bill as a "They intend to claim rewards under MEIS with "Y".

Decision: The Committee went through the statement made by the firm in their 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. At the same time it decided to send request of the firm to EDI for their examination.

(Action: EDI/PRC)



Case No.40: M/s Adcock Ingram Ltd., Bangalore

F. No. 01/60/162/708/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow MEIS benefit against 24 shipping bills.

They are unable to apply MEIS application, due to shipping bills are not reflecting at DGFT. They confirmed that they are eligible to avail MEIS benefits as per DGFT MEIS list and they also declared in the shipping bill as a "They intend to claim rewards under MEIS with 'Y'". They are unable to avail MEIS benefit due to 3 years time limit as per FTP.

Decision: The Committee went through the statement made by the firm in their 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. At the same time it decided to send request of the firm to EDI for their examination.

(Action: EDI/PRC)

Case No.41: M/s Dinodia Fashion, New Delhi

F. No. 01/60/162/695/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To grant MEIS benefit against four Shipping Bills 6109118 dated 09.07.2018, 6258338 dated 16.07.2018, 6412859 dated 23.07.2018, 6450122 dated 25.07.2018 after proper amendment by Customs in HS code.

Due to oversight by the CHA the ITC (HS) Code has been mentioned 63041910, wrongly. While the correct ITC (HS) Code was 63041940. Customs cleared the goods as bed sheets and made ups made of cotton Handlooms as given in description on shipping bills. Let export order was given by customs through EDI system for the four shipping bills mentioned below. But the moment they realized this mistake, they requested customs to do necessary amendment of ITC (HS) Code. The customs issued the necessary orders and amendment was done by them, manually on the shipping bills as details given below. Keeping in view of above situation, they have not applied for the rewards due under MEIS scheme under FTP for their export of goods through these shipping bills, till now. They approached customs port of ICD Tughlakabad, from where these export had taken place. There, they were informed that this amendment is not possible in EDI system, after the "Let Export" order is given by customs.

Decision: The Committee went through the statements made by the firm and decided to refer the issue to Policy-3 Division for its examination. After examination, case would be again brought before PRC.

(Action: PC-3 Division)

Case No.42: M/s Bangera Seaworld Pvt. Ltd., Mumbai

F. No. 01/60/162/678/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019



Subject: To Relax para 3.01(g) of HBP 2015-20 and allow manual feeding of two EDI shipping bills 3497646 dated 17.01.2017, 3894502 dated 04.02.2017 to claim MEIS benefit.

The firm was unable to avail the MEIS export incentives for shipments effected between January 2017 to March 2017. Customs amending the HS code from 03069100 to 03061100 as the EDI shipping bills cannot be amended after the shipment. The online system is not accepting the changes & they are unable to get their claim. The commissioner of Customs, JNPT have amended the HS code from 03069100 to 03061100 manually in all above S/Bills, by issuing amendment certificates. The system does not facilitate transmission of such correction electronically. As per para 3.01 (g) of HBP 2015-2020, for EDI shipping bills, no manual feeding of shipping bill data is allowed and permitted.

Decision: The Committee went through the statements made by the firm and decided to refer the issue to Policy-3 Division for its examination. After examination, case would be again brought before PRC.

(Action: PC-3 Division)

Case No.43: M/s Stove Kraft Limited, Karnataka

F. No. 01/60/162/692/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow MEIS benefits for the period from November-2015 to January-2016.

They have stated that during the period of merger of old scheme under chapter-3 of FTP-2015-2020 and introduction of Merchant Exports of India scheme, they have not declared YES when generating the shipping and as a result they have foregone the benefit of MEIS for the month of Nov. -2015, December-2015 and January -2016. As the scheme was new and they never claimed the benefits under chapter-3 in the past, they were not aware of the procedure of claiming of benefits under newly introduced MEIS scheme for the said period and prayed for awarding the benefit of MEIS for the period.

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

(Action: Applicant)

Case No.44: M/s Galaxy Surfactants Ltd., Mumbai

F. No. 01/60/162/703/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Revalidation of MEIS Scrip no. 3719001627 dated 17.12.2016.

During Dec 2016 they made their application to D. C. Kandla, SEZ, Ahmedabad for grant of MEIS benefits their exports of 10 shipping bills. However while considering

the MEIS benefits, DC Kandla SEZ Ahmedabad issued the MEIS Scrip bearing No. 37190001627 Dated 17.12.2016 for Rs. 185122.00 only considering only 5 shipping bills and excluded 5 shipping bills. They have not utilized MEIS Scrip for any imports. However it took considerable time to sort out the above issue and ultimately DC's office agreed to issue re-activation letter. Subsequently on 13/12/2018 they rushed to register the said script at Hazira Port. On the same day they have also tried to file bill of Entry to Debit the said Script on Customs Site but they were not able to File the same as System shows error No 413 i.e. expired Licence, they approached Custom authority and explained them that in terms of Public Notice No. 33/2015-2020 dated 23.10.2017 the validity period of the MEIS scrip has been modified from 18 months to 24 months for which no endorsement was required from D. C Kandla, SEZ Ahmedabad and hence it should be deemed to be considered as valid up to 16.12.2018 as they wanted to debit the same on 14/12/2018 for one of their import consignment. But it was not agreed by Customs and their MEIS expired.

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

(Action: Applicant)

Case No.45: M/s Krishnapatnam Port Company Limited, AP

F. No. 01/60/162/717/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Revalidation of SFIS duty credit scrip No. 0410162315 dated 26.09.2016 for 12 months up to 31.03.2019.

Firm had explained that after the roll out of GST from 01.07.2017, Central Excise Duty was replaced by IGST. Before roll out of GST, duty credit scrips were permitted to be debited not only with Basic Customs Duty (BCD) but also Central Excise Duty. However, after 01.07.2017, the duty credit scrips are permitted to be debited only with BCD payable on imported goods. Thereby the quantum of duty debit in the SFIS scrips has come down drastically. It is against the provisions of FTP as existed in the F/Y 2013-14.

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

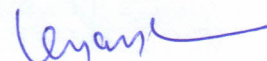
(Action: Applicant)

Case No.46: M/s Concord Exotic Voyages India Pvt. Ltd., Kerala

F. No. 01/60/162/686/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Revalidation of SFIS Duty Scrip Authorization No. 1710006547 dated 25.01.2017, 1710006548 dated 25.01.2017, 1710006549 dated 25.01.2017, 1710006550 dated 25.01.2017, 1710006551 dated 25.01.2017, 1710006552 dated 25.01.2017 and 1710006553 dated 25.01.2017.



They are into inbound Tourism Services, they do not have 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 was rejected, for which they are re-approaching the Transport Commissioner. In the meanwhile their SFIS scrips have expired.

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

(Action: Applicant)

Case No.47: M/s Supriya Packaging Pvt. Ltd., Nagpur

F. No. 01/60/162724/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Revalidation of Advance Authorization License no. 5010002326 dated 06.02.2017 for period of 12 months.

The Advance License No. 5010002326 of dated 06.02.2017 was issued at the rate of Rs. 80000/- per Metric Ton and exchange rate was of 69.10 for the imports of 1080 MTS of Polypropylene (PP) Granules, but import made under the same advance Licence No. 5010002326 of dated 06.02.2017 at the rate of Rs.83570/-, Rs.84070/-, Rs.87070/-, Rs.88570/- & Rs.89070/- per Metric Ton and exchange rates were 66.10, 66.70, 67.50, 68.65 & 67.85 respectively, hence the balance quantity 80.825 MTS could not be imported as higher value of INR & USD was utilized for the import of 999.175 MTS.

Decision: The Committee after examining the case decided to reject the case as the same was found to be without any genuine hardship.

(Action: Applicant)

Case No.48: M/s R R Kabel Limited, Mumbai

F. No. 01/60/162/691/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: 2nd Revalidation of Advance Authorization No. 0310807462 dated 30.08.2016.

Their company is quality cautious and their product is known because of their best quality. They have tried to find 8 MM copper Rod well established supplier but could not get confirmation for supply from supplier within validity period of authorization and they are also facing some issues at their financial front. This is the only reason that they could not use authorization. They have requested to allow further 3 months time to import the quantity, since they have already exported the material and consider the export benefit in pricing, so if they will not get time to import it will have adverse effect on their financial position of the company.

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

(Action: Applicant)

Case No.49: M/s Pahwa Manufactures Sitapur (UP)

F. No. 01/60/162/693/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Revalidation of Import License no. 0650000312 dated 07.08.2015.

Due to non availability of Plastic case without primer and primers of required quantities, exporter Company could not ship the material. Now they are ready to ship and it will take almost 45-60 days to reach their destination. So their request for revalidation of import license.

Decision: The Committee went through the statements made by the firm and decided to refer the issue to Policy-2(A) Division for its examination.

(Action: PC-2(A) Division)

Case No.50: M/s Salicylates & Chemicals Private Limited, Hyderabad

F. No. 01/60/162/694/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in Export Obligation (EO) Period Extension up to 26.05.2019 against Advance Authorization No. 0910064414 dated 24.11.16 due to major fire accident happened in 2012 and again in 2016.

Firm has indicated in their representations that there was a major fire accident happened in May 2012 and again in the Month of May 2016 wherein their all Raw Materials/consumables/additives/catalysts including imported material was destroyed completely. It resulted in lot of delays in their exports. Therefore, they could not fulfill EO within the stipulated time in many cases as they were in the process of opting advance authorization for duty free raw materials on regular basis.

Decision: The Committee went through the statements made by the firm and noted that the fire accident had taken place before the issuance of this advance authorization and therefore cannot be held as a reason for non-fulfillment of export obligation. However, the Committee noted that the firm is eligible for 2nd EOP extension subject to fulfillment of 50% EO as per Para 4.42(f) of HBP 2015-20. The firm has not fulfilled the stipulated 50% EO. Therefore the Committee decided to allow 2nd EOP extension i.e. Up to 23.05.2019 subject to payment of 1% composition fee per month on the unfulfilled FOB value.

(Action: Applicant/RA)

Case No.51: M/s Sun Pharmaceuticals Industries Limited, Vadodara

F. No. 01/60/162/702/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: EOP extension of Advance Authorization no. 0510393497 dated 09.03.2015 issued under PC-9 condition.

They have completed pro rata wise 100% export obligation within 18 month EOP Period, but said Authorization is issued under PC -9- Advance License for which appendix -4J condition is applicable under which they have to complete export obligation within 12 months from the date of last bill of entry. They have dispatched all export shipments beyond 12 months applicable period as per appendix 4j Condition and therefore they have already paid composition fee payment of 1% per month on FOB Value of all shipments dispatched after 12 month validity period, still RA is objecting to their regularization stating that said composition fee para were not applicable for license issued before April 2015, Hence they are approaching PRC.

Decision: The Committee went through the statements made by the firm in its application and after detailed deliberations decided to accede to the request of the firm by granting extension in EOP up to 18.09.2016 only for regularization purpose subject to the 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)

Case No.52: M/s Olympic Zipper Ltd., Delhi
F. No. 01/60/162/697/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Extension in EOP of Advance Authorization no. 0510392112 dated 24.11.2014 for a period of 6 months from 01.11.2018 to 30.04.2019.

Firm has mentioned that they have huge export orders in hand; therefore, they seek permission to export the balance quantity under Advance Authorization so that they can fulfill the pending obligation. Their request is to grant them permission to export their goods and earn foreign exchange for the country. They do not want to import. They request only to provide them export permission.

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.53: M/s. Jodas Expoim Pvt. Ltd., New Delhi
F. No. 01/60/162/716/AM19/PRC
PRC Meeting No. 29/AM19 dated 30.01.2019



Subject: Extension of EOP for a period of Six months from the date of endorsement of minutes against Authorization no. 0910061672 dated 09.03.2015 issued PC-9 conditions.

Authorization was issued in terms of PC-9 dated 03.06.2003 for import of 2578 Kgs of lopamidol USP for a CIF value of Rs. 1,92,77,689/- for manufacture and export of different strengths of lopamidol injections for FOB value of 4,54,79,660/- considering the date of first import the export obligation period was 08.04.2015 to 07.04.2016. So far, on an aggregate of 58.70 % in quantity of various strengths of resultant product has been exported.

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. 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.54: M/s. Gilwood Fashions Pvt. Ltd., Karnataka

F. No. 01/60/162/723/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Relaxation to use DBK and free shipping bill towards fulfillment of EO against EPCG License No. 0730011934 dated 13.12.2017.

By over sight somehow, their office staff did not notice about existence of this license no. 0730011934. Recently, they came to know that they have this license which could have been closed using the export obligation towards this license. Apparently, they have made one shipping bill under duty drawback shipping bill (6340057/09.03.2016) and other shipping bills under free shipping bill (4012296/10.02.2017) which comes to 73.52 % of export obligation towards this license. They have paid the applicable duty and its interest towards the non-fulfillment of EO of 23.52 % (the same TR-6 and duty paid certificate enclosed herewith). They have also furnished an affidavit by mentioning the free shipping bill and duty drawback shipping bill into. Their request is to condone and consider the duty drawback and free shipping bill towards this export obligation for this license.

Decision: Having gone through the representation and after detailed discussions, the Committee felt that oversight amounts to negligence and does not justify genuine hardship and therefore decided to reject the request of the firm. In any case, DBK shipping bill can be considered as per the provisions already existing.

(Action: Applicant)

Case No.55: M/s. L&T Kobelco Machinery Private Limited, Tamil Nadu

F. No. 01/60/162/712/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019



Subject: To consider the non-generation of Bill of export as an unintentional procedural lapse and ARE-1 endorsed by SEZ customs as the proof of export for their supply made for fulfilment of export obligation against Advance Authorization No.0410161651 dated 25.02.2016.

Due to oversight they have not generated the "Bill of export" for this shipment, but they have got endorsement on the ARE-I from the SEZ customs officer. As evidence of the fulfilment of export obligation, and as required vide Para 4.49 (b) of Hand Book of Procedures 2015-20. Since this is the first export they have done for SEZ unit they have got generated the 'Bill of export', but they have opted for drawback scheme for their recent SEZ supply to the same customer in this year, they have applied and successfully received "Bill of export of goods under the claim for Duty drawback.

Decision: The Committee went through the statements made by the firm and noted that **bill of export** is a mandatory requirement. Further, the Committee felt that oversight amounts to negligence and does not justify genuine hardship and therefore decided to reject the request of the firm.

(Action: Applicant/RA)

Case No.56: M/s. Omega Icehill Pvt. Ltd., New Delhi

F. No. 01/60/162/131/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To consider the supply to SEZ without bill of export against advance authorization no. 0510364908 dated 06.09.2013 towards fulfillment of EO.

Material imported under Advance License No. 0510364908 dated 06.09.2013 and supplied to SEZ M/s Praj Industries Limited at Kandla, SEZ. All export documents were made, however they were not aware about making a bill of export. They requested to consider the supply to SEZ as export, without bill of export.

Decision: The Committee went through the statements made by the firm and noted that **bill of export** is a mandatory requirement and therefore decided not to accept the request.

(Action: Applicant/RA)

Case No.57: M/s. Etco Deco Denim Private Limited, Maharashtra

F. No. 01/60/162/709/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Consideration of TED claim against invoice / supplies made after issuance of EPCG license no. 0330034979 dated 01.02.2013 but before issuance of invalidation letter.

They have stated that their invalidation request was submitted on time. However the same was under consideration. Their Supplies have taken place during the period of application for invalidation & issue of invalidation letter. The firm has requested to consider their claim against 03 invoices as their application for invalidation was under process during their supplies & consider their case positively.

Decision: The Committee went through the statements made by the firm and decided to refer the issue to Policy-6 Division for its examination.

(Action: PC-6 division)

Case No.58: M/s. Alps Industries Ltd., Ghaziabad

F. No. 01/60/162/642/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow refund of TED of Rs. 1,10,076/- against file no. 05/40/83/38/AM16 which was rejected by RA.

They have stated that their Refund Application is allowed in FTP and they should not be deprived from the TED Refund Claim worth Rs.1,10,076/- only on the ground of late submission of reply of query related to e-BRC, as the original TED Refund Claim Application along with BRC in Appendix 22- B was already submitted with CLA, New Delhi, within stipulated time period. Rectified e-BRC as per requirement & satisfaction of the CLA, New Delhi, is submitted just after receipt of the same from the Supplier's end, which was delayed due to some technical systems issue of the Bank.

Decision: The Committee went through the justification furnished by the firm and after detailed discussions it observed that there is merit in firm's contention and hence decided to accede to the request of the firm for refund of TED of against File No.05/40/83/38/AM16 with 10% late cut.

(Action: Applicant/RA)

Case No.59: M/s. Jindal Aluminium Ltd., Bengaluru

F. No. 01/60/162/367/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: To allow TED / Drawback claim against three applications (1) F.No. 07/40/81/015AM15 (FY 2013-14) (2) 07/40/81/0026/AM16 dated 26.05.2016 (FY 2014-15) (3) 07/40/81/00014/AM17 dated 07.11.2016 (FY 2015-16) which was rejected by RA Bangalore.

Firm mentioned that they bought inputs locally which are substitute for import products so not paid custom duty as it's not applicable but the above referred policy circular no. 9 (RE- 2013)/2009-14 dated 30th October, 2013 says that drawback is eligible only when CENVAT facility not availed and to claim drawback for only Customs duty portion of import duties, exporters need to pay Customs Duty first or to show proof of payment of custom duty. So if inputs are bought locally then exporters can't claim drawback of Customs duties as it's not paid. But it's ignoring the fact that local prices are somehow linked to import landing cost of the same material which means that custom duty factoring done by the local supplier in their prices so exporters must be eligible to claim drawback of duties (Customs portion) to set off the burden of customs duty on their purchases even if inputs bought locally as allowed before issuance of above referred Policy Circular. That they sacrificed

benefits of duty free import under Advance License as available under para 8.3 (a) by choosing alternate benefits of duty drawback as para 8.3 (b) but now if they are not going to get drawback benefits then they will be losing all export incentives against these supplies so in such cases, they should be allowed for advance license benefits against these exports if drawback of Customs duty portion is not to be allowed.

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

(Action: Applicant)

Case No.60: M/s. Cadila Healthcare Limited, Ahmedabad

F. No. 01/60/162/289/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Destruction waiver of 25.64 Kgs of Acebutolol imported under Advance Authorization no. 0810053810 dated 10.12.2006 issued under PC-9 and 15 conditions.

Firm has referred to the decision taken by PRC vide Meeting No. 12/AM19 21.08.2018, Case No. 26. As per the approval, they approached RA, Ahmedabad by submitting proof of exports of the excess material exported to examine the case for closure of the file. However RA, Ahmedabad rejected their request vide Deficiency Letter dated 05.10.2018 informing, their request for EODC cannot be considered as PRC decision has not stated that Destruction Certificate is not to be insisted. Also RA has stated that they have to submit Destruction certificate or approach PRC and get a clear decision in the matter to examine their case. Since they have consumed and exported the short fall quantity of 25.64 kgs of materials, now they cannot produce Destruction Certificate. So request for waiver.

Decision: The Committee went through the statements made by the firm and noted that the firm is said to have used excess imports for the purposes of manufacturing. Accordingly, the Committee decided to waive the requirement of destruction certificate with the condition that the applicant would submit an affidavit/declaration in order to indemnify to the Government for any loss/misuse due to diversion of unregistered import materials to the domestic market that may be detected in future, to Regional Authority.

(Action: Applicant/RA)

Case No.61: M/s. Tattva Enterprises LLP, Mumbai

F. No. 01/60/162/714/AM19/PRC

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: For transfer of MEIS date of Tattva Enterprises LLP having IEC No. 0317523562 into the IEC of Tattva enterprises LLP having IEC No. 0316954519 & allowing MEIS Benefit.

They have stated that their IEC No. 0316954519 was converted to LLP under the name of M/s Tattva Enterprises LLP. They erroneously applied for new IEC in Tattva Enterprises LLP (IEC No.0317523562). Shipments were made against the new IEC under MEIS Scheme. However, they were informed by the RA that the original IEC should have been amended instead of applying for new IEC number. They surrendered the new IEC No.0317523562 and got the original IEC amended. As a result their MEIS made during this period is held up.

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

(Action: Applicant)

Case No.62: M/s Volkswagen Indian Pvt. Limited, Mumbai

F. No. 01/89/18004/AM11/PC-2A

PRC Meeting No. 29/AM19 dated 30.01.2019

Subject: Request for allowing import of R&D cars (02 nos) via Mumbai Airport and to ply cars on Indian Roads for testing purposes.

Firm has stated that cars will be imported from their group company Skoda Auto MB, Czech Republic and it is required to perform development testing of the cars and run upto 1,00,000 kms on Indian roads according to provision of Central Motor Vehicle Action Section 120 for left hand drive vehicles and Central Motor Vehicles Rule Section 41(a) with use of trade certificates issued by registering authority for the purpose of testing. However, as per Ministry of Commerce & Industry notification no.07/2015-20 dated 08.05.2018 vehicles imported under chapter 87 for R&D /testing are not allowed to be imported via Mumbai Airport and to ply on public roads. They have already got required permission from M/o Road transport and highways for running these cars on Indian roads.

Decision: The Committee having examined the case noted that the vehicles are proposed to be imported for R&D purposes only. In view of this, the Committee decided to accede to the request of the firm to allow this import from Mumbai airport and to ply on Indian roads for testing purposes.

(Action: Applicant/PC-2A Division)

Case No.63: (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:

Sl. No.	Name of the firm	Subject	Remarks
1.	M/s. Cosmo Films Limited, Aurangabad	Re- Transmission of shipping bills for claiming MEIS Benefit due to the mistake of Customs	ANF 2D and Proof of fee not submitted

		by Mentioning "N" at Intent.	
2.	M/s. Bhushan Power and steel Ltd., New Delhi	Extension of validity of import entitlement date against export obligation discharged within norms of Advance Authorization issued.	ANF 2D and Proof of fee not submitted
3.	M/s. Acmechem Limited, Kolkata	Revalidaiton of MEIS authorizaiton no. 0219027424 dated 15.09.2016	ANF 2D and Proof of fee not submitted
4.	M/s. Supriya Lifesciences Ltd., Mumbai	Revalidation of Advance Authoriztion no. 5010002326 db. 06.02.2017	ANF 2D and Proof of fee not submitted
5.	M/s. Umedica Laboratories Pvt. Ltd., Mumbai	Revalidation of MEIS Script no. 0319090784 dated 07.11.2016.	ANF-2D and Proof of fee not submitted
6.	M/s. Bharat Parenteral Limited, Vadodara	To extent the validity of AA by 6 months and regularise the export done on 08.04.2015.	ANF 2D and Proof of fee not submitted
7.	M/s. Kalaari Capital Advisors Pvt. Ltd., Bangalore	Six months Extension of validity of advance authorization which carries PC no. 09 and regularization of export already done under free shipping bills. Advance Authorization no. 3410038791 dated 23.12.2013.	ANF 2D and Proof of fee not submitted
8.	M/s. Platinum Textiles Limited, Mumbai	Consideration of TED claim against invoice / supplies made after issuance of EPCG license but before issuance of invalidation letter. EPCG License no. 0330047334 dated 12.06.2017.	ANF 2D and Proof of fee not submitted
9.	M/s. Universal Medicap Ltd., Baroda	Relaxation from compliance of para 4.12 of import policy 2015-20 3410041624 db. 27.10.2015.	ANF 2D and Proof of fee not submitted
10.	M/s. Nine Corportation, Ahmedabad	Addition word "Used Rubber conveyor Belt" in DGFT Approval.	ANF 2D and Proof of fee not submitted
11.	M/s. Jubilant life Sciences Limited, Noida	Request for Grant (i) EO Extension of additional 14 months from the date of the decision to follow PN.16 dt. 04.06.2015 and (ii) Co License was on Part of DGFT against Advance Authorization no. 0510370486 db. 07.11.2013.	Proof of fee not submitted



12.	M/s. India Voyage Travel Pundits Pvt. Ltd., Haryana	Application for seeking policy / Procedure Relaxation under Para 3.08 (f) Regarding requirement of IEC at the time of Rendering Services.	Proof of fee not submitted
-----	---	---	-------------------------------

Uran