

Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting held under
the Chairmanship of Shri Alok Vardhan Chaturvedi,
Director General of Foreign Trade on 19.02.2019

Meeting No.31/AM19 held on 19.02.2019

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 N.K.Srivastava | Addl. DGFT |
| 6. Shri Anil Aggarwal | Addl. DGFT |
| 7. Shri Rajbir Sharma | Jt. DGFT |
| 8. 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. Om Handicrafts, Moradabad	1
2.	M/s. Venus Remedies Limited, Chandigarh	2
3.	M/s. Nemlaxmi Books (India) Pvt. Ltd., Gujarat	3
4.	M/s. SAS International, Gurgaon	4
5.	M/s. Tega Industries (SEZ) Limited, Dahej Gujarat	5
6.	M/s. Magnum Lubricants (India) Pvt. Ltd., Mumbai	6
7.	M/s. Tams Fine Ceramics Private Limited, Chennai	7
8.	M/s. Naari Pharma Pvt. Ltd., New Delhi	8
9.	M/s. Shreeyam Power and Steel Industries Ltd., Bhopal	9
10.	M/s. Vision Polymer Pvt. Ltd., Vadodara	10
11.	M/s. Suzuki Motor Gujarat Pvt. Ltd., Ahmedabad	11
12.	M/s. Tashu International, New Delhi	12
13.	M/s. PCL Oil & Solvents Ltd., New Delhi	13
14.	M/s. Kelvion India Pvt. Ltd., Mumbai	14
15.	M/s. Impel Exports, Bangalore	15
16.	M/s. Microtex Energy P. Ltd., Bengaluru	16
17.	M/s. JSW Steel Ltd., Mumbai	17 to 18
18.	M/s. Alps Industries Limited, Ghaziabad	19
19.	M/s. Vikash Arora, Punjab	20
20.	M/s. Wakeel Ahmad, Sitapur (UP)	21
21.	M/s. Sanjay Kumar & Sons, Delhi	22

22.	M/s. Batra's International, Delhi	23
23.	M/s. Shah Nanji Nagsi Exports Pvt. Ltd, Nagpur	24
24.	M/s. Chirag Impex, Ahmedabad	25
25.	M/s. A B S Exports., Maharashtra	26
26.	M/s. Bachiwind Commission Agent, Punjab	27
27.	M/s. Manisha Malhotra, New Delhi	28
28.	M/s Amrut International, Ahmedabad	29
29.	M/s. Bhagdeep K & Co., Mumbai	30 to 32
30.	M/s. Bhushan Power & Steel, Kolkata	33 to 38
31.	M/s. Sutlej Ropes Pvt. Ltd., Mumbai	39 to 43
32.	M/s. Mepro Pharmaceuticals Pvt. Ltd., Gujarat	44
33.	M/s. Rushil Décor Limited, Gujarat	45
34.	M/s. Prasol Chemicals Pvt. Ltd., Mumbai	46
35.	M/s. Raymond Limited, Mumbai	47
36.	M/s. Ring Plus Aqua Ltd., Maharashtra	48
37.	Incomplete Cases	49

PH Case No.01: M/s. Om Handicrafts, Moradabad

F. No. 01/60/162/763/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To allow MEIS benefit against time barred shipping bill no. 4124579 dated 16.11.2015.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. However, no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.02: M/s. Venus Remedies Limited, Chandigarh

F. No. 01/60/162/523/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Grant of MEIS incentives (F. no. 22/21/090/80809/AM18).

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Randeep Singh Thakur, Assistant General Manager of the firm appeared before the committee on behalf of the firm and made the following submissions:

They explained that it is a review of the decision taken in PRC Meeting No. 21/AM19 dated 30.10.2018 vide case No.10. That in spite of making export in compliance of the relevant norms, they have been denied the exports incentive, owing to erratic approach, wherein export incentives against several Shipping Bills with regard to same item, bearing same ITC/HS Code have been allowed on some occasion, however on other occasion, RA has denied the exports incentive under same facts & circumstances. They have mentioned that all export rates calculation for the execution of international tenders are made keeping in view the incentives that would

be entitled to them being exporter of goods. It is categorically submitted that if export incentives are denied to them, then they will not be able to sustain their operation in the current competitive market scenario. HS code mentioned is 30040099 whereas it actually is 30042099. It is case of 'others under antibiotic category' vs 'others under the chapter'. The MEIS incentive is available at the same percentage even if different ITC/HS Code are used for exporting the goods by them. Therefore, there is no monetary loss to the government.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to allow the MEIS benefit to the firm against RA File No. 22/21/090/80809/AM18.

(Action: Applicant/RA)

PH Case No.03: M/s. Nemlaxmi Books (India) Pvt. Ltd., Gujarat

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

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Updation of shipping bills for claiming FMS/FPS in the intent from "No" to "Yes".

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Ramchandran Menon, Representative of the firm appeared before the committee on behalf of the firm and made the following submissions:

The firm had applied for grant of Drawback/DFIA/AA against 96 Shipping Bills pertaining to 2013, 2014 and 2015, which were granted. Subsequently when they applied for FMS/FPS against these shipping bills, they could not do so since the intent became "No", although at the time of claiming DFIA, the shipping bills were updated manually as "Yes". They were advised by NIC Delhi to delete these shipping bills manually from the repository and re-enter the data of the shipping bills for claiming FMS/FPS. They succeeded in amending the shipping bill manually and the intent became 'YES'. However, it was only after a gap of more than 3 years that they were able to update the intent from 'NO' to 'YES' by manually updating the data of shipping bills in repository. Thus the delay caused them from getting FPS/FMS in time for no fault of theirs. However, RA, Surat rejected their applications after a gap of more than 3 months delay stating these claims are "Time Barred."

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 updating the Intent from 'No' to 'Yes' manually in the Shipping bills repository, 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 /FMS benefit against 96 Shipping Bills pertaining to 2013, 2014 and 2015.

(Action: Applicant/RA)

PH Case No.04: M/s. SAS International, Gurgaon

F. No. 01/60/162/63/AM18/PRC



PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Relaxation of time period for claiming benefit of duty incentive scrip under chapter -3 of FTP.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.05: M/s. Tega Industries (SEZ) Limited, Dahej, Gujarat

F. No. 01/60/162/628/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To allow MEIS benefit against two Files (1) No. 37/21/090/80284/AM17 and (2). No. 37/21/090/80373/AM17.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Manoj Kumar Agarwal, President – Global Finance of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have stated that due to inadvertently non-endorsement of intent declaration for MEIS benefit in the Shipping Bills in terms of para 3.14 of HBP read with Public Notice No.40 dated 09.10.2015, Kandla, SEZ Authorities has not considered the Shipping Bills for eligibility of MEIS Claim. The concerned Customs Authorities has issued NOC mentioning that the shipping bills are genuine and the office has no objection if the intent declaration in the said shipping bills is treated as intent to claim MEIS.

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.06: M/s. Magnum Lubricants (India) Pvt. Ltd., Mumbai

F. No. 01/60/162/167/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Clubbing of three advance authorization no. (1) 0310766868 dated 20.01.2014, (2) 0310773445 dated 07.03.2014 and (3) 0310805704 dated 24.06.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Manpreet Singh Kohli, Director of the firm appeared before the committee on behalf of the firm and made the following submissions:

This is a review decision of PRC Meeting No. 10/AM19 dated 09.08.2018 vide case No.10. They have stated that due to certain market conditions they could not complete export obligation and import within validity period and authorization got expired. However, in some of the authorizations they have made excess exports which they wish to adjust/club with the authorizations in which export obligation could not be completed. They have approached RA Mumbai for clubbing of authorization, however their request has been denied on technical grounds.

Decision: The Committee having discussed the case noted that the case is not getting covered under the latest PN issued to consider clubbing requests. Accordingly, It decided to maintain rejection of the request of the firm.

(Action: Applicant)

PH Case No.07: M/s. Tams Fine Ceramics Private Limited, Chennai

F. No. 01/60/162/585/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Waiver/ Extension of EOP in respect of EPCG License no. 0430006068 dated 25.04.2008 and 0430006159 dated 27.05.2008.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri M. Murali, Advisor of the firm appeared before the committee on behalf of the firm and made the following submissions:

This is a review decision of PRC Meeting No. 24/AM19 dated 04.12.2018 vide case No.32. They have submitted that the project was conceived in 2008, however, due to various external factors and acquisition of a company which was under BIFR, the machines imported against these EPCG authorizations could not be installed so far. These are ready for installation only now. The company intends to make further investment and complete installation. Company is also hopeful of starting commercial production and completing EO within extended period. Since they have acquired the factory premises from BIFR auction and delay occurred due to BIFR procedural formalities.

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

(Action: Applicant)

PH Case No.08: M/s. Naari Pharma Pvt. Ltd., New Delhi

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

PRC Meeting No. 31/AM19 dated 19.02.2019

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



The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Navin Dixit, Sales Controller of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have availed above authorization from CLA, New Delhi on 18.03.2016 with validity period of 18 months and started import from 17.05.2016. But due to unforeseen circumstances export could not be completed 100%. They have completed 90% export well before the license expiry. During the license period their factory was closed by Central Pollution Control Board on 13th February, 2017 for 7 months. As a result, their whole manufacturing system got disturbed, employees left and machineries were also shut down. On 15th September, 2017 they received permission to resume the plant and start the operations but EO for this authorization could not be completed due to long shut down period as most of the machineries were not under regular maintenance. Hence, they decided to refurbish the whole manufacturing facility to improve the production efficiency. They started recruitment of new man power and now, their plant is fully operational and they can export their long standing pending orders.

Decision: The Committee examined the case in detail and in view of justification submitted by the firm decided to accede to the request and allowed EOP extension for a period of 3 months from the date of endorsement subject to payment of 1% composition fee 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: RA/Applicant)

PH Case No.09: M/s. Shreeyam Power and Steel Industries Ltd., Indore

F. No. 01/60/162/816/AM18/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Extension of EO Period of Advance Authorizations for 3 years from the date of endorsement as company was declared sick under BIFR from year 2012 against following 32 Advance Authorizations Nos. (1) 1110019958 dated 30.03.2009, (2) 1110019959 dated 30.03.2009, (3) 1110020248 dated 14.05.2009, (4) 1110020249 dated 14.05.2009, (5) 1110020263 dated 18.05.2009, (6) 1110020563 dated 01.07.2009, (7) 1110020565 dated 01.07.2009, (8) 1110020566 dated 01.07.2009, (9) 1110020567 dated 01.07.2009, (10) 1110021674 dated 28.01.2010, (11) 1110021675 dated 28.01.2010, (12) 1110021680 dated 29.01.2010, (13) 1110021681 dated 29.01.2010, (14) 1110021925 dated 03.03.2010, (15) 1110021926 dated 03.03.2010, (16) 1110021928 dated 03.03.2010, (17) 1110021947 dated 04.03.2010, (18) 1110021927 dated 03.03.2010, (19) 1110021930 dated 03.03.2010, (20) 1110023230 dated 20.09.2010, (21) 1110023333 dated 11.10.2010, (22) 3710000855 dated 21.08.2008, (23) 3710000830 dated 10.07.2008, (24) 1110019457 dated 23.01.2009, (25) 1110019817 dated 13.03.2009, (26) 1110019955 dated 27.03.2009, (27) 1110019956 dated 27.03.2009, (28) 1110019957 dated 30.03.2009, (29) 1110021673 dated 28.01.2010, (30) 1110014671 dated 08.01.2007, (31) 1110023229 dated 20.09.2010, (32) 1110023478 dated 02.11.2010.



The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Devesh Khandelwal, Managing Director and Ramesh Chavan Representative of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have submitted that the company is a Manufacturer of Non-Alloy Steel and was a Star Export House, was declared as sick under BIFR from 2012. The International recession and the dumping of end products by China at predatory prices destroyed the Steel Companies. The clampdown on Mining in Goa and Karnataka by the Government of India also resulted in erratic supply of RM and thus impacted the funds for operating costs the company was forced to close down having incurred huge losses and was declared sick by BIFR. The Draft Rehabilitation Scheme (DRS) by IDBI had recommended for grant of suitable extension in the EO period under the said Advance Authorizations (32 nos.) without payment of composition fees. With serious personal efforts the company has been able to restart the operations. The company has tied up with Jindal Saw Limited, Bhilwara for consistent supply of Raw materials. The company has contacted their overseas clients. With all these efforts the company will be ready to commence exports immediately.

Decision: The Committee examined the case in detail and noted that the circumstances stated by the firm were beyond their control and after deliberations, decided to allow EOP extension of above thirty one Advance Authorizations for a period of 18 months from the date of endorsement of extension. In the case of Advance Authorization No.1110014671 dated 08.01.2007 (Sl.No.30 above), since 100% export obligation has already been fulfilled, extension in EOP in this authorization is not required. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.10: M/s. Vision Polymer Pvt. Ltd., Bharuch, Gujarat

F. No. 01/60/162/807/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Extension in Export Obligation Period against advance authorization 3410042561 dated 26.09.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Shailesh Bhandari, Managing Director of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have submitted that they could not export the quantity within 18 months from the date of its issuance. They approached RA, Vadodara for 1st EO Extension and RA, Vadodara considered their request and extended EOP from 18 months to 24 Months i.e. EO Period was extended upto 26.09.2018. However, due to various reasons they were not able to Export Obligation i.e. 50%. They have completed

49.34% quantity wise and value wise 61.70%. They have completed 474.50 MTS only of the 480.77 MTS of Export within 24 Months due to following reasons: (1) They are operating their business only with one line and due to their production line was under maintenance between 28.04.2018 to 31.05.2018 they were not able to dispatch any quantity in between under the Authorization in question. (2) During the same time their competitor EVONIC decided to sell their business in the year 2018 to a major Acrylic Sheet Manufacture which has operation around 16 plants across the world and suddenly they decided to sale their business. At the same time selling price slashed for the export product by 20% in North American Market. They have now export order from different companies for more than 500 MTs.

Decision: The Committee went through the statement made by the applicant and concluded that genuine hardship is there in this case and therefore decided to allow EOP extension for a period of 3 months from the date of endorsement subject to payment of 1% composition fee per month. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

PH Case No.11: M/s. Suzuki Motor Gujarat Pvt. Ltd., Ahmedabad

F. No. 01/60/162/587/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Permission to re-export checking Fixture – Imported under EPCG License No. 0830008665 dated 24.08.2016 – to supplier in Japan and re-export the same after completion of successful trial.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Pramod Gupta, General Manager and Shri Sarvesh Rathi, Deputy Manager of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have submitted that they have imported Checking Fixture under the above EPCG License, which needs to be re-exported for trials. All parts produced during trial are inspected by the "Checking Fixture" to make ensure quality and accuracy of Hemming Die. After completion of successful trial said "Checking Fixture" will be re-imported into India, in same condition. They understand that this case is not covered under para 5.25 of HBP 2015-20 because this is not case of repair and replacement of defective capital goods, and accordingly this case has been put up before PRC. At this moment they have very short time and they have to dispatch checking fixture to Japan to meet production schedule of export model and any delay in procurement of Hemming Die may lead to delay in production of Cars which may hugely impact and export volume.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to grant the permission/NOC to export of Checking Fixture imported under EPCG Authorization No.0830008665 dated 24.08.2016 to Japan for testing of trial parts and to re-import the same after successful trial in the same condition within a period of six months from the date of export. Firm would submit an undertaking to that effect to the RA.



(Action: RA/Applicant)

PH Case No.12: M/s. Tashu International, New Delhi

F. No. 01/60/162/374/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: i). Non furnishing of Bank Realization Certificate for redemption purpose and (ii) consider "No Export Incentive" shipping for fulfillment of export obligation against Advance authorization no.0510184744 dated 16.06.2006.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Jagmohan Sawhney, Proprietor of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have submitted that the firm has made exports during the period Aug 18, 2006 to September 29, 2006. In furtherance to the exports made by the firm, BRC's were issued for the inward remittances credited to their bank account. However, BRC's issued to them along with other export documents were misplaced and the same could not be traced. The firm taking due precaution had also lodged an FIR. They did file an application with their bank on September 9, 2006, May 5, 2015, May 18, 2015 and January 20, 2017 to provide them with certified copy of the BRC's. However, the Bank has still not provided them such certified copy of the BRC's. The bank issued a bank confirmation letter dated February 12, 2007, confirming the various foreign remittances in their account.

Company had exported goods during the period Aug 18, 2006 against the Advance Authorization no. 051018744. However, the said export shipping bills did not contain the relevant advance authorization number raised by the firm for the exports made against the captioned advance authorization. Pursuant to the above, shipping bills was issued by the Indian Customs Authorities for the said export of goods. Since, there was no bearing of the advance authorization number on the all shipping bills, the all shipping bills were issued with an endorsement "No Export Incentive". The firm has not claimed any benefit / incentive / draw back on all the shipping bills which has been submitted for discharge obligation for the advance authorization in question.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and observed that already it has allowed acceptance of bank communication instead of BRCs in its earlier meeting dated 11.9.2018. However regarding their request to accept free shipping bills towards discharge of EO, committee observed that it cannot be accepted, as there is no merit in it. Accordingly, it decided to maintain the earlier decision of PRC Meeting no.15/AM19 held on 11.09.2018.

(Action: Applicant)

PH Case No.13: M/s. PCL Oil & Solvents Ltd., New Delhi

F. No. 01/60/162/332/AM19/PRC



PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To delete the condition of alert from the minutes of PRC Meeting No. 17/AM19 dated 25.09.2018 against the following 11 advance authorizations. (i) 0510397050 dated 23.12.2015 (ii) 0510396180 dated 02.11.2015, (iii) 0510396400 dated 23.11.2015 (iv) 0510400069 dated 07.10.2016, (v) 0510396591 dated 10.12.2015, (vi) 0510396585 dated 10.12.2015 (vii) 0510396421 dated 26.11.2015 (viii) 0510399584 dated 31.08.2016 (ix) 0510396592 dated 10.12.2015 (x) 0510399586 dated 31.08.2016 and (xi) 0510396624 dated 16.12.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri P.K. Bahl, Senior Executive of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have submitted that the Customs doesn't issue any formal letter pertaining to Import of Raw Material through their port as well as registration of Advance Licenses. The registration of their licenses was held up due to the copy of show cause notice issued by CLA, New Delhi. They approached RA to revalidate the license for 06 months as recommended by PRC in its meeting no.17/AM19 dated 25.09.2018 and also submitted an affidavit that their firm was not on alert as per the condition in the said PRC decision. They have also written to the customs to issue them the necessary letter that their firm was on alert but they are not willing to issue any such letter as such alerts are only informal in nature.

Decision: The Committee heard the submission made by the representative of the firm and after discussing the matter at length decided to accede to the request of the firm to withdraw the condition for submission of a letter from the relevant customs authorities, that the firm had been placed under alert on the basis of SCNs issued by CLA New Delhi and the alert has been removed after redemption of said advance authorizations, as was imposed in the earlier decision.

(Action: RA/Applicant)

PH Case No.14: M/s. Kelvion India Pvt. Ltd., Mumbai

F. No. 01/60/162/764/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Re-Open redeemed file of Advance Authorization No. 0310510853 dated 09.03.2009 issued under file no. 03/94/040/01050/AM09.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri Raju Bhalerao, Senior Manager – International Logistics of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have submitted that they have fulfilled 100% E.O., but unfortunately, at the time of redemption application two Tax Invoices No. D00000011/08-09 and D/00000012/08-09 of deemed export supply were not included in export obligation, since it was lying in other Authorization file. Therefore, they were asked to pay



Custom Duty and interest by the RA on import item and accordingly they have paid Custom Duty and interest on excess import. The case was regularized and redeemed on 18.06.2014. On scrutiny of their records they noted that the export is 100% fulfilled and when the documents were traced they found that the above referred two Tax Invoices were lying in some other file. They had requested RA to issue fresh redemption letter after considering these two Invoices, but RA had issued a letter dated 19/01/2015 saying that "had these invoices and consumption certificate been submitted earlier there would not have been excess import and hence no duty or interest would have been required to be paid.

Decision: The Committee after examining the case in detail, deliberated on the request and decided to reject the case as the same was found to be without any merit.

(Action: Applicant)

PH Case No.15: M/s. Impel Exports, Bangalore

F. No. 01/60/162/690/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Approval of two free shipping bills and 11 duty drawback bills (with repayment of DBK and its interest) towards fulfilment of Export Obligation of license. DEEC Authorization 0710107235 dated 19.12.2014.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No.16: M/s. Microtex Energy Pvt. Ltd., Bengaluru

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

PRC Meeting No. 31/AM19 dated 19.02.2019

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

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019. Shri R. Balraj, Vice President – Operations and Shri Brijesh Mishra, Representative of the firm appeared before the committee on behalf of the firm and made the following submissions:

They have submitted that they had lost the Original EPCG License during the time of Exports. The matter has also been brought to the notice of the RA vide letter dated 03.12.2014. Since the original, license was not in their possession at the time of Export, the Custom Authorities refused to entertain their request for in computation of license number in the relevant Shipping Bills and hence all their legitimate shipping bills have turned into free shipping bills.

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)

Case No.17: M/s. JSW Steel Ltd., Mumbai

F. No. 01/60/162/804/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Grant of MEIS benefit against 7 shipping bills with declaration of intent found to be ticked as no but intent to claim MEIS benefit declared in affirmative on shipping bills as they intent to claim reward under MEIS.

They have stated that in spite of all care being taken by CHA, in some of the EDI shipping bills, the intent to claim Scheme/Reward are found to be ticked as "N" instead of "Y". However, intent to claim Scheme/Reward is declared in affirmative on the face of shipping bills. Once shipping bill is filed, they do not have option to amend intent in system from "N" to "Y". They are unable to file MEIS application as shipping bills are not reflecting in e-Com System. In view of the above facts, these shipping bills should not be considered as time barred. This is causing undue hardship with adverse impact on their export earnings.

Decision: The Committee having discussed the case 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.18: M/s. JSW Steel Ltd., Mumbai

F. No. 01/60/162/803/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Grant of MEIS benefit against 34 shipping bills with declaration of intent found to be ticked as no but intent to claim MEIS benefit declared in affirmative on shipping bills as they intent to claim reward under MEIS.

They have stated that in spite of all care being taken by CHA, in some of the EDI shipping bills, the intent to claim Scheme/Reward are found to be ticked as "N" instead of "Y". However, intent to claim Scheme/Reward is declared in affirmative on the face of shipping bills. Once shipping bill is filed, they do not have option to amend intent in system from "N" to "Y". They are unable to file MEIS application as shipping bills are not reflecting in e-Com System. In view of the above facts, these shipping bills should not be considered as time barred. This is causing undue hardship with adverse impact on their export earnings.

Decision: The Committee having discussed the case 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.19: M/s. Alps Industries Limited, Ghaziabad

F. No. 01/60/162/766/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To allow a fresh MEIS Authorization of rupees 406518/- with transmission to port location, without any late cut.

They have stated that they obtained a MEIS Authorization No. 0519062139 dated 05.10.2016 for Rs. 4,06,518/- but due to technical System Error 7, the Authorization was not transmitted to Port location. They contacted to CLA, Delhi and NIC, DGFT, New Delhi, they are advised to surrender above Authorization and to submit fresh application for issuance of MEIS Authorization against the same. They submitted the above MEIS Authorization and CLA, New Delhi had issued a fresh MEIS Authorization No. 0519070852 dated 08.02.2017 for Rs. 4,06,518/- which were also not transmitted to Port location due to System Error 7. They again contacted to CLA, New Delhi and NIC, DGFT, New Delhi, in this regard. They further advised to surrender of above Authorization and get cancel Shipping Bill and again apply a fresh against the same once more. They again surrendered the MEIS Authorization & got Shipping Bill cancelled and submitted our fresh application to CLA, New Delhi and they issued a fresh MEIS Authorization bearing No. 0519086428 dated 11.08.2017 for Rs. 3,85,801.00 with late cut of Rs. 20,717/- which were also not transmitted to port location due to System Error 7. They again surrendered the above MEIS Authorization. They requested to CLA, New Delhi, vide letter dated 08.10.2018 to look into the matter and arrange to issue MEIS Authorization with transmission at Port location against the application submitted under file 05/50/090/81803/AM-17 dated 05.08.2016 without any late cut. CLA Delhi again conveyed vide letter dated 07.12.2017 that as the problem is of Technical nature, they may approach Technical Division, NIC, DGFT, Udyog Bhawan, New Delhi for further necessary action. In the process some of Shipping Bills have become time barred now. Therefore, they are requested to issue of MEIS Authorization with transmission at Port location, without any late cut.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. The Committee observed that due to transmission error in above MEIS Authorization, the firm has faced the problem which was beyond their control and accordingly decided to accede to the request of the firm for issuance of a fresh MEIS authorization in lieu of MEIS authorization No. 0519062139 dated 05.10.2016 without any late cut. It also advised that manual shipping bill in the application needs to be excluded so as to avoid the same error code.

(Action: RA/Applicant)

Case No.20: M/s. Vikash Arora, Punjab

F. No. 01/60/162/769/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To allow FPS / VKGUY and MEIS benefit against shipping bills pertain to 2013-14, 2014-15, and 2015-16 for which payment have been realized on time but the e-BRC have been uploaded by the back in 2017, 2018 and still uploading.



They have stated that the Shipping Bills pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time, but the e-BRCs have been uploaded by the bank in 2017, 2018 and still uploading.

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

(Action: Applicant/PRC)

PH Case No.21: M/s. Wakeel Ahmad, Sitapur (UP)

F. No. 01/60/162/772/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To allow FPS / VKGUY and MEIS benefit against shipping bills pertain to 2014-15 which payment have been realized on time but the e-BRC have been uploaded by the back in 2017, 2018 and still uploading.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 19.02.2019, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

Case No.22: M/s. Sanjay Kumar & Sons, Delhi

F. No. 01/60/162/770/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To allow FPS / VKGUY and MEIS benefit against shipping bills pertain to 2013-14, 2014-15, and 2015-16 for which payment have been realized on time but the e-BRC have been uploaded by the back in 2017, 2018 and still uploading.

They have stated that the Shipping Bills Pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time but the e BRCs have been uploaded by the bank in 2017, 2018 and still uploading.

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

(Action: PRC/Applicant)

Case No.23: M/s. Batra's International, Delhi

F. No. 01/60/162/771/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019



Subject: To allow FPS / VKGUY and MEIS benefit against shipping bills pertain to 2013-14, 2014-15, and 2015-16 for which payment have been realized on time but the e-BRC have been uploaded by the back in 2017, 2018 and still uploading.

They have stated that the Shipping bills pertain to 2013-14 and 2014-15, for which payments have been realized on time but the e BRCs have been uploaded by the bank in 2017, 2018 and still uploading.

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

(Action: PRC/Applicant)

Case No.24: M/s. Shah Nanji Nagasi Exports Pvt. Ltd, Nagpur
F. No. 01/60/162/765/AM19/PRC
PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Grant of Duty Credit under MEIS as per chapter 3 of FTP 2015-20 against 54 shipping bills which was amended by Customs reward scheme option as "NO" to Yes".

They submitted that they have made export of goods vide various Shipping Bills mentioned from 22.07.2017 to 07.10.2017. The said exports were made under DFIA & export of said product is simultaneously entitled for MEIS benefit under chapter 3 of FTP 2015-2020 under Sl. No. 467 of Appendix 3B. Unfortunately, the Customs handling agent failed to fill details of MEIS while uploading said Shipping Bills on ICEGATE EDI portal. The Customs Authorities at Mundra Port (INMUN1) have issued necessary amendment u/s 149 of Customs Act 1962 in respect of all 54 Shipping Bills by way of marking reward scheme option as "No" to "Yes", vide letter No.VIII48-445/EXP/MP & SEZ/2018-19 dated 08.06.2018. They are unable to file MEIS application through online mode as these Shipping Bills are not being displayed into firm repository of MEIS application. The Shipping Bills were available online into DFIA repository where they have successfully updated BRC details and filed DFIA application.

Decision: The Committee having discussed the case 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.25: M/s. Chirag Impex, Ahmedabad
F. No. 01/60/162/768/AM19/PRC
PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To allow FPS / VKGUY and MEIS benefit against shipping bills pertain to 2013-14, 2014-15, and 2015-16 for which payment have been realized on time but the e-BRC have been uploaded by the back in 2017, 2018 and still uploading.



They have stated that the Shipping bills Pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time but the e BRCs have been uploaded by the bank in 2017, 2018 and still uploading.

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

(Action: Applicant)

Case No.26: M/s. A B S Export., Maharashtra

F. No. 01/60/162/786/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Acceptance of e-BRC for FPS/ VKGUY and MEIS benefit which was uploaded delay by their bankers.

They have stated that the Shipping Bills pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time but the e BRCs have been uploaded by the bank in 2017, 2018 and still uploading. Now when they are submitting the application for claim the software itself is imposing the 100% cut.

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

(Action: Applicant)

Case No.27: M/s. Bachiwind Commission Agent, Punjab

F. No. 01/60/162/790/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Acceptance of e-BRC for FPS/ VKGUY and MEIS benefit which was uploaded delay by their bankers.

They have stated that the shipping bills Pertain to 2013-14, 2014-15 and 2015-16 for which payments have been realized on time but the BRCs have been uploaded by the bank in 2017, 2018 and still uploading. Now when they are submitting the application for claim the software itself is imposing the 100%.

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

(Action: Applicant)

Case No.28: M/s. Manisha Malhotra, New Delhi

F. No. 01/60/162/806/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019



Subject: Revalidation of Import License No.0550003697 dated 05.12.2016.

They have stated that 03 Nos of sporting horses from Germany could not be imported because they have been participating in the international competitions for the last one year and came back to India in the month of September, 2018.

Decision: The Committee went through the contention of the firm and it decided to allow revalidation of Import License No.0550003697 dated 05.12.2016 for further six months from the date of endorsement with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.29: M/s Amrut International, Ahmedabad

F. No. 01/60/162/802/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Enhancement in CIF value and quantity cum revalidation against DFIA No.0810142586 dated 11.05.2018.

They have stated that they have exported total 9 shipping bills against EDI generated DFIA file No.08/91/076/00073/AM15 submitted online dated 06.08.2014 as per the policy provision of FTP 2009-14 in force but RA, Ahmedabad granted claim entitlement only on 7 s/bill because as per FTP 2015-20 a new para 4.29(ii) introduced export shall be completed with 12 months from the date of filling of application and generation of file number. The issue is retrospective applicability of some of the new provision of FTP 2015-20 to the DFIA application submitted prior to 01.04.2015 intention of new policy is clear all pending application shall be treated as valid application hence grace period 12 months for completion of exports applicable up to 31.03.2016 against all previous policy pending DFIA applications.

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.30: M/s. Bhagdeep K & Co., Mumbai

F. No. 01/60/162/787/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of FPS No. 0519038784 dated 02.11.2015.

They have stated that the above license got debited at Ludhiana Port (INLDH6) and there was balance due in the license. However, when they tried to use this license again for their next import consignments, they did not get debited for balance amount due to technical error.

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

(Action: Applicant)

Case No.31: M/s. Bhagdeep K & Co., Mumbai

F. No. 01/60/162/789/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of FPS No. 0519039748 dated 24.11.2015.

They have stated that the above license got debited at Ludhiana Port (INLDH6) and there was balance due in the license. However, when they tried to use this license again for their next import consignments, they did not get debited for balance amount due to technical error.

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

(Action: Applicant)

Case No.32: M/s. Bhagdeep K & Co., Mumbai

F. No. 01/60/162/788/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of FPS No. 0519010867 dated 11.12.2014.

They have stated that the above license got debited at Ludhiana Port (INLDH6) and there was balance due in the license. However, when they tried to use this license again for their next import consignments, they did not get debited for balance amount due to technical error.

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

(Action: Applicant)

Case No.33: M/s. Bhushan Power & Steel, Kolkata

F. No. 01/60/162/780/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0210206582 dated 30.03.2016.

They have stated that their account was declared NPA in February 2017 and it was referred to NCLT in July 2017 for debt resolution under Insolvency and Bankruptcy Code (IBC). An IRP was appointed to manage company's operations and due to all such reasons, authorization could not be used for imports. Further, the authorizations were obtained considering the CFR value of raw material import as USD 360.00 per MT. However the international prices during the stipulated period of import were in the range of USD 500.00 to USD 600.00 CFR per MT. Hence, import could not be made by them.



Decision: The Committee went through the statement made by the applicant and concluded that genuine hardship is there in this case and therefore decided to allow revalidation of Advance Authorization No.0210206582 dated 30.03.2016 for a period of six months from the date of endorsement for making imports proportionate to export obligation already fulfilled with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.34: M/s. Bhushan Power & Steel, Kolkata

F. No. 01/60/162/781/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0210206489 dated 11.02.2016.

They have stated that their account was declared NPA in February 2017 and it was referred to NCLT in July 2017 for debt resolution under Insolvency and Bankruptcy Code (IBC). An IRP was appointed to manage company's operations and due to all such reasons, authorization could not be used for imports. Further, the authorizations were obtained considering the CFR value of raw material import as USD 360.00 per MT. However the international prices during the stipulated period of import were in the range of USD 500.00 to USD 600.00 CFR per MT. Hence, import could not be made by them.

Decision: The Committee went through the statement made by the applicant and concluded that genuine hardship is there in this case and therefore decided to allow revalidation of Advance Authorization No.0210206489 dated 11.02.2016 for a further period of six months from the date of endorsement for making imports proportionate to export obligation already fulfilled with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.35: M/s. Bhushan Power & Steel, Kolkata

F. No. 01/60/162/782/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No. 0210206538 dated 14.03.2016.

They have stated that their account was declared NPA in February 2017 and it was referred to NCLT in July 2017 for debt resolution under Insolvency and Bankruptcy Code (IBC). An IRP was appointed to manage company's operations and due to all such reasons, authorization could not be used for imports. Further, the authorizations were obtained considering the CFR value of raw material import as USD 360.00 per MT. However the international prices during the stipulated period of import were in the range of USD 500.00 to USD 600.00 CFR per MT. Hence, import could not be made by them.

Decision: The Committee went through the statement made by the applicant and concluded that genuine hardship is there in this case and therefore decided to allow revalidation of Advance Authorization No. 0210206538 dated 14.03.2016 for a further period of six months from the date of endorsement for making imports proportionate to export obligation already fulfilled with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.36: M/s. Bhushan Power & Steel, Kolkata

F. No. 01/60/162/779/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0210206606 dated 12.04.2016.

They have stated that their account was declared NPA in February 2017 and it was referred to NCLT in July 2017 for debt resolution under Insolvency and Bankruptcy Code (IBC). An IRP was appointed to manage company's operations and due to all such reasons, authorization could not be used for imports. Further, the authorizations were obtained considering the CFR value of raw material import as USD 360.00 per MT. However the international prices during the stipulated period of import were in the range of USD 500.00 to USD 600.00 CFR per MT. Hence, import could not be made by them.

Decision: The Committee went through the statement made by the applicant and concluded that genuine hardship is there in this case and therefore decided to allow revalidation of Advance Authorization No.0210206606 dated 12.04.2016 for a period of six months from the date of endorsement for making imports proportionate to export obligation already fulfilled with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.37: M/s. Bhushan Power & Steel, Kolkata

F. No. 01/60/162/777/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0210206487 dated 11.02.2016.

They have stated that their account was declared NPA in February 2017 and it was referred to NCLT in July 2017 for debt resolution under Insolvency and Bankruptcy Code (IBC). An IRP was appointed to manage company's operations and due to all such reasons, authorization could not be used for imports. Further, the authorizations were obtained considering the CFR value of raw material import as USD 360.00 per MT. However the international prices during the stipulated period of import were in the range of USD 500.00 to USD 600.00 CFR per MT. Hence, import could not be made by them.



Decision: The Committee went through the statement made by the applicant and concluded that genuine hardship is there in this case and therefore decided to allow revalidation of Authorization No.0210206487 dated 11.02.2016 for a period of six months from the date of endorsement for making imports proportionate to export obligation already fulfilled with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.38: M/s. Bhushan Power & Steel, Kolkata

F. No. 01/60/162/778/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0210206890 dated 12.08.2016.

They have stated that their account was declared NPA in February 2017 and it was referred to NCLT in July 2017 for debt resolution under Insolvency and Bankruptcy Code (IBC). An IRP was appointed to manage company's operations and due to all such reasons, authorization could not be used for imports. Further, the authorizations were obtained considering the CFR value of raw material import as USD 360.00 per MT. However the international prices during the stipulated period of import were in the range of USD 500.00 to USD 600.00 CFR per MT. Hence, import could not be made by them.

Decision: The Committee went through the statement made by the applicant and concluded that genuine hardship is there in this case and therefore decided to allow revalidation of Authorization No.0210206890 dated 12.08.2016 for a period of six months from the date of endorsement for making imports proportionate to export obligation already fulfilled with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.39: M/s. Sutej Ropes Pvt. Ltd., Mumbai

F. No. 01/60/162/761/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0310705441 dated 17.08.2012.

They have stated that they have fulfilled 100% of export order received from Nepal. This order was shipped by surface (Road Transport) via Indo-Nepal borders of Rexaul. The Nepal Customs as per their procedure took a minimum time of 3/4 months for endorsement/clearance of the license. Therefore, a significant delay occurred in submission for EODC/Redemption to RA, Mumbai which is in process with them. As a result authorization could not be used for imports.

Decision: The Committee having discussed the case observed that it is an old authorization and found no merit in it and hence decided to reject the request of the firm.

(Action: Applicant)

Case No.40: M/s. Sutej Ropes Pvt. Ltd., Mumbai

F. No. 01/60/162/760/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0310742423 dated 22.07.2013.

They have stated that against one of their export orders, they were granted an advance license under the advance authorization scheme as per import export policy of 2010-2014. Against export of Steel Wire, they are entitled under this license to import Wire Rod and Zinc, which are the major raw materials consumed to manufacture steel wire. They have fulfilled 100% export and applied for EODC/Redemption to RA, Mumbai which is in process with them.

Decision: The Committee having discussed the case observed that it is an old authorization and found no merit in it and hence decided to reject the request of the firm.

(Action: Applicant)

Case No.41: M/s. Sutej Ropes Pvt. Ltd., Mumbai

F. No. 01/60/162/762/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0310809120 dated 10.11.2016.

They have stated that against one of their export orders, they were granted an advance license the advance authorization scheme as per import export policy. Against their export of Steel Wire, they are entitled under this license to import wire Rod and Zinc, which are the major raw materials consumed to manufacture steel wire. They have fulfilled 30% export obligation under this order. The major inputs of Wire Rods and Zinc remained to be imported for which suitable offers are now available.

Decision: The Committee went through the statement made by the applicant and observed that it is a recent authorization and decided to allow revalidation of Advance Authorization No.0310809120 dated 10.11.2016 for a period of six months from the date of endorsement for making imports proportionate to export obligation already fulfilled with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)



Case No.42: M/s. Sutej Ropes Pvt. Ltd., Mumbai

F. No. 01/60/162/759/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0310722601 dated 31.03.2013.

They have stated that they have fulfilled 100% of their export order received from Nepal. This order was shipped by surface (Road Transport) via Indo-Nepal borders of Rexaul. The Nepal Customs as per their procedure take a minimum time of 3/4 months for endorsements/clearance of the license. Therefore, a significant delay occurred in submission for EODC/Redemption to RA, Mumbai which is in process with them.

Decision: The Committee having discussed the case observed that it is an old authorization and found no merit in it and hence decided to reject the request of the firm.

(Action: Applicant)

Case No.43: M/s. Sutej Ropes Pvt. Ltd., Mumbai

F. No. 01/60/162/758/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Revalidation of Advance Authorization No.0310810470 dated 11.01.2017.

They have stated that they have fulfilled 100% export obligation and have obtained EODC from RA, Mumbai. During the validity period of the subject license they could not import both the commodities because of high international prices and the inability to get shipment of Wire Rods in small lots at Mundra port on account of infrequent sailing. In the interim period they obtained revalidation of the said license for 6 months from RA, Mumbai. After the revalidation they had imported Zinc. Their major inputs of Wire Rods remained to be imported for which suitable offers are now available.

Decision: The Committee went through the statement made by the applicant and observed that it is a recent authorization and decided to allow revalidation of Advance Authorization No.0310810470 dated 11.01.2017 for a period of six months from the date of endorsement for making imports proportionate to export obligation already fulfilled with the condition that the firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.44: M/s. Mepro Pharmaceuticals Pvt. Ltd., Gujarat

F. No. 01/60/162/456/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019



Subject: Extension in EOP in Advance Authorization No. 0310796794 dated 23.06.2015.

It is a review of earlier PRC meeting no. 18/ AM19 dated 9.10.18 decision. It is a PC 9 case and exports have been made after around 10 months from EOP expiry date. They have stated that the reason for delay is due to analytical method for its testing was not robust enough to produce consistent results. Thus, series of discussion was done over 8 months with buyer following which root cause for the problem was identified. Further, guard column for the HPLC analysis & specific column for the HPLC analysis was required for machine to produce this product, which was procured approximately after 5 months, as this column was very specific and not available readily and needs to be manufactured. Production process of this column is very tedious process. After this production, the site verification approval from UK, MHRA was also required and after which only the import is allowed in UK, which took about 8-9 months.

Decision: The Committee examined the case in detail and in view of justification provided by the firm decided to accede to the request and allowed EOP extension up to June 2017 only for regularization purpose subject to the payment of composition Fee as follows;

- i) From 12 month to 18 months- @0.5% per month on the unfulfilled FOB Value, if exports are fulfilled more than 50% within initial EOP or @ 1% per month where exports have been made less than 50% within initial EOP.
- ii) From 18 month onwards, composition fee @ 1% per month on unfulfilled FOB value.
- iii) The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA)

Case No.45: M/s. Rushil Decor Limited, Gujarat

F. No. 01/60/162/784/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Clubbing of 3 Advance Authorizations No. (i) 0810119526 dated 18.03.2013, (ii) 0810134777 dated 12.03.2015 and (iii) 0810135483 dated 17.06.2015.

They have stated that the first import was made on 09.04.2013 against first Advance Authorization No. 0810119526 dated 18.03.2013, and they have obtained subsequent Advance Authorization No. 0810134777 dated 12.03.2015 and 0810135483 dated 17.06.2015. The last date of export in subsequent Advance Authorization was made on 21.05.2016, thus the gap between first Advance Authorization is works out around to 38.03 months and 37.05 months respectively. The excess exports made on subsequent Advance Authorizations No. 0810135483 dated 17.06.2015 are sufficient enough for shortfall two Authorizations on pro-rata



basis, moreover on pro-data basis the exports are worked out to within the permissible EO period of 36 months from the date of each individual imports made on.

Decision: The Committee went through the statements made by the firm and noted that clubbing provisions have been modified very recently to make entire exercise of clubbing very simple. There is no merit in the contentions of the firm and accordingly decided to reject the request of the firm.

(Action: Applicant)

Case No.46: M/s. Prasol Chemicals Pvt. Ltd., Mumbai

F. No. 01/60/162/795/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: To count the export of 3 shipping bill nos. 4121734 dated 16.11.2015, 4342888 dated 27.11.2015 & 4948004 dated 28.12.2015 against Advance Authorization No.0310757684 dated 12.11.2013 instead of Advance Authorization No.0310797284 dated 16.07.2015 towards fulfilment of EO.

They have submitted that both the Advance Authorizations were obtained for the same Export Product (Mesityl Oxide) & Import Product (Acetone) & Exports were being simultaneously done under both these Advance Authorizations in order to fulfill the Export Obligation. But in 3 shipping bills nos. 4121734 dated 16.11.2015, 4342888 dated 27.11.2015 & 4948004 dated 28.12.2015 their logistics staff had due to oversight wrongly mentioned the Advance Authorizations No. 0310797284 dated 16.07.2015 instead of 0310757684 dated 12.11.2013. Also since this error was made at the time of preparation of the pre-export documents, same got reflected in all (3) Export shipping bills too.

Decision: The Committee having discussed the case observed that clubbing provisions are made to precisely cover such types of situations only. However this particular request is not even getting covered under the recently issued clubbing provisions. Accordingly it found no merit in it and hence decided to maintain rejection of the request of the firm.

(Action: Applicant)

Case No.47: M/s. Raymond Limited, Mumbai

F. No. 01/60/162/785/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Relaxation of Pre-Import condition for silk in any from listed at Sl. No.6 in Appendix 4J of Advance Authorization No.031819978 dated 21.03.2018.

They have obtained above Advance Authorization for exports of 13,440 meters "Tussar Silk Wool Blended Fabrics (Tussah Silk Wool Blended fabrics) Blend 52 % silk and 48 % wool GSM 180 = or -10 % with 155 cm". They have done exports prior to import and fulfilled 97.38 % export obligation. As per para 4.13 (ii) of FTP 2015-20



imports item subject to pre-import condition are listed in appendix 4j and their import item falls under Sr. No.6.

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

(Action: Applicant)

Case No.48: M/s. Ring Plus Aqua Ltd., Maharashtra

F. No. 01/60/162/721/AM19/PRC

PRC Meeting No. 31/AM19 dated 19.02.2019

Subject: Permission for clearance of 1 No. E- Jaguar for R&D purpose JNPT, Port.

Applicant has stated that they have imported 1 No. E-Jaguar under Bill of Entry No.9310315 dated 18.12.2018 at JNPT Port. They were informed by their Customs Broker and other officer from Customs that they can import the same from JNPT Port. The same has arrived vide Bill of Lading No.EXP012242A dated 18.11.2018. They have also done their custom examination procedure (1st check). However, at the time of assessment they are informed that they had to import the same at Mumbai Port and not JNPT Port. Therefore, requested to grant them one time waiver to clear the car at JNPT and condone the lapse occurred at the end.

Decision: The Committee having examined the case noted that the vehicle is 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 JNPT port.

(Action: Applicant/PC-2A Division)

Case No.49: 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, the committee decided to reject such cases as mentioned below:

S. No.	Name of the firm	Subject	Remarks
1.	M/s. India Voyage Travel Pundits Pvt. Ltd	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
2.	M/s. Sterlite Technologies Ltd., Mumbai	Application for grant of duty Credit under Focus Market Scheme in Policy Relaxation	ANF 2D not submitted and shortage of fee

		Committee.	
3.	M/s. IRIS Jewels	Non receipt of gold under replenishment scheme in respect of sales of jewellery at exhibition overseas in terms of para 4.46 of <u>FTP 2015-2020</u> read with para 4.801 of handbook of procedure, 2015-20 consequent to issue of notification no. 41/2015-2020 dated 05.12.2017 by DGFT and insertion of para 4.34 (i) (e) in FTP in <u>FTP 2015-2020</u> - request for grant of extension of time to take gold from nominated agencies.	ANF 2D and proof of fee not submitted
4.	M/s. Eshu Sharma	Relaxation in Policy condition at sr. no. 1 & 2, Read with condition no. 31 (D) under chapter 87 of custom tariff.	ANF 2D and proof of fee not submitted
5.	M/s. Concord Exotic Voyages India Pvt. Ltd., Cochin	Exemption from condition imposed under para 3.12.7 of the <u>FTP 2009-14</u> against scrip No (i). 1710006547 dated 25.01.2017 (ii) 1710006548 dated 25.01.2017, (iii) 1710006549 dated 1710006552 dated 25.01.2017 and (vii) 1710006553 dated 25.01.2017.	ANF 2E and proof of fee for PH not submitted
6.	M/s. Concord Exotic Voyages India Pvt. Ltd., Cochin	Exemption from condition imposed under para 3.12.7 of the <u>FTP 2009-14</u> against scrip No (i). 1710006554 dated 30.01.2017, (2) 1710006555 dated 30.01.2017, (3) 1710006556 dated 30.01.2017, (iv) 1710006557 dated 30.01.2017 (v) 1710006558 dated 30.01.2017, (vi) 1710006559 dated 30.01.2017 and (viii) 1710006560 dated 30.01.2017.	ANF 2E and Proof of fee for PH not submitted
7.	M/s. Arkay Fabsteel Systmes Pvt. Ltd., Delhi	Seeking relaxation of norms of advance Authorization no. 0510198035 dated 17.01.2007 and 0510203443 db. 08.05.2007, issued to M/s. Arkay Industries W.r.t not mentioning the Advance Authorizaiton license nos. on the	ANF 2D and proof of fee not submitted

		shipping bills.	
8.	M/s. MEW Electricals Limited, Vadodara	Clubbing of Advance License no. 3410038844 dated 30.12.2013 and 3410041230 dated 18.05.2015.	ANF 2E and proof of fee for Review / PH not submitted
9.	M/s. Koch Chemical Technology Group India	Representation seeking relief from genuine hardship faced in claiming benefit under the services Exports from india Scheme.	Proof of fee not submitted
10.	M/s. Globe Textiles (India) Ltd.	Request for Revalidation of DFIA no. 0810133121 dated 26.08.2014.	ANF 2E and proof of fee for PH submitted
11.	M/s. Rabirun Vinimay Pvt. Ltd.	Out-come of decision for E.O.P.	ANF 2D and proof of fee not submitted
12.	M/s. Neetee Clothing Pvt. Ltd.	Request to policy relaxation committee for condonation/to give relaxation in regard to redemption of advance authorisation 0510389600 dated 09.07.2014	ANF-2D not submitted
13.	M/s. Emerson Process Management Chennai Pvt. Ltd.	EPS benefit restored to Valve Manufactures.	ANF 2D and proof of fee not submitted
14.	M/s. Express Imprint Pvt. Ltd.	Counting of supply of printed backer cards made through Gillette Diversified Operations Pvt. Ltd. Merchant exporters of "Oral B" Toothbrush towards fulfilment of Export obligation against EPCG Authorization No. 0430009011 dated 24.09.2010.	ANF 2E for PH not submitted
15.	M/s. Sparsha Pharma International Pvt. Ltd.	Export Obligation under EPCG License No. 0930004218 dated 22.07.2008.	ANF 2E and proof of for PH not submitted

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