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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting Held on 16 .01.2023 under the Chairmanship of Shri Santosh Kumar Sarangi, Director General of Foreign Trade

Meeting No.29/AM23 held on 16.01.2023

The following members were present in the meeting:

1. Shri S.B.S. Reddy — Addl. DGFT
2. Shri Hardeep Singh — Addl. DGFT
3. Shri Akash Taneja — Addl. DGFT
4. Shri Anil Aggarwal — Addl. DGFT
5. Dr. S.K. Bansal — Addl. DGFT

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

S. No	Name of the firm	Case No.
1.	M/s. Shiva Fibres Pvt.Ltd., Ludhiana	1
2.	M/s. Girnar Food and Beverages Pvt.Ltd.,Mumbai	2
3.	M/s. HUF India Pvt.Ltd.,Pune	3&4
4.	M/s. Agog Pharma Ltd.,Maharasthra	5
5.	M/s. Shahi Exports Pvt.Ltd.,Banglore	6
6.	M/s. Whitelotus Industries Ltd., Surat	7
7.	M/s. COPTEC, Silvassa	8
8.	M/s. Carborundum universal Ltd., Chennai	9
9.	M/s..Rubamin Pvt.Ltd.,Halol	10
10.	M/s. Gaurav International, Haryana	11
11.	M/s..SKI Plastoware Pvt.Ltd., Mumbai	12
12.	M/s.Tulsyan NEC Ltd., Bangalore	13
13.	M/s. Nagreeka Exports Ltd.,Kolkata	14
14.	M/s. Mittal Appliance Ltd., Pithampur, Madhya Pradesh	15
15.	M/s. Lotus Advance Technologies Pvt. Ltd., NOIDA	16
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17.	M/s. P.M. Electro-Auto Pvt. Ltd, Mumbai	18&19
18.	M/s. Kores (I) Ltd., Mumbai	20
19.	M/s. Thaiger Pharma Pvt. Ltd., Mumbai	21
20.	M/s. Pinnacle Clothing co., New Delhi	22&23
21.	M/s. Raj Petro Specialities Pvt. Ltd., Chennai	24

22.	M/s. Bhaskar Book Manufacturers, Secunderabad	25
23.	M/s. Ala Entp. Pvt. Ltd, Bhiwadi	26
24.	M/s. Abhinav Paper Products Pvt. Ltd, Ghaziabad	27
25.	M/s. Rama Exports, Mumbai	28
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27.	M/s. Three-M-Paper Manufacturing Co. Pvt. Ltd, Mumbai	30
28.	M/s. Raman Polymers, Mumbai	31
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Case No. 01 **M/s. Shiva Fibres Pvt. Ltd., Ludhiana**
F.no. HQRPRCAPPLY00003991AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Extension of EOP against 2 Advance Authorization No.03010104864 dated 23.10.2019 and 3010105062 dated 19.02.2020.**

The applicant has stated that they had been regularly exporting Acrylic yarn to the Myanmar market since year 2016. In lieu of this, they used to import Acrylic fibre against Duty Free Export Authorizations (DFIA). They have already settled 11 out of the 13 authorizations procured by them. All of a sudden, due to political instability in Myanmar their export order for 7 containers not be executed due to extreme insurgency & volatility. Owing to this, they could not meet the deadline for exports against these authorizations. Now the situation is improving. Hence, they are requesting for Extension of EOP against two Advance Authorization no. 0301014864 dated 23.10.2019 and 3010105062 dated 19.02.2020.

Decision: The Committee examined the case on the basis of submission made by the applicant and discussed the matter at length and it decided to allow EOP extension of 2 Advance Authorization No.03010104864 dated 23.10.2019 and 3010105062 dated 19.02.2020 for a further period of 6 months from the date of endorsement subject to payment of composition fees @0.5% per month, 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 of the extension period granted as above, on the unfulfilled FOB Value. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Ludhiana)

Case No. 02 **M/s. Girnar Food and Beverages Pvt. Ltd., Mumbai**
F.no. HQRPRCAPPLY00003977AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0310837670 dated 14.08.2020.

The applicant has stated that International market was greatly affected by the coronavirus (COVID-19) pandemic in various sectors in the month of April and May 2021. Those orders were confirmed in the month of February and March 2021, it has gone in the month April 2021. But in May 2021 the export was NIL and it affects till June end but they have managed to effect only 05 shipments from the month of June 2021 to September 2021. They could not complete the export obligation within six month from the last date of Import and they have completed the export obligation in the month of November and December 2021 i.e. the six month after the last date of import but within the validity period of EO. Hence, they are requesting for Extension of EOP up to 25.12.2021 against subject Advance License for regularisation purpose only.

Decision: The Committee went through the justification provided by the firm and discussed the matter at length. The Committee decided to allow EOP extension up to 31.12.2021 against Advance Authorisation No.0310837670 dated 14.08.2020 only for regularization purpose subject to the payment of composition fees @1% per month on unfulfilled FOB value from the date of expiry. The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 03 M/s. HUF India Pvt. Ltd., Pune
F.no. HQRPRCAPPLY00004060AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Extension of EOP against Advance Authorization No.3110066850 dated 24.08.2017.**

The applicant has stated that they have imported against the said Advance Authorization for the purpose of export but due to some reasons their export order got cancelled and they were not able to complete obligation against advance authorization. Now they have export order in hand and are ready for export against the same. Hence, they are requesting for Extension of EOP against subject Advance Authorization.

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

(Action: Applicant)

Case No. 04 M/s. HUF India Pvt. Ltd., Pune
F.no. HQRPRCAPPLY00004059AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Extension of EOP against Advance Authorization No.3110065301 dated 03.03.2015.**

The applicant has stated that they have imported against the said Advance Authorization for the purpose of export but due to some reasons their export order got cancelled and they were not able to complete obligation against advance authorization. Now they have export order in hand and are ready for export against the same. Hence, they are requesting for Extension of EOP against subject Advance Authorization.

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

(Action: Applicant)

Case No. 05 M/s. Agog Pharma Ltd., Maharasthra
F.no. HQRPRCAPPLY00004002AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Extension of EOP against Advance Authorization No.0310835438 dated 17.03.2020.**

The applicant has stated that Advance Authorization was obtained for the import of Drug item and as per the Drug policy, pre-import condition was endorsed as per Annexure-A. Therefore, the export obligation period is 12 months from the Import of unapproved Drug and for Import this Advance License has Revalidated till 17.09.2021 so Export Validity till 17.09.2022. They had accordingly, imported 3000.00 Kgs in three parts and already fulfilled export obligation of 1971.430 Kgs. The E.O. is fulfilled within the valid E.O. Period is 65.71 %. Due to some unavoidable circumstances, they could not fulfil the balance E.O. of 1028.57 kg because their previous Purchase order was cancelled due to COVID 19, and after some time they have receive a purchase orders for export. The validity of EOP has been time barred on 17.09.2022 and they have export their finished goods in ten shipping Bills within previous EOP. Hence, they are requesting for Extension of EOP against Advance Authorization no. 0310835438 dated 17.03.2020

Decision: The Committee examined the case in detail and in view of justification provided by the firm, it decided to accede to the request and allowed EOP extension of Advance Authorization No.0310835438 dated 17.03.2020 for a further period of 6 months from the date of endorsement subject to the payment of composition fees @1% per month of the extension period granted as above, on the unfulfilled FOB Value. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA- Mumbai)

Case No. 06 M/s. Shahi Exports Pvt. Ltd., Banglore

F.no. HQRPRCAPPLY00004070AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Extension of EOP against Advance Authorization No.0710116481 dated 22.05.2020.**

The applicant has stated that they had obtained above mentioned license to export Gents Jackets with lining (Export Sl.No.3) to their foreign buyer and imported the entire quantity of fabric and the export product was to be shipped during Sep.2020. Due to the first Covid-19 wave, their buyer cancelled the order due to the poor sales and shutting down of the stores in the destination country. The buyer has finally agreed to take the entire quantity in the coming months and firm is ready to make the export shipment and ship the goods within the next six months. Hence, they are requesting to allow six months Extension of EOP against Advance Authorization no. 0710116481 dated 22.05.2020.

Decision: The Committee went through the submission made by the applicant and discussed the matter at length and it decided to allow EOP extension of Advance Authorization No.0710116481 dated 22.05.2020 for a further period of 6 months from the date of endorsement subject to the payment of composition fees @1% per month of the extension period granted as above, on the unfulfilled FOB Value. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bangalore)

Case No. 07 M/s. Whitelotus Industries Ltd., Surat
F.no. HQRPRCAPPLY00003998AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Revalidation of Advance Authorization No.5210043580 dated 28.10.2020.**

The applicant has stated that they have been issued Advance Authorization for fulfilment of export obligation within 18 months i.e. till 27.03.2022. However, they have fulfilled the same within 1 year only. Accordingly, they got eligibility to import the allowed quantity of Raw material as per Advance License. Further they could not import the allowed quantity of Raw Material within the validity period of 1 year i.e. 27.10.2021. Therefore, they had applied for extension and the same has been granted extended import validity period by 1 year i.e. 28.10.2022, but within this extension period, they managed to import the allowed quantity of Polyester Film but unfortunately, they could not import the balance quantity of Granules in time and the extended import validity period has already expired. They could not complete the import due Various waves of COVID19 Pandemic, the whole nation suffered due to various waves of the COVID19 pandemic. Full lockdown have been imposed by the Central government in the 1st wave of the Pandemic, while partial lockdown imposed by the Central government of many states in further waves of the same. The situation which looked easing up gradually after initial waves, even got worsens in the later waves. These continuous disturbances make it very difficult to allow them to think beyond the daily routine for survival. The base materials from which company raw materials like granules, PPE film, chemicals, etc. are made are petrochemicals. And also due to increase in the prices of crude, prices of raw material became very volatile and so import of raw materials became very unfavourable Furthermore firm have to spend on fixed standing expenses of the company even on lower capacity utilization. Also, their customers are mostly MSME units which are also facing the same financial problems. Hence, they are requesting for six Revalidation of Advance Authorization no. 5210043580 dated 28.10.2020.

Decision: The Committee examined the case in detail and in view of justification provided by the firm and it decided to allow revalidation for a period of 6 months from the date of endorsement in the proportionate to the export already made against Advance Authorisation No.5210043580 dated 28.10.2020. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Surat)

Case No. 08 **M/s. COPTEC, Silvassa**
F.no. HQRPRCAPPLY00004058AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Revalidation of Advance Authorization No.0310830744 dated 01.08.2019.**

This is a review case of PRC Meeting No.18/AM23 held on 15.11.2022 (Case No.23) and wherein Committee reject their request. They have stated that they got the revalidation for six months from PRC but they could not import balance full quantity due to raw material shortage in international market as well as price fluctuation. They are just recovering from Covid-19 and request for relaxation in policy. Hence they are requesting to allow six month revalidation against subject licence.

Decision: The Committee reviewed the case on the basis of justification furnished by the applicant and discussed the case at length and found no merit in the request of the firm. Accordingly, it decided to maintain rejection of the earlier decision of PRC in its Meeting No.18/AM23 dated 15.11.2022 (Case No.23).

(Action: Applicant)

Case No. 09 M/s Carborundum Universal Ltd., Chennai
F.no. HQRPRCAPPLY00004003AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Revalidation of SHIS No.0410159335 dated 04.09.2014 for imports purpose.**

The applicant reffering PRC Online application vide File No.01/21/065/00164/AM19 Dt.16.08.2018 (Key No.838827 and E-Com Ref. No.04/88/033/47100/0566/4136) for revalidation of Status Holder Incentive Scrip No.0410159335 Dt.04.09.2014) has stated that Since the SHIS Scrip was in the physical custody of RA Chennai for Amendment they could not utilise the scrip for imports and requested the RA to extend the validity period for import utilisation.. Hence, they are requesting for Revalidation of SHIS no. 0410159335 dated 04.09.2014 for imports purpose.

Decision: The Committee after discussing the matter on the basis of justification submitted by the applicant, it decided to defer the case and seek a detailed report from RA-Chennai in the matter for taking the decision.

(Action: RA- Chennai/Applicant)

Case No. 10 M/s. Rubamin Pvt.Ltd., Halol
F.no. HQRPRCAPPLY00003992AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Request for Relaxation in submitting documents of 4 Advance Authorization No.(1) 3410044650 dated 29.10.2018, (2) 3410044248 dated 14.06.2018, (3) 3410045127 dated 09.05.2019 and (4) 3410045087 dated 29.04.2019.**

The applicant has stated that they are "Three-star export house" and an "AEO T1" certificate holder. They regularly supply EOU and SEZ units under Advance Authorisation and comply with all the conditions prescribed under FTP. Here, they seek relaxation in submitting Form-A against supplies to EOU. As per PN no.9/15-20 dated 14.05.2018, the EOU unit is required to provide Form-A against supplies under Advance Authorization. However, they have Tax invoices duly endorsed by the concerned GST office of the EOU Unit as "Proof of Deemed Exports". Form -A is not provided by the EOU unit as they have not taken a GST refund.. Hence, they are requesting for Relaxation in submitting documents of four Advance Authorization No. 3410044650 dated 29.10.2018, 3410044248 dated 14.06.2018, 3410045127 dated 09.05.2019,3410045087 dated 29.04.2019.

Decision: The Committee examined the statement made by the firm and discussed the matter at length. The Committee decided to refer the case to PC-4 division as it is a general policy issue.

(Action: PC-4-Division/Applicant)

Case No.11 M/s. Gaurav International, Haryana
F.no. HQRPRCAPPLY00003984AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Relaxation for clubbing of 2 Special Advance Authorization No.(i) 0510413252 dated 08.01.2020 and (ii) 0510413668 dated 21.02.2020.**

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The applicant has stated that they have applied for S.A.L and Authorization no. 0510413252 was issued (copy attached for your ready reference) Against Export S. No. (4) they had applied for ladies DRESS 8995 pcs against 26086 Sqm imported fabric at an average of 2.90 Sqm. per garment. they imported the fabric under licence, but in the meantime buyer cancelled orders. In order to compensate, buyer gave them a new order of ladies jumpsuit against imported fabrics. Since there is no provision in the system to change SION in the licence hence they applied new licence and licence no 0510413688 was issued. Now they have filed application for redemption, they have been informed by R.A that there is no provision of clubbing under SPL. Advance Authorization. Hence, they are requesting Relaxation for clubbing of two Special Advance Authorization nos. 050413252 dated 08.01.2020, (ii) 0510413668 dated 21.02.2020.

Decision: The Committee decided that issues pertaining to typographical errors in decisions may be taken care of by Section itself.

(Action: Applicant)

Case No. 12 M/s.SKI Plastoware Pvt.Ltd., Mumbai
F.no. HQRPRCAPPLY00004069AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Acceptance of FIRC/ manual BRC for the purpose of closure of 2 Advance authorization No.0310780916 dated 07.05.2014 and 0310670172 dated 13.12.2011**.

The applicant has stated that they are one of leading manufacturer of plastic articles &provide employment to 300 employees. they have availed two advance Licences and completed the export obligation within the valid EOP. 1st Advance Licence No-0310780916 dated 07.05.2014 Import Quantity -100.00 MT Export Obligation Quantity imposed - 95.239 M.T Export obligation Quantity done /completed -91.647 M.T % of export where EBRC available -73.79% 2nd Advance Licence No -0310670172 dated 13.12.2011 Import Quantity -249900.00 KGS Export Obligation Quantity imposed - 238000.00 KGS Export obligation Quantity done /completed -214291.064 KGS % of export where EBRC available-92.95% However due to change in bankers they are unable to get the eBRC against eight shipping bills. Earlier their bankers were M/s Bank of India then they moved their account to HDFC Bank. The AD Code was generated by Bank of India and realization of payment was received in HDFC Bank, they are trying to transfer the AD code from Bank of India to HDFC Bank however this is taking time. All the shipments are fully realised. Hence, they are requesting for Acceptance of FIRC/ manual BRC for the purpose of closure of Advance authorization.

Decision: The Committee on the basis of submission made by the firm, discussed the case in detail and observed that Public Notice No.9 dated 14.05.2018 has already been refers in this case. Hence, the Committee decided to withdraw the case from PRC. Firm shall approach to concerned RA as per the said PN.

(Action: Applicant)

Case No. 13 M/s.Tulsyan NEC Ltd., Bangalore
F.no. HQRPRCAPPLY00004010AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Para 5.1 (f) of FTP 2009-2014 & 3.11.9 HBP 2009-2014, SHIS.

The applicant has stated that they are manufacture Construction steel falling under ITC HS Chapter 72 from their unit in Chennai and PP Woven Fabrics and Sacks falling under Chapter 39 and Flexible Intermediate Bulk Containers falling under Chapter 63 from their unit at Doddaballapur, Karnataka. they had applied for a SHIS licence with file numbers as above based on their export performances in the year 2010-11, 2011-12 and 2012-13 and respective entitlement were as follows: Year FOB Value of Exports articles eligible for SHIS in Rs Lacs Duty Scrip entitlement at 1% Rs in Lacs 2012-13 3642.62 36.43 2011-12 5001.50 50.01 2010-11 3241.27 32.41 First two applications (for the year 2010-11 and 2011-12) were summarily rejected by the office of the ADGFT, Chennai, on 28th Feb 2013 stating that the as per Letter no.01/91/180/738/AM12/PC3/418 Dt 27.03.2012 SHIS benefits is available to ITC HS heading 3901 to 3914 and that they have claimed SHIS for exports under HS headings 63 and 3923. Upon their representation Chennai ADGFT sought clarification whether SHIS can be considered for export of FIBC and for export of PP woven sacks vide their letter 14/08/2015 from DGFT Delhi. The Dy DGFT had vide his letter No.F.No.01/91/180/738/AM12/PC-3/632 Dt 20.12.2016 clarified the queries raised by the Chennai RA and had advised issue of SHIS licences. (copy of the letter enclosed for your immediate reference- Annexure I). After positive confirmation of eligibility of entitlement, letter they filed their application forissue of SHIS for the exports period 2012-13. Rejection of SHIS Scrip for period of exports 2010-11 and 2011-12 Upon receipt of the letter as said above, the Chennai RA rejected their SHIS applications for 2010-11, 2011-12 vide letter Dated 2nd Mar 2017 stating that the period of exports is 2010-11 and if the case is reviewed in terms PN No.30/2015-20 Dt 8.09.2016, they should not have availed Zero percent EPCG during 2011-12. However it is learnt that they had availed Zero Duty EPCG Licence During 2011-12 vide licence number 0730010368 dt 13.7.2011 from O/o the Jt. DGFT Bangalore. Hence your request for SHIS in this Case stands rejected? ?the period of exports is 2011-12 and if the case is reviewed in terms PN No.30/2015-20 Dt 8.09.2016, they should not have availed Zero Duty EPCG Licence during 2012-13. However, it is learnt that they had availed Zero Duty EPCG Licence during 2012-13 vide licence number 0730011720 dt 12.10.2012 from O/o the Jt. DGFT Bangalore. Hence their request for SHIS in this Case stands rejected? Rejection of SHIS Scrip for period of exports 2012-13 With regard to their application for Exports during 2012-13 it was rejected stating: their request for SHIS Scrip stands rejected on the following grounds, 1. the application has not been submitted in time. The period of exports is mentioned as 2012-13. The application has been submitted after more than two years?? Justification for Relaxation of Policy 1. SHIS was introduced to encourage technological upgradation of export production. Para (iii) of Chapter IB of FTP? Special Focus Initiatives reads as follows: Quote The Government recognized ?Status Holders? contribute approx. 60% of India?s goods exports. To incentivise and encourage the status holders, as well as to encourage Technological upgradation of export production, additional duty credit scrip @ 1% of the FOB value of past export shall be granted for specified product groups including leather, specific subsectors in engineering, textiles, plastics, handicrafts and jute. This duty credit scrip can be used for import / domestic procurement of capital goods by these status holders. The SHIS scrip shall be subject to actual user condition. Hence, they are requesting for waiver of Para 5.1 (f) of FTP 2009-2014 & 3.11.9 HBP 2009-2014, SHIS

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to refer the issue to PC-3 Division for its inputs in the request of the firm.

(Action: Applicant/PC-3 division)

Case No. 14 M/s. Nagreeka Exports Ltd., Kolkata
F.no. HQRPRCAPPLY00004001AM23
Meeting No. 29 /AM23 held on 16.01.2023

Subject: **Request for manual filing of DEPB application in absence of any online application portal.**

The applicant has stated that This is In respect of 3 No.s Shipping Bill Nos. (1) 225/EXP/RAN/DEPB/2011 Dated: 29.09.2011, (2) 223/EXP/RAN/DEPB/2011 Dated: 25.09.2011 and (3) 227/EXP/RAN/DEPB/2011 Dated: 30.09.2011 against their exports of Indian White Grade S-30 SUGAR during September 2011, as a THIRD PARTY EXPORTER, on behalf of M/s. ED &F. Man Commodities India Pvt Ltd, Mumbai / Sakuma Exports Ltd, Mumbai, final export proceeds of which were realised during 2011-2012, and only after receipt of the No Objection Certificate (NOC) from Directorate of Sugar, allowing such Third Party export, did the respective Customs Department finally assessed all the three Shipping Bills on 24.05.2022. EBRC?s against Shipping Bill No. 223/ EXP/RAN/DEPB/2011 Dated. 25.09.2011 &Shipping bill No. 227/EXP/RAN/ DEPB/2011 Dated 30.09.2011 has been uploaded by bank on 28.11.2022.. Hence, they are requesting for manual filing of DEPB application in absence of any online application portal.

Decision: The Committee after discussing the matter on the basis of justification submitted by the application, decided to refer the case to RA-Kolkata for its examination.

(Action: RA-Kolkata/Applicant)

Case No. 15 M/s. Mittal Appliance Ltd., Pithampur, Madhya pradesh

F.no. HQRPRCAPPLY00003803AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: **Request for relaxation pre imports condition as per Notification No. 01/2019, Customs dated 10.01.2019 in Advance Authorisation No.5610005394 dated 08.05.2018.**

The applicant has stated that have Advance Licence no. 5610005394 Dtd. 08.05.2018, they fulfilled Export Obligation as per the Import made in authorisations, but as per pre import condition which were imposed by DGFT vide Notification No. 79/2017 ? Customs dated13-10-2017. Now vide Notification No. 01/2019 ? Customs dated 10.01.2019 said condition has been removed. They have Import and Export within this period but they also confirm to the DGFT Indore that they have used material in Export is GST paid material, also their import material is used in Export only, so they confirm all the details even submit GSTIN paid details to DGFT Indore. Hence, they are requesting for relaxation pre imports condition as per notification no 01/2019, customs dated 10.01.2019.in advance licence no 5610005394 dated 08.05.2018.

Decision: The Committee examined the statement made by the firm and discussed the matter at length. The Committee decided to withdraw the case from PRC as the matter is subjudice.

(Action: Applicant)

Case No. 16 M/s Lotus Advance Technologies Pvt. Ltd., Noida
F.no. HQRPRCAPPLY00003863AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0510413205 dated 03.01.2020.

The applicant stated that as required their buyer 10 Nos. of their resultant products after a long discussion due to Covid-19 earlier. They seek reduction in FOB value of export from Rs.12,60,00,000/- to Rs. 9,01,25,000/- and the total value addition is 35% which is more than 15%. The EOP extension granted by RA is up to 03.07.2022 as per their jurisdiction received on 14.10.2022 due to delay on their part. Hence they are requesting to allow extension in EOP against subject Advance Authorization up to 28.02.2023 to complete the E.O.

Decision: The Committee examined the case on the basis of submission made by the applicant and discussed the matter at length and it decided to allow EOP extension of Advance Authorization No.0510413205 dated 03.01.2020 for a further period of 6 months from the date of endorsement subject to payment of composition fees @0.5% per month, 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 of the extension period granted as above, on the unfulfilled FOB Value. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 17 M/s Shalina Laboratories Pvt. Ltd., Mumbai
F.no. HQRPRCAPPLY00003824AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0310768367 dated 29.01.2014.

The applicant state that they are exporter of pharmaceutical products for over four decades to African countries and have been able to fulfill the E.O. under most of the Advance Licenses well in time. This licence was issued under PC-9 condition and the EO has been completed for import item S.No. 1 to 2 within 12 month but imports item s. no. 3 could not fulfilled within EOP almost delay for 2 month and imports item s.no. 1 is delay 4 months and 17 days. The firm has deposited composition fees @0.05%. The firm has requested in terms of Public Notice no. 32 dated 18.10.2017 and willing to pay composition fees for delay. Hence they are requesting to allow E.O. extension upto 17.11.2015 for regularization purpose against above mentioned Advance License. They are also requesting to issue a letter for payment of customs duty+interest on excess import made for 31.107 kgs of lodochlorohydroxy and 10.111 kgs of Gentamycin Sulphate.

Decision: The Committee went through the justification provided by the firm and discussed the matter at length. The Committee decided to allow EOP extension up to 17.11.2015 against Advance Authorisation No.0310768367 dated 29.01.2014 only for regularization purpose subject to the payment of composition fees @1% per month on unfulfilled FOB value from the date of expiry and no adjudication order should be issued against the applicant. The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 18 M/s P.M. Electro-Auto Pvt. Ltd, Mumbai
F.no. HQRPRCAPPLY00003829AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0310831874 dated 27.09.2019.

The applicant stated that they had obtained Advance Authorisation for fulfillment of export obligation up to 27.03.2021 but due to cancellation of export order for Dia 1.8mm they have shortfall in the export obligation. They are ready to pay the composition fees as per FTP. Now the firm has export order and wants to exports further the same item.

Hence they are requesting to allow extension in export obligation for six month to fulfill the E.O. against subject license.

Decision: The Committee having examined the case on the basis of statement made by the applicant and discussed the matter at length and it decided to allow EOP extension for a further period of 6 months from the date of endorsement in the proportionate to the import already made against Advance Authorization No.0310831874 dated 27.09.2019 subject to payment of composition fees @0.5% per month, 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 of the extension period granted as above, on the unfulfilled FOB Value. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 19 M/s P.M. Electro-Auto Pvt. Ltd, Pune
F.no. HQRPRCAPPLY00003830AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.3110067458 dated 28.06.2019.

The applicant stated that they had obtained Advance Authorisation for fulfillment of export obligation up to 28.12.2020 but due to cancellation of export order for Dia they have shortfall in the export obligation. They are ready to pay the composition fees as per FTP. Now the firm has export order and wants to exports further the same item. Hence they are requesting to allow extension in export obligation for six month to fulfill the E.O. against subject license.

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

(Action: Applicant)

Case No. 20 M/s Kores (I) Ltd., Mumbai
F.no. HQRPRCAPPLY00003823AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0310825335 dated 30.11.2018.

The applicant stated that they had received the extension in EOP considered under PRC Meeting No.09/AM23 held on 12.07.2022 and 26.07.2022 and accordingly they have applied to RA for redemption of above mentioned license but RA Mumbai stating that they have not submitted their request within 30 days as per the PRC approval. In this connection, they have informed that they were waiting for the BRC to be received from their Bankers and thereafter they will submit the application for redemption which has now become time barred. Hence they are requesting to allow considering their request for regularizing of EOP against subject licence.

Decision: The Committee reviewed and examined the case on the basis of justification provided by the firm and discussed the matter at length and it decided to accede to the request of the firm for condonation of condition to approach RA for EOP extension within 30 days from the date of uploading of the minutes of meeting imposed by PRC in its meeting no.09AM23 dated 12.07.2022 and 26.07.2022 (Case no.03). The other terms and conditions of the decision of PRC meeting shall remain same.

(Action: Applicant/RA-Mumbai)

Case No. 21 M/s. Thaiger Pharma Pvt. Ltd., Mumbai
F.no. HQRPRCAPPLY00003807AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0310831224 dated 26.08.2019.

The applicant stated that from 23rd March, 2020 the entire country had been on Nationwide Lockdown because of Covid-19 for many months. All sector being the worst effected due to the pandemic. They are unable to fulfill stipulated EO within the valid EOP. However the firm fulfilled complete obligation against this licence beyond EOP. The firm also stated that para 4.42(i), a, b and c added in Notification 28 dated 23.09.2021 with condition for 5% incremental export on unfulfilled EO, which is not feasible them to pay composition fees for regular EOP option. Hence firm has requested to regularize the export and allow EOP extension up to 31.03.2021 without any composition fees against subject licence.

Decision: The Committee examined the case on the basis of submission made by the applicant and discussed the matter at length and it decided to allow EOP extension up to 31.03.2021 of Advance Authorization No.0310831224 dated 26.08.2019 only for regularisation purpose subject to payment of composition fees @ 1% per month on the unfulfilled FOB Value from the date of expiry. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 22 M/s Pinnacle Clothing Co., New Delhi
F.no. HQRPRCAPPLY00003820AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0510403129 dated 15.06.2017.

The applicant stated that they had obtained subject license with the initial EOP of 18 months and obtained first EOP extension from RA i.e. up to 24 months. They have completed the E.O. with in export obligation period up to 49 months and 5 days. They have further started that due to no goods shipped due to covid-19 and lockdown, buyer had postpone order and balance 63.45% shipment had shipped with in 49 months 5 days. Hence they are requesting to allow EOP extension up to 19.07.2021 for regularization purpose only against subject license.

Decision: The Committee discussed the case in detail and in view of justification provided by the firm it decided to allow EOP extension up to 19.07.2021 against Advance Authorisation No.0510403129 Dated 15.06.2017 only for regularization purpose subject to payment of composition fees @0.5% per month, 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 on unfulfilled FOB value from the date of expiry. The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 23 M/s Pinnacle Clothing Co., New Delhi
F.no. HQRPRCAPPLY00003819AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0510406437 dated 11.05.2018.

The applicant stated that they had obtained subject license with the initial EOP of 18 months and obtained first EOP extension from RA i.e. up to 18 months. They have completed the E.O. with in export obligation period up to 30 months and 15 days. They have further started that due to no goods shipped due to covid-19 and lockdown, buyer had postpone order and balance 28.17% shipment had shipped with in 30 months 15 days. Hence they are requesting to allow EOP extension up to 26.11.2020 for regularization purpose only against subject license.

Decision: The Committee discussed the case in detail and in view of justification provided by the firm it decided to allow EOP extension up to 26.11.2020 against Advance Authorisation No.0510406437 dated 11.05.2018 only for regularization purpose subject to payment of composition fees @0.5% per month, 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 on unfulfilled FOB value from the date of expiry. The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 24 M/s Raj Petro Specialities Pvt. Ltd., Chennai
F.no. HQRPRCAPPLY00003927AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against Advance Authorization No.0410165803 dated 07.05.2019.

The applicant stated that they are manufacturer-exporter of various petroleum products and possess two star exporter's status. Due to covid-19 pandemic from Jan 2020 disturbed their production and exports as customers conveyed messages to hold on with the schedule of export. In the meantime most of their staff members were affected by covid-19 and the production got affected, and most of the transportation modes such as sea and air, were also impacted heavily and thus, even those finished goods could not be shipped. In addition the base oil prices had also went up by huge margin affecting their export products prices. They have fulfilled partial EO against this licence. Hence they are requesting to allow one year EOP extension against subject licence.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length and it decided to allow EOP extension of Advance Authorization No.0410165803 dated 07.05.2019 for a further period of 6 months from the date of endorsement subject to payment of composition fees @0.5% per month, 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 of the extension period granted as above, on the unfulfilled FOB Value. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Chennai)

Case No. 25 M/s Bhaskar Book Manufacturers, Secunderabad
F.no. HQRPRCAPPLY00003825AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Extension of EOP against EPCG Authorisation No.0930006244 dated 15.09.2010.

This is a review of EPCG Meeting No. 4th AM 23 held on 03.06.2022 and committee decided to reject the case of the firm. The applicant has stated that they had obtained above mentioned EPCG license with duty saving amount of Rs.1,02,31,497/- and they are Small Scale Industry (SSI) and labour oreitned factory. The prices of the raw materials were very high hence there was a delay in fulfilling export obligation. They have fulfilled 78% E.O. and remaining E.O. could be fulfilled in the next 5 months. Hence they are requesting to allow extension in EOP for further period of 5 months to regularization of export beyond export obligation period against subject EPCG license.

Decision: The Committee examined the case on the basis of statement made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly, the Committee decided to accede to the request and allowed EOP extension up to 5 months from the date of expiry of extended EOP against EPCG Authorization No.0930006244 dated 15.09.2010 subject to payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled export obligation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Hyderabad)

Case No. 26 M/s Ala Enterprise Pvt. Ltd., Bhiwadi
F.no. HQRPRCAPPLY00003995AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of MEIS No.0519270686 dated 21.10.2021.

The applicant stated that due to alert imposed by JNPT, Nhava Sheva for over valuation of product registration of license held after removal of alert on 20th Oct. 2022 through the Scrip was applied last year on 21st of Oct.2021. Hence MEIS could not be register in the port. Hence they are requesting to allow revalidation of MEIS scrip as mentioned above.

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

(Action: Applicant)

Case No. 27 M/s Abhinav Paper Products Pvt. Ltd, Ghaziabad
F.no. HQRPRCAPPLY00003935AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of DFIA No.0510411470 dated 08.08.2019.

The applicant stated that they are regular exported of exercise books since 2004 and above mentioned DFIA could not be utilized due to covid 19 pandemic. Hence they are requesting to allow six months revalidation against subject DFIA.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case for further examination.

(Action: Applicant)

Case No. 28 M/s Rama Exports, Mumbai
F.no. HQRPRCAPPLY00003799AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of 6 DFIAs

The applicant stated that these six DFIA's remained unutilized during its validity period in view of the difficulties arisen out of Covid-19 induced lockdowns announced by the Govt as well as by various restrictions imposed by the State Govt. from time to time. Further DFIA could not be utilized and expired due to reverse migration of labour, restrictions of peoples movements and social distancing guidelines in place, distruption in supply chain movements etc. They are unable to procure goods from their original suppliers, who were also similarly affected the DFIAs could not be utilized resulting in expiry of the authorizations. Hence they are requesting to allow six months revalidation

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case for further examination.

(Action: Applicant)

Case No. 29 M/s Phonex Impex, Mumbai
F.no. HQRPRCAPPLY00003848AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of 5 DFIA No.(1) 0310837230 dated 16.07.2020, (2) 0310837231 dated 16.07.2020, (3) 0310837898 dated 26.08.2020, (4) 0310834825 dated 13.02.2020 and (5) 0311004194 dated 01.06.2021.

The applicant stated that due to Covid-19 induced lockdowns announced by the Central Government from time to time. This has impacted more particularly small and medium business organization. The DFIAs mentioned above could not be utilized due to lesser movement of containers, high freights rates and significant increase in the cost of various raw materials and reduced manufacturing activities. Hence they are requesting to allow six month revalidation against above mentioned DFIAs.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case for further examination.

(Action: Applicant)

Case No. 30 M/s Three-M-Paper Manufacturing Co. Pvt. Ltd, Mumbai
F.no. HQRPRCAPPLY00003834AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of DFIA No.0310834821 dated 13.02.2020.

The applicant stated that there was a Fire at their Registered Office on 21.02.2020 which situated at Mumbai and they have lost all important original DFIA No.

0310834821 dt. 13.02.2020. The firm has applied for duplicate DFIA licence in RA Mumbai office. The office asked them to submit FIRE report and Pachnama and same was submitted along with non utilization letter on 11.11.2020. The RA has advise them to apply for duplicate DFIA in new portal but there is no provision available on new portal for duplicate DFIA. Hence firm has requested for waiver of application fees as per para 2.24 for issue duplicate DFIA delayed by 24 month.

Decision: The Committee went through the submission made by the firm and decided to reject the request for waiver of application fees as per para 2.24 for issue duplicate DFIA.

(Action: Applicant)

Case No. 31 M/s Raman Polymers, Mumbai
F.no. HQRPRCAPPLY00003942AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of DFIA No.0310826610 dated 24.01.2019.

The applicant stated that due to Covid-19 lockdown and in China well before their import consignment was not loaded and they could not utilized their DFIA during that period. Hence they are requesting to allow six months revalidation against subject DFIA.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case for further examination.

(Action: Applicant)

Case No. 32 M/s VIVA Food Products, Mumbai
F.no. HQRPRCAPPLY00003850AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of 4 DFIA No.(1) 0310838475 dated 25.09.2020, (2) 0310831630 dated 19.09.2019, (3) 0310829056 dated 15.05.2019 and (4) 0310829058 dated 15.05.2019.

The applicant stated that due to Covid-19 induced lockdowns announced by the Central Government from time to time. This has impacted more particularly small and medium business organization. The DFIAs mentioned above could not be utilized due to lesser movement of containers, high freights rates and significant increase in the cost of various raw materials and reduced manufacturing activities. Hence they are requesting to allow six month revalidation against above mentioned DFIAs.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case for further examination.

(Action: Applicant)

Case No. 33 M/s Vimbri Enterprises, New Delhi
F.no. HQRPRCAPPLY00003876AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of DFIA No.0311007054 dated 17.09.2021.

The applicant stated that series of global events have caused massive backlog to their entire supply chain and production plans, starting with Pandemic Covid-19 which caused wide spread global economic disruptions and then the War in Europe between Russia and Ukraine. There is acute shortage of containers leading to unreasonable freights and extreme volatility in exchange rates which has led to slower imp[ort and at time negligible imports. Hence they are requesting to allow six month revalidation against above mentioned DFIA.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case for further examination.

(Action: Applicant)

Case No. 34 M/s Vanila Food Products, Mumbai
F.no. HQRPRCAPPLY00003847AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Revalidation of 6 DFIA No.(1) 0310839558 dated 13.11.2020, (2) 0310838205 dated 10.09.2020, (3) 0310838869 dated 14.10.2020, (4) 0310833304 dated 09.12.2019, (5) 0310832769 dated 14.11.2019 and (6) 0310825596 dated 11.12.2018.

The applicant stated that due to Covid-19 induced lockdowns announced by the Central Government from time to time. This has impacted more particularly small and medium business organization. The DFIAs mentioned above could not be utilized due to lesser movement of containers, high freights rates and significant increase in the cost of various raw materials and reduced manufacturing activities. Hence they are requesting to allow six month revalidation against above mentioned DFIAs.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case for further examination.

(Action: Applicant)

Case No. 35 M/s Arch Pharmalabs Ltd., Mumbai
F.no. HQRPRCAPPLY00003430AM23
Meeting No.29/AM23 held on 16.01.2023

Subject: Issuance of status holder incentive scrip (SHIS) pertaining to Financial Years 2009 -10, 2010-11, 2011-12 & 2012-13.

This is deferred case of PRC Meeting No.28/AM23 dated 11.01.2023 (Case No.21). and had been earlier examined by PRC as case No.62 in Meeting No.16 dated 28-10-22 and case No.45 in Meeting No.20 dated 29-11-22.The applicant stated that the payment has been realized in time for all exports, however, in 30% of cases, BRCs were not issued by banks due to loan default. In many cases the BRCs were issued in 2016-2017 but realization was in 2011-2013. In the remaining cases, BRCs were printed but not issued /handed over to them as a tool to recover loans. This was the period before issuance of electronic BRC became mandatory. Following loan restructuring manual BRCs were handed over in 20178-18. Similarly, other service providers like shippers, CHA and transporters handed over export documents like bill of lading, shipping bills, and packing lists after their dues were cleared in 2017-18. As majority of export documents were made available by 2018, CA certificates were issued and applications could be made. They have furnished the SHIS applications for export period 2010-11, 2011-12 and 2012-13 which were submitted in 2018 along with the submission receipts with Ecom Number. Hence, they are requesting for Issuance of status holder incentive scrip (SHIS) pertaining to Financial Years 2009 -10, 2010-11, 2011-12 & 2012-13.

Decision: The Committee reviewed and examined the statements made by the applicant and discussed the matter at length and noted that there is merit in the case. The Committee after considering the individual hardship faced by the firm for timely submission of claims has agreed to waive off the 'time barred' aspect of the SHIS applications. Nowhere the Committee agreed to allow SHIS benefits for which the concerned RA has to examine/process the application with the maximum late cut of 10%. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

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