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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting Held on 29.11.2022 under the Chairmanship of Shri Santosh Kumar Sarangi, Director General of Foreign Trade

Meeting No.20/AM23 held on 29.11.2022

The following members were present in the meeting:

1. Shri S.B.S. Reddy — Addl. DGFT
2. Shri Hardeep Singh — Addl. DGFT
3. Shri Anil Aggarwal — Addl. DGFT
4. 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. SKY Steel India, Delhi	1&2
2.	M/s. Ferra Aerospace Pvt. Ltd., Bangalore	3
3.	M/s. Survival Technologies Pvt. Ltd., Mumbai	4
4.	M/s. Agog Pharma Limited, Maharashtra	5
5.	M/s. Kumaran Filaments Pvt. Ltd., Tamil Nadu	6
6.	M/s. Paramount Aromachem Pvt. Ltd., Ghaziabad	7
7.	M/s. Richa & Co, Haryana	8
8.	M/s. Medreich Limited, Bangalore	9
9.	M/s. Gaurav International, Haryana	10
10.	M/s. Wacker Metroark Chemicals Pvt. Ltd., West Bengal	11
11.	M/s. Unichem Laboratories Limited, Mumbai	12
12.	M/s. Exide Industries Ltd., Kolkata	13
13.	M/s. Rajputana Industreis Pvt. Ltd., Jaipur	14
14.	M/s. Greenlam Industries Ltd., New Delhi	15 to 21
15.	M/s. Plastiblends India Limited, Mumbai	22
16.	M/s. Jans Copper Pvt. Ltd., Mumbai	23&24
17.	M/s. Sanathan Textiles Ltd., Mumbai	25
18.	M/s. Premium Polyalloys Pvt Limited, Mumbai	26
19.	M/s. Lamifabs & Papers Pvt Ltd., Maharashtra	27
20.	M/s. Grip Strapping Technologies Pvt. Ltd., Telangana	28
21.	M/s. Jindal Poly Films Limited, New Delhi	29

22.	M/s. Print Solutions, Tamilnadu	30
23.	M/s. K. P. R. Sugar Mill Limited, Coimbatore	31
24.	M/s. Voith Hydro Pvt. Ltd., Noida	32
25.	M/s. Anondita Healthcare, Noida	33
26.	M/s. G V Ventures, Mumbai	34
27.	M/s. Botanic Healthcare Pvt. Ltd., Hyderabad	35
28.	M/s. Hero Cycles Ltd., Gautam Budh Nagar	36
29.	M/s. H. P. Enterprise, Thane	37
30.	M/s. Glenmark Pharmaceutical Ltd, Mumbai	38 to 44
31.	M/s. Arch Pharmalab Ltd., Mumbai	45
32.	M/s. Pyro Electric Instruments Goa Pvt. Ltd., Goa	46
33.	M/s. Sharco enterprises, New Delhi	47
34.	M/s. Milacron India Pvt. Ltd., Gujarat	48
35.	M/s. Sanjivani Paranteral Limited, Mumbai	49
36.	M/s. Lanxess India Pvt. Ltd., Thane	50 to 54
37.	M/s. ITC Limited, Guntur	55

Case No. 01 M/s. SKY Steel India, Delhi
F.no. HQRPRCAPPLY00003359AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Extension of EOP against Advance Authorization No.0510410975 dated 18.06.2019.

The applicant stated that their export were affected due to slowdown and closure of business activities due to Covid-19 in the year 2020 and 2021. All the economic and production activities were stopped nearly 6 months due to worldwide lockdown. Their foreign buyers cancelled many export orders as they do not have much demand in the market and it impacted their business. They are not in a position to deposit duty and interest as it is a huge amount and their company are very small MSME exporter. They have not completed 50% E.O. in value and quantity terms for second EOP extension of 6 months as per Para 4.42(f) of the HBP. Hence they are requesting to allow six month extension in EOP to fulfil the EO against subject Advance Authorisation.

Decision: The Committee examined the case on the basis of submission made by the firm and discussed the matter at length and decided to accede to the request and allowed EOP extension of Advance Authorization No.0510410975 dated 18.06.2019 for a further period of 6 months from the date of endorsement subject to payment of composition fee @ 1% Per month of the extension period granted, as above, on the unfulfilled FOB value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 02 M/s. SKY Steel India, Delhi

F.no. HQRPRCAPPLY00003360AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Extension of EOP against Advance Authorization No.0510411866 dated 18.09.2019.

The applicant stated that their export were affected due to slowdown and closure of business activities due to Covid-19 in the year 2020 and 2021. All the economic and production activities were stopped nearly 6 months due to worldwide lockdown. Their foreign buyers cancelled many export orders as they do not have much demand in the market and it impacted their business. They are not in a position to deposit duty and interest as it is a huge amount and their company are very small MSME exporter. They have not completed 50% E.O. in value and quantity terms for second EOP extension of 6 months as per Para 4.42(f) of the HBP. Hence they are requesting to allow six month extension in EOP to fulfil the EO against subject Advance Authorisation.

Decision: The Committee examined the case on the basis of submission made by the firm and discussed the matter at length and decided to accede to the request and allowed EOP extension of Advance Authorization No.0510411866 dated 18.09.2019 for a further period of 6 months from the date of endorsement subject to payment of composition fee @ 1% Per month of the extension period granted, as above, on the unfulfilled FOB value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 03 M/s. Ferra Aerospace Pvt. Ltd., Bangalore
F.no. HQRPRCAPPLY00003335AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Extension in EOP against Advance Authorization No.0710115617 dated 29.10.2019.

The applicant stated that they have completed export up to 43% for the first Extension up to 29.04.2022 and due to shortages of manpower in their factory for Covid-19 pandemic issues and they could not able to complete the balance E.O. and buyer had extended the contract date up to 31.12.2022 to export the balance quantity. RLA asked to deposit composition fee of Rs. 76901/- due to shortfall of 50% in the first extension. Hence they are requesting to allow extension in EOP against subject Advance Authorisation.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length and decided to allow EOP extension against Advance Authorization No.0710115617 dated 29.10.2019 for a further period of 6 months from the date of endorsement subject to payment of composition fee @ 1% Per month of the extension period granted, as above, on the unfulfilled FOB value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bengaluru)

Case No. 04 M/s. Survival Technologies Pvt. Ltd., Mumbai
F.no. HQRPRCAPPLY00002654AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: (1) Extension in EOP up to 30.05.2019 against Advance Authorization No.0310799628 dated 23.10.2015 only for regularization purpose. (2) To include the 4 Shipping Bill No.7626079 dated 17.09.2018, 8137373 dated 09.10.2018, 9261672 dated 10.05.2018 and 4512536 dated 29.05.2019, where advance authorization No.0310822952 dated 09.08.2018 is mentioned instead of advance authorization No. 0310799628 dated 23.10.2015 and (3) To waive the composition fee of 0.5% per month of unfulfilled FOB value.

This is a deferred case of PRC Meeting No.16/AM23 held on 29.10.2022 (Case No.01) wherein Committee sought clear and complete request with proper justification for taking the decision. Now applicant have stated that they had taken an AA No.0310799628 dated 23.10.2015 for export of 15 tons TERT-BUTYL Carbazateand they imported the main raw material within the next 2 months and started producing and exporting the goods. However, their buyer suddenly asked them to hold production and shipments because of some issues in the clinical trials with the final drugs made by them. This specialised product did not have many buyers and they try to develop the market by making some sample supplies. Finally they got the indication in Aug/Sep 2018 that the issue was resolved and that they can make shipment but in the meantime EOP has been expired. They applied another AA and exported under the same and then club the two AA and exported all the material between Sept 2018 to May, 2019 against new AA. Their clubbing request has been rejected by the RLA and since they had not imported anything against the new AA and all raw material used for export was imported against the original licence. They had surrendered the new AA to RLA. Hence they are requesting for (1) Extension in EOP up to 30.05.2019 against Advance Authorization No.0310799628 dated 23.10.2015 only for regularization purpose. (2) To include the 4 Shipping Bill No.7626079 dated 17.09.2018, 8137373 dated 09.10.2018, 9261672 dated 10.05.2018 and 4512536 dated 29.05.2019, where advance authorization No.0310822952 dated 09.08.2018 is mentioned instead of advance authorization No. 0310799628 dated 23.10.2015 (3) To waive the composition fee of 0.5% per month of unfulfilled FOB value.

<u>Decision</u>: 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 Limited, Maharashtra

F.no. HQRPRCAPPLY00003417AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Extension in EOP against Advance Authorisation No.0310834693 dated 05.02.2020.

The applicant stated that they have imported the raw material 2000Kg and exported 1666.32 Kg. within EOP and balance 333.66 Kgs. of product could not exported within EOP extension against subject Advance Authorisation. They have composition fee Rs.16437.28 on 27.06.2022. Hence they are requesting to allow extension in EOP upto 31.10.2022 for redemption purposes only against subject Advance Authorisation.

Decision: The Committee examined the case on the basis of submission made by the firm and discussed the matter at length and decided to accede to the request and allowed EOP extension of Advance Authorization No.0310834693 dated 05.02.2020 for a further period of 6 months from the date of endorsement subject to payment of composition fee @ 1% Per month of the extension period granted, as above, on the unfulfilled FOB value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 06 M/s. Kumaran Filaments Pvt. Ltd., Tamil Nadu
F.no. HQRPRCAPPLY00003422AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Clubbing of 2 Advance Authorization No.3510045472 dated 22.01.2019 and 3211000133 dated 24.12.2020.

The applicant stated that they had availed subject two Advance Licences from RA Madurai/Coimbatore and completed 100% import and export completed 80.42% against one Advance License No.3510045472 dated 22.01.2019. In another licence import 100% and export made 121.80% against Licence No.3211000133 dated 24.12.2020. The EOP of first AA was up to 22.07.2021. Hence they are requesting to allow clubbing of both Advance Licences to fulfilment of E.O. for regularisation and redemption.

Decision: The Committee went through the justification submitted by the applicant and discussed the matter 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. 07 M/s. Paramount Aromachem Pvt. Ltd., Ghaziabad
F.no. HQRPRCAPPLY00003333AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Clubbing of 2 Advance Authorization 0510350269 dated 26.03.2013 and No.0510400194 dated 20.10.2016.

The applicant stated that they had applied for EOP extension in respect of AA No.0510350269 dated 26.03.2013 which was rejected by the RLA and they had imported more quantity as compared to export quantity in this AA. In lieu of the above, they had exported more quantity in AA No.0510400194 dated 20.10.2016 and correspondingly imported less quantity against this licence. Hence they are requesting to allow clubbing of both the licences to fulfilment of E.O. for regularisation/redemption.

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. 08 M/s. Richa & Co, Haryana
F.no. HQRPRCAPPLY00003331AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Clubbing of 2 Special Advance Authorization No.0510413874 dated 13.03.2020 & 0511000172 dated 15.12.2020.

The applicant stated that they had applied for Special Advance License and Authorisation No.0510413874 against Export S.No. (3) and had applied for Ladies Blazer 2640 pcs against 8184 Sqm. Imported fabric at an average of 3.10 Sqm. Per garment. They have imported the fabric under licence but due to covid buyer cancelled orders. In order to compensate, buyer gave them new order of Ladies Jumpsuit against imported fabrics. There is no provision in the system to change SION in the licence hence they applied new licence for export of Ladies Jumpsuit. They applied for clubbing and redemption of both licences to RA and RLA rejected their request for clubbing of licence for redemption with the remark that there is no provision of clubbing under SPL. Hence they are requesting to allow clubbing Two Special Advance Licences for redemption.

Decision: The Committee went through the justification submitted by the applicant and discussed the matter at length and it decided to allow clubbing of 2 Special Advance Authorization No.0510413874 dated 13.03.2020 & 0511000172 dated 15.12.2020 for regularization purpose only. The other terms and conditions for clubbing as laid down in Policy/HBP, including accountability of imported fabrics as per relevant SIONs, shall be applicable in this case. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/ CLA-New Delhi)

Case No. 09 M/s. Medreich Limited, Bangalore
F.no. HQRPRCAPPLY00003347AM23

Meeting No.20/AM23 held on 29.11.2022

Subject: Waiver of procedural requirement as per HBP of Advance Authorization No.0710111889 dated 18.07.2017.

The applicant stated that they have obtained subject AA under self-declaration towards the domestic procurement of Input Sl.No.1 Amoxicillin Trihydrate BP Compacted and direct import of Input Sl.No.2 Potassium Clavulanate + Syloid (1:1) NON COS. They have applied for the Norms Committee ratification towards the export of Amoxicillin and Potassium Clavulanate Oral Suspension 228.5mg/5ml, 70ml 562.5mg/5ml, 60ml and 281.5mg/5ml 60ml. They have made the direct import of import Sl.No.2 Potassium Clavulanate + Syloid (1:1) Non COS. They have completed EO by using duty paid material of Import Sl.No.1 Amoxicillin Trihydrate from domestic suppliers. Since the initial and extendable validity period has been expired at the time of receipt of NC ratification (during Feb 2020), they unable to apply/obtain invalidation letter towards the domestic procurement of Import Sl.No.1 Amoxicillin Trihydrate. They have already applied for the special permission/relaxation to obtain invalidation letter for the import Sl.No.1 on 29.02.2020 and applying this again with the new online PRC module and requesting for relaxation of policy provisions to obtain the benefits against the export they have already made as per stipulated export obligation.

Decision: The Committee examined the statements made by the firm and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

(Action: Applicant)

Case No. 10 M/s. Gaurav International, Haryana
F.no. HQRPRCAPPLY00003369AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Clubbing of 3 Special Advance Authorization No.(i) 0510412906 dated 13.12.2019, (ii) 0510413366 dated 17.01.2020 and (iii) 0511004019 dated 05.08.2021.

The applicant stated that they had applied and issued two AA No.0510412906 dated 13.12.2019 and 0510413366 dated 17.01.2020. Against AA No.0510412906 export S.No. (6) they had applied for Ladies Dress 1966 pcs against 7864 Sqm imported fabric at an average of 4.00 Sqm. Per garment and 2nd licence No.0510413366 against Export S.No.(1) they had applied for Ladies Dress 1973 pcs against 6116 Sqm. Imported fabric at an average of 3.998 Sqm. They have imported the fabric under licence but due to covid buyer cancelled orders and in order to compensate buyer gave them a new order of Ladies Dress against imported fabrics. The applied and issued new licence No.0511004019 for ladies dress. They applied for clubbing and redemption of both licences to RA and RLA rejected their request for clubbing of licence for redemption with the remark that there is no provision of clubbing under SPL. Hence they are requesting to allow clubbing Three Special Advance Licences for redemption.

Decision: The Committee went through the justification submitted by the applicant and discussed the matter at length and it decided to allow clubbing of 3 Special Advance Authorization No.(i) 0510412906 dated 13.12.2019, (ii) 0510413366 dated 17.01.2020 and (iii) 0511004019 dated 05.08.2021 for regularization purpose only. The other terms and conditions for clubbing as laid down in Policy/HBP, including accountability of imported fabrics as per relevant SIONs, shall be applicable in this case. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/ CLA-New Delhi)

Case No. 11 M/s. Wacker Metroark Chemicals Pvt. Ltd., West Bengal
F.no. HQRPRCAPPLY0000003395AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Clubbing of 2 Advance Authorization No.0210206703 dated 19.05.2016 & 0210208363 dated 25.04.2018.

This is a review case of PRC Meeting No.10/AM23 held on 27.07.2022 and 29.07.2022 (Case No.10) wherein Committee rejected the case. The applicant has stated that they have sought clubbing to offset the excess imports that have resulted in the first licence AA No.0210206703 dated 19.05.2016. This licence was taken for their regular customers who cater to the textile industry. The products are all tailor made and developed after pains taking efforts of interacting actively with the users and long periods of testing. They are dealing with international FMCG companies where the demand changes too fast. Their main competition is from China where the basic inputs are available at extremely cheap prices. These products were well received and they commenced exports from 2018 onwards taking support of the AA licence and the inputs already available against the above mentioned licence they were able to utilize the excess inputs that were available under this licence. The Clubbing application sought meets with all the conditions of the clubbing provisions as prescribed except for the time gap between the 2 licences. This delay has been because they continued to get assurances of deliveries from their customers during the EO period of the first licence and they wanted to complete the original obligation undertaking under the AA. They took the 2nd AA only after these efforts failed and after they could establish other products matching the industry demands using the same inputs. They completed the exports using the duty free inputs available and have not made these imports under the 2nd AA. Hence they are requesting to allow clubbing of the licences with waiver of 18 months condition.

Decision: The Committee reviewed the case on the basis of justification furnished by the firm and found no merit in the request and hence it decided to maintain the earlier decision of PRC in its Meeting No.10/AM23 dated 27.07.2022 & 29.07.2022 (Case No.10).

(Action: Applicant)

Case No. 12 M/s. Unichem Laboratories Limited, Mumbai
F.no. HQRPRCAPPLY0000003403AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: EOP extension against Advance Authorization No.0310824636 dated 24.10.2018 for regualrisation purpose.

The applicant stated that their Advance Licence No.0310824636 dated 24.10.2018 is under Policy Circular 9 condition and had imported 1065 Kgs of Carvedilol against B/E dated 02.02.2019 but due to pandemic situation of Covid-19 they had failed to complete the EO before 02.02.2020. They had completed EO on 01.02.2021, but RA allow them to pay composition fees in terms of para 4.42(d) and other Four S/Bills cannot be considered for EOP extension. Hence they are requesting to allow extension EOP against subject licence for regularisation purpose.

Decision: The Committee discussed the case in detail and in view of justification provided by the firm it decided to accede to the request and allowed EOP extension up to 01.02.2021 of Advance Authorization No.0310824636 dated 24.10.2018 for regularization purpose only subject to payment of composition fees @1% per month on the unfulfilled FOB value. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 13 M/s. Exide Industries Ltd., Kolkata
F.no. HQRPRCAPPLY00003402AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Request for amendment in CIF Value in respect of DFIA No.0211001070 dated 11.08.2021.

The applicant stated that they have received DFIA No. 0211001070 dated 11.08.2021 where CIF value while issuance is Rs.241158883/- USD 3198394.84 and value addition stand as 311% and since the data printed on the Authorisation was incorrect therefore they could not utilize the Authorisation under subject DFIA. They have submitted that the above SION serial No. is C-1058 which does not provide individual item wise value restriction so remove the individual item wise value restriction from all inputs so that they do not import any item that unutilized value can be utilize for the other input if required or issue the license as per attachment of import and export given. The data printed on the authorisation showing less than the entitlement quantity, CIF value also to be enhanced Rs.816700705.21 to accommodate the quantity and value addition should be 22% instead of 311%. Hence they are requesting to allow amendment in CIF value under relaxation of policy so they can utilize the licence.

Decision: The Committee having examined the statement made by the applicant in its application it decided to defer the case to seek a detailed report, from RA, Kolkata before taking the decision.

(Action: Applicant/RA-Kolkata)

Case No. 14 M/s. Rajputana Industreis Pvt. Ltd., Jaipur
F.no. HQRPRCAPPLY00003386AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.1310049610 dated 30.06.2020.

The applicant stated that due to covid-19 and time metal price was very high, import was not possible against subject licence. Now Copper Scrap price is viable for import therefore, they are requesting to allow revalidation for further six months from the date of expiry of the subject licence.

Decision: The Committee went through the justification submitted by the applicant and discussed the matter at length and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement in proportionate to export already made against Advance Authorisation No.1310049610 dated 30.06.2020. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Jaipur)

Case No. 15 M/s. Greenlam Industries Ltd., New Delhi
F.no. HQRPRCAPPLY00003394AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0510412535 dated 18.11.2019.

The applicant stated that they had issued Advance Authorisation from CLA New Delhi which was initially valid for import until 18.11.2020, since they had completed an excess EO in terms of quantity within 2 months of its issuance, hence based on fulfilment of the actual E.O. they applied for validation of the authorisation but unfortunately RA office rejected the same due to copy AA could not submitted online as there was some difficulty with the new online portal working. After obtaining validation they were eligible to apply for enhancement, 1st Revalidation & 2nd Revalidation, one by one they could have got the final 2nd Revalidation upto 18.11.2021. Hence they are requesting six month revalidation from the date of endorsement to import of essential raw materials for further export against another Advance Authorisation.

Decision: The Committee discussed the case on the basis of statement made by the firm and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0510412535 dated 18.11.2019. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 16 M/s. Greenlam Industries Ltd., New Delhi
F.no. HQRPRCAPPLY00003377AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0510411252 dated 15.07.2019.

The applicant stated that they had issued Advance Authorisation from CLA New Delhi which was initially valid for import until 15.07.2020 within 2 months of its issuance, they had completed an excess export obligation and based on its actual exports they applied for enhancement as per para 4.39 along with 1st Revalidation of 6 months from the date of its expiry. The RA was not attended above said applications for enhancement and revalidation until 27.07.2020 when the amended the licence towards automatic revalidation in terms of PN 67 dated 31.03.2020 and posted the discrepancy. Subsequently DGFT temporarily suspended all amendments in respect of Advance/EPCG/DFIA Authorisation vide Trade Notice No.35/20-21 dated 12.11.2020 towards migration of Advance/EPCG/DFIA Authorisation online module to the new IT environment from 1.12.2020. They are unable to file online application for 1st and 2nd Revalidation. This left them with no time to apply for enhancement through online portal and also utilize the authorisation within its extended validity upto 15.01.2022. Enhancement was approved as late as 22.01.2022 which was almost 12 days after the final expiry date. Hence they are requesting to allow six months revalidation against subject licence.

Decision: The Committee discussed the case on the basis of statement made by the firm and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0510411252 dated 15.07.2019. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 17 M/s. Greenlam Industries Ltd., New Delhi
F.no. HQRPRCAPPLY00003384AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0510411592 dated 22.08.2019.

The applicant stated that they had issued Advance Authorisation from CLA New Delhi which was initially valid for import until 22.08.2020 within 4 months of its issuance, they had completed an excess export obligation and based on its actual exports they applied for enhancement as per para 4.39 along with 1st Revalidation of 6 months from the date of its expiry. The RA was not attended above said applications for enhancement and granted 1st revalidation on 27.07.2020 when they amended the licence in respect of 1st revalidation in terms of provision of para 4.41 (c) (i) and posted the discrepancy. The revalidation so granted was futile without enhancement. Neither the RA office attended to their request for enhancement within the extended the validity period up to 21.02.2021, nor they could not apply for 2nd revalidation due to effect of introduction of new online portal through Notice No.35/20-21 dated 12.11.2020. Hence they are requesting to allow six months revalidation against subject licence.

Decision: The Committee discussed the case on the basis of statement made by the firm and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0510411592 dated 22.08.2019. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 18 M/s. Greenlam Industries Ltd., New Delhi
F.no. HQRPRCAPPLY00003381AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0510411500 dated 13.08.2019.

The applicant stated that they had issued Advance Authorisation from CLA New Delhi which was initially valid for import until 13.08.2020 within 3 months of its issuance, they had completed an excess export obligation and based on its actual exports they applied for enhancement as per para 4.39 along with 1st Revalidation of 6 months from the date of its expiry. The RA was not attended above said applications for enhancement and granted 1st revalidation on 27.07.2020 when they amended the licence in respect of 1st revalidation in terms of provision of para 4.41 (c) (i) and posted the discrepancy. The revalidation so granted was futile without enhancement. Neither the RA office attended to their request for enhancement within the extended the validity period up to 13.02.2021, nor they could not apply for 2nd revalidation due to effect of introduction of new online portal through Notice No.35/20-21 dated 12.11.2020. Hence they are requesting to allow six months revalidation against subject licence.

Decision: The Committee discussed the case on the basis of statement made by the firm and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0510411500 dated 13.08.2019. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 19 M/s. Greenlam Industries Ltd., New Delhi
F.no. HQRPRCAPPLY00003365AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0510410021 dated 25.03.2019.

The applicant stated that they had issued Advance Authorisation from CLA New Delhi which was initially valid for import until 25.03.2020 within 3 months of its issuance, they had completed an excess export obligation and based on its actual exports they applied for enhancement as per para 4.39 along with 1st Revalidation of 6 months from the date of its expiry. The RA amendedthe enhancement of export & import quantity and value based on excess exports made by them, along with 1st Revalidation upto 25.09.2020 but did not make the amendment in respect of change of Delhi Branch Office address as has been requested by them due to which the amended authorisation could not be registered and utilized at the Customs. In the meantime, due to a long lockdown imposed they could not take effective steps to get the licence further amended. They could file online application through the new portal and licence was expired. Hence they are requesting to allow six months revalidation against subject licence.

Decision: The Committee discussed the case on the basis of statement made by the firm and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0510410021 dated 25.03.2019. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 20 M/s. Greenlam Industries Ltd., New Delhi
F.no. HQRPRCAPPLY00003353AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0510409782 dated 26.02.2019.

The applicant stated that they had issued Advance Authorisation from CLA New Delhi which was initially valid for import until 26.02.2020 within 4 months of its issuance, they had completed an excess export obligation and based on its actual exports they applied for enhancement as per para 4.39 along with 1st Revalidation of 6 months from the date of its expiry. RLA did not take any action on their request instead it only allowed on its own automatic six months revalidation in terms of P.N.No.67 dated 31.03.202 but without enhancement being granted the revalidation of any nature was of no use. Neither the RA office attended to their request for enhancement within the extended the validity period nor they could not apply for 2nd revalidation due to effect of introduction of new online portal through Notice No.35/20-21 dated 12.11.2020. Hence they are requesting to allow six months revalidation against subject licence.

Decision: The Committee discussed the case on the basis of statement made by the firm and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0510409782 dated 26.02.2019. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 21 M/s. Greenlam Industries Ltd., New Delhi
F.no. HQRPRCAPPLY00003370AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0510410805 dated 03.06.2019.

The applicant stated that they had issued Advance Authorisation from CLA New Delhi which was initially valid for import until 03.06.2020 within 2 months of its issuance, they had completed an excess export obligation and based on its actual exports they applied for enhancement as per para 4.39 along with 1st Revalidation of 6 months from the date of its expiry. The RA was not attended above said applications for enhancement and revalidation until 22.12.2021 when the amended the licence towards automatic revalidation in terms of PN 67 dated 31.03.2020 and posted the discrepancy. Subsequently DGFT temporarily suspended all amendments in respect of Advance/EPCG/DFIA Authorisation vide Trade Notice No.35/20-21 dated 12.11.2020 towards migration of Advance/EPCG/DFIA Authorisation online module to the new IT environment from 1.12.2020. They are unable to file online application for 1st and 2nd Revalidation. This left them with no time to apply for enhancement through online portal and also utilize the authorisation within its extended validity.The request of Enhancement was not considered. This 1st& 2nd Revalidation granted by RA was of no substance, the authorisation stood expired on 03.12.2021, even without enhancement. Hence they are requesting to allow six months revalidation against subject licence.

Decision: The Committee discussed the case on the basis of statement made by the firm and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0510410805 dated 03.06.2019. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 22 M/s. Plastiblends India Limited, Mumbai
F.no. HQRPRCAPPLY00003277AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of 13 Advance Authorization No.(1) 0310823485 dated 04.09.2018, (2) 0310827142 dated 19.02.2019, (3) 0310827144 dated 19.02.2019, (4) 0310830748 dated 01.08.2019, (5) 0310830750 dated 01.08.2019, (6) 0310831358 dated 04.09.2019, (7) 0310831554 dated 16.09.2019, (8) 0310831590 dated 17.09.2019, (9) 0310832275 dated 17.10.2019, (10) 0310832276 dated 17.10.2019, (11) 0310833488 dated 18.12.2019, (12) 0310833670 dated 24.12.2019 and (13) 0310832716 dated 13.11.2019.

The applicant stated that due to pandemic & lockdown restrictions of Government their office was closed for most of the time from 21.03.2020 to 31.07.2021 and Govt. Dept. were also working with less staff at below 50% capacity as a result they were unable to file EODC Application and revalidation. The subject AA have been issued on the basis of fixed Norms on net to net basis and at time of obtaining AA they are not aware about the specific grade of master batch that they will export so as matter of practical working they first export the goods, obtain EODC/amendment in values/quantities and after endorsement of exact item of import based upon actual export, they import the raw materials Due to the above they were not in a position to apply for EODC within time limits and obtain amendment for permission to import actual quantities as per actual exports as per policy provisions. Hence they are requesting to allow six months revalidation against 13 subject licences under para 2.58 of FTP.

Decision: The Committee after discussing the matter on the basis of justification submitted by the applicant, it is decided to defer the case and seek a report from RA, Mumbai regarding percentage-wise export made against each Authorisation for taking the decision.

(Action: RA-Mumbai/Applicant)

Case No. 23 M/s. Jans Copper Pvt. Ltd., Mumbai
F.no. HQRPRCAPPLY00003362AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0310836681 dated 15.06.2020.

The applicant stated that they have availed subject AA in June 2020 and the Covid-19 pandemic and associated lockdowns was already implemented. They have completed 100% E.O. within the time and could not import the raw materials due to shortage of raw material due to lockdown as all the manufacturing activities were closed and they could not get suppliers to supply copper. Further international prices of copper was higher and shipping cost was at time higher and their cash flow was badly affected. Hence they are requesting to allow six month revalidation against subject licence.

Decision: The Committee examined the case in detail and in view of justification provided by the firm it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0310836681 dated 15.06.2020. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 24 M/s. Jans Copper Pvt. Ltd., Mumbai
F.no. HQRPRCAPPLY00003363AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0310835436 dated 17.03.2020.

The applicant stated that they have availed subject AA in March 2020 and the Covid-19 pandemic and associated lockdowns was already implemented. They have completed 100% E.O. within the time and could not import the raw materials due to shortage of raw material due to lockdown as all the manufacturing activities were closed and they could not get suppliers to supply copper. Further international prices of copper was higher and shipping cost was at time higher and their cash flow was badly affected. Hence they are requesting to allow six month revalidation against subject licence.

Decision: The Committee examined the case in detail and in view of justification provided by the firm it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0310835436 dated 17.03.2020. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 25 M/s. Sanathan Textiles Ltd., Mumbai
F.no. HQRPRCAPPLY00003368AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0310837018 dated 03.07.2020.

The applicant stated that out of 5 inputs, three inputs have already imported and could not manage to import proportionate quantity of 2 inputs. Due to Covid-19 disturbances they could not manage to import the balance proportionate inputs with in the validity period. Hence they are requesting to allow six month revalidation against subject licence.

Decision: The Committee went through the justification submitted by the applicant and discussed the matter at length and it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0310837018 dated 03.07.2020. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 26 M/s. Premium Polyalloys Pvt. Limited, Mumbai
F.no. HQRPRCAPPLY00003383AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of 2 Advance Authorization No.0310837317 dated 22.07.2020 and No.0310835145 dated 02.03.2020.

The applicant stated that due to worldwide Covid-19 they were not able to import the raw material as the foreign seller was not able to fulfil their shipments because of various restrictions imposed. The raw material prices also went high with increase in freight cost which made difficult for them to make import against subject licence. Hence they are requesting to allow six month revalidation against subject licence.

Decision: The Committee discussed the case on the basis of statement made by the firm and it decided to defer the case and ask the firm to submit complete detail of export made by them against subject authorizations for taking the decision.

(Action: Applicant)

Case No. 27 M/s. Lamifabs & Papers Pvt. Ltd., Maharashtra
F.no. HQRPRCAPPLY00003409AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of Advance Authorization No.0310836831 dated 23.06.2020.

The applicant stated that due to Covid-19 they have not completed import against subject licence and export order are slow down and skilled manpower also not available. They were not able to import the raw material as the foreign seller was not able to fulfil their shipments because of various restrictions imposed. The raw material prices also went high with increase in freight cost which made difficult for them to make import against subject licence. Hence they are requesting to allow six month revalidation against subject licence.

Decision: The Committee examined the case in detail and in view of justification provided by the firm it decided to accede to the request of the firm and allowed revalidation for a period of 6 months from the date of endorsement against Advance Authorisation No.0310836831 dated 23.06.2020. This is last and final revalidation. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 28 M/s. Grip Strapping Technologies Pvt. Ltd., Telangana
F.no. HQRPRCAPPLY00003404AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Revalidation of 6 DFIA No.(1) 0910067988 dated 11.09.2019, (2) 0910068213 dated 21.11.2019, (3) 0910068215 dated 21.11.2019, (4) 0910068214 dated 21.11.2019, (5) 0910068216 dated 21.11.2019 and (6) 0310839531 dated 12.11.2020.

The applicant stated that they were not in position to use/sell the subject six DFIAs within its validity period due to lockdown restrictions imposed in view of Covid-19 pandemic, the industrial manufacturing activities came to grinding halt which resulted into recession in the economy and import of Steel Product were badly hit by the decline of demand. This is impossible to find any buyer to transfer the subjected license and as of now the demand of the DFIA is still subject to the restoration of the industrial manufacturing activities after relaxation in the lockdown restrictions. Most of the steel products are imported from China and hostile relationship with said country in the recent period deeply impacted the Indian importers who reluctantly reviewed the import orders and deferred the importation in view of uncertainly of the trade in future in such persisting adverse conditions. Hence they are requesting to allow revalidation of six DFIA licences to import.

Decision: The Committee went through the statements made by the firm and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

(Action: Applicant)

Case No. 29 M/s. Jindal Poly Films Limited, New Delhi
F.no. HQRPRCAPPLY00003380AM23

Meeting No.20/AM23 held on 29.11.2022

Subject: Operational Linking of old IEC with New IEC in case of demerger by way of slump sale without automatic surrender of old IEC.

The applicant stated that Jindal Poly Films Ltd., (JPFL) having IEC 588065781 primarily constitutes of two business i.e. manufacture of "Plastic Films" manufacture of "non-woven fabric "pursuant to a Business Transfer Agreement dated 16th March, 2022 entered into with JPFL Films Ltd., (JPFL) having IEC AAECJ3818N, JPFL agreed to transfer its plastic films business to JPFL Films w.e.f. 2nd August, 2022. It can be deciphered that the provisions of para 2.14 of the HBP which provides for deemed surrender of old IEC, are against public interest causing genuine hardship and adverse impact on trade to class of persons undergoing demerger, and it also provides that in case of change in constitution of a PAN based IEC by way of demerger, acquisition, liquidation, inheritance etc. such that PAN of the new entity can be operationally linked to the PAN/IEC of the new entity, after which previous IEC shall be treated as surrendered. Further para 2.10 provides that IEC allotted to an applicant shall have permanent validity unless cancelled. In view of the above they are requesting to allow operational linking of old entity IEC with new entity IEC, without surrender of old IEC in terms of Para 2.14 of the HBP, allow transfer of pending EPCG, AA Authorisation to the new entity, allow transfer of AEO-2 and Star House Export status and allow any other consequential relief considering "plastic films business' of old entity as a continuing business under the new entity.

Decision: The Committee after going through the representation received from the applicant, it observed that no policy relaxation is involved in this case. Accordingly it decided to withdraw this case from PRC. Firm is advised to approach RA, concerned in the matter.

(Action: Applicant)

Case No. 30 M/s. Print Solutions, Tamilnadu
F.no. HQRPRCAPPLY00003334AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Relaxation for registration with BIS for used capital goods MFDS.

The applicant stated that the Import Policy for used MFDs was restricted as per para 2.31 of ITC and for import made during the period the policy was challenged in the Madras High Court vide W.P.No.15621 of 2018 and by interim dated 13.02.2019 the goods were order for release provisionally on payment of Customs Duty. The order was upheld by the Hon'ble Apex Court by dismissing the appeals filed by the Customs Department against the said order. The issue of restriction is pending before the Court of Law. The DGFT vide Notification No.5/2015-2020 dated 07.05.2019 brought the old and used IT goods under the ambit of BIS registration but there was no notification issued by MeitY wherein second-hand goods to be registered with BIS. The Central

Govt. vide Notification G.S.R. No.395 (E) dated 4.4.2016 issued by M/o Env. Had order for Free Trade Policy for used MDFs subject to fulfilment of conditions provided for under SNo.4(j) of the Schedule VIII as per Rules 13(2) and 13(4) of the said Notification. Hence they are requesting that the issue of restriction for Used MFDs is sub-judiced before the Hon'ble Madras Court and the BIS Department ruled out for registration of Used MFDs as the Act and Rules laid therein under the BIS Act does not provide the scope for the same.

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. 31 M/s. K. P. R. Sugar Mill Limited, Coimbatore
F.no. HQRPRCAPPLY00003390AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow ROSL benefit against 17 shipping bills.

The applicant stated that they have got the scheme code change in EDI through DG systems delhi during June 2022 after the filing period is over for old ROSL applications and hence unable to apply within 15.03.2022. They have 17 S/Bills of the year 2017 which are approved by DG systems to have scheme code 61 from 43 after due process. Hence they are requesting to allow extension for filing old ROSL.

Decision: The Committee went through the statements made by the firm and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

(Action: Applicant)

Case No. 32 M/s. Voith Hydro Pvt. Ltd., Noida
F.no. HQRPRCAPPLY00003372AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow SEIS benefit for the period 2016-17 and 2017-18.

The applicant stated that they filed the SEIS application in Form ANF-3B to claim benefit under the SEIS Scheme notified in the FTP in relation to export of eligible services undertaking by the company. Due to DEL list they had filed the manual application for the FY 16-17 and FY 17-18 alongwith all the documents and certificates for the same. Due to Covid-19 situation the operations of the Company were disrupted to very large extent. The Supreme Court also took suo moto cognizance of the situation due to covid-19 and issued an order dated 23.03.2020 extending the limitation period in all proceedings. The Court noted that such order was issued exercising its power under

Article 141 and 142 of the Constitution of India and declared the said order to be binding on all courts, tribunals and authorities. Accordingly, the due date of filing SEIS claims for the FY 16-17 and FY 17-18 got extended upto 29th May, 2022. Hence they are requesting to accept the manual SEIS application filed by them.

Decision: The Committee having examined the case on the basis of justification furnished by the firm and observed that there is no merit in firm's contention and it decided to reject the request of the firm.

(Action: Applicant)

Case No. 33 M/s. Anondita Healthcare, Noida
F.no. HQRPRCAPPLY0000003355AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow MEIS benefit against 8 shipping bills.

The applicant stated that w.e.f. December, 2019 onwards they were facing various obstacles due to Covid-19 and there were not much amount of MEIS to be claimed by them. They need the imported raw material i.e. chemicals which are required for the export high quality polymer coated gloves and due to Covid-19 effects in China from January 2020, China and Malaysia had stopped supplying of the chemicals to any countries and were using for their own domestic manufacturers. Due to non-available of the raw materials, they were unable to manufacture the goods for export. Their various overseas orders were cancelled due to the delay in supplies and even unable to claims MEIS for the export made till December, 2020. Hence they are requesting to allow extension for claim of MEIS for the export made from 01.09.2019 to 31.08.2020.

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. 34 M/s. G V Ventures, Mumbai
F.no. HQRPRCAPPLY00003357AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow ROSCTL benefit against 03 S/bills No.(1) 2950669 dated 01.06.2020, (3) 3019883 dated 05.06.2020 and (3) 3168065 dated 13.06.2020.

The applicant stated that at the time of filing of 3 Shipping Bills they are eligible for ROSCTL Scheme and at the time of export while registering the S/Bill in the EDI system, their CHA clerical staffs has inadvertently put "No "instead of "YES "while opting for ROSCTL scheme i.e. scheme code is filed wrongly as "19 "instead of correct scheme code "60 ". Due to the Covid-19 effects they were facing various obstacles like lockdown, huge export amount was blocked and their Mumbai office premises was closed as per lock down rules and they had to export goods under pressure due to fear of cancellation of Sales Order. Hence they are requesting to allow ROSCTL benefit against above mentioned 3 S/Bills.

Decision: The Committee examined the statements made by the firm and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

(Action: Applicant

Case No. 35 M/s. Botanic Healthcare Pvt. Ltd., Hyderabad
F.no. HQRPRCAPPLY00003405AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow supplementary against 15 MEIS scrips for the period –AM22 which were granted less value as against applications. (No.(1) 0919027307 dated 05.07.2021, (2) 0919027308 dated 05.07.2021, (3) 0919029422 dated 23.11.2021, (4) 0919029423 dated 23.11.2021, (5) 0919029424 dated 23.11.2021, (6) 0919029425 dated 23.11.2021, (7) 0919029426 dated 23.11.2021, (8) 0919029427 dated 23.11.2021, (9) 0919030036 dated 30.12.2021, (10) 0919030037 dated 30.12.2021, (11) 0919030038 dated 30.12.2021, (12) 0919030375 dated 10.02.2022, (13) 0919030826 dated 16.03.2022, (14) 0919030827 dated 16.03.2022 and (15) 0919030830 dated 17.03.2022.

The applicant stated that RLA has granted MEIS Scrips for partial values as against their online applications duly issued a deficiency memo stating that against HS Code No.13021919 (Sl.No.510) has notified by DGFT, vide PN 68/2018-2020 dated 09.01.2019 stating that description of the export items not matching with PN. They are referring P.N.No.62 dated 16.02.2018 and on this basis they are seeking claim for the total value of the applications for the period of AM22. Hence they are requesting to allow Supplementary MEIS Scrips for the period AM22 which were granted less value as against the application.

Decision: The Committee went through the statements made by the firm and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

(Action: Applicant)

Case No. 36 M/s. Hero Cycles Ltd., Gautam Budh Nagar
F.no. HQRPRCAPPLY00003330AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Condonation of delay in filing of MEIS application against 30 S/Bills.

The applicant stated that they are manufacturer exporter of Bicycle, E-Bike and Automotive parts since last 4 decades. They are availing incentives like MEIS under Chapter -3 of FTP. In the FY 2019-2020, Appx. Rs.5.32 lacs MEIS incentive has left due to E-BRC not realized by their Bank on the time i.e. before 28.02.2022 as per Notification No.53 dated 01.02.2022, in spite they have got received the payments on time but there is some delay in issuing E-BRC from bank end. Hence they are requesting to allow the MEIS benefit against 30 shipping bill No. (1) 4417670 dated 25.05.2019, (2) 4646680 dated 04.06.2019, (3) 4762275 dated 10.06.2019, (4) 5883812 dated 29.07.2019, (5) 6411274 dated 22.08.2019, (6) 6602976 dated 30.08.2019, (7) 7503478 dated 11.10.2019, (8) 8887111 dated 11.12.2019, (9) 9143170 dated 23.12.2019, (10) 9395392 dated 02.01.2020, (11) 9479552 dated 07.01.2020, (12) 9676733 dated 15.01.2020, (13) 9715187 dated 17.01.2020, (14) 9835494 dated 22.01.2020, (15) 1001649 dated 29.01.2020, (16) 1002665 dated 29.01.2020, (17) 1275004 dated 10.02.2020, (18) 1335466 dated 12.02.2020, (19) 1401167 dated 14.02.2020, (20) 1461576 dated 18.02.2020, (21) 1515331 dated 19.02.2020, (22) 1602280 dated 22.02.2020, (23) 1735410 dated 27.02.2020, (24) 1719302 dated 27.02.2020, (25) 1847923 dated 03.03.2020, (26) 1847653 dated 03.03.2020, (27) 1878685 dated 04.03.2020, (28) 2024778 dated 10.03.2020, (29) 2037209 dated 11.03.2020 and (30) 2094229 dated 13.03.2020.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. The Committee observed that due to delay in uploading of the BRC by the banker in DGFT Portal, the firm has faced the problem which was beyond their control. Accordingly it decided to allow MEIS benefit only for those shipping bills whose realization has happened within time and e-BRC have been uploaded by the bank after 01.01.2022. It also decided that no cut would be imposed on the entitlement. However no relaxation was given for other shipping bills. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Concerned/PC-3 division for necessary updation)

Case No. 37 M/s. H. P. Enterprise, Thane
F.no. HQRPRCAPPLY00003327AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Condonation of delay in filing of MEIS application against one S/Bills No.2739758 dated 20.05.2020.

The applicant stated that they were not able to apply for the MEIS benefit against SB No.2739758 dated 20.05.2020 for which the payment was realized within 3 years from the LEO date as per the RBI guidelines. The PRC Committee allowed to claim MEIS benefits against S/Bills for which the date of realization of money by Bank is before 3 years from the date of export. Hence they are requesting to grant them the relaxation and allow to claim MEIS benefit on the above S/Bill without any late cut.

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. 38 M/s. Glenmark Pharmaceutical Ltd, Mumbai
F.no. HQRPRCAPPLY00003388AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Accounting of export made under 08 S/Bills towards regularization/redemption of Advance Authorization No.0310835498 dated 18.03.2020.

The applicant stated that they had obtained Advance Licence with UQC for export product in "PACKS" and for import item in "K.G". They have successfully done import with UQC in KG and accordingly started exporting goods from Aug. 2020. In order to improve data quality, JNPT Customs on 18.08.2020 had been issued a PN No.101/2020 for Streamlining of UQCs in Bills of Entry and Shipping Bills. Accordingly, they have issued revised list of UQC and removed packs with few other UQC from Custom system. Due to these sudden changes in Customs system, they are unable to export finish products against this AA, so they have decided to clear export shipment under "Free/Brand Rate DBK (9801) with Zero DBK by mentioning of Advance Licence details on Custom Invoice and S/Bills to get it account at the time of Redemption. They had amended the AA from RLA Mumbai on UQC as "Numbers" on dated 16.09.2020 for hurdle free shipments.. They have also confirm and undertake that against the S/Bill mentioned in subject they have not obtained Brand Rate DBK benefit on Inputs i.e. Bulk Drug utilized in exported product. They have file these S/Bills under Brand Rate DBK to obtained refund of Duties paid on imported Packing material which was used in Export product. Hence they are requesting to allow four Shipping Bills for regularization and closure purpose against subject Advance Authorisation.

Decision: The Committee examined the case on the bass of statements made by the applicant and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

(Action: Applicant)

Case No. 39 M/s. Glenmark Pharmaceutical Ltd, Mumbai
F.no. HQRPRCAPPLY00003351AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Accounting of export made under 03 S/Bills towards regularization/redemption of Advance Authorization No.0310834827 dated 13.02.2020.

The applicant stated that they had obtained Advance Licence with UQC for export product in "PACKS" and for import item in "K.G". They have successfully done import with UQC in KG and accordingly started exporting goods from April. 2020. In order to improve data quality, JNPT Customs on 18.08.2020 had been issued a PN No.101/2020 for Streamlining of UQCs in Bills of Entry and Shipping Bills. Accordingly, they have issued revised list of UQC and removed packs with few other UQC from Custom system. Due to these sudden changes in Customs system, they are unable to export finish products against this AA, so they have decided to clear export shipment under "Free/Brand Rate DBK (9801) with Zero DBK by mentioning of Advance Licence details on Custom Invoice and S/Bills to get it account at the time of Redemption. They had amended the AA from RLA Mumbai on UQC as "Numbers" on dated 16.09.2020 for hurdle free shipments.. They have also confirm and undertake that against the S/Bill mentioned in subject they have not obtained Brand Rate DBK benefit on Inputs i.e. Bulk Drug utilized in exported product. They have file these S/Bills under Brand Rate DBK to obtained refund of Duties paid on imported Packing material which was used in Export product. Hence they are requesting to allow three Shipping Bills for regularization and closure purpose against subject Advance Authorisation.

Decision: The Committee examined the case on the bass of statements made by the applicant and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request the request of the firm..

(Action: Applicant)

Case No. 40 M/s. Glenmark Pharmaceutical Ltd, Mumbai
F.no. HQRPRCAPPLY00003345AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Accounting of export made under 02 S/Bills towards regularization/redemption of Advance Authorization No.0310835319 dated 09.03.2020.

The applicant stated that they had obtained Advance Licence with UQC for export product in "PACKS" and for import item in "K.G". They have successfully done import with UQC in KG and accordingly started exporting goods from Sep. 2020. In order to improve data quality, JNPT Customs on 18.08.2020 had been issued a PN No.101/2020 for Streamlining of UQCs in Bills of Entry and Shipping Bills. Accordingly, they have issued revised list of UQC and removed packs with few other UQC from Custom system. Due to these sudden changes in Customs system, they are unable to export finish products against this AA, so they have decided to clear export shipment under "Free/Brand Rate DBK (9801) with Zero DBK by mentioning of Advance Licence details on Custom Invoice and S/Bills to get it account at the time of Redemption. They had amended the AA from RLA Mumbai on UQC as "Numbers" on dated 30.12.2020 for hurdle free shipments.. They have also confirm and undertake that against the S/Bill mentioned in subject they have not obtained Brand Rate DBK benefit on Inputs i.e. Bulk

Drug utilized in exported product. They have file these S/Bills under Brand Rate DBK to obtained refund of Duties paid on imported Packing material which was used in Export product. Hence they are requesting to allow two Shipping Bills for regularization and closure purpose against subject Advance Authorisation.

<u>Decision</u>: The Committee examined the case on the bass of statements made by the applicant and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request the request of the firm..

(Action: Applicant)

Case No. 41 M/s. Glenmark Pharmaceutical Ltd, Mumbai
F.no. HQRPRCAPPLY00003344AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Accounting of export made under 12 S/Bills towards regularization/redemption of Advance Authorization No.0310835415 dated 16.03.2020.

The applicant stated that they had obtained Advance Licence with UQC for export product in "PACKS" and for import item in "K.G". They have successfully done import with UQC in KG and accordingly started exporting goods from June. 2020. In order to improve data quality, JNPT Customs on 18.08.2020 had been issued a PN No.101/2020 for Streamlining of UQCs in Bills of Entry and Shipping Bills. Accordingly, they have issued revised list of UQC and removed packs with few other UQC from Custom system. Due to these sudden changes in Customs system, they are unable to export finish products against this AA, so they have decided to clear export shipment under "Free/Brand Rate DBK (9801) with Zero DBK by mentioning of Advance Licence details on Custom Invoice and S/Bills to get it account at the time of Redemption. They had amended the AA from RLA Mumbai on UQC as "Numbers" on dated 31.08.2020 for hurdle free shipments.. They have also confirm and undertake that against the S/Bill mentioned in subject they have not obtained Brand Rate DBK benefit on Inputs i.e. Bulk Drug utilized in exported product. They have file these S/Bills under Brand Rate DBK to obtained refund of Duties paid on imported Packing material which was used in Export product. Hence they are requesting to allow six Shipping Bills for regularization and closure purpose against subject Advance Authorisation.

<u>Decision</u>: The Committee examined the case on the bass of statements made by the applicant and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request the request of the firm..

(Action: Applicant)

Case No. 42 M/s. Glenmark Pharmaceutical Ltd, Mumbai
F.no. HQRPRCAPPLY00003550AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Accounting of export made under 03 S/Bills towards regularization/redemption of Advance Authorization No.0310835803 dated 21.04.2020.

The applicant stated that they had obtained Advance Licence with UQC for export product in "PACKS" and for import item in "K.G". They have successfully done import with UQC in KG and accordingly started exporting goods from May. 2020. In order to improve data quality, JNPT Customs on 18.08.2020 had been issued a PN No.101/2020 for Streamlining of UQCs in Bills of Entry and Shipping Bills. Accordingly, they have issued revised list of UQC and removed packs with few other UQC from Custom system. Due to these sudden changes in Customs system, they are unable to export finish products against this AA, so they have decided to clear export shipment under "Free/Brand Rate DBK (9801) with Zero DBK by mentioning of Advance Licence details on Custom Invoice and S/Bills to get it account at the time of Redemption. They had amended the AA from RLA Mumbai on UQC as "Numbers" on dated 07.10.2020 for hurdle free shipments.. They have also confirm and undertake that against the S/Bill mentioned in subject they have not obtained Brand Rate DBK benefit on Inputs i.e. Bulk Drug utilized in exported product. They have file these S/Bills under Brand Rate DBK to obtained refund of Duties paid on imported Packing material which was used in Export product. Hence they are requesting to allow Three Shipping Bills for regularization and closure purpose against subject Advance Authorisation.

Decision: The Committee examined the case on the bass of statements made by the applicant and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request the request of the firm..

(Action: Applicant)

Case No. 43 M/s. Glenmark Pharmaceutical Ltd, Mumbai
F.no. HQRPRCAPPLY00003459AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Accounting of export made under 01 no. of shipping bills towards Redemption against Advance Authorization No.0310835970 dated 26.04.2020.

The applicant stated that they had obtained Advance Licence with UQC for export product in "PACKS" and for import item in "K.G". They have successfully done import with UQC in KG and accordingly started exporting goods from June, 2020. In order to improve data quality, JNPT Customs on 18.08.2020 had been issued a PN No.101/2020 for Streamlining of UQCs in Bills of Entry and Shipping Bills. Accordingly, they have issued revised list of UQC and removed packs with few other UQC from

Custom system. Due to these sudden changes in Customs system, they are unable to export finish products against this AA, so they have decided to clear export shipment under "Free/Brand Rate DBK (9801) with Zero DBK by mentioning of Advance Licence details on Custom Invoice and S/Bills to get it account at the time of Redemption. They had amended the AA from RLA Mumbai on UQC as "Numbers" on dated 22.09.2020 for hurdle free shipments.. They have also confirm and undertake that against the S/Bill mentioned in subject they have not obtained Brand Rate DBK benefit on Inputs i.e. Bulk Drug utilized in exported product. They have file these S/Bills under Brand Rate DBK to obtained refund of Duties paid on imported Packing material which was used in Export product. Hence they are requesting to allow one Shipping Bill for regularization and closure purpose against subject Advance Authorisation.

Decision: The Committee examined the case on the bass of statements made by the applicant and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request the request of the firm..

(Action: Applicant)

Case No. 44 M/s. Glenmark Pharmaceutical Ltd, Mumbai
F.no. HQRPRCAPPLY00003387AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Accounting of export made under 13 S/Bills towards regularization/redemption of Advance Authorization No.0310835320 dated 09.03.2020.

The applicant stated that they had obtained Advance Licence with UQC for export product in "PACKS" and for import item in "K.G". They have successfully done import with UQC in KG and accordingly started exporting goods from July, 2020. In order to improve data quality, JNPT Customs on 18.08.2020 had been issued a PN No.101/2020 for Streamlining of UQCs in Bills of Entry and Shipping Bills. Accordingly, they have issued revised list of UQC and removed packs with few other UQC from Custom system. Due to these sudden changes in Customs system, they are unable to export finish products against this AA, so they have decided to clear export shipment under "Free/Brand Rate DBK (9801) with Zero DBK by mentioning of Advance Licence details on Custom Invoice and S/Bills to get it account at the time of Redemption. They had amended the AA from RLA Mumbai on UQC as "Numbers" on dated 22.10.2020 for hurdle free shipments.. They have also confirm and undertake that against the S/Bill mentioned in subject they have not obtained Brand Rate DBK benefit on Inputs i.e. Bulk Drug utilized in exported product. They have file these S/Bills under Brand Rate DBK to obtained refund of Duties paid on imported Packing material which was used in Export product. Hence they are requesting to allow thirteen Shipping Bills for regularization and closure purpose against subject Advance Authorisation.

Decision: The Committee examined the case on the bass of statements made by the applicant and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request the request of the firm..

(Action: Applicant)

Case No. 45 M/s. Arch Pharmalab Ltd., Mumbai
F.no. HQRPRCAPPLY00003430AM23
Meeting No.20/AM23 held on 29.11.2022

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

This is a deferred case of PRC Meeting No.16/AM23 held on 28.10.2022 (Case No.62), wherein the Committee decided to defer and ask the firm to submit copy of SHIS application for the above period applied in RA for further consideration. The applicant stated that they are Pharmaceutical Intermediates and API manufacturing company and their products are key raw materials in production of various life-saving APIs and Drugs. They are requesting for reconsider their application and allow to claim SHIS Scheme which could not be submitted in time. As per FTP, SHIS application was to be submitted with a CA certificate wherein CA would certify export turnover after physically verifying all export documents i.e. BRC,S/Bills, Invoices, Packing list and Bill of Ladings. However, in spite of realising export proceeds in time banks did not issue BRCs as they started defaulting on their loans due to financial crises brought about by unfair price competition unleashed by Chinese dumping. Following 2008 Beijing Olympics, China had relaxed pollution norms thus manufacturers in Pharma intermediates and other Chemical Sector increased production and set up new facilities, which was to be dumped across the world with state support. The unfair price competition was so severe that from a A1 Credit rating in 2011, they were pushed into default rating by 2013 and eventually winding-up orders were issued by Hon'ble 'Bombay High Court. Not only banks, other service partners like CHA, transporters, shipping agents etc. could not be paid in time thus they too held back on their export documents. Credit Rating dropped from A1 in 2010-11 to Default-grade in April 2013 and they were eventually referred to the Corporate Debt Restructuring (CDR) Cell for restructuring of their secured liabilities. Creditors started filing winding-up petitions from 2013 onwards; this eventually led to winding-up orders against them in 2016 by the Hon'ble Bombay High Court. Moreover, with the mounting losses and erosion in net worth, the company was referred to BIFR in 2016. The financial crisis had turned their account NPA, therefore services provided by Banks and other service providers turned unreliable and irregular. Banks failed to issue BRCs, other service providers handling export documents like transporters, Shipping agents, CHA also held back documents so as to pressurise them for payments overdue to them. Due to these circumstances their CA refused to certify exports and did not issue the much required CA certificate to submit application for SHIS. After Hon'ble High Court allowed withdrawal of winding up petitions by the creditors the banks slowly started cooperating again and started to issues BRCs.

Even though winding up orders were issued and their company was registered with BIFR, an ARC stepped in to restructure their loans and infused Funds, post restructuring. The Hon'ble Bombay High Court allowed withdrawal of winding up petitions by the creditors. The back slowly started cooperating again and started to issue BRCs. Also, the service providers' dues were cleared gradually, leading to release of export documents. Thus, they could make application (online cum physical) for SHIS in 2018. Throughout the period of financial challenges, Arch continued to maintain most of its facilities to meet global standards, wherein, its sites were successfully inspected by various local and global regulatory agencies including USFDA and EDQM.

They have further stated that for 2009-10 export, they did make application in time, as at that time all their operation were smooth and their banks too were cooperating then. This goes on to prove that they always intended to claim the export benefit, which was passed on to buyers; but later, due to circumstances detailed above; they could not apply in time. They are still under the provision of restructuring liabilities, though at a reduced level now. They have started exports and have slowly stated coming back in the supply chain of various end customers. The benefit will help them sustain their operation and help them increase exports.

Hence they are requesting to take into account the above circumstances and allow to accept SHIS Application that are time barred.

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 it decided to call the firm for **Personal Hearing**.

(Action: Applicant)

Case No. 46 M/s. Pyro Electric Instruments Goa Pvt. Ltd., Goa
F.no. HQRPRCAPPLY00003430AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow MEIS benefit against shipment made during the year 2015-16, 2016-17 & 2017-18 (155 SBs).

This is review case of PRC Meeting No.11/AM23 dated 2.08.2022(Case no.38), wherein the Committee rejected the case. The applicant stated that during the years 2015-16, 2016-17, 2017-18 they have made exports against 155 S/Bills and 100% payment against all these shipments have been realized and the time of introduction of MEIS scheme they were many confusions about the scheme. They were under the impression that export product HS code was not eligible for claim under MEIS Scheme and for eligible exports the claim has to be filled within 1 year of exports. RLA were informed that the validity period to file application was 3 years which had lapsed. Covid-19 pandemic disruptions affected business activities for a very long time all over as a result of which they were not able to claim MEIS against the S/Bills made during the year 2017-18. Few BRCs have been issued by their banker after the expiry of 3 years timeline and few other are currently under process of issuance. Hence they are requesting to allow MEIS claim for above mentioned S/Bills.

Decision: The Committee reviewed the case on the basis of justification furnished by the firm and found no merit in the request and hence it decided to maintain rejection of the earlier decision of PRC in its Meeting No.11/AM23 dated 2.08.2022 (Case no.38).

(Action: Applicant)

Case No. 47 M/s. Sharco enterprises, New Delhi
F.no. HQRPRCAPPLY0000003397AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow RoSCTL benefit against 94 shipping bills.

The applicant stated that during pandemic they were struggling with the staff issue and by mistake S/Bills were filed under the wrong scheme code 19 instead of 60 wherein they could not avail the incentive for ROSCTL (2020-22) which were eligible for their product. Hence they are requesting to allow benefit of ROSCTL against 94 shipping bills.

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. 48 M/s. Milacron India Pvt. Ltd., Gujarat
F.no. HQRPRCAPPLY00003415AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow supplementary SEIS benefit for the period 2019-20.

The applicant stated that they have been filing SEIS application based on realisation of export proceeds in foreign currency for export of services rendered. While claiming SEIS they are considering invoices which are realised during the FY. Accordingly, they had applied for SEIS benefits for FY 2019-20 and license was granted to them for INR 1,75,36,798.69. They have some left over invoices of year 2019-20 amounting to INR 19,69,93,172.39 (USD 26,35,977.57) which they could not add in their application of year 2019-20 on account of the fact the realisation took place after 31.03.2020. They would like to avail SEIS benefit for the left-out invoices of 2019-20 which are realised in 2020-21. Hence they are requesting to allow supplementary SEIS application by relaxing the provisions of FTP for the unclaimed SEIS benefit of 2019-20 since the realisation was made after 01.04.2020.

Decision: The Committee went through the statements made by the firm and noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

(Action: Applicant)

Case No. 49 M/s. Sanjivani Paranteral Limited, Mumbai
F.no. HQRPRCAPPLY00003425AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow MEIS benefit against Shipping Bill No.9196412 dated 01.08.2016.

The applicant stated that they made the shipment to Russia of "Capreomycin Injection vide S/Bill dated 01.08.2016 and received payment in Bank dated 09.11.2020, 13.11.2020 & 01.12.2021 and Bank has uploaded E-BRC FY 2022 and they can only file MEIS after uploading of e-BRC and they tried for application which shown claim Zero. Since export was of 2016 and the system does not allowed them to submit application with claim value. Hence they are requesting to allow claim of MEIS against Shipping Bill No.9196412 dated 01.08.2016.

Decision: The Committee examined the case on the basis of submission made by the firm and discussed the matter at length. The Committee noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

(Action: Applicant)

Case No. 50 M/s. Lanxess India Pvt. Ltd., Thane
F.no. HQRPRCAPPLY00003443AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow MEIS benefit against 8 shipping bills.

The applicant stated that due to E-BRC are not uploaded on DGFT server they were not able to file MEIS claim for these S/Bills. These S/Bills are time barred. Hence they are requesting to allow MEIS benefit against 8 shipping bill no.(1) 3765466 dated 26.04.2019, (2) 8568916 dated 28.11.2019, (3) 9219250 dated 26.12.2019, (4) 5825762 dated 26.07.2019, (5) 4794285 dated 11.06.2019, (6) 1826520 dated 02.03.2020, (7) 9760339 dated 20.01.2020 and (8) 9076317 dated 19.12.2019.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. The Committee observed that due to delay in uploading of the BRC by the banker in DGFT Portal, the firm has faced the problem which was beyond their control. Accordingly it decided to allow MEIS benefit only for those shipping bills whose realization has happened within time and e-BRC have been uploaded by the bank after 01.01.2022. It also decided that no cut would be imposed on the entitlement. However no relaxation was given for other shipping bills. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Concerned/PC-3 division for necessary updation)

Case No. 51 M/s. Lanxess India Pvt. Ltd., Thane
F.no. HQRPRCAPPLY00003446AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow MEIS benefit against 10 shipping bills.

The applicant stated that due to E-BRC are not uploaded on DGFT server they were not able to file MEIS claim for these S/Bills. These S/Bills are time barred. Hence they are requesting to allow MEIS benefit against 10 shipping bill No.(1) 8846159 dated 13.11.2018, (2) 3949246 dated 02.04.2018, (3) 4649267 dated 04.05.2018, (4) 5928626 dated 30.06.2018, (5) 9531565 dated 10.12.2018, (6) 6123839 dated 10.07.2018, (7) 5928578 dated 30.06.2018, (8) 5928605 dated 30.06.2018, (9) 1322146 dated 15.01.2019 and (10) 2592940 dated 08.03.2019.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length. The Committee observed that due to delay in uploading of the BRC by the banker in DGFT Portal, the firm has faced the problem which was beyond their control. Accordingly it decided to allow MEIS benefit only for those shipping bills whose realization has happened within time and e-BRC have been uploaded by the bank after 01.01.2022. It also decided that no cut would be imposed on the entitlement. However no relaxation was given for other shipping bills. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Concerned/PC-3 division for necessary updation)

Case No. 52 M/s. Lanxess India Pvt. Ltd., Thane
F.no. HQRPRCAPPLY00003450AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow MEIS claim for shipping bills in prescribed time due to e-BRC's not uploaded.

The applicant stated that due to E-BRC are not uploaded on DGFT server they were not able to file MEIS claim for these S/Bills. These S/Bills are time barred. Hence they are requesting to allow MEIS benefit with relaxation of policy.

Decision: The Committee after discussing the matter on the basis of justification submitted by the applicant, it decided to defer the case and ask the firm to submit a detail of Shipping bills along with the date of realization and date of uploading the BRC for taking the decision.

(Action: Applicant)

Case No. 53 M/s. Lanxess India Pvt. Ltd., Thane
F.no. HQRPRCAPPLY00003449AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow MEIS benefit against 24 shipping bills.

The applicant stated that due to E-BRC are not uploaded on DGFT server they were not able to file MEIS claim for these S/Bills. These S/Bills are time barred. Hence they are requesting to allow MEIS benefit 24 shipping bill No.(1) 8556981 dated 29.10.2018, (2) 4656292 dated 04.05.2018, (3) 5388872 dated 06.06.2018, (4) 4754656 dated 09.05.2018, (5) 4786078 dated 10.05.2018, (6) 8037513 dated 04.10.2018, (7) 4886357 dated 10.05.2018, (8) 4931455 dated 17.05.2018, (9) 4960258 dated 18.05.2018, (10) 5037372 dated 22.05.2018, (11) 5039311 dated 22.05.2018, (12) 5064314 dated 23.05.2018, (13) 5201347 dated 29.05.2018, (14) 5386713 dated 06.06.2018, (15) 5413872 dated 07.06.2018, (16) 5416880 dated 07.06.2018, (17) 5508793 dated 12.06.2018, (18) 5586340 dated 15.06.2018, (19) 5715016 dated 21.06.2018, (20) 5766171 dated 23.06.2018, (21) 5794585 dated 25.06.2018, (22) 5794568 dated 25.06.2018, (23) 5798236 dated 25.06.2018 and (24) 5798930 dated 25.06.2018.

Decision: The Committee examined the statement made by the applicant and discussed the matter at length. The Committee observed that due to delay in uploading of some of the BRC by the banker in DGFT Portal, the firm has faced the problem which was beyond their control. Accordingly it decided to allow MEIS benefit only for those shipping bills whose realization has happened within time and e-BRC have been uploaded by the bank after 01.01.2022. It also decided that no cut would be imposed on the entitlement. However no relaxation was given for other shipping bills. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Concerned/PC-3 division for necessary updation)

Case No. 54 M/s. Lanxess India Pvt. Ltd., Thane
F.no. HQRPRCAPPLY00003448AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: To allow MEIS benefit against 30 shipping bills.

The applicant stated that due to E-BRC are not uploaded on DGFT server they were not able to file MEIS claim for these S/Bills. These S/Bills are time barred. Hence they are requesting to allow MEIS benefit against 30 shipping bill No.(1) 5343801 dated 04.06.2018, (2) 5798206 dated 25.06.2018, (3) 8597621 dated 30.10.2018, (4) 9219343 dated 29.11.2018, (5) 3914013 dated 31.03.2018, (6) 8507516 dated 26.10.2018, (7) 1410037 dated 18.01.2019, (8) 6092832 dated 08.07.2018, (9) 6586035 dated 31.07.2018, (10) 8031695 dated 04.10.2018, (11) 8260211 dated 15.10.2018, (12) 8557260 dated 29.10.2018, (13) 4325581 dated 19.04.2018, (14) 4325596 dated 19.04.2018, (15) 4293890 dated 18.04.2018, (16) 4269991 dated 17.04.2018, (17) 4266412 dated 17.04.2018, (18) 4188335 dated 13.04.2018, (19) 4148276 dated 11.04.2018, (20) 4098995 dated 09.04.2018, (21) 4093807 dated 09.04.2018, (22) 4051548 dated 06.04.2018, (23) 4021779 dated 05.04.2018, (24) 6036793 dated 05.07.2018, (25) 5798926 dated 25.06.2018, (26) 5848283 dated 27.06.2018, (27) 5850041 dated 27.06.2018, (28) 8444680 dated 24.10.2018, (29) 8449595 dated 24.10.2018 and (30) 8420700 dated 23.10.2018.

Decision: The Committee examined the statement made by the applicant and discussed the matter at length. The Committee observed that due to delay in uploading of some of the BRC by the banker in DGFT Portal, the firm has faced the problem which was beyond their control. Accordingly it decided to allow MEIS benefit only for those shipping bills whose realization has happened within time and e-BRC have been uploaded by the bank after 01.01.2022. It also decided that no cut would be imposed on the entitlement. However no relaxation was given for other shipping bills. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Concerned/PC-3 division for necessary updation)

Case No. 55 M/s. ITC Limited, Guntur
F.no. HQRPRCAPPLY00003407AM23
Meeting No.20/AM23 held on 29.11.2022

Subject: Condonation of the delay beyond 90 days late filing replies as per para 2.05 of HBP against File No.07/21/102/50719/AM21 dated 29.12.2021 (Migrated New BO portal File No.072110250719AM21).

The applicant stated that they were filled TMA online Application and also submitted hard copy of the same physically at RA and after submission of the same they approached RA about the status of their application and received a reply from RA that their application is under migration to NEW BO Portal Version and it will take time to process further. After couple of months their application has been migrated to NEW BO Portal with New File No.072110250719AM21 and initiated the process. Thereafter RA issue a DL in NEW BO Portal and they were not posted any physical copy of the same through speed post like their previous TMA applications of first quarter. They were under impression that they will received a physical copy of either deficiency or approval letter will be received from RA. After couple of months RA issued a rejection letter quoting the Para 2.05 of HBP as their replies are NOT received within 90 days from the date of issue of DL and the application has been migrated to NEW BO portal with new File No. and initiated the process of scrutiny of TMA application by RA and they issue DL in New On line Portal. On receipt of rejection letter from RA they approached RA Bangalore but they were informed to file application to PRC. Hence they are requesting for condonation of delay beyond 90 days late filing replies as per para 2.05 of HBP against File No.07/21/102/50719/AM21 dated 29.12.2021 (Migrated New BO portal File No.072110250719AM21).

Decision: The Committee went through the submission made by the firm and discussed the matter at length and observed that this is not a case of policy relaxation. Accordingly, this case stands withdrawn from PRC and advise the applicant to approach concerned RA, in the matter.

(Action: Applicant)

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