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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting
Held on 09.05.2023 under the Chairmanship of
Shri Santosh Kumar Sarangi, Director General of Foreign Trade

Meeting No. 02/AM24 held on 09.05.2023

The following members were present in the meeting:

1. Shri S.B.S. Reddy Addl. DGFT
2. Shri Hardeep Singh Addl. DGFT
3. Shri AkashTaneja Addl. DGFT
4. Shri Anil Aggarwal Addl. DGFT
5. Dr. S.K. Bansal Addl. DGFT
6. Shri S.C. Agarwal 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. GRIP Strapping Technologies Pvt. Ltd., Hyderabad	1
2.	M/s. Reliance Industries Limited, Mumbai	2
3.	M/s. Hindustan Engineering & Industries Ltd., Kolkata	3
4.	M/s. ITAN Jewels Pvt. Ltd., Mumbai	4
5.	M/s. Altra Industrial Motion India Pvt. Ltd., Pune	5
6.	M/s. Deepak Novochem Technologies Ltd., Pune	6
7.	M/s. Milacron India Pvt. Ltd., Ahmadabad	7
8.	M/s. Ratthasomerset Greenways (Chennai) Pvt. Ltd., Chennai	8
9.	M/s. Simplex Chemopack Pvt. Ltd., Nagpur	9
10.	M/s. Simplex Chemopack Pvt. Ltd., Nagpur	10
11.	M/s. Top Light Textiles Pvt. Ltd.,	11
12.	M/s. Alcon Food Packaging, Kolkata	12
13.	M/s. National Steel and Agro Industries Limited, Mumbai	13
14.	M/s. Goel Enterprises, Secunderabad	14

15.	M/s. Haldia Petrochemicals Ltd., West Bangal	15
16.	M/s. Baddi Print Packs Pvt. Ltd., Nalagarh	16
17.	M/s. Eastern Traders, Kolkata	17
18.	M/s.Markap Resources Pvt. Ltd., Delhi	18
19.	M/s.Amsar Goa Pvt. Ltd., Goa	19
20.	M/s.Johnson Controls India Pvt. Ltd., Pune	20
21.	M/s.KemwellBiopharma Pvt. Ltd., Bangalore	21
22.	M/s. Honda Motorcycle and Scooter India Pvt. Ltd., Gurgaon	22

PH Case No. 01 M/s. Grip Strapping Technologies Pvt. Ltd., Hyderabad

F.No.HQRPRCAPPLY00004057AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Revalidation of 6 DFIA numbers : (i) 0910067988 dated 11.09.2019, (ii) 0910068213 dated 21.11.2019, (iii) 0910068214 and 21.11.2019, (iv) 0910068215 dated 21.11.2019 (v) 0910068216 dated 21.11.2019 & (vi) 0310839531 dated 12.11.2020.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023 and Shri Amit Barai, EXIM Executive appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No. 20/AM23 dated 29.11.2022 (Case No.28) wherein Committee rejected the case. The applicant stated that due to unprecedented situation and because of outbreak of Covid-19 pandemic it has become difficult for them to claim any benefit against the authorization due to steel manufacturing industries not only domestically but also globally went into a non essential category and labour intensive sector hence the lockdown resulted in total closure of steel sector. Import process was very slow during this period, hence major supplier China and other countries were not able to manufacture the material, therefore importer in India were unable to get their required raw material. Logistic instability during the pandemic, shipping companies had reduced the no. of vessels thus led to a rise in the freight cost making the import of the said material not viable which can be also counted as a reason for the unutilization of the subjected DFIA licenses. Hence they are requesting to allow six months revalidation of above mentioned DFIA.

Decision: The Committee heard and 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. 20/AM23 dated 29.11.2022 (Case no.28).

(Action: Applicant)

PH Case No. 02 M/s. Reliance Industries Ltd., Mumbai

F.No.HQRPRCAPPLY00004053AM23

Meeting No.02AM24 held on 09.05.2023

Subject: To allow MEIS benefit against 3 shipping bills no. 2085290 dated 12.03.2020, 2089332 dated 12.03.2020 & 2090892 dated 13.03.2020.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Shri Ashutosh Verma, Vice President appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No. 22/AM23 dated 13.12.2022 (Case No.44) wherein Committee rejected the case. The applicant stated that due to some technical issue at Hazira Customs Port the referred three S/Bills whose LEO dates were of 16.03.2020 got purged and no export details were available in Customs system. Once they noticed non availability of S/Bills on DGFT server, they approached Hazira Customs and they have recreated S/Bills in lieu of purged S/Bills. New S/Bills with same export details generated but LEO date changed as 14.09.2020. Hazira Customs had recreated new S/Bills in lieu of purged shipping bills with same export details with rewards scheme "yes" which are duly transmitted on DGFT server. The regenerated S/bills details are available in digital module of MEIS, moreover, the E-BRC details are also available on DGFT server which are pre-requisite for making MEIS application. But due to publication of Notification No.30 dated 01.09.2020, DGFT has imposed capping of MEIS benefit upto Rs. 2 crores per IEC for all exports whose LEO date is between 01.09.2020 to 31.12.2020, hence DGFT MEIS module was not allowing to generate MEIS E Com application for the regenerated S/Bills dated 06.09.2020 as the LEO date was after 01.09.2020. Hence they are requesting to allow MEIS benefit against 3 S/Bills.

Decision: The Committee heard and went through the submission made by the firm and discussed the matter at length. The Committee observed that there is merit in the case. Accordingly, it decided to allow MEIS benefit against 3 shipping bills No.2085290 dated 12.03.2020, No.2089332 dated 12.03.2020 and No.2090892 dated 13.03.2020 without late cut subject to the submission of certificate regarding bill of lading and custom certificate regarding LEO date as on 16.03.2020. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA- Mumbai/ PC-3 Division for necessary updation in the System)

PH Case No. 03 M/s. Hindustan Engineering & Industries Ltd., Kolkata

F.No.HQRPRCAPPLY00004120AM23

Meeting No.02AM24 held on 09.05.2023

Subject: To allow MEIS benefit against 2 shipping bill no. 9265637 dated 28.04.2015 and 9265720 dated 28.04.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023 Shri S. Dutta and Sajjan Agarwal appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No. 21/AM23 dated 02.12.2022 (Case No.11) wherein Committee maintain rejection of the earlier decision of PRC in its Meeting No.03/AM23 dated 22.04.2022 and 05.05.2022 (Case No.55). The applicant stated that in respect of their supply of 27 wagons under S/Bill No.9265637 dated 28.04.20215 and 56 Wagons under S/Bills 9265720 dated 28.04.2015 they have received the payment in 9 E-BRC issued by PNB in respect of two S/Bills and they have received two payments before shipment and one payment within 3 years period. It means that these payment qualify for MEIS entitlement @2% which comes to USD 1,32,849.75. Issue of e-BRC is the prerogative of the Bank, by exercising that prerogative, PNB issued one e-BRC on 01.10.2016 and two e-BRC on 04.08.2021. They had applied for MEIS entitlement after PNB issued last e-BRC on 04.08.2021. PRC Committee rejected their claim for the entire shipments under the above two S/Bills. Hence they are requesting to allow MEIS entitlement for the above 3 e-BRCs as the payments were received by PNB within the stipulated time as required under MEIS policy rules.

Decision: The Committee heard and went through 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 in 3 years from the date of let export and e-BRC have been uploaded by the bank after the expiry of three years from the date of let export. It also decided that no cut would be imposed on the entitlement. 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 in the System)

PH Case No. 04 M/s.ITAN Jewels Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY00361457AM22

Meeting No.02AM24 held on 09.05.2023

Subject: Permission for re export of balance 5 Kg Qty of Gold imported against Advance Authorization no. 0310830800 dated 08.08.2019 for closure of authorization

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Shri Raju Nair appeared on behalf of the firm and made the following submissions:

This is a deferred case of PRC Meeting No. 23/AM23 dated 20.11.2022 (Case No.50) wherein Committee decided to call for personal hearing.

The applicant stated that their request for re-export of unutilized 5.00 Kg. of gold for CIF value of US\$ 248533.78 imported against advance authorization which after import could not be utilized by them due to sever Global Corona Epidemics and cancellation of orders by their regular buyers as there was lockdown in their factory and their sale outlets. As per provision under Para 2.46.1(a) of FTP which provides that the Goods imported may be exported in same form without an Authorization provided that item to be imported or exported is not in the restricted for import or export in ITC (HS). Since import and export of gold is under restricted category they could not re-export same without relaxation in the policy. Hence they are requesting to allow re-export of 5.00 Kgs. of Pure Gold for CIF value US\$ 248533.78 imported against subject advance authorization which could not be utilized due to closure of their factory.

Decision: The Committee heard and examined the justification made by the applicant and discussed the matter at length and it decided to seek a report from RA, Mumbai for taking the decision.

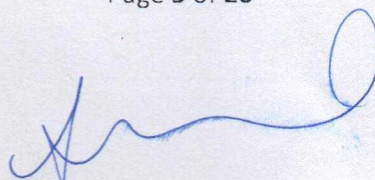
(Action: PRC/ RA-Mumbai)

PH Case No. 05 M/s.Altra Industrial Motion India Pvt. Ltd., Pune

F.No.HQRPRCAPPLY00004104AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Closure of Advance Authorization No. 3110056197 dated 05.11.2012.



The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Shri Vishnu Dike appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No. 23/AM23 dated 20.12.2022 (Case No.20) wherein Committee rejected the case. The applicant stated that they have supplied the material to their customer, RE Power Systems, Udappi (SEZ Unit) in the year 2012-13 and all exports were made within the timeframe. However, only Advance license No. is not mention on ARE-1 due to systems technical glitch. The company, RE Power Systems has closed their India plant in the year 2014. Hence they are genuinely unable to provide any other documents or revised ARE-1 with Advance license No. printed on it. They are planning to expansion in India and also increase their production capabilities, and planning more machine lines from their US counterpart against authorization but they are not receiving the approvals from US Office due to this Advance License issue. Hence they are requesting to allow closure of above mentioned Advance License.

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm and discussed the case at length and decided to maintain rejection of the earlier decision of PRC in its Meeting No.23/AM23 dated 20.12.2022 (Case No.40).

(Action: Applicant)

PH Case No. 06 M/s. Deepak Novochem Technologies Ltd., Pune

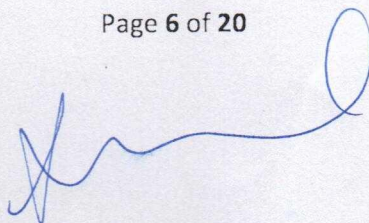
F.No.HQRPRCAPPLY00004144AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Clubbing of 2 Advance Authorization No. 3110066963 dated 15.01.2018 and 3111000142 dated 03.02.2021.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Shri VinodCardoza and Mr. Prabir Samanta appeared on behalf of the firm and made the following submissions:

The applicant stated that they had availed above said advance licenses from RA Pune and have imported 40% the raw material and export completed 23% against 1st license



and have imported 44% the raw material against 2nd license and exported 100% with obtained EO period. They have fulfilled the EO in both the terms but due to Covid-19 pandemic, they have made the export within 32 months in the Advance Authorization. Due to GST implementation and so many order cancellation, they could not export within 18 months as well as not taken EO extension against advance license No.3110066963 dated 15.01.2018. They had approached to PRC for EO extension on 15.09.2020 and they got the 3 months EO extension on 25.02.2021 and after getting PRC decision they approached to Pune Office for EO extension but due to online problem they got the EO extension on 16.06.2021. In between their shipment was ready for exports and they have taken another advance license 311000142 dated 03.02.2021 of same product. Finally they exported 444.63 MT against advance license No.311000142 dated 03.02.2021 balance 226.52 MT after getting EO extension of Advance License No.3110066963 dated 15.01.2018. As per provision of PN No.70/2012-2020 dated 30.01.2019 their export not made beyond 30 months from the date of issue of earlier authorizations which have been applied to be clubbed. Hence they are requesting to allow clubbing of above mentioned two advance license.

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm and discussed the case at length and allowed regularisation of first Advance Authorisation by taking into consideration exports against 2nd Advance Authorisation. For excess imports remaining in second authorisation, they may pay duty and interest.

(Action: Applicant/RA-Pune)

PH Case No. 07 M/s. Milacron India Pvt. Ltd., Ahmadabad.

F.No.HQRPRCAPPLY00004153AM23

Meeting No.02AM24 held on 09.05.2023

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

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Mr. Rajesh Soni appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No. 20/AM23 dated 29.11.2022 (Case No.48) wherein Committee rejected the case. The applicant stated that their supplementary application for SEIS benefit for the FY 2019-20 amounting to Rs. 19,69,93,172/- which they could not add in their original SEIS application since the realization took place after

31.03.2020 which was beyond their control. Therefore, it is not correct to deny this genuine claim on the plea that the part of the realization fell in the following year. In the Policy nowhere it states that SEIS will not be granted if applied in two financial years on account of the spill over of realization of payment. The exporter will be put to heavy loss if such genuine claim is denied for a simple reason that the realization has taken place in two different years. The fact remains that the SEIS benefit is a genuine claim of the exporter over his exports. Merely that the realization of the amount partly fell in two financial years consequent to which they could not claim the full SEIS amount in one year and they see no reason why they cannot submit a supplementary claim for the amount in which the realization took place in the following year. Hence they are requesting to allow supplementary SEIS benefit for the period 2019-20

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm 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.20/AM23 dated 29.11.2022 (Case No.48).

(Action: Applicant)

PH Case No. 08 M/s.Rattha Somerset Greenways (Chennai) Pvt. Ltd., Chennai.

F.No.HQRPRCAPPLY00004160AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Condonation for delay in submission of installation certificate against EPCG licenses.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-20, which was afforded on 09.05.2023, but the firm vide mail dated 04.05.2023 intimated they would not be able to attend the PH. Accordingly, the Committee decided to defer the case.

(Action: Applicant)

PH Case No. 09 M/s. Simplex Chemopack Pvt. Ltd., Nagpur.

F.No.HQRPRCAPPLY00004164AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Revalidation of Advance Authorization no. 5010002396 dated 12.12.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, appeared through Video Conference and the firm made the following submissions:

This is review case of PRC Meeting No. 07/AM23 dated 21.06.2022 (Case No.26) wherein Committee rejected the case. The applicant stated that they have been facing problems with the data transmission between DGFT and ICE Gate against these two authorizations. Due to which they were unable to import the raw materials against these licenses within the stipulated time period. Although revalidation was granted, the data transmission problem still persisted in one of the license and in another there was less time to complete the imports. Hence they are requesting to allow revalidation of above said license.

Decision: The Committee heard and went through the statements made by the firm and decided to refer the issue to EGTF- Division for their comments in the matter.

(Action: Applicant/EGTF- Division)

PH Case No. 10 M/s. Simplex Chemopack Pvt. Ltd., Nagpur.

F.No.HQRPRCAPPLY00004163AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Revalidation of Advance Authorization no. 5010002283dated 03.06.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, appeared through Video Conference and the firm made the following submissions:

This is review case of PRC Meeting No. 07/AM23 dated 21.06.2022 (Case No.27) wherein Committee rejected the case. The applicant stated that they have been facing problems with the data transmission between DGFT and ICE Gate against these two authorizations. Due to which they were unable to import the raw materials against these licenses within the stipulated time period. Although revalidation was granted, the data transmission problem still persisted in one of the license and in another there was less time to complete the imports. Hence they are requesting to allow revalidation of above said license.

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm and discussed the case at length and found no merit in the request of the firm. Accordingly, it decided to maintain the earlier decision of PRC in its Meeting No.7/AM23 dated 21.06.2023(Case No.27).

(Action: Applicant)

PH Case No. 11 M/s. Top Light Textiles Pvt. Ltd.,
F.No.HQRPRCAPPLY00004154AM22
Meeting No.02AM24 held on 09.05.2023

Subject: To allow 100% alternate export product of same sector i.e. cotton made-ups, cotton bags and fabrics to fulfill export obligation against 6 EPCG Authorization No.(i) 3230012599 dated 29.09.2008, (ii) 3230012601 dated 29.09.2008, (iii) 3230014582 dated 16.03.2010, (iv) 3230012600 dated 29.09.2008, (v) 3230014036 dated 24.11.2009 and (vi) 3230014983 dated 02.06.2010.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, appeared through Video Conference and the firm made the following submissions:

The applicant stated that their request to consider alternative value added product that they have already exported towards fulfillment of EO in the EPCG license was rejected for the reason that they have not submitted relevant documents in cogent of their issue. The company was initially incorporated by the then Directors viz. Mr. KGS Pillai, Mrs. Sujatha Pillai and Mr. Somsekaran Pillai. As the company has become sick and indebted with huge credit liability they happen to take over the said Spinning Unit in the year 2016. On negotiation with the then Directors and after verifying all the outstanding dues to the bankers and also the creditors they have paid all the dues to the bank initially and taken over the company and have started weaving unit and stitching unit in the said company and started manufacturing Power Loom Grey Fabrics and also made ups. The original manufacturing activity of the concern was the spinning of cotton yarn, the EO to be fulfilled was for the cotton yarn to that of the pending EPCG license. After taking over the company they have expanded the unit for manufacturing of value added items such as weaving of cotton grey fabrics and also making of made ups. They could not get feasible export orders for cotton year that they manufactured in the spinning unit out of imported machineries under EPCG Scheme. Hence they are requesting to allow 100% alternate export product of same sector i.e. cotton made-ups, cotton bags and fabrics to fulfill export obligation against 6 EPCG Authorization.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-20, which was afforded on 09.05.2023. However, firm did not attend the PH. Accordingly, the Committee decided to defer the case.

(Action: Applicant)

PH Case No. 12 M/s. Alcon Food Packaging, Kolkata

F.No.HQRPRCAPPLY00004203AM23

Meeting No. 02AM24 held on 09.05.2023

Subject: Extension of EOP against Advance Authorization no. 0210207745 dated 07.07.2017

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Mr. Kunal Saraogi appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No. 26/AM23 dated 03.01.2023 (Case No.07) wherein Committee rejected the case. The applicant stated that they have fulfilled 57.42% of their total export obligation quantity wise as per import made within $\frac{3}{4}$ months from the date of authorization, thereafter only one extension of six months has been granted by RA. Their 2nd request for EOP has been rejected by RA. Their industries have also suffer a lot during Covid-19 period and presently have sufficient order in hand to fulfill their entire pending export obligation. They were unable to fulfill the required export obligation during valid EOP due to sudden cancellation of their orders from their buyer and lack of further export orders including some marketing management related issues arisen, which is beyond their control. Hence they are requesting to allow extension in EOP against subject license.

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm 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.26/AM23 dated 03.01.2023(Case No.7).

(Action: Applicant)

PH Case No. 13 M/s. National Steel and Agro Industries Ltd., Mumbai.

F.No.HQRPRCAPPLY00004181AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Revalidation of TPS Authorization no. 0310835155 dated 02.03.2020.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Shri Rajendra Chaturvedi appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No. 16/AM23 dated 28.10.2022 (Case No.20) wherein Committee rejected the case. The applicant stated that Target Plus Script worth Rs. 40,43,75,410/- was issued in their favour on 02.03.2020 with validity up to 01.03.2022. Due to lockdown on account of Covid-19 and there were no import or export took place in this period and with the above lockdowns the company has faced crucial financial crises and was declared as Non Performing unit by consortium banks. They have suffered huge financial losses due to the above lockdowns and consortium bank refused to make any financial assistance at this crucial period to the company. Thereafter, given the worsening condition of the company, an application was filed by JM Financial Asset Reconstruction Company Ltd. under sector 7 of the insolvency and Bankruptcy for initiating Corporate Insolvency Resolution Process against the company. Subsequently, the committee of creditors of the company has approved the appointment of IRP as the resolution professional. Further as per the provisions of the code one of the duty of the RP is to manage the operations of the company as a going concern and preserve and protect the assets of the company. In light thereof, the company has preferred to instant application so that the unutilized duty credit of the company can be made available to the company in public interest on the ground of genuine hardship and adverse impact of trade faced by the company. Hence they are requesting to allow revalidation of above mentioned TPS Authorisation.

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm 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.16/AM23 dated 28.10.2022(Case No.20).

(Action: Applicant)

PH Case No. 14 M/s.Goel Enterprises, Secunderabad

F.No.HQRPRCAPPLY00004241AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Revalidation of 6 DFIA No.(i) 3010091667 dated 06.02.2013, (ii) 3010093194 dated 09.04.2013, (iii) 3010093197 dated 09.04.2013, (iv) 3010093931 dated 17.05.2013, (v) 3010093932 dated 17.05.2013 and (vi) 3010093933 dated 17.05.2013.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023 appeared through Video Conference and the firm made the following submissions:

This is review case of PRC Meeting No. 08/AM23 dated 28.06.2022 (Case No.06) wherein Committee rejected the case. The applicant stated that the validity of these DFIA were extended up to 30.09.2019 under the provision of para 2.12.1 of HBP 2009-2014 by the RA. The said DFIA were issued to M/s. Bonn Food Industries, Ludhiana and the said DFIA were transferred to their firm. They were in the process of import of goods under above mentioned DFIA and unfortunately their person Mr. Pentam Srinivas who was dealing with this work of import export fall sick in the month of July 2019 and died in the month of August, 2019. These all six DFIA were under his possession which they had recovered from his residence in the month of February-March, 2020. Since they have purchased the DFIA on payment of premium to M/s. Bonn Food Industries and they could not utilize the same for the above reasons. Their business is already under financial stress due to Covid-19 pandemic restrictions and had incurred financial losses. Hence they are requesting to allow revalidation of above mentioned six DFIA.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-20, which was afforded on 09.05.2023 and the firm vide email dated 08.05.2023 confirmed their participation through VC in the PH. However, firm did not attend the PH. Accordingly, the Committee decided to defer the case.

(Action: Applicant)

PH Case No. 15 M/s.Haldia Petrochemicals Ltd., West Bangal

F.No.HQRPRCAPPLY00004212AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Manual filing of MEIS application in view of the EDI error for shipping bill no. 7277974 dated 11.07.2017

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Mr. Dibyendu Kar and Mr. Rahul Dhanuka appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No. 33/AM19 dated 12.03.2019 (Case No.16) wherein Committee rejected the case. The applicant stated that due to an error in the Electronic Data Interchange system, while generation of Export Promotion copy of the S/Bills the declaration read as "We intend to claim reward under MEIS No, hence the S/Bill has not been transmitted to the DGFT server and their application for MEIS cannot be filed. The company further relies upon the following judgment by various Hon'ble High Courts across the country which have allowed benefit of MEIS Scrip even in cases where the applicant has failed to mark/tick "Y" on the S/Bills. The company states that reliance is also placed on the judgments of (a) Saint Gobain India Pvt. Ltd., Vs Union of India {2018 (361) E.L.T.1000 (Ker)} and (b) Global Calcium Pvt. Ltd., Vs Asstt. Commissioner of Customs (2019-TIOL-1259-SC-MAD-CUS) wherein it has been held that electronic systems cannot come in the way of restricting a right of the exporter. Hence they are requesting to allow manual filing of MEIS application in view of the EDI error for shipping bill number dated 11.07.2017.

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm 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.33/AM19 dated 12.03.2019 (Case No.16).

(Action: Applicant)

PH Case No. 16 M/s. Baddi Print Packs Pvt. Ltd., Nalagarh

F.No.HQRPRCAPPLY00003997AM23

Meeting No.02AM24 held on 09.05.2023

Subject: Consideration of Group Company's export for the discharge of their Export Obligation.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Dr. Neeraj Varshney appeared on behalf of the firm and made the following submissions:

The applicant stated that they fulfill all the criteria as stipulated under the provisions of the para 9.28 of the FTP and therefore the exports made by their Group Companies ought to have been duly considered towards discharge of their export obligations against the EPCG Authorizations issued in their favour. The Jt.DGFT Chandigarh grossly erred in rejecting their request for considering the exports made by their two Group companies without taking into cognizance the correct interpretation of the FTP provisions as also enunciated by the Hon'ble High Court of Bombay and that of the Andhra Pradesh High Court and the facts of their case. Therefore, in fitness of things, they considered it appropriate to file this review application as apparently there had been an error in appreciating the facts of their case in its decision making in terms of not taking into cognizance provisions of para 5.4 (i) FTP as these existed as on 09.06.2006 till 17.07.2006 ready along with para 9.28 of the FTP. Hence they are requesting to allow group companies export for the discharge of the export obligation.

Decision: The Committee heard and discussed the case at length and observed that no relaxation is involved in this case. Hence, this case has been withdrawn from PRC. Applicant may approach PIC in the matter.

(Action: Applicant)

PH Case No. 17 M/s. Eastern Traders, Kolkata

F.No.HQRPRCAPPLY00003543/AM23

Meeting No.02/AM24 held on 09.05.2023

Subject: To allow VKGUY benefit after 3 years from date of exports.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Mr. Kevin Sheth appeared on behalf of the firm and made the following submissions:

This is a defer case of PRC Meeting No.25/AM23 held on 28.12.2022 (Case No.19) but no one appeared on behalf of firm, accordingly the Committee decided to defer the case.

Decision: The Committee heard and went through the submission 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.

(Action: Applicant)

PH Case No. 18M/s. Markap Resources Pvt. Ltd., Delhi

F.No.HQRPRCAPPLY00004081AM23

Meeting No.02/AM24 held on 09.05.2023

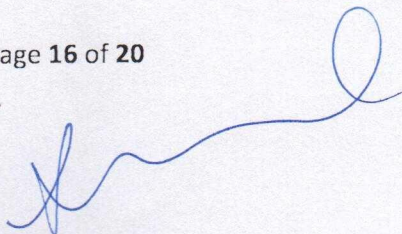
Subject: Extension of total EOP against EPCG Authorization No.0530162058 dated 26.12.2013.

This a defer case of PRC Meeting No.36/AM23 held on 28.03.2023 (Case No.08) wherein no one attended the PH and requested for another date, accordingly, the Committee decided to defer the case.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Shri Kapil Kohli appeared on behalf of the firm and made the following submissions:

We have taken the aforesaid EPCG authorisation and due to certain hurdles we could manage to implement the project only during 2016. However due to lack of export orders we could not start the export of the specified item endorsed in the licence. Unfortunately a fire incident was occurred in the production unit during night of May 27th and 28th, 2017, due to short circuit in the equipment. The fire brigade could manage the fire in nearly 12 hours but fire to the stocks continue to smolder for a number of days. There after there was a huge damage to building plant and machinery and also to the stock. The unit was granted loan under property mortgaged by Bank of Baroda but due to circumstances explain about we could not repay the specified loan amount to the bank and the Bank had issued notice for the physical position of the property .After discussion with the bank and by paying amount of Rs 60,00,000/- we were able to convince the bank for restructuring of the loan amount and withdrawal of notice for physical possession of the property. We are now hopeful to start the business again and may go for export to fulfill the export obligation. Request is for extension of EOP of licence for further period of 3 years from the date of endorsement, and also addition of item "all types of metallic powder" to discharge the export obligation as per the policy. During the hearing the representatives produced copies of NPA bank letter, photographs of Fire, newspaper Publication and a copy of Inspection Report of district administration for the fire incident.

Decision: The Committee heard and went through the statement made by the applicant and discussed the matter at length. The Amnesty Scheme was explained but party pleaded for EOP extension of 3 years from the date of endorsement with additional items of export. The Committee noted that the applicant has faced a genuine hardship on account of the fire incident in the production unit. Considering the difficulties faced



which were beyond their control, the committee allowed the extension of export obligation for three years from date of endorsement subject to payment of composition fee equal to 2% of the proportionate duty saved amount on unfulfilled export obligation for each year of extension. For additional items of export, they may approach RA for requisite endorsement with nexus certificate. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

PH Case No. 19 M/s.Amsar Goa Pvt. Ltd., Goa
F.No.HQRPRCAPPLY00003339AM23
Meeting No. 02 /AM24 held on 09.05.2023

Subject: To allow MEIS benefit against 74 S/Bills pertaining to year 2015-16, 2016-17 and 2017-18.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Mr. Oscar K. D'Souza appeared on behalf of the firm and made the following submissions:

This is a defer case of PRC Meeting No.25/AM23 held on 28.12.2022 (Case No.11) where it was observed that the applicant was not audible properly, hence the Committee decided to defer the case.

This is the review case of PRC Meeting No.02/AM23 dated 13.04.2022 (Case No.72) wherein Committee has decided to reject the case. The applicant has sought personal hearing for review the decision of the Committee and stated that between the years 2015 & 2018 they have made export vide 74 S/Bills, 100% payment against all shipments have been realized and they were under the impression that their 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, Off late when they realized that their export product HS Code was eligible for MEIS claim they made efforts to file the application, but the application time of 3 years had lapsed. Due to Covid-19 pandemic disruptions all over they were not able to claim MEIS against S/Bills made during the year 2017-18. Hence they are requesting to allow MEIS benefit against 74 S/bills pertaining to year 2015-16, 2016-17 & 2017-18.

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm 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.02/AM23 dated 13.04.2022(Case No.72).

(Action: Applicant)

PH Case No. 20 M/s. Johnson Controls India Pvt. Ltd., Pune

F. No. HQRPRCAPPLY00148790AM22

Meeting No.02/AM24 held on 09.05.2023

Subject: Waiver of non submission of bills of exports towards fulfilment of EO against Advance Authorization no. 3110051561 dated 21.11.2011 and to allow first & second EOP extension for regularization of export made beyond EOP.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Shri Tukaram Gaikwad appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No.27/AM21 held on 31.03.2021 (Case No.07). The applicant has stated that they had applied to the PRC for relaxation for non-availability of Bill of Exports for the supplies made to SEZ Units, As per the Policy Circular No.39 dated 7.06.2022 supplies made to SEZ with availability of all export documents except of Bill of Exports will be considered for fulfillment of EO but supplies made prior to 01/04/2015 can only avail this benefit. They had fulfilled approx. 25% of the exports before 01.04.2015 and the balance 75% after it due to which they are having a huge short fall in fulfilling the obligation.

Decision: The Committee heard and reviewed the case on the basis of justification furnished by the firm and observed that the applicant was not clear of the request. Hence, the Committee decided to defer the case.

(Action: Applicant)...

PH Case No. 21 M/s.Kemwell Biopharma Pvt. Ltd., Bangalore

F.No.HQRPRCAPPLY00003972AM23

Meeting No.02/AM24 held on 09.05.2023

Subject: Revalidation of SFIS Scrip No.0710114281 dated 14.12.2018.

This is defer case of PRC Meeting No.30/AM23 held on 17.01.2023 (Case No.07) wherein it was observed and noted that applicant is not audible properly during the VC, accordingly, the Committee decided to defer the case.

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023, Shri B.N. Murali appeared on behalf of the firm and made the following submissions:

The applicant stated that they have obtained the SFIS authorization license no. 0710114281 dated 14.12.2018 from the Addl. DGFT office, Bangalore. This authorization validity up to 14.12.2020 & the same was extended till 08.09.2021 by the regional DGFT, Bangalore. Due to second wave of covid-19 situations across the globe and restriction on usage of manpower and also plant shutdown due to increasing covid cases in their organization due to pandemic situations during the month of April, May and June 2021. Considering the safety of their company, their state government and also their management taken strong decisions to close down the units for sometimes to break the covid chain. Hence most of their projects were rescheduled, as a result their imports were also rescheduled accordingly. they planning to expansion their firm unit and Estimated import are 7.43 crores. Hence, they hereby request to give them a final opportunity for extension of SFIS license in order to utilise the available SFIS script value with another 6 months time. Detail value SFIS license value in INR 81,66,723 Utilized amount in INR 69,12,160 SFIS license balance amount INR 12, 54, 563 as on 31.05.2022 in view of the above. Hence they are requesting to allow revalidation of above mentioned SFIS.

Decision: The Committee heard and examined the case on the basis of justification furnished by the firm and discussed the case at length and decided to maintain the rejection of the earlier decision of PRC in its Meeting No.25/AM23 dated 28.12.2022(Case No.30).

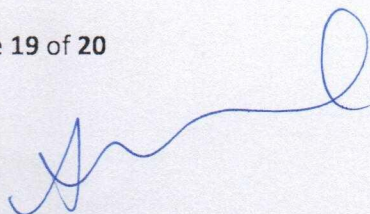
(Action: Applicant)...

**PH Case No. 22 M/s. Honda Motorcycle and Scooter India Pvt. Ltd.,
Gurgaon.**

F.No.HQRPRCAPPLY00003818AM23

Meeting No. 02/AM24 held on 09.05.2023

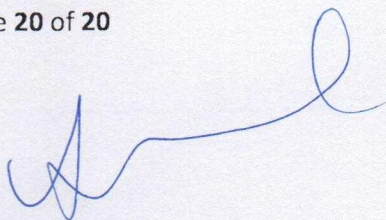
Subject: To relax the provisions of the FTP and waive off the Policy Condition No.10(e) of Chapter 87 to the ITC (HS) in Schedule -1 Import Policy for import of the racing bikes.



This is defer case of PRC Meeting No.16/AM23 held on 28.10.2022 (Case No.60) wherein 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.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 09.05.2023. However, the firm did not appeared in the Personal Hearing. Accordingly, the Committee decided to defer the case.

(Action: Applicant)...

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