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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting
Held on 27.12.2022 under the Chairmanship of
Shri Santosh Kumar Sarangi, Director General of Foreign Trade

Meeting No.24/AM23 held on 27.12.2022

The following members were present in the meeting:

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

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

S. No	Name of the firm	Case No.
1.	M/s. Sumilon Industries Pvt. Ltd., Surat	1
2.	M/s. Orient Abrasives Limited, Mumbai	2
3.	M/s. Thaiger Pharma Pvt. Ltd., Mumbai	3&4
4.	M/s. Recipharm Pharmaservices Pvt. Ltd., Bangalore	5&6
5.	M/s. Radnik Export, Noida	7 to 12
6.	M/s. Pankaj Exports, Delhi	13
7.	M/s. Bharat Heavy Electrical Limited, Haridwar	14
8.	M/s. Bharat silks, Bangaluru	15
9.	M/s. Sun Plast, Mumbai	16&17
10.	M/s. Blue Moon Fragrances, Kolkata	18
11.	M/s. Premier Industrial Corporation Limited, Mumbai	19
12.	M/s. Bhagwati Tirath Polycontainers Industries Pvt. Ltd., Mumbai	20
13.	M/s. M B Laminators, Mumbai	21
14.	M/s. Sun Mark Stainless Pvt. Ltd., Ahmadabad	22
15.	M/s. Maxim Exports, Ahmedabad	23
16.	M/s. Maxim Tubes Company Private Limited., Ahmedabad	24
17.	M/s. Carborundum Universal Limited., Chennai	25
18.	M/s. R. D. Engineers (India) Pvt. Ltd., Maharashtra	26
19.	M/s. Agroseq, Gujarat	27

20.	M/s. Risto International Pvt. Ltd., Delhi	28
21.	M/s. Primus Overseas Pvt. Ltd., Gurugram	29
22.	M/s. Modular International Pvt. Ltd., Delhi	30
23.	M/s. Aston Multitrade Pvt. Ltd., Delhi	31
24.	M/s. Antonius Tradex Pvt. Ltd., Gurugram	32
25.	M/s. Cosmic Informatics Pvt. Ltd., Delhi	33
26.	M/s. Kuber Exports, Gujarat	34
27.	M/s. AI Airport Services Limited, New Delhi	35
28.	M/s. Bonanza Enterprises, Surat	36
29.	M/s. Arch Pharmalabs Limited, Mumbai	37
30.	M/s. The Chemours India Pvt. Ltd., Gurgaon	38&39
31.	M/s. Shubhalakshmi Polysters Ltd., Gujarat	40
32.	M/s. Prayag Polytech Pvt. Ltd., Gurgaon	41
33.	M/s. Sark Spice Products Pvt. Ltd., Kerala	42
34.	M/s. Chelsea Mills LLP., Haryana	43
35.	M/s. Global Gourmet Pvt. Ltd., Vadodara	44
36.	M/s. Krishna Exports, Gujarat	45
37.	M/s. Insta Foods, Vadodara	46
38.	M/s. Halal Exports, Varaval	47
39.	M/s. GFive Mart (I) Pvt. Ltd., Bangalore	48
40.	M/s. ITC Limite, Secunderabad	49
41.	M/s. Manorama Industries Limited, Mumbai	50

Case No. 01 M/s. Sumilon Industries Pvt. Ltd., Surat
F.no. HQRPRCAPPLY00003685AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.5210041367 dated 30.12.2014.

This is review case of PRC Meeting No.07/AM23 dated 21.06.2022 (Case No.03). The applicant stated that they had started export since 1998. Till date they have taken 22 EPCG licenses and 23 Advance licenses and have fulfilled EO of all these licenses. With reference to the above subject they wish to inform that they had imported total 44,163 Kgs of Raw Viscose 120D/2 yarn through the subject advance license. They had completed the dying process as per the order received from a buyer. But as the imported yarn was not of good quality, the finished dyed yarn was rejected by them. They tried to look for another buyer who would be interested in buying the said goods. They had obtained the subject license after getting export order. As they had confirmed EO they imported raw yarn first as their buyer wanted the finished goods made from imported yarns. The export item i.e. Dyed and Multiplied yarn is not their regular export product and they usually sell this item locally. Before the Covid-19 pandemic a company M/s Ali Baba Textile Trading (LLC), UAE showed interest in buying the subject dyed yarn, due to covid-19 the deal did not progress further. However, after the pandemic they are still interested to buy the said goods. Hence, they are requesting for extension of EO in order to complete their pending EO and close the subject license.

Decision: The Committee reviewed and examined the case on the basis of submission provided by the applicant and observed that the firm has not submitted any cogent reason in support of their request for review the case. Accordingly it decided to maintain rejection of the earlier decision of PRC in its Meeting No.07/AM23 held 21.06.2022 (Case no.03).

(Action: Applicant)

Case No. 02 M/s. Orient Abrasives Limited, Mumbai
F.no. HQRPRCAPPLY00003688AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0310816018 dated 28.09.2017.

The applicant stated that the subject advance authorization has been obtained for export of Brown Fused Aluminium Oxide but unfortunately due to labour strike and fire accident in out factory in August /September 2018 resulting in stoppage of their production and exports leading to cancellation of confirmed export orders and their regular customers switching to alternate manufacturers in other countries. The had against update and installed additional equipments to commence production at adequate level which took them more than 6 months. The India and all foreign countries suffered due to corona epidemics during the year 2020 and 2021. They had also fight hard to locate foreign buyers to export their product of Brown Fused Aluminium Oxide which is mainly used in refractories for Aluminium Industry, Iron and Steel Industry, Glass Industry and Cement Industries etc. They have made import for around 60% of quantity. The export made in terms of quantity are 0.55% up to March 2019 and another 19% exports up to 24 months EOP. With their best efforts they have made another exports for 33.30% in quantity during 30 months up to 18.04.2022. have been made 52.83% in quantity terms and more than 100% in value terms. Now they have sufficient export orders to make the balance export. Hence, they are requesting for six months EOP extension to enable them to make the balance exports.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case and ask the firm to submit Insurance Report and any other supporting document in the matter for taking the decision.

(Action: Applicant)

Case No. 03 M/s. Thaiger Pharma Pvt. Ltd., Mumbai
F.no. HQRPRCAPPLY00003728AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0310831475 dated 11.09.2019.

The applicant stated that due to lockdown in Covid-19 Pandemic and other unavoidable circumstances some of their staff members who handle export matters have left their company causing a lot of hardship, therefore, they are unable to fulfill their stipulated EO within the valid EOP. They have fulfilled their maximum EO, but unfortunately due to Global Covid Pandemic some orders have been delayed and exported after the valid EOP. Their company has also suffered a lot due to this Global Pandemic. Ntofication No.28 dated 23.09.2021 has been issued for support the exporters affected by the Covid Pandemic, inserting the condition for 5% incremental export on unfulfilled EO. They further stated that the international market is already affected by the Covid Pandemic. In this current situation it is very difficult to them to fulfill the 5% incremental export condition and it is also not feasible them to pay composition fee for regular EOP option. They have fullfilled their EO, but due to Global Covid Pandemic their export orders has been delayed and exported aftger the valid EOP. Hence, they are requesting to withdraw the 5% incremental export condition and allow extension in EOP without any composition fee, so that they can file their EODC.

__Decision:__ The Committee discussed the case in detail and in view of justification provided by the firm it decided to allow EOP extension up to 01.04.2021 against Advance Authorisation No.0310831475 dated 11.09.2019 only for regularization purpose subject to the payment of composition fees @1% per month on unfulfilled FOB value from the date of expiry. Request to withdraw the 5% incremental export condition was not allowed. The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 04 **M/s. Thaiger Pharma Pvt. Ltd., Mumbai**
F.no. HQRPRCAPPLY00003729AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0310831225 dated 26.08.2019.

The applicant stated that due to lockdown in Covid-19 Pandemic and other unavoidable circumstances some of their staff members who handle export matters have left their company causing a lot of shardship, therefore, they are unable to fulfill their stipulated EO within the valid EOP. They have fulfilled their maximum EO, but unfortunately due to Global Covid Pandemic some orders have been delayed and exported after the valid EOP. Their company has also suffered a lot due to this Global Pandemic. Ntofication No.28 dated 23.09.2021 has been issued for support the exporters affected by the Covid Pandemic, inserting the condition for 5% incremental export on unfulfilled EO. They further stated that the international market is already affected by the Covid

Pandemic. In this current situation it is very difficult to them to fulfill the 5% incremental export condition and it is also not feasible them to pay composition fee for regular EOP option. They have fullfilled their EO, but due to Global Covid Pandemic their export orders has been delayed and exported aftger the valid EOP. Hence, they are requesting to withdraw the 5% incremental export condition and allow extension in EOP without any composition fee, so that they can file their EODC.

Decision: The Committee discussed the case in detail and in view of justification provided by the firm it decided to allow EOP extension up to 31.03.2021 against Advance Authorisation No.0310831225 dated 26.08.2019 only for regularization purpose subject to the payment of composition fees @1% per month on unfulfilled FOB value from the date of expiry. Request to withdraw the 5% incremental export condition was not allowed. The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 05 M/s. Recipharm Pharmaservices Pvt. Ltd., Bangalore
F.no. HQRPRCAPPLY00003697AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0710116804 dated 28.07.2020 for redemption.

The applicant stated that they have obtained the subject advance authorization under pre-import condition. Accordingly, as per the Appendix 4J (Sl.No.2) EOP 12 months from the date of clearance of each import consignment by the Customs Authority and further extension of 6 months allowed as per HBP para 4.42(d). They have imported API Isoniazid Ph. Eur Calyx vide Bill of Entry No.8449003 dated 12.08.2020. Simultaneously, they have manufactured and exported ISONIAZID TABLETS vide 2 shipping bill No.6063186 dated 17.11.2021 and 8044710 dated 07.02.2022. They have paid Customs duty Rs.4,15,906/- for left over quantity:123 Kgs and destroyed the same. They have filed redemption application on 20.06.2022 with RA, Bangalore, but RA has raised deficiency against shipping bill no.8044710 dated 07.02.2022 cannot be considered for EO fulfillment, because shipping bill is beyond 18 months. However, EOP (18 months from the date of import as per Appendix 4J(2) is up to 12.02.2022. They have completed 100% EO in quantity-wise within EOP i.e. 18 months. Hence, they are requesting to count the shipping bill no.8044710 dated 07.02.2022 against the Advance Authorization No.0710116804 dated 28.07.2020 for redemption of the license.

Decision: The Committee discussed the case on the basis of submission made by the applicant and in view of justification provided by the firm it decided to accede to the request and allowed EOP extension up to 07.02.2022 against Advance Authorisation No.0710116804 dated 28.07.2020 only for regularization purpose subject to payment of composition fees @1% per month on unfulfilled FOB value from the date of expiry. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bangalore)

Case No. 06 M/s. Recipharm Pharmaservices Pvt. Ltd., Bangalore
F.no. HQRPRCAPPLY00003683AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0710117096 dated 06.10.2020.

The applicant stated that they have obtained the subject advance authorization under pre-import condition. Accordingly, as per the Appendix 4J (Sl.No.2) EOP 12 months from the date of clearance of each import consignment by the Customs Authority and further extension of 6 months allowed as per HBP para 4.42(d). They have imported API Labetalo Hydrochloride vide Bill of Entry No.9276882 dated 22.10.2020. Simultaneously, they have manufactured and exported TRANDATE TABLETS vide 5 shipping bill No.9073813 dated 03.03.2021, 2624635 dated 23.06.2021, 3454386 dated 28.07.2021, 8686824 dated 04.03.2022 and 1164591 dated 04.05.2022. They have filed redemption application on 06.09.2022 with RA, Bangalore, but RA has raised deficiency against shipping bill no. 1164591 dated 04.05.2022 cannot be considered for EO fulfillment, because shipping bill is beyond 18 months. However, EOP (18 months from the date of import as per Appendix 4J(2) is up to 22.04.2022. They have completed 69% EO in quantity-wise within EOP i.e. 18 months. Balance, 31% against only one shipping bill no.1164591 dated 04.05.2022 exported with the delay of 12 days due to corona. Hence, they are requesting to for EOP extension up to 04.05.2022 for regulariusation of Advance Authorization No.0710117096 dated 06.10.2020.

Decision: The Committee discussed the case on the basis of submission made by the applicant and in view of justification provided by the firm it decided to accede to the request and allowed EOP extension up to 04.05.2022 against Advance Authorisation No.0710117096 dated 06.10.2020 only for regularization purpose subject to payment of composition fees @1% per month on unfulfilled FOB value from the date of expiry. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bangalore)

Case No. 07 M/s. Radnik Export, Noida
F.no. HQRPRCAPPLY00003701AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0510413776 dated 03.03.2020.

The applicant stated that they have imported 8775 SQM Fabrics but could not utilize due to cancellation of order in the period of pandemic corona. The imported fabric is in ready stock with their factory premises. Now they got the fresh order against the imported fabric to utilize the same. They could not apply for 1st and 2nd extension due to delay in receipt of future order to utilize the imported fabric. Hence, they are requesting to grant extension of EOP to fulfill the EO.

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. 08 M/s. Radnik Export, Noida
F.no. HQRPRCAPPLY00003679AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0510411284 dated 18.07.2019.

The applicant stated that they have imported fabric of 1351 SQM but could not utilize due to cancellation of order by the buyer due to pandemic corona. The imported fabric is in their factory premises as ready stock. Now they got the fresh order and requested EO extension up to 18.01.2023 to utilize the imported fabric and fulfill the EO. Hence, they are requesting to grant extension of EOP to fulfill the EO.

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. 09 M/s. Radnik Export, Noida
F.no. HQRPRCAPPLY00003678AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0510415087 dated 01.09.2020.

The applicant stated that they have applied for extension of EO on 17.08.2022, but as per EDI provision they have to apply first amendment. They got amendment on 14.09.2022 at the time first EO extension period lapsed. They have imported 5591 SQM fabric but could not utilize due to cancellation of order as pandemic corona. Now they got the fresh order against imported fabric to utilize the same fulfill the EO and requested EO extension up to 01.03.2023 to export fulfill the EO.

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. 10 M/s. Radnik Export, Noida
F.no. HQRPRCAPPLY00003669AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0510412176 dated 18.10.2019.

The applicant stated that they have imported 2 types of fabrics (1) 4542.12 SQM and (2) 1647 SQM fabric and utilized (1) 1201.50 SQM and (2) 1165.50 SQM respectively. 481.50 SQM could not be utilized due to cancellation of order by the buyer as pandemic corona period. Now they got the fresh order against imported fabric and want to utilize the same fulfill the EO. Hence, they are requesting for extension of EO up to 31.03.2023 to utilize the imported fabric against the subject advance authorisation.

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. 11 M/s. Radnik Export, Noida
F.no. HQRPRCAPPLY00003668AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0510412370 dated 05.11.2019.

The applicant stated that they have imported 1803 SQM fabric and utilized 356 SQM. But balance could not be utilized due to cancellation of order in corona period. Now they got the fresh order against imported fabric which is in ready stock in their factory premises. Hence, they are requesting for extension of EO up to 05.03.2023 to complete the EO against the subject advance authorisation.

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. 12 M/s. Radnik Export, Noida

F.no. HQRPRCAPPLY00003667AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0510410464 dated 03.05.2019.

The applicant stated that they have imported 8648 SQM fabric and exported garments utilizing imported fabric of 2137 SQM. But balance 6511 SQM Fabric they could not be utilized due to cancellation of order in the period of Covid-19. Now they got the fresh order against imported fabric to utilize the same which is in ready stock in their factory unit. Hence, they are requesting for extension of EO to utilize the imported fabric and to complete the EO against the subject advance authorisation.

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. 13 M/s. Pankaj Exports, Delhi
F.no. HQRPRCAPPLY00003676AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0510412767 dated 04.12.2019.

The applicant stated that as per license actual import of raw material against item Sl.No.1 is 81% and item Sl.No.2 is 100% against the actual import quantity. Their export obligation has been completed 82% against import Sl.No.1 and 18% pending and 100% EO pending against item No.2. Due to Covid-19 after December 2019 whole of the world facing pandemic situation and on or after 21.03.2020 in India also start the lockdown and its situation facing approx. 2 years. In the meantime, government was not permit for visa /foreign country travelling was restricted that's why unable to getting export order and due to said situation EO not fulfilled within time. Now as visa is permitting and foreign travelling allowed they are trying to get export order and hope to fulfill the EO. Hence they are requesting for extension of EO by four months from the date of endorsement.

Decision: The Committee examined the case in detail and in view of justification provided by the firm, it decided to accede to the request and allowed EOP extension of Advance Authorization No.0510412767 dated 04.12.2019 for a further period of 6 months from the date of endorsement subject to payment of composition fees @0.5% per month, if exports are fulfilled more than 50% within initial /extended EOP or @ 1% per month where exports have been made less than 50% within initial/extended EOP of the extension period granted as above, on the unfulfilled FOB Value. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 14 M/s. Bharat Heavy Electrical Limited, Haridwar
F.no. HQRPRCAPPLY00003664AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.6110001481 dated 29.12.2017.

The applicant stated that their export items are; Steam, Turbine, Generator, Condenser and their auxiliaries-2 SET. They have been issued the subject license for duty free import of raw materials and components for the supply of 2X660 MW Steam Turbine, Generator and condenser to Maitree STPP. The EO has been expired on 30.06.2022 and contract is valid till 28.02.2023 for export /supplies to power plant/project. They are in process of supplies/export yet to be made to M/s BIFPCL and the project completion period has been extended by the project authority till 28.02.2023. They tried to apply online application for EOP extension, but system showed error, you are not allowed for EO extension as you already extended two times. They are eligible for EOP extension co-terminus with contracted duration i.e. 28.02.203 but due to limitation of online DGFT system they are unable to submit their application. Hence, they are requesting for extension of EO up to 28.02.2023 against the subject authorization as per para 4.42(b) of HBP 2015-20.

Decision: The Committee went through the representation received from the applicant and discussed the matter at length. It observed that there is no policy relaxation involved in this case. Accordingly it decided to withdraw this case from PRC. Firm may approach RA concerned in the matter for resolution , if necessary in consultation with EGTF Division.

(Action: Applicant/CLA-New Delhi)

Case No. 15 M/s. Bharat silks, Bengaluru
F.no. HQRPRCAPPLY00003725AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Extension of EOP against Advance Authorization No.0710115835 dated 10.12.2019.

This is review of PRC Meeting No.14/AM23 held on 28.09.2022 (Case No.09). The applicant stated that all the goods meant for exports were manufactured and kept ready for export by them well in time, and as and when the buyer M/s Eileen Fisher Ney York USA has given confirmation to make the shipments, the shipped the goods. Unfortunately 2 shipments are falling outside the extended EOP i.e. Shipping

No.3902952 dated 01.09.2022 and 4228102 dated 16.09.2022. They tried to make the shipments at an earlier date, but due to delay in getting clearance from buyer's side shipments got delayed. Initially the plan was to ship the goods buy Sea, but due to logistical issues and delay in arrival of the shipments at buyer's end, finally shipments were made by air. Hence, they are requesting to count the above 2 shipments which are made beyond extended EOP, within 34 months (delay of 16 days from the extended date) for the purpose of closure of above mentioned advance authorization.

Decision: The Committee reviewed and examined the case on the basis of justification provided by the firm and discussed the matter at length. The Committee decided to allow EOP extension up to 16.09.2022 of Advance Authorization No.0710115835 dated 10.12.2019 only for regularization purpose subject to payment of composition fees @0.5% per month on the unfulfilled FOB value, if exports are fulfilled more than 50% within initial /extended EOP or @ 1% per month where exports have been made less than 50% within initial/extended EOP. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bangalore)

Case No. 16 M/s. Sun Plast, Mumbai
F.no. HQRPRCAPPLY00003694AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of Advance Authorization No.0310836379 dated 26.05.2020.

The applicant stated that after getting 2nd validity extension till 26.04.2022, they applied for issue of EODC on 16.02.2022, however, RA has issued redemption letter on 09.05.2022 instead of EODC due to computer error. In the meantime validity of imports has been expired on 26.05.2022. They have imported 269000 Kgs after invalidation of license on 23.07.2020 as against the proportionate entitled quantity of 301888.650 Kgs balance imports are 32888 Kgs. Hence they are requesting to allow three month revalidation to import the balance quantity against subject Advance Authorization.

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 3 months from the date of endorsement in the proportionate to the export already made against Advance Authorisation No.0310836379 dated 26.05.2020. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 17 M/s. Sun Plast, Mumbai
F.no. HQRPRCAPPLY00003692AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of Advance Authorization No.0310836380 dated 26.05.2020.

The applicant stated that they applied for issue of EODC on 16.02.2022, however RA has issued redemption letter on 21.04.2022, so that the quantity could be procured under invalidation till 26.05.2022 and the validity of imports has expired on 26.05.2022. They have imported 251500 Kgs after invalidation of license on 31.07.2020 as against the proportionate entitled quantity of 285772.200 Kgs balance imports are 34272.200 Kgs. Hence they are requesting to allow three month revalidation to import the balance quantity against subject Advance Authorization.

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 3 months from the date of endorsement in the proportionate to the export already made against Advance Authorisation No.0310836380 dated 26.05.2020. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 18 M/s. Blue Moon Fragrances, Kolkata
F.no. HQRPRCAPPLY00003670AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of Advance Authorization No.0210210159 dated 16.10.2020.

The applicant stated that norms has not yet been fixed by the Norms Committee against the AA and the validity of the Authorization has been expired on 17.10.2022 as the same was already revalidated by the RA upto 16.10. 2022. They are already perusing the matter with concerned Norms Committee for early fixation of Norms. They have already completed entire export obligation and the proceeds have already been realized too against the said AA. Hence they are requesting to allow one year revalidation for import the balance quantity against subject license.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to defer the case and seek detailed report from RA, concerned and comments from concerned NC in the matter for taking the decision.

(Action: Applicant/RA-Kolkata/NC-IV Division)

Case No. 19 M/s. Premier Industrial Corporation Limited, Mumbai
F.no. HQRPRCAPPLY00003672AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of Advance Authorization No.0310838458 dated 25.09.2020.

The applicant stated that they have completed partial import within the validity period of one year but unfortunately, due to unavailability of raw material the import raw material i.e. Ferro Silicon Lumps/Chips is the rare product offered in the international market and during Covid 19 pandemic situation of the mining and production of the said product was absolutely stopped due to lockdown all over the world therefore they could not get supplies and the import is pending. They have already fulfilled the entire 100% Export Obligation within initial validity of AA. Hence they are requesting to allow six month revalidation for balance import against subject Advance Licence.

Decision: The Committee having 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 upto 31-03-23 against Advance Authorisation No.0310838458 dated 25.09.2020. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 20 M/s. Bhagwati Tirath Polycontainers Industries Pvt. Ltd., Mumbai
F.no. HQRPRCAPPLY00003719AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of Advance Authorization No.0310831285 dated 28.08.2019.

The applicant stated that they were in submission for licence value enhancement in Feb.2021, but due to system problem it was not submitted in time and the system problems was cleared by Feb.2022, near about 1 year is already lapsed to utilize the licence, in the meantime licence has been expired and due to the licence validity problem their enhancement request has been rejected by RA. Hence they are requesting to allow one year revalidation against subject licence.

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/RA-Mumbai)

Case No. 21 M/s. M B Laminators, Mumbai
F.no. HQRPRCAPPLY00003700AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of Advance Authorization No.0310838174 dated 19.09.2020.

The applicant stated that they had obtained AA and have completed exports within 3 and half months and applied for EODC on 12.04.2022. They have imported balance quantity against the AA which was revalidated up to 09.09.2022 vide amendment sheet No.1 dated 26.11.2022 showing CIF value of Rs.2,75,88,925/- instead of Rs. 3,28,37,500/- Even though they had applied for EODC with request to amend CIF value, incorrect CIF has been reflected in EODC letter. In the meantime the validity of license expired on 09.09.2022. Hence they are requesting to allow three months revalidation against subject Advance Authorisation.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and decided to defer the case and seek detailed report from RA, concerned in the matter for taking the decision.

(Action: Applicant/RA-Mumbai)

Case No. 22 M/s. Sun Mark Stainless Pvt. Ltd., Ahmedabad
F.no. HQRPRCAPPLY00003723AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of Advance Authorization No.0810148679 dated 28.09.2020.

The applicant stated that they could not complete import due to the Covid-19 situation and have fulfilled the export obligation within the time. The balance import quantity 2375.284 MTS against the subject license. Hence they are requesting to allow six month revalidation to complete the balance import against subject license.

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.0810148679 dated 28.09.2020. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Ahmedabad)

Case No. 23 M/s. Maxim Exports, Ahmedabad
F.no. HQRPRCAPPLY00003732AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of DFIA No.0811002652 dated 20.09.2021.

The applicant stated that DFIA issued against F.No.08AS07605615AM22 while applying transferability import item No.1 and 3 ITC HS Code wrongly mentioned. In new DFIA module amendment in DFIA is not allowed once Transferable DFIA issued. Due to wrong HS Code import not allowed by custom at port of import. Hence they are requesting to allow revalidation and amendment in subject DFIA.

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. 24 M/s. Maxim Tubes Company Private Limited., Ahmedabad
F.no. HQRPRCAPPLY00003691AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of DFIA No.0811002616 dated 17.09.2021.

The applicant stated that they are manufacturer exporter of Stainless Steel Seamless Tubes and have an Export House Certificate and have expanded their business and focused only on the exports. Earlier they are importing raw materials from the various sources but after the expansion done by them they are manufacturing such raw material in their existing premises. Due to manufacturing of raw materials in their premises, they are not able to use the issued DFIA license for their purpose but some after they realize that their requirement for raw materials are in a largely volume but they are not able to fulfill such requirement as their work force. Now they are again planning for import raw materials under this DFIA. Hence they are requesting to allow revalidation against the subject DFIA.

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. 25 M/s. Carborundum Universal Limited, Chennai
F.no. HQRPRCAPPLY00003687AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To allow MEIS benefit against for the shipping bills of period July 2018 to March 2019, April 2019 to March 2020, April 2020 to August 2020.

The applicant stated that they S/Bills could not be applied for benefit as Bank Realization Certificate was not uploaded by Bankers within the specified time limit and S/Bill not transmitted to DGFT Portal from Customs within the specific time limit as given under Policy Circular or Public Notice for applying for MEIS Benefit Hence they are requesting to allow MEIS benefit against S/Bills relating to the period July 2018 to August, 2020.

Decision: The Committee having examined the submission made by the applicant and discussed the matter at length. The Committee observed that due to delay in uploading of some 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. 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. 26 M/s. R. D. Engineers (India) Pvt. Ltd., Maharashtra
F.no. HQRPRCAPPLY00003673AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To allow MEIS benefit against Shipping Bill No.5000436 dated 22.03.2018.

The applicant stated that they had obtained MEIS No.0319314433 dated 23.03.2021 for S/Bill but the same license data is not reflected in Customs (INNSA 1) port, therefore they enquired with customs and DGFT and it came to understand that the two S/Bill are different port and advise by the DGFT to split up the license. Accordingly the initial above MEIS is cancelled by the same DGFT and issued a disallowed the S/Bill No.5000436 dated 22.03.2018 for making fresh application which was time barred. Hence they are requesting to allow MEIS claim against above mentioned S/Bill.

Decision: The Committee examined the statement made by the applicant and discussed the matter at length and it decided to refer the case to EDI division for its examination and resolution.

(Action: Applicant/EDI-Division)

Case No. 27 M/s. Agroseq, Gujarat
F.no. HQRPRCAPPLY00003734AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of MEIS Scrip No.0819063780 dated 16.07.2020.

The applicant stated that they are Registered as MSME Sector and they have received MEIS license No.0819063780 dated 16,07,2020 and amount Rs.3,97,526/- and by mistake they have not utilized till date. So revalidation required for utilized against import or Sell in the market. This is very big amount for MSME company. Hence they are requesting to allow revalidation of MEIS license as mentioned in the subject.

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. 28 M/s. Risto International Pvt. Ltd., Delhi
F.no. HQRPRCAPPLY00003712AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To condone the time limit for filing MEIS application against 133 time barred shipping bills pertaining to the year 2017-18 without late cut.

This is review case of PRC Meeting No.16/AM21 held on 26.11.2020 (Case No.02) wherein Committee rejected the case. The applicant stated that they are exporting the readymade garments vide 133 S/Bills in the year 2017-18 to U.K. To file MEIS application in DGFT, BRC is a pre-requisite document. However inwards foreign remittance got delayed due to various reasons.The overseas buyer made late payment due to some dispute in contract and due to pricing of product after introduction of GST and other factors they could not file application in time. They have already suffered business losses due to Covid-19 pandemic. Hence they are requesting to allow MEIS benefit against above mentioned S/Bills.

Decision: The Committee reviewed the case on the basis of justification furnished by the firm and observed that there is no merit in firm's contention. Accordingly it decided to maintain rejection of the earlier decision of PRC in its Meeting No.16/AM21 held on 26.11.2020 (Case No.02).

(Action: Applicant)

Case No. 29 M/s. Primus Overseas Pvt. Ltd., Gurugram
F.no. QRPRCAPPLY00003715AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To condone the time limit for filing MEIS application against 67 time barred shipping bills pertaining to the year 2017-18 without late cut.

This is review case of PRC Meeting No.16/AM21 held on 26.11.2020 (Case No.17), wherein committee rejected the case. The applicant stated that due to dispute with foreign buyer and accordingly late payment by foreign buyers they could not get payment and EBRC from Bank, also due to pricing of product after introduction of GS & other factors, they could not file application in time. They have already suffered business losses due to Covid-19 pandemic. Hence they are requesting to allow MEIS benefit against 67 S/Bills.

Decision: The Committee reviewed the case on the basis of justification furnished by the firm and observed that there is no merit in firm's contention. Accordingly it decided to maintain rejection of the earlier decision of PRC in its Meeting No. 16/AM21 held on 26.11.2020 (Case No.17).

(Action: Applicant)

Case No. 30 M/s. Modular International Pvt. Ltd., Delhi
F.no. HQRPRCAPPLY00003714AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To condone the time limit for filing MEIS application against time barred 114 shipping bills for the year 2016-17, without late cut, where payments have been delayed due to freezing of back account to the company by DRI and accordingly late payment by buyer.

This is review case of PRC Meeting No.18/AM21 held on 16.12.2020 (Case No.16) wherein Committee rejected the case. The applicant stated that due to initiation of inquiry by DRI against their company and freezing their Bank Account, payment could not realized on time from overseas buyers, also due to pricing of their product after introduction of GST and other factors, they could not file application in time. Hence they are requesting to allow MEIS benefit of 114 S/Bills for the year 2016-17.

Decision: The Committee reviewed the case on the basis of justification furnished by the firm and observed that there is no merit in firm's contention. Accordingly it decided to maintain rejection of the earlier decision of PRC in its Meeting No.18/AM21 held on 16.12.2020 (Case No.16).

(Action: Applicant)

Case No. 31 M/s. Aston Multitrade Pvt. Ltd., Delhi
F.no. HQRPRCAPPLY00003708AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To condone the time limit for filing MEIS application against 179 time barred shipping bills pertaining to the year 2017-18 without late cut.

The applicant stated that due to initiation of inquiry by DRI against their company and freezing their Bank Account, payment could not realized on time from overseas buyers, also due to pricing of their product after introduction of GST and other factors, they could not file application in time. Hence they are requesting to condone the delay and allow MEIS benefit of 179 S/Bills for the year 2017-18.

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 decided to reject the request of the firm.

(Action: Applicant)

Case No. 32 M/s. Antonius Tradex Pvt. Ltd., Gurugram
F.no. HQRPRCAPPLY00003710AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To condone the time limit for filing MEIS application against 21 time barred shipping bills pertaining to the year 2017-18 without late cut.

This is review case of PRC Meeting No.01/AM22 held on 25.05.2021 (Case No.15) wherein Committee rejected the case. The applicant stated that due to initiation of inquiry by DRI against their company and freezing their Bank Account, payment could not realized on time from overseas buyers, also due to pricing of their product after introduction of GST and other factors, they could not file application in time. Hence they are requesting to allow MEIS benefit of 21 S/Bills for the year 2017-18.

Decision: The Committee reviewed and examined the case on the basis of submission provided by the applicant and observed that the firm has not submitted any cogent reason in support of their request for review the case. Accordingly it decided to maintain rejection of the earlier decision of PRC in its Meeting No.01/AM22 held on 25.05.2021 (Case No.15).

(Action: Applicant)

Case No. 33 M/s. Cosmic Informatics Pvt. Ltd., Delhi
F.no. HQRPRCAPPLY00003711AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To condone the time limit for filing MEIS application against 33 time barred shipping bills pertaining to the year 2017-18 without late cut.

This is review case of PRC Meeting No.15/AM21 held on 26.11.2020 (Case No.13) wherein Committee rejected the case. The applicant stated that due to initiation of inquiry by DRI against their company and freezing their Bank Account, payment could not realized on time from overseas buyers, also due to pricing of their product after introduction of GST and other factors, they could not file application in time. Hence they are requesting to condone the delay and allow MEIS benefit of 33 S/Bills for the year 2017-18.

Decision: The Committee reviewed and examined the case on the basis of submission provided by the applicant and observed that the firm has not submitted any cogent reason in support of their request for review the case. Accordingly it decided to maintain rejection of the earlier decision of PRC in its Meeting No.15/AM21 held on 26.11.2020 (Case No.13).

(Action: Applicant)

Case No. 34 M/s. Kuber Exports, Gujarat
F.no. HQRPRCAPPLY00003733AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of RoSCTL No.5219014955 dated 28.09.2021.

The applicant stated that they had issued ROSCTL License No. 5219014955 dated 28/09/2021 with duty credit value amount is zero. They had already raised ticket No. IS:2022101125040 dt. 21/01/2022 and second Ticket No 20229174933 dt. 01/09/2022 but they are not able to load the duty credit amount in license and our license got expired due to system ERROR. So they are request you to consider our case and give us six months Extension and instruction to NIC to upload the value. Hence they are requesting to allow EOP extension against subject license.

Decision: The Committee examined the submission made by the firm and discussed the matter at length and it decided to refer the issue to PC-3 Division for its examination and resolution.

(Action: Applicant/PC-3 Division)

Case No. 35 M/s. AI Airport Services Limited, New Delhi
F.no. HQRPRCAPPLY00003731AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Revalidation of SEIS No.0319271362 dated 20.01.2020.

This is review case of PRC Meeting No.14/AM23 held on 28.09.2022 (Case No.21) wherein Committee rejected the case. The applicant stated that License No. 031927136 dated 20.01.2020 amounting to Rs. 2,20,45,332.03 issued to AIR INDIA TRANSPORT SERVICES LTD., has expired on 19.01.2022. They have tried to transfer the balance available in the license from September' 2021, however, they could not transfer the same till April' 2022, as the online transfer module same till April 2022, as the online transfer module was not working. In addition to that they had approached various private agents to transfer, but none of the agents were willing to buy. We request us to kindly extend the validity for this license for further period of 6 months, from the date of renewal of license. Hence they are requesting to allow EOP extension against subject license.

Decision: The Committee reviewed and examined the case on the basis of submission provided by the applicant and observed that the firm has not submitted any cogent reason in support of their request for review the case. Accordingly it decided to maintain rejection of the earlier decision of PRC in its Meeting No.14/AM23 held on 28.09.2022 (Case No.21).

(Action: Applicant)

Case No. 36 M/s. Bonanza Enterprises, Surat
F.no. HQRPRCAPPLY00003684AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Reinstate of S/Bills for ROSL claim Documents withhold by the DRI, New Delhi.

The applicant stated they are regular exporter of value added readymade garments They have done some exports in the year 2017under the benefits scheme of Chapter 3 and Chapter 4 of the EXIM Policy. They are attaching herewith the list of Shipping Bills (Annexure A). The Custom authority particularly the DRI/SIIB of the Tughlakabad Custom have seized their above shipping bills and made an inquiry for the valuation of the exported goods. An order was passed after the due processof customs inquire by the Additional Commissioner of Customs ICD, Tughlakabad vide order in original No. 60/2020/FARAHIQBALGUPTA/ADC/EXPORTS/ICD/TKD/ dated 19.11.2020 almost after more than two years. Hence they are requesting to reinstate of shipping bills for ROSL claim documents withhold by the DRI, New Delhi.

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. 37 M/s. Arch Pharmalabs Limited, Mumbai
F.no. HQRPRCAPPLY00003693AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: To count the export made of 73 shipping bills towards fulfillment of EO against Advance Authorisations.

The applicant stated that DGFT had announced auto-extension of EO period of licenses expiring during COVID period vide Public Notice No. 67 dated 31.03.2020. In their case 8 out of 10 licenses were not transmitted to custom systems and due to which they were not allowed to mention their Advance Authorisation details in the shipping bills. Subsequently the license were extended but they have shipping bills of same product to the same buyer, only a few days apart, with and without license number mentioned on the shipping bills. This request is for consideration of these shipping bills towards their fulfilment of EO against their Advance licenses which could not extended timely due to COVID related closures of DGFT offices. Hence they are requesting to consideration of these shipping bills towards their fulfilment of EO against their Advance licenses which could not extended timely due to COVID related closures of DGFT offices.

The Sipping bills are (1) 2531497, (2) 2865073, (3) 2979363, (4) 3059380, (5) 3563749, (6) 3846203, (7) 4020780, (8) 4114146, (9) 4174838, (10) 4266568, (11) 4489963, (12) 4547597, (13) 4552380, (14) 4654279, (15) 4702112, (16) 5248102, (17) 5346464, (18) 5498247, (19) 5548801, (20) 5666367, (21) 6731134, (22) 6908284, (23) 7003680, (24) 7110049, (25) 7158840, (26) 7225888, (27) 7440755, (28) 7439028, (29) 7684647, (30) 7690548, (31) 7782845, (32) 7842813, (33) 7842746, (34) 7977478, (35) 8061518, (36) 8112022, (37) 8243467, (38) 8354515, (39) 8483487, (40) 8741607, (41) 8896456, (42) 9184777, (43) 9189480, (44) 9235972, (45) 9247743, (46) 9256357, (47) 9257167, (48) 9247970, (49) 9405799, (50) 9522674, (51) 9623245, (52) 9952104, (53) 1132052, (54) 1317251, (55) 1370975, (56) 1450146, (57) 1479475, (58) 1602484, (59) 1639228, (60) 1775232, (61) 1839035, (62) 1917139, (63) 2037731, (64) 2090554, (65) 2135409, (66) 2189783, (67) 2217139, (68) 2476810, (69) 3324839, (70) 3798240, (71) 4894885, (72) 4905762 and (73) 4994129.

Decision: The Committee went through the statement made by the applicant and observed that due to COVID-19 Pandemic, the firm has faced the problem which was beyond their control. Therefore it decided to count the export made of above mentioned shipping bills towards fulfillment of EO against Advance Authorisations subject to fulfillment of the following conditions:-

i. Composition fee of Rs.200/-per shipping bill shall be imposed.
ii. Subject Shipping Bills should not be free shipping bill.
iii. All other relevant export documents like ARE-1, Invoice etc should also contain relevant file/license number.
iv. RA shall ensure that subject shipping bills have not been taken into account in any other Advance Authorization for discharge of export obligation.
v. The applicant would submit an affidavit-cum-indemnity bond in order to indemnify the Government for any harm or loss occurring due to utilization of these shipping bills towards fulfilment of EO against these Advance Authorisations.

The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 38 M/s. The Chemours India Pvt. Ltd., Gurgaon
F.no. HQRPRCAPPLY00003682AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Request for Relaxation of the actual user condition under para 2.10 of the FTP 2015-20.

The applicant stated that all the gases for which import authorization is requested by the applicant, the applicant's group companies itself is the manufacturer and as the applicant will be transacting only with the actual users in India therefore, the applicant is just acting as an intermediary between the actual user and the manufacture. As the demand for Chemours specific gases of each 'actual user' is insignificant. Hence they are requesting to relax the condition of 'actual user'and issue them the import authorization. Details justification attached alongwith the annexures.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to relax the actual user condition for grant of permission to import restricted item i.e.gases, to the firm against a License application to be considered by ILS with a condition to supply to actual users and ensure compliance to conditions imposed by Ozone Cell.

(Action: Applicant/ILS-Division)

Case No. 39 M/s. The Chemours India Pvt. Ltd., Gurgaon
F.no. HQRPRCAPPLY00003680AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Request for Relaxation of the actual user condition under para 2 .10 of the FTP 2015-20.

The applicant stated that all the gases for which import authorization is requested by the applicant, the applicant's group companies itself is the manufacturer and as the applicant will be transacting only with the actual users in India therefore, the applicant is just acting as an intermediary between the actual user and the manufacture. As the demand for Chemours specific gases of each 'actual user' is insignificant. Hence they are requesting to relax the condition of 'actual user' and issue them the import authorization. Details justification attached alongwith the annexures.
Decision: The Committee went through the submission made by the firm and discussed the matter at length and it decided to relax the actual user condition for grant of permission to import restricted item i.e.gases, to the firm against a License application to be considered by ILS with a condition to supply to actual users and ensure compliance to conditions imposed by Ozone Cell.

(Action: Applicant/ILS-Division)

Case No. 40 M/s. Shubhalakshmi Polysters Ltd., Gujarat
F.no. HQRPRCAPPLY00003675AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Relaxation for clubbing of 3 Advance Authorization nos. (5210042233 dated 17.04.2017, (ii) 5210043025 dated 05.04.2019 and (iii) 5210043097 dated 01.07.2019 for EODC Purpose.

This is review case of PRC Meeting No.18/AM22 dated 07.12.2021 (Case No.17) and No.13/AM23 held on 01.09.2022 (Case No.16). The applicant stated that the date of completion of export i.e. 19.08.2019 has been inadvertently written wrongly in their application dated 24.12.2022. The date should be 07.07.2020. Firm has requested to review their matter as it is a genuine case wherein they have fulfilled all their export obligation. Hence they are requesting to consider the export completion date 07.07.2020 which is the actual date.

Decision: The Committee reviewed and examined the case on the basis of submission provided by the applicant and observed that the firm has not submitted any cogent reason in support of their request for review the case. Accordingly it decided to maintain the earlier decision of PRC in its Meeting PRC Meeting No.18/AM22 dated 07.12.2021 (Case No.17) and No.13/AM23 held on 01.09.2022 (Case No.16).

(Action: Applicant)

Case No. 41 M/s. Prayag Polytech Pvt. Ltd., Gurgaon
F.no. HQRPRCAPPLY00003705AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Clubbing of 4 Advance Authorization No.(1) 0510415420 dated 06.10.2020, (2) 0510405892 dated 16.03.2018, (3) 0510400893 dated 21.12.2016 & (4) 0510401525 dated 07.02.2017.

The applicant stated that in August 2018, they have a dispute within the company between directors where of the directors were made accused in FIR and matter had gone to Court. Their company had earned a good reputation in exports till 2018 when the dispute in the company arose. Till such time, company was making exports to all the customers overseas worldwide under open credit as the customers were trustworthy and long relationship was there with all customers. Since the plant came to a standstill and due to the rumor of no further supplies, all customers moved out to other suppliers. Same were put under legal recoveries in buyer country and ECGC claim was requested on few of which are released to Bankers. The recovery of funds had taken very long and still in process meanwhile their company's bank account became NPA in 2019 as the bankers withdrew all the limits and put a debit freeze. All the circumstances resulted in getting production and export process to standstill for a period two consecutive years and their business activities stared again when the NCLT order was received on 13.02.2020. Advance Authorisation No.0510405892 dated 16.03.2018 was undergoing utilization for export obligation at the time when all the business activities were freezed.

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. 42 M/s. Sark Spice Products Pvt. Ltd., Kerala
F.no. HQRPRCAPPLY00003730AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Review of PRC Meeting No.14/AM23 held on 28.09.2022 (Case No.10) in the case of extension of EOP against Advance Authorization No.1010058476 dated 17.06.2014.

This is review of PRC Meeting No.14/AM23 held on 28.09.2022 (Case No.10). The applicant stated that decision for the Advance Authorisation No.1010058476 dated 17.06.2014, the EOP extension allowed only till 30.03.2016. But their last export shipment dated is 18.08.2016 as per the authorization. The first import consignment date is 25.06.2014 and last import consignment date is 25.08.2014. Their first export shipment dated is 13.11.2015 and last export shipment is 18.08.2016, but as per endorsed in the authorisation EOP is 90 days from the date of import consignment. But here their export started and completed outside the EOP (i.e. after one year from import consignment) due to pollution control issues in their factory and stop memo received from Kerala Pollution Control Board. Because of these issues they could export only after one year that they got relevant order from Kerala High Court. They were completely exported the relevant EO quantity. They required EOP extension till their last export shipment i.e.18.08.2016.

Decision: The Committee reviewed the case on the basis of statement made by the applicant and discussed the matter at length and it decided to defer the case for further examination.

(Action: Applicant)

Case No. 43 M/s. Chelsea Mills LLP., Haryana
F.no. HQRPRCAPPLY00003698AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Regularization of Special Advance Authorization No.0510408026 dated 09.10.2018.

The applicant stated that they have obtained the subject authorization under scheme 4.04A on repeated basis of the earlier approved norms for the same product. Further exports orders were received for export of same product declaring style 624766 /674431 /663111. The multiple style numbers for same product has nexus with the different country of destination and in order to avoid the multiple identity number for one product they have to re-named this product identity with their export code 126CF and have followed this No.126C of their Special Advance Authorisation application. Upon completion of EO they have submitted their application for issue of EODC but the same was rejected for want of post fixation of norms due to variation as explained above. Accordingly, as per the direction issued by RA they applied for post facto approval of Adhoc norms to SION Committee which was consequently rejected by the Committee in the meeting no.NC/5/MEET/Sep/202223/8 dated 22.09.2022. Since, the norms of the same product was approved by SION Committee repeated authorization under scheme code 4.04.A were issued and the nexus of product description was followed with export product code 126C as declared in all export documents as well as in shipping bills are in existence mutatis mutandis with the description given in the authorization be accepted for issuance of EODC on beasis of export code adopted by them.

Decision: The Committee having examined the submission made by the firm and discussed the matter at length and decided to defer the case and seek detailed report from RA, Concerned in the matter for taking the decision.

(Action: Applicant/CLA-New Delhi)

Case No. 44 M/s. Global Gourmet Pvt. Ltd., Vadodara
F.no. HQRPRCAPPLY00003695AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Condonation of delay in submission of physical copy of TMA application for the period 01.01.2021 to 31.03.2021 (F.No. AHDTMAAPPLY00034537AM22 dated 02.11.2021).

The application stated that they have submitted 2 online TMA applications on 29.11.2021 and have not submitted physical copy of application to RA. Because they have been informed that for applications less than 25 shipping bills, not to online upload shipping bill of ladings /commercial invoices and they have no need to submit these documents in hardcopy. Therefore, they submitted online application with attachment of self-attested copies of shipping bills/bill of ladings /commercial invoices. However, on follow up the RA denies to process without submission of hardcopy of the documents and now submission time of hard copy of one month is over. Hence, they are requesting for condonation of delay in submission of physical documents in RA of above mentioned TMA application period.

Decision: The Committee on the basis of submission made by the firm and discussed the matter at length. The Committee decided to accept the request for condonation of delay in submission of physical copy of TMA application for the period 01.01.2021 to 31.03.2021 (F.No. AHDTMAAPPLY00034537AM22 dated 02.11.2021). The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Vadodara)

Case No. 45 M/s. Krishna Exports, Gujarat
F.no. HQRPRCAPPLY00003696AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Condonation of delay in submission of physical copy of 2 TMA applications for the period (1) 01.10.2020 to 31.12.2020 (F.No. AHDTMAAPPLY00035970AM22 dated 29.11.2021) and (2) 01.01.2021 to 31.03.2021 (F.No. AHDTMAAPPLY00035973AM22 dated 29.11.2021).

The application stated that they have submitted 2 online TMA applications on 29.11.2021 and have not submitted physical copy of application to RA. Because they have been informed that for applications less than 25 shipping bills, not to online upload shipping bill of ladings /commercial invoices and they have no need to submit these documents in hardcopy. Therefore, they submitted online application with attachment of self-attested copies of shipping bills/bill of ladings /commercial invoices. However, on follow up the RA denies to process without submission of hardcopy of the documents and now submission time of hard copy of one month is over. Hence, they are requesting for condonation of delay in submission of physical documents in RA of above mentioned TMA application period.

Decision: The Committee went through the submission made by the firm and discussed the matter at length. The Committee decided to accept the request for condonation of delay in submission of physical copy of 2 TMA applications for the period (1) 01.10.2020 to 31.12.2020 (F.No. AHDTMAAPPLY00035970AM22 dated 29.11.2021) and (2) 01.01.2021 to 31.03.2021 (F.No. AHDTMAAPPLY00035973AM22 dated 29.11.2021). The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Ahmedabad)

Case No. 46 M/s. Insta Foods, Vadodara
F.no. HQRPRCAPPLY00003699AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Condonaiton of delay is submission of physical copy of TMA application for the period 01.01.2021 to 31.03.2021 (F.No.AHDTMAAPPLY00052297AM22 dated 28.03.2022).

The applicant stated that they have submitted online TMA application on 28.03.2022 and have not submitted physical copy of application to RA. Because they have been informed that for applications less than 25 shipping bills, not to online upload shipping bill of ladings /commercial invoices and they have no need to submit these documents in hardcopy. Therefore, they submitted online application with attachment of self-attested copies of shipping bills/bill of ladings /commercial invoices. However, on follow up the RA denies to process without submission of hardcopy of the documents and now submission time of hard copy of one month is over. Hence, they are requesting for condonation of delay in submission of physical documents in RA of above mentioned TMA application period.

Decision: The Committee on the basis of submission made by the firm and discussed the matter at length. The Committee decided to accept the request for condonation of delay in submission of physical copy of TMA application for the period 01.01.2021 to 31.03.2021 (F.No.AHDTMAAPPLY00052297AM22 dated 28.03.2022). The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Vadodara)

Case No. 47 M/s. Halal Exports, Varaval
F.no. HQRPRCAPPLY00003689AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Condonation for delay in submission of physical copy of 3 TMA applications for the period (1) 01.10.2020 to 31.12.2020 (F.No. AHDTMAAPPLY00027199 dated 11.09.2021), (2) 01.07.2020 to 30.09.2020 (F.No.AHDTMAAPPLY00023150 dated 23.08.2021) and (3) 01.01.2021 to 31.03.2021 (F.No.AHDTMAAPPLY00023151 dated 23.08.2021).

The applicant stated that they have submitted online application for all the above mentioned 3 TMA files. But they were not knowing policy that they need to submit physical copy of TMA applications to concerned RA within one month from the daqte of online submission of applications and RA has rejected their all above 3 TMA files with reason for delay in submission of physical copy of the application. Hence, they are requesting for condonation of delay in submission of physical copies in RA.

Decision: The Committee on the basis of submission made by the firm and discussed the matter at length. The Committee decided to accept the request for condonation of delay in submission of physical copy of 3 TMA applications for the period (1) 01.10.2020 to 31.12.2020 (F.No. AHDTMAAPPLY00027199 dated 11.09.2021), (2) 01.07.2020 to 30.09.2020 (F.No.AHDTMAAPPLY00023150 dated 23.08.2021) and (3) 01.01.2021 to 31.03.2021 (F.No.AHDTMAAPPLY00023151 dated 23.08.2021). The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Ahmedabad)

Case No. 48 M/s. GFive Mart (I) Pvt. Ltd., Bangalore
F.no. HQRPRCAPPL00003706AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Condonation for delay in submission of physical copy of TMA file No.BNGTMAAPPLY00039629AM22 dated 19.11.2021.

The applicant stated that they have submitted online TMA application on 19.11.2021 and they were not aware of submitting physical documents at RA. Since one year their application was in process on 12.09.2022 they have received mail that their application has been rejected due to non-submission of physical documents at RA. Hence, they are requesting for condonation for delay in submission of physical copy of TMA Application File No.BNGTMAAPPLY00039629AM22 dated 19.11.2021.

Decision: The Committee went through the submission made by the firm and discussed the matter at length. The Committee decided to accept the request for condonation of delay in submission of physical copy of TMA applications

File BNGTMAAPPLY00039629AM22. The firm shall approach RA concerned within 30 days of the uploading of the minutes of meeting.

(Action: Applicant/RA-Bangalore)

Case No. 49 M/s. ITC Limite, Secunderabad
F.no. HQRPRCAPPLY00003674AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Seeking Permission allowing to Export about 10MT of Eucalyptus wood chips under ITC HS code 44072900.

The applicant stated that they have 4 major paper and paperboard manufacturing facilities located at Bhadrachalam, Bollaram in Telangana State, Koval near Coimbatore in Tamilnadu and Tribeni in West Bengal State. Their Bhadrachalam unit has a pulping plant called BCTMP (Bleached Chemi Thermo Mechanical Pulp) plant which processes wood into pulp and supply the wood pulp to paper machines for manufacture of paper and paperboard. They are planning to set up additional capacity of BCTMP plant at Bhadrachalam unit to meet the global demand for packaging paperboards. In the process of pulping the wood logs are chipped, cooked and grinded /digested to make pulp for manufacture of paper and paperboards. The major raw material is eucalyptus wood and the major imported machinery for converting eucaluyptus wood into fiber for the existing BCTMP plant was supplied by M/s Valmet Technologies, Finland. India do not have technology to test desired properties of wood fiber while processing the work into pulp. For the proposed new BCTMP plant, they would like to export about 10 MT of Eucalyptus Wood Chips to M/s Valmet Fiber Technology Center, Sweden for the pilot trials. While referring to the export policy conditions for woods ITC HS code 44072900 of 2022 (assuming it is freely exportable). However, the schedule 2 of 2018 vide Sl.No.180 shows as prohibited for the HS codes 44072910 and 44072990. On verifying the same information in Custom /ICEGATE portal for HS Code 44072900 under section IX of Chapter 44 CTH description, the export policy condition is showing free, however when they checked this ITC HS description for further details, Compulsory Compliance Requirements – CCRs states that export product covered under this heading is prohibited as per Sl.No.180 of schedule 2 of export policy 2018. Hence, they are requesting to allow them to export of Eucalyptus Wood Chips as a onetime activity, without any restrictions, since the raw material exclusively to be exported for research and testing purpose and not for any commercial usage and it will be consumed in the R&D process.

Decision: The Committee discussed the matter at length and observed that no policy relaxation is involved in this case. Accordingly it decided to withdraw this case from PRC. Firm may approach in concerned division in the matter.

(Action: Applicant)

Case No. 50 M/s. Manorama Industries Limited, Mumbai

F.no. HQRPRCAPPLY00003867AM23
Meeting No.24/AM23 held on 27.12.2022

Subject: Review of PRC decision against 9 Advance Authorization No.(1) 0310832175 dated 11.10.2019, (2) 0310835606 dated 15.04.2020, (3) 0310839030 dated 20.10.2020, (4) 0310839179 dated 28.10.2020, (5) 0310835228 dated 05.03.2020, (6) 0310835285 dated 06.03.2020, (7) 0310835284 dated 06.03.2010, (8) 0310835605 dated 15.04.2020 and (9) 0310838991 dated 19.10.2020.

(a) To regularize the exports already made up to 31.12.2021 against each import consignment without any composition fee under the amnesty scheme provided under DGFT Notification No.28 dated 23.09.2021;

(b) To regularize further exports already made beyond EOP (90 days) against each import consignments beyond 31.12.2021 up to the original EOP without any composition on the unfulfilled EO (under the amnesty scheme provided under DGFT Notification NO.28 dated 23.09.2021.

(c) EOP extension for a further period of 90 days from the date of endorsement subject to payment of very minimal composition fee for regularization of shortfall.

This is review of PRC Meeting No.15/AM23 held on 19.10.2022 (Case No.86 to 90). The applicant stated that the composition fee of 1% per month is too high and unbearable for them to continue further exports and to operate the manufacturing unit located providing employment of weaker sector from nearby Tribal area. They have suffered huge impact for the following grounds (a) They had set up the unit on 27.07.2019 and first advance authorizations have been issued on 11.10.2019. The first import was made on 09.11.2019. (b) The FASSAI vide notification dated 27.07.2020 had notified reduced FFA content from earlier 2.50% to 0.25% specifications for their export product of Shea Stearine. It took more than 6 months to re-streamline their plant with additional machinery investment of more than Rs.8 Cr. To meet FASSAI revised parameters. (c) By the time got approval of samples their unit was very badly affected due to Corona Epidemics in the year 2020. Their entire production had come to stand still due to non-availability of workers and stoppage of export requirements in the international market. (d) They had faced further severe problem in complying with the condition of 90 days EOP against each import consignment under Appendix 4J for the export product of Shea Stearine which is only grown in 5 African countries of Ghana, Benin, Togo, Nigeria and Costo D'lvory from where India's total imports are 99%. (e) In these 5 African countries the Shea Nut crop is only during 3 months and import can be made into India only between November to March.
They have already suffered heavy revenue losses in the international market up to 2021 and have come to a neutral level in the current year of 2022 and will take one year to recover. We will only be able to survive if the very high composition fee amount is reduced to very minimum reasonable level in order continue provide employment to nearby tribal worker and to continue further imports of Shea Nut which can only be imported during the current season of November to March. In spite of all these they

have been able to increase their monthly production from 200 MT to 500 MT per month of export product of Shea Stearine and in future be able to make more exports.

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

(Action: Applicant)...

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