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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting
Held on 27.10.2023 under the Chairmanship of
Shri Santosh Kumar Sarangi, Director General of Foreign Trade

Meeting No.19/AM24held on 27.10.2023

The following members were present in the meeting:

1. Shri S.B.S Reddy — Addl. DGFT
2. Shri AkashTaneja — Addl. DGFT
3. Shri Anil Aggarwal — Addl. DGFT
4. Dr. S.K. Bansal — Addl. DGFT
5. Shri K.V.Tirumala — Jt. DGFT
6. Shri Randheep Thakur — Jt. DGFT

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

S. No	Name of the firm	Case No.
1.	M/s. Harish Exporter, Mumbai	1.
2.	M/s.Accent Microcell Ltd., Gujarat	2.
3.	M/s.Bharat Heavy Electrical Ltd., Bangalore	3.
4	M/s.Kanishka Collection, Delhi	4
5	M/s.VindasChemcals Industries Pvt. Ltd., Dhar	5
6	M/s. Techno Plast, Thane	6
7	M/s. Premium Ferromet Pvt. Ltd., Kolkata	7
8	M/s. Metallizing Equipment Co. Pvt. Ltd., Rajsthan	8
9	M/s.Davinci Leather Pvt. Ltd., Maraimalai Nagar	9
10	M/s. AvantikaMedex Pvt. Ltd., Ahmadabad	10
11	M/s. LS Automotive India Pvt. Ltd., Thiruvallur	11
12	M/s. Excel Drug House, Kolkata	12
13	M/s. JodasExpoim Pvt. Ltd., Medak	13
14	M/s. JodasExpoim Pvt. Ltd., Hyderabad	14
15	M/s. KemtheyllBiopharma Pvt. Ltd., Bangalore	15
16	M/s. Adiba Fashions, Maharashtra	16

17	M/s. G V Ventures, Mumbai	17
18	M/s. All Safe Industries, Kolkata	18
19	M/s. Ashish Life Science Pvt. Ltd., Palghar	19
20	M/s. Laxmi Organic Industries Limited, Mumbai	20
21	M/s. Laxmi Organic Industries Limited, Mumbai	21
22	M/s. Banco Products (India) Limited, Vadodara	22
23	M/s. ANAR Coir Pvt. Ltd., Chennai	23
24	M/s. UninovaPharma Pvt. Ltd., Mumbai	24
25	M/s. Gleam Business Pvt. Ltd., Kolkata	25
26	M/s. Sanchita Frozen Foods Private Limited, Mumbai	26
27	M/s. Anuh Pharma Limited, Mumbai	27
28	M/s. Ralson (India) Limited, Ludhiana	28
29	M/s. Ashish Life Science Pvt. Ltd., Palghar	29
30	M/s. Laxmi Organic Industries Limited, Mumbai	30
31	M/s. Laxmi Organic Industries Limited, Mumbai	31
32	M/s. ITO Global Polypack, Surat	32
33	M/s. Laxmi Organic Industries Limited, Mumbai	33
34	M/s. Sterile India Pvt. Ltd., New Delhi	34
35	M/s. Pokarana Engineered, Andra Pradesh	35
36	M/s. P S Steel Tubes private Limited, Chhattisgarh	36
37	M/s. Enaltech Labs Pvt. Ltd., Mumbai	37
38	M/s. United Inc, Gujarat	38
39	M/s. Om Chandra International, New Delhi	39
40	M/s. ITC Limited, Secunderabad	40

Case No. 01 **M/s. Harish Exporter, Mumbai.**

F.No.HQRPRCAPPLY00228029AM22

Meeting No.19/AM24 held on 27.10.2023

Subject: To modify MEIS / ROSCTL e-com module to enable to file eligible claim of Duty Credit license wherein they have opted to claim MEIS instead of higher ROSCTL claim

Applicant Statement: This is a defer case of PRC Meeting No.08/AM23 held on 28.06.2022 (Case No.12), wherein Committee refer the issue to PC-3 Division for its examination and resolution. Now PC-3 Division has furnished their comments in the matter. The applicant stated that their export products are eligible for MEIS as well as RoSCTL. They intend to claim RoSCTL benefits for the exports made by them from 01.08.2019 onwards. Apparently they observed that while making online application for RoSCTL claim, MEIS benefit of Rs.9,74,741/- granted for 6 shipping bills filed for the exports made during the period from 07.03.2019 to 31.7.2019 is getting deducted. They submit that MEIS benefit alone was claimed in respect of the 6 shipping bills and did not claim RoSCTL benefit for the said exports. Therefore, there is no double benefit that has been claimed by them. They understand that since MEIS benefit has been withdrawn retrospectively vide PN No.58 dated 29.01.2020, the same is getting deducted from the RoCSTL of the subsequent shipping bills being claimed now. Had they known about withdrawal of MEIS benefit retrospectively they would have filed shipping bills claiming RoSCTL benefit instead of MEIS benefit. In that case they would have been sanctioned RoSCTL which would be of higher amount than and the same would not have been deducted from RoSCTL being claimed for subsequent period.

Further stated that with respect to the 10 of the 16 shipping bills, where they tried to apply MEIS benefit amounting to Rs.18,96,360/-, where they have claimed only MEIS benefit and no RoSCTL benefit, the online portal initially showed MEIS benefit as ZERO for ITC HS code pertaining to garments and made-ups. However, in May 2021, they have been granted the benefit of MEIS in respect of 5 shipping bills (out of 10 shipping bills) for the export of products other than garments and made-ups. Hence, they are requesting to modify MEIS/ROSCTL e-com module to enable to file eligible claim of Duty Credit license wherein they have opted to claim MEIS instead of higher RoSCTL claim.

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

(Action: Applicant/PRC)

Case No. 02 **M/s. Accent Microcell Ltd., Gujarat**

F.No.HQRPRCAPPLY00000494AM24

Meeting No.19/AM24 held on 27.10.2023

Subject: Revalidation of MEIS scrip no. 3719017690 dated 11.02.2022, 3719017872 dated 12.03.2022 and 3719017873 dated 12.03.2022.

Applicant Statement: The applicant stated that though the subject MEIS licences printed on 11.02.2022 and 12.03.2022 by Kandla SEZ the same have been delivered to them only 13.10.2022. Immediately on receipt of MEIS they submitted same to Dahej SEZ for registration which they have forwarded to issuing authority Kandla for confirmation of genuineness of MEISs. Due to abnormal delay at various levels they could not use MEISs aggregating value of Rs. 73.45 lacs. In the competitive international market they exported goods at very thin margin and if they do not get these MEIS benefit, they will incur very heavy direct losses due to no fault of them. Hence they are requesting to allow one year revalidation against subject MEIS scripts. Report of Dahej SEZ was also seen.

Decision: The Committee after discussing the matter on the basis of justification submitted by the application, decided to defer the case and seek a detailed report from SEZ, Kandla for taking the decision.

(Action: Applicant/ SEZ, Kandla)

Case No. 03 M/s. Bharat Heavy Electrical Ltd., Bangalore

F.No.HQRPRCAPPLY00000659AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Revalidation of Advance Authorization No. 710084747 dated 16.12.2011.

Applicant Statement: The applicant stated that the project for which license has been taken is a prestigious project of Govt. of India with Govt. of Syria funded by Govt. of India, which has come under Force Majeure. Disturbances/bombings in Syria they arere taking place and the political and security situation had worsened. Armed rebels they are creating problems for BHEL officials from Syria. Project came under Force Majeure. Thus, all activities at site they are suspended. Extension was already approved by PRC and DGFT has already considered relaxation on grounds of genuine hardships and revalidated till 31.03.2022. The project is under resumption and various formalities are under process from Govt. of Syria and are taking time due to lots of procedures and approvals from concerned authorities. Hence they are requesting to allow revalidation and EOP extension till 28.02.2027 against subject license.

Decision: The Committee examined the case on the basis of the submission made by the firm and discussed the matter at length. The Committee noted that the request to allow the extension of export obligation period of Advance Authorisation No. 710084747 dated 16.12.2011 for project export is to be dealt by RA concerned in terms of Para 4.40 (b) HBP 2015-20. However, revalidation is not allowed in this case. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bangalore)

Case No. 04 M/s.Kanishka Collection, Delhi

F.No.HQRPRCAPPLY00000570AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: To allow ROSCTL claim against 16 shipping bills.

Applicant Statement : The applicant stated that they had made exports of readymade garments against 16 S/Bills under scheme code 60 and drawback for all the S/Bills was also granted on time. But due to technical issue of DGFT/EDI online website their above S/Bills they are not reflecting on DGFT Portal. They had emailed the concerned department again and again. Furthermore, they waited for some time for the concerned department to take action on its but they had not received any reply from them. Hence they are requesting to allow ROSCTL claim against 16 S/Bills.

Report of PC 3 was also seen.

Decision: The Committee discussed the case at length and found no merit or hardship in the arguments made by the firm. Accordingly, it decided to maintain rejection of the earlier decision of PRC Meeting No.03/AM 24 held on 12.05.2023 (Case No. 9).

(Action: Applicant)

Case No. 05 M/s.Vindas Chemical Industries Pvt. Ltd., M.P.

F.No.HQRPRCAPPLY00000084AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Waiver of condition as per Para 4.49(g)(i) against Advance Authorisation No.0310810216 dated 30.12.2016.

Applicant Statement: The applicant stated that they are enclosing Batch record sample sheet to show the actual consumption of the Lincomycin base and their claim is supported by a CA certificate confirming the full utilization of the 230 kgs base of Lincomycin in the production of export shipment of 350000 vials of Inj. Lincomycin 600mg/2ml as per their manufacturing license. Their import was 269.91 kg of LincomycinHcl equivalent to 230 kg base of Lincomycin and entire quantity was consumed in the production of export product. Hence they are requesting to allow waiver of condition as per para 4.49 (g) (i) against subject license.

Report received from RA, Mumbai was seen.

Decision: The Committee went through the statement made by the applicant along with the and noted that the firm is said to have used excess imports for the purposes of manufacturing. Accordingly, the Committee decided to waive the requirement of destruction certificate with the condition that the applicant would submit an affidavit/declaration in order to indemnify to the Government for any loss/misuse due to diversion of unregistered import materials to the domestic market that may be detected in future to Regional Authority. This will be allowed subject to payment of Rs. 10,000/- (Ten thousand only) as composition fee.

(Action: Applicant/RA-Mumbai)

Case No. 06 M/s. Techno Plast, Thane

F.No.HQRPRCAPPLY000000031AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: To allow MEIS application for FY 2020-21 & 2021-22 against Shipping Bill No. 7151605, 7617463, 8549638, 9422580 and 9406472.

Applicant Statement : The applicant stated that they apply for MEIS once in a year for separate port code and due to pending payment from the party, they could not apply for the MEIS for the entire year before due date 31.08.2022. Hence they are requesting to allow MEIS application for FY 2020-21 and 2021-22.

Report of PC 3 was also seen.

Decision: The Committee having examined the case on the basis of the submission made by the firm and discussed the matter at length. The Committee observed that due to delay in uploading the BRC the firm has faced the problem which was beyond their control. Accordingly, the Committee has decided to allow MEIS benefit against shipping bill whose realization has happened within time and e-BRC have been uploaded by the bank after 31.08.2022. 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, Mumbai /PC-3 division for necessary updation)

Case No. 07 M/s. Premium Ferromet Pvt. Ltd., Kolkata

F.No.HQRPRCAPPLY00000187AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Revalidation of MEIS scrip no. 0219110459 dated 01.04.2022.

Applicant Statement: The applicant stated that they applied for MEIS license on 21.03.2022 and they were issued MEIS scrip 0219110459 dated 01.04.2022 for Rs.36,02,495. Export was from FSEZ Non-EDI port INAKPS and scrip could not be downloaded. Mail was sent to DGFT on 12.07.2022 after necessary interventions and the order MEIS license was finally downloaded on 23.10.2022. MEIS license was sent to FSEZ for verification/registration and TRAO 15.03.2023. The validity of MEIS was up to 31.03.2023 and they had only one day left for utilisation as 30th March was Ram Navami and holiday. Hence they are requesting to allow revalidation of above mentioned MEIS.

Report of EGTF was also seen.

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.

(Action: Applicant)

Case No. 08 M/s. Metallizing Equipment Co. Pvt. Ltd., Rajasthan

F.No.HQRPRCAPPLY00000445AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: To allow MEIS benefit against 08 shipping bills shipping bill Nos. ((i) 6398894 dated 23.07.2018, (ii) 6652282 dated 03.08.2018(iii) 7374120 dated 05.09.2018, (iv) 5995604 dated 04.07.2018, (v) 7845901 dated 26.09.2018, (vi) 7881644 dated 28.09.2018, (vii) 9392996 dated 06.12.2018 and 2012510 dated 13.02.2019).

Applicant Statement: The applicant stated that they are manufacturers and exporters of Thermal Spray equipments, Blasting machine, Dust collectors and Spray booths, Electric control panels and spares and accessories based at Jodhpur, Rajasthan since a long time. They have exported goods against 8 shipping bills and payment was received by bank within the time. But e-BRCs have been uploaded by the bank very late i.e. only after the expiry of prescribed time limit. In spite of their repeated reminders, bankers have delayed in uploading BRCs on online, may be due to some or other technical issues at their level, which was beyond their control. But due to non availability of e-BRCs they could not submit MEIS application in time i.e. before the prescribed time limit of 28.02.2022. The last date for submitting online applications were 28.02.2022 as per Notification No.53 dated 01.02.2022. Hence they are requesting to allow MEIS benefit against 08 shipping bills.

Report of PC 3 was also seen.

Decision: The Committee examined the case on the basis of the submission made by the firm and discussed the matter at length. The Committee observed that due to delay in uploading the BRC the firm has faced the problem which was beyond their control.

Accordingly, the Committee has decided to allow MEIS benefit against shipping bill whose realization has happened within time and e-BRC have been uploaded by the bank after 28.02.2022 in terms of Notification No.53 dated 01.02.2022. 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-Jaipur/PC-3 division for necessary updation)

Case No. 09 M/s.Davinci Leather Pvt. Ltd., Maraimalai Nagar

F.No.HQRPRCAPPLY00000301AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Request to include manually amended shipping bill by customs, to the benefit of MEIS Script.

Applicant Statement: This is a defer case of PRC Meeting No.12/AM24 held on 03.08.2023 (Case No.43), wherein Committee decided to refer to PC-3 Division for seeking a report from Customs Department before taking the final decision. The matter was taken up. The entire submission made by the applicant was gone through. The applicant stated that they had exported one full container load consignment from Madhavaram CFS Chennai to Khalid Alurmaih Trade Est-Riyadh on 30th March, 2018 and failed to mentioned MEIS benefit in the S/Bill. The Hon'ble Madras High Court has issued directions (Order Dated: 21.02.2020 WP NO 4192/2020) to Customs regarding amendment of the S/Bills under Reward Scheme. Hence they are requesting to allow manually amended S/Bill by Customs to the benefit of MEIS Scrip.

Based on the Honourable Madras High Court direction the Customs Authority has issued a letter (S.Misc.713/2019-EDC-NOC (Pt.1) dated 14.10.2022 to the applicant approving the amendments but also stating that the said NOC is subject to outcome of Appeal filed by the Department against the Order dated 21.02.2020 (as stated in Para 5 of the said letter) . Amendment Order under Section 149 is not on record.

Decision: The Committee examined the case on the basis of the submission made by the firm and discussed the matter at length and noted that the matter is sub judice. The outcome of Appeal filed by Customs would need to be awaited. Applicant may approach DGFT as soon as they are able to obtain Amendment Order under Section 149 from Revenue Department. Matter is referred to PC-3 for sending communication to concerned Customs Authority/ DoR in this regard wrt the Court Order.

(Action: Applicant/PC-3)

Case No. 10 M/s. Avantika Medex Pvt. Ltd., Ahmadabad

F.No.HQRPRCAPPLY000004329AM23

Meeting No. 19/AM24 held on 27.10.2023

Subject: To allow MEIS benefit against 19 shipping bills. Nos. (1) 2542063 dated 03.05.2020, (2) 2558242 dated 05.05.2020, (3) 3024963 dated 05.06.2020, (4) 3222831 dated 16.06.2020, (5) 3480946 dated 29.06.2020, (6) 3677952 dated 08.07.2020, (7) 3890826 dated 18.07.2020, (8) 3890610 dated 18.07.2020, (9) 3941646 dated 20.07.2020, (10) 3940562 dated 20.07.2020, (11) 4130108 dated 28.07.2020, (12) 4314864 dated 06.08.2020, (13) 4372766 dated 10.08.2020, (14) 4372951 dated 10.08.2020, (15) 4549157 dated 18.08.2020, (16) 4534626 dated 18.08.2020, (17) 4668817 dated 24.08.2020, (18) 4668405 dated 24.08.2020 and (19) 4752863 dated 27.08.2020.

Applicant Statement: This is a defer case of PRC Meeting No.34/AM23 held on 09.03.2023, wherein Committee defer the case and ask the firm to submit revised detail of S/Bills showing the date of realisation and date of uploading the BRC by the Banker and also submit the copy of BRC, for taking the decision. The matter was taken up. The entire submission made by the applicant was gone through. They have applied BRC to the bank and submitted relevant documents to the concern banks, but due to corona pandemic they could not go physically for the follow up and matter had been pending at their end. However, when MEIS windows opened by the DGFT for claim they have tried application for the same and the same time they come to know that bank has not been uploaded BRC for which they already got the payment since long back in their bank account. After knowing the fact, they once again approached to the bank but due to staff transfer they once again asked for some documents and then their continuous follow up they have uploaded BRC on the site. In this connection while they get the BRC at the same time the MEIS claim window has been closed by the DGFT and theyare not able to file the claim. Hence they are requesting to allow MEIS benefit against 19 S/Bills.

Decision: The Committee having examined the case on the basis of the statement made by the applicant and discussed the matter at length. The Committee observed that due to delay in uploading the BRC the firm has faced the problem which was beyond their control. Accordingly, the Committee has decided to allow MEIS benefit against shipping bill whose realization has happened within time and e-BRC have been uploaded by the bank after 28.02.2022 in terms of Notification No.53 dated 01.02.2022. 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-Ahmedabad/PC-3 division for necessary updation)

Case No. 11 M/s. LS Automotive India Pvt. Ltd., Thiruvallur

F.No.HQRPRCAPPLY00000635AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 0410164322 dated 16.05.2018.

Applicant Statement: The applicant stated that they have made an application to the Office of Joint Director General of Foreign Trade, Chennai for granting an advance authorisation and an authorisation bearing File No. 04/21/040/00098/AM19 LIC No .0410164322 dated 16.05.2018 was issued. It is submitted that under the terms of the authorisation the export obligation of Rs. 117399766.50 Crores was fixed and around 51 % of the permitted imports were done and they were supposed to export proportional CIF import already made in discharge of the EO by 15.05.2020. It is submitted that during the month of November i.e.,09.11.2018, there was a major fire accident in factory due to which operations were halted to a very great extent. A Copy of the FIR is attached. It is submitted that however, due to the COVID -19 pandemic, they were not able to fulfil the export obligation during the period and also due to the reason, one Mr. M. Karthikeyan (Purchase Imports) who was in charge of the authorisation left employment on 14.10.2020 and the same was not properly handed over to his successor and thus, the existence of the authorisation was not known and despite the company having exports per the table below, the authorisation details were not captured while filing the Shipping Bill and thus the export obligation remained un-discharged. They received a Show Cause Notice vide ECA file No. CHNECAAPPLY 0000108AM 23 dated 22.02.2023 and it is only on receipt of the said notice did come to know of the authorisation and immediately they retrieved the same and realised that the period for discharge of the EO has expired. They have appeared and attended the Personal Hearing on 8.3.2023 with RA Chennai and on 03.04.2023 made an application to the Joint Director General of Foreign Trade, Chennai seeking permission of six months time to discharge the export obligation in as much as they do have sufficient export orders on hand so as to fulfil the export obligation. They however submit that the said authority expressed inability to grant six months. Hence they are requesting allow six month Extension in EOP against subject license.

<u>Decision:</u> The Committee reviewed its earlier decision taken in PRC meeting held on 13.06.2023 and examined the fresh submission made by the firm and discussed the matter at length. The committee noted that the reasons cited are force majeure and can be considered as a genuine hardship as per para 2.59 of FTP and decided to accede to the request and allowed EOP extension of Advance Authorization No. 0410164322 dated 16.05.2018 for a further period of 6 months from the date of endorsement subject to payment of composition fees as per policy provisions. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Chennai)

Case No. 12 M/s. Excel Drug House, Kolkata

F.No.HQRPRCAPPLY00000029AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Permit Application for TMA period of 3rd Quarter of 2019-20.

Applicant Statement: This is review case of PRC Meeting No.32/AM23 held on 24.02.2023 (Case No.51) wherein Committee reject the case. Now in the review application they have stated that they filed an incorrect application and when they realised mistake, they asked RA to cancel the application like they used to do in MEIS but here once applied and cancelled, again re application is not possible. Due to this they wrote to DGFT enough times and finally approached PRC when the software of TMA application changed, they found that reapplication is possible but on approval of PRC. The delay for late has happed due to covid-19 being there too. Hence they are requesting to allow relaxation and allow TMA for the 3rd Quarter of 2019-20.

Decision: The Committee heard and reviewed the case on the basis of statement made by the firm and observed that there is no merit in firm's contention. Hence, it decided to maintain the rejection of the earlier decision of PRC Meeting No.32/AM23 held on 24.02.2023 (Case No. 51).

(Action: Applicant)

Case No. 13 M/s. Jodas Expoim Pvt. Ltd., Hyderabad

F.No.HQRPRCAPPLY00000520AM24

Meeting No.19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization no. 0910061673 dated 09.03.2015.

Applicant Statement: This is a review case of PRC Meeting No.09/AM24 held on 07.07.2023 (Case No.37) wherein Committee reject the case. Now in the review application they have stated that during the initial EOP, they exports of 60.69% of total export obligation and in the month of February, 2019 they made exports of 13.15%. The total exports they are made in the license is 73.84%. They are unable to export the remaining quantity due to reasons beyond their control and proportionally there was shortfall of EO. Now export markets are positively accepting the said product with goods prices and they have got the orders for the product. Hence they are requesting to allow extension in EOP against subject license.

Decision: The Committee heard and reviewed the case on the basis of statement made by the firm and observed that there is no merit in firm's contention. Hence, it decided to maintain the rejection of the earlier decision of PRC Meeting No.09/AM24 held on 07.07.2023 (Case No. 37).Applicant may explore the option of the Amnesty Scheme.

(Action: Applicant)

Case No. 14 M/s. Jodas Expoim Pvt. Ltd., Hyderabad

F.No.HQRPRCAPPLY0000519AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization no.0910061672 dated 09.03.2015.

Applicant Statement: This is a review case of PRC Meeting No.09/AM24 held on 07.07.2023 (Case No.35) wherein Committee reject the case. Now in the review application they have stated that they are unable to export the remaining quantity due to reasons beyond their control and proportionally there was shortfall of EO. Now export markets are positively accepting the said product with goods prices and they have got the orders for the product. Now they are in a position to execute their export orders in order to fulfil the balance export obligation. Hence they are requesting to allow six months extension in EOP against subject license.

Decision: The Committee heard and reviewed the case on the basis of statement made by the firm and observed that there is no merit in firm's contention. Hence, it decided to maintain the rejection of the earlier decision of PRC Meeting No.09/AM24 held on 07.07.2023 (Case No. 35). Applicant may explore the option of the Amnesty Scheme.

(Action: Applicant)

Case No. 15 M/s. Kemwell Biopharma Pvt. Ltd., Bangalore

F.No.HQRPRCAPPLY00002599AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: To count the export of 3 Drawback shipping bill no. (i) 9594432 dated 22.08.2016, (ii) 9418750 dated 12.08.2016 and (iii) 2203380 dated 14.11.2016 under the Advance Authorization no. 0710109957 dated 15.06.2016 for regularization & discharge of EO.

Applicant Statement : The applicant stated that they are requesting to allow accounting of Shipping Bills filed under Duty Drawback Scheme into Advance License towards regularization and discharge of export obligation. They have converted their unit from EOU to DTA with effect from 01.08. 2016. Based on Stock available as on 31.03.2016 they have submitted the details of Central Excise as they as CSEZ and taken approval for transfer of stock from EOU Scheme to Advance License Scheme. They have applied Advance License vide File No. 07/21/040/00171/AM17 Dt. 23.05.2016 and they have got the Advance License No. 0710109957 dtd.15.06.2016. Also, they have executed the Ex-Bond Bill of Entry as on 30.06.2016 for stock available with them and approved from the Customs authorities. Final EOU exit letter received on 29.07.2016 from Central Excise and Final approval of Excise Registration amendment, they have started DTA transaction from 01.08.2016. During the time of conversion from EOU into DTA, all raw materials stock are debonded under Advance authorization to avail customs duty benefits. Immediately, after converting EOU to DTA, they could not able to file shipping bills under advance authorization as the Authorization Number was not linked in the Customs portal. Hence, they could able to filed some shipping bills under EOU shipping bill and 3 Shipping Bills under duty draw back scheme. They have filed below listed shipping bills under Draw back scheme instead of Advance License Scheme shipping Bill due to De-bonding Advance License Number details was not listed in the Customs portal to select the same. As they are an pharmaceutical contract manufacturer and their products are highly sensitive and to be stored into an agreed temperature controlled situations throughout the movements. Since the shipment moved to Bangalore Airport for customs clearances and while selecting Shipping Bill options, Advance License Number not reflected in ICEGATE Server. Due to important, urgency and also product storage conditions, they have selected one of the available options, since they do not have any other Advance License for that product, and they choose as Duty Drawback Scheme and filled the Shipping Bills and moved the consignments to meet the customers time line and also to avoid the delay. Later they have approached Customs for amendments, but customs authorities are rejected their request and suggested to approach DGFT, Bangalore accordingly. In turn DGFT Bangalore suggested to approach PRC committee. Finally, they have approached PRC committee and honourable committee accepted their request and approved to convert EOU Shipping Bills into Advance Licence Shipping Bills vide PRC reference File No. 01/60/162/759/AM20/PRC Meeting No.32/AM20 dated 25.02.2020 to account EOU Shipping Bill to De-bonding Advance License No. 0710109957 dtd.15.06.2016. Surprisingly, their request to convert DBK Shipping Bill filled during that period has not been taken into consideration for relaxation to convert into the same De-bonding A L No. 0710109957 dtd.15.06.2016. They have also remitted back the Drawback amount received for the below said SB along with applicable interest to Customs authorities. They also confirm and undertake that they have not considered below said Shipping Bills for any of the other Advance License and they will consider above said SB only for EODC of De-bonding A L No. 0710109957 DTD.15.06.2016 for export obligation discharge. Hence they are requesting to allow accounting of above said 3 Shipping Bills under A L No. 0710109957 DTD.15.06.2016 for regularization and discharge of export obligation and also allow to condone and grant relaxation as per Para 2.58 of FTP 2015-20.

The firm was granted personal hearing in PRC Meeting No. 21/AM23 held on 02.12.2023 (Case No. 29) but no one appeared on behalf of firm.

Decision: The committee went through the submission made by the applicant. After detailed discussion the Committee decided to maintain earlier decision of PRC in it's meeting No. 21/AM23 dated 02.12.2022 and PRC meeting No. 04/AM23 dated 11.05.2022.

(Action: Applicant)

Case No. 16 M/s. Adiba Fashions, Maharashtra

F.No.HQRPRCAPPLY00083551AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Request for issuance of MLFPS license pending for over 3 years.

Applicant Statement: This is defer case of PRC Meeting No. 34/AM23 held on 09.03.2023 (Case No.45) wherein Committee decided to defer the case and seek a status note from RA concerned for taking the decision. RA Mumbai have furnished their comments in the matter. The applicant stated that they are submitting their application for consideration in the Policy relaxation for issuance of MLFPS. They had applied for MLFPS in RA, Mumbai for item description woven scarves and stoles respectively which are covered under Chapter 62 i.e. under Article of apparel & clothing accessories. RA has raised a query regarding eligibility. They have submitted copy of a letter duly approved by the Synthetic & Rayon Textiles Export Promotion Council in which they have mentioned that Stoles, Scarves and articles of scarf etc. Which they have mentioned that Stoles, Scarves and articles of scarf etc which are articles of apparel and clothing accessories are also garments and may be classified as under Chapter 61 to 62. Hence they are requesting allow issuance of MLFPS license pending for over 3 years as mentioned above.

Decision: The Committee after going through the representation observed that no policy relaxation is involved in the case. Accordingly, this case stands withdrawn from PRC .

(Action:Applicant)

Case No. 17 M/s. G V Ventures, Mumbai

F.No.HQRPRCAPPLY00000639AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: To allow RoSCTL benefit against 32 shipping bills.

Applicant Statement: This is a review case of PRC Meeting No.11/AM24 held on 20.07.2023 (Case No.01), wherein Committee reject the case. The matter was taken up. The entire submission made by the applicant was gone through. The applicant stated that they are readymade garments exporter from MSME sector. They have received short amount of ROSCTL benefit for Rs.2032113/- Their finding is due to technical glitches at the time of filling ROSCTL application, unit of measurement is considered in dozens instead of number. Their shipping bills against drawback code number clearly mentioned unit of measurement (UOM) is in number. ROSCTL benefits considered according to the numbers and not dozens. Since, scrip was already fully utilized by the applicant it cannot be surrendered/cancelled. They have raised online complaint on 28.05.2021 but same has been in process. As the different amount is very huge they would request to issue supplementary license for the difference amount. They are facing financial crunch due to cancellation of several orders, delay of payment from customers, non-availability of raw materials, increase of yarn /fabric price, increase of labour charges for all job work process etc., because of this pandemic period. Hence, they are requesting to issue supplementary scrip of ROSCTL (for the balance amount of Rs.2032113/-) or allow them to file application for ROSL benefits in lieu of ROSCTL for short amount or allow them to file application of MEIS for certain shipment which they have not filed application to DGFT.
Report of PC 3 was also seen.

Decision: The Committee reviewed the case on the basis of justification furnished by the firm and found no merit in the request and hence decided to maintain rejection of the earlier decision of PRC Meeting No.11/AM24 held on 20.07.2023 (Case No.01).

(Action: Applicant)

Case No. 18 M/s. All Safe Industries, Kolkata

F.No.HQRPRCAPPLY00000755AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Revalidation of MEIS scrip no. 0219107702 dated 23.12.2021.

Applicant Statement: This is a review case of PRC Meeting No.12/AM24 held on 03.08.2023 (Case No.03) wherein Committee reject the case. The applicant stated that they are exporter of leather safety products for almost 13 years. In April 2022 there was an accidental death in the family and unfortunately they had to be home bound for some time. During absence they were shifting their office and misplaced few important files and documents in that process which included MEIS Scrip No.0219107702 dated 23.12.2021. While reconciling their S/Bills and licenses end of the financial year 2023, it was found that the above license has not be utilized and unfortunately the scrip validity had expired hence they have raised the request for revalidation. Hence they are requesting to allow 30 days revalidation against above said MEIS scrip.

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.

(Action: Applicant)

Case No. 19 M/s. Ashish Life Science Pvt. Ltd., Mumbai.

F.No.HQRPRCAPPLY000001939AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 0310838331 dated 16.09.2020.

Applicant Statement: The applicant stated that due to Corona pandemics during the year 2020, huge downfall in production and demand have been witness by India and every other overseas country(s), compelled to lower/stop productions as no requirement of their finished products, resulted in closures of their manufacturing units, lack of staff and high financial constraints. As a consequences execution of export orders in general, exports towards export obligation under advance authorisation in particular, has been deferred and thus they could not comply with export condition stipulated under Apendix-4J. Hence they are requesting to allow EOP extension against subject license.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly, it decided to accede to the request and allowed EOP extension up to 31.07.2022 against Advance Authorization No. 0310838331dated 16.09.2020 subject to payment of composition fees as per policy provisions. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 20 M/s. Laxmi Organic Industries Limited, Mumbai

F.No.HQRPRCAPPLY00002732AM24

Meeting No. 19AM24 held on 27.10.2023

Subject: Request for amendment of license from self – ratification scheme as per para 4.07 A of HBP to self-Declared authorization as per para 4.07 of HBP.

Applicant Statement: The applicant stated that Advance Authorisation Number - 0311008816 dated 24.11.2021 applied and obtained under Self Ratification Scheme. Licences issued as per para 4.07A have to comply with pre-import condition. They are not able to comply / fulfil the pre-import condition in the licence, hence they are applying to the PRC to kindly allow to amend the licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared authorization as per para 4.07 of HBP. They undertake to pay customs duty and interest in case norms are rejected or reduced against the Advance Licence. They have already fulfilled the export obligation and such amendment if accepted will enable them to regularise the licence as pre import condition will not be applicable to the licence under self-declaration scheme. Hence they are requesting to allow amendment of licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared Authorisation as per para 4.07 of HBP.

Decision: The Committee after discussing the matter on the basis of justification submitted by the application, decided to defer the case and call the firm for Personal Hearing as the facts of the case have not been clearly specified by them.

(Action: Applicant/PRC)

Case No. 21 M/s. Laxmi Organic Industries Limited, Mumbai

F.No.HQRPRCAPPLY00002730AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Request for amendment of license from self – ratification scheme as per para 4.07 A of HBP to self-Declared authorization as per para 4.07 of HBP.

Applicant Statement: The applicant stated that subject Advance Authorisation Number - 0311009117 dated 02.12.2021 applied and obtained under Self Ratification Scheme. Licences issued as per para 4.07A have to comply with pre-import condition. They are not able to comply / fulfil the pre-import condition in the licence, hence they are applying to the PRC to kindly allow to amend the licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared authorization as per para 4.07 of HBP. They undertake to pay customs duty and interest in case norms are rejected or reduced against the Advance Licence. They have already fulfilled the export obligation and such amendment if accepted will enable them to regularise the licence as pre import condition will not be applicable to the licence under self-declaration scheme. Hence they are requesting to allow amendment of licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared Authorisation as per para 4.07 of HBP.

Decision: The Committee after discussing the matter on the basis of justification submitted by the application, decided to defer the case and call the firm for Personal Hearing as the facts of the case have not been clearly specified by them.

(Action: Applicant/PRC)

Case No. 22 M/s. Banco Products (India) Limited, Vadodara

F.No.HQRPRCAPPLY00000498AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Seeking relaxation of interest on payment of customs duty for unfulfilled EO against Advance Authorization no. 3410046125 dated 05.06.2020.

Applicant Statement: The applicant stated that due to pandemic, the Company had, during the material period of export obligation, faced global slowdown in the economic activity particularly in the Engineering Sector resulting into cancellation/non-acceptance of Orders placed by overseas customers in export obligation period of the license. Company have achieved value addition in USD of 254 % but not able to complete the EO in terms of quantity. Further they were wait for revive of export orders for specific export products to fulfil the export obligation but that was not materialized. Hence they are requesting to allow relaxation and relief be provided by permitting the waiver of interest on Customs duty for unfulfilled export obligation against subject license.

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.

(Action: Applicant)

Case No. 23 M/s. ANAR Coir Pvt. Ltd., Chennai

F.No.HQRPRCAPPLY000002869AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 3211000383 dated 05.02.2021.

Applicant Statement: The applicant stated that they had obtained subject license to import Hydra Fibre Duty Free and make use in the manufacture of Coir Pith for export as per buyers specification. They have imported the quantity and made use in the manufacture of export item and exported the same and fulfilled EO till the month of February 2023 within the original EOP of license. As the buyer has requested to hold further shipment for want of demand, they could not complete the exports within the original EOP. They are unable to export the left over export item under above AA as the EOP elapsed in the month of Feb.2023. Hence they are requesting to allow One year EOP extension against subject 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 for a further period of 6 months from the date of endorsement against advance authorisation No. 3211000383 dated 05.02.2021 subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Chennai)

Case No. 24 M/s. Uninova Pharma Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY000002874AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 0310830599 dated 26.07.2019.

Applicant Statement: The applicant stated that above mentioned Advance License has been issued in Terms of P.C.9/2003. 1st Import has been made on 01.10.2019 vide Bill of Entry No. 5130220. Therefore, the EO Period is valid up to 01.10.2020. They have applied EOP Application for EO period up to 30.04.2021 in RA Mumbai as per Para 4.42 (d) of HBP, which is less than half of the stipulated export obligation period. But RA Mumbai has allowed them EOP up to 01.04.2021. Hence they are requesting allow EOP extension up to 30.04.2021 against subject license.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly , it decided to accede to the request and allowed EOP extension upto 30.04.2021 against advance authorization No. 0310830599 dated 26.07.2019 subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA- Mumbai)

Case No. 25 M/s. Gleam Business Pvt. Ltd., Kolkata

F.No.HQRPRCAPPLY0000495AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Revalidation of MEIS scrip no. 0219104057 dated 11.10.2021.

Applicant's statement: The applicant stated that they were awarded above MEIS license on 11.10.2021 but they were not able to take print of the above license because the DGFT server was not working since a long time. MEIS was accessed through internet explorer but has been shifted to Google chrome with effect from mid of My, 2023. During this transition, the site was inaccessible and hence they could not get a hard copy of the MEIS license. In the meantime the license got expired. The license got expired in the custody of DGFT and as per para 2.20 C of HBP this should be revalidated for the period of time the site was inaccessible or at least 6 months. Hence they are requesting to allow revalidation of the above mentioned MEIS scrip.
Report of PC 3 was also seen.

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.

(Action: Applicant)

Case No. 26 M/s. Sanchita Frozen Foods Private Limited, Mumbai

F.No.HQRPRCAPPLY00000663AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Request for acceptance of MEIS claim for the period 2015-16 & 2016-17.

Applicant's statement: This is review case of PRC Meeting No.03/AM24 held on 12.05.2023 (Case No.07), wherein Committee reject the case. The applicant stated that BRC uploaded detailed showing as USED on DGFT server and at the same time S/Bill shown as available. Since both are the contradictory to each other and they could not able to file application for MEIS within time limit. If they did not receive MEIS benefit, it is huge loss to their company and they are facing financial crunch after lock down. Due to technical error of DGFT server they were not able to submit their claim and therefore requested to review the decision of the Committee. Hence they are requesting to allow MEIS claim for the above mentioned period.

Decision: The Committee reviewed the case on the basis of justification furnished by the firm and found no merit in the request and hence decided to maintain rejection of the earlier decision of PRC Meeting No.03/AM24 held on 12.05.2023 (Case No.7).

(Action: Applicant)

Case No. 27 M/s. Anuh Pharma Limited, Mumbai

F.No.HQRPRCAPPLY00003245AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 0311002999 dated 01.04.2021.

Applicant Statement: The applicant stated that they have not received export order from Customer which were expecting, hence they cannot fulfilled the condition of the llicense. Now in the month of October they have received export order for export of product. Hence they are requesting to allow EOP extension against subject license for fulfil the Export Obligation against subject license.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly , it decided to accede to the request and allowed EOP extension for a further period of 6 months from the date of endorsement against advance authorization No. 0311002999 dated 01.04.2021 subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA- Mumbai)

Case No. 28 M/s. Ralson (India) Limited, Ludhiana

F.No.HQRPRCAPPLY00000527AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 3011001521 dated 15.12.2021.

Applicant's statement: The applicant stated that due worldwide effect of COVID-19 & current geopolitics, it is difficult for them to meet the export obligation in the stipulated time. They have requested to regularize their export as per Public Notice No.59/2015-2020 dated 28.02.2023. They were intended to prepare for coming times and projected strong demand in a similar manner. But unfortunately, during & after the second wave of Covid-19, the market completely slumped. There was hardly any new demand for Auto tyre/tubes in the export market. A lot of their orders got cancelled and many were put on hold as customers abroad were unsure of their domestic market scenarios. This meant a great disparity between projection& actual market demand. Hence, they are requesting to allow EOP extension against subject 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 upto 08.06.2023 against advance authorization No. 3011001521 dated 15.12.2021 subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Ludhiana)

Case No. 29 M/s. Ashish Life Science Pvt. Ltd., Palghar

F.No.HQRPRCAPPLY00002560AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 0311006182 dated 15.08.2021.

Applicant's statement: The applicant stated that Due to Corona pandemics during the year 2020, huge downfall in production and demand have been witness by India and every other overseas country(s), compelled to lower/stop productions as no requirement of their finished products, resulted in closures of their manufacturing units, lack of staff and high financial constraints. As a consequences execution of export orders in general, exports towards export obligation under advance authorization in particular, has been deferred and thus they could not comply with export condition stipulated under Apendix-4J. Hence they are requesting to allow Extension in EOP against subject license.

Decision: The Committee examined the statement made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly , it decided to accede to the request and allowed EOP extension up to 31.05.2024 against Advance Authorization No. 0311006182 dated 15.08.2021 subject to payment of composition fees as per policy provisions. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 30 M/s. Laxmi Organic Industries Limited, Mumbai

F.No.HQRPRCAPPLY00002740AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Request for amendment of license from self – ratification scheme as per para 4.07 A of HBP to self-Declared authorization as per para 4.07 of HBP.

Applicant's statement: The applicant stated that Advance Authorisation Number - 0311000450 dated 25.02.2021 applied and obtained under Self Ratification Scheme. Licences issued as per para 4.07A have to comply with pre-import condition. They are not able to comply / fulfil the pre-import condition in the licence, hence they are applying to the PRC to kindly allow to amend the licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared authorization as per para 4.07 of HBP. They undertake to pay customs duty and interest in case norms are rejected or reduced against the Advance Licence. They have already fulfilled the export obligation and such amendment if accepted will enable them to regularise the licence as pre import condition will not be applicable to the licence under self-declaration scheme. Hence they are requesting to allow amendment of licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared Authorisation as per para 4.07 of HBP.

Decision: The Committee after discussing the matter on the basis of justification submitted by the application, decided to defer the case and call the firm for **Personal Hearing** as the facts of the case have not been clearly specified by them.

(Action: Applicant/PRC)

Case No. 31 M/s. Laxmi Organic Industries Limited, Mumbai

F.No.HQRPRCAPPLY00002739AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Request for amendment of license from self – ratification scheme as per para 4.07 A of HBP to self-Declared authorization as per para 4.07 of HBP.

Applicant's statement: The applicant stated that Advance Authorisation Number - 0311008775 dated 23.11.2021 applied and obtained under Self Ratification Scheme. Licences issued as per para 4.07A have to comply with pre-import condition. They are not able to comply / fulfil the pre-import condition in the licence, hence they are applying to the PRC to kindly allow to amend the licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared authorization as per para 4.07 of HBP. They undertake to pay customs duty and interest in case norms are rejected or reduced against the Advance Licence. They have already fulfilled the export obligation and such amendment if accepted will enable them to regularise the licence as pre import condition will not be applicable to the licence under self-declaration scheme. Hence they are requesting to allow amendment of licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared Authorisation as per para 4.07 of HBP.

Decision: The Committee after discussing the matter on the basis of justification submitted by the application, decided to defer the case and call the firm for **Personal Hearing** as the facts of the case have not been clearly specified by them.

(Action: Applicant/PRC)

Case No. 32 M/s. ITO Global Polypack, Surat

F.No.HQRPRCAPPLY00003233AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Clubbing of Advance Authorization no. 5211001016 dated 20.07.2021, 5211004491 dated 27.03.2023 and 5211004537 dated 03.04.2023.

Applicant's statement: The applicant stated that they have applied for clubbing of authorization is getting fulfilled except as per para 4.38 of HBP 2014-2020, the clubbing provision specifies that license has to be issued within 18 months of earliest license. But as they were not aware above the said provision, they exported the goods genuinely against all advance authorization and import was done against single advance authorization. Considering this mistake they request for condone the delay in obtaining advance authorization and allow clubbing of above licenses. Hence they are requesting allow clubbing of Advance Authorization no. 5211001016 dated 20.07.2021, 5211004491 dated 27.03.2023 and 5211004537 dated 03.04.2023.

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.

(Action: Applicant)

Case No. 33 M/s. Laxmi Organic Industries Limited, Mumbai

F.No.HQRPRCAPPLY00002736AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Request for amendment of license from self – ratification scheme as per para 4.07 A of HBP to self-Declared authorization as per para 4.07 of HBP.

Applicant's statement: The applicant stated that Advance Authorisation Number - 0311018393 dated 06.10.2022 applied and obtained under Self Ratification Scheme. Licences issued as per para 4.07A have to comply with pre-import condition. They are not able to comply / fulfil the pre-import condition in the licence, hence they are applying to the PRC to kindly allow to amend the licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared authorization as per para 4.07 of HBP. They undertake to pay customs duty and interest in case norms are rejected or reduced against the Advance Licence. They have already fulfilled the export obligation and such amendment if accepted will enable them to regularise the licence as pre import condition will not be applicable to the licence under self-declaration scheme. Hence they are requesting to allow amendment of licence from self-ratification scheme as per para 4.07A of HBP to Self-Declared Authorisation as per para 4.07 of HBP.

Decision: The Committee after discussing the matter on the basis of justification submitted by the application, decided to defer the case and call the firm for **Personal Hearing** as the facts of the case have not been clearly specified by them.

(Action: Applicant/PRC)

Case No. 34 M/s. Sterile India Pvt. Ltd., New Delhi

F.No.HQRPRCAPPLY0002884AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 0510415575 dated 20.10.2020

Applicant's statement: The applicant stated that they could not export as per Norms fixed because their Norms fixed after expiring all export obligation period including the period of export obligation granted under para 4.42(d) of HBP. On dated 18.08.2023, they exported 20 kg of export under S/Bill No.3290079 for redemption purpose. Hence they are requesting to allow extension of EOP against subject 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 30.08.2023 against advance authorization No. 0510415575 dated 20.10.2020 subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 35M/s. Pokarana Engineered, Andra Pradesh

F.No.HQRPRCAPPLY00000018AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Waiver of condition 4 to the chapter heading 68109900 of import policy.

Applicant's statement: The applicant stated thatthey are manufacturers of quartz Surfaced slabs falling under Chapter Heading 68109900. They are having manufacturing facility at APSEZ, Achutapuram,Viskahapatnam, Andhra Pradesh. During the production process, nearly 15%-20% of production is second choice/export surplus or rejects apart from regular R & D trial production and remnants. Only option is to explore selling in the domestic market. However, selling in domestic market has become a major constraint due to the special condition set under import policy for product which is currently classified under CTH 68109900. However, import of rough block sand slabs of agglomerated / artificial stone shall be restricted. Import of processed tiles / slabs of agglomerated / artificial stones shall be permitted freely, provided CIF value US $ 50 and above per Square Metre. In view of the above, they are unable liquidate the material accumulated in the domestic market for the last thirteen years due to higher tariff including value Cap. Also note that they cannot sell second choice and irregular quality products in International Market as explained above. Hence they are requesting to allow exemption of Customs duty including value cap norms on existing and non saleable inventory on domestic tariff area sales and they are also requesting for relaxation of value cap norms on domestic sales permanently.

Comments of PC 2 were also seen.

Decision: The Committee went through the submission made by the applicant and discussed the matter at length and it decided to refer the case to PC-4 division for its examination, whether some Policy Provisions can be made.

(Action:Applicant/ PC-4 Division)

Case No. 36 M/s. P S Steel Tubes private Limited, Chhattisgarh

F.No.HQRPRCAPPLY00004356AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 0310829545 dated 11.06.2019.

Applicant's statement: This is a review case of PRC Meeting No.14/AM23 held on 28.09.2022(Case No.07) wherein Committee allowed six months EOP extension subject to payment of composition fee @ 1% per month. Now they have stated that they have received DL after 12 days on 20.12.2022, informing that they have not submitted EO Extension within 30 days from the date of uploading of Minutes as per PRC decision. In this regard they inform that their export orders were not finalized and confirmed by overseas buyer, even though EO Extension fees were huge amount Rs. 29,92,285/- for further 6 months and same has to be arrange. They have replied the query on 20.12.2022 against the DL raised 20.12.2022. Addl. DGFT, Mumbai again issued deficiency letter on 21.12.2022 that they mailed to PRC DGFT HQ seeking direction before considering EO Extension submitted beyond 30 days from the date of uploading of Minutes as per PRC decision. They have paid EO Extension Fees Rs14,15,180/- for further 3 months instead of 6 months. Hence they are requesting to review Condon the delay of EO Extension submitted beyond 30 days, and consider further 3 Months EO Extension from the date of endorsement to avoid loss in their export turnover.

Decision: The Committee examined the statement made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly, it decided to accede to the request and allowed EOP extension for a further period of 3 months from the date of endorsement against Advance Authorization No. 0310829545 dated 11.06.2019 subject to payment of composition fees as per policy provisions. The Committee also condoned the delay to approach RA against earlier PRC decision. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Mumbai)

Case No. 37M/s. Enaltech Labs Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY00003032AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: Extension of EOP against Advance Authorization No. 0310813961 dated 14.06.2017

Applicant's statement: The applicant stated that their PRC application had been approved during the meeting on 03.01.2023. The PRC had granted regularization, subject to the payment of a composition fee of 1%, and they had approached the concerned Regional Authority (RA) after 30 days, as per the guidelines. Regrettably, they were not made aware of this approval in a timely manner. Due to this oversight, they applied for a second EOP extension as per the PRC on 04.05.2023, along with all the necessary documents and payment of the composition fees as required. However, they were disheartened to learn that application for EOP extension was rejected by the Additional Director General of Foreign Trade (DGFT), Mumbai, citing that they applied after the stipulated 30-day period. They have already fulfilled export obligation, and the delay in seeking the EOP extension was purely due to a technical error and a lack of awareness regarding the prior approval. Therefore, they requested to allow condone the delay and accept the application for the Export Obligation Discharge Certificate (EODC) to rectify this situation. Hence they are requesting to allow further EOP extension against subject license.

Decision: The Committee reviewed and examined the case on the basis of justification provided by the firm and discussed the matter at length and decided to accede to the request of the firm for condonation of condition to approach RA for EOP extension within 30 days from the date of uploading of the minutes of meeting imposed by PRC in its meeting No.26/AM23 dated 31.01.2023 (Case no. 10). The other terms and conditions of the decision of PRC meeting shall remain same. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bangalore)

Case No. 38 M/s. United Inc, Gujarat

F.No.HQRPRCAPPLY00003249AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: To accept TMA Application no. AHDTMAAPPLY00049788AM22, AHDTMAAPPLY00042324AM22, AHDTMAAPPLY00028281AM22, AHDTMAAPPLY00029047AM22

Applicant's statement: The applicant stated that their TMA applications were rejected due to non submission of physical copy but as per system massage clearly said if the Nos. Of S/Bills are less than 25 than no need to submit the physical documents to concern RA but RA have rejected the application with reason that no physical copy submitted and also stating para 2.05 (A) of HBP. They have also send the documents on 18.04.2023 but till today no application were re-open para 2.05(A) of HBP and also they have not given change as per natural justice for personal hearing. Hence they are requesting to allow accept physical copy of TMA application as mentioned in the subject.

Comments of PC 3 were also seen.

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.

(Action: Applicant)

Case No. 39 M/s. Om Chandra International, New Delhi

F.No.HQRPRCAPPLY00000242AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: To allow Claim the RoSCTL against 29 shipping bills

Applicant's statement: The applicant stated that they are a regular exporter of readymade garments and exporting to various countries in the world. In 2019 there was an alert in their IEC at Custom that their IEC is a risky exporter. All the export incentives will be hold at custom due to this. In earlier their S/Bills are not online DGFT server, so that they are not claimed the ROSCTL, DBK, other incentives. After that they have regular visit to the concerned department they are forwarding all the documents to the Anti Evasion in GST Department. After that customs verified all the company details and releases the DBK. After that their S/Bills are online at DGFT server module. After releasing the S/Bills from customs when they filed the paper at DGFT Server the Pop up said that their IEC is not valid for this rendering of services. Hence they are requesting to allow claim the ROSCTL benefits against S/Bills.

Report of PC 3 was also seen.

Decision: The Committee having examined the case on the basis of the submission made by the firm and discussed the matter at length and observed that there is merit in the case. Accordingly, it decided to allow RoSCTL benefit against 29 shipping bills as mentioned above without any late cut. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action:Applicant/RA-CLA, Delhi/PC-3 division for necessary updation)

Case No. 40M/s. ITC Limited, Secunderabad

F.No.HQRPRCAPPLY00002837AM24

Meeting No. 19/AM24 held on 27.10.2023

Subject: To allow MEIS scrip against this ECOM application manually and advise the concerned RA, Hyderabad

Applicant's statement: The applicant stated that they made E-com application no 0288001079004910304 for MEIS scrip, against list of shipping bills. However at the time of payment & submission of application, the system didn`t allow to proceed further. Subsequently, the issue was raised with NIC and DGFT for resolution of the issue. For long time the issues remained unresolved. They also raised issue through DGFT help desk and case number 20210662324 was registered. Resolution Comment : Technical issue, contact : dgftedi@nic.in. Subsequently, it was advised by DGFT help desk to make a request to PRC. Hence they are requesting to allow apply for MEIS scrip against this ECOM application manually and advise the concerned RA, Hyderabad.

Decision: The Committee went through the submission made by the applicant and discussed the matter at length and it decided to refer the case to EGTF- Division for its examination.

(Action:Applicant/ EGTF- Division).