Date of Uploading 22 / 12 /2023

Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting Held on 12.12.2023 under the Chairmanship of Shri Santosh Kumar Sarangi, Director General of Foreign Trade

Meeting No.23/AM24held on 12.12.2023

The following members were present in the meeting:

1. Shri S.B.S. Reddy Addl.DGFT
2. Shri Akash Taneja Addl. DGFT
3. Shri Hardeep Singh Addl.DGFT
4. Shri Anil Aggarwal Addl.DGFT
5. Dr.S.K. Bansal Addl. DGFT
6. Shri S.C.Agarwal Add. DGFT
7. Shri Randeep Thakur Joint DGFT
8. Shri K.V. Tirumala Joint DGFT
9. Shri K.M. Harilal Joint DGFT

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

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2.	M/s. Swiss Parenterals Limited, Ahmadabad	2
3.	M/s. Mitech Bus Door Systems Pvt. Ltd., Tamil Nadu	3
4	M/s. Sun Pharmaceutical Industries Limited, New Delhi	4
5	M/s. Sun Pharmaceutical Industries Limited, New Delhi	5
6	M/s. BLS Polymers Limited, New Delhi	6
7	M/s. Shri Lakshmi Agro Foods Pvt. Ltd., Chennai	7
8	M/s. Shri Lakshmi Agro Foods Pvt. Ltd., Chennai	8
9	M/s. ITC Limited, Secunderabad	9
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11	M/s. Groz Beckert Asia Pvt. Ltd., Chandigarh	11
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16	M/s. Kundan and Zeya Limited Vs. Union of India (Through is Secretary) & Anr., Kundan Care Products Limited Vs. Union of India (Through The Secretary) & Anr. And JB Jewels and Metals LLP . Vs. Union of India (Through The Secretary) & Anr.	16

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Case No. 01 M/s. Bharat Heavy Electricals Limited, Hyderabad

F.No.HQRPRCAPPLY00000016AM24

Meeting No.23/AM24 held on 12.12.2023

Subject: Clubbing of Advance Authorizations no. 0910065863 dated 05.01.2018 and 0910066870 dated 16.11.2018.

Applicant Statement: The applicant stated that company was issued AA No.910065863 dated 05.01.2018 for duty free import of items for supply of export project "26 MW 11/33 KV Gas – Fired Power Plant, Calabar, Nigeria". The total number of import items is 174 and total export products are three. Norms committee has ratified the authorization. Subsequently, in detailed engineering, they had identified that 100 more imported items are to be added to the existing authorisation to manufacture the above end products. However, instead of applying for amendment of the authorisation for adding new items, as the items are more, a fresh application for new authorisation was submitted to RA Hyderabad and were issued AA No.0910066870 dated 16.11.2018. The total number of import items is 100 ad total export products are three. Since import items from both the authorisations put together contribute to the One Set of each export product, these two authorisation need to be clubbed for processing EODC. They have made application to Norms Committee for fixation of Norms on 16.05.2019. Norms Committee advised to approach PRC, as the matter required clubbing of both the AA. Hence they are requesting to allow clubbing of above mentioned AAs for EODC.

Decision: The Committee examined the case on the basis of submission made by the applicant and discussed the matter at length. The Committee noted that import items from both the authorisations put together contribute to one set of each export product. Accordingly, it decided to allow consideration of clubbing of Advance Authorizations no. 0910065863 dated 05.01.2018 and 0910066870 dated 16.11.2018 for EODC/redemption purpose only, subject to fulfilment of all other conditions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Hyderabad**)**

Case No. 02 M/s. Swiss Parenterals Limited, Ahmadabad

F.No.HQRPRCAPPLY00000109AM24

Meeting No.23/AM24 held on 12.12.2023

Subject: Waiver of Procedural requirement as per HBP against Advance Authorization no. 0811000371 dated 12.01.2021.

Applicant Statement: The applicant stated that they are submitting a request for relaxation for re-export of 2000 kg of Cefuroxime Sodium Sterile imported against subject license against B/E No.2435032 dated 20.01.2021 under the provisions of Para 4.42 of HBP which permits re-export of goods imported against AA in case they are of no use to the imported. As the imports have been made under Policy Circular No.9 dated 30.06.2003 and PC No.15 dt 17.09.2003, RA, Ahmadabad has no powers to permit re-export of goods imported against their subject License. As such they have stated that a quantity of 2000 kg of Cefuroxime Sodium Sterile for a CIF value of Rs. 227,18,000 was imported under PC No.9 dated 30.06.2023 and No.15 dt 17.09.2003 from registered and approved Drug Manufacturers, for export of

Cefuroxime Sodium Injection. The export of finished drug was to be exported within 6 months from the date of B/E. Unfortunately due to Corona epidemics during the year 2021 and 2022 they had lost their export orders from various buyers and even now are unable to get any export orders for use of this imported item. Hence they are requesting to allow relaxation for re-export of 2000 kg of Cefuroxime Sodium Sterile imported against subject license against B/E No.2435032 dated 20.01.2021

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. 03 M/s. Mitech Bus Door Systems Pvt. Ltd., Tamil Nadu

F.No.HQRPRCAPPLY00000371AM24

Meeting No.23/AM24 held on 12.12.2023

Subject: To allow MEIS benefits for the year 2015-16, 2016-17, 2017-18, 2018-19, 2019-20 & 01.04.2020 to 31.08.2020.

Applicant's statement: The applicant stated that they have not availed the MEIS benefits for the above mentioned years due to delay in uploading EBRC's to DGFT website by the Bankers. They have timely submitted the export documents to the home branch bank still before the Corona period without receiving any acknowledgement from them. The bankers of their home branch misplaced the documents from their side. Home branch bankers requested to the company to resubmit the export documents once again, has the documents submitted earlier are misplaced which they have again submitted on 04.08.2021. After all this communications and several time of reminding the Overseas Branch issued the EBRs in 09.06.2022 and 13.06.2022 for the latest S/Bills pertaining to the period April 2020 to August 2020. The reaming EBRCs were also issued. Hence they are requesting to allow MEIS benefits for the period mentioned in the subject.

Comments of PC-3 Division was also seen.

Decision:Decision: The Committee 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 benefits against shipping bills whose realization has happened within time and e-BRC have been uploaded by the bank after stipulated time. 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-Chennai/PC-3 division for necessary updation)

Case No. 04 M/s. Sun Pharmaceutical Industries Limited, New Delhi

F.No.HQRPRCAPPLY0001475AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0510406578 dated 23.05.2018.

Applicant Statement: The applicant stated that they have completed the EO in terms of value and quantity, they have exported more than 87% & 32% respectively within the initial validity period i.e. 12 months from the date of import and remaining quantity exported within the next 6 months from the date of import and remaining quantity exported within the next 6 months. They approached to concern RA to consider their request for regularization of export beyond the initial validity taking the plea of above said PN 59 but RA rejected the case. Hence they are requesting to allow extension of EOP 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 and allowed EOP extension upto 31.05.2020 of Advance Authorization No. 0510406578 dated 23.05.2018 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-CLA, New Delhi)

Case No. 05 M/s. Sun Pharmaceutical Industries Limited, New Delhi

F.No.HQRPRCAPPLY00001804AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0511001676 dated 17.03.2021.

Applicant Statement: The applicant stated that they have completed the EO in terms of value and quantity, they have exported more than 35% & 130% respectively within the initial validity period i.e. 12 months from the date of import and remaining quantity exported within the next 6 months from the date of import and remaining quantity exported within the next 6 months. They approached to concern RA to consider their request for regularization of export beyond the initial validity taking the plea of above said PN 59 but RA rejected the case. Hence they are requesting to allow extension of EOP 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 and allowed EOP extension upto 31.12.2022 of Advance Authorization No. 0511001676 dated 17.03.2021 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-CLA, New Delhi)

Case No. 06 M/s. BLS Polymers Limited, New Delhi

F.No.HQRPRCAPPLY00005978AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Revalidation of Advance Authorization no. 0511003468 dated 05.07.2021.

Applicant Statement : This is a review case of PRC Meeting No.13/AM24 held on 31.08.2023 (Case No.09) wherein Committee reject the case. Now in the review application the applicant stated that they had obtained above said license from RA Delhi for export of HDPE compound under no-norms category. They are exporting HDPEcompound products from past 15 years and never such incident happened with other cases except the above said license. However, they had fulfilled EO up to 70% but import wise it is up to 40%. Status import validity up to 05.07.2022 1st extended import validity up to 05.07.2023 taken export validity (18 months) 05.01.2023 1st EO extension up to 6 months 05.07.2023 taken. As they have made their costing on the export items based on the duty free import material, the balance materials are to be imported. On account of Covid-19 and ongoing Ukraine War, many export orders were cancelled as well as supplier had not supplied as per their demand on the time and they could not import the full qty during this period. Hence they are requesting to allow revalidation of above said license.

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. 07 M/s. Shri Lakshmi Agro Foods Pvt. Ltd., Chennai

F.No.HQRPRCAPPLY00003629AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Waiver of Procedural requirement as per HBP against Advance Authorization no. 0410163065 dated 05.05.2017.

Applicant Statement: This is a review case of PRC Meeting No.13AM24 held on 31.08.2023 (Case No.7) wherein Committee reject the case. Now the applicant stated that they had obtained subject licensefrom RA, Chennai for import and export of pulses falling under Chapter 07 of ITC. As per conditions of the authorization, they have made imports first, processed and then exported within time period specified i.e. 90 days. They have completed the export obligation quantity wise and submitted documents for redemption and received a deficiency letter dated 21.7.2023 indicating shortfall in value addition and asking them to regularize the same as per para 4.05 read with para 4.49 of HBP. Due to some market conditions, they were able to achieve a value addition of 8.91% in FCC terms against stipulated VA of 15% due to the prices for these items were higher. The export order received subsequently at lesser selling price and suddenly downfall in the export prices was not expected. AAs were obtained based on export orders for that month and imports were also done and processing started. Suddenly the overseas buyer agreed to take only on the revised and reduced prices. The items covered under AA (pulses under Chapter 07 of ITC) were considered as prohibited category when the authorization was issued and hence para 4.05 condition was imported. They have fulfilled all conditions imposed in Advance Authorization i.e. pre-import condition, exports within period specified etc. Due to reasons beyond their control they couldn't achieve 15% value addition but still achieved 9%. Hence they are requesting to allow Waiver of Procedural requirement as per HBP against Advance Authorization no. 0410163065 dated 05.05.2017.

Decision: The committee went through the statement made by the firm in its application and decided to refer the case to PC-4

(Action: Applicant/PRC)

Case No. 08 M/s. Shri Lakshmi Agro Foods Pvt. Ltd., Chennai

F.No.HQRPRCAPPLY00003630AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Waiver of Procedural requirement as per HBP against Advance Authorization no. 0410163273 dated 27.06.2017.

Applicant Statement: This is a review case of PRC Meeting No.13AM24 held on 31.08.2023 (Case No.6) wherein Committee reject the case. Now the applicant stated that they had obtained subject licensefrom RA, Chennai for import and export of pulses falling under Chapter 07 of ITC. As per conditions of the authorization, they have made imports first, processed and then exported within time period specified i.e. 90 days. They have completed the export obligation quantity wise and submitted documents for redemption and received a deficiency letter dated 21.7.2023 indicating shortfall in value addition and asking them to regularize the same as per para 4.05 read with para 4.49 of HBP. Due to some market conditions, they were able to achieve a value addition of 5.95% in FCC terms against stipulated VA of 15% due to the prices for these items were higher. The export order received subsequently at lesser selling priceand suddenly downfall in the export prices was not expected. AAs were obtained based on export orders for that month and imports were also done and processing started. Suddenly the overseas buyer agreed to take only on the revised and reduced prices. The items covered under AA (pulses under Chapter 07 of ITC) were considered as prohibited category when the authorization was issued and hence para 4.05 condition was imported. They have fulfilled all conditions imposed in Advance Authorization i.e. pre-import condition, exports within period specified etc. Due to reasons beyond their control they couldn't achieve 15% value addition but still achieved 5.95%. Hence they are requesting to allow Waiver of Procedural requirement as per HBP against subject Advance Authorization.

Decision: The committee went through the statement made by the firm in its application and decided to refer the case to PC-4

(Action: Applicant/PRC)

Case No. 09 M/s. ITC Limited, Secunderabad

F.No.HQRPRCAPPLY000156626AM22

Meeting No. 23/AM24 held on 12.12.2023

Subject: To allow MEIS benefit against 05 Shipping bills.

Applicant Statement: This is review case of PRC Meeting No.12/AM24 held on 03.08.2023 (Case No.42) wherein Committee reject the case. Now the applicant stated that they made application for MEIS Scrip, against 5 S/Bills however at the time of payment and submission of application the system did not allow them to proceed further. Subsequently, the issue was raised with NIC and DGFT for resolution of the issue which was resolved and advised them to approach PRC. Due to system error they could not submit the same. For long time the issues remained unresolved. Hence they are requesting to allow to apply for MEIS scrip against this ECOM application manually and advised the concerned RA.

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. 10 M/s. Rain CII Carbon (VIZAG) Limited, Andra Pradesh

F.No.HQRPRCAPPLY0000003270AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Waiver of Procedural requirement as per HBP against Advance Authorizations no. 2611000952 dated 25.05.2023, 2611000953 dated 25.05.2023 and 0911005285 dated 27.06.2023

Applicant Statement: The applicant stated that they are manufacture Calcined Petroleum Coke (CPC) in two units located at Visakhapatnam, AP one is in Domestic Tariff Area (DTA Unit) and another is a SEZ Unit. The DTA unit has been in operation since 1998 and has been eligible for import of Raw Petroleum Coke under import license issued by DGFT. Whereas SEZ Unit was still under construction at the time of Hon'ble Supreme Court's order dated 09.10.2018 and therefore could not get allocation of RPC from DGFT Unit date. Hence the SEZ Unit purchased RPC from domestic refineries and commenced commercial operations. The SEZ Unit uses vertical shaft kiln technology to improve density and the flue gases evolved during the calcinations process are treated in a flue gas desulfurization (FGD) system to scrub sulphur dioxide (SO2) with a scrubbing efficiency of more than 98% to ensure clean environment. To ensure the continuous manufacture and export of high density CPC by the SEZ Unit they had sought approval from DGFT to undertake sub contracting/job work for their DTA Unit and DGFT had granted the requisite approval/clarification to undertake the subcontracting/job work for DTA unit by their SEZ Unit in accordance with Rule 43 of the SEZ rules, 2006 on the basis of annual permission from the Specified officer for export purpose. There is accumulation of over 3000 tonnes of such CPC fines at their SEZ Unit which needs to be disposed of immediately as such space in the plant remains unproductive and consuming their main storage space of CPC and RPC. Under these circumstances they have approached the jurisdictional Development Commissioner who advised to approach PRC so as to clear the CPC fines from their SEZ Unit. Hence they are requesting to allow Waiver of Procedural requirement as per HBP against Advance Authorization no. 2611000952 dated 25.05.2023, 2611000953 dated 25.05.2023 and 0911005285 dated 27.06.2023.

<u>Decision</u>: The Committee examined the case on the basis of submission made by the firm and discussed the matter at length. The Committee noted that it is not a PRC matter. The firm may approach SEZ Divison, Department of Commerce for resolution.

(Action: Applicant)

Case No. 11 M/s. Groz Beckert Asia Pvt. Ltd., Chandigarh

F.No.HQRPRCAPPLY000003259AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Revalidation of 14 MEIS scrip number.

Applicant Statement: The applicant stated that the technical glitches/server issues were faced at the Customs port by the Customs officials at the time of making the payment of Customs duty towards the import of goods. It is impossible for them to provide any screenshot of technical glitches/server issues faced by the Customs official. Moreover, it was unforeseen that such evidence may be required at a future date. The applicant is a Chandigarh based entity and the ports were at Dadri and Delhi Air Cargo. The moment there were technical glitches, as reported by the Customs officials, the applicant had to ensure that the payment of customs duty was made through cash to clear the consignment at the earliest as an alternative. Had these issues not been faced, the applicant could have made use of these scrips, the sole purpose of which was to pay customs duty only. Hence they are requesting to allow three month revalidation of 14 MEIS scrip for utilization.

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. 12 M/s. Esquire Multiplast Pvt., Kerala

F.No.HQRPRCAPPLY0000386AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Revalidation of Advance Authorization no. 1011000088 dated 16.02.2021.

Applicant Statement: This is a review case of PRC Meeting No.11/AM24 held on 20.07.2023 (Case No.02) wherein Committee refer the case to PC-4 Division for its examination in terms of para 4.47 of HBP. The matter was taken up. The entire submission made by the applicant was gone through. The applicant stated that they have been granted this authorization on SION basis for import of Polypropylene granules against export of Article made out of polypropyleneAssorted House Hold Plastic Articles under SION NO.H30 by RA Cochin. They have opted prior export options and after completing export obligation, obtained prorate enhancement of qty and value with bond waiver and revalidation up to 16.02.2023 for completing the import entitled based on the actual exports made. Due to price fluctuation and unpresidential financial difficulties, they could completed only 36.89% of actual import eligibility within the validity period of this license. As per the amended license they are eligible to import balance qty of polypropylene 254.002 MT. In order to utilize the balance qty they are seeking a onetime revalidation for further six months from the date of approval. Hence they are requesting to allow six months revalidation against subject license.

Comments of PC-4 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. 13 M/s. Minagold Jewels Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY0004646AM24

Meeting No.23/AM24 held on 12.12.2023

Subject: Re-import of Unsold Jewellery Sent for Exhibition under para 4.80(C)(i)(a) of HBP.

Applicant Statement: This case was last considered in PRC Meeting No.11/AM24 held on 20.07.2023 (Case No.12) wherein Committee reject the case. In this review application they have stated they had participated in 50th Watch & Jewellery Middle East Show 2022 in Sharjah, UAE terms of para 4.46 of FTP read with Para 4.80 of HBP after taking permission from GJEPC, Mumbai. During the show they immediately come back after the show without the goods as some purchasers were interested in some jewellery pieces. Thereafter, he consulted several doctors and ultimately on 28.10.2022 he was strictly told to avoid travel. Now as per Para 4.80 of the HBP goods not sold abroad were to be re-imported within 60 days of close of the show i.e. by 08.12.2022 which could not be done as he could not travel during the period because of medical history. Hence they are requesting to allow extension of 45 days to get the unsold goods back from UAE from the date of the PRC Meeting.

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. 14 M/s. Ocean healthcare Pvt. Ltd., Chennai

F.No.HQRPRCAPPLY0005979AM24

Meeting No.23/AM24 held on 12.12.2023

Subject: Extension of EOP against advance Authorization no. 0411001295 dated 11.08.2021.

Applicant Statement: The applicant stated that they have already availed the first EO extension for the above said authorization from their RA Chennai and has the product falls under Appendix 4J. They have imported Alpha Lipoic Acid 200 kgs vide B/E 5042948 dated 13.08.2021 out of this they have exported the quantity of 183.443 kgs and remaining 16.557 kgs is in production process towards the purchase order. Due to covid pandemic condition in 2021 their client has executed the purchase order in split and slow process. Hence they are requesting to allow EOP extension against subject license.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0411001295 dated 11.08.2021 for a further period of 6 months from the date of endorsement subject to payment of composition fee 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. 15 M/s. Khanna Paper Mills Limited, Amritsar

F.No.HQRPRCAPPLY00005982AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Revalidation of 4 MEIS scrip numbers

Applicant Statement: The applicant stated that the subject MEIS scrip issued from RA DGFT, LUDHIANA and the validity of these licenses has expired on 22.01.2022, 15.07.2022, 28.07.2022, 17.08.2022. The above 4 MEIS Scrips not transferred to the jurisdiction customs authority for registration to utilize the same. The reason for non-utilization of these 4 MEIS Scrips is that the concern person who is taking care of the licenses the PC system of that person is collapsed and all the data is erased, and before recovery of all the data, the MEIS licences got expired before its utilization. Due to reason being the MEIS licence scrip are not utilized. Further as per the Notification No. 79/2022-customs validation and utilization of E-Scrips have increased to 2 years for the users of all the E-Scrips that are pending for utilization on the system on the date of issuance of the electronic duty credit ledger (Amendment) Regulation 2022. Hence they are requesting to allow two years revalidation up to 17.08.2024 against subject 4 MEIS scrip.

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. 16 M/s. Kundan and Zeya Limited Vs. Union of India (Through The Secretary) & Anr., Kundan Care Products Limited Vs. Union of India (Through The Secretary) & Anr. And JB Jewels and Metals LLP . Vs. Union of India (Through The Secretary) & Anr.

F.No.01/89/180/05/AM-18/PC-2(A)/E-1749

Meeting No. 23/AM24 held on 12.12.2023

Subject: Order dated 22.11.2023, passed by Hon'ble High Court of Delhi, in W.P. (C) 15088 / 2023 & C.M. Nos. 60285-60286/2023 in matter of Kundan and Zeya

Limited Vs. Union of India (Through its Secretary) & Anr., and W.P. (C) 15092/2023 & C.M.Nos. 60293-60294/2023 in matter of JB Jewels and Metals LLP Vs. Union of India (through its Secretary) & Anr.

Applicant Statement: The submissions were gone through. As per the Hon'ble Court's Order dated 22.11.2023, "counsel for the parties are in agreement that as the petitioners have filed applications before the Policy Relaxation Committee seeking relaxation of para 1.05(b) of Chapter-1 of the Foreign Trade Policy to the imports in question, the present writ petitions be treated as representations of the petititioners to the Policy Relaxation Committee. Accordingly, with consent of the parties, the present writ petitions are directed to be treated as representations to the Policy Relaxation Committee, who in turn, is directed to pass reasoned orders in accordance with law within three weeks. In the event, the Policy Relaxation Committee wants any clarification and /or additional documents, it shall be at liberty to ask for the same, and the petitioners would provide the same forthwith. In view of the above, present writ petitions along with the applications stand disposed of." The Court clarified that it has not expressed any opinion on the merits of the controversy. The rights and contentions of all the parties are left open.

Decision: The committee went through the order made by Hon'ble High Court of Delhi and decided to call the firm for **Personal Hearing**.

(Action: Applicant/PRC)

Case No. 17 **M/s. Lam N Fab metals Throuth ITS Proprietor, Mr. Hemant Jindal Vs. Union or India Through the Secretary & Anr.**

F.No.**01/60/162/37/AM24/PRC**

Meeting No. 23/AM24 held on 12.12.2023

Subject: Writ Petition before Delhi High Court : W.P. (C) 15461/2023 & CM APPL. 61960- 61961 / 2023.

Applicant Statement: : The submissions were gone through. As per the Hon'ble Court's Order dated 22.11.2023, "counsel for the parties are in agreement that as the petitioners have filed applications before the Policy Relaxation Committee seeking relaxation of para 1.05(b) of Chapter-1 of the Foreign Trade Policy to the imports in question, the present writ petitions be treated as representations of the petititioners to the Policy Relaxation Committee. Accordingly, with consent of the parties, the present writ petitions are directed to be treated as representations to the Policy Relaxation Committee, who in turn, is directed to pass reasoned orders in accordance with law within three weeks. In the event, the Policy Relaxation Committee wants any clarification and /or additional documents, it shall be at liberty to ask for the same, and the petitioners would provide the same forthwith. In view of the above, present writ petitions along with the applications stand disposed of." The Court clarified that it has not expressed any opinion on the merits of the controversy. The rights and contentions of all the parties are left open.

Decision: The committee went through the order made by Hon'ble High Court of Delhi and decided to call the firm for **Personal Hearing**.

(Action: Applicant/PRC)

Case No. 18 M/s. Sterile India Pvt. Ltd., New Delhi

F.No.HQRPRCAPPLY00000354AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Closure of Advance Authorization no. 0511012466 dated 11.05.2022.

Applicant Statement: The applicant stated that they had exported against Invalidation letter issued and two payments are received in INR. Bank has issued e-BRC which they are not able to attach at the time of filing closure application with the particular invoice. Reason being there is mismatch of invoice no. and invoice no. mentioned in eBRC due to special characters. Hence they are requesting to allow closure of subject Advance Authorization.

Decision: The Committee after going through the representation received from the firm, ~~and~~ observed that no policy relaxation is involved in the case. The applicant may utilise the provision to scan the additional documents and attach to their application.

(Action: Applicant/ RA-CLA, New Delhi)

Case No. 19 M/s. Sterile India Pvt. Ltd., New Delhi

F.No.HQRPRCAPPLY000000355AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0510406993 dated 28.06.2018 and 0510411839 dated 13.09.2019 for clubbing and closure purpose.

Applicant Statement: The applicant stated that they have exported quantity wise 94% and value wise also 94% within valid export obligation period. They could not export as per Norms fixed due to covid 19 situation just started after January 2020 resulting slack in demand from foreign buyers. Due to various restriction imposed on account of ongoing lockdown during the period of covid, firm has faced the problem which was beyond their control. Hence they are requesting to allow EOP extension against subject licenses.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension upto 28.02.2020 of Advance Authorization No. 0510406993 dated 28.06.2018 and EOP extension upto 31.10.2020 against 0510411839 dated 13.09.2019 subject to payment of composition fee 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-CLA Delhi)

Case No. 20 M/s. Softech Pharma Pvt. Ltd., Dabhel

F.No.HQRPRCAPPLY00005773AM24

Meeting No. 23AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0311006261 dated 18.08.2021.

Applicant Statement: The applicant stated that company engaged in the manufacture, marketing and exporting of drugs licensed for use as medications. As manufacture were required quantity Valporic Acid Active Pharmaceutical Ingredient (API), they had applied for Advance Authorisation for import of 1275 kg of the API. Accordingly, the subject Advance Authorisation was issued by the RA, Mumbai and they have imported 1270 kg of the API from Katwijk Chemie BV, Netherlands against the above Advance Authorisation. The same was customs cleared in India vide Bill of Entry no. 6089687 dt. 01.11.2021. However, USFDA, during an inspection of the Synchron facility located in Gujarat, had observed that Synchron did not adhere to the USFDA regulations governing the conduct of BE studies. Accordingly, USFDA issued an Information Request to Eywa citing non-acceptance of the data generated at Synchron facility. The said Office further instructed Eywa to re-conduct the BE studies at an alternate CRO. In this connection, it is pertinent to note that they could not stop the procurement of API because by the time the above-mentioned Information Request was issued by The Office of Generic Drugs, the supplier of API, i.e. Katwijk Chemie BV, Netherlands, had already processed their order and subsequently despatched the API consignment from the manufacturersite. Since it was not possible now for Eywa to market the finished goods in US till the time BE studies were re-conducted at a new CRO, report of the BE studies was submitted to USFDA and approval was obtained from USFDA, they halted manufacture of the finished goods. However, since the period for fulfilling the Export Obligation (EO) was nearing its end and the restrictions imposed by USFDA were preventing them from fulfilling the EO, they applied to the Regional Authority of

DGFT, Mumbai for EO period extension. Hence they are requesting to allow six month EOP extension against subject license.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0311006261 dated 18.08.2021 for a further period of 6 months from the date of endorsement subject to payment of composition fee 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. 21 M/s. Champa Lal And Company, Delhi

F.No.HQRPRCAPPLY00005315AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Replenishment of gold sold at international exhibition under para 4.45 of FTP and para 4.79 HBP.

Applicant Statement: The applicant stated that they had participated in 51st Watch and Jewellery Middle East show 2023 in Sharjah, UAE. After taking necessary approval from GJEPC. Replenishment of gold had to be taken from nominated agency within 120 days of close of the exhibition. Since the exhibition closed on 12.03.2023 the drawl of gold from nominated agencies had to be completed by 10.07.2023 under para 4.45 of FTP read with para 4.79 of HBP. The EBRC was received by them on 16.10.2023 and as such the replenishment of gold could not be taken as it became barred by limitation. The GJEPC is also aware of this problem being faced by the exporters and are pursuing the matter. Hence they are requesting to allow replenishment of gold sold at international exhibition under para 4.45 of FTP and para 4.79 HBP.

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 condonation of delay beyond 120 days permissible period from date of close of exhibition with extension of 45 days from date of uploading of Minutes subject to payment of composition fees of Rs. 25,000/-. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action:Applicant/Customs-Delhi/Concerned Nominated Agency/GJEPC)

Case No. 22 M/s. ALFA Flexitubes Pvt. Ltd., New Delhi

F.no. HQRPRCAPPLY00005876AM24

Meeting No.23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorisation no. 0510415768 dated 06.11.2020

Applicant Statement: The applicant stated that due to Covid and absence of concerned staff they could not apply first and second extension before RA. They could not fulfil remaining EO due to Covid-19. The post Covid-19 most of the staff also left the organisation and hence all their operations came to stand still. They have fulfil 70% EO under the licence and 30% is remaining. Hence they are requesting to allow extension in EOP against subject license.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0510415768 dated 06.11.2020 for a further period of 6 months from the date of endorsement subject to payment of composition fee 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-CLA, New Delhi)

Case No. 23 M/s. Cipla Limited, Mumbai.

F.No.HQRPRCAPPLY000005985AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Clubbing of Advance Authorization no. 0310827414 dated 01.03.2019 and 0311000235 dated 21.12.2020.

Applicant Statement: The applicant stated that they have applied clubbing & closure of above authorisation to RA, Mumbai. RA has raised the query that 2nd authorisation has been issued after 18 months of earlier authorisation so clubbing request cannot be considered. They had applied above Advance Authorisations as per para 4.07 on self-declaration basis with annexure B (import from registered source). There was 3 months & 20 days delay in issuance of authorisation of earliest authorisation. Due to pandemic (Covid), State government announced 1st lockdown from 24th March 2020. Lockdown were extended on regular intervals. Govt staff of various department as well as private companies staff were working from home. They were working from home until 3rd January 2021 Due to all these reasons, there was a delay in issuance of AA. Norms has been approved against AA 0310827414 Date: 01-03-201 but Norms against AA 0311000235 dated 21-12-2020 has not been approved & same has been represented to norms committee. EO expiry date of AA 0310827414 is 01.09.2020. As per para 4.36 HBP point no. (vi) only such authorisation shall be clubbed which have been issued within 18 months from the date of issue of earlier Authorisation. They have fulfilled all other conditions of clubbing except condition of point no (vi) para 4.36 HBP. They have completed approx. 44% obligation in 2nd AA 0311000235 Dt: 21-12-2020. Hence they are requesting to allow Clubbing of Advance Authorization no. 0310827414 dated 01.03.2019 and 0311000235 dated 21.12.2020

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

(Action: Applicant)

Case No. 24 M/s. GFIVE Mart (I) Pvt. Ltd., Bangalore

F.No.HQRPRCAPPLY00005976AM24

Meeting No. 23/AM24 held on 12.12.2023

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

Applicant Statement: This is a review case of PRC Meeting No.12/AM24 held on 03.08.2023 (Case No.01) wherein Committee reject the case. This case was last considered in PRC Meeting No.24/AM23 held on 27.12.2022 (Case No.48) wherein 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. They have now stated that they have submitted TMA application on 19.11.2021 and they aware of submitting physical documents at RA since one year their application was in process on 12.09.2022 and they have received mail that their application has been rejected due to non submission of physical documents at RA. Hence they are requesting to review their previous application and get an change to submit again their physical copies to claim TMA claim against above mentioned application.

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

(Action: Applicant)

Case No. 25 M/s. ARCL Organics Limited, Kolkata

F.No.HQRPRCAPPLY0005984AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Revalidation of Advance Authorization numbers (i) 0210209879 dated 19.05.2020, (ii) 0210209965 dated 08.07.2020, (iii) 0210210062 dated 28.08.2020, (iv) 0210210108 dated 16.09.2020, (v) 0210210205 dated10.11.2020 and (vi) 0210210212 dated 11.11.220.

Applicant's statement: The applicant stated that theycommitment to contribute positively to the nation's foreign reserves and trade balance. This approach, while beneficial for the national economy, often requires extended timeframes for import operations the removal of the $331 per MT anti-dumping duty on imports has greatly affected their cost structure. Previously, this duty provided a competitive edge over local suppliers, but its elimination has reduced sales price advantage to a mere 5%-6% (Import Duty). During the challenging period of the COVID-19 pandemic and its prolonged impact, they encountered significant disruptions. Their supplier prioritized orders with higher prices over the lower price contracts already they had with them, leading to indefinite delays in their consignments. These situations compelled to source melamine from the domestic market at substantially higher costs, escalating from Rs 55 /kgs to even Rs 280/-kgs. This unforeseen expense not only strained financials but also impacted their planned export commitments. The higher purchase prices from the local market during this period resulted in reduced profitability for company, thereby impacting contributions to the nation's revenue through lower tax payments. Additionally, unpredictable transit times have frequently disrupted planned deliveries at Kolkata Port In light of these challenges. Hence they are requesting to allow six months revalidation against subject licenses.

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. 26 M/s. SMS Pharmaceutical Limited, Hyderabad

F.No.HQRPRCAPPLY00006028AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0911000628 dated 29.03.2021.

Applicant's statement: The applicant stated that they has sourced inputs materials and manufactured the product as well as exported 50% of licensed quantities. During the 2nd extension they have fulfilled EO to the extent of 50.15% out of the total export obligation. Balance EO will be fulfilled within 6 months for which they are having sufficient export orders on hand. The delay in export of the product due to slowdown of the product in the market and their customer is the formulation maker and the company has tied up with (EYWA) who are the distributors in US market. Eywa was financial troubled and settled with their customer and subsequently cancelled the agreement by both the parties. Hence they are requesting to allow six month EOP extension against subject license.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0911000628 dated 29.03.2021 for a further period of 6 months from the date of endorsement subject to payment of composition fee 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-Hyderabad)

Case No. 27 M/s. Privi Exports Pvt. Ltd., Kolkata

F.No.HQRPRCAPPLY00006000AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Revalidation of Advance Authorization no. 0211001367 dated 22.10.2021.

Applicant Statement: The applicant stated that they have obtained the subject license for duty free import of Jute Yarn for manufacture and export of Hessian Cloth. Against this license they have export of 857.140 MT of Hessian Cloth and for this export, import eligibility as per SION is coming at 900 MT out of which 870 MT was already imported by them. For import of balance of Jute Yarn the license required to be revalidated till 22.04.2024. Hence they are requesting to allow one year revalidation against subject license

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. 28 M/s. Padget Electronics Pvt. Ltd., Noida

F.No.HQRPRCAPPLY00006004AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Revalidation of 16 MEIS Scrip Numbers

Applicant's statement: The applicant stated that their MEIS licenses got expired before its consumption, reason for Non consumption of license is that the concern person who is taking care of the licences the PC system of that person is collapsed and all the data is erased, and before recovery of all the data, the MEIS licences got expired before its utilisation. Due to this reasons being the MEIS licence scrip are not fully utilised for payment of customs duty. Hence they are requesting to allow revalidation of 16 MEIS for utilisation.

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. 29 M/s. Omniplast Packaging Pvt. Ltd., Haryana.

F.No.HQRPRCAPPLY00006026AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against EPCG Authorization no. 0530161584 dated 19.09.2013.

Applicant's statement: This is review application of EPCG Committee decision in meeting No.6 dated 26.10.2023 (Case No.18) as they did not consider request to extend EOP for a period of 2 years from the date of endorsement. They fulfilled the EO through their group company to the extent of 116.35% of EO exports of USD 410073.11 do not have their name and license number endorsed on the S/Bills. These exports have not been accounted for fulfilment of any EO. Export to the extent of USD 344590.71 has their company name and EPCG license number endorsed on the S/Bills and is classifiable as Third Party Exports. Their license was issued during FTP 2009-14 on 19.09.2013. Hence they genuinely believed that the Group Company provisions continued to be valid up to 19.09.2014 as per the soft book available on DGFT site. Hence they are requesting to allow two year extension in EOP to fulfil the export obligation against subject license.

Decision: The Committee examined the case on the basis of justification submitted by the applicant. The Committee noted that the applicant has faced difficulty beyond their control and observed that there is merit in the case and accordingly decided to accede the request of the firm and allowed EOP extension against EPCG Authorization no. 0530161584 dated 19.09.2013 for 1 year from date of endorsement subject to payment of composition fee as applicable. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-CLA Delhi)

Case No. 30 M/s. Omniplast Pvt. Ltd., Haryana.

F.No.HQRPRCAPPLY00006006AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against EPCG Authorization no. 0530153785 dated 22.10.2010

Applicant's statement: This is review case of EPCG Committee decision in Meeting No. 6 dated 26.10.2023 (Case No.34) wherein committee reject the case. Now they have stated that they completed the specific EO against this license within the initial EO period of 6 years. However, the Average EO was completed in 6+2+2 years after the issue of license. They state to have completed the EO by 10.02.2020. They were not able to maintain the Average EO as they had only two buyers prior to issue of EPCG license were only to two buyers namely RITCO, Liberia and FIETON, Sri Lanka who were giving orders to them on Advance payment resulting in high Average EO. The economic conditions of these countries subsequent to issue of EPCG license suddenly deteriorated as these buyers were not able to send them advance payment. They had to cancel their orders as supply to them on credit would have caused huge financial losses to them and may have led them to closure of factory. They were not able to create new buyers in the EOP immediately after the issue of EPCG license due to dumping of their product by Chinese suppliers in international market below cost. Hence they are requesting to allow EOP extension beyond 6+2 years against subject license.

Decision: The Committee examined the case on the basis of justification submitted by the applicant. The Committee noted that the applicant has faced difficulty beyond their control and observed that there is merit in the case and accordingly decided to accede the request of the firm and allowed EOP extension against EPCG Authorization no. 0530153785 dated 22.10.2010 upto 28.02.2020 subject to payment of composition fee as applicable. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-CLA Delhi)

Case No. 31 M/s. Nuvocraft Apparels India Pvt. Ltd., Bangalore

F.No.HQRPRCAPPLY00006022AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0711000575 dated 26.02.2021.

Applicant's statement: The applicant stated that they have originally received the export orders from buyers. Based on that they have imported the fabrics from foreign countries. After imported the fabrics under subject license their foreign buyer has reduced the order quantity from 100% to 75% and they have exported the same to their foreign buyer. Remaining 25% of imported fabrics are lying in their premises with good condition. After long follow with other foreign buyers they have received the export orders. Hence they are requesting to allow EOP extension against subject license.

Decision: Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0711000575 dated 26.02.2021 for a further period of 6 months from the date of endorsement subject to payment of composition fee as per policy provisions. Firm should approach RA for amendment on merit basis. 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. 32 M/s. Indo Amines Limited, Thane

F.No.HQRPRCAPPLY00006019AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0311003895 dated 19.05.2021.

Applicant's statement: The applicant stated that they due to the cancellation of export orders and the non-availability of containers, compounded by the challenges faced by the USA and European countries since September, 2019, have led to a significant shortfall in both the quantity and value of imports and exports. The situation has now improved and they have received confirmation from their buyers that they are willing to proceed with the balance quantity of export items. Additionally, the required items for import are now available in the European market, which enables them to fulfil the remaining obligations. Hence they are requesting to allow six month extension in EOP against subject license.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0311003895 dated 19.05.2021 for a further period of 6 months from the date of endorsement subject to payment of composition fee 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. 33 M/s. Hemani Industries Limited, Mumbai

F.No.HQRPRCAPPLY00006030AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0310839210 dated 29.10.2020

Applicant's statement: The applicant stated that they had issued the subject Advance Authorization for exports of 300MT for the product Metamitron Technical 98% Advance Authorization was issued on 29.10.2020 for 18 months of export obligation period, they had completed the imports as per export orders in the license. Within the EO Period they had fulfilled 88.39% of the obligation under this license, as all these exports were made during the COVID Period. They could not take any further extension in the subject Authorization due to lack of orders, Metamitron Technical 98% is product used for seasonal crop, hence the demand of this product is particularly for 6 months in a year. This product is for exports to the European countries during the specific season, due to the lockdown they had no further export orders of the same, the projected export orders from the buyer got impacted, the restrictions on travel have severely limited the mobility of marketing personnel, preventing them from conducting essential on-site visits and negotiation with international clients. Also the freight charges were very high during that period due to which it was very difficult to make the exports. Hence they are requesting to allow 3-4 months EOP extension against subject license.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0310839210 dated 29.10.2020 for a further period of 6 months from the date of endorsement subject to payment of composition fee 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. 34 M/s. Hemani Industries Limited, Mumbai

F.No.HQRPRCAPPLY00006016AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0310830911 dated 08.08.2019.

Applicant's statement: The applicant stated that they had issued the subject Advance Authorization for exports of 300MT for product Bifenthrin Technical 98% Advance Authorization was issued on 08.08.2019 for 18 months of export obligation period, they had completed the imports as per export orders in the license. They were unable to fulfill the Obligation due to the lockdown and had no further export orders of the same, the projected export orders from the buyer got impacted, Travel restrictions during COVID impacted greatly to search for new buyers of the said product. They applied for EOP Extension to the Policy Relaxation Committee for balance export of 22MT in the subject Advance Authorization which was granted to the firm vide PRC Meeting No.13/AM24 held on 31.08.2023 and 05.09.2023. The Extension was grantedupto 31.08.2023. The Customs did not allow to export one shipment of 4MT under the subject Authorization as the license was showing expired in their system, as the decision of the committee was uploaded after the allowed extended date, the Customs did not consider the same. After convincing and explaining the matter to the Asst. Commissioner allowed to export under the Authorization later in November 2023. They had completed the balance export of 4MT under Advance license on 17.11.2023 in Shipping Bill No.5400828 dt.17.11.2023. Hence they are requesting to allow extension in EOP against subject license for regularize purpose only.

Decision: The Committee examined the case on the basis of statement made by the firm and discussed the matter at length and decided to allow EOP extension up to 30.11.2023 against advance authorisation No. 0310830911 dated 08.08.2019 subject to payment of composition fees as per Policy provisions. The other terms and conditions towards fulfilment of EO shall remain same as per policy/HBP 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. 35M/s. GLS Films Industries Pvt. Ltd., Delhi

F.No.HQRPRCAPPLY00006023AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0510415974 dated 24.11.2020.

Applicant's statement: The applicant stated that they are unable to fulfil EO against subject license due to Covid-19 impact on packaging Sector. They have not received any new order and have exported pending orders of 108 MT against pending quantity in AA till February, 2022. The packaging industry also needs to be ready for second order effects triggered by the Covid-19 crises. As crude oil prices have fallen the cost of oil based raw materials, such as plastic resigns for the packaging industry is likely to fall. The unpredictability of how government actions to mitigate the adverse economic effects of the pandemic might play out further clouds the outlook. Hence they are requesting to allow six month EOP extension against subject license.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0510415974 dated 24.11.2020 for a further period of 6 months from the date of endorsement subject to payment of composition fee 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-CLA)

Case No. 36M/s. Vision Products Pvt. Ltd., Vadodara

F.No.HQRPRCAPPLY00005969AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Clubbing of three Advance Authorization no. 3410045395 dated 28.08.2019, 3410045775 dated 09.01.2020 and 3411000523 dated 03.05.2021.

Applicant's statement: The applicant stated that subject licenses issued under Para 4.07 of HBP from the RA Vadodara. The norms against these authorisations have already been fixed by NC-7. RA rejected their request on the ground that the 3rd Authorization has been issued after more than 18 months from the date of issue of first authorization. In the instant case the 3rd Authorization was issued after 21 months from the date of issue of earliest authorization. If all authorization is covered then there is no required of Policy Relaxation. All the three AAs, export product and import items are common and request for clubbing of these authorizations has been made for regularization purpose only. Hence they are requesting to allow clubbing of above mentioned three Advance Authorizations.

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. 37 M/s. Vision Products Pvt. Ltd., Vadodara

F.No.HQRPRCAPPLY00006015AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Clubbing of three Advance Authorization no. 3410046392 dated 11.09.2020, 3411002328 dated 01.06.2022 .

Applicant's statement: The applicant stated that they had obtained subject licenses issued under para 4.07 of HBP from the RA Vadodara. The Norms against these authorizations have already been fixed by NC-7. They had made request to

RA for clubbing of these AAs but they have rejected their request on the ground that 2nd authorization has been issued after more than 18 months from the date of issue of first authorization. In this connection, it is submitted that in both AAs import items namely Phthalic Anhydrides is common and request for clubbing of these AAs has been made for only regularization purpose. Hence they are requesting to allow clubbing of above mentioned three AAs for regularization purpose only.

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. 38 M/s. Vision Products Pvt. Ltd., Vadodara

F.No.HQRPRCAPPLY00006012AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Clubbing of three Advance Authorization no. 3410045776 dated 09.01.2020, 3411001832 dated 21.02.2022

Applicant's statement: The applicant stated that subject licenses issued under Para 4.07 of HBP from the RA Vadodara. The norms against these authorisations have already been fixed by NC-7. RA rejected their request on the ground that the 2nd Authorization has been issued after more than 18 months from the date of issue of first authorization. In the instant case the 2nd Authorization was issued after 18 months from the date of issue of earliest authorization. In the instant case the 2nd AA was issued after 25 months and 14 days from the date of issue of earlier authorization. If all authorization is covered then there is no required of Policy Relaxation. All the AAs, export product and import items are common and request for clubbing of these authorizations has been made for regularization purpose only. Hence they are requesting to allow clubbing of above mentioned three Advance Authorizations.

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. DPB Antibiotics, Mumbai

F.No.HQRPRCAPPLY000006018AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Revalidation of Advance Authorization no. 0311008076 dated 01.11.2021

Applicant's statement: The applicant stated that their import consignment at JNPT port due to import pending quantity and value they required to issue further revalidation of Advance Authorization at the earliest. They are seeking necessary amendment and revalidation against subject license. Hence they are requesting to allow revalidation against subject license to import the raw material.

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. 40 M/s. Bajaj Auto Limited, Pune

F.No.HQRPRCAPPLY00006009AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Import of used X-BOW R 2019 LL CAR and SPORTMOTORCYCLE KTM 250 GS 1980 and KTM 250 MC 1974.

Applicant's statement: The applicant stated that 1. In keeping with its position and stature in the world of automobiles, Bajaj Auto Limited is now keen to establish a fleet of Old, Used Vehicles comprising two wheelers, three wheelers and four wheelers from marquee brands (e.g., Ferrari, Vincent, Excelsior Henderson, Matchless, X Bow etc.)

2. It is envisaged to import these branded vehicles (which will be used and second hand) over time in a phased manner, within the ambit of the established regulatory framework of FTP with proper Sanctions wherever required, and in compliance with the domestic Motor Vehicles laws.

3. Proposals will be raised from time to time seeking approvals/ sanctions as may be required for their importation and domestic use from the Honourable Committee.

4. Current Import of these a) X-BOW R 2019 LL USED 9.500KM, VIN: VBKABLBX2KG001203, ENGINE NO. CDL18S026 b)KTM 250 GS 1980-VIN 90101757 (USED SPORTMOTORCYCLE) c) KTM 250 MC 1974-VIN 54409775 (USED SPORTMOTORCYCLE) has been identified by the team as part of the corporate objective outlined in this statement, and are Second Hand CAR/SPORTMOTORCYCLES and the same will be imported from Austria.

5. In respect of KTM X-BOW R 2019 LL USED CAR, has a left-hand steering and controls. In addition, for all the 3 vehicles have a proper speedometer in place

indicating speed in Kms and has photometry of the headlamps to suit "keep left" traffic is proposed to be imported through the Customs Port at Mumbai.

6. All these 3 vehicles as above will not be used for any commercial purposes whatsoever. Its use will be governed by the regulations for such vehicles including the relevant provisions of the Motor Vehicles Act and Rules thereunder.

7. These said Vehicles will be imported and Registered in the name of Bajaj Auto Limited, and paid for through the Foreign Exchange Earnings of the Company. It will be maintained by Bajaj Auto at its premises in Akurdi and Chakan in Pune. The Custody use and upkeep of these vehicles will be overseen by a nominated official of the Company.

8.The intention underlying the import of such a Used Vehicle, to form part of the fleet, are asfollows: a) The Company wants to build a fleet of high quality/reputed External and Internal Branded Vehicles of various Vintages. It seeks to augment the display of its own products at Akurdi and Chakan withother marquee brands. b) The Company already has its own old and new products on display such as Chetak and Priya scooters, old rickshaws, and various two wheelers under the brands of Pulsar, Dominar, KTM, Triumph as well as the Qute four-wheeler. Adding other vintage and classic vehicles will heighten the display experience and feel, while showcasing the Bajaj brands that are kept alongside otherworld famous brands. c) To offer design and creative inspiration to its Design and Engineering Teams, who are based in Pune and are developing products for India and the world. d) For example, this is akin to an instance in the past where creative inspiration was drawn leading to the creation of a symbolic brand that evolved from the use of INS Vikrant warship material in their 'V15' fleet of motorcycles. e) For the sparing and permitted use, by the leadership of the Organization and senior visitors on select events and occasions. f) Being a large and Globally Prominent Organisation, eminent personalities, Foreign Nationals, Distributors &Business Partners from across the globe visit Bajaj Auto in Pune throughout theyear for various engagements. It is proposed to occasionally use its Vintage Vehicles fleet for suchvisitors to heighten the hospitality experience for them, including internal visit of their Plant/Factory, which is well spread out as is befitting the profile of the Co. g)These Vintage Vehicle and others in the times to come, will enable the Co. participating in Vintage Car/Bike shows and rallies and similar events, which could help in boosting the image/salience of the Co.& its brands. Hence they are requesting to allow Import of used X-BOW R 2019 LL CAR and SPORTMOTORCYCLE KTM 250 GS 1980 and KTM 250 MC 1974.

Decision:: The Committee went through the submission made by the applicant and discussed the matter at length and it decided to refer the case PC-2 division for its examination. Thereafter the case may be brought back again before PRC for a decision.

(Action: Applicant/ PC-2 Division)

Case No. 41 M/s. Bajaj Auto Limited, Pune

F.No.HQRPRCAPPLY00006008AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Import of Second hand 1957 Vintage Porsche Model – 356A Speedster Carrera 1500GS.

Applicant Statement: The applicant stated that :1.In keeping with its position and stature in the world of automobiles, Bajaj Auto Limited is now keen to establish a fleet of Vintage Vehicles comprising two wheelers, three wheelers and four wheelers from marquee brands (eg. Ferrari, Vincent, Excelsior Henderson, Matchless, X Bow etc.).

2. It is envisaged to import these branded vehicles (which will be used and second hand) over time in a phased manner, within the ambit of the established regulatory framework of FTP with proper Sanctions wherever required, and in compliance with the domestic Motor Vehicles laws.

3. Proposals will be raised from time to time seeking approvals/ sanctions as may be required for their importation and domestic use from the Honourable Committee.

4. Current Import of these Vintage Car has been identified by the team as part of the corporate objective outlined in this statement, and is a Second Hand 1957 Vintage Porsche Model - 356A Speedster Carrera 1500 GS (Right Hand Drive) and the same will be imported from the United Kingdom. Tentative date of imports will be around Jan 2025.

5.The said vintage vehicle has a right-hand steering and controls, a proper speedometer in place indicating speed in Kms and has photometry of the headlamps to suit keep left traffic is proposed to be imported through the Customs Port at Mumbai

6. The same will not be used for any commercial purposes whatsoever. Its use will be governed by the regulations for such vehicles including the relevant provisions of the Motor Vehicles Act and Rules thereunder.

7. The said Vehicle will be imported and Registered in the name of Bajaj Auto Limited, and paid for through the Foreign Exchange Earnings of the Company. It Will be maintained by Bajaj Auto at its premises in Akurdi and Chakan in Pune. The custody, use and upkeep of this vehicle will be overseen by a nominated official of the Company.

8.The intention underlying the import of such a Vintage Vehicle , to form part of the fleet, is as follows : a) The Company wants to build a fleet of high quality/reputed external and internal branded vehicles of various Vintages. It seeks to augment the display of its own products at Akurdi and Chakan with other marquee brands. b) The Company already has its own old and new products on display such as Chetak and Priya scooters, old rickshaws, and various two wheelers under the brands of Pulsar, Dominar, KTM, Triumph as well as the Qutefour wheeler. Adding other vintage and classic vehicles will heighten the display experience and feel, while showcasing the Bajaj brands that are kept alongside other world famous brands. c) To offer design and creative inspiration to its Design and Engineering Teams, who are based in Pune and are developing products for India and the world. d) For example, this is a kin to an instance in the past where creative inspiration was drawn leading to the creation of a symbolic brand that evolved from the use of INS Vikrant warship material in their V15 fleet of motorcycles. e) For the sparing and permitted use, by the leadership of the Organization and senior visitors on select events and occasions. f) Being a large and Globally Prominent Organisation, eminent personalities, Foreign Nationals, Distributors and Business Partners from across the globe visit Bajaj Auto in Pune throughout the year for various engagements. It is proposed to occasionally use its Vintage Vehicles fleet for such visitors to heighten the hospitality experience for them, including internal visit of their Plant/ Factory , which is well spread out as is befitting the profile of the Company. g) This Vintage Vehicle and others in the times to come, will enable the Company in participating in Vintage Car/Bike shows and rallies and similar events, which could help in boosting the image/salience of the Company and its brands. Hence they are requesting to allow Import of Second hand 1957 Vintage Porsche Model – 356A Speedster Carrera 1500GS.

Decision:: The Committee went through the submission made by the applicant and discussed the matter at length and it decided to refer the case PC-2 division for its examination. Thereafter the case may be brought back again before PRC for a decision.

(Action: Applicant/ PC-2 Division)

Case No. 42 M/s. Deccan Cans and Printers Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY00006024AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Request for EODC Transferability against DFIA Authorization beyond 12 Months against EO to regularize the DFIA authorization (DFIA File No. 03/DA/076/00070/AM22 dated 25.12.2021.

Applicant Statement: The applicant stated that they have been issued DFIA vide file No.03/DA/076/00070/AM22. They have uploaded application to Jt.DGFT, Mumbai for EODC/Transferability,but they have informed that any exports beyond 12 months from the date of issue of File No. are not eligible for DFIA. In this regard they would like to draw kind attention that as per Para 4.29 (v), wherein it is stated that Para 9.03 is applicable, but Jt.DGFT, Mumbai has rejected their case stating that Para 4.29 (ii) does not permit late cut. They have been regularly obtaining Advance Authorisation and exporting products and they have just started obtained DFIA Authorisation as per the above para and they have continued their exports to fulfil the Export Obligation mentioned in the DFIA. Date of last export shipment is stated to be 01.04.2023. Hence they are requesting to allow E.O. Extension beyond 12 months against subject DFIA authorization for regularization purpose.

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 DFIA File No. 03/DA/076/00070/AM22 dated 25.12.2021 beyond stipulated time up to 30.04.2023. 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. 43 M/s. Continental Engines Pvt. Ltd., Alwar

F.No.HQRPRCAPPLY00006005AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: To allow RODTEP and Drawback Scheme.

Applicant Statement: The applicant stated that they are primarily engaged in manufacturing and export of auto components, i.e. Cylinder Heads bearing HSN – 8409. They were 100% Export Oriented Unit (EOU) and status holder exporter since year 2001 and operating under the guidelines of FTP. After careful consideration of cost benefit analysis of EOU, they decided to surrender EOU status and applied for de-bonding on 3rd June 2019 and got 'In Principle" approval on 27th November, 2019 and subsequently paid custom duty benefit taken on capital goods through EPCG scheme on 1st July, 2021. During this de-bonding process, they were importing from outside India on payment of custom duties. Exports outside India were continued under EOU tag only on all the S/Bills and hence they could not avail benefit of the export incentive schemes available to non-EOU units. For all practical purposes, they were operating as DTA unit but because of technical status of EOU, they were not able to claim export incentive which they were otherwise entitled to as DTA Unit. All their import activities post of issuance of the No Dues Certificate have been carried out in accordance with the legal framework. All S/Bill after the issuance of the No Dues certificate and until the date of final de-bonding have been filed under the 100% EOU category. They had submitted a request of the Commissioner, Export (DBK), IOCD – Tuglakabad, New Delhi on 5.7.2021 allowing to file S/Bill under RoDTEP scheme and sent subsequent reminder for the same. But they did not get any revert for the same. Hence they are requesting to allow the export incentives and duty drawback for the period January 2020 to March, 2023.

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)

Case No. 44 M/s. Ball Beverage Packaging (India) Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY00006017AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0310822750 dated 01.08.2018

Applicant Statement: The applicant stated that their export orders took a dip due to adverse marking conditions in Kenya. Since Kenya faced inflationary pressures amid commodity price volatility, tightening global financing conditions that put major pressure on the exchange rate and foreign exchange reserves, further aggravated by the worst drought in four decades. Due to this, all their export orders to Kenya are kept on hold. At the outset, they are grateful for allowing the extension of the export obligation period after the expiry of the initial export obligation period. They had tried to fulfil the pending export obligation within the allowed extended period of 6 months from the date of EOP endorsement, however, due to adverse market conditions, they could not fulfil the export obligation in full. Due to this, all export orders to Kenya are kept on hold. They are confident that as and when this poly-crisis is resolved, they will start exporting their product to Kenya. In addition to this, they have a few export orders from African countries to meet the export obligation. Hence they are requesting to allow extension in EOP against subject license.

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

(Action: Applicant)

Case No. 45 M/s. Bayer Vapi Pvt. Ltd., Thane

F.No.HQRPRCAPPLY00006010AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: To allow Amendment for issue of invalidation letter to issue of certificate of supply of input sources from Special Economic Zone against Advance Authorization No.0311020556 dated 09.01.2023.

Applicant Statement: The applicant stated that by error, they have applied for and obtained Invalidation letter No. 3 dated 31.05.2023 against supplies from Tatva Chintan Pharma Chem Ltd, Dahej Special Economic Zone. They have received supplies from Tatva Chintan Pharma Chem Ltd, Dahej Special Economic Zone, against Invalidation Letter No. 3 dated 31.05.2023. The Customs have drawn their attention to this error. So, they propose to amend issue of Invalidation letter to Issue of Certificate of Supply for Input sources from Tatva Chintan Pharma Chem Ltd, Special Economic Zone. As there is no option for change in Invalidation letter to Certificate of Supply in DGFT BO Portal. Hence they are requesting to allow Amendment for issue of invalidation letter to issue of certificate of supply of input sources from Special Economic Zone against the subject license.

Decision: The Committee examined the submission 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 consideration of invalidation letter as certificate of supply of input sources from Special Economic Zone against the subject license subject to compliance of all other 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. 46 M/s. Clariant India Limited, Mumbai

F.No.HQRPRCAPPLY00006029AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Extension of EOP against Advance Authorization no. 0310836469 dated 01.06.2020

Applicant Statement: The applicant stated that due to delay in schedule of Export order from foreign Buyer, they were not able to fulfil Export Obligation in Original period in the Advance Authorisation, they request grant extension in export obligation period of Advance Authorisation upto: 30.09.2024 to fulfil balance Export Obligation. Hence they are requesting to allow EOP extension against subject license.

Decision: Decision: The Committee went through the justification made by the applicant and discussed the matter at length. The Committee decided to accede to the request and allowed EOP extension of Advance Authorization No. 0310836469 dated 01.06.2020 upto 30th June 2024 subject to payment of composition fee 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. 47 M/s. Jaiprakash Associates Limited, Delhi

F.No.HQRPRCAPPLY00006031AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: To allow export obligation fulfilled against 46 EPCG Authorization for construction and execution of Dam at Baglihar. Details of licenses are as under :-

(1) 530131569 12.02.2001 (2) 530132574 15.02.2002 (3) 530138236 16.03.2005 (4) 530138849 13.06.2005 (5) 530138911 21.06.2005 (6) 530139040 07.07.2005 (7) 530139133 15.07.2005 (8) 530139636 30.09.2005 (9) 530139637 30.09.2005 (10) 530139772 26.10.2005 (11) 530140027 12.12.2005 (12) 530140171 29.12.2005(13) 530140172 29.12.2005 (14) 530140186 03.01.2006 (15) 530140195 04.01.2006 (16) 530140232 09.01.2006 (17) 530140263 12.01.2006 (18)530140332 23.01.2006 (19) 530140700 22.03.2006 (20) 530140716 24.03.2006 (21) 530140887 19.04.2006 (22) 530140889 19.04.2006 (23) 530140999 05.05.2006 (24) 530141001 05.05.2006 (25) 530141115 22.05.2006 (26) 530141119 22.05.2006 (27) 530141137 23.05.2006 (28) 530141154 25.05.2006 (29) 530141408 05.07.2006 (30) 530141555 21.07.2006
(31) 530141556 21.07.2006 (32) 530141557 21.07.2006 (33) 530141560 24.07.2006 (34) 530141561 24.07.2006 (35) 530141666 03.08.2006 (36) 530141667 04.08.2006 (37) 530142326 07.11.2006 (38) 530142385 14.11.2006 (39) 530142415 17.11.2006 (40) 530142603 12.12.2006 (41) 530142750 29.12.2006 (42) 530142794 10.01.2007 (43) 530142836 12.01.2007 (44) 530143159 28.02.2007 (45) 530143207 05.03.2007 (46) 530143335 22.03.2007

Applicant Statement: The applicant stated that they had been issued 46 EPCG licenses in the period 2001-2007 for construction and execution of Hydro Electric Dam in which they have been allowed to import construction equipment and spares thereof required for construction and execution of Hydroelectric Dam at the site. They were awarded a contract as an EPC Contractor to construct and execute 450 MW Hydroelectric Dam at Baglihar for J&K Power Development Corporation in 1999 at a total value of USD 416.1 million. This case was referred by CLA New Delhi on 23.04.2019 seeking clarification from DGFT as to whether construction services for the construction of Hydro Electric Dam provided by them can be accepted by them for the redemption of their EPCG licenses in view of the instructions dated 09.09.2015 issued to all RAs based on a decision of Policy Interpretation Committee from F.No.01/36/218/69M-10/EPCG-I which stated that there was no concept of deemed export services. They have completed the EO against all 46 EPCG licenses as per para 1 of the condition sheet of these licenses, realized the payment through normal banking channels and have submitted application for redemption with CLA New Delhi with relevant documents but they have kept redemption of their licenses on hold and are awaiting the clarification sought by them 4 years back from HQ vide letter dated 23.04.2019. The licenses were issued for construction equipments as per list to the licenses and they imported the same for this purpose only and have completed the EO in terms of para 1 of the condition sheet entitles them to get these licenses redeemed even if any Policy para / Notification / Circular issued after the issue of these licenses adversely affects the redemption of these licenses the same cannot be made applicable now on the principles of natural justice. Hence they are requesting to allow EO fulfilled against these 46 licenses by using the listed CG inthe licenses as Deemed Exports under para's 10.2(f) of FTP 1997-2002 and para 8.2 (f)& (g) of FTP 2002-2007, 2004-2009 instead of Construction Services and EODC issued.

Decision: The Committee examined the submission 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 condonation of mistake of mentioning export fulfilment through construction services in some of the applications in which the firm had entered into EPC contract for construction of hydroelectric project. Whereas in these 46 authorisations issued to the firm the export obligation is to be fulfilled in terms of Para 1 of the condition sheet by way of construction of hydroelectric dam in terms of Deemed Exports para 10.2 (f) and (g) of FTP 1997-2002/corrosponding paras of subsequent FTP, and not through construction services. The export/ supply item for all these authorisations in Para 2 of the condition sheets may now be read as construction of Hydroelectric Dam. The realisation of Rs. 20 crores which is stated to be specifically for services may be excluded for fulfilment of export obligation. RA may work out the entitlement accordingly.

(Action: Applicant/ RA-CLA)

Case No. 48 M/s. Sanchita Marine Products Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY00000662AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: Acceptance of MEIS claim for the period of 2015-16 & 2016-17 against S/Bills(1) 1396660 25.06.2015 (2) 2464760 18.08.2015 (3) 3842030 30.10.2015 (4) 5952423 19.02.2016 (5) 6210139 02.03.2016 (6) 7844305 24.05.2016 (7) 8299082 16.06.2016 (8) 8412124 22.06.2016

Applicant Statement: The applicant stated that they are manufacturer exporter of fish and fish marine products and regularly applying for MEIS benefit, in above said period and payment were realise and but e-BRC were uploaded by the Bank was seen as used when they trying to file online application. They approached to bank for the reason but bank says they don't have any control one e-BRC is uploaded, you may check with DGFT then they approached RA Mumbai for rectification but they says you approached to bank. There after lockdown was started and due to shortage of staff due to corona and restriction on travelling in Mumbai they could not be able to file claim. Then DGFT has closed the window for filing of claim. It was not used nor they were able to file claim due to lockdown. Now the error has gone and e-BRC were seen as available for claim but they cannot make application as it value show zero in application e-com reference. Hence they are requesting to allow MEIS claim for the above mentioned period.

Decision: The committee went through the submission made by the applicant. After detailed discussion the Committee decided to maintain the rejection of earlier decision of PRC in it's meeting No. 03/AM24 dated 12.05.2023.

(Action: Applicant)

Case No. 49 M/s. Narayani Sons India Pvt. Limited

F.No.01/60/162/38/AM24/PRC

Meeting No. 23/AM24 held on 12.12.2023

Subject: Regularisation of EPCG License No.0230002507 dated 31.07.2007, 0230002697 dated 16.10.2007, 0230003040 dated 26.02.2008 and 0230003185 dated 16.04.2008.

Applicant Statement: COURT CASE.

Decision: The committee went through the order made by Hon'ble High Court of Delhi and decided to call the firm for **Personal Hearing**.

(Action: Applicant/PRC)

Case No. 50 M/s. Gajjar Industries, Ahmadabad.

F.No.HQRPRCAPPLY00005965AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: To allow EOP extension against EPCG License No. 0830003770 dated 12.08.2010.

Applicant Statement: The applicant stated that they have imported CNC Fiber Laser Cutting Machine vide Bill of Entry No. 916932 dated 25/10/2010 from Promotec SRL, Italy. They were the first one in India who has imported above fiber laser cutting machine which was latest in green technology (Power Saving Technology) at that time. The installation of machine was completed by engineers of from Promotec SRL, Itlay on 14/03/2011. It took 15 months from installation of machine to fully operate, understand and take production using machine. In April 2013, major fault was came in machines cutting head due to which production was stopped till 4 months. After that the engineer came from Promotec SRL, Italy and they replaced entire cutting head with relevant parts to resolve the issue and resume production. Due to above contingencies, they couldn't execute any orders using above machine during approximately 24 months period. They have actually achieved more than 100% of export obligation value till 31/03/2021. Hence they are requesting to allow two years EOP extension i.e. 6+2+2 years against subject license.

Decision: Decision: The Committee examined the case on the basis of justification submitted by the applicant. The Committee noted that the applicant has faced difficulty beyond their control and observed that there is merit in the case and accordingly decided to accede the request of the firm and allowed EOP extension against EPCG Authorization No. No. 0830003770 dated 12.08.2010 upto 31.03.2021 subject to payment of composition fee 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-Ahmedabad)

Case No. 51 M/s. Mann Tourist Transport Service Pvt Ltd., New Delhi

F.No.HQRPRCAPPLY00006034AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: To allow policy relaxation on Engine Capacity for diesel engines in Mercedes Benz Sprinter Mini buses from 2500 CC to 1950 CC.

Applicant Statement: The applicant stated that they had applied for relaxation in May, 2023, and got the acceptance letter only on 1st September, 2023, they could not get dispatched Sprinter from Mercedes Benz manufacturing unit due to relaxation not received on time. And their deliveries of vehicles rescheduled by the Mercedes Benz dealer. They have got MEA contract till 30th Nov.2023 and they have high profile events and delegations lined up beyond Nov. 2023 and are working for National Security Council, MEA, various Ministries and Embassies. As the letter of relaxation is mentioning particularly G20 Summit, they might face problems in Custom clearance if the vehicles comes after 30th Nov. 2023. Hence they are requesting to allow relaxation to remove for condition i.e. use of G20 Summit in the letter.

Decision: The Committee after going through the application and documents submitted by applicant was of the opinion that they are facing a difficulty beyond their control and decided to remove the clause " to be used in the G20 summit" as contained in earlier decision of PRC Meeting No. 12/AM24 held on 03.08.2023. The approval is subject to the condition that the applicant shall submit evidence to PC-2

Division substantiating their statement that they have high profile events and delegations lined up beyond Nov. 2023 and are working for National Security Council, MEA, various Ministries and Embassies.

(Action: Import Licencing Div, PC-2/ Applicant)

Case No. 52 M/s. Chefs Choice, Delhi

F.No.HQRPRCAPPLY00002984AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: To allow revalidation of Restricted License No. 0111002040 dated 12.11.2021.

Applicant Statement: The applicant stated that 2nd Extension request applied due to Covid 19 and continuous increase in the Dollar Rate, Maize Pricing, Ocean Freight and also Long Transit Time Taken by Shipping lines. They still have 22.5% quantity remaining in their import license and they have consumed 77.5% quantity till date. Their Shipments are on the way and they urgently required this extension. Hence they are requesting to allow revalidation of Restricted item License No.0111002040 dated 12.11.2021.

Decision: The Committee went through the justification made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly, it decided to allow revalidation upto 31.03.2024 against Import Authorisation No. 0111002040 dated 12.11.2021 for restricted item. The firm shall approach RA/DGFT within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/ RA/ILS Section, DGFT HQ)

Case No. 53 M/s. Millenium Exim Private Limited, Kolkata

F.No.HQRPRCAPPLY00006027AM24

Meeting No. 23/AM24 held on 12.12.2023

Subject: To allow export to Bhutan realized in Indian Rupees towards fulfilment of E.O. against EPCG License No.0230008922 dated 01.07.2013.

Applicant Statement: This request was considered by EPCG Committee in the 1st Meeting of AM-24 held on 27.04.2023 and 04.05.2023 wherein Committee decided to refer the case to PRC Section for necessary action. The applicant stated that they have exported to Bhutan in Indian Rupee currency value is Rs. 8,05,52,362.94 within export obligation period of the subject EPCG license under 0% concessional duty. They have already paid composition fees for Rs. 203921. Hence they are requesting to allow export to Bhutan realized in Indian Rupees towards fulfilment of E.O. against EPCG License No.0230008922 dated 01.07.2013.

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)