

NC-1 Offline Minutes

Meeting No.NC/1/MEET/Feb./202324/22 Dated 29.02.2024

Sl. No.1

M. No.: NC/1/MEET/Feb./202324/22 (OFFLINE CASES) Dated 29.02.2024	M/s. Andritz Hydro Pvt. Ltd., Raisen	Status of case
AA No.0510233247 dt.23.12.2008		
HQ. F. No.: 01/80/050/01612/AM09	Subject: Request for re-fixation of norms in respect of export product at S.No.3, namely "Nozzle Assembly".	Approved
RLA No.:		

Case History: In terms of para 4.17 of the HBP, M/s. Andritz Hydro Pvt. Ltd., Raisen has, vide representation dt.02.06.23 (received on 03.01.24) & mail dt.19.10.23, applied for review of NC-I decision taken in Case No.8/40/80-ALC2/2008 considered in Meeting No.08/11 held on 07.06.2010, in respect of Item No.3 (Nozzle Assembly) (MoM copy enclosed).

2. The firm has sought apology for such delayed response to the said NC decision. It has requested to condone the delay on the grounds that it was the period when lots of changes of shuffling the job responsibilities were took place inside it and the key person, who were dealing with the matter had left the organization.

3. The relevant part of the minutes in respect of which the firm wants review is as under:-

"3. Item No.3 (Nozzle Assembly)- Item No.14 to 28 of import is used for the manufacture of export item No.3. The net weight of imported raw material is 80.3 MT. It also contains some raw material. But the export weight is 55.8 MT. Since export weight is less than the net content of imported raw material, the same may be deleted."

4. The firm has stated that the above NC decision is anomalous on account of following reasons:-

- (i) The NC has anomalously considered incorrect weight of the export product.
- (ii) The NC has deleted export item No.3 and related import items on the basis of incorrect assumption of the weight of export product.

5. In support of the above statement, the firm has submitted Chart/Diagram/Drawing of the export product no.3 and detailed weight calculation for the export product, along with various other details.

6. In view of the facts/details submitted by it, the firm has requested for reinstatement of the export item No.3 and the related inputs at S.Nos.14 to 28.

7. The matter has been referred to MHI for examination and comments. Comments of MHI received.

Decision: The Committee considered the case as per agenda and noted that the case was earlier approved in NC meeting dated 25.05.2010 and the export item No. 3 was deleted. Now, the applicant has applied for review of the earlier decision and requested for reinstatement of the export item No. 3 and related inputs at Sl. Nos. 14 to 28. After due deliberation, the Committee decided to revise the ad-hoc norms as per comments of MHI OM No. DES-1/0510233247/2024-TSW dated 26.02.2024 (copy attached).

RA concerned may take suitable consequential action accordingly.


संतोष कुमार दुबे / Santosh Kumar Dubey /
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भारत सरकार / Govt. of India
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Sl. No. 02

Case No.: 67/5/80-ALC2/2018	M/s BHARAT HEAVY ELECTRICALS LIMITED	Status of case
M. No.: NC/1/MEET/Feb./202324/22 (OFFLINE CASES) Dated 29.02.2024		
Lic. No. 0410164150 Date: 02.04.2018	Subject: Request for re-fixation of ad-hoc norms	Deferred.
HQ. No.: 01/80/050/00116/AM19/		
RLA No.: 04/24/040/00267/AM18/		

Case history: The Committee considered the case as per agenda and noted that the case was approved in M. No. 3/80-ALC2/2019 dated 08.05.2019 as per written comments of DHI vide email dated 06.05.2019. However, the applicant had requested for review of the ad-hoc norms.

The representation of the applicant was forwarded to DHI for examination of the case on 25.02.2020 followed by a reminder on 29.10.2020. As per comments of DHI, a deficiency letter was sent to the applicant on 13.08.2021 for furnishing the following information:

1. Complete application with ANF 4A and all enclosures.
2. Background note of the request giving details of the deficiency letter issued & the corresponding reply in the chronological order.

Further, the Committee in its meeting dated 16.11.2021 noted that the applicant's reply was sent to DHI on 26.10.2021 for examination & comments. The representative of DHI informed vide letter dated 16.11.2021 that the applicant's reply was incomplete and the applicant did not furnish the point-wise reply as asked in deficiency letter dated 13.08.2021. Therefore, the Committee decided to ask again from the applicant for furnishing the requisite information within 15 days:

1. Complete application with ANF 4A and all enclosures.
2. Background note of the request giving details of the deficiency letter issued & the corresponding reply in the chronological order.

Further, the Committee in its meeting dated 08.02.2022 noted that the applicant's reply was forwarded to DHI on 16.12.2021 for examination & comments. DHI vide letter dated 08.02.2022 stated that this is an old case and sought for certain information. Therefore, the Committee decided to ask from the applicant for furnishing the following information within 15 days:

1. Complete application with ANF 4A, ANF 4B with all enclosures like appendix 4E, Appendix 4K & Appendix 4H.
2. Background note of the request giving details of the deficiency letter issued & the corresponding reply in the chronological order.

A deficiency letter dated 10.03.2022 followed by a reminder dated 19.05.2022 was issued to the applicant. Further, the applicant's reply was sent to Consultant (Tech-3) on 22.07.202 for examination of the case. As per NC decision, a reminder was issued to Consultant (Tech-3) on 26.09.2022 for expediting the comments.

This case was last considered by NC-1 in its meeting dt.28.04.23 and the decision of the Committee was as under:-

"The Committee considered the case as per agenda and noted that Consultant (Tech-3) via email dated 30.10.2022 informed that the applicant's letter containing issues on which review is required is not available in file. Therefore, the Committee decided to ask the applicant to submit a copy of review letter along with all the relevant documents for examination of the case. Further, the Committee decided to refer this case to DHI for examination. Case is deferred."

Subsequently, the review letter along with all the relevant documents received from the applicant was referred to MHI vide mail dt.26.02.24 for examination and comments.

Decision: The Committee considered the case as per agenda and decided to refer the case to Consultant (Tech-3) for further examination and comments.

Case stands deferred.

रंजित कुमार दुबे / Santosh Kumar Dubey,
उप महा निदेशक विदेश व्यापार
Deputy Director General of Foreign Trade
विदेश व्यापार महानिदेशालय
Directorate General of Foreign Trade
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Ministry of Commerce & Industry
भारत सरकार / Govt. of India
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F. No. DES-1/0510233247/2024-TSW
Government of India
Ministry of Heavy Industries
TSW Division

Udyog Bhawan, New Delhi
Dated: 26 Feb. 2024

Office Memorandum

**Subject:- M/s. Andritz Hydro Pvt. Ltd., Raisen, AA No. 0510233247
dt.23.12.2008**

The Advance Authorization relates to supply of items for Teesta Stage-III project in Sikkim. The case was approved in NC meeting dated 25/05/2010, however, import items at S.Nos.14 to 28 (raw materials at S. Nos. 14 to 17 and components at S. Nos.18 to 28) required for the export item "Nozzle Assembly with Deflector (Injector and Deflector System) appearing at S.No.3 were deleted. The reason for deletion was ambiguity in the weights of export product and imported items used in its manufacture.

Each set of export product comprises of 5 Nozzle assemblies and weight of each nozzle assembly is 9383 Kg. It appears that earlier each nozzle assembly was taken as 1 unit of export product and total weight of export product was calculated as $6 \times 9.3 \text{ MT} = 55.8 \text{ MT}$. The firm has since clarified that each set of export product comprises of 5 Nozzle assemblies and has given material balancing and wastage calculation details. Thus, total weight of 6 sets of export product (each set comprising of 5 Nozzle assemblies) works out to $9383 \times 5 \times 6 = 281,490 \text{ Kg}$.

MHI Input:

For the export Item at S. No. 3 i.e.; 6 sets of Nozzle Assembly with Deflector (Injector and Deflector System), each set comprises of 5 Nozzle assemblies - Total Weight 281,490 Kg

Import items at S. Nos. 14 to 17 as raw materials: Net weight contained in the 6 sets of export product is 80324 Kg. Total gross input quantity of 92372.6 Kg may be allowed inclusive of 15% wastage on net content basis (in line with earlier approval at S. No. 1).

Import items S. Nos. 18 to 28 as components: May be allowed under GN-4 for components with accountability clause.

R. K. Jaiswal
(R. K. Jaiswal)

Development Officer

To,

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