Date of Uploading 05 / 10 /2020

Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting Held on 29.09.2020 under the Chairmanship of Shri Amit Yadav, Director General of Foreign Trade

Meeting No.12/AM21 held on 29.09.2020

The following members were present in the meeting:

1. Shri R.P. Goyal — Addl. DGFT
2. Shri Vijay Kumar — Addl. DGFT
3. Shri S.B.S. Reddy — Addl. DGFT
4. Shri Satyan Sharda — Addl. DGFT
5. Shri Hardeep Singh — Addl. DGFT
6. Shri Anil Aggarwal — Addl. DGFT
7. Shri Rajbir Sharma — Jt. DGFT

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

S. No	Name of the firm	Case No.
1.	M/s. Kancor Ingredients Ltd., Kerala	1
2.	M/s. Maxop Engineering Co. Pvt. Ltd., Haryana	2
3.	M/s. Malsons Polymers Pvt. Ltd., Kolkata	3
4.	M/s. Chittoor Canning Pvt. Ltd., Chittoor (AP)	4
5.	M/s. Chhotanagpur Rope Works Pvt. Ltd., Kolkata	5
6.	M/s. GE Power India Ltd., Gujarat	6
7.	M/s. Sharp Mint Limited, Delhi	7
8.	M/s. Entertainment Network India Pvt. Ltd., Mumbai	8
9.	M/s. MAT Brakes India Pvt. Ltd., Sonepat	9
10.	M/s. KCM Appliances Ltd., Kerala	10
11.	M/s. Dynamatic Technologies Limited, Karnataka	11&12
12.	M/s. Sudarshan Chemical Industries Limited, Pune	13&14
13.	M/s. Motherson Sumi Systems Limited, Mumbai	15
14.	M/s. Mercedes-Benz Research and Development India Pvt. Ltd., Bangalore	16

PH Case No. 01 M/s. Kancor Ingredients Ltd., Kerala

F. No. 01/60/162/929/AM20/PRC

PRC Meeting No.12/AM21 dated 29.09.2020

Clyaw

Subject: To allow MEIS benefit against 10 Shipping bills (2 at Cochin Customs and 8 at Mumbai Customs) in which 'N' has been selected in Reward Column.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020. Shri K.C. Babu, Group Leader - Logistics appeared on behalf of the firm and made the following submissions:

The applicant stated that in respect of 2 Shipping bills at Cochin Customs filed by their CHA, due to technical / oversight error the eligible item namely Oleoresin Black Pepper was wrongly selected as 'N' instead of 'Y' in shipping bills. Understanding the error and value involved in the case, they approached Customs to issue NOC, however it got rejected. They had no way other than approaching the Customs appellate Tribunal, Bangalore, who has favourably considered it and requested Cochin customs to issue the relevant NOC. It's under process, and they expect it to get issued in the coming weeks. However, even with NOC, the S/Bill would remain as reward N in Customs DGFT site, and they won't be in a position to claim it, as only online application are possible in the DGFT site, for MEIS claims. They need support in this matter to amend the status of the S/Bills to 'Y' in the DGFT site, by accepting the order of the honourable court with NOC of Customs. They confirm and declare that the items covered in the S/Bills are well eligible for MEIS benefit and it was only an incidental wrong selection while preparing the shipping bills online. Since the value of MEIS benefit under the threat of loss, they need support in releasing the S/Bills reward Status to Y, so that they can make the online application appropriately. This is requested, as claiming the benefits manually with RLA with Customs NOC in not feasible, and such a facility is not available with them, as per their understanding.

Regarding the 8 shipping bills at Mumbai Customs, they have stated that this is a different case, where 8 shipping bills with 18 products exported. In this case, for 10 products the reward scheme got correctly marked as 'Y' and remaining 8 items marked as 'N'. As per CHA this is a technical error happened in the system while preparing the checklist / S/bill at Customs. As Mumbai customs was originally reluctant to correct the schemes to 'Y' (for 8 items), they had no choice at that point of time, other than claiming the eligible products (10 items). The said 8 shipping bills were claimed for MEIS with DGFT by omitting the 8 items and claimed the remaining 10 line items eligible as 'Y' in shipping bills, as a part of saving the eligible items, at least. As a part of their continued effort, they again approached Mumbai customs, after receipt of MEIS license also, to issue an NOC for the remaining 8 eligible items, understanding it as a technical error, Mumbai customs has now issued the NOC, for the 8 items, with reward scheme as 'Y'. They manually applied for the MEIS claim at RA, Cochin. However, they were given to understand that the MEIS license can be issued for online application and that the same cannot be processed manually. Since the S/Bills are already claimed partly, the same may please be considered to release the benefits only for the unclaimed portion of the items in the S/bills.

<u>Decision</u>: The Committee heard the case on the basis of justification furnished by the applicant and observed that transmission of such amendments in the automated system of issuance of MEIS benefits is not feasible. Accordingly it observed that there is no merit /no hardship in firm's contention and hence, decided to reject the request of the firm.

(Action: Applicant)

PH Case No. 02 M/s. Maxop Engineering Co. Pvt. Ltd., Haryana
F. No. 01/60/162/306/AM20/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Extension of EOP against Advance Authorization No.0510392341 dated 09.12.2014.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020. Ms. Kamla Joshi, Manager Finance appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No.14/AM20 dated 06.08.2019 (Case No.41), wherein the Committee allowed 6 months extension of EOP from the date of endorsement. The applicant stated that the EOP extension is getting expired on 20.03.2020. However, they are able to ship 275129 pcs and by 31.03.2020 it will become 706329 pcs. They will be able to ship balance 408,446 pcs within next 3 Months, due to reasons that; (i) Their customer has revised their schedules and advised them to start shipping from February, 2020 onward only and (ii) They are not able to ship as Containers booking are getting delayed caused by the deadly disease Corona Virus.
During the PH, representative of the firm further explained that due to corona pandemic, in-spite of general extension given to all old AAs still they are not in a position to export and their request is to get EO extension upto 31.3.2021.

Decision: The Committee heard the firm, went through the justification submitted by the applicant and discussed the matter at length. The Committee decided to allow final extension of EO Period up 31.03.2021 against Advance Authorization No.0510392341 dated 09.12.2014. It was made clear that no further extension would be allowed in this case. The firm shall pay composition fee @ 1% on unfulfilled FOB value for extended period. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA, New Delhi)

PH Case No. 03 M/s. Malsons Polymers Pvt. Ltd., Kolkata
F. No. 01/60/162/195/AM19/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Waiver of submission of Bills of exports in case of supply of goods to SEZ units by a DTA unit operating against Advance Authorisation No.0210130213 dated 10.08.2009.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No. 04 M/s. Chittoor Canning Pvt. Ltd., Chittoor (AP)
F. No. 01/60/162/489/AM20/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Condonation of procedural lapse for not mentioning of Advance Authorization No.0910033732 dated 24.04.2008 in the S/Bills towards fulfillment of EO.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020. Shri A. Ramakrishna Reddy, Managing Director appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No.23/AM20 dated 03.12.2019 (Case No.16) wherein the committee had rejected the case. The applicant stated that the exports were made against the said license as each ARE-2 was countersigned by Customs and Central Excise Range-II Chittoor on backside of each ARE 2. These were also countersigned by Customs Authority, Chennai on the backside of each ARE 2. Each ARE 2 mentions Chittoor Canning Pvt. Ltd., through ITC limited, Secunderabad. Hence, requested to allow export made in the shipping bills for fulfillment of export obligation.

Decision: The Committee heard the representative of the firm and reviewed the case on the basis of justification submitted and discussed the matter at length. The Committee observed that mentioning of AA number in the shipping bill is mandatory and the applicant has not submitted any cogent reason/ justification in support of their request to condone it. Accordingly, the Committee decided to maintain the earlier decision of PRC Meeting No.23/AM20 dated 03.12.2019 (Case no.16).

(Action: Applicant)

PH Case No. 05 M/s. Chhotanagpur Rope Works Pvt. Ltd., Kolkata
F. No. 01/60/162/486/AM20/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Clubbing of 2 Advance Authorization No.0210206623 dated 19.04.2016 and 0210207898 dated 17.10.2017 towards discharge of EO.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020. Shri Anurag Jhawar, Director appeared on behalf of the firm and made the following submissions:

This is the case regarding call for personal hearing of PRC Meeting No.02/AM21 dated 20.05.2020 (Case No.23). The applicant stated that both the AAs were issued within the stipulated period of 18 months, as required for clubbing of the authorisations. However, due to slow down and increase in the import price they have made the import beyond the 30 months of the first authorization but within the validity of second Authorization. The have fulfilled the EO in terms of both quantity and value as well. They have made export within 18 months in each of the two authorisations. As per the PN 70/2015-20 dated 30.01.2019, they have made the import 69 metric ton beyond 30 months period but within the validity of valid authorization. They have not taken any EOP extension for the above mentioned authorization. Hence, requested to allow them to club their export obligation with advance authorization as per ANF 4C.

Decision: The Committee heard the submission made by the firm and discussed the matter at length and decided to relax the condition of import within 30 months from the date of issue of earliest authorization for clubbing of two Advance Authorizations No.0210206623 dated 19.04.2016 and 0210207898 dated 17.10.2017. The other terms and conditions for clubbing 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, Kolkata)

PH Case No. 06 M/s. GE Power India Ltd., Gujarat
F. No. 01/60/162/52/AM21/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: To condone the delay in applying MEIS application and to allow MEIS benefit against 109 time barred S/Bills for the export made in year 2015-16 & 2016-17.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020. Shri Laxmiprasad Pujari, Tax Manager – Hydro Business appeared on behalf of the firm and made the following submissions:

The applicant stated that the ownership of the company changed hands in end of 2015 which resulted in shuffling of management and resources leading to change in roles and responsibilities. Further, the person (Mr. Gaurang Patel) assigned with the responsibility for applying for the claims left the organisation mid-way without applying for the claims and the person appointed to assume these responsibilities (Mr. Jayesh Rana) fell seriously ill and subsequently passed away. Further, due to same technical reason in DGFT server they could not file an application in DGFT portal. They could not apply for MEIS for the exports made in year 2015-16 and 2016-17 within the time limit of 1 year from the date of export plus additional 2 years by way of implementing the curtailment of 2%, 5% and 10%. Hence, requested to allow MEIS benefit.

Decision: The Committee heard the submission made by the firm and discussed the matter at length. The Committee observed that the applicant has not submitted any cogent reason/ justification in support of their claim. Accordingly, the Committee decided to reject the case.

(Action: Applicant)

PH Case No. 07 M/s. Sharp Mint Limited, Delhi
F. No. 01/60/162/862/AM20/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: To consider the export of 17 drawback shipping bills against Advance Authorization No.0510401872 dated 06.03.2017 towards fulfillment of EO.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020. Shri Hasija, Advocate, authorized representative appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No.01/AM21 dated 28.04.2020 (Case No.04), wherein the Committee rejected the case. The applicant stated that they have completed 100% EO within initial validity period of EO and achieved 337.95% value addition. By mistake, shipping bills were filed under Drawback scheme. The said mistake was unintentional and by inadvertence and due to unawareness by their export documentation staff and their CHA. The said shipping bills are not free shipping bills and are duly assessed by the customs authorities. They will deposit the drawback with applicable interest to customs and then they shall not claim any double benefit on the exports. It was never their intension to claim drawback instead of export under advance authorization as drawback amount is much lower that duty on imports. Therefore they have requested to allow drawback shipping bills as per statement of export to be counted for export under the above authorization along with return of duty drawback availed with applicable interest to the Customs Authorities.

Decision: The Committee heard the representative of the firm and reviewed the case on the basis of justification submitted and observed that the applicant has not submitted any cogent reason/ justification in support of their request for relaxation of the policy. Accordingly, the Committee decided to maintain the earlier decision of PRC Meeting No.01/AM21 dated 28.04.2020 (Case no.04).

(Action: Applicant)

PH Case No. 08 M/s. Entertainment Network India Pvt. Ltd., Mumbai
F. No. 01/60/162/624/AM20/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Revalidation of SFIS Authorization No.0310806976 dated 09.08.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020. Shri V.M. Chavda, Partner, Excel Legal Services (ELS) Advocates & Solicitors authorized representative appeared on behalf of the firm and made the following submissions:

The applicant stated that validity of the authorization was extended in view of PN No.33 dated 23.10.2017 as applicable to all Authorizations issued under Chapter 3 of FTP and the balance duty credit in the authorization available is to the extent of Rs.13,39,801/-. Authorization utilized for imports under bills of entry Nos. 6739291 & 6739846 for duty debit of Rs.3,07,966/- and under bills of entry Nos.7096350, 7096356, 7096726, 7096755, 7096886, 7097126 & 7097033 for duty debit of Rs. 94,993.30/-. Despite utilization, balance credit of Rs.10,90,824.24 was still pending in the Authorization. Therefore, an application was made by them to RA for transfer of aforesaid SFIS Authorization and endorsing name of their group company viz.

Bennett Coleman & Co. ltd. in the said Authorization along with the original authorization during its validity. On 24.07.2018, a DL was issued by asking for certain further compliance. The same was complied within 2 day and a reply along with the original of Authorization was filed with RA. Meanwhile, the validity of SFIS Authorization expired on 08.08.2018. The have submitted an application on 14.08.2018: for revalidation of SFIS Authorization which had expired in custody of RA, Mumbai. They have received DL dated 21.08.2018, wherein reply to DL explaining expiry of SFIS authorization in custody of RA, Mumbai was made on 31.08.2018. After almost three months of continuous follow-ups, RA, Mumbai declined their request for revalidation of the SFIS authorization on an erroneous ground that the above authorization did not expiry in their custody.

Decision: The Committee heard the representative of the firm, went through the statement made by the applicant along with the report received from RA, Mumbai and discussed the matter at length. The Committee noted that there is a merit in the case, as application for transfer of SFIS benefit to the group company was made to RA Mumbai on 13.7.2018 i.e. within the validity of SFIS scrip with disposal date of 18.7.2018. Amended SFIS was dispatched by RA on 10.8.2018, after its expiry. Accordingly, it decided to allow revalidation of SFIS Authorization No.0310806976 dated 09.08.2016 for a period of 30 days from the date of endorsement. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA, Mumbai)

PH Case No. 09 M/s. MAT Brakes India Pvt. Ltd., Sonepat
F. No. 01/60/162/475/AM20/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: To allow MEIS benefit on the shipping bills utilized in File No.41/21/090/80639/AM17 dated 10.10.2016.

Decision: The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020, but no one appeared on behalf of the firm. The Committee decided to defer the case.

(Action: Applicant)

PH Case No. 10 M/s. KCM Appliances Ltd., Kerala
F. No. 01/60/162/289/AM19/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Revalidation of VKGUY and FPS Scrips (100 Scrips)

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 29.09.2020. Shri John Varghese, Advocate and authorized representative appeared on behalf of the firm and made the following submissions:

This is review case of PRC Meeting No.18/AM19 dated 09.10.2018 (Case No.53), wherein the Committee rejected the case. The applicant stated that the subject goods are not liable for MRP based CVD assessment. Consequent to the Customs refund orders, the VKUY/FPS scrips from where the refund duty amounting to Rs.65,81,466/- was originally debited were re-credited by the RA, Cochin. Thereafter, the re-credited values are also re-instated in to the EDI system by concerned Customs Houses. However, since the procedures relating to appeals, refund, re-credit and re-instate took a considerable time gap, the validity of all the re-credited scips were expired and that procedures relating to appeals, refund, re-credit and re-instate took a considerable time gap. The validity of all the re-credited scrips were expired by that time and hence they could not utilise the same. They are unable to utilise as amount of Rs.65,81,466/- re-credited to scrips even after 4 years from the date of its sanction by Customs Authorities, due to the reason that the validity of scrips are expired by the time those scrips got re-credited after legal procedures involving customs appeals and refunds and also re-credit by DGFT. They, as a small company finds it very difficult to sustain in business due to blockage of such a big amount for a long time. This Covid 19 has further worsened the fund crunch.

Decision: The Committee heard the case on the basis of justification submitted by the applicant along with Judgment Order dated 20.08.2020 passed by the Hon'ble High Court of Kerala at Earnakulam and discussed the matter at length. The Committee decided to accede to the request of the firm for revalidation of FPS/VKGUY scrips (total 100 Scrips, as per list covered under Order No.172/16 for 75 scrips and Order No.196/16 for 25 scrips) for a period of 6 months from the date of endorsement. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA, Cochin)

Case No. 11 M/s. Dynamatic Technologies Limited, Karnataka
F. No. 01/60/162/98/AM21/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Condonation of procedural lapse of not obtaining SCOMET permission against 5 Advance Authorization No.(i) 0710099970 dated 26.11.2013, (ii) 0710108867 dated 12.10.2015, (iii) 0710108868 dated 12.10.2015, (iv) 0710111634 dated 22.05.2017 and (v) 0710111555 dated 08.05.2017 prior to exports.

The applicant stated that Dynamatic Oldland Aerospace, a division of Dynamatic Technologies Ltd., (DTL), Bangalore is one of the leading Manufacturer and exporter of Aerospace Components and structural assembles in the country and supplying to OEMS like Boeing, Airbus, Bell Textron etc. They are one of the subscriber to the make in India theme. The Advance Authorisation No.0710111634 dated 22.05.2017 (AFT Pylon Assy), 0710099970 dated 26.11.2013 (Cargo Ramp Assemble & AFT Pylon Assembly), 0710108867 dated 12.10.2015 (Cargo Ramp Assebmbly 0710108868 dated 12.10.2015 (AFT Pylon Assy) and 0710111555 dated 08.05.2017 (Cargo Ramp Assy) are pertaining to Boeing Project namely boeing Chinnook Aircraft. They have fulfilled all the conditions laid down in the policy. They have completed export obligation in all respects and they are in the process of submitting closure application of above 5 authorisations after clubbing to RA, Bangalore. But their application was rejected for want of SCOMET permission since other advance license of identical export products were rejected for the reasons said above. They were not aware that the export covered by the above authorization comes under the purview of SCOMET permission; the same was not applied for at the time of obtaining the authorization. It is merely a genuine procedural lapse on their part. Hence, requested to condone the procedural lapse.

Decision: The Committee after discussing the matter on the basis of justification submitted by the applicant and Munitions authorisations issued by DDP, decided to confirm from the Department of Defence Production (Ministry of Defence), that the authorizations for export of Munitions list items issued to the applicant are for regularization of past shipment by the firm or for future exports.

(Action: Applicant/ PRC-Division)

Case No. 12 M/s. Dynamatic Technologies Limited, Karnataka
F. No. 01/60/162/99/AM21/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Condonation of procedural lapse of not obtaining SCOMET permission against 2 Advance Authorization No.0710109710 dated 26.04.2016 and 0710109626 dated 04.04.2016 prior to exports.

The applicant stated that Dynamatic Oldland Aerospace, a division of Dynamatic Technologies Ltd., (DTL), Bangalore is one of the leading Manufacturer and exporter of Aerospace Components and structural assembles in the country and supplying to OEMS like Boeing, Airbus, Bell Textron etc. they are one of the subscriber to the make in India theme. The Advance Authorisation No.0710109710 dated 26.04.2016 (Ramp structure assembly-Japan) & 0710109626 dated 04.04.2016 (AFT Pylon Assemble Japan) are pertaining to Boeing Project) namely Boeing KHI Aircraft. They have fulfilled all the condition laid down in the policy and earning huge foreign exchange since the recent past. They have a clean track record as one of the genuine exporters having not indulged in any malafide activates. They have completed export obligation in all respects and they in the process of submitting closure application to RA, Bangalore but their application may reject for want of SCOMET permission since other advance license of identical export products were rejected reasons said above. They were not aware that the exports covered by the above authorization come under the purview of SCOMENT permission, the same was not applied for at the time of obtaining the authorization. It is merely a genuine procedural lapse on their part. Hence, requested to condone the procedural lapse.

Decision: The Committee after discussing the matter on the basis of justification submitted by the applicant and Munitions authorisations issued by DDP, decided to confirm from the Department of Defence Production (Ministry of Defence), that the authorizations for export of Munitions list items issued to the applicant are for regularization of past shipment by the firm or for future exports.

(Action: Applicant/ PRC-Division)

Case No. 13 M/s. Sudarshan Chemical Industries Limited, Pune

F. No. 01/60/162/92/AM21/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Extension in EOP against Authorizations No.3110065501 dated 23.06.2015 for regularization purpose.

The applicant stated that they have fulfilled EO for the above mentioned authorization, through normal course @ 68.89% in terms of value and @ 80.15% in terms of quantity balance export @14.55% in value and @ 15.88% in quantity were fulfilled under PN 34 dated 24.10.2017. Their authorization does not cover under said PN 34. However they have made the export within the time limit allowed as per PN 34. Due to adverse situation of Market, they have not completed the Export Obligation within the EOP. They have done the export within 33 Months from the date of issuance of authorization (as per PN # 34 dated 24.10.2017 their exports were allowed within 48 Months), but where the advance authorizations which were issued prior to 05.06.2012. Their advance authorization was issued on 23.06.2015, much beyond PN 34. So, the same was not considered by RA, Pune. Hence, requested to consider the EOP which have made within 48 months.

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 up to 31.03.2018 only for regularization purpose subject to the payment of composition fees as follows;

i. From 24 month to 30 months @0.5% per month on the unfulfilled FOB value, if exports are fulfilled more than 50% within initial EOP or @ 1% per month where exports have been made less than 50% within initial EOP.
ii. From 30 month onwards, composition fee @ 1% per month on unfulfilled FOB value.

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

(Action: Applicant/RA-Pune)

Case No. 14 M/s. Sudarshan Chemical Industries Limited, Pune
F. No. 01/60/162/94/AM21/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: Extension in EOP against Authorizations No.3110060621 dated 07.10.2013 for regularization purpose.

Decision: The Committee noted that this case was already considered in PRC Meeting No.11/AM21 dated 22.09.2020 under Case No.08 (01/60/162/63/AM21/PRC). Therefore, it decided to withdraw the case.

Case No. 15 M/s. Motherson Sumi Systems Limited, Mumbai
F. No. 01/60/162/09/AM21/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: To allow MEIS benefit against the shipping bills pertained to the year 2015-16 and 2016-17 which is time barred due to delay in uploading of the BRC.

The applicant stated that against the shipping bills of above mentioned year they received payments on time from their buyers, however due to some technical problem in the e-BRC issuance portal of their Bank Namely "State Bank of India", the Bank could not generate and upload e-BRCs against the mentioned shipping bills on DGFT website within the prescribed time period of three years from the date of issuance of shipping bills (which is the prescribed maximum period for filing MEIS scrip). Due to which they could not file their application for issuance of MEIS on time and their shipping bills got expired. However now the problem of server at Banker's end has been sorted out partially and the e-BRC against subject shipping bills have also been issued by their Bankers. Besides this, uploading of balance pending e-BRC's are under process at banker's end. Therefore based upon the facts furnished by them and taking into consideration genuine technical problem, they requested allow to MEIS benefit against shipping bills for which the E-BRC have been issued after the expiry period of the shipping bills, enabling them to avail the incentive benefit.

Decision: The Committee discussed the case on the justification submitted by the applicant and decided to defer the case to seek a report from the concerned bank about delays in uploading the e-BRCs before taking the final decision in the matter.

(Action: Applicant /PRC-Division)

Case No. 16 M/s. Mercedes-Benz Research and Development India Pvt. Ltd., Bangalore
F. No. 01/60/162/80/AM21/PRC
PRC Meeting No.12/AM21 dated 29.09.2020

Subject: To allow import of 2 LHD used Mercedes Vehicles for R&D purpose to import at Bangalore Airport for urgency and one vehicle to ply on road for R&D testing purpose only.

The applicant stated that they want to import 02 (two) used cars to provide certain testing services in relation to specific car models. The details of the cars are as under:

Particular	**Mercedes Benz S Class**	**Mercedes Benz GLS**
Make and model	S 400 D 4- Matic	GLS 400 D 4Matic
Year of Manufacture	2019	2018
Country of Manufacture	Germany	USA
Value	45,000 € (Approx.)	65,000 € (approx.)
Condition	Used Diesel Vehicle	Used Diesel Vehicle
Shipment from	Mercedes-Benz AG, Germany	Mercedes-Benz AG, Germany

The applicant has submitted that current testing environment developed by the applicant consists of standalone hardware which contains software algorithms and rest of the environment is simulated using a Hardware in Loop ('HiL Lab Car') system. However, to perform the above tests, the imported vehicles have to be imported and ply on public roads in India in order to verify the system features in the real-time environment before launch of the software into these models. The vehicles sought to be imported on FOC basis (Free on cost) from MBAG and will be returned back to MBAG post completion of project or scrapped under certification from the concerned authorities once the purpose is served.

Decision: The Committee went through the justification provided by the firm and after deliberations it decided to allow relaxation of port condition as at Para 1(II)(d)(iv) of the Note of Chapter 87 of ITC(HS) 2017, Schedule-I (import policy) to import of above 2(two) Cars through Bangalore Airport by air mode. Permission to ply on Indian Roads may be sought from M/o Road Transport and Highways under the relevant CMVR Rules. The firm would follow rest of the conditions stipulated in the Note below chapter 87.

(Action: Applicant/PC-2(A) Division)

*****