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**Directorate General of Foreign Trade**
**(PRC Section)**

**Minutes of the Policy Relaxation Committee Meeting**
**Held on 02.12.2022 under the Chairmanship of Shri Santosh Kumar Sarangi, Director General of Foreign Trade**

**Meeting No.21/AM23 held on 02.12.2022**

The following members were present in the meeting:

1. Shri Akash Taneja Addl. DGFT
2. Shri Anil Aggarwal Addl. DGFT
3. Shri Dr. S.K. Bansal Addl. DGFT

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

| S. No | Name of the firm | Case No. |
|---|---|---|
| 1. | M/s. Sunbeam Marketing, Kolkata | 1 |
| 2. | M/s. Finolex Cables Ltd., Pune | 2 |
| 3. | M/s. GKB Hi-Tech Lenses Pvt. Ltd., Goa | 3&4 |
| 4. | M/s. GMR Hospitality and Retail Limited, Hyderabad | 5 |
| 5. | M/s. Bharat Heavy Electrical Limited, Jhansi | 6 |
| 6. | M/s. Mccain Foods India Pvt. Ltd., New Delhi | 7 |
| 7. | M/s. General Mills India Pvt. Ltd., Mumbai | 8 |
| 8. | M/s. Zenith Steel Pipes & Industries Limited, Mumbai | 9 |
| 9. | M/s. BMW India Pvt. Ltd., Gurgaon | 10 |
| 10. | M/s. Hindustan Engineering & Industries Ltd., Kolkata | 11 |
| 11. | M/s. Sri Balaji Jewellers & Exporters, Hyderabad | 12 |
| 12. | M/s. Trident Limited, Punjab | 13 |
| 13. | M/s. Wipro Enterprises Pvt. Ltd., Bangalore | 14 |
| 14. | M/s. Colorplast Systems Pvt. Ltd., Noida | 15 |
| 15. | M/s. Ajanta Pharma Limited, Mumbai | 16 |
| 16. | M/s. Bengal Energy Ltd., Kolkata | 17&18 |
| 17. | M/s. Asian Tire Factory Ltd., Jalandhar | 19 |
| 18. | M/s. Glenmark Pharmaceuticals Ltd., Mumbai | 20&21 |
| 19. | M/s. Betul Oil Ltd., Mumbai | 22 |
| 20. | M/s. General Export Enterprises, Mumbai | 23 to 28 |
| 21. | M/s. Kemwell Biopharma Pvt., Bangalore | 29 |
| 22. | M/s. Plansee India High Performance Materials Pvt. Ltd., | 30 |

| | Mysore | |
|---|---|---|

**PH Case No. 01 M/s. Sunbeam Marketing, Kolkata**
F. No. HQRPRCAPPLY00000005AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: To allow FPS benefit against 5 RA File No.(i) 02/21/087/04524/AM13, (ii) 02/21/087/00337/AM12, (iii) 02/21/087/03189/AM13, (iv) 02/21/087/05706/AM13 and (v) 02/21/087/87598/AM15.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 02 M/s. Finolex Cables Ltd., Pune**
F. No. HQRPRCAPPLY00000035AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: To allow 100% EO fulfilment of 3 EPCG Authorization No.(1) 3130003534 dated 20.10.2008, (2) 3130003535 dated 20.10.2008 and (3) 3130003538 dated 21.10.2008.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Kumar Iyer, Authorised Representative appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.27/AM20 dated 14.01.2020 (Case No.06) wherein the Committee decided to deferred the case to RA for its detailed examination and consideration. The applicant stated that they would submit a clear, logical request to RA. Based on the document submitted by the firm, RA will examine and if required, re-fix the annual average export obligation against 19 EPCG authorizations as per the relevant Policy Provisions. The applicant has filed application for review the decision of the Committee and stated that out of 19 EPCG licenses, 15 EPCG licenses, RA, Pune has correctly taken average reduction and the same have submitted for redemption and they have got redeemed. However, for 3 EPCG license covered in this online application by them, while issuing the average reduction, RA, Pune has wrongly issued deletion of Finished products as per originally issued EPCG license after the licenses EO period has expired due to which they cannot redeem the said EPCG licenses. They therefore had not option but to apply for this online PRC request for the 3 EPCG licenses which they could not redeem due to deletion of Finished products after the license EO period is over. Addition /deletion of product allowed under EPCG authorizations is always applicable on prospective basis never on retrospective basis. They also wish to point out that after introduction of LED lamps technology in the market in the year 2009, the countries export for discharge lamp (CFL) has dropped drastically from Rupees 12000 Cr in the year 2008 to Rupees 400 Cr in the year 2016 when their license expired and NIL in the year 2020. Immediately after import of EPCG machinery this shift in technology happened. They now have very little scope of for the export of CFL or discharge lamp. Due to this change in market scenario, there is neither scope for export nor scope for domestic sale for export product CFL or discharge lamp using the machine which they had procured and import through EPCG scheme as per FTP-2004-09. The technology and the machine are redundant and obsolete. Domestically, procurement under deemed exports is also stopped. They are now unable to fulfillment of EO as they don't have deemed /any export order for CFL /discharge lamp abroad. Hence they are requesting to allow 100% specific EO fulfilment using all the products initially allowed under subject EPGC licenses.

**Decision:** The Committee heard the submission made by the firm and discussed the matter at length and observed that there is merit in the case. Accordingly, it decided to accede to the request of the firm and allowed 100% specific EO fulfillment against 3 EPCG Authorisations No.(1) 3130003534 dated 20.10.2008, (2) 3130003535 dated 20.10.2008 and (3) 3130003538 dated 21.10.2008 by using all the export products initially allowed under the subject EPCG Authorisations. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

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

**PH Case No. 03 M/s. GKB Hi-Tech Lenses Pvt. Ltd., Goa**
F. No. HQRPRCAPPLY00000362AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: To allow MEIS benefit against 133 shipping bills pertain for the period 2016-17 and 2017-18.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Amjad Sayyed, Authorised Representative appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.17/AM22 dated 03.12.2021 (Case No.13), wherein Committee decided to accede to the request and allowed MEIS benefit, without any late cut, only for those shipping bills which pertain to the period when the firm was under Denied Entity List (DEL). Accordingly, the firm shall approach RA before 31.12.2021. The applicant has filed application for review the decision of the Committee and stated that due to an issue for installation of EPCG Machinery in their DTA Unit their IEC No.1788000064 was placed under DEL from 21.12.2017 to 23.06.2020 by RA, Mumbai/Goa and blocked by NIC. MEIS application can be filed upto 12 months from end of financial year of exports in terms of par 9.02 HBP. Although their many S/Bills are prior to the date of DEL of IEC but the ECOM application can only be filed upon receipt of EBRC's within original submission period or extended period of submission with late cut provisions in the Exim Policy. The ECOM File No. for 42 S/Bills for year 2016-2017 could be generated upto 21.02.2019 within total 24months of 2016-2017 which are allowed with 5% late cut. Similarly ECOM File Nos. for 91 S/Bills for year 2017-2018 were generated upto 11.07.2018 which are allowed with 2% late cut. Hence they are requesting to allow all 133 S/Bills for year 2016-17 and 2017-18 without any late cut.

**Decision**: The Committee heard and reviewed the case on the basis of justification furnished by the firm and found no merit in the request and hence it decided to maintain the earlier decision of PRC in its Meeting No.17/AM22 dated 03.12.2021(Case no.13).

**(Action: Applicant)**

**PH Case No. 04 M/s. GKB Hi-Tech Lenses Pvt. Ltd., Goa**
F. No. HQRPRCAPPLY00002582AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: To allow MEIS benefit against 293 Shipping Bills pertaining for the period 2015-16, 2016-17 and 2017-18.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Amjad Sayyed, Authorised Representative appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.03/AM23 dated 22.04.2022 & 05.05.2022 wherein Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated that they are eligible for allow MEIS benefit in terms of para 9.02 of HBP. They were filed MEIS ECOM applications between 06.12.2017 to 19.06.2018 and their MEIS applications for the year 2015-2016, 2016-2017 and 2017-2018 were rejected by Development Commissioner Office SEEPZ on the date of their consideration on grounds that their IEC was under DEL from 21.12.2017. The reasons of DEL was that one EPCG machinery was installed at another location of their own company then as originally mentioned at the time of issue of EPCG. The installation of the new EPCG machinery at other location was for the reasons that in the earlier location there was lesser space and in other location they had sufficient space which is their own location. This was regularized by the EPCG Committee and their IEC was removed from DEL on 23.06.2020. Due to blocked IEC they could not apply for MEIS. Hence they are requesting to consider their request in term of Trade Notice No.36 dated 9.10.2020 and allow MEIS claim for 293 S/Bills for year 2015-2016, 2016-17 and 2017-2018.

**Decision:** The Committee heard and reviewed the matter on the basis of justification furnished by the firm and decided to refer the case to NIC-Division for their comments and thereafter the same may be brought back before PRC.

**(Action: Applicant /NIC-Division)**

**PH Case No. 05 M/s. GMR Hospitality and Retail Limited, Hyderabad**

F. No. HQRPRCAPPLY00000009AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Revalidation of 5 SFIS Scrip No.(1) 0910067574 dated 28.05.2019, (2) 0910067575 dated 28.05.2019, (3) 0910067576 dated 28.05.2021, (4) 0910067577 dated 28.05.2019 and (5) 0910067592 dated 28.05.2019.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Pradeep P., Authorised Representative appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.09/AM22 dated 09.09.2021 (Case No.13) wherein the Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated that the company is into the business of operation and maintenance of Novotel Hyderabad Airport at Shamshabad. They had obtained scrips under SFIS from the RA Hyderabad as in 23 split scrips and out of 18 scrips worth Rs.90 lakhs Scrips were transferred to their group company and 5 scrips were retained for actual utilization for hotel renovation. Due to covid-19 renovation of Hotel was kept on hold and second wave of Covid-19 across the world it would not be possible to import the equipment /materials get cleared under the SFIS within the validity period. In view of the huge loss incurred by the Hotel over the last 1 year paying the customs duties will be additional burden and create undue financial hardship on the Hotel. EPCG is not opted due to the doubt in achieving the annual export obligation fulfilment. Hence they requesting to allow revalidation of SFIS scrips and extend the validity for 6 more months.

**Decision**: The Committee heard and examined the case on the basis of statement made by the applicant. It observed that there is no merit in firm's contention and accordingly, it decided to maintain rejection of the earlier decision of PRC in its Meeting No.09/AM22 dated 09.09.2021 (Case no.13).

**(Action: Applicant)**

**PH Case No. 06 M/s. Bharat Heavy Electrical Limited, Jhansi**
F. No. HQRPRCAPPLY00000711AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Relaxation in cut off date for supplying goods to project fund by JICA under para 8 (2d) read with para 8 (3c) of FTP 2009-14.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Z.U. Alvi, Shri N.K. Bansal and Shri Vikash Kumar, Authorised Representatives appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.21/AM22 dated 10.03.2022 (Case No.02), wherein the Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated that RA rejected their claim for TED Refund for six transformers involving duty Rs.2,39,12,052/- since supplied after 31.03.2015 and informed that the contractual delivery period has been extended by M/s. Madhya Pradesh Transmission Co. Ltd. from time to time. The entire supply so far has been effected within the contractual agreed delivery period. Further so far as export obligation discharge period is concerned the FTP HBP vide relevant provisions provides, 24 months from the date of AA, however the said period for supplies to projects/turnkey projects in India/abroad under deemed export category as contractual delivery period. Hence they are requesting for relaxation in condition of Policy Circular No.22/2015-20 dated 23.07.2018 and Cut Off date be extended upto the contractual period of supply for the concerned deemed export period.

**Decision**: The Committee heard and reviewed the matter on the basis of justification furnished by the firm and found no merit in the request and hence it decided to maintain the rejection of earlier decision of PRC in its Meeting No.21/AM22 dated 10.03.2022 (Case no.02).

**(Action: Applicant)**

**PH Case No. 07 M/s. Mccain Foods India Pvt. Ltd., New Delhi**
F. No. HQRPRCAPPLY00001337AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation for delay in submission of 2 online TMA application for the period July 2019 to September 2019 and (ii) October 2019 to December 2019.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Rajat Dosi, Partner appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.01/AM23 dated 07.04.2022(Case No.26) wherein the Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated that due to the Covid-19 pandemic and technical glitches in the system, the company could not submit the application for quarters ending September, 2019 and December 2019. The PRC has passed an order without giving any reasons nor is any opportunity being provided to be heard in person, therefore in the given case there a clear violation of the principles of natural justice. The PRC has already given relaxation in various cases to various parties on identical matters i.e. M/s. Astish Industries, Mumbai and M/s. Bhagavati Commission Agents Pvt. Ltd. etc. Hence they are requesting to allow condonation of delay in submission of TMA application.

**Decision**: The Committee heard and reviewed the case on the basis of submission furnished by the applicant. It observed that there is no merit in firm's contention and accordingly, it decided to maintain rejection of the earlier decision of PRC in its Meeting No.01/AM23 dated 07.04.2022 (Case no.26).

**(Action: Applicant)**

**PH Case No. 08 M/s. General Mills India Pvt. Ltd., Mumbai**
F. No. HQRPRCAPPLY00001567AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: To condone the delay in filing TMA application for period July 2020 to September 2020 due to technical error in DGFT portal.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 09 M/s. Zenith Steel Pipes & Industries Limited, Mumbai**
F. No. HQRPRCAPPLY00288521AM22
Meeting No.21/AM23 held on 02.12.2022

**Subject: To allow SHIS benefit against the export made during the year 2010-11.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri B. Girvanesh Chief Finance Officer and Shri Rohit Shah, Authorised Representative appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.15/AM21 dated 03.11.2020 & 11.11.2020 (Case No.12) and 12/AM22 dated 28.09.2021 (Case No.04), wherein the Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated that their matter concerns SHIS where due to confusion in policy they had availed the benefit for the year 2009-10 in which they were ineligible because of the same confusion in the understanding of the policy. Their previous request for policy relaxation and allowing them their rightful claim against the returning of erroneous claim was denied by the PRC. They are modifying their request and instead of asking for more 90 lakhs which they were entitled for claim they are appealing for to settle them against they have received and would forfeit right to higher claims for the particular year under the scheme. They had made application for 2009-10, exported in AM12-13, instead of application for 2010-11exports, which benefits more. RA Mumbai failed to process and issues their claim. Hence they are requesting to allow SHIS benefit against the export made during the year 2010-11.

**Decision**: The Committee reviewed and heard the case on the basis of justification provided by the firm and found no merit in the request of the firm and hence decided to maintain the earlier decisions of PRC in its Meeting No.15/AM21 dated 03.11.2020 & 11.11.2020 (Case No.12) and 12/AM22 dated 28.09.2021 (Case No.04).

**(Action: Applicant)**

**PH Case No. 10 M/s. BMW India Pvt. Ltd., Gurgaon**
F. No. HQRPRCAPPLY00002545AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Revalidation of 6 (1 SEIS Scrip No.0719043605 dated 10.06.2019) and 5 MEIS Scrip No.(1) 0319229304 dated 23.05.2019, (2) 0319230735 dated 31.05.2019, (3) 0319230711 dated 31.05.2019, (4) 0519167594 dated 07.05.2019 and (5) 3719011110 dated 30.08.2019.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Rahul Khurana and Ashish Garg, Authorised Representative appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.02/AM23 dated 13.04.2022 (Case No.10&11), wherein the Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated that the reason of non-utilization of the subject scrips is attributed to the well-known disruption in supply chain and production due to outbreak of Covid-19 pandemic, which has been discussed in detail in their earlier letter and company also wishes to highlight that office has allowed revalidation scrips/licenses, to similarly placed applicants as well. While taking cognizance of the unprecedented circumstances due to the Covid-19 and its consequences faced by businesses across, the nation, the Hon'ble Supreme Court Order dated 10.01.2022. Hence they are requesting to allow Revalidation of 6 MEIS/SEIS Scrip No.0719043605 dated 10.06.2019.

**Decision**: The Committee heard and examined the case on the basis of submission made by the applicant and found no merit in the request and hence it decided to maintain rejection of the earlier decision of PRC in its Meeting No.02/AM23 dated 13.04.2022(Case no.10&11).

**(Action: Applicant)**

**PH Case No. 11 M/s. Hindustan Engineering & Industries Ltd., Kolkata**
F. No. HQRPRCAPPLY00002639AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: To allow MEIS benefit against 2 Shipping Bill No.9265637 dated 28.04.2015 and 9265720 dated 28.04.2015.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri S. Dutt, Authorised Representative appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.03/AM23 dated 22.04.2022 & 05.05.2022 (Case No.55), wherein the Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated that their supply to Tanzania Railways is classified as a Project Export. As per definition of Project Exports in FTP any supply having staggered payment schedule will be considered as Project Exports. They had completed supply by March 2015, although wagons were tendered to the Customs and Port Authorities in the month of March, 2015, wagons under 2 S/Bills could not be shipped due to various import export formalities and port congestion. Wagons are not normal products and handling of same are also typical, cumbersome extensively rigorous and subject to sophisticated material handling infrastructure. Wagons under the 2 S/Bills were shipped in the month of April 2015 instead of March, 2015. During the period of March and April 2015, there had been changes in EXIM Policy and Focus Product Scheme (FPS) system which was valid up to 31.03.2015 was converted into MEIS Scheme from 1$^{st}$ April 2015 under new EXIM Policy 2015-2020. This switch over from FPS to MEIS system put their above 2 S/Bills in gallows. Since their payment terms with Tanzania Railways was on staggered period basis, these 2 S/Bills were deprived from getting entitlement of FPS as their payments were not received as per the payment Schedule under FPS system. They have received payment on 15.01.2021, and claim can be made within 6 months from the date of realisation under FPS system but due to falling under MEIS scheme, the clause of 3 years was considered. This made them unable to claim the benefit under MEIS of two S/Bills.Bank unable to issue e-BRC in time due to Banks merger process. Hence they are requesting to allow MEIS benefit against two S/Bills as mentioned in the subject.

**Decision**: The Committee heard and reviewed the case on the basis of statement made by the firm. It observed that there is no merit in firm's contention and accordingly, it decided to maintain rejection of the earlier decision of PRC in its Meeting No.03/AM23 dated 22.04.2022 and 05.05.2022 (Case no.55).

**(Action: Applicant)**

**PH Case No. 12 M/s. Sri Balaji Jewellers & Exporters, Hyderabad**
F. No. HQRPRCAPPLY00002754AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Relaxation of Para 4.83 of HBP and customs circular No.27 of 2016 to avail benefit under Gold Outright Purchase Scheme against 3 Shipping Bill No.2536933 dated 19.06.2021, 2735269 dated 28.06.2021 and 2768371 dated 29.06.2021.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022. However, firm vide mail dated 01.12.2022 intimated that due to some immediate medical emergency in their family they are unable to attend the PH and requested for a later date. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 13 M/s. Trident Limited, Punjab**
F. No. HQRPRCAPPLY00002557AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Revalidation of 3 Target Plus License No.(1) 0510404152 dated 29.09.2017, (ii) 0510404155 dated 29.09.2017 and (iii) 0510404156 dated 29.09.2017.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Sanjay Malhotra, Practicing Company Secretary and Shri Ashish Agarwal, Group Head Tax, appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.27/AM21 dated 31.03.2021 (Case No.31) wherein Committee decided to withdraw this case from PRC and refer back again the matter to PC-3 Division for taking necessary action. The PC-3 Section has been rejected their request as Target Plus Scrips have actual user condition and there is a nexus condition between the exports made and the imports to be effected and TPS Scrips have limited transferability only amongst certain group companies vide their letter dated 22.12.2021. PC-3 had rejected the genuine request of the revalidation of the unutilized Duty Credit Scrips, in a non-speaking and unreasoned order without replying on applicable legal provisions. Further the question of broad nexus between the exports made and the imports to be effected was raised for the first time in the Order. They never granted a reasonable opportunity of making objection or a reasonable opportunity. The review application has been filed with new contentions making averments to the new reason for disallowance of the revalidation of scrips and therefore the same has to be decided on merits and a new order has to be passed. Thus they requested that the inexplicable administrative delay on behalf of DGFT in issuance of license be rectified and grant revalidation to the applicant's license as per Para 3.2.5 (vii) of HBP 2005-06 ad amended by Public Notice No.RE-113(2007)/2004-2009 dated 15.02.2008.

**Decision**: The Committee heard the case on the basis of statement made by the applicant along with the letter dated 23.12.2021 issued by PC-3 Division in the matter and discussed the matter at length. It is observed that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request of the firm.

**(Action: Applicant)**

**PH Case No. 14 M/s. Wipro Enterprises Pvt. Ltd., Bangalore**
F. No. HQRPRCAPPLY00002978AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Revalidation of 8 MEIS Scrips No.(i) 0719042093 dated 07.05.2019, (ii) 0719039698 dated 25.02.2019, (iii) 019031801 dated 19.07.2018, (iv) 0719040955 dated 04.04.2019, (v) 0719040953 dated 04.04.2019, (vi) 0719041863 dated 02.05.2019, (vii) 0719041865 dated 02.05.2019 and (viii) 0719041908 dated 03.05.2019.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri R. Rajesh, Shri Sunil Chada, appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.21/AM22 dated 10.03.2022 (Case No.25) wherein the Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated the business started going down globally due to Covid-19 pandemic onset, the Government has increased customs duty on steel also levied Anti-Dumping Duty and Safeguard Duty on import of steel especially from China and they have change the sourcing strategy due to increase in custom duty and depend on domestic supplies and containers scarcity also affected the imports. Moreover, the aforesaid reasons, the import of raw material got delayed and they could not utilize the MEIS license within validity period and the license got expired. Hence they are requesting to allow revalidation of 8 MEIS Scrips as mentioned in the subject.

**Decision**: The Committee heard and examined the case on the basis of statement made by the firm and observed that there is no merit in firm's contention and accordingly, it decided to maintain rejection of the earlier decision of PRC in its Meeting No.21/AM22 dated 10.03.2022 (Case no. 25).

**(Action: Applicant)**

**PH Case No. 15 M/s. Colorplast Systems Pvt. Ltd., Noida**
F. No. HQRPRCAPPLY00003190AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: EOP extension against 5 Advance Authorization No.(i) 0510391658 dated 20.10.2014, (ii) 0510393096 dated 05.02.2015, (iii) 0510395159 dated 03.08.2015, (iv) 0510396252 dated 05.11.2015 and (v) 0510397732 dated 26.02.2016.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Rajesh Batra, Chairman, appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.06/AM23 dated 31.05.2022 (Case No.14) wherein Committee rejected the case. The applicant has filed application for review the decision of the Committee and stated that they had requested for extension in EOP period for two years to fulfil the subject AA and they were granted an EOP for six months and approval was received on 18th December, 2020. Due to the advent of the second Covid-19 wave all their plants/production/supplies activities were affected from March/April 2021 and they were unable to utilise the 6 months period as they could have under normal circumstances. Hence they are against requested to grant extension in EOP for further period of 2 years to fulfil the export against five AA.

**Decision**: The Committee heard and reviewed the case on the basis of submission made by the applicant and found no merit in the request and hence it decided to maintain rejection of the earlier decision of PRC in its Meeting No.06/AM23 dated 31.05.2022 (Case no.14).

**(Action: Applicant)**

**PH Case No. 16 M/s. Ajanta Pharma Limited, Mumbai**
F. No. HQRPRCAPPLY00002814AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Extension of EOP against Advance Authorization No.0310838675 dated 05.10.2020.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 17 M/s. Bengal Energy Ltd., Kolkata**
F. No. HQRPRCAPPLY00117776AM21
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation of delay in export beyond 1st extension of EOP in respect of EPCG Authorization No.0230004394 dated 07.08.2009.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 18 M/s. Bengal Energy Ltd., Kolkata**
F. No. HQRPRCAPPLY00117741AM21
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation of delay in export beyond 1st extension of EOP in respect of EPCG Authorization No.0230004393 dated 07.08.2009.**

**<u>Decision:</u>** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 19 M/s. Asian Tire Factory Ltd., Jalandhar**
F. No. HQRPRCAPPLY000153481AM22
Meeting No.21/AM23 held on 02.12.2022

**Subject: Revalidation of following 10 Advance Authorisation No.(i) 3010103568 dated 23.07.2015, (ii) 3010103748 dated 29.03.2016, (iii) 3010103812 dated 28.07.2016, (iv) 3010104069 dated 30.06.2017, (v) 3010104067 dated 30.06.2017, (vi) 3010104109 dated 30.08.2017, (vii) 3010104201 dated 03.01.2018, (viii) 3010104215 dated 22.01.2018, (ix) 3010104216 dated 22.01.2018 and (x) 3010104250 dated 26.02.2018 to import Natural Rubber**

The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, Shri Kuldeep Kapur, Authorised Representative appeared on behalf of the firm and made the following submissions:

This is the review case of PRC Meeting No.06/AM23 dated 31.05.2022 (Case No.03) wherein Committee deferred the case for personal hearing. The applicant has filed application for review the decision of the Committee and stated that they could not able to import Natural Rubber due to pre Import condition endorsed on the 10 Advance Authorisation and made major export in Anticipation to EDI generated file number considering Para 4.27 of HBP 2015-2020 and due to ambiguity in the Policy and procedures and implementation thereof. The procurement of all these inputs, processing and production, finishing and packaging takes considerable time apart from export cargo transit time, procedural time, factory to port movement, internal port procedure, uploading the container in the vessel for final discharge for export from India etc. even in the normal course when there is no port congestion or any other unforeseen circumstances. Further there are also requirements of inspection of consignment by the Rubber Board or to obtain inspection waiver certificate from the Rubber Board for import of Natural Rubber as well as Port restriction for import of Natural Rubber. Due to this the movement of import cargo from the port to the factory site also takes long time. Taking all these aspects into account, six month time get over by the time they finalize another order. As per Notification No.42/2015-2020 dated 21.03.2017 with condition of pre-import condition added grave situation which is not feasible at all. Moreover, the ambiguity notifications they could not able to import Natural Rubber. If their licences are not revalidated and they are not permitted to import Natural Rubber, it would amount to denial of their substantial benefit. Hence they are requesting to allow revalidation of subject Advance Authorisation to import of Natural Rubber.

**Decision**: The Committee heard and reviewed the matter on the basis of justification furnished by the firm and found no merit in the request and hence it decided to maintain the earlier decision of PRC in its Meeting No.21/AM22 dated 10.03.2022 (Case no.03).

**(Action: Applicant)**

**PH Case No. 20 M/s. Glenmark Pharmaceuticals Ltd., Mumbai**
F. No. HQRPRCAPPLY00338697AM22
Meeting No.21/AM23 held on 02.12.2022

**Subject: To count the export of 2 Shipping Bills No.5414026 dated 24.09.2020 & 5444482 dated 25.09.2020 against Advance Authorization No.0310835633 dated 18.04.2020 towards redemption / regularization purpose only.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022. However, firm vide mail dated 01.12.2022 intimated that the concerned persons who are to represent in the PH are travelling and requested to defer. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 21 M/s. Glenmark Pharmaceuticals Ltd., Mumbai**
F. No. HQRPRCAPPLY00347528AM22
Meeting No.21/AM23 held on 02.12.2022

**Subject: To count the export made through 10 free Shipping Bills towards fulfilment of EO against Advance Authorisation No.0310831647 dated 19.09.2019.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022. However, firm vide mail dated 01.12.2022 intimated that the concerned persons who are to represent in the PH are travelling and requested to defer. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 22 M/s. Betul Oil Ltd., Mumbai**
F. No. 01/60/162/189/AM18/PRC
Meeting No.21/AM23 held on 02.12.2022

**Subject: Revalidation of 5 Advance Authorization No.(1) 31002899 dated 22.12.1998, (2) 2313378 dated 22.12.1998, (3) 31002874 dated 07.12.1998, (4) 03028241 dated 01.03.1999 and (5) 2313379 dated 22.12.1998.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 23 M/s. General Export Enterprises, Mumbai**
F. No. HQRPRCAPPLY00001571AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation of delay in submission of online TMA application for the period 01.04.2019 to 30.06.2019.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 24 M/s. General Export Enterprises, Mumbai**
F. No. HQRPRCAPPLY00001573AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation of delay in submission of online TMA application for the period 01.07.2019 to 30.09.2019.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 25 M/s. General Export Enterprises, Mumbai**
F. No. HQRPRCAPPLY00002064AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation of delay in submission of online TMA application for the period 01.07.2020 to 30.09.2020.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 26 M/s. General Export Enterprises, Mumbai**
F. No. HQRPRCAPPLY00002065AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation of delay in submission of online TMA application for the period 01.10.2019 to 31.12.2019.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 27 M/s. General Export Enterprises, Mumbai**
F. No. HQRPRCAPPLY00002062AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation of delay in submission of online TMA application for the period 01.04.2020 to 30.06.2020.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 28 M/s. General Export Enterprises, Mumbai**
F. No. HQRPRCAPPLY00002063AM23
Meeting No.21/AM23 held on 02.12.2022

**Subject: Condonation of delay in submission of online TMA applications for the period 01.01.2020 to 31.03.2020**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 29 M/s. Kemwell Biopharma Pvt., Bangalore**
F. No. HQRPRCAPPLY00002599AM23
Meeting No.21/AM23 held on 02.12.2022

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

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

**PH Case No. 30 M/s. Plansee India High Performance Materials Pvt. Ltd., Mysore**
F. No. HQRPRCAPPLY00257038AM22
Meeting No.21/AM23 held on 02.12.2022

**Subject: To grant Personal Hearing for Grievance Redressal and to file the Norms for main Products which has been exported by them against Advance Authorization No.0710108948 dated 26.10.2015.**

**Decision:** The applicant had sought personal hearing in terms of Para 2.59 of FTP-2015-2020, which was afforded on 02.12.2022, but no one appeared on behalf of firm. Accordingly, the Committee decided to defer the case.

**(Action: Applicant)**

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