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Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee Meeting
Held on 20.07.2023under the Chairmanship of
Shri Santosh Kumar Sarangi, Director General of Foreign Trade

Meeting No.11/AM24 held on 20.07.2023

The following members were present in the meeting:

1. Shri S.B.S. Reddy Addl. DGFT
2. Shri Hardeep Singh Addl. DGFT
3. Shri AkashTaneja Addl. DGFT
4. Shri Anil Aggarwal Addl. DGFT
5. 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. GV Ventures, Mumbai	1
2.	M/s. Esquire Multiplast Pvt. Ltd., Kerala	2
3.	M/s. Advance Power Display system Limited, Mumbai	3
4.	M/s.Balasore Alloys limited, Kolkata	4
5.	M/s. Bharat Silks, Bangalore	5
6.	M/s. Softgel Healthcare Pvt. Ltd., Chennai	6
7.	M/s. Sterile India Pvt. Ltd., Delhi	7
8.	M/s. Adishank Chemical Pvt. Ltd., thane	8
9.	M/s. Fresenius Kabi Oncology Limited, New Delhi	9
10.	M/s. Medreich Limited, Bangalore	10
11.	M/s. Metalloys Recycling limited, Mumbai	11
12.	M/s. Minagold Jewels Pvt. Ltd., Mumbai	12
13.	M/s. Rohan Industries, Alwar	13
14.	M/s. Salasar Techno Engineering Limited, New Delhi	14
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16.	M/s. Welspuncorp Limited, Gujarat	16
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18.	M/s. Ball Beverage Packaging (India) Pvt. Ltd., Panvel	18
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20.	M/s. Gland Pharma Limited, Hyderabad	20
21.	M/s. Kiriloskar oil Engines Ltd., Pune	21
22.	M/s. Ralson (India) Limited, Ludhiana	22
23.	M/s. Sara Sae Private Limited, Dehradun	23
24.	M/s. Mahesh Weaving Factory, Bangalore	24
25.	M/s. Sunita Exports, Mumbai	25

26.	M/s. Padget Electronics Pvt.Ltd., Noida	26
27.	M/s. Omega TraeximInc, Moradabad	27
28.	M/s. Onrise Barter Pvt. Ltd., Kolkata	28
29.	M/s. H P Cotton Textile mills Ltd., Hissar (HR)	29
30.	M/s. Arch Pharmalabs Limited, Mumbai	30
31.	M/s. Paccar India Pvt. Ltd., Pune	31
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Case No. 01 M/s. G V Ventures, Mumbai

F.No.HQRPRCAPPLY00205762AM22

Meeting No.11/AM24 held on 20.07.2023

Subject: To allow supplementary ROSCTL benefit against 32 shipping bills.

Applicant's statement: This is a defer case of PRC Meeting held on 07/AM23 held on 21.06.2022 (Case No.39) wherein Committee decided to refer the issue to PC-3 Division for its examination and resolution.

The matter was taken up. The entire submission made by the applicant was gone through. The applicant stated that they are readymade garments exporter from MSME sector. They have received short amount of ROSCTL benefit for Rs.2032113/- Their finding is due to technical glitches at the time of filling ROSCTL application, unit of measurement is considered in dozens instead of number. Their shipping bills against drawback code number clearly mentioned unit of measurement (UOM) is in number. ROSCTL benefits considered according to the numbers and not dozens. Since, scrip was already fully utilized by the applicant it cannot be surrendered/cancelled. They have raised online complaint on 28.05.2021 but same has been in process. As the different amount is very huge they would request to issue supplementary license for the difference amount. They are facing financial crunch due to cancellation of several orders, delay of payment from customers, non-availability of raw materials, increase of yarn /fabric price, increase of labour charges for all job work process etc., because of this pandemic period. Hence, they are requesting to issue supplementary scrip of ROSCTL (for the balance amount of Rs.2032113/-) or allow them to file application for ROSL benefits in lieu of ROSCTL for short amount or allow them to file application of MEIS for certain shipment which they have not filed application to DGFT.

Decision: The Committee examined the case on the basis of justification submitted by the applicant along with the comments received from PC-3 division and discussed the matter at length. The Committee noted that in the automated environment, supplementary RoSCTLScrip cannot be issued as firm has already utilized the Scrip initially issued to them. The Committee discussed the case at length and found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 02 M/s. Esquire Multiplast Pvt. Ltd., Kerala

F.No.HQRPRCAPPLY00000386AM24

Meeting No.11/AM24 held on 20.07.2023

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

This is a review case of PRC Meeting No.04/AM24 held on 26.05.2023 (Case No.09) wherein Committee reject the case.

Applicant's statement: 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.

Decision: The Committee reviewed the case on the basis of submission made by the applicant and discussed the matter at length and it decided to refer the case to PC-4 division for its examination in terms of Para 4.47 of HBP. Thereafter the case may be brought back again before PRC for a decision.

(Action: Applicant/ PC-4 Division)

Case No. 03 M/s. Advance Power Display system Limited, Mumbai

F.NoHQRPRCAPPLY00000116AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Revalidation of MEIS scrip No. 2719016887 dated 04.04.2022 & 2719016887 dated 04.04.2022.

Applicant's statement: The applicant stated that the subject MEIS scrip issued from DGFT thru SEEPZ SEZ and the validity of these licenses has expired Non-EID Scrip on 03.04.2023. It is manually issued script from SEEPZ. They requested for validity period extension for two months. This is incentive for hardware company in SEEPZ SEZ thru MEIS licence. The value is more than Rs. 40 lakh. Hence they are requesting to allow two months revalidation against above mentioned MEIS scrip.

Decision: The Committee discussed the case at length and found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 04 M/s.Balasore Alloys Limited, Kolkata

F.No.HQRPRCAPPLY00000339AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization No. 0210209601 dated 09.12.2019.

Applicant's statement: The applicant stated that they had obtained subject license from the Zonal DGFT, Kolkata for procurement of raw materials to be used in the production of Ferro Chrome. The plant was not in operation since June 2020 to December, 2022 due to the Covid-19 pandemic along with its frequent lock-down which resulted in the nose-diving of the ferrochrome market mainly in China, resulting in complete disruption of the supply chain, desertion by dedicated manpower etc. Therefore, the duty free imported raw material under the above mentioned AA wasnot being utilized for the production of the finished goods due to closure of Plant Operation. Due to this the company could not fulfil the EO under the license during the EOP as specified in the license. Further the company during the shut-down period took several steps to set its house in order and plan a gradual revival of its operations. The major change commenced withthe Board of Directors being re-constituted in April 2021 and fresh expertise being brought in. Thereafter a slew of initiatives was taken by the new management. Hence they are requesting to allow EOP extension up to 31.12.2023 without payment of any composition fees.

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 decidedto accede to the request and allowed EOP extension up to 31.12.2023 against advance authorisation No. 0210209601 dated 09.12.2019subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Kolkatta)

Case No. 05 M/s. Bharat Silks, Bangalore

F.No.HQRPRCAPPLY00000358AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Waiver of procedural requirement as per HBP against Advance Authorization No. 0710113491 dated 27.06.2018

Applicant's statement: The applicant stated that they had obtained subject license from RA Bangalore and completed export obligation in full in proportion to the imports made under the said AA. Whatever quantity of fabric they had imported had been consumed in the manufacturing and export of export products as given in the AA export list. They have submitted documents for closure of the AA and issue of EODC to RA Office during the processing of the documents for EODC, they have been issued with a DL informing them that they have not submitted BRC forS/Bill No.8377172 dated 22.10.2028 and S/B No.8537850 dated 27.10.2018, total valued USD 36298.05, therefore the export made under these 2 S/Bills cannot be considered as exports. They have replied that they have achieved the V/A of 352.22% as against the 155.75% of V/a fixed in the AA. Whatever quantity of fabric they imported had been consumed in the manufacturing and export product but RA has not taken into account the same and rejected the case for closure of AA and issue of EODC. They have filed an application before PRC and they informed that it has been found that their case is not a PRC issue, it is therefore, requested to approach first to concerned RA as per policy provision for non-realisation of export proceeds. Their application once again rejected by RA Bangalore. Hence they are requesting to allow relaxation the requirement of BRC against above 2 S/Bills as they have achieved much higher value addition than fixed in the subject license for closure of license.

Decision: The Committee reviewed the case on the basis of submission made by the applicant and discussed the matter at length. The Committee did not accede the request of the firm for waiver of submission of BRC against 2 Shipping bills for redemption of Advance Authorisation **No. 0710113491 dated 27.06.2018.** However, the applicant may approach RA, Concerned in the matter and follow the procedure as laid down in the HBP/Policy related to their request.

(Action: Applicant/RA-Bangalore)

Case No. 06 M/s. Softgel Healthcare Pvt. Ltd., Chennai

F.No.HQRPRCAPPLY00000380AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization No. 0411001008 dated 21.06.2021.

Applicant's statement: The applicant stated that they have imported 12160.00 Kgs. of Omega 3 Acid Ethylesters USP through B/E No.5926736/21.10.2021 against the above said AA and exports made up to 8039280 Nos. Of Omega 3 Acid Ethylesters 1000 MG capsules) 8200.06 in kgs.out of 12160.00 Kgs. imports and balance EO is 3959.940 Kgs. They supplied export product/consignment is available in the US Market thus their client Mankind pharma not released the commercial supply within 24 months period to fulfil the export obligation. Now their client Mankind pharma issued the commercial Order to supply the pending quantity to US. Hence they are requesting to allow six EOP extension against subject license.

Decision: The Committee went through the justification provided by the applicant and discussed the matter at length. The Committee decided to accede to the request of the firm and allowed EOP extension for a further period of 6 months from the date of endorsement against Advance Authorization No. 0411001008 dated 21.06.2021subject 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/CLA-Chennai)

Case No. 07 M/s. Sterile India Pvt. Ltd., Delhi

F.No.HQRPRCAPPLY00000382AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization No. 0510412800 dated 06.12.2019.

Applicant's statement: The applicant stated that they had obtained subject license for import of MeropenemTrihydrarte (Non Sterile) against export of 62/0 Meropenem Sodium Sterile. As imported input is a drug and they imported from unregistered source, they do fall in Appendix 4J that means they have to complete the EO within 12 months from the date of clearance of each import consignment by custom with pre-import condition. Also as per Notification No.28 as their EOP expiring during the period between 01.08.2020 to 31.07.2021, the EOP would be extended till 31.12.2021 without any composition fee. They have exported quantity wise 95.83% and value wise a 170% within valid EOP i.e. they exported 21.99 Cr but their obligation value wise was only 12.77 cr. They are short of 85 kgs. of export within valid EOP which they exported dated 28.04.2023. Due to Covid 19 situation just started after January 2020 and due to various restriction imposed on account of ongoing lockdown during the period of covid which was in the whole year 2020 and 2021. Hence they are requesting to allow EOP extension up to 28.04.2023 against subject license.

Decision: The Committee examined the statement made by the applicant and discussed the matter at length and observed there is merit in the case. Accordingly, it decided to accede to the request and allowed EOP extension up to 28.04.2023against advance authorisation No. 0510412800 dated 06.12.2019only for regularization purpose subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 08 M/s. Adishank Chemical Pvt. Ltd., thane

F.No.HQRPRCAPPLY00000383AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Revalidation of Advance Authorization No. 0311002642 dated 19.03.2021.

Applicant's statement: The applicant stated that they were facing lots of financial constraints and their unit was also non performing asset (NPA) with 2 banks i.e. Cosmos Bank and NKGSB Co-operative Bank. Being NPA, it was not possible for them to raise any funds or BG for customs against duty free imports. Recently, they have achieved One Star Export House, where they got exemption from compulsion of BG for import. So now they can import against the license without any BG. Unfortunately due to the pandemic situation they were unable to procure order for import of raw materials entitled to them and by the time the economy revived from Covid and they were financially stable to import balance quantity of raw materials but the validity of import had expired. They had completed the EO against subject license and they have applied to RA for EODC on 24.11.22 and application is under process. Hence they are requesting to allow revalidation against subject license.

Decision: The Committee discussed the case on the basis of justification provided by the firm and it decided to accede to the request of the firm and allowed revalidation of Advance Authorization **No. 0311002642 dated 19.03.2021**for a further period of 6 months from the date of endorsement. 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. 09 M/s. Fresenius Kabi Oncology Limited, New Delhi
F.No.HQRPRCAPPLY00000384AM24
Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization no. 0511007576 dated 04.01.2022.

Applicant's statement: The applicant stated that they are Three Star Export House Certificate Holder and they had obtained subject license in terms of para 4.04 of HBP under SION A-206 with pre-import condition. Their majority of customer are based in Belarus and due to Rusia-Ukaraine issued overseas customer have changed their delivery schedule frequently and they have not received export orders as expected by them. Hence they could not fulfil EO within initial EOP as well as in extended EO by six months. Since the AA had been obtained with pre-import condition and in case of pre-import AA only one extension is allowed as per FTP/HBP. They also declare and confirm that imported/domestically procured inputs are available with them to fulfil balance exports. Hence they are requesting to allow six month extension of EOP against subject license.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly, it decidedto accede to the request and allowed EOP extension for a further period of 6 months from the date of endorsement subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 10 M/s. Medreich Limited, Bangalore

F.No.HQRPRCAPPLY000000387AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization No. 0710109161 dated 11.12.2015.

Applicant's statement: The applicant stated that they are manufacturer and exporters of pharmaceutical formulations and holder of AEO and Three Star Export House Certifications. They have obtained subject licence and the 1st import of inputs on 22.01.2016. All the imports have been made from registered source. They have completed 34.23% of EO within the validity period of 18 months and 24.32% during 24-30 months period. The balance 41.55% of EO completed in 30-36 period due to orders cancellations and new order bookings. Due to the order cancellations and obtaining re-order to execute the production and export, the shipments have been delayed. They have made their last export on 03.08.2018 to fulfil the stipulated EO. Hence they are requesting to allow EOP extension up to 03.08.2018 against subject license.

Decision: The Committee examined the case on the basis of submission made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly, it decidedto accede to the request and allowed EOP extension up to 03.08.2018 against advance authorisation No. 0710109161 dated 11.12.2015only for regularization purpose subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Bangalore)

Case No. 11 M/s. Metalloys Recycling limited, Mumbai

F.No.HQRPRCAPPLY00000263AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Revalidation of Advance Authorization no. 0310833431 dated 16.12.2019, 0310833435 dated 16.12.2019 and 0310833905 dated 06.01.2020.

Applicant's statement: This is a review case of PRC Meeting No.01/AM24 held on 25.04.2023 (Case No.11) wherein Committee reject the case. In this review application they have stated that the delay in allocating qualified duty free imports against exports that were already made prior to the EOP. They could not complete 8.47% and 7.31% only under license at Sr.No. 1 & 2 whereas 66.26% under license at Sr.No.3 of the eligible imports because importing without the necessary matching funds availability results in additional losses due to detention fees on containers, container Depot Warehouse Rents, etc., which definitely not a wise business decision. As an MSME their financial and loss-bearing resources are constrained. They will suffer sever losses, if they are denied the eligible proportionate imports to the existing exports due to the additional cost of customs duty. Due to worldwide industrial slowdown, there is less scrap available and generated in Western countries, from where their scraps are imported. Hence they are requesting to allow 12 months revalidation against subject licenses.

Decision: The Committee reviewed the case on the basis of justification furnished by the firm and found no merit in the request and hence decided to maintain rejection of the earlier decision of PRC in its MeetingNo.01/AM24 held on 25.04.2023 (Case No.11).

(Action: Applicant)

Case No. 12 M/s.Minagold Jewels Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY00004690AM23

Meeting No.11/AM24 held on 20.07.2023

Subject: Re-import of unsold jewellery sent for exhibition under para 4.80 C i a of HBP

Applicant's statement: The applicant stated that they had participated in 50th Watch & Jewellery Middle East Show 2022 in Sharjah, UAE in terms of Para 4.46 of FTP read with Para 4.80 of HBP after taking permission from GJEPC, Mumbai. During the show he was not feeling well and as such immediately after the show he came back to Mumbai 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 examined the case on the basis of submission made by the firm and discussed the matter at length. The Committee noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request.

(Action: Applicant)

Case No. 13 M/s. Rohan Industries, Alwar

F.No.HQRPRCAPPLY00000211AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization No. 1310049485 dated 26.12.2019.

Applicant's statement: This is a review case of PRC Meeting No.01/AM24 held on 25.04.2023 (Case No.06) wherein Committee reject the case. In this review application they have stated that they have fulfilled EO in terms of quantity 54.14% in proportion to actual import made in terms of quantity. There is shortfall of 45.86%. Due to covid-19 they did not get further order within first extended period hence they have applied for 2nd extension till 30.06.2022. They further declare that unutilized imported inputs are available with them to fulfil balance EO. Due to covid 19 and their all global recession they could not fulfil the complete EO in prescribed time limit, their permanent labour belongs to UP, Bihar and they were gone to their home, due to this cause the production activity were so disturbed. Now they hope they will able to complete rest of EO in coming time. Hence they are requesting to allow six month EOP extension against subject license.

Decision: The Committee reviewed and examined the case on the basis of submission made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly, it decidedto accede to the request and allowed EOP extension up to 31.12.2023 against advance authorisation **No. 1310049485 dated 26.12.2019**subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Jaipur)

Case No. 14 M/s. Salasar Techno Engineering Limited, New Delhi

F.No.HQRPRCAPPLY000000356AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Acceptance of Installation certificate from Chartered Engineer in place of Central Excise Authority against EPCG License No.0530163204 dated 13.08.2014.

Applicant's statement: This is review case of 12th Meeting of AM-22 of the EPCG Committee held on 28.01.2022 (Case No.13) wherein Committee reject the case. In this review application they have stated that they have imported and installed Capital Goods in their factory premises and have completed the export obligation imposed on the said authorisation and also filed application to RA for redemption. RA has issued a D/L to them for submission of installation certificate from Central Excise Authority as they were registered with Central Excise. They were not aware that they have to take installation certificate from Central Excise authority. Hence they are requesting to accept installation certificate from Chartered Engineer in place of Central Excise Authority against EPCG License No.0530163204 dated 13.08.2014

Decision: The Committee examined the records submitted and statement made by the firm. It observed that applicant's request had been discussed in detail by the EPCG Committee and has been rejected giving detailed reasons. After discussing the matter at length, the Committee found no merit in its application. Hence, decided to reject the request of the firm.

(Action: Applicant)

Case No. 15 M/s. Veko Care Pvt. Ltd., Pune

F.No.HQRPRCAPPLY000000385AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization no. 3111000788 dated15.12.2021.

Applicant's statement: The applicant stated that due to cancelled export order from foreign buyer, they were not able to fulfil export obligation original and extended period in the Advance Authorisation. Hence they are requesting to allow six month extension in export obligation period against subject license.

Decision: The Committee went through the statement made by the applicant and discussed the matter at length and observed that there is merit in the case. Accordingly, it decidedto accede to the request and allowed EOP extension for a further period of 6 months from the date of endorsement subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Pune)

Case No. 16 M/s. Welspun Corp Limited, Gujarat

F.No.HQRPRCAPPLY000000296AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: To allow Manual application for two shipping bill 3128858 & 3128142 dated 29.03.2019 for MEIS Claim.

Applicant's statement: This is a review case of PRC Meeting No.03/AM24 held on 12.05.2023 (Case No.33) wherein Committee reject the case. In this review application they have stated that due to non-availability of shipping bill in MEIS repository they could not make the MEIS application of their bonafied entitlement. They registered several call and sent mail to DGFT helpdesk and ICEGATE portal on the issue and Mundra Customs also. In all the communication while custom maintained that they have transmitted the S/Bill to DGFT. The DGFT said they did not receive it from custom. Though these S/Bills were available on AA repository, it was never received in MEIS repository of DGFT. DGFT by mail dated 14.02.2022 informed that these S/bills are not received from custom. In this regard both S/Bills were once again transmitted to DGFT on 29.03.2022 through Custom EDI Server. Inspite of their repeated follow up with custom and DGFT, the above 2 S/Bs pertaining to March -19 is not transmitted to DGFT portal. Due to non-tramission they could not claim the MEIS benefit under FTP. Hence they are requesting to allow manual application for above mentioned two S/Bills for MEIS claim benefits.

Decision: The Committee reviewed the case on the basis of submission made by the applicant and discussed the matter at length and it decided to refer the case to PC-3 division for its examination and resolution, if subject Shipping bills are "Y" shipping bills.

(Action: Applicant/ PC-3 Division)

Case No. 17 M/s. Amtec Health Care Pvt. Ltd., Mumbai

F.No.HQRPRCAPPLY000000430AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: To allow MEIS benefit against six file number

Applicant's statement: The applicant stated that their MEIS licenses was rejected by RA Mumbai, as exporters they should get this benefit but the pandemic situation and other reasons they have not availed the same. Due to shortage of funds the Commerce Ministry shut down the online system for exporters to apply for tax benefits under the MEIS scheme on July 23,2020. In the year 2021 they have applied for the six MEIS application. They have not submitted the Vostro letter in time due to the pandemic situation; bank has not issued the BRC and Vostro within the time limit. Secondly, after the pandemic, they received the BRC and Vostro letter from the bank, they have approached RA Mumbai regarding their rejected MEIS license. RA Mumbai informed them the rejected licenses are not reflected in the DGFT portal. They will require these licenses to be relaunched in their portal to proceed with the further process. This relaunching of licenses is only done through the back office department of DGFT. Hence they are requesting to condone the delay and allow MEIS benefit.

Decision: The Committee after going through the representation received from the firm and observed that no policy relaxation is involved in the case. Accordingly, this case stands withdrawn from PRC. In this case, the applicant may approach in concerned RA and the MEIS request of the applicant will be examined and resolved by RA by applying the principles contained in circular dated 06.12.2021 issued from file No.1/61/180/154/AM21/PC-3/272 to all RAs for SEIS.

(Action: Applicant/ RA-Mumbai)

Case No. 18 M/s. Ball Beverage Packaging (India) Pvt. Ltd., Raigad.

F.No.HQRPRCAPPLY000000432AM24

Meeting No.11/AM24 held on 20.07.2023

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

Applicant's statement: The applicant stated that they 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 condition they could not fulfil the export obligation in full. Further their export orders took a dip due to adverse marketing conditions in Kenya. Since, it is well known to everyone that 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 order to Kenya are kept on hold. They got sufficient order confirmation from their Kenya customer to fulfilment of pending EO. Hence they are requesting to allow further six month EOP extension against subject license.

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

(Action: Applicant)

Case No. 19 M/s. BLS Ecotech Limited, New Delhi

F.No.HQRPRCAPPLY000000437AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Re fixation of average export obligation against EPCG license no. 0530165631 dated 17.08.2015.

Applicant's statement: The applicant stated that they had obtained subject licence from CLA New Delhi and have already fulfilled the 100% specific export obligation imposed on the authorisation and submitted documents for redemption to the RA. They filed their request to EPCG Committee for re-fixation of Average Exports Obligation (AEO) which they do not accept and rejected their request in meeting No.01/AM24 dated 27.04.2023. As per license they have to fulfil the average exports of Rs.1,50,79,662.33 on the basis of average of last 3 years exports. However, at the time of applying EPCG they have not excluded exports made against fulfilment of Specific EO against subject license within valid EOP. They have submitted request to RA to re-fix Average Obligation after excluding specific exports against subject license as they were not demanding any relaxation in policy/provision but they do not consider the same and advised them to approach DGFT. While calculating AEO exports counted/being counted against fulfilment Specific EO against license with valid EOP that have been made in the preceding 3 years will not be taken into account. However, at the time of their application for issuance of EPCG by mistake they have not deducted the value of export against specific EO against license. Hence they are requesting to allow re-fix annual average export obligation on the license after excluding exports under specified EO of existing license as Zero as per revised Appendix 5B.

Decision: The Committee went through the submission made by the firm and discussed the matter at length and observed that no policy relaxation is required in this case as matter has to be decided by the RA as per provisions of FTP/HBP Accordingly, it decided to withdraw this case from PRC.

(Action: Applicant)

Case No. 20 M/s. Gland Pharma Limited, Hyderabad

F.No.HQREPCGPRAPP00000345AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Revalidation of MEIS scrip no. 0919027274 dated 22.06.2021.

Applicant's statement: The applicant stated that they have received MEIS scrip from RA Hyderabad but the above MEIS Script is unable to download and also not transferred to the jurisdiction Customs Authority for registration to utilize the same. They are enclosing the online screen shot granting of MEIS Authorization. In this regard they have also enclosing the statement of exports shipping bill-wise along with copies of Shipping Bills and its e-BRCs. Hence they are requesting to allow six revalidation of above mentioned MEIS script for claim.

Decision: The Committee examined the case on the basis of statement made by the applicant and discussed the matter at length and it decided to refer the case to PC-3 division for its examination . Thereafter the case may be brought back again before PRC for a decision.

(Action: Applicant/ PC-3 Division)

Case No. 21 M/s. Kiriloskar Oil Engines Ltd., Pune

F.No.HQRPRCAPPLY000000388AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: To allow shipping bills to reactivate **AND**to open system of MEIS for making online application third step- to issue fresh MEIS license online.

Applicant's statement: The applicant stated that they applied for MEIS license and got a license for less value but they were informed that only part shipping bills were accepted and balance were rejected. They requested for reactivation of those shipping bills, but it was advised by RA, either to surrender the original licence or pay the full duty with interest, so that entire shipping bills will be cancelled and will get the letter for reactivation from RA. Accordingly, they paid the full duty with interest and submitted relevant Customs documents such as duty paid challan and the interest. After submission of the documents, when the RA was trying to cancel the entire S/Bs online the online system of MEIS was withheld. Therefore, the Pune RA could not make the cancellation of entire S/Bs; in turn no letter was issued for reactivation of all S/Bs. Hence they are requesting to allow MEIS benefits for their claim.

Decision: The Committee discussed the case on the basis of submission made by the firmand it decided to refer the case to PC-3 division for its examination and resolution.

(Action:Applicant/ PC-3 Division)

Case No. 22 M/s. Ralson (India) Limited, Ludhiana

F.No.HQRPRCAPPLY00000435AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization no. 3011001436 dated 30.11.2021

Applicant's statement: This case was last considered in PRC Meeting No.05/AM24 held on 13.06.2023 (Case No.02) wherein Committee decided to accede to the request and allowed EOP extension up to 31.03.2022 against subject licence only for regularization purpose subject to payment of composition fees as per Policy provisions. In this application they have stated that they observed typical error in EOP extension date i.e. up to 31.03.2022 i/o 31.03.2023 to regularize their case against subject license. Hence they are requesting to allow EOP extension up to 31.03.2023 against subject license for regularization purpose only.

Decision: The Committee reviewed the case on the basis of justification made by the applicant and discussed the matter at length and it decided to refer the case to PC-4 division for its examination . Thereafter the case may be brought back again before PRC for a decision.

(Action:Applicant/ PC-4 Division)

Case No. 23 M/s. Sara Sae Private Limited, Dehradun

F.No.HQRPRCAPPLY00000425AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Extension of EOP against Advance Authorization No. 0510141708 dated 24.07.2020, 0510414720 dated 27.07.2020, 0510414817 dated 05.08.2020 and 0510414826 dated 05.08.2020.

Applicant's statement: The applicant stated that they are manufacturer exporter of Oilfield equipment's and parts, which is exported to all over world wise. They had obtained the subject Advance Authorizations for supply to Meil Engineering and Infrastructures Ltd., UAE. Due to the Carona pandemic and recession in the Oil Industry, they could not export the items timely as demanded by the customers and due to a delay, the customer has held the order. Now the customer is ready to receive the order and has revised the value of export items. The export obligation period of all the above mentioned licenses has already been expired. Hence they are requesting to allow Nine month EOP extension against subject licenses.

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 decidedto accede to the request and allowed EOP extension for a further period of 6 months from the date of endorsement against 4 Advance Authorisations No. 0510141708 dated 24.07.2020, 0510414720 dated 27.07.2020, 0510414817 dated 05.08.2020 and 0510414826 dated 05.08.2020subject to payment of composition fees as per Policy provisions. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/CLA-New Delhi)

Case No. 24 M/s. Mahesh WeavingFactory, Bangalore

F.No.HQRPRCAPPLY00004593AM23

Meeting No.11/AM24 held on 20.07.2023

Subject: Revalidation and Enhancement of Advance Authorization no. 0710108557 dated 24.07.2015.

Applicant's statement: The applicant stated that they had obtained subject license from RA Bangalore and they have fulfilled EO in quantity and value within validity period. They have submitted application along with required documents for enhancement of Advance License and they received rejection letter on 23 June, 2016 stating that Mulberry Silk comes under Appendix 4J with pre-import condition. They approach PRC and Committee in the meeting No.22/AM19 dated 06.11.208 examined the case in detail and observed the merits in the case and accordingly decided to allow revalidation for a period of six months from the date of endorsement with enhancement of the Authorization. In this connection they again submit these facts and pray for the relaxation of Appendix 4J and stated that they submit that the AA was issued without any specific pre import condition in the condition sheet attached withthe authorization or any other endorsement on the license about pre import condition. The license was valid for three months and more when the application was submitted for enhancement and the same got expired with the custody of RA Bangalore. In this connection a report was called for from RA Bangalore which was received on 07.07.2023. The RA Bangalore could not implement the PRC decision since Authorisation Holder had already surrendered the Authorisationand RA had also already issued surrender letter from the authorization, and had informed the status to DGFT, HQs and requested for directions on procedure to implement the PRC decision vide letter dated 09.01.2019. Applicant is requesting to allow revalidation and enhancement of the above mentioned Advance Authorisation.

Decision: The Committee reviewed and examined the case on the basis of justification furnished by the firm along with the report received from the RA, Bangalore and observed that there is no merit in firm's contention and decided to reject the request of the firm.

(Action: Applicant)

Case No. 25 M/s. Sunita Exports, Mumbai

F.No.HQRPRCAPPLY00000057AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: To condone the time limit for filing MEIS application against 09 time barred shipping bills pertaining to the year 2018-19 without late cut.

Applicant's statement: This is a review case of PRC Meeting No.31/AM23 held on 17.02.2023 (Case No.15) wherein Committee reject the case. In this review application they have stated that they are a small-scale exporter struggling very hard to compete with other in the international market. They understand that this is the third approach to PRC but they have no other option to get compensated for the monetary loss they suffered in these export transactions. Commodity exports are performed with hair-thin margins unlike exports of other industrial products. This is known to all in the exports filed. They consider all receivable incentives that are provided by the Commerce Ministry through DGFT. The financial receivables are already considered while they were offering for exports. Now denial to these incentives really put them in financial trouble. The loss because of the denial is very huge for an MSME therefore, it is a very well deserving case for review and granting the MEIS. Hence they are requesting to allow MEIS benefit against 09 time barred S/Bs.

Decision: The Committee reviewed and examined the case on the basis of statement made by the applicantalong with the comments received from PC-3 division and discussed the matter at length. The Committee noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request.

(Action: Applicant)

Case No. 26 M/s. Padget Electronics Pvt.Ltd., Noida

F.No.HQRPRCAPPLY00000284AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Revalidation of 16 MEIS scrip numbers

Applicant's statement: The applicant stated that their 16 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 licenses got expired before its utilisation. Due to reason being the MEIS license scrip are not full utilised for payment of customs duty. Now as per the Notification No.79/2022-customs validation and utilisation of E-Scrips have increased to two years for the users all the E-scrips that are pending utilisation on the system on the date of issuance of the electronic duty credit ledger (Amendment) Regulation 2022. Hence they are requesting to allow revalidation of above mentioned MEISscrips.

Decision: The Committee discussed the case on the basis of submission made by the applicant along with the comments received from PC-3 division and found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 27 M/s. Omega TraeximInc, Moradabad

F.No.HQRPRCAPPLY000000276AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: To allow MEIS benefit for the period 2015-16

Applicant's statement: The applicant stated that they have exported metal handicrafts items during the FY 2015-16 to the overseas buyers and have applied for MEIS benefits against this export to AD/MSEZ/Moradabad on dated 24.05.2021 and advised to submit application at DGFT portal and at that time DGFT portal was blocked and was not in operation. Now they have made their MEIS application online at DGFT portal on dated 07.06.2023 and hard copy of this application is being submitted RA, New Delhi which is pending with RA New Delhi. Hence they are requesting to allow MEIS benefit for the period 2015-16.

Decision: The Committee reviewed and examined the case on the basis of justification furnished by the firm along with the comments received from PC-3 division and discussed the matter at length. The Committee noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request.

(Action: Applicant)

Case No. 28 M/s. Onrise Barter Pvt. Ltd., Kolkata

F.No.HQRPRCAPPLY000000032AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Revalidation of MEIS scrip no. 0219079236 dated 13.09.2019.

Applicant's statement: This is a review case of PRC Meeting No.22/AM23 held on 13.12.2022 (Case No.35) wherein Committee reject the case. In this review application they have stated that due to office shifting and covid-19 they could not utilize the MEIS licence. On the Covid time their all staff was working from home and they have miss out to utilize the MEIS license. Their office shifted to new address 6B 1st Floor, Bentinck Street, Kolkata, in the shifting their so many documents not trace out, one of MEIS license. They had also requested to GST Department for amend the address. Another problem faced for Covid-19 their export was stopped on Covid period and after re start of export with few staff. Few staff were working from home only from their own system. Hence they are requesting to allow revalidation of above mentioned MEIS scrip .

Decision: The Committee reviewed and discussed the case on the basis of submission made by the applicant along with the comments received from PC-3 division and found no merit or hardship in the arguments made by the firm and hence decided to reject the request of the firm.

(Action: Applicant)

Case No. 29 M/s. H P Cotton Textile mills Ltd., Hissar (HR)

F.No.HQRPRCAPPLY000000017AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Request for MEIS incentive on Shipping bill where ITC HS code amended by Custom.

This is a defer case of PRC Meeting No.04/AM24 held on 26.05.2023 (Case No.23) wherein Committee decided to refer the case to EGTF Division for their comments in the matter. EGTF Division has furnished their comments in the matter.

Applicant's statement: The matter was taken up. The entire submission made by the applicant was gone through. The applicant stated that their company had exported cotton sewing thread along with the intent to claim MEIS endorsed in remark column as well as ticked "Y" in intent filed against every line item in the S/Bill. Their CHA in case of these 115 S/Bills (out of eight hundred Ninety Eight filled in the affected export period) had wrongly mentioned incorrect HS Code while filing the bills; the mistake was only with last one (1) digit in the code. Upon highlighting the mistake, the Customs had issued them with the amendment of HS Code certificate with correct HS Code. At time of applying MEIS on the DGFT's portal the said S/Bills were reflected and since the HS Code was incorrect and they chose to wait for the endorsement from Customs ahead of applying. They only availed incentive where the correct HS Code was reflected. Now they just received amendment of HS Code certificate with correct HS code. The goods have been assessed by the Customs and the data available on the DGFT's portal it is an issue of incorrect ITC HS on S/Bills and the same has been rectified by the Customs but unfortunately, the amendment was issued after their S/Bills gone time barred. Hence they are requesting to allow MEIS incentive against aforesaid S/Bills.

Decision: The Committee went through the statements made by the firm along with the comments received from EGTF- divisionand 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. 30 M/s. Arch Pharmalabs Limited, Mumbai

F.No.HQRPRCAPPLY000000126AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Request for allowing FPS-FMS-MLFPS which could not be applied due to extenuating circumstances.

Applicant's statement: The applicant stated that they are a pharmaceutical intermediates and API manufacturing company and their products are key raw materials in production of various life saving APIs. The applications for the FPS-FMS incentive could not be submitted online in time as the export documents required to make application were not readily available due to circumstances beyond their control. Following the 2008 Beijing Olympics, China had relaxed pollution norms thus, manufacturers in Pharma Intermediates and other Chemical Sector increased production and had set up new facilities, which was to be dumped across the world with state support. The unfair price competition was so severe that from A1 credit rating in 2011, they were pushed into default rating by 2013. They defaulted on their loans due to financial crises brought about by unfair price completion unleashed by Chinese companies. The financial crisis had turned their account NPA, therefore, services provided by banks and other service providers turned un-reliable and irregular. Banks failed to issue BRCs even after timely export realisation and did not hand over BRCs to them even after issuance using those documents as tools to pressurise us pay their dues. The application for FMS-FPS is to a certain extent distinct from other schemes of that time an application comprises of 50 S/Bs and for each S/B an assortments of documents would be required; they in almost all the cases were lacking some or the other documents to complete the set required under each S/Bs. They needed S/Bs, BRC, B/L etc apart from invoices they had to rely on other to handover the documents in order to enable them to submit application. Even though winding up orders were issued, and their companywas registered with BIFR, an ARC stepped in to restructure their loans and infused Funds. The Govt. Of India is bringing in various schemes to encourage domestic manufacturing of APIs and intermediates. Their sector is now considered that of strategic importance by the Government and has recently been covered under the PLI Scheme for API and intermediate manufacturers. This only shows the need and importance of encouraging and supporting domestic manufacturing of APIs and intermediates. Hence they are requesting to allow relaxation policy/procedures to accept FPS-FMS application that are time barred.

Decision: The Committee examined the case on the basis of justification furnished by the firm along with the comments received from PC-3 division and discussed the matter at length. The Committee noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request.

(Action: Applicant)

Case No. 31 M/s. Paccar India Pvt. Ltd., Pune

F.No.HQRPRCAPPLY000000165AM24

Meeting No.11/AM24 held on 20.07.2023

Subject: Relaxation on homologation testing for imported trucks brought for Research and development purpose the Vehicles will not turn on the road.

Applicant's statement: The applicant stated that they are a leading automobile engineering company HQ at Bellevue, Washington, USA and they have liaison office in Pune. The company is exploring possibilities of manufacturing DAF trucks in India, currently company is carrying out market study and vendor development program. The proposed imported DAF truck would be used only for the purposes of research and development as stated above, the truth shall not be used on Road for any commercial purposes or activities. The truck shall be put on display at company set up facility in Pune, periodically the truck shall be transported to various engineering and automotive manufacturers for carrying out vendor development program. Without availability of their trucks in India, they cannot evaluate considering coming to India for eventual manufacturing activities. Their model is not imported and sell trucks simply as trader in India, it is eventually setting up manufacturing facility aftermarket study and vendor development programme for which the trucks are required to be imported into India. Hence they are requesting to allow Relaxation on homologation testing for imported trucks brought for Research and development purpose the Vehicles will not turn on the road.

Decision: The Committee reviewed and examined the case in detail and noted that the firm has faced the problem which was beyond their control, and in view of justification provided by the firm it decided to accede to the request and allowed relaxation on homologation testing for imported trucks brought for Research and development purpose. The firm shall approach RA concerned within 30 days from the date of uploading of the minutes of meeting.

(Action: Applicant/RA-Pune)

Case No. 32 M/s. GKB Hi-Tech Lenses Pvt., Goa

F.No.HQRPRCAPPLY00002582AM23

Meeting No.11/AM24 held on 20.07.2023

Subject: To allow MEIS benefit against 293 shipping bills pertaining for the period 2015-16, 2016-25 and 2017-18.

This is a defer case of PRC Meeting No.21/AM23 held on 02.12.2022 (Case No.04) wherein Committee refer the case to NIC-Division for their comments and thereafter the same may be brought back before PRC.

Applicant's statement: The matter was taken up. The entire submission made by the applicant was gone through. The applicant stated that they had filed ECOM applications for MEIS for year 2015-2016, 2016-2017, 2017-2018 within time or upto 2 years of last date of filing with late cut between 2%, 5% and 10% before DC SEEPZ under the late cut provisions provided under Para 9.02 of HBP provides. Their MEIS applications for the year 2015-2016, 2016-2017 and 2017-2018 were rejected by DC, SEPZ on the date of their consideration on grounds that our IEC was under DEL from 21.12.2017. Their IEC was placed under DEL w.e.f. 21.12.2017 for the reasons that one EPCG machinery was installed at another location of their own company then as originally mentioned at the time of issue of EPCG and later on regularized by the EPCG Committee in DGFT, New Delhi. Their IEC was removed from DEL on 23.6.2020. When any IEC is placed under DEL no MEIS or other applications are decided by any RA or SEZ because IEC No is blocked but Scrip's and authorizations are subsequently issued when IEC was removed from DEL. By the time our IEC was removed from DEL on 24.6.2020 the ECOM data of their MEIS applications were removed from NIC Server. The DGFT has been in the past permitting restoration of earlier ECOM applications by NIC which were filed but removed from NIL server due to lapse of some time. They have repeatedly approached SEPZ, NIC RA, Mumbai and NIC DGFT, New Delhi but ECOM Application data could not be restored. The facility of Trade Notice No 36 dated 9.10.2020 could also not be made available to us. In MEIS matters there is not any thing wrong done by our company but only due to IEC being placed under DEL and upon removal of our IEC from DEL the MEIS applications filed within admissible time were removed from the NIC server. The PRC has been allowing in the past restoration of such cases and restoration of ECOM date by NIC DGFT. PRC Committee is requested to kindly grant us justified relief as our company has already been repeatedly representing before PRC and we have already suffered huge losses due to Corona Epidemics during the past two years of 2020 and 2021. Hence they are requesting to allow MEIS benefit.

Decision: The Committee examined the case on the basis of justification furnished by the firm along with the comments received from PC-3 division and discussed the matter at length. The Committee noted that the applicant has not submitted any cogent reason/ justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to reject the request.

(Action: Applicant)