Directorate General of Foreign Trade
(PRC Section)

Minutes of the Policy Relaxation Committee (PRC) Meeting held under the Chairmanship of Shri Alok Vardhan Chaturvedi, Director General of Foreign Trade

Meeting No. 06/AM19 held on 03.07.2018 at 11:00 AM

The following members were present in the meeting:

1.	Shri N. P. S. Monga	Addl. DGFT
2.	Shri K. C. Rout	Addl. DGFT
3.	Shri J. V. Patil	Addl. DGFT
4.	Shri S.B.S. Reddy	Addl. DGFT
5.	Shri N.K. Srivastava	Addl. DGFT
6.	Shri Jay Karan Singh	Jt. DGFT
7.	Shri AkashTaneja	Jt. DGFT
8.	Shri Rajbir Sharma	Jt. DGFT
9.	Shri S P Roy	Jt. DGFT
10.	Shri Lokesh H. D	Jt. DGFT

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

PH Case No.01: M/s. Zaveri & Co. Pvt. Ltd., Ahmedabad
F. No. 01/60/162/619/AM17/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Request for extension in EOP of Advance Authorization No. 0810140247 dated 05.05.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018.

Decision: No one appeared on behalf of the firm. The Committee, in the interest of natural justice, decided to defer the case.

(Action: Applicant)

PH Case No.02: M/s. Economic Traders (Guj) Pvt. Ltd., Rajkot
F. No. 01/60/162/642/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Revalidation of DEPB license No. 2410029109 dated 22.07.2010 which was not verified by Mundra Port Customs due to technical error 02 & 97.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018.

Decision: No one appeared on behalf of the firm. The Committee, in the interest of natural justice, decided to defer the case.

(Action: Applicant)

PH Case No.03: M/s. Nilkamal Limited, Mumbai
F. No. 01/60/162/899/AM14/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Revalidation of Advance Authorization No. 0310634819 dated 07.06.2011.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Ms Nivrutti Naik, Manager (Exports) appeared before the committee on behalf of the firm and made the following submissions:

1. They have realized payment after introduction of e-BRC module and hence e-BRC's were mandatory for issuing EODC.

2. There was delay in issuance of e-BRC by Bankers due to which they could not submit their request to RA for issuance of EODC even though the exports were completed and payment realized well in advance.

3. They were continuously in follow-ups with the Bankers and were dependent on their assurance based on the efforts they were taking; otherwise they could have utilized authorization executing Bond/BG as applicable prior to issue of EODC.

4. The Banker has issued letters describing the reasons for delay in issuance of e-BRC's.

5. When EODC was issued, they have approached RIL SEZ for procurement of material within available limited validity. However, the SAP system configuration is said to have been undertaken by the SEZ authorities and after configuration of SAP system at RIL SEZ unit, there was no enough time to complete manual procedure of obtaining TRA, its confirmation and registration to debit the authorization in SEZ customs.

6. Hence the authorization is said to have remained unutilized.

7. In view of above justification that, for almost 8 -10 months they were following up the issue with the agencies/authorities directly connected with the process, the firm has requested for revalidation of the subject Advance Authorisation.

Decision: The Committee noted that the case was considered earlier in its meeting held on 11.03.2014, and that nothing prevented the applicant from completing its imports prior to waiver of bond and therefore, the Committee had not acceded to the request. After hearing the above submissions made during PH, the Committee did not find anything new in support of the request of the applicant and decided to reiterate its earlier decision.

(Action: Applicant)

PH Case No.04: M/s. Golden Tabacco Ltd., Vadodara.
F. No. 01/60/162/147/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Request for EOP extension of Advance Authorization No. 03410027451 dated 07.07.2010.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018.

Decision: No one appeared on behalf of the firm. The Committee, in the interest of natural justice, decided to defer the case.

(Action: Applicant)

PH Case No.05: M/s. Raymond Limited, Mumbai
F. No. 01/60/162/45/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Policy /Procedure relaxation of pre-import condition for silk in any form listed at Sl.No.6 in Appendix 4J of Advance Authorization No.0310816878 dated 08.11.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri R H Jhangiani, General Manager (Commercial) appeared before the committee on behalf of the firm and made the following submissions:

1. The export product in question is special designed innovative fabric i.e. Silk Wool Blended Fabrics which are manufactured by them for their reputed customer i.e. Peerless, USA who sources these fabrics from them as they are the only manufacturer of this product in India.

2. In this case, as per the normal practice, and due to urgent need of fabrics by the recipient, they have exported the material under advance authorization scheme by using the duty paid materials (Tussar Silk Tops) which they had imported earlier.

3. They had not imported the Tussar Silk Tops prior to exports as is required as per Appendix 4J.

4. They have not diverted away quantity to domestic market as it is meant for particular export product for particular buyer.

5. They have mentioned the relevant Advance Authorisation e-com file number on the shipping bill

6. There will be no revenue loss to the Government on account of the relaxation since they have fulfilled the export obligation.

7. They have requested to allow them one time relaxation from condition prescribed in Appendix 4J.

Decision: After hearing the submissions of the applicant, the Committee noted that the Tussar silk tops is one of the import items and the firm has fulfilled the export obligation from the duty paid materials. The Committee, therefore, decided to accept the request of the firm for relaxation of pre-import condition in the present case.

(Action: Applicant)

PH Case No.06: M/s. Raymond Limited, Mumbai
F. No. 01/60/162/761/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Policy / Procedure relaxation of Pre-import Condition for Silk in any form listed at S.No.6 in Appendix 4J of Advance Authorization No. 0310814271 dated 28.06.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri R H Jhangiani, General Manager (Commercial) appeared before the committee on behalf of the firm and made the following submissions:

1. The export product in question is special designed innovative fabric i.e. Silk Wool Blended Fabrics which are manufactured by them for their reputed customer i.e. Peerless, USA who sources these fabrics from them as they are the only manufacturer of this product in India.

2. In this case, as per the normal practice, and due to urgent need of fabrics by the recipient, they have exported the material under advance authorization scheme by using the duty paid materials (Tussar Silk Tops) which they had imported earlier.

3. They had not imported the Tussar Silk Tops prior to exports as is required as per Appendix 4J.

4. They have not diverted away quantity to domestic market as it is meant for particular export product for particular buyer.

5. They have mentioned the relevant Advance Authorisation e-com file number on the shipping bill

6. There will be no revenue loss to the Government on account of the relaxation since they have fulfilled the export obligation.

7. They have requested to allow them one time relaxation from condition prescribed in Appendix 4J.

Decision: After hearing the submissions of the applicant, the Committee noted that the Tussar silk tops is one of the import items and the firm has fulfilled the export obligation from the duty paid materials. The Committee, therefore, decided to accept the request of the firm for relaxation of pre-import condition in the present case.

(Action: Applicant)

PH Case No.07: M/s. Raymond Limited, Mumbai
F. No. 01/60/162/46/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Policy / Procedure relaxation of Pre-import Condition for Silk in any form listed at S.No.6 in Appendix 4J of Advance Authorization No. 0310817662 dated 11.12.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri R H Jhangiani, General Manager (Commercial) appeared before the committee on behalf of the firm and made the following submissions:

1. The firm had erroneously indicated the relaxation required as revalidation of the advance authorisation instead of relaxation in Pre-import Condition for Silk in any form listed at S.No.6 in Appendix 4J for Advance Authorization No. 0310817662 dated 11.12.2017

2. In this case, as per the normal practice, and due to urgent need of fabrics by the recipient, they have exported the material under advance authorization scheme by using the duty paid materials (Tussar Silk Tops) which they had imported earlier.

3. They had not imported the Tussar Silk Tops prior to exports as is required as per Appendix 4J.

4. They have not diverted away quantity to domestic market as it is meant for particular export product for particular buyer.

5. They have mentioned the relevant Advance Authorisation e-com file number on the shipping bill

6. There will be no revenue loss to the Government on account of the relaxation since they have fulfilled the export obligation.

7. They have requested to allow them one time relaxation from condition prescribed in Appendix 4J.

Decision: After hearing the submissions of the applicant, the Committee noted that the Tussar silk tops is one of the import items and the firm has fulfilled the export obligation from the duty paid materials. The Committee, therefore, decided to accept the request of the firm for relaxation of pre-import condition in the present case.

(Action: RA/Applicant)

PH Case No.08: M/s. Raymond Limited, Mumbai
F. No. 01/60/162/47/AM19/PRC

PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Request for extension in EOP of Advance Authorization No.0310805131 dated 01.06.2016.

1. The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri R H Jhangiani, General Manager (Commercial) appeared before the committee on behalf of the firm and made the following submissions:

2. They have been regularly importing Tussar Silk Tops, Greasy wool etc. under Advance Authorization for manufacture of Silk wool Blended Fabrics specifically for their reputed customer M/s. Peerless Clothing, Canada.

3. They are the only company in India, who makes Silk Wool Blended Fabrics for M/s. Peerless clothing who then gets converted into garments through M/s. Silver spark Apparel Limited, Bangalore.

4. Every year the customer places an order of approx. qty. 60,000 to 1,00,000 Mtrs. For the year 2017-18 due to the poor market demand, Peerless could not sell their garments; this has resulted in the delay in buying their Fabrics / Garments which they had committed to procure from them.

5. Due to sluggish market conditions the buyer had requested vide their letter dated 22.02.2017 to hold their Fabric despatches (which were already ready) for the next season and now they have confirmed the orders (after two seasons) and given delivery schedule of silk wool fabrics from August 2018 onwards vide their letter dated 6th April, 2018.

6. Hence, the firm has requested to extend the EOP by 6 Months.

Decision: On hearing the submissions of the applicant, the Committee noted that the applicant has imported duty free inputs fully and no exports are made during initial export obligation period. There is no hardship caused to the firm for not making exports within initial as well as extendable export obligation period of upto 30 months. Hence, it was decided not to accede to the request of the applicant. The applicant is directed to get the case regularized in terms of Para 4.49 of HBP.

(Action: RA/Applicant)

PH Case No.09: M/s. Raymond Limited, Mumbai
F. No. 01/60/162/44/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Policy /Procedure relaxation of pre-import condition for silk in any form listed at Sl.No.6 in Appendix 4J of Advance Authorization No.0310816694 dated 01.11.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri R H Jhangiani, General Manager (Commercial) appeared before the committee on behalf of the firm and made the following submissions:

1. The export product in question is special designed innovative fabric i.e. Silk Wool Blended Fabrics which are manufactured by them for their reputed customer i.e. Peerless, USA who sources these fabrics from them as they are the only manufacturer of this product in India.

2. In this case, as per the normal practice, and due to urgent need of fabrics by the recipient, they have exported the material under advance authorization scheme by using the duty paid materials (Tussar Silk Tops) which they had imported earlier.

3. They had not imported the Tussar Silk Tops prior to exports as is required as per Appendix 4J.

4. They have not diverted away quantity to domestic market as it is meant for particular export product for particular buyer.

5. They have mentioned the relevant Advance Authorisation e-com file number on the shipping bill

6. There will be no revenue loss to the Government on account of the relaxation since they have fulfilled the export obligation.

7. They have requested to allow them one time relaxation from condition prescribed in Appendix 4J.

Decision: After hearing the submissions of the applicant, the Committee noted that the Tussar silk tops is one of the import items and the firm has fulfilled the export obligation from the duty paid materials. The Committee, therefore, decided to accept the request of the firm for relaxation of pre-import condition in the present case.

(Action: Applicant)

PH Case No.10: M/s. Raymond Limited, Mumbai
F. No. 01/60/162/43/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Policy /Procedure relaxation of pre-import condition for silk in any form listed at Sl.No.6 in Appendix 4J of Advance Authorization No. 0310813819 dated 07.06.2017.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri R H Jhangiani, General Manager (Commercial) appeared before the committee on behalf of the firm and made the following submissions:

1. The export product in question is special designed innovative fabric i.e. Silk Wool Blended Fabrics which are manufactured by them for their reputed customer i.e. Peerless, USA who sources these fabrics from them as they are the only manufacturer of this product in India.

2. In this case, as per the normal practice, and due to urgent need of fabrics by the recipient, they have exported the material under advance authorization scheme by using the duty paid materials (Tussar Silk Tops) which they had imported earlier.

3. They had not imported the Tussar Silk Tops prior to exports as is required as per Appendix 4J.

4. They have not diverted away quantity to domestic market as it is meant for particular export product for particular buyer.

5. They have mentioned the relevant Advance Authorisation e-com file number on the shipping bill

6. There will be no revenue loss to the Government on account of the relaxation since they have fulfilled the export obligation.

7. They have requested to allow them one time relaxation from condition prescribed in Appendix 4J.

Decision: After hearing the submissions of the applicant, the Committee noted that the Tussar silk tops is one of the import items and the firm has fulfilled the export obligation from the duty paid materials. The Committee, therefore, decided to accept the request of the firm for relaxation of pre-import condition in the present case.

(Action: Applicant)

PH Case No.11: M/s. Tata Consultancy Services Ltd., Mumbai
F. No. 01/60/162/638/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Request for Services Exports from India Scheme (SEIS) for FY 2015-16; FY 2016-17 and FY 2017-18.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri Ashok Bakshi, Manager (Finance) appeared before the committee on behalf of the firm and made the following submissions:

1. An IEC holder who is having both DTA & SEZs will have to file single application for all different units, with the jurisdictional Regional Authority of DGFT as per Public Notice No.58/2015.

2. The firm had made 6 SEIS application to their SEZ office Delhi. It has been rejected and has been requested to submit single application since they have SEZ and DTA units

3. Since the total application value is crossing Rs.100 crore which may not be under the approval limit of Regional Authority, Mumbai and will have to refer DGFT Delhi which may take longer processing time.

4. Handling paper work for the total application for 43 SEZ units having 18000 Plus invoices, 2000 Plus contracts and similar 2000 plus quantum of foreign inward remittance certificate, 500 plus softex Bulk statement will be big task, cumbersome and time consuming exercise.

5. Looking at more large volume than last year and operation difficulty, it is advisable to file the SEIS application LOP wise and submit the same at respective SEZ authorities for financial year 2016-17 as similar to last year application.

6. Softex Bulk Statement and Monthly, Quarterly and annual Reports towards exports and Foreign exchange earned by unit are submitted at respective unit of Special

Economic Zones and hence they will be in a better position to process the application in faster and authentic way.

7. They have requested to relax the procedures and allow the firm to file individual LOP vise application to respective SEZ authorities for 2015-16: 2016-17 and 2017-18.

Decision: The Committee noted that reasons given application value crossing Rs.100 crore will have to be referred to DGFT Delhi HQs and this may take longer processing time is not a case of genuine hardship. This is an administrative procedure to have greater scrutiny of the larger claims. Further, even if the firm is making application at different RAs, the firm is required to submit the relevant information noted above and therefore applying at a single Regional authority will not make them undertake any additional work. Therefore, the Committee decided not to accede to the request of the firm, as there are no grounds of genuine hardship in the case of the firm.

(Action: Applicant)

PH Case No.12: M/s. D. P. World, Mumbai
F. No. 01/60/162/252/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Review of PRC decision Meeting No.26/AM18 dated 19.12.2017. Relaxation for condition in Paragraph 3.08 (f) of the FTP 2015-20 read with provisions of paragraph 2.58 of FTP 2015-20. (F.no.03/21/094/80331/AM17).

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri Sumit Goel, General Manager (Finance) appeared before the committee on behalf of the firm and made the following submissions:

1. The rejection of the request for relaxation of Policy condition in the earlier PRC Meeting No.26/AM18 dated 19.12.2017 is contrary to the provisions of the FTP and the FTDR Act. Requirement of possessing IEC at the time of rendering the service is not the statutory requirement is not the statutory requirement of Section 7 of FTDR Act.

2. The PRC is said to have failed to notice that relaxation of the Policy condition sought is only of the FTP condition and not of the statutory provision of Section 7 of the FTDR Act. Section & of the FTDR Act provides that the importer-exporter code number shall be necessary only when the service or technology provider is taking benefits under the Foreign Trade Policy .

3. They have stated to have fulfilled the condition of Section 7 of the FTDR Act and obtained IEC before submission of their SEIS claim.

4. In their case they have been permitted by RBI to receive consideration in INR for the service rendered to exporter which can be treated as deemed Foreign Exchange earnings.

5. DGFT has notified the Appendix 3E only on 4th May, 2016 after lapse of one year. Hence they were not sure, whether their nature of service rendered by them will be eligible for the SEIS benefits

6. For claiming of Deemed exports benefits/incentives no IEC is Mandatory. Since no foreign exchange is involved and services have originated from India in their case , they do not require IEC.

7. In the present case, the requirement of possessing an IEC at the time of rendering the services, was only mere formality as it had no bearing whatsoever on the rendering of services nor was there any another legal requirement and hence there is no breach of any law rules whatsoever.

8. Therefore, the condition in paragraph 3.08 (f) of the FTP 2015-20 is only a mere formality to be fulfilled.

9. The defect on their part is a curable defect i.e. it can be cured subsequently by obtaining the IEC and also by providing the details of all the exports earning of the relevant period.

10. Non-grant of SEIS benefits on technical grounds are against the spirit of the FTP and the avowed policy of the Government of India to encourage exports of services.

11. The relaxation of the Policy condition sought is not contrary to the provisions of FTDR Act and other provision of FT (D&R) Act.

Decision: The Committee noted that the case was considered earlier in its meeting held on 19.12.2017, in which the Committee had observed that, in view of FTP provisions no IEC is required where services are exported with intent of not to claim any incentive on earning of foreign exchange against the services rendered. However, as per Para 3.08(f) of the Foreign Trade Policy 2015-20, in order to claim reward under the SEIS scheme, Service provider shall have to have an active IEC at the time of rendering such services for which rewards are claimed. The above condition was specified in the FTP as on 01.04.2015 and was available on public domain. Further, the services rendered by the firm were already eligible for the SEIS benefits and the grounds that Appendix 3E was notified only on 4th May, 2016 after lapse of one year also not a valid ground since even in earlier FTP 2009-14 , all notified services in India relating to exports paid in Indian Rupees which are otherwise considered as having being paid for in free foreign exchange by RBI was eligible for the benefits extended to the service providers and hence the firms stance that they were not aware whether their service would be eligible for the SEIS benefits till the date of issue of Appendix 3E is not a valid ground for relaxation of the policy provision. Therefore, after hearing the above submissions made during PH, the Committee did not find anything new in support of the request of the applicant and decided to reiterate its earlier decision.

(Action: Applicant)

PH Case No.13: M/s. JMG Corporation Ltd., Haryana
F. No. 01/60/162/462/AM13/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Relaxation regarding mentioning of license No. 0510176361 dated. 14.02.2006 / File No. 05/24/40/00895/AM06/Dated 07.02.2006 on Shipping Bill No. 1843483 dated 28.04.2008 as a special case.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018.

Decision: No one appeared on behalf of the firm. The Committee, in the interest of natural justice, decided to defer the case.

(Action: Applicant)

PH Case No.14: M/s. Abdul Gaffar Siddick Khatri, Mumbai
F. No. 01/60/162/723/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Request to accept their DFIA claim against File no. (1) 03/81/076/00028/AM16/27.02.2016 (2) 03/81/076/00005/AM17/06.06.2016 and (3) 03/81/076/00022/AM17/21.09.2016.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018.

Decision: No one appeared on behalf of the firm. The Committee, in the interest of natural justice, decided to defer the case.

(Action: Applicant)

PH Case No.15: M/s. Schwing Stetter (India) Pvt. Ltd., Kancheepuram, Tamilnadu
F. No. 01/60/162/165/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Request for consideration of Terminal Excise Duty Claim against supplies made under EPCG Authorization No. 0830002852 dated 20.03.2009.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri Paramjit Singh, Manager (Accounts) appeared before the committee on behalf of the firm and made the following submissions:

1. The firm have supplied "Stetter Mobile concrete Mixing Plant M1" to M/s Backbone Enterprises Limited under EPCG Scheme.

2. They have paid Central Excise Duty of Rs.5,85,040/- under excise invoice No.107 dated 20.04.2009 while clearing the above goods to the EPCG licence Holder i.e. Backbone Enterprises Limited 417 Shivam complex, Rajkot against EPCG Authorisation No.0830002852 dated 20.03.2009 issued by Jt. DGFT Ahmedabad.

3. The Initial purchase invoice did not contain the details of the invalidation letter issued by RA, Ahmedabad. The purchase order was subsequently modified to include the details of the invalidation letter and supplies were effected against the revised purchase order.

4. However without taking into account the revised purchased order issued by M/s Backbone Enterprises and the invalidation letter, RA Chennai has rejected the firm's claim for Terminal Excise Duty refund by simply stating that the initial purchase order did not contain the EPCG details.

5. They are aggrieved and therefore sought the direction of Policy Relaxation Committee to intervene and direct the RA to take into consider the Revised Purchase order, the EPCG Authorisation the invalidation letter and grant them the TED refund of Rs.5,85,040/- and thus render justice.

6. The Hon'ble High Court has also given directions that the petitioner's request for terminal excise duty refund which has been made before the Policy Relaxation Committee be examined on merits and in accordance with law after affording an opportunity of personal hearing to the authorized representative of the petitioner.

Decision: After hearing the applicant and detailed deliberations, the Committee concluded that this is not a case for PRC. EPCG Division of DGFT HQs will examine the issue for passing a reasoned and Speaking Order on the merits of the case.

(Action: EPCG Division of DGFT HQs)

PH Case No.16: M/s Caterpillar India Private Ltd., Chennai.
F. No. 01/60/162/773/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Considering the request of grant of Duty drawback against File No.04/41/081/00013/AM16 for the supplies made through invalidation letter.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018.

Decision: No one appeared on behalf of the firm. The Committee, in the interest of natural justice, decided to defer the case.

(Action: Applicant)

PH Case No.17: M/s. Wockhardt Limited, Aurangabad.
F. No. 01/60/162/264/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Second EOP extension of Advance Authorization No.0310800112 dated 06.11.2015 issued under PC-9 condition.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Ms Ujjwala Shirodkar, General Manager appeared before the committee on behalf of the firm and made the following submissions:

1. They have imported 99.15% against above AA and completed 85.26% export obligation.

2. They have already received 1st EOP permission from this Directorate. Due to deferred shipment dates requested by their buyer, the imposed EO could not be completed within 1st EOP extension.
3. They need to regularize their balance raw material exports which fall between 07.09.2017 to 06.03.2018.
4. They have requested to condone the delay for non-completion of EO within 1st EOP extension and consider their case sympathetically for 2nd EOP extension up to 06.03.2018.

Decision: The Committee noted that the Authorization in question was issued with pre-import conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-4J of FTP 2015-2020, which allows 12 month's period for fulfillment of EO from import of each consignment. In its meeting No.15/AM18 held on 31.08.2017, the Committee had already granted EOP extension to the firm by six months in continuity. i.e., from 12 months to 18 months. The Committee noted that there are no grounds of genuine hardship brought out the by firm and hence decided not to accede to the request of the applicant.

(Action: Applicant)

PH Case No.18: M/s Thungasilk International, Bangalore.
F. No. 01/60/162/115/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Relaxation of Pre-import condition against Advance Authorization No. 0710112015 dated 16.08.2017.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri R N Tiwari, Advocate appeared before the committee on behalf of the firm and made the following submissions:

1. They obtained an advance authorization but they are unable to make shipment within a period of 45-60 days as required by overseas buyers. This is on account of fact that import of silk yarn from china takes more than 70 days. Even when they place the order on china on the day they receive the export order, they cannot complete all the activities of importing manufacturing and shipping with the given period 45-60 days.

2. The order on china cannot be placed in advance as the type and quantity of yarn can be decided only on receipt of export order.

3. To outcome the above problem, they are forced to use the stock available with them/buy it locally and ship the export goods within the time allowed to them by the overseas buyer.

4. It is beyond their control to import raw material first and export afterwards.

5. They have already exported the fabrics using raw material from earlier import (where duty was paid).

6. Hence, they have requested for relaxation of Pre-import condition against above Advance Authorization.

Decision: The Committee noted that the firm has sought relaxation from pre-import condition on Mulberry raw silk Raw and the reasons cited by the firm is no case of genuine hardship and therefore the committee decided not to accede to the request of the firm.

(Action: Applicant)

PH Case No.19: M/s Arvind Ltd., Ahmedabad,
F. No. 01/60/162/000144 to 153/AM19/PRC (Total Ten Files)
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Request for condoning the lapse in mentioning the name of relevant Man made component in the export product (total 10 Advance Authorizations).
(1) 0810133175 dated 01.09.2014, (2) 0810131782 dated 27.05.2014
(3) 0810133993 dated 02.12.2014, (4) 0810132643 dated 09.07.2014
(5) 0810123762 dated 13.08.2013, (6) 0810133994 dated 02.12.2014
(7) 0810123617 dated 07.08.2013, (8) 0810128523 dated 30.01.2014
(9) 0810121428 dated 24.05.2013 and (10) 0810123788 dated 14.08.2013.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri Tyagraj Mudaliar, Chief Manager (Exports) appeared before the committee on behalf of the firm and made the following submissions:

1. They have due to oversight missed to indicate the relevant manmade component from the starting of the application and subsequently missed the same in the shipping bills which were proposed to be used for fulfilment of export obligation imposed against said advance authorization.

2. They are ISO 9002 company approved by Ministry of Science and Technology and they do test each product before it is despatched.

3. In this connection they have Test Report all the dispatches that were made against the advance authorization and they have also got the product data scrutinized by Chartered Accountant for the said License.

4. In the copies of shipping bills, the description of the export items have been shown and have also specified that the other description are as per the invoice. They are in possession of the bill of entries and the relevant invoices as well.

5. They had approach the RA office for considering their and condone the error, but the office have instructed to them to approach PRC to get the required instruction.

Decision: The Committee noted that the firm has submitted the copies of certain shipping bills wherein the description of the export items have been shown along with the words other description as per the invoice. The committee decided that the RA shall examine the case after comparing the description of export item given in the shipping bills and the corresponding custom attested invoices/ description of import item given in bill of entries and the related invoices and decide the case on merits.

(Action: RA)

PH Case No.20: M/s. KEC International, Mumbai
F. No. 01/60/162/98/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Revalidation and extension for 1 year for project exports against DFIA No.0310574265 dated 13.05.2010 and 0310557656 dated 29.01.2010 - due to project delays and ambiguity in FTP 2009- 14.**

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri Pankaj Kalani, Sr. VP (Finance & Commercial) appeared before the committee on behalf of the firm and made the following submissions:

1. They have been executing large and complex electrification projects having a gestation period of more 3 – 4 years which covers designing, drawing, procurement, supplies of transmission line towers and transformers, Civil work and testing and commissioning etc.

2. They have been exporting under Advance Authorisation/DFIA or Drawback scheme.

3. Though most project in African countries start with a completion period of 2-3 years, the project authority in their case extended it by 5-7 years. The political turmoil, law and order situation in the countryside, uncertain fiscal position of the nations due to volatile commodity prices and other factors are responsible for delay in the projects.

4. They were able to manage delays by switching exports from one project to another and from one advance authorization/DFIA to another depending on the quantum of imports effected under a particular authorisation or DFIA as there are number of project running concurrently and as transmission line towers are not tailor made items.

5. Against 2 DFIA's 0310574265 dated 13.05.2010 and 0310557656 dated 29.01.2010 they did some import (7% in quantity terms and 16% in value terms) but could not complete exports as some of the projects which were signed in 2009-11 got delayed and extended.

6. In view of the difficult circumstances of project execution in the African and Middle East countries which resulted in inevitable project delays, they could not complete export obligation in time in only 2 out of 46 advance authorization/DFIA.

7. They tried to get E.O. extension under FTP provision for project exports but were told that they will not get export obligation extension since, as per the interpretation of the Licensing Authority, the said FTP 2009-14 allowed extension in export obligation until project completion period only for "Deemed exports category" and not for "Project abroad".

8. The para (4.22) of HBP 2009-14 is reproduced below:-

   EO shall be fulfilled within 36 months except in case of Extension of supplies to project/turnkey projects in India/abroad under deemed export category, where EO must be fulfilled during contracted duration.

9. This anomaly has been removed in the FTP 2015-20 and therefore in case of supplies to project in India under Chapter 7 of FTP or projects abroad, the export obligation period shall be co-terminus with contracted duration of the project execution of 18 months which is more.

10. The wording of relevant Para prevented them for taking export obligation extension. The firm has requested to allow them extension in export obligation and revalidation for 1 year as they are facing hardship which is beyond their control.

Decision: After having heard the submissions of the applicant, the Committee noted that the Para 4.22 of the HBP 2009-14, specified that EO shall be fulfilled within 36 months except in case of Extension of supplies to project/turnkey projects in India/abroad under deemed export category, where EO must be fulfilled during contracted duration. From the above Para it is to be noted that the intention was to allow the exporters, the period of contracted duration for EO fulfillment, but the words "deemed export category" had caused ambiguity in interpreting the Para. The Committee further noted that the reasons for non-fulfillment of obligations were due to delayed projects abroad which were beyond the control of the firm and therefore is a case of genuine hardship. The Committee therefore decided to accede to the request of the applicant.

(Action: Applicant)

PH Case No.21: M/s. Max Speciality Films Ltd., Chandigarh
F. No. 01/60/162/110/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: (1) Restoration of EOP Without Imposition of Composition fee for the period from 01.04.2014 to 11.08.2015 (498 days) due to delay in Transfer of Advance Authorization from Max India Limited to Max Speciality Films Ltd by RA Chandigarh Office.
(2) Clubbing of Advance Authorization Nos. 2210014112 dated 12.08.2013, 2210014572 dated 30.01.2014 & 2210014661 dated 10.03.2014 without Composition fee.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri Sanjay Malhotra, Practicing Company Secretary appeared before the committee on behalf of the firm and made the following submissions:

1. Advance Authorizations as stated above (3 Non) were issued initially in favour of Max India Limited

2. Max India Limited entered into Business Transfer Agreement with the applicant firm on 10.07.2013.

3. Accordingly the request was placed with RA Chandigarh office for Endorsement / Transfer of Advance Authorization on 28.03.2014 in favour of M/s. Max Speciality Films Limited.

4. All the Advance Authorization in Original for endorsement to the new Entity i.e M/s. Max Speciality Films Limited were with the Office of RA Chandigarh From 01.04.2014 till 31.08.2015, which could in no way be utilized for fulfillment of EO since without this change the authorizations could not be used for EO fulfillment due to the reason that the business has been sold to Max speciality films Limited from 01.04.2014.

5. As advised by RA, Chandigarh office, request was placed with the DGFT Headquarters at Delhi on 12.05.2014 seeking the approval from office of DGFT Delhi for transfer of Authorizations from Max India Limited to Max Speciality Fils Limited (new entity after Business sale) and consequent upon approval of DGFT Headquarters, the Regional Authority, Chandigarh endorsed Advance Authorizations (3 Nos.) on 31.08.2015.

6. RA, Chandigarh has endorsed the IEC code of Max Speciality Films Limited (newly incorporated entity from 01.04.2014) after business sale on all the 3 Advance Authorizaiton as mentioned in the captioned cited subject matter on 31.08.2015 i.e. after the original EOP has been expired for first / second authorization and 10 days before expiry of 3rd Authorization.

7. Further, Clubbing Application was applied with RA, Chandigarh on 03.10.2016 & RA vide their office letter dated 31.08.2017 called for Composition fee for allowing clubbing for exports made after EOP.

8. As the same got expired in the custody of RA due to reasons cited above, EOP in all the 3 Advance Authorization be restored for the time period from 01.04.2014 till 31.08.2015 and no composition fee be charged for the EOP extension and request for clubbing of the firm be accepted.

Decision: Having heard the applicant, the Committee noted that the delay in endorsement of the details of the authorization holder due to the business transfer agreement had prevented the firm from effecting the exports. In view of the same, the committee decided to allow clubbing of 3 AAs with EOP extension as below:

i. Clubbing of above mentioned three Authorisation be allowed.
ii. Exports made within 30 months from the date of issue of earliest issued Authorisation shall only be accounted for clubbing.
iii. This will, however, be subject to payment of a composition fee @ 0.5 on clubbed FOB value of exports made after 18 months from issue of first Authorisation and @ 0.5% per months on clubbed FOB value of exports made after 24 months but within 30 months.

iv. Inputs shall be accounted as per SION and minimum value addition shall be maintained on clubbed CIF and FOB value.

(Action: Applicant)

PH Case No.22: M/s. 3F Industries Limited, Andhra Pradesh
F. No. 01/60/162/27/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Extension in E.O. period against advance authorisation No. 0410132441 dated 03.01.2012.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri P Kaleel-Ur-Rahman, Asst. VP (Operations) appeared before the committee on behalf of the firm and made the following submissions:

1. They had been issued advance authorisation No. 0410132441 dated 03.01.2012 for export of Shea Sterarine 2490.545 MT for US $ 8375000 with initial EOP upto 03.01.2015.

2. During initial EOP they had fulfilled 100% in terms of value, 90.50% in terms of quantity.

3. They had applied EOP extension within with RA, Chennai i.e. 21.08.2015 after getting approval of PRC meeting No. 05/AM16 dated 07.07.2015 at case No.27). However, this is pending and EOP has not been granted and hence they could export.

4. They have requested to give necessary instructions to RA Chennai to extend EOP without any further delay for a period of 6 months from the date of endorsement.

<u>Decision</u>: After hearing the applicant, the Committee concluded that this was a case of genuine hardship and therefore decided that 6 months' time be allowed from the date of endorsement subject to the condition that Composition Fee shall be paid as applicable at that time.

(Action: RA/Applicant)

PH Case No.23: M/s. 3F Industries Limited, Andhra Pradesh

F. No. (1) 01/60/162/28/AM19/PRC (2) 01/60/162/30/AM19/PRC
& (3) 01/60/162/132/AM19
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Extension in E.O. period against 3 advance authorisations Nos. 0410155613 dated 26.02.2014, 0410153758 dated 31.12.2013 and 0410147194 dated 14.06.2013.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri P Kaleel-Ur-Rahman, Asst. VP (Operations) appeared before the committee on behalf of the firm and made the following submissions:

1. They had obtained above Advance Authorizations but they could not fulfill export obligation within EOP.

2. They had applied for EOP extension within time in RA, Chennai and the same is pending.

3. They have requested to give necessary instructions to RA Chennai to extend EOP without any further delay for a period of 6 months from the date of endorsement against above three Advance Authorizations.

Decision: After hearing the applicant, the Committee decided that 6 months time be allowed from the date of endorsement subject to the condition that Composition Fee shall be paid as applicable at that time.

(Action: RA/ Applicant)

Case No.24: M/s. 3F Industries Limited, Andhra Pradesh
F. No. 01/60/162/26/AM19/PRC & 01/60/162/29/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Extension in E.O. period against two advance authorizations No.0410159717 dated 12.11.2014 and 0410160103 dated 04.02.2015.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri P Kaleel-Ur-Rahman, Asst. VP (Operations) appeared before the committee on behalf of the firm and made the following submissions:

1. They had obtained above Advance Authorizations but they could not fulfill export obligation within EOP and therefore they had applied for EOP extension within time in RA, Chennai. which is pending.

2. They have requested to give necessary instructions to RA Chennai to extend EOP without any further delay for a period of 6 months from the date of endorsement against above Advance Authorizations.

Decision: After hearing the applicant, the Committee decided that 6 months time be allowed from the date of endorsement subject to the condition that Composition Fee shall be paid as applicable at that time.
(Action: RA/Applicant)

PH Case No.25: M/s. BSH Home Appliances Group, Mumbai
F. No. 01/60/162/798/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Issuance of MEIS Benefit.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Ms Priya Naik, Manager (Taxation) appeared before the committee on behalf of the firm and made the following submissions:

1. They have been exporting washing machines to Austria, New Zealand, Hong Kong, Singapore, Malaysia, Indonesia, Thailand and Vietnam.

2. They had been erroneously classifying the product viz. Fully Automatic Washing Machines under the HS code 84501900 (tariff Description as others) instead of appropriate HS code 84501100.

3. They had almost covered shipments worth Rs. 64 crore under the HS code 84501900 during the period April, 15 till July, 16 thus rendering them ineligible for claiming benefit under MEIS worth 1.2 cr.

4. They have neither declared their intent to claim MEIS benefits by way of ticking the relevant reward column as "Y" nor specified their intent to claim the MEIS benefits in the affirmative on the shipping bills.

5. On realizing the error, they have corrected the HS code to 84501100 for all export shipments w.e.f 19.07.2016.

6. They are seeking relaxation of HSN condition and requesting the committee to condone the error committed in classifying the product and declaration of intent and grant approval for the shipment covered made under HS code 84501900 for claiming MEIS benefit under the correct HS code 84501100.

7. Since the benefit involved is substantial, they had considered the incentive factor while arriving at the export prices. Non-realizing the benefit will not enable them to stay competitive and secure the business level.

Decision: After hearing the applicant, the Committee noted that the firm has made exports under HS codes which were not eligible for the MEIS benefits and has also not declared their intent to claim the MEIS benefits which was a mandatory requirement while filing the EDI shipping bills. The reasons provided by the firm does not establish any genuine hardship and therefore the Committee decided not to accede to the request of the applicant.

(Action: Applicant)

Case No.26: M/s Nicomet Industries Limited, Mumbai.
F. No. 01/60/162/522/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Condonation of delay to file SHIS benefit for the exports made during 2012-13 under file no.03/87/88/00001/AM17.**

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.27: M/s. Hical NSE Electronics Pvt. Ltd., Bangalore
F. No. 01/61/60/162/122/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Conversion of four Advance Authorizations (1) 0710107673 dated 20.02.2015 (2) 0710108272 dated 27.05.2015 (3) 0710107977 dated 31.03.2015 and (4) 0710107840 dated 17.03.2015 into 100 % EOU.

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.28: M/s. Hemmo Pharmaceuticals Pvt. Ltd., Mumbai
F. No. 01/60/162/75/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: EO Extension of Advance License No. 0310793763 dated 11.02.2015.

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.29: M/s. Srijan Systems (P) Ltd., Delhi
F. No. 01/60/162/95/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Second Revalidation against Import License (for restricted list of import items) No.0550003599 dated 13.05.2016.**

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.30: M/s. Rhine Power Private Ltd., Delhi
F. No. 01/60/162/88/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Allowing the TED refund on supplying the goods to EPCG Authorization holder against Invalidation letter EPCG Authorization nos. 0530151311 dated 19.12.2010 and 0530151319 dated 19.02.2010 in terms of para 8.2 (c) of FTP 2009-14.**

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.31: M/s Viraj Profiles Ltd., Mumbai
F. No. 01/60/162/670/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Extension in E.O. period of Advance Authorization No.0310791057 dated 13.11.2014.**

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.32: M/s. Apar Industries Ltd., Vadodara
F. No. 01/60/162/130/AM19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Second Revalidation of Advance Authorization No. 3410042708 dated 02.12.2016 for a period of 6 months.

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.33: M/s The Supreme Industries Ltd, Mumbai.
F. No. 01/60/162/1140/AM17/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Request for Revalidation of Advance Authorization no.0310792783 dated 09.01.2015.**

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.34: M/s. Euro Expo., New Delhi
F. No. 01/60/162/655/AM18/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: EO Extension and Modification in Advance Authorization no. 0510393087 dated 04.02.2015.

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.35: M/s. Euro Expo., New Delhi
F. No. 01/60/162/155/AM19/PRC

PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: EOP Extension and Modification in Advance Authorization No. 0510396393 dated 23.11.2015.

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.36: M/s. K.L.J Plasticizers Limited, New Delhi
F. No. 01/60/162/137/AM19/PRC/PIC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Clarification is requested to know that the Word 'validity' used in the last line of Para 4.38 (viii) of Hand Book of Procedure 2015-20 (updated on 5.12.2017) is for (A) 'Import Validity ' of the authorization Or (B) Exports validity of the authorization.

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.37: M/s. Greenlam Industries Ltd., New Delhi.
F. No. 01/60/162/122/AM19/PRC/PIC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Clarification is requested to know the basis of calculation of application fees for Enhancement in CIF values of advance authorizations

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.38: M/s H.D. Wires Pvt. Ltd, Indore.
F. No. 01/60/162/17/AM-19/PRC
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: **Revalidation of three Advance Authorization No. 5610004883 dated 31.03.2016, 5610004884 dated 18.04.2016 and 5610004924 dated 09.06.2016.**

Decision: The Committee decided to defer the case.

(Action: Applicant)

Case No.39: M/s American Completion Tools, Delhi
F. No. F. No. 01/89/180/02/AM-13/PC-2[A]/[E-5977]
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Application for seeking Policy / procedure Relaxation in terms of Para 7 of Chapter 87 of ITC 2017 and Para 2.58 of FTP regarding waiver of Type Approval Certificate / Cop for import of one unit of Logging Mast (FOB value – US $ 4,03,294.33).

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri Mayank Gupta, General Manager (International Sales) appeared before the committee on behalf of the firm and made the following submissions:

1. M/s American Completion Tools vide letter dated 16.03.2018 stated that they were awarded the Order No. PO# 4050011914 from Oil and Natural Gas Corporation Limited, India for the Production Logging Mast Unit (FOB value – US $ 4,03,294.33)and now the same is ready for dispatch at their location in Houston USA.

2. The Crane Unit mounted on the Kenworth truck Chassis Number 211443 was chosen for this job only because the same is strong and rigid truck unit for such applications in Oil Field around the world and does not carry Type Approval.

3. American Origin trucks do not need such Type Approval as per Americans Laws. Truck Mounted Crane Unit is Right Hand Drive and meeting all condition of Indian Motor Vehicle Act.

4. The unit comes under classification "87051000" and is free to import. Type Approval Certificate is only required, where Goods are being exported from European Countries and not from USA as none of such approval agencies, exist in USA, who can provide required Certification.

5. The firm requested to grant them relaxation of requirement of Type approval Certificate

Decision: The Committee decided to accede the request of the firm.
(Action: Applicant)

Case No.40: eAge Electronics Pvt Ltd, New Delhi
F. No. F. No. 01/94/180/126/AM19/PC-4
PRC Meeting No. 06/AM19 dated 03.07.2018

Subject: Import under Advance Authorization without BIS registration for export purpose.

The applicant had sought personal hearing in terms of Para 2.59 of FTP, 2015-2020, which was afforded on 03.07.2018. Shri Harish Mahajan appeared before the committee on behalf of the firm and made the following submissions:

1. eAge Electronics Private Limited has been exporting IED luminaries to Europe regularly.

2. In the last six month they have stated to have exported luminaries valued approximately 3.5 crore.

3. They have stated that they have received an order for export of 1255 pieces luminaries to Finland.

4. As per requirement they are required to use HARVARD Technology UK zigbee driver and this technology has been developed in Europe.

5. The import of the item into India is subjected to BIS certification.

6. However, they intend to import this item under Advance Authorisation for export purpose only without BIS registration.

7. They requested for relaxation of Para 2.03 (a) of FTP 2015-20.

<u>Decision</u>: The committee noted that the imports are being made solely for export purposes and therefore decided to accede to the request of the firm.

(Action: Applicant)

The meeting ended with vote of thanks to the Chair.

******