Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of DGFT, Shri Anup Wadhawan, IAS on 17.11.2015

Meeting No. 14/AM16 held on 17.11.2015 at 12.00 Noon.

List of officers present in the meeting is given below:

1. Shri K.C. Rout	Addl. DGFT
2. Shri Jaikant Singh	Addl. DGFT
3. Shri Darshan Singh	Addl. DGFT
4. Shri S.K.Samal	Jt. DGFT
5. Shri Jay Karan Singh	Jt. DGFT
6. Shri AkashTaneja	Jt. DGFT
7. Shri J. M. Gupta	Jt. DGFT
8. Dr. S.K. Bansal	Jt. DGFT
9. Shri Anil Aggarwal	Jt.DGFT
10. Shri S.K. Mohapatra	Dy. DGFT

Personal Hearing case in terms of Para 2.59 of FTP:

PH Case No. I : M/s. Dhoot Compack Ltd., Ahmedabad.

F.No.01/60/162/925/AM14/EFGC (PRC)

PRC Meeting No. 14/AM16 dated 17.11.2015

Subject: -**Request for revalidation of Advance Authorization No.0310592738 dt. 16.09.2010.**

Mr. Ramesh Chandra Dhoot, Managing Director of the company with his associate appeared before the committee. During the course of hearing, he made the following submissions that:

1. They had fulfilled 96.84% of export obligation by 26.09.2012 against prescribed date of 15.09.2013 and made only partial imports.
2. They had realised Foreign Exchange fully.
3. Import duties had been taken into consideration while quoting export price.
4. Export of tax and duties were against the FTP.
5. PRC generally allows extension in export obligation period on the same line validity of Authorisation should also be allowed enabling them to import the balance quantity under the Authorisation.
6. They were agreeable to pay composition fee as penalty.
7. Denying benefits would lead to erosion of profitability for the entire year.
8. Non-utilisation of Authorisation within validity was beyond their control due to external reasons.
9. Non-utilisation was also due to non-availability of BG/LUT for import.

Decision:

The committee examined the submissions made by the applicant and discussed the issue in detail. The committee was of the view that the Authorisation was issued having initial validity of 24 months for imports. The applicant had also obtained one revalidation of 6 months from RA. Thus, the applicant was having effectively 30 months for import. The ground for not importing within the validity of the Authorisation seems to be a decision of the applicant on commercial viability and not of genuine hardship, which PRC considers. The committee, therefore, did not accede to their request.

The following agenda points were also discussed and decision taken on the individual cases are as under:-

Case No. 1: M/s. Ranbaxy Laboratories Ltd., Gurgaon.
F.No. 01/60/162/441/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for EOP extension of Advance Authorization No.0510305600 dt. 18.10.2011 issued under PC-9 condition.**

<u>**Decision:**</u>

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfillment of export obligation from the date of import of each consignment. The date of import of first consignment was 29.12.2011 and accordingly the export obligation period was upto 31.12.2012. The applicant has fulfilled more than 50% export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 30.06.2013, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, CLA)

Case No. 2: M/s. Wockhardt Ltd., Mumbai.
F.No. 01/60/162/442/AM16/ EFGC (PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for EOP extension of Advance Authorization No.0310755011 dt. 23.10.2013 issued under PC-9 condition.**

<u>**Decision:**</u>

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfillment of export obligation from the date of import of each consignment. The date of import of first consignment was 17.01.2014 and accordingly the export obligation period was upto 31.01.2015. The applicant has fulfilled only 2.75% export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 31.07.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to payment of a composition fee @ 0.5% per month of FOB value of exports made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 3: M/s. United Poly Engineering Pvt. Ltd., New Delhi.
F.No. 01/60/162/439/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: -**Request for EOP extension to regularize exports against Advance Authorization No.0510265174 dt. 01.06.2010.**

Decision:

The committee noted that the applicant has made no export during initial obligation period but fulfilled 100% export obligation within 48 months from the date of issue of Authorisation. In terms of PN 16 dated 04.06.2015, RA is empowered to allow prospective extension upto 48 months. However, in this case, since exports have already been completed and request was received before issue of the said PN for regularisation, the committee decided the following:

I. Export obligation period be extended from 36th month to 48th month from the date of issue of the Authorisation. For that purpose, the applicant shall pay a composition fee @ 0.5% of FOB value of exports made after 36th month but upto 42nd month. And, a composition fee @ 0.5% per month of FOB value of exports made after 42nd month to 48th month.
II. Minimum value addition of 15% as prescribed under Para 4.1.6 of FTP shall be maintained.

(Action: RA, CLA Delhi / applicant)

Case No. 4: M/s. PME Power Solutions (India) Ltd., Noida.
F.No. 01/60/162/438/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: -**Request to account for two shipping bills, exports under Focus Licence against DFIA No.0510322023 dt. 11.04.2012.**

Decision:

The committee noted that as per duty exemption scheme, for accounting of duty free inputs, the exporter is required to declare in the export documents i.e. Shipping Bill the consumption of exempted materials used in the resultant product. However, exports made under Focus Product scheme do not require

such declaration. Thus, exports made without declaring consumption of inputs cannot be taken into account towards discharge of export obligation against Advance Authorisation. Therefore, the request of the applicant was not acceded to.

Case No. 5: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/457/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for EOP extension of Advance Authorization No.0810125708 dt. 17.10.2013 issued under PC-9 condition for regularization purpose.**

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfillment of export obligation from the date of import of each consignment. The date of import of first consignment was 12.11.2013 and accordingly the export obligation period was upto 30.11.2014. The applicant has fulfilled more than 50% export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 31.05.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 6: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/453/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for EOP extension of Advance Authorization No.0810101875 dt. 27.07.2011 issued under PC-9 condition for regularization purpose.**

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfillment of export obligation from the date of import of each consignment. The dates of import of first and second consignments were 4.8.2011 and 17.9.2011 and accordingly the export obligation periods were upto 31.8.2012 and 30.9.2012 respectively. The applicant has fulfilled more than 50%

export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

a) Export obligation period be extended from 12 months to 18 months against each import consignment i.e. upto 28.02.2013 and 31.03.2013 respectively.
b) This is only for accounting and regularization of exports already effected.
c) This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
d) The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-20) shall be maintained.
e) The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

Case No. 7: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/456/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for EOP extension of Advance Authorization No. 0810104466 dt. 10.10.2011 issued under PC-9 condition for regularization purpose.**

<u>Decision:</u>

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfillment of export obligation from the date of import of each consignment. The date of import of first consignment was 23.12.2011 and accordingly the export obligation period was upto 31.12.2012. The applicant has fulfilled more than 50% export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 30.06.2013, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to payment of a composition fee @ 0.5% per month of FOB value of exports made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 8: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/455/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: -**Request for EOP extension of Advance Authorization No.0810108941 dt. 21.02.2012 issued under PC-9 condition for regularization purpose.**

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfillment of export obligation from the date of import of each consignment. The date of import of first consignment was 23.3.2012 and accordingly the export obligation period was upto 31.3.2013. The applicant has fulfilled more than 50% export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 30.09.2013, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to payment of a composition fee @ 0.5% per month of FOB value of exports made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No. 9: M/s. APT Packaging Ltd., (Formerly known as Anil Chemicals and Industries Ltd.,), Aurangabad.
F.No. 01/60/162/423/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for EOP extension and permit 3 Shipping Bills of DFRC Scheme to be used for this Advance Authorization No.0310268629 dt. 14.05.2004.**

Decision:

The committee noted that under both the schemes, consumption of inputs are declared in Shipping Bill. The exports were made quoting DFRC File No but within the export obligation period of Advance Authorisation No 0310268629 dt. 14.05.2004. The committee therefore decided the following:

1. Exports made against S/B No 000078 dated 25.01.2006, 000215 dated 09.03.2006 and 000160 dated 11.02.2005 under DFRC scheme shall be accounted towards discharge of obligation against Advance Authorisation No 0310268629 dt. 14.05.2004.
2. This will be allowed subject to payment of Rs. 200/- per shipping bill to RA.
3. RA shall ensure that no DFRC against these three shipping bills have been issued.
4. The applicant shall submit a bond-cum-affidavit affirming therein that no benefits against the said three S/Bs have been availed and in case of any loss/demurrage to the Government, they will pay the same with applicable interest immediately without any protest.

(Action: RA, Mumbai/Applicant)

Case No. 10: M/s. Unichem Laboratories Ltd., Mumbai.
F.No. 01/60/162/448/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for EOP extension of Advance Authorization No.0310753312 dt. 11.10.2013 issued under PC-9 condition.**

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfillment of export obligation from the date of import of each consignment. The date of import of first consignment was 19.2.2014 and accordingly the export obligation period was upto 28.2.2015. The applicant has fulfilled more than 50% export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto 31.08.2015, from the date of import of first consignment.
II. This is only for accounting and regularization of exports already effected, if any.
III. This is subject to payment of a composition fee @ 0.5% per month of FOB value of exports made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.
V. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No. 11: M/s. Unichem Laboratories Ltd., Mumbai.
F.No. 01/60/162/443/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for EOP extension of Advance Authorization No.0310722223 dt. 29.01.2013 issued under PC-9 condition.**

Decision:

The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix 30A, which allows 12 months period for fulfillment of export obligation from the date of import of each consignment. The dates of import of first and second consignments were 25.2.2013 and 23.11.2013 and accordingly the export obligation periods were upto 28.2.2014 and 30.11.2014 respectively. The applicant has fulfilled more than 50% export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

a. Export obligation period be extended from 12 months to 18 months against each import consignment i.e. upto 31.08.2014 and 30.05.2015 respectively.
b. This is allowed only for accounting and regularization of exports already effected.

c. This is subject to payment of a composition fee @ 0.5% of FOB value of exports made after initial obligation period against each import consignment.
d. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(2015-20) shall be maintained.
e. The applicant has to pay duty plus applicable interest on unutilised inputs and shall follow the provisions of PC-18 dated 30.10.2007.

Case No. 12: M/s. Lloyed Insulations (India) Ltd., Mumbai.
F.No. 01/60/162/446/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for relaxation of Policy in terms of Para 2.5 in respects of the exports made prior to the receipt of Advance Authorization No.0310437160 dt. 23.07.2007 for regularization purpose.**

Decision:

The committee noted that the applicant has supplied goods to an Advance Authorisation holder without filing the application for obtaining Advance Intermediate Authorisation against Invalidation letter. The objective of mentioning Authorisation No/File No on export document is to co-relate nexus and accounting of duty free inputs. Documents without having specific Authorisation No/File No could be misused by availing double benefits. Therefore, supply made without mentioning specific Authorisation No/File No on export documents cannot be accepted for redemption of Advance Authorisation. The committee, therefore, did not accede to the request.

Case No. 13: M/s. Gitanjali Chemicals Pvt. Ltd., Mumbai.
F.No. 01/60/162/413/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: -**Request for revalidation of Advance Authorization No.0310745085 dt. 13.08.2013**

Decision:

The Committee observed that the applicant has already been granted one Revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Therefore, the Committee did not accede to the request.

Case No. 14: M/s. Ostern Pvt. Ltd., Kolkata.
F.No. 01/60/162/405/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of Advance Authorization No.0210183113 dt. 11.10.2012.**

Decision:

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Therefore, the Committee did not accede to the request.

Case No. 15: M/s. B&A Packaging India Ltd., Kolkata
F.No. 01/60/162/322/AM16/ EFGC (PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of Advance Authorization No. 0210174415 dt. 20.02.2012.**

<u>Decision:</u>

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Therefore, the Committee did not accede to the request.

Case No. 16: M/s. CEAT Ltd., Bhadup (W) Ltd., Mumbai.
F.No. 01/60/162/412/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of Advance Authorization No.0310709203 dt. 14.09.2012.**

<u>Decision:</u>

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Therefore, the Committee did not accede to the request.

Case No. 17: M/s. The Asian Traders (India), Mumbai
F.No. 01/60/162/450/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of DFIA Nos.0310744486 dt. 07.08.2013 and 0310741928 dt. 18.07.2013 for regularization purpose.**

<u>Decision:</u>

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Therefore, the Committee did not accede to the request.

Case No. 18: M/s. Benzo Chem Industries Pvt. Ltd., Mumbai.
F.No. 01/60/162/414/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of two Advance Authorizations Nos. 0310730100 dt. 02.04.2013 and 0310740459 dt. 05.07.2013.**

<u>Decision:</u>

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Therefore, the Committee did not accede to the request.

Case No. 19: M/s. India Carbon Ltd., Guwahati.
F.No. 01/60/162/373/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of Advance Authorization No.0210176184 dt. 02.04.2012.**

<u>Decision:</u>

The matter was deferred for seeking copies of correspondences with the canalizing agency to prove that the canalizing agency did not give NOC within validity of the Authorisation.

(Action: Applicant)

Case No. 20: M/s. Mauria Udyog Ltd., Delhi.
F.No. 01/60/162/369/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of DFIA No.0510325790 dt. 24.05.2012.**

<u>Decision:</u>

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Therefore, the Committee did not accede to the request.

Case No. 21: M/s. Mauria Udyog Ltd., Delhi.
F.No. 01/60/162/367/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of DFIA No.0510324392 dt. 10.05.2012.**

<u>Decision:</u>

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Therefore, the Committee did not accede to the request.

Case No. 22: M/s. Mauria Udyog Ltd., Delhi.
F. No. 01/60/162/368/AM16/ EFGC (PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of DFIA No.0510322196 dt. 13.04.2012.**

<u>Decision:</u>
The committee noted that the applicant had the option to approach Regional Authority for getting first revalidation for six months but they did not do so. There is no case of genuine hardship. Hence, the Committee did not accede to the request.

Case No. 23: M/s. Nandolia Organic Chemicals Pvt. Ltd., Mumbai.
F.No. 01/60/162/407/AM16/ EFGC (PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of 4 Advance Auhorizations No.0310718846 dt. 01.01.2013, 0310682415 dt. 17.02.2012, 0310709431 dt 18.09.2012 & 0310720341 dt. 11.01.2013.**

Decision:

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Hence, the Committee did not accede to the request.

Case No. 24: M/s. Prachi Pharmaceuticals Pvt. Ltd., Mumbai.
F.No. 01/60/162/445/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for clubbing of 4 Advance Authorization Nos.0310190733 dt. 27.03.2003, 0310319122 dt. 28.02.2005, 0310333936 dt. 10.06.2005 and 0310338369 dt. 08.07.2005.**

Decision:

The committee noted that the applicant has fulfilled 105% exports obligation against Authorisation No 0310190733 dt. 27.03.2003 and subsequent Authorisations were issued after a gap of 36 months from this Authorisation. Hence, the request for clubbing of Authorisations issued after 36 months from the date of earliest Authorisation is not agreed to. However, the Committee agreed to consider clubbing of remaining three Authorisations. Accordingly the Committee decided the following:

1. Clubbing of Authorisation at Sl No. 2 to 4 be allowed.
2. Exports made against subsequent authorizations but within 48 months from the date of issue of Authorisation No 0310319122 dated 28.02.2005 (or its File Number) shall only be accounted for clubbing.
3. RA should grant necessary extension in EO subject to composition fee @ 0.5% of FOB value of export made beyond 36th months to 42nd months and @ 0.5% per month from 42nd month to 48th month from Authorisation No 0310319122 dated 28.02.2005.
4. Value addition of minimum 15% as stipulated in the FTP shall be maintained. The 15% value addition for evaluating entitlement is to be applied on the entire FOB and CIF of the authorizations after clubbing (to be clubbed).
5. RA should ensure proper accounting of the duty free inputs with reference to the export product while clubbing the authorizations.
6. Shortfall, if any, may be regularized in terms of Para 4.28 of HBP, 2009-14.
7. RA shall allow clubbing subject to the condition that no adjudication order has been issued against any licence to be clubbed.

(Action: RA, Mumbai)

Case No. 25: M/s. Stylrite Optical Industries, Mumbai.
F.No. 01/60/162/393/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of 3 Advance Authorization Nos.0310717642 dt. 19.12.2012, 0310732751 dt. 29.04.2013 and 0310723387 dt. 08.02.2013.**

Decision:

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Hence, the Committee did not accede to the request.

Case No. 26: M/s. Chinar Forge Ltd., Punjab.
F.No. 01/60/162/338/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for clubbing of two Advance Authorization Nos.3010075874 dt. 09.06.2011 and 3010102928 dt. 16.06.2014.**

Decision:

The committee noted that two Authorisations were issued having different export obligation period. Further, the second Authorisation was issued after expiry of initial export obligation period against Authorisation No 3010075874 dt. 09.06.2011. Therefore, clubbing of such Authorisations cannot be allowed. The committee, therefore, did not accede to the request.

The applicant is hereby directed to get Authorisation No 3010075874 dt. 09.06.2011 regularised in terms of Para 4.58 of HBP, 2015-20.

(Action: RA, Chandigarh: if the applicant is failed to get the said Authorisation regularised within a month from the date of publication of these minutes, RA shall initiate action as per FT(DR)Act, 1992, as amended and report.)

Case No. 27: M/s. Kemtec India Photographic Co. Pvt. Ltd., Mumbai.
F.No. 01/60/162/411/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: -**Request for revalidation of Advance Authorization No.0310707473 dt. 03.09.2012.**

Decision:

The committee noted that the applicant had the option to approach Regional Authority for getting first revalidation for six months but did not do so. There is no case of genuine hardship. Hence, the Committee did not accede to the request.

Case No. 28: M/s. Excel Crop Care Ltd., Mumbai.
F.No. 01/60/162/538/AM15/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of DEPB No.0310688985 dt. 30.03.2012 as a special case due to non-uploading in DGFT web site.**

Decision:

The Committee observed that the exports were made from Sea Port (Nhava Sheva) which is an EDI Port. However, the said DEPB was issued by RA against Shipment Certificate issued by Customs Authority, as the Shipping Bill No 9381304 could not be transmitted to DGFT server. As the said Shipping Bill has still not been received from Customs server to DGFT server due to technical problem, online DEPB in this case cannot be issued. Further, as the Customs Authority cannot register DEPB issued against manually entered shipping bill for EDI port, RA should have not issued DEPB using EDI mode. The Committee, therefore, decided the following:

1. RA shall cancel DEPB Scrip No 0310688985 dated 30.3.2012.
2. RA shall issue a fresh DEPB manually having 6 months validity from the date of issue of manual DEPB from the same file.
3. The Customs Authority shall honour the DEPB to be issued manually.

(Action: RA, Mumbai/Customs, JNPT)

Case No. 29: M/s. Advance Petrochemicals Ltd., Ahmedabad.
F.No. 01/60/162/408/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of Advance Authorization No.0810110250 dt. 29.03.2012.**

Decision:

The committee noted that the applicant had the option to approach Regional Authority for getting first revalidation for six months but did not do so. There is no case of genuine hardship. Hence, the Committee did not accede to the request.

Case No. 30: M/s. Sinecera Textiles (P) Ltd., Chennai.
F.No. 01/60/162/406/AM16/ EFGC(PRC)
PRC Meeting No. 14/AM16 dated 17.11.2015
Subject: - **Request for revalidation of Advance Authorization No.0410149211 dt. 28.08.2013**

Decision:

The Committee observed that the applicant has already been granted one revalidation for six months by RA, despite that the applicant could not utilize the Authorization. There is no case of genuine hardship. Hence, the Committee did not accede to the request.

The meeting ended with a vote of thanks for the chair.

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