Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of DGFT, Shri Anup Wadhawan, on 29.08.2016

Meeting No. 16/AM17 held on 29.08.2016 at 11:30 AM

The following Members were present in the meeting:

1.	Shri K.C. Rout	Addl. DGFT
2.	Shri jaikant Singh	Addl. DGFT
3.	Shri Darshan Singh	Addl. DGFT
4.	Shri J.V. Patil	Addl.DGFT
5.	Shri S.B.S. Reddy	Addl.DGFT
6.	Shri Jay Karan Singh	Jt. DGFT
7.	Shri AkashTaneja	Jt. DGFT
8.	Shri Rakesh Kumar	Dy. DGFT
9.	Shri S.K. Mohapatra	Dy. DGFT

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

Case No.1: M/s. Lupin Ltd., Mumbai.
F.No. 01/60/162/562/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for EOP extension of Advance Authorization No.0310749362 dt. 12.09.2013 issued under PC-9 condition.

Decision:

The Committee noted that the Advance Authorization no. 0310749362 dt. 12.09.2013 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports against the Authorization were made on 03.10.2013 & 12.10.2013. Accordingly, initial obligation period was upto 31.10.2014 & 31.10.2014, respectively. The applicant has stated to have completed 99% export obligation during the initial export obligation period and remaining 1% thereafter. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months, against each import consignment i.e. upto **30.04.2015.**
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. RA shall check that minimum 50% exports are made against each consignment, within its initial obligation period. If not, composition fee will be charged @ 0.5% per month on unfulfilled FOB.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.
VI. The above decision is subject to the condition that facts stated by the exporter are verified as correct.

(Action: RA, Mumbai)

Case No.2: M/s. Lupin Ltd., Mumbai.
F.No. 01/60/162/102/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for waiver of PC-18 against Advance Authorization No.0310733839 dt. 10.05.2013 issued under PC-9 condition.

Decision:

The committee noted that the applicant has stated to have imported 330kgs drug i.e. Cefaxoline Sodium from unregistered source. The applicant was under obligation to export 3 lakh vials each vial containing 1 gram Cefazoline Sodium. Whereas, they have stated to have exported only 291370 vials containing 1 gm Cefazoline Sodium i.e. 291.370 kgs. There is shortfall of 9.50kgs due to low yield, which gone in lab testing. The applicant has claimed that they has already paid customs duty plus interest on that. The committee, therefore, decided the following:

1. PC-18 dated 30.10.2007 conditions stands waived on this 9.50 kgs to the extent of requirement of destruction certificate from Excise Authority.
2. This will, however, be subject to payment of composition fee of rupees Ten Thousand (RS. 10,000/-) to RA.
3. This will, however, be subject to payment of duty and applicable interest on unaccounted quantity.
4. The above decision is subject to the condition that facts stated by the exporter are verified as correct.

(Action: RA, Mumbai)

Case No.3: M/s. Cadila Healthcare Ltd., Ahmedabad.
F.No. 01/60/162/578/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for EOP extension of Advance Authorization No.0810133714 dt. 03.11.2014 issued under PC-9 condition.

Decision:

The Committee noted that the Advance Authorization no. 0810133714 dt. 03.11.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for E.O. fulfillment from import of each consignment. The imports against the Authorization stated to have been made on 06.12.2014, 18.02.2015 & 02.07.2015. Accordingly, initial obligation period was upto 31.12.2015, 28.02.2016 & 31.07.2016, respectively. The applicant did not make any export towards discharge of 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, against each import consignment i.e. upto **30.06.2016, 31.08.2016 & 31.01.2017.**
II. This is subject to payment of a composition fee @ 0.5% per month of FOB value of exports made after initial obligation period.
III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.

(Action: RA, Ahmedabad)

Case No.4: M/s. Kopran Ltd., Mumbai.
F.No. 01/60/162/532/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for EOP extension of Advance Authorization No.0310776320 dt. 28.03.2014 issued under PC-9 condition.

Decision:

The Committee noted that the Advance Authorization no. 0310776320 dt. 28.03.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for E.O. fulfillment from import of each consignment. The imports against the Authorization was reportedly made on 03.02.2015. Accordingly, initial obligation period was upto 28.02.2016. The applicant has completed less 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 **31.08.2016.**
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.

(Action: RA, Mumbai)

Case No.5: M/s. Kopran Ltd., Mumbai.
F.No. 01/60/162/525/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for EOP extension of Advance Authorization No.0310775987 dt. 27.03.2014 issued under PC-9 condition.

Decision:

The Committee noted that the Advance Authorization no. 0310775987 dt. 27.03.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports against the Authorization were reportedly made on 09.03.2015. Accordingly, initial obligation period was upto 31.03.2016. The applicant has completed less 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, against each import consignment i.e. upto **30.09.2016.**
II. This will, however, be subject to payment of a composition fee @ 0.5% per month of unfulfilled FOB value of exports made/to be made after initial obligation period.
III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.

(Action: RA, Mumbai)

Case No.6: M/s. Shalina Laboratories Pvt. Ltd., Mumbai.
F.No. 01/60/162/543/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for EOP extension of Advance Authorization No.0310697293 dt. 04.06.2012 issued under PC-9 condition.

Decision:

The Committee noted that the Advance Authorization no. 0310697293 dt. 04.06.2012 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for E.O. fulfillment from import of each consignment. The imports against the Authorization were reportedly made on 22.06.2012. Accordingly, initial obligation period was upto 30.06.2013. The applicant has completed 23% export obligation during the initial export obligation period and remaining 77% thereafter. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months, against each import consignment i.e. upto **31.12.2013.**
II. This is only for accounting and regularization of exports already effected.
III. This will, however, be 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.

(Action: RA, Mumbai)

Case No.7: M/s. Adcock Ingram Ltd., Bangalore.
F.No. 01/60/162/531/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for clubbing of three Advance Authorization Nos.(i) 0710102145 dt. 13.02.2014; (ii) 0710106682 dt. 16.09.2014 and (iii) 0710108203 dt. 13.05.2015 issued under PC-9 condition.

Decision:

The Committee noted that the above mentioned 3 Advance Authorization were issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for E.O. fulfillment from import of each consignment. These Authorisations are issued with pre-import condition. The imports against the Authorization No 0710102145 dt. 13.02.2014 was reportedly made on 01.03.2014. Accordingly, initial obligation period was upto 31.03.2015. The committee, therefore, decided the following:

i. Clubbing of three Authorisations be allowed.
ii. Export obligation period be extended from 12 to 18 months against Authorisation No 0710102145 dt. 13.02.2014 i.e. upto 30.09.2015.

iii. This will, however, be subject to payment of composition fee @ 0.5% per month of FOB value of export to be accounted in the clubbed Authorisations.

iv. Exports effected after import and upto 30.09.2015 shall only be taken into account.

v. RA shall ensure accounting of inputs as per SION.

vi. Value addition shall be calculated on entire clubbed CIF and FOB value and minimum 15% V.A. shall be maintained.

vii. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP, 2015-2020 and PC-18 dated 30.10.2007 conditions shall be followed.

(Action: RA, Bangalore)

Case No.8: M/s. Gupta Synthetics Ltd., Surat.

F.No. 01/60/162/641/AM16/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for EOP extension of Advance Authorization No. 5210020889 dt. 02.01.2007 for regularization purpose.

Decision:

The committee noted that the Authorisation was issued having validity period of 24 months to import and 36 months to fulfill corresponding export obligation. The applicant has imported 100% but did not make any export during initial export obligation period. The committee normally regularised the case if 100% exports are completed within 48 months from the date of issue of Authorisation. However, the applicant could complete only 34 % within 48 months. The case was earlier considered in meeting dated 06.01.2016 and it was rejected. The committee, therefore, reiterated its earlier decision and did not accede to the request of the applicant. The applicant is hereby directed to get the case regularized in terms of Para 4.28 of HBP 2009-2014 immediately.

(Action: RA Surat / Applicant)

Case No.9: M/s. CIGFIL Ltd., Bangalore.

F.No. 01/60/162/952/AM16/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for allow accounting of exports made under 55 S/Bills from Advance Authorization No.0710100407 dt. 10.12.2013 to AA No.0710096562 dt. 09.07.2013.

Decision:

The committee noted that the case was considered in meeting dated 03.05.2016 and it was deferred for seeking details of 55 Shipping bills/Invoices/AREs to verify whether it bears details of the Advance Authorization. The applicant has submitted 5 random Shipping Bills out of 55 which bears details of the Advance Authorization No. 0710100407 dt. 10.12.2013. However, the applicant claims that the Authorisation No 0710100407 dt. 10.12.2013 has been mentioned inadvertently on these Shipping Bill whereas goods were ought to have been exported towards discharge of export obligation against Advance Authorization No. 0710096562 dt. 09.07.2013. The applicant has requested to allow transfer of said 55 Shipping Bills from Advance Authorization No. 0710100407 dt. 10.12.2013 to AA No.0710096562 dt. 09.07.2013. As both the Authorisation were issued in the same year, the committee, therefore, decided the following:

I. Exports made through 55 shipping bills/AREs mentioning Authorisation No 0710100407 dt. 10.12.2013 be allowed to be accounted in the Advance Authorisation 0710096562 dt. 09.07.2013 for regularization of default in the said Authorisation.
II. This will, however, be subject to payment of Rs. 200/- per shipping bill, as a composition fee.
III. RA shall ensure that these 55 shipping bills/AREs have not been taken into account towards discharge of export obligation against Authorisation No 0710100407 dt. 10.12.2013.
IV. The applicant shall furnish an affidavit duly Notorised affirming therein that these 55 shipping bills/AREs have not been taken into account for discharge of export obligation against any Authorisation and shall not be taken in to account other than the Authorisation No 0710096562 dt. 09.07.2013. In case any loss/demurrage is noticed in future, they shall pay an amount equal to loss/demurrage to the exchequer with applicable interest immediately without any protest.

(Action: RA, Bangalore)

Case No.10: M/s. Shalina Laboratories P. Ltd., Mumbai.

F.No. 01/60/162/542/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for EOP extension of Advance Authorization No.0310702383 dt. 19.07.2012 issued under PC-9 condition.

Decision:

The Committee noted that the Advance Authorization no. 0310702383 dt. 19.07.2012 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for EO fulfillment from import of each consignment. The imports against the Authorization was reportedly made on 21.08.2012 & 17.12.2012. Accordingly, initial obligation period was upto 31.08.2013 & 31.12.2013, respectively. The applicant has completed 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, against each import consignment i.e. upto **28.02.2014 & 30.06.2014,** respectively.
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. RA shall check that minimum 50% exports are made against each consignment, within its initial obligation period. If not, composition fee will be charged @ 0.5% per month of unfulfilled FOB.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.

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(Action: RA, Mumbai)

Case No.11: M/s. Emami Ltd., Kolkata.
F.No. 01/60/162/546/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condonation of delay in filing claim for refund of TED of Rs.3,50,200/- against Invoices No.44 dt. 08.10.2011 submitted vide File No.92/40/83/40/AM16 in RA, Kolkata.

Decision:

The committee noted that in terms of para 8.3.1 (iv) of HBP, 2009-2014, time period for submission of application for TED claim was 12 months from the date of supply or payment received. And, in terms of Para 9.3 of HBP, 2009-2014, application can be filled for such claim within 36 months from the prescribed time period with 10% late cut. However, the applicant has submitted application on 25.08.2015 i.e. after 4 years from the date of supply and payment received. The applicant could not give any cogent reason of not filling application within three years with prescribed late cut. There is no case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.12: M/s. Puneet Exports, New Delhi.
F.No. 01/60/162/370/AM15/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for extension in validity of DEPB No.0510325011 dt. 16.05.2012.

Decision:

The case was deferred for rectification of error code No 96 and 97 and seeking report from EDI.
(Action: EDI)

Case No.13: M/s. Tiger Steel Engineering (India) P. Ltd., Mumbai.
F.No. 01/60/162/334/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for clubbing of two Advance Authorization Nos. 0310602181 dt. 19.11.2010 and 0310717323 dt. 17.12.2012.

Decision:

The committee noted that the Authorisation No 0310602181 dt. 19.11.2010 was issued having initial validity of 24 months to import and 36 months to fulfill export obligation. Whereas, the Authorisation No 0310717323 dt. 17.12.2012 was issued having initial validity of 12 months to import and 18 months to fulfill export obligation. The second Authorisation is issued after expiry of validity of the first Authorisation. Revalidation of an Authorisation beyond the prescribed period is not considered by the PRC. Hence, the committee was of the view that clubbing of such Authorisation would amount giving indirect revalidation to first Authorisation because imports in the second

Authorisation are made after expiry of validity of the first Authorisation. The committee, therefore, did not consider the request for clubbing of Authorisation.

However, the committee noted that there are surplus exports in the first Authorisation. Therefore, the committee decided the following:

i. Transfer of shipping bills from Authorisation No 0310602181 dt. 19.11.2010 to Authorisation No 0310717323 dt. 17.12.2012 be allowed, which have been effected after **17.12.2012** indicating details of Authorisation No 0310602181 dt. 19.11.2010.
ii. This will, however, be subject to payment of composition fee of Rs. 200/-per shipping bill.

(Action: RA, Mumbai)

Case No.14: M/s. Cargill India P. Ltd., New Delhi.
F.No. 01/60/162/528/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for relaxing late cut provisions with respect to their application for duty free entitlement under Served From India Scheme (SFIS) of Rs.1,39,73,488/- for the period 01.04.2014 – 31.03.2015.

Decision:

The committee noted the submission of the applicant that they could not file application due to server problem. However, it was decided to seek report from EDI whether there was any problem in filing online application for SFIS between **29.03.2016 to 31.03.2016**.
(Action: EDI)

Case No.15: M/s. GIC Insu-Flex Conductors Pvt. Ltd., Mumbai.
F.No. 01/60/162/225/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for fulfillments of EO with different exports product in three Shipping Bills in which same import items is used against Advance Authorization No.0310655610 dt. 23.09.2011.

Decision:

The committee noted that the Authorisation was obtained under SION Sl No 61/252 for export of Paper Covered Copper Conductor (Strip/Wires). Whereas, the applicant has exported un-plated Copper Conductors through three shipping bills without getting the Authorisation amended. However, SION under Sl. 61/338 is fixed for the resultant product. Under both the SION, copper wire/Rod is allowed with wastage of 1.02kg/kg content. The committee, therefore, allowed accounting of said three Shipping bills provided the Advance Authorisation number is mentioned in the shipping bills. RA shall calculate entitlement of other inputs as per SION and excess imports, if any, shall be regularised in terms of para 4.49 of HBP.
(Action: RA, Mumbai)

Case No.16: M/s. L3 Communications India P. Ltd., Bangalore.
F.No. 01/60/162/494/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for extension of export obligation period in terms of Para 4.22 of FTP, 2015-20 against Advance Authorization No.0710104299 dt. 21.05.2014

Decision:

The Committee noted that the Authorisation was issued having initial validity of 12 months to import and 18 months to fulfill stipulated export obligation. The applicant has imported 100% but despite six months extension allowed by RA, the applicant has effected NIL exports within a period of 24 months. No exports are made even thereafter. No documents(copy of contract) evidencing that goods are to be exported to turnkey project is submitted. The committee, therefore, did not accede to the request. The applicant is hereby directed to get the case regularized in terms of Para 4.49 of HBP, 2015-2020.

(Action: Applicant/RA, Bangalore; if the applicant fails to get the case regularised within a month from the date of uploading of these minutes on the Directorate website, action as per the provisions of FT(DR)Act, 1992, as amended shall be initiated.)

Case No.17: M/s. Jonson Rubber Industries Ltd., New Delhi.

F.No. 01/60/162/501/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for revalidation of Advance Authorization No.0510390711 dt. 22.08.2014.

Decision:

The committee noted that the Authorisation was issued having initial validity of 12 months to import and 18 months to fulfill stipulated export obligation. The applicant has imported two items fully leaving balance in remaining items. In terms of para 4.41 of HBP, 2015-2020, RAs are empowered to allow six months revalidation on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship established. Hence, the committee did not accede to the request.

Case No.18: M/s. Viswaat Chemicals Ltd., Mumbai.

F.No. 01/60/162/512/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for 2nd revalidation of two Advance Authorization No.0310789864 dt. 30.09.2014.

Decision:

The committee noted that the Authorisation was issued having initial validity of 12 months to import and 18 months to fulfill stipulated export obligation. The applicant has imported one item fully leaving balance in remaining items. In terms of para 4.41 of HBP, 2015-2020, RAs are empowered to allow six months revalidation on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship established. Hence, the committee did not accede to the request.

Case No.19: M/s. Avi Additives Pvt. Ltd., Hyderabad.

F.No. 01/60/162/526/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for revalidation of Advance Authorization No.0910061304 dt. 25.11.2014.

Decision:

The committee noted that RA has already allowed six months further validity i.e. upto 24.05.2016. Despite that the applicant could not complete its import. Hence, the committee did not accede to the request of the applicant considering no case of genuine hardship.

Case No.20: M/s. G.B. Engineering Exterprises Pvt. Ltd., Chennai.

F.No. 01/60/162/520/AM16/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for EO relaxation towards fulfillment of Advance Authorization No.0410119183 dt. 25.11.2010.

Decision:

The committee noted that the Authorisation was issued having initial validity of 24 months to import and 36 months to fulfill stipulated export obligation. The applicant has imported almost 100% and fulfilled 70% stipulated export obligation. The export obligation period has expired in November, 2013 whereas, the request for extension of export obligation period is made in June, 2015. Normally, the committee, in such cases allows extension upto 48 months for regularisation but no exports are made by the applicant after expiry of E.O. period. Hence, the committee did not accede to the request. The applicant is hereby directed to get the case regularised in terms of para 4.49 of HBP.

(Action: Applicant/RA, Chennai; if the applicant fails to get the case regularised within a month from the date of uploading of these minutes on the Directorate website, action as per the provisions of FT(DR)Act, 1992, as amended shall be initiated.)

Case No.21: M/s. Survival Technologies Ltd., Mumbai.

F.No. 01/60/162/558/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for waiver of interest on Cusom Duty for excess import of item Triflic Acid (Trifluoro Methanesulfonic Acid) and Advance Authorization No.0310695632 dt. 22.05.2012.

Decision:

The committee did not accede to the request as duty and interest is levied under the provisions of the Customs Act and not under the provision of FTP or F.T.(D&R) Act.

Case No.22: M/s. Calibre Chemicals P. Ltd., Mumbai.
F.No. 01/60/162/966/AM16/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for EOP extension and revalidation of Advance Authorization No.0310754260 dt. 18.10.2013.

Decision:

The Committee noted that the Authorisation was issued having initial validity of 12 months to import and 18 months to fulfill stipulated export obligation. The applicant has stated that they have imported 100% but effected 70% export within initial obligation period and remaining 30% thereafter. Taking these facts into consideration, the committee decided the following:

i. Export obligation period be extended from 18 months to 30 months i.e. upto **30.04.2016**.
ii. This will, however, be subject to payment of composition fee @ 0.5% of unfulfilled FOB value of export made after 18^{th} month but upto 24^{th} month and @ 0.5% per month of FOB value of exports made after 24^{th} month but upto 30^{th} month.
iii. Minimum 15% VA shall be maintained.
iv. The above decision is subject to the condition that facts stated by the exporter are verified as correct.

(Action: RA, Mumbai)

Case No.23: M/s. Jindal Saw Ltd., N. Delhi.
F.No. 01/60/162/574/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DEPB No.3110054216 dt. 14.05.2012 and removal of Errors – issued from RA, Pune.

Decision:

From EDI section report, it was noted that the applicant has exported goods through EDI customs port and EDI shipping bills were generated. However, while filing application for DEPB, he entered shipping bills details manually. Such DEPB scrip cannot be transmitted electronically. The committee, therefore, decided the following:

i. The applicant shall surrender the said DEPB to RA for its cancellation.
ii. The applicant, if he wishes, shall file fresh application tagging EDI shipping bills from depository.
iii. RA shall issue fresh DEPB imposing 10% late cut.

(Action: Pune)

Case No.24: M/s. Anisha Marine Export, Chennai.
F.No. 01/60/162/609/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of Transferable VKGUY Authorization No.0410143143 dt. 11.02.2013.

Decision:

The committee noted that the transferable duty credit scrip under YKGUY scheme was issued having validity of 18 months to import. There is no provision to revalidate such scrip provided the scrip lost its validity in the possession of Government agencies. That is not the case here. The committee, therefore, did not accede to the request.

Case No.25: M/s. Anisha Marine Export, Chennai.

F.No. 01/60/162/607/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for revalidation of Transferable VKGUY Authorization No.0410143334 dt. 04.02.2013.

Decision:

The committee noted that the transferable duty credit scrip under YKGUY scheme was issued having validity of 18 months to import. There is no provision to revalidate such scrip provided the scrip lost its validity in the possession of Government agencies. That is not the case here. The committee, therefore, did not accede to the request.

Case No.26: M/s. Anisha Marine Export, Chennai.

F.No. 01/60/162/539/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for revalidation of Transferable VKGUY Authorization No.0410143142 dt. 11.02.2013.

Decision:

The committee noted that the transferable duty credit scrip under YKGUY scheme was issued having validity of 18 months to import. There is no provision to revalidate such scrip provided the scrip lost its validity in the possession of Government agencies. That is not the case here. The committee, therefore, did not accede to the request.

Case No.27: M/s. Anisha Marine Export, Chennai.

F.No. 01/60/162/608/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for revalidation of Transferable VKGUY Authorization No.0410143437 dt. 19.02.2013.

Decision:

The committee noted that the transferable duty credit scrip under YKGUY scheme was issued having validity of 18 months to import. There is no provision to revalidate such scrip provided the scrip lost its validity in the possession of Government agencies. That is not the case here. The committee, therefore, did not accede to the request.

Case No.28: M/s. Orient Craft Ltd., New Delhi.
F.No. 01/60/162/029/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for clubbing of 4 Advance Authorizations No. (i) 0510314445 dt. 13.01.2012; (ii) 0510314446 dt. 13.01.2012 and (iii) 0510314447 dt. 13.01.2012.

Decision:

The committee noted that vide PN 24 dated 04.08.2016 RAs have been empowered to allow clubbing of Advance Authorisations for Annual Requirement, as per conditions indicated in the said PN. The committee, therefore, decided to remand back the case to RA concerned for necessary action.
(Action: RA, CLA)

Case No.29: M/s. Brijbasi Art Press Ltd., New Delhi.
F.No. 01/60/162/041(i)/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DFIA No.0510343151 dt. 14.01.2013.

Decision:

The committee noted that the DFIA was issued having initial validity of 12 moths to import and 18 months to fulfill stipulated export obligation. The applicant has fulfilled more than the stipulated export obligation and imported item No one 100%. Request for enhancement of quantity and value on prorata basis can be made to RA concerned within the validity of the Authorisation. Further, in terms of Para 4.41 of HBP, RAs are empowered to allow one time revalidation for six months on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.30: M/s. Brijbasi Art Press Ltd., New Delhi.
F.No. 01/60/162/041(ii)/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DFIA No.0510343152 dt. 14.01.2013.

Decision:

The committee noted that the DFIA was issued having initial validity of 12 moths to import and 18 months to fulfill stipulated export obligation. The applicant has fulfilled more than the stipulated export obligation and imported item No one 100%. Request for enhancement of quantity and value on prorata basis can be made to RA concerned within the validity of the Authorisation. Further, in terms of Para 4.41 of HBP, RAs are empowered to allow one time revalidation for six months on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.31: M/s. Brijbasi Art Press Ltd., New Delhi.
F.No. 01/60/162/041(iii)/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DFIA No.0510342930 dt. 10.01.2013.

Decision:

The committee noted that the DFIA was issued having initial validity of 12 moths to import and 18 months to fulfill stipulated export obligation. The applicant has fulfilled more than the stipulated export obligation and imported item No one 100%. Request for enhancement of quantity and value on prorata basis can be made to RA concerned within the validity of the Authorisation. Further, in terms of Para 4.41 of HBP, RAs are empowered to allow one time revalidation for six months on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.32: M/s. Brijbasi Art Press Ltd., New Delhi.
F.No. 01/60/162/041(iv)/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DFIA No.0510332914 dt. 29.08.2012.

Decision:

The committee noted that the DFIA was issued having initial validity of 12 moths to import and 18 months to fulfill stipulated export obligation. The applicant has fulfilled more than the stipulated export obligation and imported item No one 100%. Request for enhancement of quantity and value on prorata basis can be made to RA concerned within the validity of the Authorisation. Further, in terms of Para 4.41 of HBP, RAs are empowered to allow one time revalidation for six months on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.33: M/s. Brijbasi Art Press Ltd., New Delhi.
F.No. 01/60/162/041(v)/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DFIA No.0510335849 dt. 27.09.2012.

Decision:

The committee noted that the DFIA was issued having initial validity of 12 moths to import and 18 months to fulfill stipulated export obligation. The applicant has fulfilled more than the stipulated export obligation and imported item No one 100%. Request for enhancement of quantity and value on prorata basis can be made to RA concerned within the validity of the Authorisation. Further, in terms of Para 4.41 of HBP, RAs are empowered to allow one time revalidation for six months on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.34: M/s. Brijbasi Art Press Ltd., New Delhi.
F.No. 01/60/162/041(vi)/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DFIA No.0510335852 dt. 27.09.2012.

Decision:

The committee noted that the DFIA was issued having initial validity of 12 moths to import and 18 months to fulfill stipulated export obligation. The applicant has fulfilled more than the stipulated export obligation and imported item No one 100%. Request for enhancement of quantity and value on prorata basis can be made to RA concerned within the validity of the Authorisation. Further, in terms of Para 4.41 of HBP, RAs are empowered to allow one time revalidation for six months on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.35: M/s. Brijbasi Art Press Ltd., New Delhi.
F.No. 01/60/162/041(vii)/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DFIA No.0510337183 dt. 15.10.2012.

Decision:

The committee noted that the DFIA was issued having initial validity of 12 moths to import and 18 months to fulfill stipulated export obligation. The applicant has fulfilled more than the stipulated export obligation and imported item No one 70%. Request for enhancement of quantity and value on prorata basis can be made to RA concerned within the validity of the Authorisation. Further, in terms of Para 4.41 of HBP, RAs are empowered to allow one time revalidation for six months on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.36: M/s. Brijbasi Art Press Ltd., New Delhi.
F.No. 01/60/162/041(viii)/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for revalidation of DFIA No.0510337184 dt. 15.10.2012.

Decision:

The committee noted that the DFIA was issued having initial validity of 12 moths to import and 18 months to fulfill stipulated export obligation. The applicant has fulfilled more than the stipulated export obligation and imported item No one 100%. Request for enhancement of quantity and value on prorata basis can be made to RA concerned within the validity of the Authorisation. Further, in terms of Para 4.41 of HBP, RAs are empowered to allow one time revalidation for six months on merit of the case. However, the applicant did not avail the facility. No case of genuine hardship. The committee, therefore, did not accede to the request.

Case No.37: M/s. Dorf Ketal Chemicals (I) Pvt. Ltd., Mumbai.
F.No. 01/60/162/272/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for DBK Shipping Bills No.3597820 dt. 30.06.2014 & 3614345 dt. 01.07.2014 towards discharge of exports obligation under Advance Authorization No.0310784514 dt. 05.06.2014.

Decision:

The Committee noted that the Advance Authorization no. 0310784514 dt. 05.06.2014 was issued with conditions stipulated under PC-9 dated 30.06.2003, which allows 12 months period for E.O. fulfillment from import of each consignment. The applicant has imported 100% goods from unregistered sources but did not make any export towards discharge of export obligation. However, the applicant saying that the same imported goods were used and exported against DBK shipping bill No No.3597820 dt. 30.06.2014 & No 3614345 dt. 01.07.2014 but did not avail drawback on it. However, the committee noted that the imports under the Authorisation were made on 28.05.2014 and 21.02.2015 and exports have been completed by 01.07.2014 that is prior to import. Hence, these shipping bill cannot be accepted for waiver of PC-18 dated 30.10.2007 condition. Hence, the committee did not accede to the request. The applicant is hereby directed to get the case regularised in terms of para 4.49 of HBP, 2015-2020 subject to terms and conditions of PC-18.
(Action: applicant/RA, Mumbai)

Case No.38: M/s. Continental India Ltd., New Delhi.
F.No. 01/60/162/382/AM15/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condonation of delay in submission of applications for DEPB claim for Rs.30,76,348/- against export made during 2009, 2010 and 2011.

Decision:

The committee noted that in terms of Para 4.66 of HBP 2009-2014 read with Para 9.3 of said HBP, application for DEPB claim could be filed within 36 months from the date of export or 30 months from the date of realization of payment whichever is later, with 10% late cut. No cogent reason is given for not submitting application within the prescribed time limit. The applicant also not furnished any document regarding merger of company and when the merger took place. The committee, thus, did not accede to the request of the applicant.

Case No.39: Mittal Technopack P. Ltd., Kolkata.
F.No. 01/92/180/052/AM14/ PC-VI
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for relaxation of Para 9.3 of HBP 2009-14.

Decision:

The committee noted that the company was DTA unit and after evaluating all benefits of tax and duties to an EOU, they get their DTA unit converted into EOU. They were fully aware that he can procure goods without payment of TED against CT-3 and supplier will get drawback on duty paid inputs or Advance Authorisation for import of duty free inputs. In terms pf Para 8.3.1 of HBP, 2009-2014 read with Para 9.3 of said HBP, application for drawback can be filed within 36 months from the date of receipt of

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payment with 10% late cut. The committee did not agree to allow any relaxation beyond this period.

Case No.40: M/s. Elite Green P. Ltd., Ahmedabad.
F.No. 01/85/50/132/AM14/ DES-VI/PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Correction/amendment in Case No.25 of PRC Meeting No.25/16 dt. 08.03.2016.

Decision:

The committee noted that Para 4.7 of HBP categorically disallows issue of Advance Authorisation under self-declaration scheme if duty in more than 30%. The applicant was required and presumed to be aware of these facts. Hence, it was decided to reject the request. RA may ensure that the case is regularized as per Para 4.49 of HBP, 2015-2020.

(Action: Applicant/RA, Ahmedabad)

Case No.41: M/s. Shiva Pharmachem Ltd., Baroda.
F.No. 01/60/162/903/AM16/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for relaxation to count exports made from SEZ unit against Advance Authorization No.3410039176 dt. 03.02.2014.

Decision:

The committee noted that applicant has obtained Advance Authorisation to import goods without payment of applicable duty. SEZ unit is also eligible to import goods without payment of applicable duty. However, SEZ enjoyed income tax rebate on taxable income, which Advance Authorisation holder did not. Under rule 43 of SEZ, Rule, 2006, SEZ unit can do job work for DTA unit provided prior permission of Development Commissioner has been obtained. However, as per report furnished by DC, Dahej, no permission was obtained by SEZ unit. The committee, therefore, did not accede to the request. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.
(**Action: Applicant/RA, Vadodara:** if the applicant fails to get the case regularised within a month from the date of uploading of these minutes on the Directorate website, action as per the provision of FT(DR)Act, 1992 as amended shall be initiated)

Case No.42: M/s. Stera Engineering India Pvt. Ltd., Chennai.
F.No. 01/60/162/093/AM16/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condonation of the procedural lapse in obtaining the Bill of Exports of Advance Authorization No.0410116884 dt. 01.09.2010.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application

(HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.
(Action: RA Chennai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.43: M/s. Stera Engineering India P. Ltd., Chennai.
F.No. 01/60/162/094/AM16/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condonation of the procedural lapse in obtaining the Bill of Exports of Advance Authorization No.0410121207 dt. 01.02.2011.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.
(Action: RA Chennai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.44: M/s. Stera Engineering India P. Ltd., Chennai.
F.No. 01/60/162/092/AM16/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condonation the procedural lapse in obtaining the Bill of Exports of Advance Authorization No.0410118541 dt. 02.11.2010.

Decision:
The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of

Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Chennai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.45: M/s. Featherlite Products P. Ltd., Bangalore.

F.No. 01/60/162/559/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for relaxation of requirement of submission of Bill of Exports as a proof of export of SEZ unit against Advance Authorization No.0710060225 dt. 30.09.2008.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Bangalore : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.46: M/s. Caterpillar India P. Ltd., Chennai.

F.No. 01/60/162/951/AM16/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for condonation of procedural lapse for acceptance of ARE-1 as proof of export/ supply of SEZ Developer in lieu of Bill of Exports for supply of one Diesel Generating (D.G.) set 1500 KV under Advance Authorization No.0410150712 dt. 07.10.2013 and for supply of 6 D.G. sets under Re-imbursement of Duty (ROD) in lieu of drawback for supply of goods to SEZ Developers.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Chennai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.47: M/s. Tractors and Farm Equipment Ltd., Bengaluru.

F.No. 01/60/162/457, 458 & 459/AM15/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for condonation of non-mentioning the Advance Authorization details in the Bill of Exports against Advance Authorizations No.(i) 0710060732 dt. 27.10.2008; (ii) 0710049761 dt. 23.01.2007 and (iii) 0710051841 dt. 01.06.2007 for redemption/EODC purpose.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Bangalore : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.48: M/s. ABB India Ltd., Bangalore.

F.No. 01/60/162/614/AM15/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for condone the procedural lapse in obtaining the Bill of Exports of three Advance Authorizations No.(i) 0710065927 dt. 14.07.2009; (ii) 0710068577 dt. 01.12.2009 and (iii) 0710065928 dt. 14.07.2009.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Bangalore : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.49: M/s. Thyssenkrupp Electrical Steel India Pvt. Ltd., Mumbai.

F.No. 01/60/162/464/AM15/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for relaxation from furnishing specified document (Bill of Export) for the purpose of closure of Advance Authorization No.0310483334 dt. 22.08.2008.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Mumbai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.50: M/s. Thyssenkrupp Electrical Steel India P. Ltd., Mumbai.

F.No. 01/60/162/460/AM15/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for relaxation from furnishing specified document (Bill of Export) for the purpose of closure of Advance Authorization No.0310329997 dt. 13.05.2005.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of

Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Mumbai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.51: M/s. Thyssenkrupp Electrical Steel India P. Ltd., Mumbai.

F.No. 01/60/162/463/AM15/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for relaxation from furnishing specified document (Bill of Export) for the purpose of closure of Advance Authorization No.0310542976 dt. 28.10.2009.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Mumbai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.52: M/s. Thyssenkrupp Electrical Steel India P. Ltd., Mumbai.

F.No. 01/60/162/462/AM15/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for relaxation from furnishing specified document (Bill of Export) for the purpose of closure of Advance Authorization No.0310579557 dt. 18.06.2010.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Mumbai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.53: M/s. Thyssenkrupp Electrical Steel India Pvt. Ltd., Mumbai.

F.No. 01/60/162/465/AM15/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for relaxation from furnishing specified document (Bill of Export) for the purpose of closure of Advance Authorization No.0310394036 dt. 10.08.2006.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Mumbai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.54: M/s. Navin Fluorine International Ltd., Mumbai.

F.No. 01/60/162/170/AM16/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for condonation the procedural lapse in obtaining Bill of Exports of Advance Authorization No.0310612992 dt. 28.01.2011.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Mumbai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.55: M/s. Miven Mayfran Conveyors Pvt. Ld., Hubli, Karnataka.
F.No. 01/60/162/242/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condonation of requirement of Bill of Exports to discharge Export Obligation against Advance Authorization No.0710058540 dt. 15.07.2008.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.
(Action: RA Karnataka : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.56: M/s. Thermon Heat Tracers Pvt. Ltd., Mumbai.
F.No. 01/60/162/670/AM16/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condonation of non-filing of Bill of Export for the supplies made against Advance Authorization No.3110056473 dt. 13.12.2012.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.
(Action: RA Mumbai : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website,

necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.57: M/s. Electromech Material handling Systems (India) Pvt. Ltd., Pune.

F.No. 01/60/162/169/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for condone the procedural lapse of non-generating Bill of Export for supplies made to SEZ unit against Advance Authorization No.3110032376 dt. 21.01.2008.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Pune : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.58: M/s. Electromech Material handling Systems (India) P. Ltd., Pune.

F.No. 01/60/162/166/AM17/ PRC

PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for condone the procedural lapse of non-generating Bill of Export for supplies made to SEZ unit against Advance Authorization No.3110033712 dt. 09.05.2008.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Pune : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.59: M/s. Electromech Material handling Systems (India) P. Ltd., Pune.
F.No. 01/60/162/173/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condone the procedural lapse of non-generating Bill of Export for supplies made to SEZ unit against Advance Authorization No.3110033470 dt. 09.04.2008.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.
(Action: RA Pune : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.60: M/s. Electromech Material handling Systems (India) P. Ltd., Pune.
F.No. 01/60/162/142/AM17/ PRC
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for condone the procedural lapse of non-generating Bill of Export for supplies made to SEZ unit against Advance Authorization No.3110037229 dt. 03.02.2009.

Decision:

The committee noted that application for redemption of Advance Authorisation is submitted in ANF-4F. In the ANF-4F under Para (a) (ii) of guidelines for application (HBP, 2009-2014 Vol-I), it was categorically mentioned that exporter shall submit 'Bill of Export' along with other prescribed documents. And, in terms of Para 4.12 of FTP, exporter shall indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, Bill of Export is prescribed document under Rule 30 of SEZ, Rule, 2006. The committee was of the view that requirement of Bill of Export provided for in the SEZ Rules, in addition to the FTP, cannot be dispensed with. The applicant is hereby directed to get the case regularised as per the provisions in Para 4.29 of HBP, 2009-2014.

(Action: RA Pune : If the applicant fails to get the case regularized within a month from the date of publication of these minutes on the Directorate website, necessary penal action as per provision under FT(DR) Act, 1992, as amended, should be initiated by the RA)

Case No.61: M/s. Reliance Industries Ltd., Mumbai.
F.No. 01/89/180/40/AM09/ PC-2(A)
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for NOC for import of Range Rover Sentinel high security Armoured Car for Chairman of M/s. Reliance Industries Limited.

Decision:

The Committee decided to relax the provisions of Policy Condition No. 7 of chapter 87 of ITC (HS), 2012, Schedule – I (Import Policy) for import of Range Rover Sentinel High Security Armoured Car (Vehicle 2955 CC) for Chairman of M/s Reliance Industries Limited. This will, however, be subject to the condition that:

I. Import should be made through the authorized ports only.
II. NOC from Ministry of Home affairs shall be obtained before Customs clearance.

(Action: Policy-2)

Case No.62: M/s. Dott Services P. Ltd., Hyderabad.
F.No. 01/89/180/Misc-14/ AM10/ PC-2(A)/Part
PRC Meeting No. 16/AM17 dated 29.08.2016
Subject:- Request for relaxation in provision CMVR 1989, rule 126 of CMVR 1989 and clause 1[II][a][b][i][ii] and [iii], [c][d] (i), (ii) & (iii) of Chapter 87 of ITC [HS], 2012 for import of 19 units of second hand (refurbished) KOMATSU HD785-7 Off Highway Mining dump trucks (model: HD785-7) for "Exclusive use" in the Mining Industry.

Decision:

The Committee decided to relax the clause 1[II][a][b][i][ii] and [iii], [c][d] (i), (ii) & (iii) of Chapter 87 of ITC [HS], 2012 for import of 19 units of second hand (refurbished) KOMATSU HD785-7 Off Highway Mining dump trucks (model: HD785-7) for "Exclusive use" in the Mining Industry, subject to following conditions:

I. Import should be made through the authorized ports only.
II. Vehicles shall not ply on public roads except at the time of mobilization and de-mobilization and that the equipment would be used only at the project site and shall be re-exported after completion of work.

(Action: Policy-2)

Case No.63: M/s. Hindustan Zinc Ltd., Udaipur.
F.No. 01/89/180/67/AM09/ PC-2(A)/Vol.V/Part.I
PRC Meeting No. 16/AM17 dated 29.08.2016

Subject:- Request for grant of relaxation in provision of CMVR 1989, Rules 126 of CMVR 1989 and Clause 2 (II) {(a) (i) (ii) and (iii), (b) (c) (i), (ii) & (iii)} and clause 7 of ITC (HS), 2012, for import of 19 underground mining equipment.

Decision:

The Committee decided to relax the Clause 2 (II) {(a) (i) (ii) and (iii), (b) (c) (i), (ii) & (iii)} and clause 7 of Chapter 87 of ITC (HS), 2012 for import of 19 units of new underground mining equipment. This will, however, be subject to the condition that:

I. Import should be made through the authorized ports only.
II. Vehicles shall not ply on public roads except at the time of mobilization and de-mobilization and that the equipment would be used only at the project site and shall be re-exported after completion of work.

(Action: Policy-2)

Case No 64: Florence Shoe Company
Reference-Firm's letter dated 17th May 2016+ Customs letter dated22nd Dec 2015 & 19th Feb 2016
No of Shipping Bills involved: 51
Issue: The party while filing shipping bill details on ICEGATE system, erroneously mentioned "Greenland" as the country of destination instead of USA. The same was transmitted to DGFT from ICEGATE. On request of the firm, Chennai Custom's manually amended country of destination to USA. However, it could not amend the details online ICEGATE system does not permit modification of shipping bills after filing of EGM. Chennai Customs requested DGFT for processing of MEIS Script as per amended information vide their letter dated 19th February 2016.

Decision:

PRC approved manual intervention by DGFT (NIC) to amend country of destination from Greenland to USA, based on the letter received from Customs Port office in this regards.
(Action: EDI)

Case No 65: Nestle India Limited
Reference-Firm's letter dated 16th May 2016 + Customs letter dated 4th Jan 2016
No of Shipping Bills involved: 173
Issue-Nestle have exported "Instant Soluble Coffee" from Mangalore port. While doing so, they filed Shipping Bills to take benefit both of DFIA (for imported coffee beans) and Drawback under brand rate fixation (for duty paid packing material). This is allowed under the policy. However, Nestle was compelled to file manual shipping bills by Mangalore Customs, because of the non-availability of combined code for DFIA and Drawback. As this was a manual filing, Data did not flow to DGFT through the ICEGATE system and as Mangalore port is an EDI port, DGFT cannot allow manual filing of MEIS application. Mangalore Custom's advised Nestle to approach DGFT for issuance of MEIS scrip on the basis of manual shipping bill.

Decision: PRC approved DGFT (NIC) to allow manual intervention of specified 173 shipping bills by M/S Nestle India Ltd into online MEIS application. M/s Nestle India Ltd. will be issued manual MEIS license and the same will be manually cleared at Mangalore port. **(Action: EDI)**

Case No 66: M/s. Tata International

Reference-Firm's letter dated 23/06/2016; Customs letter dated 15th March 2016

No of Shipping Bills involved: 574

Issue-Air Cargo Complex, Indore is a Custom notified EDI port, however it is working on manual mode on account of internal software issues and no export details were transmitted through ICEGATE to DGFT. As Indore port was shown as non-EDI system in DGFT system, the firm applied for MEIS feeding the details manually and was issued MEIS. However as the issuance was manual, data did not flow from DGFT to ICEGATE and later when the firm applied for MEIS processing at JNPT/Air Cargo Chennai/Sea Cargo Chennai/ICD Pithampur, they faced issues as the concerned customs port had no EDI information/data on the concerned MEIS scrip.

Decision: PRC approved issuing a letter to ADG (ICEGATE) to instruct JNPT/Air Cargo Chennai/Sea Cargo Chennai/ICD Pithampur Customs Port to register the MEIS license and allow the party to utilise the same. Copy of the letter may be sent to JS (Drawback) and email sent to inform M/s Tata International. **(Action: EDI)**

Case 67: SEIS claim of M/S JNPT

Reference-Firm's letter dated 14th June 2016 + Case details- SFIS Application for 2014-15

No of Shipping Bills involved: N.A

Issue- JNPT has stated that they have made a mistake while filing the online applications for issue of SFIS. JNPT further stated that they submitted documents/ values for period 2014-15 but selected application period as 2015-16. All along CA certificate showing correct figures was appended. They have done so in the past many years. DGFT Mumbai office also ignored the mistake. However, to take care of mismatch, DGFT Mumbai issued SFIS Authorisation, with manual endorsement on the body of the Authorisation, mentioning SFIS benefit period.

JNPT could not submit documents for SFIS period 2014-15 and selecting frequency period as 2015-16 (as they had done in past). Since SFIS benefit was discontinued since 1st April 2015 (as per new FTP 2015-20), JNPT was unable to apply for SFIS application.

Decision:

PRC rejected application of M/s JNPT on the ground that it was the party's mistake and such relaxations have not been allowed by the Committee.

(Action: EDI)

Requisite application fee is waived for the cases appearing at Sl No 64 to 67 being EDI problems.

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

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Gm