Directorate General of Foreign Trade
(PRC-section)

Minutes of the Policy Relaxation Committee Meeting held under the Chairmanship of DGFT Shri A.K. Bhalla, Director General of Foreign Trade on 22.11.2016

Meeting No. 24/AM17 held on 22.11.2016 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 Akash Taneja:	Jt. DGFT
8.	Shri Lokesh H.D.:	Jt. 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. Gopinath Chem-Tech Ltd., Ahmedabad.
P.H. Case F.No. 01/60/162/879/AM16/PRC
PRC Meeting No. 24/AM17 dated 22.11.2016
Subject:- Request for clubbing of 2 Advance Authorizatoins No.0810120616 dt. 30.04.2013 and 0810133878 dt. 20.11.2014.

The applicant, in terms of Para 2.59 of FTP, sought Personal Hearing, which was afforded to them on 22.11.2016. Accordingly, Shri Mani G. representative of the company appeared before the committee and made the following submissions:

1. The case has been rejected by PRC in its meeting dated 15.03.2016 & 10.08.2016.
2. The main reason for rejection was that if clubbing of "such authorizations is allowed, this would amount to giving indirect revalidation" whereas "revalidation of authorisation beyond 18 months is not allowed.
3. The AA No. 0810120616 was issued on 30.04.2013 with the validity of 12 months and initial E.O. period was 18 months whereas the second AA No. 08100133878 was issued on 20.11.2014 on repeat basis with the validity to import at 12 months and EOP was of 18 months. Both the AAs are issued on or after 05.06.2012. In terms of **Para 4.38 (vii) (b) only such AAs shall be clubbed which have been issued within 18 months from the date of issue of earliest authorisation.**

4. They have approached PRC instead of RA because the gap between two authorizations works out to 18 months and 20 days (i.e. 30.04.2013 to 20.11.2014).
5. The AA was issued on 30.04.2013 in terms of Para 4.7 therefore they decided to export first and intended to replenishment of inputs used in manufacture of export items, however, the ad-hoc norms was approved on 05.03.2014 i.e. almost after 11 months of time and the applicant came to know the ratification only around 15.04.2014 and the validity of AA expired on 30.04.2014, as the authorization was issued with 12 months validity. Only 15 days period was available for concluding the import.
6. Subsequently they obtained AA No. 0810133878 dt. 20.11.2014 on repeat basis. Meantime, there was complete recession in international market and so the applicant was unable to export further and could not import the entire entitlement in proportionate to the exports.

Decision:

The committee noted that the case was rejected twice in meeting dated 15.03.2016 and 10.08.2016 giving the reason that clubbing of such Authorisation not allowed. The applicant has fulfilled more that 184% exports against first Authorisation without making any imports against two inputs out of three whereas the Authorisation was obtained under Para 4.7 of HBP. The second Authorisation was obtained on repeat basis but no exports are made under the Authorisation.

As per Para 4.21 of HBP, 2009-2014, prorata enhancement in quantity and value is allowed. And, in terms of Para 4.23 of HBP, 2009-2014, RA is empowered to allow six months revalidation in continuation. The applicant did not avail these facilities. The Advance Authorisation is issued with "Actual User" condition. In terms of Para 4.12 of HBP, exports made from issue of EDI file number can only be taken into account towards discharge of export obligation. Harmonious reading of all such provisions, only such Authorisation can be clubbed where imports are made before exports and exports obligation in subsequent Authorisations are completed within the initial/extendable obligation period of the first Authorisation. Exports made in first Authorisation without making any imports and imports made in subsequent Authorisation without effecting any exports and such subsequent Authorisation is obtained after expiry of validity of the first Authorisation is not allowed for clubbing. To allow clubbing of such Authorisation tantamounts to allow indirect revalidation of first Authorisation beyond 18 months. Therefore, only Authorisation which are issued within the validity of first Authorisation are allowed to be clubbed.

In the instance case, excess exports are made in the first Authorisation and subsequent Authorisation is obtained after expiry of validity of the first Authorisation and in which imports are made without any exports. Further, exports in the first Authorisation were completed by 27.01.2014 whereas second Authorisation was obtained on 20.11.2014. Therefore, exports made in the first Authorisation before issue of file number of second Authorisation cannot be accounted in the second Authorisation. This proves that the second Authorisation was obtained with bad intension to defeat the objective of the policy.

Taking all these facts, the committee decided to reiterate its earlier decision and rejected the case. The applicant is hereby directed to get the cases regularised individually in terms of Para 4.49 of HBP, 2015-20.

(Action: RA Ahmedabad : 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, shall be initiated.)

Case No.2: M/s. Nazeer Industries, Chittoor, A.P.

F.No. 01/60/162/768/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for condonation of delay in submission of claim for refund of TED against supply of goods to holder of EPCG Authorization No.0530152037 dt. 07.05.2010.

The committee noted that in terms of Para 8.3.1(ii) of HBP, 2009-2014 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. In the case under consideration, the supplies were made during May, 2010 to July 2010 and payment were received during October 2012 to June 2013. The application for claim was submitted on 10.10.2014 i.e. within 36 months from the date of payments. The committee, therefore, decided to remand the case to RA for consideration as per provisions of Para 9.3 of HBP.

(Action: RA, Hyderabad)

Case No.3: M/s. Nazeer Industries, Chittoor, A.P.

F.No. 01/60/162/800/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for condonation of delay in submission of claim for refund TEDs against EPCG Authorization No.0430007103 dt. 04.02.2009.

The committee noted that in terms of Para 8.3.1(ii) of HBP, 2009-2014 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. In the case under consideration, the supplies were made during March 2009 to July 2009 and paymente were received during September 2012 to September 2013. The application for claim was submitted on 11.11.2013 i.e. within 36 months from the date of payments. The committee, therefore, decided to remand the case to RA for consideration as per provisions of Para 9.3 of HBP.

(Action: RA, Hyderabad)

Case No.4: M/s. Nazeer Industries, Chittor, A.P.

F.No. 01/60/162/769/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for condonation of delay in submission of claim for refund TEDs against EPCG Authorization No.3110006094 dt. 25.10.2011.

Decision:

The committee noted that in terms of Para 8.3.1(ii) of HBP, 2009-2014 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. In the case in hands, supplies were made during November 2011 to December 2011 and payment were received during April 2011 to December 2011. However, the application for claim was submitted on 10.10.2014 i.e. beyond 36 months from the date of payments.

The applicant has submitted that on account of gruesome accident of the Proprietor followed by prolonged hospitalization and therapies, claim for TED refund could not be filed in time. Taking in to consideration the FIR copy and hospital's report and the applicant being proprietary firm, the committee was of the view that since the applicant was bedridden from 13.11.2011 to 31.12.2013, it was not possible for him to file the claim during this period. Considering the case of genuine hardship, the committee decided to condone the delay in submitting the application.

RA, shall allow refund imposing 10% late cut provided other requirements of policy/procedure are met.
(Action: RA, Hyderabad)

Case No.5: M/s. Nazeer Industries, Chittor, A.P.
F.No. 01/60/162/801/AM17/PRC
PRC Meeting No. 24/AM17 dated 22.11.2016
Subject:- Request for condonation of delay in submission of claim for refund TEDs against EPCG Authorization No.0930007163 dt. 10.06.2011.

Decision: The committee noted that in terms of Para 8.3.1(ii) of HBP, 2009-2014 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. In the case in hands, supplies were made during June, 2011 and payment were received during September, 2010 to June, 2011. However, the application for claim was submitted on 10.10.2014 i.e. beyond 36 months from the date of payments.

The applicant has submitted that on account of gruesome accident of the Proprietor followed by prolonged hospitalization and therapies, claim for TED refund could not be filed in time. Taking in to consideration the FIR copy and hospital's report and the applicant being proprietary firm, the committee was of the view that since the applicant was bedridden from 13.11.2011 to 31.12.2013, it was not possible for him to file the claim during this period. Considering the case of genuine hardship, the committee decided to condone the delay in submitting the application.

RA, shall allow refund imposing 10% late cut provided other requirements of policy/procedure are met.
(Action: RA, Hyderabad)

Case No.6: M/s. Nazeer Industries, Chittor, A.P.
F.No. 01/60/162/802/AM17/PRC
PRC Meeting No. 24/AM17 dated 22.11.2016
Subject:- Request for condonation of delay in submission of claim for refund TEDs against EPCG Authorization No.0930005728 dt. 29.03.2010.

Decision: The committee noted that in terms of Para 8.3.1(ii) of HBP, 2009-2014 read with Para 9.3 of said HBP, claim of TED refund could be filed within 36 months from the date of realization of payment with 10% late cut. In the case in hands, supplies were made during

May, 2010 to June, 2010 and payment were received during October, 2009 to July, 2010. However, the application for claim was submitted on 10.10.2014 i.e. beyond 36 months from the date of payments.

The applicant has submitted that on account of gruesome accident of the Proprietor followed by prolonged hospitalization and therapies, claim for TED refund could not be filed in time. Taking in to consideration the FIR copy and hospital's report and the applicant being proprietary firm, the committee was of the view that since the applicant was bedridden from 13.11.2011 to 31.12.2013, it was not possible for him to file the claim during this period. Considering the case of genuine hardship, the committee decided to condone the delay in submitting the application.

RA, shall allow refund imposing 10% late cut provided other requirements of policy/procedure are met.
(Action: RA, Hyderabad)

Case No.7: M/s. Super Olefins Pvt. Ltd., Hyderabad.
F.No. 01/60/162/002/AM17/PRC
PRC Meeting No. 24/AM17 dated 22.11.2016
Subject:- Request for revalidation of DFIA No.0910060752 dt. 28.07.2014.

Decision: The Committee noted that the applicant could not utilize the above mentioned DFIA due to data transmission error. The DFIA was transmitted with errors code 13, 02, 52 to IECEGATE. However, as per NIC's report the Authorisation was accepted finally on 20.07.2016. Meanwhile, the validity of Authorisation got expired on 31.01.2016. Taking into consideration these facts, the Committee decided to revalidate the aforesaid DFIA for six months from the date of endorsement. The applicant is directed to get the endorsement from RA within one month from the date of uploading of PRC minutes on the Directorate website.
(Action: RA, Hyderabad)

Case No.8: M/s. Paramount Aromachem Pvt. Ltd., Ghaziabad.
F.No. 01/60/162/718/AM17/PRC
PRC Meeting No. 24/AM17 dated 22.11.2016
Subject:- Request for extension of EOP of Advance Authorization No.0510350269 dt. 26.03.2013.

Decision: The committee noted that the Authorisation was obtained under Para 4.7 of HBP, 2009-2014 on repeat basis having initial export obligation period of 18 months. On the request of the applicant, RA has allowed six months extension. The applicants has claimed to fulfill 100% export obligation in time. However, due to decision of NC, shortfall in fulfillment of EO has occurred. The committee was, however, of the view that the Authorisation was obtained on repeat basis then how the question of reduction in wastage norms arose. The committee, therefore, did not accede to the request of the applicant, as the extension in EOP beyond 36 months is not allowed. The applicant is hereby directed to get the case regularised in terms of Para 4.49 of HBP.
(Action: RA, CLA)

Case No. 9: M/s. Suraj Limited, Ahmedabad.

F.No. 01/60/162/777/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for clubbing of Advance Authorizations No.(1) 0810087809 dt. 31.03.2010; (ii) 0810116171 dt. 07.11.2012 and (iii) 0810117523 dt. 11.01.2013 with for regularization purpose.

Decision: The committee observed that Authorisation No 0810087809 dt. 31.03.2010 was issued having initial obligation period of 36 months and remaining two Authorisations were issued having initial export obligation period of 18 months. In such cases exports made in subsequent Authorisation but within initial export obligation period of first Authorisation are allowed to be accounted for. Accordingly, the committee decided the following:

i. Clubbing of above referred three Authorisations be allowed.
ii. However, exports effected upto **31.03.2013** shall only be accounted for clubbing.
iii. RA shall ensure proper accounting of inputs as per norms.
iv. Minimum 15% value addition shall be maintained.
v. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, Ahmedabad)

Case No. 10: M/s. TRP Sealing Systems (India) P. Ltd., Pune.

F.No. 01/60/162/782/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for EOP extension of Advance Authorization No.3110063311 dt. 28.03.2014.

Decision: The Committee observed that the Authorisation was issued having obligation period of 18 months. RA has allowed two extension of six months each on the request of the applicant. Hence, it was valid for export upto 28.09.2016. The applicant has stated to have fulfilled 85% export obligation, within the extended obligation period. The Committee, therefore, decided the following:

I. Export obligation period be extended upto 36 months from the date of issue of the Advance Authorization i.e. upto **31.03.2017**.
II. This will, however, be subject to payment of a composition fee @ 1% per month of unfulfilled FOB value of exports made/to be made after 30 months but upto 31.03.2017.
III. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.

(Action: RA, Pune)

Case No. 11: M/s. IOL Chemicals & Pharmaceuticals Ltd., Tehsil Barnala.

F.No. 01/60/162/587/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for regularization of export of IBUPROFEN against Advance Authorization No.3010081449 dt. 08.12.2011 – Issued from RA, Ludhiana.

Decision: The committee noted that while making application for Advance Authorisation, the applicant declared only one resultant product i.e. Ethyl Acetate and inputs Acetic Acid Glacial/Acetic Acid under SION A1335. However, while submitting hard copy of the application for Authorisation, the applicant mentioned two resultant products i.e. Ethyl Acetate and IBRUPROFEN. SION for IBRUPROFEN is also fixed at Sl No A-266. However, RA issued Authorisation only for Ethyl Acetate only. The applicant has exported both the resultant products.

Since one input for both the resultant products are common, the committee decided the following:

i. Accounting of exports made mentioning IBRUPROFEN as resultant product be allowed.
ii. RA shall ensure that such shipping bills bear the details of EDI File/Authorisation No 3010081449 dt. 08.12.2011.
iii. Accounting of raw materials should be done as per SIOn and any excess raw material imported shall be regularized as per Policy.

(Action: RA, Chandigarh)

Case No. 12: M/s. Arvind Ltd., Ahmedabad.

F.No. 01/60/162/762/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for 3rd extension of Export Obligation Period against Advance Authorization No.0810115979 dt. 21.10.2012.

Decision: The Committee observed that the Authorisation was issued having obligation period of 18 months. RA has allowed two extension of six months each on the request of the applicant. Hence, it was valid for export upto 30.04.2015. The applicant has stated to have made only 10% imports and has fulfilled 7.38% export obligation within the initial obligation period and remaining thereafter. The Committee, therefore, decided the following:

I. Export obligation period be extended upto 36 months from the date of issue of the Advance Authorisation i.e. upto **31.10.2015**.
II. This is only for accounting and regularization of exports already effected.
III. This will, however, be subject to payment of a composition fee @ 1% per month of FOB value of exports made after 30 months but upto 31.10.2015.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (2015-2020) shall be maintained.

(Action: RA, Ahmedabad)

Case No. 13: M/s. Jindal Aluminium Ltd., Bangalore.

F.No. 01/60/162/540/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for revalidation of Advance Authorization No.0710106570 dt. 27.08.2014.

Decision: The Committee noted that the applicant could not utilize the above mentioned Authorization due to inordinate delay on the part of RA Bangalore. It took 5 months to allow enhancement of CIF values of the Authorisation. The request was submitted to RA for revalidation of Authorisation and enhancement of CIF value on

25.08.2015. However, the Authorisation was returned back on 25.01.2016 extending validity till 29.02.2016. On perusal of RA's report, it was noted that the applicant had only about one month time to utilize the license for pending import. The committee viewed it very seriously and express his displeasure about way RA, Bangalore was functioning. DG directed that RA shall investigate the case and seek explanation of the officer concerned.

However, taking into consideration the above facts, the Committee decided to revalidate the aforesaid DFIA for three months from the date of endorsement. The applicant is directed to get the endorsement from RA within one month from the date of uploading of PRC minutes on the Directorate website. **(Action: RA, Bangalore)**

Case No. 14: M/s. Balkrishna Industries Ltd., Mumbai.

F.No. 01/60/162/740/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for waiver of procedural requirement as per Para-3.14.1. of FTP 2009-14.

Decision: The committee noted that for getting duty credit scrip under FMS, proof of landing of goods in the respective country is mandatory. There are more than 6 documents listed in the Para 3.8.2 of HBP, 2009-2014. The applicant is required to submit any one of them. The committee, therefore, was of the view that waiver of such document cannot be allowed.

Case No. 15: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.

F.No. 01/60/162/782/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for EOP extension of Advance Authorization No.0810135407 dt. 29.05.2015.

Decision: The Committee noted that the Authorization No.0810135407 dt. 29.05.2015 was issued with pre-import conditions stipulated under Appendix 30A read with PC-9 dated 30.06.2003, which allows 12 months period for EO fulfilment from import of each consignment. The imports were made on 26.06.2015 & 20.07.2015. Accordingly, initial obligation period was upto 30.06.2016 & 31.07.2016, respectively. The applicant has stated to have fulfilled more than 50% export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against each import consignments i.e. upto **31.12.2016 &31.01.2017.**
II. This is subject to a payment of composition fee @ 0.5% per month on FOB value of export 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.
IV. RA shall check that minimum 50% exports against each consignment were made within initial export obligation period. If not, composition fee will be charged @ 1% per month on unfulfilled FOB.

(Action: RA, Ahmedabad)

Case No. 16: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.

F.No. 01/60/162/779/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for EOP extension of Advance Authorization No.0810134851 dt. 19.03.2015.

Decision: The Committee noted that the Authorization No. 0810134851 dt. 19.03.2015 was issued with pre-import conditions stipulated under Appendix 30A read with PC-9 dated 30.06.2003, which allows 12 months period for EO fulfilment from import of each consignment. The imports were made on 06.04.2015. Accordingly, initial obligation period was upto 30.04.2016. The applicant has stated to have fulfilled more than 50% export obligation during the initial export obligation period. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against each import consignments i.e. upto **31.10.2016.**
II. This is only for accounting and regularization of exports already effected.
III. This is subject to a payment of composition fee @ 0.5% per month on FOB value of export 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. RA shall check that minimum 50% exports were made within initial export obligation period. If not, composition fee will be charged @ 1% per month on unfulfilled FOB.

(Action: RA, Ahmedabad)

Case No. 17: M/s. Evershine Rubbers (P) Ltd., Amritsar.

F.No. 01/60/162/781/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for revalidation of DFIA No.1210007805 dt. 25.08.2011.

Decision: The committee noted that the Authorisation was issued having initial validity of 24 months i.e. upto 24.08.2013. The applicant has exported more than 100 % but did not import. No cogent reason of genuine hardship is established. The committee, therefore, did not accede to the request.

Case No. 18: M/s. Sun Spectratech P. Ltd., Vadodara.

F.No. 01/60/162/770/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for revalidation and enhancement of Advance Authorization No.0310796071 dt. 21.05.2015.

Decision: The Committee observed that the Authorisation was issued having initial validity of 12 months. RA has allowed 6 months revalidation as per request of the applicant. Despite that they could not utilise the Authorisation. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

Case No.19: M/s. Clariant Chemicals Ltd., Mumbai.

F.No. 01/60/162/445/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for revalidation of Advance Authorization No.0310785431 dt. 16.06.2014.

Decision: The committee noted that the Authorisation was issued having validity of 12 months to import. Accordingly, the Authorisation was remain valid till 30.06.2015. In terms of Para 4.41 of HBP, RAs are empowered to allow six months further validity. However, the applicant did not avail the facility. No purpose would serve, if EODC is obtained after expiry of validity of the Authorisation. In this case, EODC was obtained on 06.05.2016 whereas Authorisation was remain valid till 30.06.2015 which was extendable till 31.12.2015. The committee, therefore, did not accede to the request.

Case No. 20: M/s. Hamilton Housewares P. Ltd., Mumbai.

F.No. 01/60/162/805/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for revalidation and enhancement of Advance Authorization No.0310792641 dt. 07.01.2015.

Decision: The Committee observed that the Authorisation was issued having initial validity of 12 months. RA has allowed 6 months further validity as per request of the applicant. Despite that they could not utilise the Authorisation. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

Case No. 21: M/s. Hamilton Housewares P. Ltd., Mumbai.

F.No. 01/60/162/806/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for revalidation and enhancement of Advance Authorization No.0310793801 dt. 11.02.2015.

Decision: The Committee observed that the Authorisation was issued having initial validity of 12 months. RA has allowed 6 months further validity as per request of the applicant. Despite that they could not utilise the Authorisation. From the submissions made by the applicant, no case of genuine hardship is established. Hence, the Committee did not accede to the request.

Case No. 22: M/s. Dhwani Polyprints P. Ltd., Mumbai.

F.No. 01/60/162/670/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for revalidation of Advance Authorization No.0310792231 dt. 22.12.2014.

Decision: The Committee observed that the Authorisation was issued having initial validity of 12 months. RA has allowed 6 months further validity as per request of the applicant. Despite that they could not utilise the Authorisation. From the submissions made by the applicant, no case of genuine hardship is established. The applicant did not submit complete application for revalidation to RA. The RA therefore issued deficiency letter. There was no much delay at the end of RA. Hence, the Committee did not accede to the request.

Case No. 23: M/s. Uniworld Sugars Pvt. Ltd., New Delhi.

F.No. 01/60/162/586/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for clubbing of 2 Advance Authorizations No.0510386057 dt. 08.05.2014 & 0510390129 dt. 5.08.2014 for redemption.

Decision: The committee noted that the above authorizations were issued having initial obligation period of 18 months each. The exports have been completed before issue of Public Notice 16 dated 04.06.2015 and the exports have been completed within the initial obligation period of the first authorization. The committee, therefore, decided the following:

1. Clubbing of the two Authorizations be allowed.
2. On clubbing Authorizations will become one Authorization for all purpose and no further export or import shall be allowed.
3. Exports made upto **31.11.2015** shall only be taken into account towards clubbing and discharge of EO.
4. RA shall examine the case in terms of Para 4.09 of FTP (2015-2020) and ensure value addition of minimum 15%. The 15% value addition for evaluating entitlement shall be applied on the clubbed FOB and CIF of the Authorizations.
5. RA shall ensure proper accounting of the duty free inputs with reference to the export product while clubbing the Authorizations.
6. On clubbing, shortfall if any, shall be regularized in terms of Para 4.49 of HBP, 2015-2020.

(Action: RA, CLA, New Delhi)

Case No.24: M/s. Vikas Ecotech Ltd. (formerly Vikas Globalone Ltd.), New Delhi.

F.No. 01/60/162/277/AM17/PRC

PRC Meeting No. 24/AM17 dated 22.11.2016

Subject:- Request for clubbing of 2 Advance Authorizations No.0510259478 dt. 25.02.2010 & 0510350475 dt. 01.04.2013 for redemption.

Decision: The committee observed that the case was rejected in meeting dated 06.07.2016 since the Advance Authorization No.0510259478 dt. 25.02.2010 has been issued with an export obligation period of 36 months and the other Advance Authorization No. 0510350475 dt. 01.04.2013 has been issued with an export obligation period of 18 months. In such cases clubbing of Authorisation issued beyond 36 months are not allowed. However, accounting of exports made in subsequent Authorisation is allowed provided all shipments are effected within initial obligation period of first Authorisation. The export obligation period against first Authorisation was upto 28.02.2013 whereas second Authorisation itself was issued on 01.04.2013. As such accounting of export made after expiry of Export obligation period of first Authorisation is not allowed. Otherwise it amounts to indirect revalidation of first authorisation. The committee, therefore, reiterated its earlier decision and did not accede to the request. The applicant is hereby directed to avail the facility of clubbing as approved by the committee and get the cases regularised for shortfall in terms of Para 4.49 of HBP, 2015-2020. **(Action: Applicant/RA, CLA, New Delhi: if the applicant fails to get the cases 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. 25: M/s. Heubach Colour P. Ltd., Ankleshwar, Gujarat.
F.No. 01/60/162/810/AM17/PRC
PRC Meeting No. 24/AM17 dated 22.11.2016
Subject:- Request for relaxation to 100% EOU Unit-II for regularization of DTA sale with retrospective effective.

Decision: The committee noted that the DC, Kandla has already adjudicated the case for unauthorised DTA sale imposing fiscal penalty. The committee is of the view that this matter does not lie with PRC.

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

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