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

Meeting No. 26/AM17 held on 13.12.2016 at 12:30 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 Jay Karan Singh	Jt. DGFT
6.	Shri AkashTaneja	Jt. DGFT
7.	Shri Rakesh Kumar	Jt. DGFT
8.	Shri Lokesh H.D.	Jt. DGFT
9.	Shri S.K. Mohapatra	Dy. DGFT
10.	Shri Sudhir Kumar Sharma	FTDO

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

Case No.1: M/s. Adcock Ingram Ltd., Bangalore.
F.No.01/60/162/857/AM17/PRC
PRC Meeting No. 25/AM17 dated 29.11.2016
Subject:-Request for EOP extension of Advance Authorization No.0710101398 dt. 20.01.2014 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation under consideration was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix – 30A, which allows 12 months period for E.O. fulfillment from import of each consignment. The imports were made on 19.04.2014 and 30.10.2014. Accordingly, initial obligation period was upto 30.04.2015 and 31.10.2015, respectively. The applicant has stated to have completed 23.61% export obligation within initial obligation period. However, completed 100% E.O. thereafter. Taking into consideration all the facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against each import consignments i.e. upto **31.10.2015 & 30.04.2016** respectively.
II. This is only for accounting and regularization of exports already affected.
III. This will, however, be subject to payment of a composition fee @ 1% per month on FOB value of exports made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (20) shall be maintained.

(Action: RA, Bangalore)

Case No.2: M/s. Adcock Ingram Ltd., Bangalore.
F.No. 01/60/162/859/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0710106295 dt. 05.08.2014 issued under PC-9condition.

Decision: The Committee noted that the Authorisation under consideration was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix– 30A, which allows 12 months period for EO fulfillment from import of each consignment. The imports were made on 22.11.2014 and 25.04.2015. Accordingly, initial obligation period was upto 30.11.2015 and 30.04.2016, respectively. The applicant has stated to have completed more than 66% export obligation during the initial export obligation period and remaining exports 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 consignments i.e. upto **31.05.2016 & 31.10.2016** respectively.
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. RA shall check that minimum 50% exports, even on pro-rata basis, are made against each consignment, within its initial obligation period. If not, composition fee will be charged @ 1% per month of unfulfilled FOB value.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(20) shall be maintained.

(Action: RA, Bangalore)

Case No.3:M/s. Adcock Ingram Ltd., Bangalore.
F.No. 01/60/162/856/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0710105455 dt. 30.06.2014 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation under consideration was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix–30A, which allows 12 months period for EO fulfillment from import of each consignment. The applicant claims to have imported goods through a consignment dated 30.10.2014. Accordingly, initial obligation period was upto 31.10.2015. The applicant has stated to have completed more than 78% export obligation during the initial export obligation period and remaining thereafter. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months, i.e. upto **30.04.2016**.
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. RA shall check that minimum 50% exports, even on pro-rata basis, are made against each consignment, within its initial obligation period. If not, composition fee will be charged @ 1% per month of unfulfilled FOB value.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(20) shall be maintained.

(Action: RA, Bangalore)

Case No.4 :M/s. Adcock Ingram Ltd., Bangalore.
F.No. 01/60/162/858/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0710105477 dt. 01.07.2014 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation under consideration was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A, which allows 12 months period for EO fulfillment from import of each consignment. The exporter claims to have made imports on 30.10.2014 and 13.07.2015. Accordingly, initial obligation period was upto 31.10.2015 and 31.07.2016, respectively. The applicant has stated to have completed 38% export obligation during the initial export obligation period and remaining 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 consignments i.e. upto **30.04.2016 & 31.01.2017**respectively.
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 initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (20) shall be maintained.

(Action: RA, Bangalore)

Case No.5: M/s. Adcock Ingram Ltd., Bangalore.
F.No. 01/60/162/872/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0710104295 dt. 21.05.2014 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation under consideration was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A, which allows 12 months period for EO fulfillment from import of each consignment. The applicant has claimed to have imported goods through consignments dated 02.06.2014 & 05.11.2014. Accordingly, initial obligation period was upto 30.06.2015& 30.11.2015, respectively. The applicant has submitted to have completed more than 86% export obligation during the initial export obligation period and remaining 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 consignments i.e. upto **31.12.2015 & 31.05.2016**, respectively.
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. RA shall check that minimum 50% exports, even on pro-rata basis, are made against each consignment, within its initial obligation period. If not, composition fee will be charged @ 1% per month of unfulfilled FOB value.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP(20) shall be maintained.
VI. Shortfall, if any, shall be regularised in terms of Para 4.49 of HBP, 20.
VII. PC-18 dated 30.10.2007 conditions to be followed on unaccounted quantity by the applicant.

(Action: RA, Bangalore)

Case No.6: M/s. Indoco Remedies Ltd., Mumbai.
F.No. 01/60/162/919/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0310792124 dt. 17.12.2014 issued under PC-9 condition

Decision: The Committee noted that the Authorisation under consideration was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix - 30A, which allows 12 months period for EO fulfillment from import of each consignment. The imports were stated to have been made by the applicant on 16.10.2015. Accordingly, initial obligation period was upto 31.10.2016. The applicant has contended to have completed 41.34% export obligation during the initial export obligation period. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months i.e. upto **30.04.2017**.
II. This will, however, be subject to payment of a composition fee @ 1% 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 (20) shall be maintained.

(Action: RA, Mumbai)

Case No.7: M/s. Indoco Remedies Ltd., Mumbai.
F.No. 01/60/162/837/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:-Request for EOP extension of Advance Authorization No.0310795882 dt. 13.05.2015 issued under PC-9 condition.

Decision: The Committee noted that the Authorization No. 0310795882 dt. 13.05.2015 was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A, which provides 12 months period for EO fulfillment from import of each consignment. The applicant has stated that imports were made by them on 16.10.2015 & 15.04.2016. Accordingly, initial export obligation period, against each import consignment, was upto 15.10.2016 &14.04.2017, respectively. The applicant has made NIL export during the initial export obligation period. However, export obligation period is still valid till 14.04.2017 against import of second consignment. Taking all these facts into account, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against first import consignments i.e. upto **15.04.2017**.
II. This will, however, be subject to the payment of composition fee @ 1% 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 (20) shall be maintained.
IV. The applicant has to pay duty plus interest on unutilised inputs and shall meet the conditions of PC-18 dated 30.10.2007.

(Action: RA, Mumbai)

Case No.8: M/s. Vital Health Care Pvt. Ltd., Mumbai.
F.No. 01/60/162/799/AM16/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for clubbing of two Advance Authorizations No.0310146530 dt. 09.07.2002 issued with normal condition and 0310244013 dt. 26.12.2003 issued with PC-9 dated 30.06.2003 against which the Bond Waiver (EODC) was already issued.

Decision: The Committee observed that while the Advance Authorization No.0310146530 dt. 09.07.2002 [i.e First Authorisation] has been issued with normal export obligation condition and the Advance Authorization No. 0310244013 dt. 26.12.2003 [i.e second authorization] has been issued under PC-9 circular dated 30.06.2003 read with Appendix-30A which stipulates pre-import condition and six months as initial period for fulfillment of EO. RA, Mumbai has confirmed that the export obligation against the first Advance Authorization No.0310146530 dt. 09.07.2002 has already been discharged by way of EODC / Bond Waivers on 09.09.2004.As per applicant **no imports** have been made against this first authorization. Applicant has, however, claimed to have made 100 % imports against the second authorization but fulfilled only 80% EO against the second authorization and sought clubbing of the two Advance Authorisations .

The Committee noted that second Authorisation obtained by the applicant in 2003 was issued with pre-import condition and initial export obligation was required to be fulfilled within

6 months from the date of import of first consignment. As per information by applicant, Imports in the second Authorisation were made on 30.01.2004, whereas most of exports were completed prior to that date. Therefore, exports were affected even before import. Hence, Committee decided not to accede to the request.

The committee also took a serious view of the fact that Authorisations issued in 2002 and 2003 are still pending for closure with RA. It was decided that RA Mumbai may send detailed reasons for not deciding the case since 2002 within 10 days from uploading of minutes on the Directorate website.
(Action: RA, Mumbai)

Case No.9: M/s. Sterling Auxiliaries P. Ltd. Mumbai.
F.No. 01/60/162/788/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for clubbing of 2 Advance Authorizations No.0310665662 dt. 17.11.2011 and 0310722507 dt. 31.01.2013.

Decision: The committee observed from the contentions of the exporter that the exports in the second Authorisation were completed within the initial obligation period of first Authorisation. The Export Obligation Period in respect of the first Advance Authorisations was 36 months from date of issue of Authorisation .Accordingly, the Committee decided the following:

(i) Clubbing of above referred two Authorizations be allowed.
(ii) However, exports effected only upto 30.11.2014 shall be accounted for clubbing.
(iii) RA shall ensure proper accounting of inputs as per norms.
(iv) Minimum 15% value addition shall be maintained on clubbing.
(v) The clubbing is allowed for regularisation purposes. No further import/export shall be allowed against clubbed Authorisation.
(vi) Shortfall, if any, shall be regularized in terms of Para 4.49 of HBP, 20.

(Action: RA, Mumbai)

Case No.10: M/s. Associated Dyestuff Pvt. Ltd., Ahmedabad.
F.No. 01/60/162/839/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for clubbing of 2 Advance Authorizations No.0810070146 dt. 15.02.2008 and 0810076658 dt. 12.12.2008.

Decision: The Committee noted from the contentions of the applicant that second Advance Authorization has been issued within 36 months of the issue of first authorization. It is also noticed that export obligation against second authorisation dated 12.12.2008 has been completed within 48 months of the date of issue of the first Advance Authorization No.0810070146 dt. 15.02.2008. The Committee, therefore, decided the following:

I. Clubbing of the 2 Advance Authorizations, as referred above be allowed.
II. Export obligation period against Authorization No.0810070146 dt. 15.02.2008 be extended from 36 months to 48 months that i.e. upto **28.02.2012**.
III. Exports made upto 28.02.2012 shall only be taken into account towards clubbing and discharge of EO.
IV. This will, however, be subject to payment of composition fee @ 0.5% of FOB value of exports made after 36^{th} month but upto 42^{nd} month and 0.5% per month of FOB value of exports made after 42^{nd} month but upto 48^{th} month of first Authorisations.

V. RA shall examine the case in terms of Para 4.09 of FTP (20) 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.

VI. RA shall ensure proper accounting of the duty free inputs with reference to the export product while clubbing the Authorizations. On clubbing, shortfall if any shall be regularized in terms of Para 4.49 of HBP, 20.

VII. RA shall also check that no Adjudication order has been issued against these Authorisations and no action has been initiated by DRI/Customs Authority.

(Action: RA, Ahmedabad)

Case No.11: M/s. Jenrich Agro Products (P) Ltd., Tuticorin

F.No. 01/60/162/541/AM17/PRC

PRC Meeting No. 26/AM17 dated 13.12.2016

Subject:- Request for granting the permission to file MEIS application against 14 Shipping Bills while enabling the same to transmit in DGFT server in spite of making the reward item as "N".

Decision: The committee noted that in terms of Para 3.14 of HBP 2009-2014, it was mandatory to declare the intent to avail incentive under Chapter- 3 of FTP. The applicant while filing shipping bills has selected option "N" which stands for No Incentive under Chapter-3. Further, they did not declare even intent in shipping bills to claim benefit under incentive scheme. Such shipping bills are not transmitted by the IECEGATE server to DGFT depository. Hence, incentive against such shipping bills cannot be considered. The committee, therefore, did not accede to the request.

(Action: Applicant)

Case No.12: M/s. International Paper Appm Ltd., Andhra Pradesh.

F.No. 01/60/162/815/AM17/PRC

PRC Meeting No. 26/AM17 dated 13.12.2016

Subject: - Request for relaxation of FTP/HBP provisions requiring prior return of SHIS before applying for 0% EPCG.

Decision: In this case the applicant had obtained two SHIS authorizations having Nos. 910054313 dated 14.11.2012 and 910054352 dated 20.11.2012 during financial year 2012-2013 on the basis of exports made during 2011-2012. The applicant had also obtained one zero duty EPCG Authorisation on 08.03.2013. As per Para 5.1(f) of FTP 2009-14 read with Customs Notification No 102/2009 dated 18.09.2009, zero duty EPCG Authorisation cannot be obtained if an exporter has obtained SHIS scrip during the same financial year although 3% EPCG Authisations were permitted.

The committee noted that a P.N. 30 dated 08.09.2016 has been issued to exporters giving them an option to surrender either zero duty EPCG Authorisation or SHIS scrip to RA .

The issue of surrender of one of the authorizations was under examination due to need for bringing harmony in the in the provisions of Para 3.16.1 of FTP and Para 3.10.3(b) of HBP with Para 5.1(f) of FTP, 2009-2014, which provides SHIS and Zero duty EPCG Authorisation respectively. Consequently, abovementioned Public Notice No. 30 dated 08.09.2016 has been issued to exporters giving them an option to surrender either zero duty EPCG Authorisation or SHIS scrip to RA obtained in the same Financial year.

In this case the applicant has surrendered the SHIS scrip along with duty plus interest on utilised portion of SHIS scrips to RA concerned. Taking into consideration the fact that applicant has paid duty and interest against the utilized part of the SHIS, the committee decided to allow regularisation of EPCG Authorisation subject to the condition that applicant

shall have to fulfill export obligation imposed against zero duty EPCG Authorisation as per the conditions mentioned against the zero duty EPCG Authorisation.
(Action: Applicant/RA, Hyderabad)

Case No.13: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/832/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject: - Request for EOP extension of Advance Authorization No.0810134233 dt. 05.01.2015 issued under PC-9 condition.

Decision: The Committee noted that the Authorization No. 081034233 dt. 05.01.2015 was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A, which provides 12 months period for EO fulfillment from import of each consignment. The imports were made on 08.02.2015. Accordingly, initial export obligation period was upto 28.02.2016. The applicant has stated to have made no export during the initial export obligation period however claims to have fulfilled 100% thereafter. Taking all these facts into account, 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 will, however, be subject to the payment of composition fee @ 1% 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 (20) shall be maintained.

(Action: RA, Mumbai)

Case No.14: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/864/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0810135362dt. 26.05.2015 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-4J of FTP 2015-20, which allows 12 months period for EO fulfillment from import of each consignment. The imports were stated to have been made on 05.06.2015. Accordingly, initial obligation period was upto 04.06.2016. The applicant has stated to have completed 18.88% export obligation during the initial export obligation period and remaining 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 the import consignment i.e. upto **04.12.2016**.
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 initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (20) shall be maintained.

(Action: RA, Ahmedabad)

Case No.15: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/588/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0810135299 dt. 19.05.2015 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation No.0810135299 dt. 19.05.2015 was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-4J of FTP 2015-20 , which allows 12 months period for EO fulfillment from import of each consignment. The imports were stated to have been made on 04.06.2015 and 03.07.2015. Accordingly, initial obligation period was upto 03.06.2016 and 02.07.2016, respectively. The applicant has stated to have completed more than 65% export obligation during the initial export obligation period and remaining 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 consignments i.e. upto **03.12.2016 and 02.01.2016**, 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% per month on FOB value of exports made after initial obligation period.
IV. RA shall check that minimum 50% exports, even on pro-rata basis, are made against each consignment, within its initial obligation period. If not, composition fee will be charged @ 1% per month of unfulfilled FOB value.
V. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (20) shall be maintained.

(Action: RA, Ahmedabad)

Case No.16: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/863/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject: - Request for EOP extension of Advance Authorization No.0810134109 dt. 22.12.2014 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation under consideration was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A, which allows 12 months period for EO fulfillment from import of each consignment. The imports were stated to have been made on 30.12.2014. Accordingly, initial obligation period was upto 31.12.2015. The applicant has stated to have completed 15.37% export obligation during the initial export obligation period and 42.45% 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 the import consignment i.e. upto **30.06.2016**.
II. This is only for accounting and regularization of exports already effected.
III. This is subject to payment of a composition fee @ 1% per month on FOB value of exports made after initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (20) shall be maintained.
V. Shortfall, if any, shall be regularised as per para 4.49 of HBP, 20 read with PC-18 dated 30.10.2007.

(Action: RA, Ahmedabad)

Case No.17: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/866/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:-Request for EOP extension of Advance Authorization No.0810135343 dt. 22.05.2015 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation under consideration was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix – 4J of FTP 2015-20 , which allows 12 months period for EO fulfillment from import of each consignment. The imports were stated to have been made on 06.07.2015 and 07.08.2015. Accordingly, initial obligation period was upto 05.07.2016 and 06.08.2016, respectively. The applicant has stated to have completed 27% export obligation during the initial export obligation period and remaining 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 consignments i.e. upto **04.01.2017 & 05 .02.2017,** respectively.
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 initial obligation period.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (20) shall be maintained.

(Action: RA, Ahmedabad)

Case No.18: M/s. Intas Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/865/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0810133677 dt. 22.10.2014 issued under PC-9 condition.

Decision: The Committee noted that the Authorization No. 0810133677 dt. 22.10.2014was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A, which provides 12 months period for EO fulfillment from import of each consignment. The imports were stated to have been made on 14.11.2014. Accordingly, initial export obligation period was upto 30.11.2015. The applicant has made NIL export 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 the import consignment i.e. upto **31.05.2016**.
II. This will, however, be subject to the payment of composition fee @ 1% 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 (20) shall be maintained.

(Action: RA, Ahmedabad)

Case No.19:M/s. Frost International Ltd., Mumbai.
F.No. 01/60/162/871/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for relaxation of three months from the date of uploading of BRC as is in case of uploading of Shipping Bill by Custom under Para 3.15(i) (1) of HBP Vol.1 (20).

Decision: The committee noted that in terms of para 3.11.9 of HBP, 2009-2014, FPS can be claimed within 12 months from the date of export or six months from the date of realisation of remittances or three months from printing/uploading of Shipping Bill and not from uploading of e-BRC. However, claim can be filed within three years from the date of export with 10% late cut in terms of para 9.3 of HBP, 2009-2014. Committee noted that in the instant case the payment was realized on 6.11.2012 but e-BRC was uploaded by the Bank on 18.06.2016 which is beyond 3 years. The procedure of e-BRC has been notified since 17.08.2012 and widely publicized through Public Notice 8 dated 6.07.2012 followed by Policy Circular No. 6 dated 10.10.2012.Committee, therefore, did not find this case to be of genuine hardship. Hence, the committee did not accede to the request.
(Action: Applicant)

Case No.20: M/s. Techfab (India) Industries Ltd., Mumbai.
F.No. 01/60/162/829/AM17/PRC

PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for 2nd revalidation of Advance Authorization No.0310795268 dt. 13.04.2015.

Decision: The Committee noted that the Advance Authorization No.0310795268 dt. 13.04.2015 has been issued with initial validity of 12 months and the Regional Authority has granted revalidation for further six months. The applicant has made 83% and 28% imports against two items out of the three items. Whereas, EO completed is only 60%.The reasons cited by the applicant do not establish any genuine hardship. Hence, the Committee decided not to accede to the request.

Case No.21: M/s. Canberra Chemicals, Baroda.
F.No. 01/60/162/320/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.3410039082 dt. 23.01.2014.

Decision: The Committee reviewed its earlier decision taken in PRC meeting No.10/AM17 held on 06.07.2016 in light of the new facts brought to the notice of the committee by the applicant that they have completed the balance export obligation also. The Committee observed that the applicant had completed only 16.89% of its stipulated export obligation during the initial export obligation period of 18 months i.e. upto 31.07.2015 and now has completed remaining 83.11% within 36 months. Hence, the Committee decided the following:

I. Export obligation period be extended from 18 months to 36 months i.e. upto **31.01.2017**.
II. This will, however, be subject to payment of composition fee @0.5% of FOB value of exports made after 18thmonth but upto 24th month, @ 0.5% per month of FOB value of exports made after 24th month but upto 30th month and @ 1% per month of FOB value of exports made after 30th month but upto 36th month.
III. RA will check the contentions of the applicant that Export obligation has been completed to the extent of 100 % within 36 months as claimed by the applicant.
IV. Minimum 15% value addition as prescribed under Para 4.09 of FTP (20) shall be maintained.

Case No.22: M/s. Sundaram Industries Pvt. Ltd., Chennai.
F.No. 01/60/162/855/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for regularization of imports and exports made against Advance Authorization No.0410120257 dt. 31.12.2010.

Decision: The committee noted that the concerned Norms Committee has already given their decision after due consideration. The applicant, despite knowing full facts, has obtained Advance Authorisation under Para 4.7 of HBP under self-declaration scheme. While filing application, the applicant had submitted declaration that they will abide by the norms fixed by NC. The norms committee after due consideration has rejected the request to fix the wastage norms for such items. Taking into consideration these facts, the committee decided not to accede to the request. The applicant is hereby directed to get the case regularised in terms of para 4.49 of HBP, 20.
(Action: RA, Chennai/Applicant)

Case No.23: M/s. Cadila Healthcare Ltd., Ahmedabad.
F.No. 01/60/162/910/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request for EOP extension of Advance Authorization No.0810132947 dated 12.08.2014.

Decision: The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A, which allows 12 months period for EO fulfillment from import of each consignment. The applicant has imported goods on 23.08.2014, 13.03.2015, 20.07.2015 & 03.11.2015. Accordingly, initial obligation period was up to 31.08.2015, 31.03.2016, 31.07.2016 and 30.11.2016, respectively. The applicant has stated to have completed more than 87% of its stipulated 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 consignments i.e. upto **22.02.2016, 12.09.2016, 31.01.2017 and 31.05.2017**respectively.
II. 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.
III. RA shall check that minimum 50% exports, even on pro-rata basis, are made against each consignment, within its initial obligation period. If not, composition fee will be charged @ 1% per month of unfulfilled FOB value.
IV. The minimum value addition of 15% as prescribed under Para 4.09 of FTP (20) shall be maintained.

(Action: RA, Ahmedabad)

Case No.24: M/s. Cadila Healthcare Ltd., Ahmedabad.
F.No. 01/60/162/916/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject:- Request to counting of S/bill No.9070558 dated 24.05.2012 towards fulfillment of EO against AA No.0810105385 dated 11.11.2011 instead of AA No.0810094647 dated 15.12.2010

Decision: The Committee decided the following:

i. S/bill **No.9070558 dated 24.05.2012** be accounted against the Advance Authorisation **No.0810105385 dated 11.11.2011** subject to payment of composition fee of Rs.200/-.
ii. RA shall check that the S/bill **No.9070558 dated 24.05.2012** has not been taken into account for discharge of EO against Advance Authorisation No.**0810094647 dated 15.12.2010**.
iii. RA shall also check that export item is same as per Authorisation No 0810105385 dated 11.11.2011 and export was effected after import of inputs not less than equivalent quantity under the Authorisation.
iv. The applicant shall furnish an affidavit cum indemnity bond on stamp paper duly Notorised affirming therein that the said shipping bill has not been taken into account towards discharge of EO against any other Authorisation and shall not be used in future for discharge of EO against any other Authorisation than Authorisation No 0810105385 dated 11.11.2011.

(Action: RA, Ahmedabad)

Case No.25: M/s. Cadila Healthcare Ltd., Ahmedabad.
F.No. 01/60/162/917/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016

Subject:- Request to counting of exports made by S/bill No.4071032 dated 12.06.2011 towards fulfillment of EO against AA No.0810089093 dated 19.05.2010 instead of AA No.0810094648 dated 15.12.2010.

Decision: The Committee decided the following:

i. **S/bill No.4071032 dated 12.06.2011** be accounted against the Advance Authorisation No.**0810089093 dated 19.05.2010** subject to payment of composition fee of Rs.200/-.

ii. RA shall check that the S/bill No. **4071032 dated 12.06.2011** has not been taken into account for discharge of EO against Advance Authorisation No.0810094648 dated 15.12.2010..

iii. RA shall also check that export item is same as per Authorisation No **0810089093 dated 19.05.2010** and export was effected only after import of inputs not less than equivalent quantity under the Authorisation.

iv. The applicant shall furnish an affidavit cum indemnity bond on stamp paper duly Notorised affirming therein that the said shipping bill has not been taken into account towards discharge of EO against any other Authorisation and shall not be used in future for discharge of EO against any other Authorisation than Authorisation No **0810089093 dated 19.05.2010**.

(Action: RA, Ahmedabad)

Case No.26 : M/s. Ramkrishna Forgings Ltd., Kolkata.
F.No. 01/60/162/926/AM17/PRC
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject: *-Request for relaxation from applicability of provisions of FTP & HBP requiring prior surrendered the benefits availed under the SHIS Scrip No.0210189556 dt. 13.05.2013 to obtain Zero Duty EPCG Authorizations (No.0230008836 dt. 14.05.2013; 0230008908 dt. 25.06.2013 and 0230009103 dt. 08.10.2013).*

Decision: In this case, the applicant has obtained SHIS Scrip No.0210189556 dt. 13.05.2013 during financial year 2013-2014 on the basis of exports made during 2012-2013. In the same financial year, the applicant has obtained three Zero Duty EPCG Authorizations No.0230008836 dt. 14.05.2013; 0230008908 dt. 25.06.2013 and 0230009103 dt. 08.10.2013. Whereas, as per Para 5.1(f) of FTP read with Customs Notification No 102/2009 dated 18.09.2009, Zero duty EPCH Authorisation cannot be obtained if an exporter obtains SHIS scrip during the same financial year although 3% EPCG Authisations were permitted.

The committee noted that a P.N. 30 dated 08.09.2016 has been issued to exporters giving them an option to surrender either zero duty EPCG Authorisation or SHIS scrip to RA obtained in the same Financial year.

The issue of surrender of one of the authorizations was under examination due to need for bringing harmony in the provisions of Para 3.16.1 of FTP and Para 3.10.3(b) of HBP with Para 5.1(f) of FTP, 2009-2014, which provides SHIS and Zero duty EPCG Authorisation, respectively. Consequently abovementioned Public Notice No. 30 dated 08.09.2016 has been issued to exporters giving them an option to surrender either zero duty EPCG Authorisation or SHIS scrip to RA obtained in the same Financial year.

The applicant has now claims to have paid duty plus applicable interest for utilised portion of SHIS scrips to the concerned Customs Authority. Taking into consideration the fact that applicant has paid duty and interest against the utilized part of the SHIS , the committee decided to allow regularisation of EPCG Authorisations subject to the condition that applicant shall have to fulfill export obligation imposed against zero duty EPCG Authorisations, as per the conditions mentioned against the EPCG Authorisations.
(Action:RA, Kolkata)

Case No.27: M/s. Maruti Suzuki India Ltd., Gurgaon.
F.No. 01/89/180/51/AM-09/PC-2(A)/Part
PRC Meeting No. 26/AM17 dated 13.12.2016
Subject: - Review the Policy Relaxation Committee decision in PRC Meeting No.06/AM17 dt. 17.5.2016 for further relaxing port of import from Mumbai port to ICD GarhiHarsaru by relaxing condition under Para I (2) (d) (iv) of Chapter-87 of ITC (HS) 2012.

Decision: The Committee decided to review its decision taken in the PRC meeting No.06/AM17 held on 17.05.2016 in view of the " No Objection " letter dated 04.10.2016 from Dy. Commissioner of Customs, ICD, Garhi Harsaru as well as " No Objection" conveyed vide O.M. No.528/109/2016-STO (TU) dated 08.12.2016 received from Tariff Unit of Central Board of Excise and Customs, Department of Revenue, Ministry of Finance. Committee decided to grant relaxation to Para 1(II) (d) (iv) of Chapter-87 of ITC (HS) 2012, Schedule – I (Import Policy). Accordingly, condition No (i) stands amended and to be read as under:

I. Import be allowed from ICD, GarhiHarsaru.

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

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