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 17.01.2017

Meeting No. 29/AM17 held on 17.01.2017 at 04:00 PM

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 N. K. Srivastava:	Addl. DGFT
6. Shri Jay Karan Singh:	Jt. DGFT
7. Shri: AkashTaneja	Jt.DGFT
8. Shri: Rakesh Kumar	Jt.DGFT
9. Shri: Lokesh H.D.	Jt.DGFT
10. 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. Hindustan Platinum Pvt. Ltd., Mumbai. (P.H. Case)
F.No. 01/60/162/068/AM16/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Revalidation of Advance Authorization No.0310731763 dt. 18.04.2013.

Decision: The applicant vide e-mail dated 16.01.2017 requested for postponement of PH on medical ground. Accordingly the case was deferred.

Case No.2: M/s. Hindustan Platinum Pvt. Ltd., Mumbai. (P.H. Case)
F.No. 01/60/162/051/AM16/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Revalidation of Advance Authorization No.0310716794 dt. 10.12.2012.

Decision: The applicant vide e-mail dated 16.01.2017 requested for postponement of PH on medical ground. Accordingly the case was deferred.

Case No.3: M/s. B.R. Traders, Chennai. (P.H. Case)
F.No. 01/60/162/614/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Policy relaxation for non-mentioning "Y" in the Rewards Scheme Column in the Shipping Bill.

Mr. Khokan Das, from M/s B. R. Traders, Chennai appeared before the Member secretary (PRC) and furnished a written submission that he was unable to attend the P.H., as he had to leave to catch flight at 5.00PM. However, he requested that his case may be considered on the basis of written submission. The committee, therefore, discussed the case at length on the basis of written submission and decided the following:

Decision: The committee noted that in terms of Para 3.14 (a) of HBP 2015-20, 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 the option of No Incentive under Chapter-3. Further, applicant did not declare even intent in shipping bills to claim benefit under incentive scheme. In view of the selection of option "N" by the applicant, coupled with the fact that such Shipping Bills are not transmitted by the ICEGATE server to DGFT depository, no incentive against such shipping bills can be considered. The committee, therefore, decided to reiterate its earlier decision taken in PRC Meeting No. *18/AM17 dated 20.09.2016 and did* not accede to the request.

(Action: Applicant)

Case No.4: M/s. B.R. Traders, Chennai. (P.H. Case)
F.No. 01/60/162/582/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Policy relaxation for non-mentioning "Y" in the Scheme Rewards Column in the Shipping Bill.

Mr. Khokan Das, from M/s B. R. Traders, Chennai appeared before the Member secretary (PRC) and furnished a written submission that he was unable to attend the P.H., as he had to leave to catch flight at 5.00PM. However, he requested that his case may be considered on the basis of written submission. The committee, therefore, discussed the case at length on the basis of written submission and decided the following:

Decision: The committee noted that in terms of Para 3.14 (a) of HBP 2015-20, 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 the option of No Incentive under Chapter-3. Further, applicant did not declare even intent in shipping bills to claim benefit under incentive scheme. In view of the selection of option "N" by the applicant, coupled with the fact that such Shipping Bills are not transmitted by the ICEGATE server to DGFT depository, no incentive against such shipping bills can be considered. The committee, therefore, decided to reiterate its earlier decision taken in PRC Meeting No. 18/AM17 dated 20.09.2016 and did not accede to the request.

(Action: Applicant)

Case No.5: M/s. Unimark Remedies Ltd., Mumbai. (P.H. Case)
F.No. 01/60/162/923/AM16/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject: Request for extension of EOP against Advance Authorization No.0310718252 dt. 27.12.2012 issued under PC-9 condition.

Decision: The applicant neither appeared for P.H. nor any communication from the applicant seeking postponement. The committee, therefore, deferred the case.

Case No.6: M/s. Torrent Pharmaceuticals Ltd., Ahmedabad.
F.No. 01/60/162/188/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for extension of EOP against Advance Authorization No.0810132941 dt. 08.08.2014 issued under PC-9 condition.

Decision: The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A of 2009-14 FTP, which allows 12 months period for EO fulfilment from import of each consignment. The applicant has imported goods on 04.09.2014. Accordingly, initial obligation period was upto 04.09.2015. The applicant has claimed to have completed more than 50% 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 import consignments i.e. upto **31.03.2016**
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 (2015-20) shall be maintained.

(Action: RA, Ahmedabad)

Case No.7: M/s. Suvikram Plastex (P) Ltd., Bangalore.
F.No. 01/60/162/146/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Revalidation of DFIA No.0710090044 dt. 03.08.2012.

Decision: The Committee observed that the validity period of the DFIA had been extended upto 23 months by the RA, despite that the applicant had not utilized the Authorization. Firm has not given any cogent and justified reason for not using the revalidation done earlier of the same DFIA. Therefore, the Committee did not accede to the request for further revalidation.

Case No.8: M/s. Suvikram Plastex (P) Ltd., Bangalore.
F.No. 01/60/162/125/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Revalidation of DFIA No.0710091183 dt. 05.10.2012.

Decision: The Committee observed that the said DFIA was issued having initial validity of 17 months. It was extended upto 23 months by the RA. Despite that the applicant had not utilized the Authorization. Firm has not given any cogent and justified reason for not using the revalidation done earlier of the same DFIA. Therefore, the Committee did not accede to the request for further revalidation.

Case No.9: M/s. Universal Oleoresins, Cochin.
F.No. 01/60/162/500/AM14/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for regularization of EO period for products covered under Appendix-30A during 2009-14 FTP and Appendix-4J of 2015-20 FTP against Advance Authorization No.1010042037 dt. 08.03.2011.

Decision: The committee noted that the Authorisation was issued having initial export obligation period of 120 days from the date of each import consignment being import of spices as inputs. The applicant stated that they imported two consignments dated 31.03.2011 and

15.06.2011. Accordingly, the Export Obligation Period against each import consignments was upto 31.07.2011 and 31.10.2011, respectively, in terms of Para 2.12.4 of HBP, 2009-2014. The applicant claims to have completed export obligation on pro-rata basis. Hence, the Committed decided to review its decision taken in PRC Meeting No. 23/AM 14 dated 01.10.2013 as follows:

I. Export obligation period be extended from 120 days to 180 days against each import consignment i.e. upto **30.09.2011 and 31.12.2011,** respectively.
II. This is subject to a payment of composition fee @ 0.5% per month on unfulfilled 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. Shortfall, if any, shall be regularized in terms of Para 4.49 of HBP (2015-2020).

(Action: RA, Cochin)

Case No.10: M/s. Autotech Industries (India) Pvt. Ltd., Chennai.
F.No. 01/60/162/652/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for clubbing of 2 Advance Authorizations No.0410101668 dt. 16.01.2009 & 0410110480 dt. 31.12.2009.

1. 0410101668 dt. 16.01.2009
2. 0410110480 dt. 31.12.2009

Decision: The Committee noted that the applicant has fulfilled more than 100% export obligation against each Authorisation. Hence, clubbing of such Authorisation is not required. The committee also noted the applicant has made second request for transfer of 39 shipping bills after clubbing. However, it is noted that the said shipments were effected between 28.12.2010 to 06.4.2011 whereas, Authorisations in which it is requested to be accounted were issued on 01.07.2013, 26.11.2013, 08.04.2014 and 28.07.2014. In terms of Para 4.12 & Para 4.22 of HBP, 2009-2014, export supply made from generating of EDI File number or issue of Authorisation shall only be taken into account towards discharge of EO. Therefore, transfer of shipping bills which were effected prior to issue of the Authorisation cannot be *allowed. The committee, therefore, did not accede to the request.*

The applicant is directed to get the individual Authorisations redeemed.

(Action: Applicant/RA, Chennai)

Case No.11: M/s. Autotech Industries (India) Pvt. Ltd., Chennai.
F.No. 01/60/162/826/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for clubbing of 4 Advance Authorizations No.0410147660 dt. 01.07.2013; 0410152254 dt. 26.11.2013; 0410156908 dt. 08.04.2014 & 0410159109 dt. 28.07.2014.

Decision: The Committee noted that all four Authorisations are issued within 12 months from the issuance of first Authorisation. Therefore, no policy relaxation is required. The applicant may approach RA concerned for such request.

So far transfer of 39 shipping bills effected between 28.12.2010 to 06.4.2011 under Authorisations issued on 01.07.2013, 26.11.2013, 08.04.2014 and 28.07.2014, it is noted that the said shipments were effected between 28.12.2010 to 06.4.2011 whereas Authorisations in which it is requested to be accounted were issued on 01.07.2013, 26.11.2013, 08.04.2014 and 28.07.2014. In terms of Para 4.12 & Para 4.22 of HBP, 2009-2014, export supply made from generating of EDI File number or issue of Authorisation shall only be taken into account towards discharge of EO. Therefore, transfer of shipping bills which were effected prior to issue of the Authorisation cannot be allowed. The committee, therefore, did not accede to the request.

(Action: Applicant/RA, Chennai)

Case No.12: M/s. Autotech Industries (India) Pvt. Ltd., Chennai.
F.No. 01/60/162/825/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for clubbing of 4 Advance Authorizations No.0410114549 dt. 14.06.2010; 0410125099 dt. 17.06.2011; 0410130238 dt. 11.11.2011 & 0410142832 dt. 23.01.2013.

__Decision:__ The Committee decided to defer the case to seek further clarifications from the applicant.

(Action: Applicant)

Case No.13: M/s. Emami Ltd., Kolkata.
F.No. 01/60/162/821(A)/AM16/ PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for revalidation of two DEPB scrips No.0210193611 dt. 30.08.2013 & 0210193614 dt. 30.08.2013.

__Decision:__ The Committee took note of the report received from EDI and RA, Kolkata wherein it has been reported that the applicant had already obtained DEPB No 0210165556 dated 07.09.2011 against Shipping Bill No 4401188 dated 04.07.2011 and DEPB No 0210170895 dated 15.12.2011 against Shipping Bill No 4866791 dated 04.08.2011. Whereas, the applicant while obtaining DEPBs No.0210193611 dt. 30.08.2013 & 0210193614 dt. 30.08.2013 used the same shipping bills. This amounts gross violation and misuse of the scheme by the applicant, though the said shipping bills have been deleted subsequently.

However, considering the conduct of the applicant, it was decided not to accede to the request.

Case No.14: M/s. AVA Apparels LLP, Delhi.
F.No. 01/60/162/898/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject: - Request for condonation of non-mentioning of 'Intent Declaration' on 9 Shipping Bills.

__Decision:__ The Committee noted that for claiming incentive under MEIS, declaration of intent on shipping bill is mandatory after 01.06.2015,in terms of Para 3.14 (a) of HBP, 2015-2020. In this case some shipments were effected prior to 01.06.2015. Hence, no policy relaxation is required. The applicant may, therefore, approach the concerned RA for claiming incentive in terms of the Policy Provisions.

(Action: Applicant / RA)

Case No.15: M/s. AVA Apparels LLP, Delhi.
F.No. 01/60/162/903/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for condonation of non-mentioning of Intent Declaration on 2 Shipping Bills.

__Decision:__ The Committee noted that for claiming incentive under MEIS, *declaration of intent* on shipping bill is mandatory after 01.06.2015, in terms of Para 3.14 (a) of HBP, 2015-2020. It was observed that the shipments have been effected after 01.06.2015 under DBK without declaring intent or choosing option 'Y', hence, MEIS benefit is not allowed against such export. It was decided not to accede to the request of the applicant.

Case No.16: M/s. AVA Apparels LLP, Delhi.
F.No. 01/60/162/904/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for condonation of non-mentioning of Intent Declaration on 5 *Shipping Bills*.

__Decision:__ The Committee noted that for claiming incentive under MEIS, declaration of intent on shipping bill is mandatory after 01.06.2015,in terms of Para 3.14 (a) of HBP, 2015-2020. It was observed that the shipments have been effected after 01.06.2015 under DBK without declaring intent or choosing option 'Y', hence, MEIS benefit is not allowed against such export. It was decided not to accede to the request of the applicant.

Case No.17: M/s. Cadila Healthcare Ltd., Ahmedabad.
F.No. 01/60/162/914/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject: - Request for EOP extension of Advance Authorization No.0810089053 dt. 18.05.2010 issued under PC-9 conditions.

__Decision:__ The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A of 2009-14 HBP, which allows 12 months period for EO fulfilment from import of each consignment. The applicant has imported goods on 02.06.2010 and 18.03.2011. Accordingly, initial obligation period was upto 30.06.2011 & 31.03.2012, respectively. The applicant has stated to have completed less than 50% 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 **31.12.2011 and 30.09.2012**, respectively.
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 (2015-2020) shall be maintained.

(Action: RA, Ahmedabad)

Case No.18: M/s. Cadila Healthcare Ltd., Ahmedabad.
F.No. 01/60/162/911/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for EOP extension of Advance Authorization No.0810092151 dt. 15.09.2010 issued under PC-9 conditions.

Decision: The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A of HBP 2009-14, which allows 12 months period for EO fulfilment from import of each consignment. The applicant has imported goods on 21.10.2010 and 17.09.2012. Accordingly, initial obligation period was upto 31.10.2011 & 30.09.2013, respectively. The applicant has stated to have completed more than 50% 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 **30.04.2012 and 31.03.2014,** 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 (2015-2020) shall be maintained.

(Action: RA, Ahmedabad)

Case No.19: M/s. Indoco Remedies Ltd., Mumbai.
F.No. 01/60/162/961/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for EOP extension of Advance Authorization No.0310796471 dt. 05.06.2015 issued under PC 9 conditions.

Decision: The Committee noted that the Authorisation was issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix- 4J of 2015-20 FTP, which allows 12 months period for EO fulfilment from import of each consignment. The imports were made on 07.11.2015 and 18.04.2016. Accordingly, initial obligation period was upto 06.11.2016 and 17.04.2017. respectively. The applicant has not exported anything during the initial export obligation period and thereafter. The Committee also observed that the Export Obligation Period against the last import consignment is still valid till 17.04.2017. 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 first import consignment i.e. upto **05.05.2017.**
II. This is subject to payment of a composition fee @ 1% per month on 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, Mumbai)

Case No.20: M/s. Adcock Ingram Ltd., Bangalore.
F.No. 01/60/162/818/AM16/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for EOP extension and clubbing of 2 Advance Authorizations No.0710071762 dt. 24.05.2010 & 0710076492 dt. 04.01.2011 issued with PC-15 & PC-12 *read with PC-41 and Appendix-30A.*

Decision: The Committee noted that the Authorisations in question were issued with conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A of HBP 2009-14, which allows 12 months period for EO fulfilment from import of each consignment. As per the applicants submission, the imports against Advance Authorisation No. 0710071762 dt. 24.05.2010 were made on 01.06.2010 and 01.09.2010. Accordingly, initial obligation period was upto 30.05.2011 and 31.08.2011, respectively. The applicant has stated that they had not imported anything against the Advance Authorisation No.0710076492 dt. 04.01.2011 but fulfilled 31.39% EO. Taking into consideration all these facts, the Committee decided the following:

I. Export obligation period be extended from 12 months to 18 months against Advance Authorisation No.0710071762 dt. 24.05.2010 i.e. upto **30.11.2011.**
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. Clubbing of Advance Authorizations No.0710071762 dt. 24.05.2010 & 0710076492 dt. 04.01.2011 be allowed.
IV. Exports completed upto 30.11.2011 be allowed to be accounted for discharge of export obligation.
V. The applicant has to pay duty plus interest on inputs consumed and exported after 30.11.2011.
VI. Conditions under PC-18 stands waived to the extent of requirement of destruction certificated for export made after EOP.

(Action: RA, Bangalore)

Case No.21: M/s. Mulberry Silks Ltd., Bangalore.
F.No. 01/60/162/840/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject: - Request to allow amendment / revalidation against Advance Authorization No.0710109418 dt. 18.02.2016.

Decision: The Committee observed that import of silk is allowed with Actual User (AU) and pre-import conditions, as per Appendix-4J of the FTP 2015-20. Hence, in such cases waiver of bond is not permitted. The applicant has exported first without making imports against the Authorisation. Therefore, committee decided not to accede to request of the applicant. However, the applicant can get such shipping bills converted into drawback shipping bills and avail DBK from the Customs Authority.

Case No.22: M/s. Sona Printers Pvt. Ltd., New Delhi.
F.No. 01/60/162/925/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for revalidation of DFIA No.0510393145 dt. 11.02.2015.

Decision: Deferred for seeking report from EDI to know when two shipping bills No 1150803 dated 12.06.2015 and No 1598488 dated 07.04.2015 were transmitted to DGFT depository of NIC by ICEGATE.
(Action: NIC/PRC)

Case No.23: M/s. Dhanush Exports, Bangalore.
F.No. 01/60/162/905/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for relaxation in pre-import condition in the Advance Authorization No.0710108376 dt. 16.06.2015.

Decision: The Committee observed that import of silk is allowed with Actual User (AU) and pre-import conditions, as per Appendix-4J of the FTP 2015-20. Hence, in such cases waiver of bond is not permitted. The applicant has exported first without making imports against the Authorisation. Therefore, committee decided not to accede to request of the applicant. However, the applicant can get such shipping bills converted into drawback shipping bills and avail DBK from the Customs Authority.

Case No.24: M/s. Singhal Industries Pvt. Ltd., Gujarat.
F.No. 01/60/162/868/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for clubbing & redemption of 5 Advance Authorizations No.(i) 0810111956 dt. 24.05.2012; (ii) 0810116885 dt. 14.12.2012; (iii) 0810117507 dt. 11.01.2013; (iv) 0810135006 dt. 08.04.2015 & (v) 0810135009 dt. 08.04.2015.

Decision: The Committee observed that the Advance Authorization No.0810111956 dt. 24.05.2012 was issued having 36 months export obligation period and rest of the Advance Authorisations have an initial Export Obligation Period of 18 months. The Authorisation dated 24.05.2012 was valid till 30.05.2014 for import whereas import against remaining Authorisations were made after that date. The Committee decided not to accede to the request for clubbing since it would result in giving indirect revalidation.

The applicant is directed to get the cases regularised individually for each Authorisation.

(Action: Applicant/RA, Ahmedabad)

Case No.25: M/s. GE India Industries Pvt. Ltd., Pune.
F.No. 01/60/162/521/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for condonation in filing of Bill of Exports supply to Reliance Industries Ltd. RIL SEZ Jamnagar and supplies against Advance Authorization No.3110065057 dt. 13.11.2014.

Decision: The committee noted that application for redemption of Advance Authorisation is required to be 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. Further, in terms of Para 4.12 of FTP 2009-14 , exporter has to indicate consumption of inputs in the export documents. Further, for getting incentive on supply of goods to SEZ, "Bill of Export" is a 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 uploading 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.26: M/s. Paramount Aromachem Pvt. Ltd., Ghaziabad.
F.No. 01/60/162/946/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for revalidation of Advance *Authorization No.0510392046* dt. 18.11.2014.

Decision: The committee noted that the Authorisation was issued having initial validity of 12 months for import. RA is empowered to allow 6 months further validity in terms of Para 4.41 *of HBP 2015-20*. However, the applicant did not avail the facility provided in the said para. Further, Firm has not given any cogent and justified reason for not availing the facility. Hence, the committee did not accede to the request.

Case No.27: M/s. *Fablinen Exports, New Delhi.*
F.No. 01/60/162/899/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for Policy relaxation of Declaration of Intent on the Shipping Bills in terms of FTP, 2015-20.

Decision: The Committee noted that for claiming incentive under MEIS, declaration of intent on shipping bill is mandatory after 01.06.2015,in terms of Para 3.14 (a) of HBP, 2015-2020. In this case some shipments were effected prior to 01.06.2015, no policy relaxation is *required. The applicant may*, therefore, approach the concerned RA for claiming incentive in terms of the Policy Provisions

(Action: RA, CLA/Applicant)

Case No.28: M/s. Faively Transport Rail Technologies India Ltd., New Delhi.
F.No. 01/60/162/600/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for relaxation of policy to accept (i) Xerox copies of Shipping Bills, *(ii) Shipping Bills* with No export Incentives & (iii) Free Shipping Bills against Advance Authorization No.0510248766 dt. 02.09.2009 for redemption purpose.

Decision: The Committee observed that the reasons / justifications furnished by the applicant for seeking relaxation *are not covered by any provision of the FTP*. Moreover Shipping Bills with "No Incentive" and "free shipping" bills are not assessed by customs for valuation and hence, such shipping bills cannot be accepted for discharge of EO. Hence, the Committee decided not to accede to the request.

However, for lost EP copy of Shipping Bills, provisions are prescribed under Para 4.52 of HBP, 2015-20. The applicant may approach the RA concerned for getting such Xerox copies of shipping bill which are covered as per the said para and applicant follows the procedure prescribed therein.

(Action: Applicant/RA, CLA)

Case No.29: M/s. Fresenius Kabi Oncology Ltd., New Delhi.
F.No. 01/60/162/933/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for waiver of PC-18 conditions of Advance Authorization No.0510303712 dt. 26.09.2011.

Decision: The Committee noted that the Authorisation No.0510303712 dt. 26.09.2011 was issued with pre-import conditions stipulated under PC-9 dated 30.06.2003 read with Appendix-30A of 2009-14 HBP. The applicant has admitted that they had completed the stipulated export obligation by exporting products manufactured out of the raw material already lying in their stocks and after fulfillment of the stipulated export obligation they had imported the items. The Committee observed that since the Advance Authorisation had been issued with pre-import conditions, export made prior to imports cannot be accounted for towards discharge of export obligation. Hence, the Committee decided to reject the request of the applicant.

The applicant is hereby directed to get the case regularised in terms of para 4.49 of HBP, 2015-2020.

In terms of PC-18 dated 30.10.2007, destruction certificate could be waived on production of evidence that the drugs imported from unregistered sources have been used in the resultant products so exported.

(Action: Applicant/RA, CLA)

Case No.30: M/s. GSP Crop Science Pvt. Ltd., Ahmedabad.
F.No. 01/60/162/945/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject: - Request for 2nd revalidation of Advance Authorization No.0810134831 dt. 17.03.2015.

Decision: The committee noted that the Authorisation was issued having initial validity of 12 months to import. RA is empowered to allow 6 months further validity in terms of Para 4.41 of HBP 2015-20. The applicant has already availed the facility of 18 months revalidation stipulated in the said para. Despite that, the applicant did not utilize the Authorisation for import. 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.31: M/s. Jyoti Impex, Mumbai.
F.No. 01/60/162/827/AM17/PRC
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for Export Incentives on time barred and lost DEPB & Focus Shipping Bills.

Decision: The Committee observed that the reasons / justifications furnished by the applicant for seeking relaxation do not establish any genuine hardship. Chapter 3 incentives cannot be allowed against lost documents, as there would be the risk of misuse of scheme by availing double benefits. The Committee decided not to accede to the request.

Case No.32: M/s. Bayer Hughes Singapore Pte., Mumbai.

F.No. 01/93/180/1483/AM-03/ PC-2(A)/Vol.IV.
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Relaxation from the conditions under Para 1 [a] [b] i, ii, iii, [c], [d] i, ii, iii, [e] of the Import Licensing Notes under Chapter 87 of ITC (HS), 2017 Classification of Export & Import items for import of three nos. of "USED" Mercedes Benz truck loaded with wireline logging equipment [Country of Origin: USA].

__Decision:__ The Committee decided to relax the provisions of Policy conditions under Para 1 [a] [b] i, ii, iii, [c], [d] i, ii, iii, [e] of the Import Licensing Notes under Chapter 87 of ITC (HS), 2017, Classification of Export & Import items for import of 3 (**three**)nos. of "USED" Mercedes Benz truck loaded with *wireline logging equipment [Country of Origin: USA]*.

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.
III. The vehicles so imported shall be re-exported after completion of the contract.

(Action: Policy-2)

Case No.32: M/s. Mann Tourist Transport Service Pvt. Ltd., New Delhi.
F.No. 01/89/180/30/AM-13/PC-2(A)
PRC Meeting No. 29/AM17 dated 17.01.2017
Subject:- Request for seeking relaxation of Para 2 (II) [a] [iv] and 2 [II (c) of Chapter 87 of ITC (HS), Schedule-I (Import Policy) for import of 9 Nos. of Mercedes Benz (V Class 7- 8 Seater) Vans with 2143 CC Engine capacity from United Kingdom.

__Decision:__ The committee noted that import of new vehicle for personal/commercial use having less than 2500 CC Engine capacity is not allowed. Hence, the committee did not *accede to the request.*

(Action: Policy-2)

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

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