



RE: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Thu, Mar 16, 2023 at 11:35 AM

To: gunawardana.kkslp@dfd.treasury.gov.lk

Cc: Samantha Bandara <samantha@erd.gov.lk>, vivek.sharma74@mea.gov.in, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, dhc.colombo@mea.gov.in, dcac2.colombo@mea.gov.in, Indian Credit Line <indiancredit@mo.treasury.gov.lk>, Irina Thakur <com2.colombo@mea.gov.in>, dir_dev@trademin.gov.lk, com3.colombo@mea.gov.in, Chennai <chennai.chennai@bankofindia.co.in>, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>

Topmost urgent

Attention: Ms. Lakmini P Gunawardana,
Deputy Director,
Indian Credit Facility Coordinating Unit (ICFCU),
Ministry of Finance,
Sri Lanka.

Dear Madam,

Our bank, Bank of India Chennai Main has shared your recent reply to them as regards the settlement of payment to us for the shipments to Convenience Foods Lanka. The relevant communications are trailing below.

We are absolutely disappointed and shocked with your reply on this payment issue which is inordinately delayed, causing a huge setback to our firm. We had done the subject shipments with total conformity with the ICL guidelines having strictly adhered to the shipment and documentary formalities.

As you refer to the ICL guidelines with respect to the receipt of payment from the importer, you should also refer to clause 4.14 of the same guidelines for authorising the payment to the exporter as well.

As per 4.14 you should only receive the customs clearance documents namely copies of bill of lading, commercial invoice, certificates of insurance and origin along with recommendation as per 3.3 from Sri Lanka customs for the subject shipments to send the payment authorisation. We wonder how long and how infinitely you will wait to get the above documents from Sri Lanka customs. You should have demanded these documents from Sri Lanka customs a long time ago and arranged for the payment authorisation through the Indian High commission.

Your reference to " the clearance notification from Sri Lanka customs" is nowhere present in the ICL guidelines which are the only mutually accepted guidelines between our two countries to put the SBI credit agreement in force and coining a new word or tenet now and taking refuge under it to delay, deny the payment to us is unfair, unethical and unbecoming of organisation of your stature. We as the exporters, can follow only the ICL guidelines formulated and known to the stakeholders publicly through official portals of both Sri Lanka and India and once the title of ownership is legally conveyed to the buyer after collecting the due payments, the money has to be paid to us without any delay. The money legally due to us cannot be withheld on any grounds especially when we have performed in total compliance with the procedures of Chili exports to Sri Lanka backed by certification from the stipulated authorities, with the ICL guidelines, SOP mechanism and with the terms of irrevocable letters of credit issued by the buyer's bank.

We expect your office to perform in an absolutely unbiased manner. We vehemently urge you to send the payment authorisation to SBI Gift city through the Indian High commission for above bills by today unfailingly. Having collected the money for the subject invoices and depositing in the treasury, how long our due and just payments can be delayed!

We look forward to receiving the payment authorisation by today.

Warm regards,
Yours sincerely,
M D Sivakumar
Proprietor
Omvishkar exports
Chennai

Meeting - 27th April 2023 - On Contract between Convenience Foods (Lanka) PLC and Omvishkar exports

2 messages

Indian Credit Line <indiancredit@mo.treasury.gov.lk>

To: "samantha@erd.gov.lk" <samantha@erd.gov.lk>, Irina Thakur <com2.colombo@mea.gov.in>, COMMERCIAL WING <com3.colombo.mea@nic.in>, "bhathiyack123@gmail.com" <bhathiyack123@gmail.com>, "nishad.ranasinghe@gmail.com" <nishad.ranasinghe@gmail.com>, "yohanj.cf@cbllk.com" <yohanj.cf@cbllk.com>, "S.G.S. Ariyasinghe" <ariyasinghes.cf@omvishkarexports@gmail.com> <omvishkarexports@gmail.com>

Cc: Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, Kuloja Peiris <peiris.mkg@dfd.treasury.gov.lk>, Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>

Tue, 4

Dear Sir/Madam,

A meeting is scheduled to be held on 27th April 2023 at 10.00am under the Chairmanship of Mr. R M P Rathnayake, Deputy Secretary to the Treasury 2nd Floor, Ministry of Finance, Economic Stabilization and National Policies to discuss about the pending payment of contract between Convenience F PLC and Omvishkar exports under ICL.

Your participation in this meeting is greatly appreciated.

Regards,

Indian Credit Facility Coordinating Unit (ICFCU)

Room No. 209

Ministry of Finance

Colombo 01.

Tele: 011-2484600 Ext. 2207, 2002

Email: indiancredit@mo.treasury.gov.lk

Website: www.treasury.gov.lk

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OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Wed, Apr 26, 2023 at 11:39 PM

To: Indian Credit Line <indiancredit@mo.treasury.gov.lk>

Cc: Samantha Bandara <samantha@erd.gov.lk>, Irina Thakur <com2.colombo@mea.gov.in>, COMMERCIAL WING <com3.colombo.mea@nic.in>, bhathiyack123@gmail.com, nishad.ranasinghe@gmail.com, yohanj.cf@cbllk.com, "S.G.S. Ariyasinghe" <ariyasinghes.cf@cbllk.com>, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, Kuloja Peiris <peiris.mkg@dfd.treasury.gov.lk>, Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>

Dear Sir/Madam,

Thanks for your kind mail dated 25th April, 2023 inviting us to participate in the meeting scheduled to be held on 27th April, 2023 under the chairmanship of Mr R.M. Rathnayake, Deputy Secretary to the treasury to discuss about the pending payment from Convenience foods Lanka to us.

We express our inability to partake in the said meeting. We once again urge your office to send the payment authorisation for our pending bills for 26 x 40' fcls consignment of dried red chili to SBI Gift city immediately. These payments are pending for 9 months now. If these payment settlements are further delayed we shall be constrained to taking up this matter with Indian Prime Minister's office and with appropriate Ministries of India which will have very serious ramifications affecting the Indo-Sri Lanka trade relationships.

Warm regards,
Omvishkar exports,
No 52 / 297, Linghi chetty Street, Chennai 1

[Quoted text hidden]



RE: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Wed, Jun 14, 2023 at 8:10 PM

To: gunawardana.kkslp@dfd.treasury.gov.lk

Cc: Samantha Bandara <samantha@erd.gov.lk>, vivek.sharma74@mea.gov.in, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, dhc.colombo@mea.gov.in, dcac2.colombo@mea.gov.in, Indian Credit Line <indiancredit@mo.treasury.gov.lk>, Irina Thakur <com2.colombo@mea.gov.in>, dir_dev@trademin.gov.lk, com3.colombo@mea.gov.in, Chennai <chennai.chennai@bankofindia.co.in>, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>, s.jaishankar@gov.in, anil.verma2@bankofindia.co.in, Headoffice.fbd@bankofindia.co.in, shashank.misra@nic.in, appointment.fm@gov.in, fmo@nic.in, nsitharaman@nic.in, eam@mea.gov.in, pmosb@pmo.nic.in, connect@mygov.nic.in, vpcrk <vpcr.lk@statebank.com>, chlk <ch.lk@statebank.com>, tradelk <trade.lk@statebank.com>, creditlk <credit.lk@statebank.com>, piyush.goyal@gov.in, "C&IC department (Chennai)" <Chennai.CIC@bankofindia.co.in>, Nakul Ashok Mastakar <Nakul.Mastakar@bankofindia.co.in>, Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>, risk.lk@statebank.com, fcbu.lk@statebank.com, ajaysahai@fieo.org, hcpant@fieo.org, vikasmittal@fieo.org

TOPMOST PRIORITY - MOST URGENT

Attention: Ms. Lakmini P Gunawardana,

Date. 14th June, 2023

Deputy Director,

Indian Credit Facility Coordinating Unit (ICFCU)

Dear Ms Lakmini,

This has reference to your mail dated 8th June, addressed to Mr Vivek Sharma, 1st Secretary, Indian High Commission which trails below, along with the minutes of the meeting held on 27th April, 2023. Though we could not attend the meeting which was intimated on short notice, we had clearly advised you to settle our entire payment for 26 x 40' chili consignment by mail on 26th April, 2023. We still aver that your office has miserably failed to honour your undeniable and irreversible commitment to ensure settlement of our bills for 26 x 40' of dried chili consignment and it is highly objectionable that your office takes cover under non-existent terms of Indian Credit Line.

Your office, though empowered as the final authority under ICL, is remaining a silent spectator with an intent to deliberately procrastinate the matter and actions are flagrantly biased with collusive nature. I have to draw several genuine and irreproachable observations here from the documents involved in the shipments, examination reports from Sri Lanka customs, contract Inclusion Form and payment authorization Lot No. 014 Dated 8th May, 2023 from Mr R M P Rathnayake, DST, Minutes of the meeting on contract between Convenience Foods Lanka PLC and us, Indian Credit Line operating guidelines to be read with SOP and Frequently Asked Questions, to prove your office's mistake in not settling our long-pending payments.

We wish to clarify to you that the clearance of dried chilies is passed by 3 individual and exclusive ministries in Sri Lanka, namely Ministry of Revenue (Sri Lanka Customs), Food Control Administration Unit - FCAU, Ministry of Health and Department of Agriculture.

Proofs enclosed. (Encl. A. Sri Lanka Customs, Ministry of Finance, Encl. B. FCAU, Ministry of Health and Encl. C. PQS, Dept. of Agriculture). These ministries have exclusive authorities to release or detain the shipments. I draw your attention to the list of documents required by the buyer as under, as compliance to the letter of credit issued by their banker State Bank of India, Colombo to us. These documents are stipulated based on the clearance requirements from above mentioned 3 ministries of Govt. of Sri Lanka.

46A: DOCUMENTS REQUIRED As stipulated under the Letter of credit NO.25122LU00020 & 25122LU00021

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FOR SRI LANKA CUSTOMS

The following documents Sl No 1 to 7 are meant for Sri Lanka customs based on which the Sri Lanka customs will check whether the imported goods, physically tally with the declarations in the below documents to declare that the imports are legal and in this case, also in total conformance with ICL guidelines like eligible goods etc.

1. Drafts should bear the clause 'drawn under state bank of India, Colombo credit no 25122lu00021 dated 27.06.2022.
2. Signed commercial invoices in quadruplicate.
3. Complete set of clean bills of lading
4. Insurance policy/certificate
5. Copy of certificate of origin
6. Packing list in three fold.
7. Weight list

For FCAU, MINISTRY OF HEALTH, Govt. of Sri Lanka

The below documents which are required under LC are for the clearance from FCAU, Ministry of Health, which makes the " Aflatoxin test report issued by Spices Board, India as the single mandatory document required.

8. Analytical certificate
9. Health certificate
10. Aflatoxin test report issued by spice board, India

For PQS, Dept. OF AGRICULTURE, Govt. of Sri Lanka

Below two documents are mandatory for the clearance from Department of Agriculture, Sri Lanka

11. Phytosanitary certificate
12. Fumigation certificate

GENERAL

Following 2 documents are general in nature, related to the timely and correct submission

of documents to buyer's bank and related to attributes of the goods supplied.

13. Beneficiary certificate

14. Product specification report

We have submitted all the genuine documents as listed above, as stipulated by the LC which were accepted by the buyer through their banker. By the very submission of documents infallibly, it is very clear that we have complied with the requirements of the 3 ministries of Sri Lanka which have independent roles to play. Had we not performed in compliance with the regulations of the 3 ministries, the buyer would not have accepted our documents and the title of ownership to the consignments.

Here, we bring to fore the shirking of responsibility by the LC opening bank SBI, Colombo which, after pronouncing the maturity dates for the each of 5 bills, has unilaterally reversed its liability, in blatant violation of UCP clauses. We will take up this issue separately with our Central bank's ombudsman, Ministry of Finance and Ministry of Commerce.

The role of Sri Lanka customs is to check the veracity of documents listed from SI No 1 to SI No 7 and declare in the examination reports that the imported goods are in order as per the documents submitted and no fraudulent activity has taken place.

Sri Lanka customs have nothing to do with the QUALITY of the consignment as they are not the authority to check the quality. Their job is only to check the correctness of the consignment with respect to the declarations viz quantity, HS code, description, packing and not the quality, which is outside their scope. Sri Lanka customs do not hold the consignments on account of quality. If the actual product shipped is different from what is declared in the documents, will Sri Lanka customs release the consignment if the quality of the actual product is excellent?! Sri Lanka customs did not find any fraud in our shipments and had declared in their examination reports that all in "order and released" (Copy of sample examination report enclosed - Encl. - D Ex. Report) There ends the matter. This is the only requirement from Sri Lanka customs as per ICL guidelines para 3.3 and 4.14 for the settlement of payments to the exporter.

It is pertinent to point out here that Mr. R M P Rathnayake has clearly stated in the Point No 8 of Contract Inclusion Form and Payment Authorization - Lot No 014 dated 8th May, 2023 (copy enclosed - Encl. - E CIF & PA LOT NO. 14) that all the dried chili consignments in 26 x 40' containers were delivered to the buyer M/s. Convenience Lanka Foods and had certified that the goods are delivered to the importer as per the mutually agreed terms and conditions between the exporter and the importer. Having given this certificate, why should your office hold our payments which have fallen due several months ago?!

It is relevant to mention here that Mr. R M P Rathnayake has clearly mentioned in the meeting which was held on 27th April, 2023 (copy of minutes enclosed - Encl. - F Minutes 27.4.23) that it is purely a commercial dispute between the importer and the exporter, ought to be settled between them and having said that your office should not hold our

payment on account of this commercial dispute which is totally outside the ambit of ICL. I draw your serious attention to the Q 25 of Frequently Answered Questions (FAQs) which unambiguously state that, " the liability of the Govt. of Sri Lanka, that is ICFCU, Ministry of Finance in this instance, to make any payment is PRIMARY and shall in NO WAY BE CONDITIONAL upon due performance by the exporter / importer or affected by any dispute between the importer and exporter ".

Having said that we have complied with the rules and regulations of the Sri Lanka customs for the clearance of subject 26 containers of chilies, we did not fail to meet the requirements of FCAU, Ministry of Health at load ports from India. We have supplied whatever quality, the buyer M/s. Convenience Lanka Foods ordered after judiciously passing through the rigorous tests for aflatoxin by the highest appropriate authority in India, the Spices Board and this is the only certificate mandated by your FCAU, Ministry of Health as the responsibility of the exporter to assert the quality of the consignments shipped and we have done this flawlessly (copy of FCAU-Ministry of Health – Requiring Spices Board certificate – Encl. G – FCAU). Apart from the certification of passing at the time of shipments, the Spices Board has reaffirmed the quality of our consignments by another letter dated 20th September, 2022 (copy of letter enclosed – Encl. H – Spices board) which goes to prove the quality of our consignments.

We had presented these facts to your Ministry of Health to support the buyer. We have brought out the gross variances in the test results of the same sample drawn at one time, shared with 2 laboratories and tested at different times. The test results of the same sample was grossly higher in the first test done and much lower and close to the acceptable level in the second test done on the same sample preserved in airtight plastic pouch, after a gap of more than 10 days. The reply from FCAU, Ministry of Health that aflatoxin level will vary from one chili pod to another, was totally unacceptable and proved beyond doubt the samples drawn by them for testing and passing critical decisions, were not at all representative of the entire consignment in each container. Unless the sample is representative, how a judgement can be passed on the entire consignment. All our consignments of chilies in 26 containers, shipped in 5 lots were shuffled and made a homogeneous lot, duly tested and passed by the Spices Board before they were stuffed in to the containers. When 16 containers comprised in 5 shipments were passed by FCAU, it raised doubts about the veracity of the tests conducted by FCAU, when they rejected the balance 10 containers of the same homogeneous lots, comprised in the same 5 shipments, in the backdrop of all 26 containers were duly passed by the Spices Board. We have brought out these points to the buyer to contest with the FCAU, in the capacity of the owners of the goods.

As an exporter, we have fulfilled our responsibility at load ports, that was bound on us by the Ministry of Health and if the FCAU finds faults with quality at destination, the reasons are attributable to the happenings in Sri Lanka and not binding on us at all. There is no clause in ICL or in the LC which prevents payment to the exporter if the Sri Lanka health department rejects the consignments at destination. We have performed in total conformity with the rules and regulations of ICL, Letter of credit and we therefore urge you to settle the payment for the balance 10 containers immediately.

Though paying for only 16 containers out of 26 containers is wrong on your part, we ask you why you delayed the payment for these 16 containers for so long and what is the change in situation that prevailed when you did not settle us earlier and now, when you settled us USD 481,826.25 on 20th May, 2023?

Why did the ASC, Sri Lanka customs, have to wait for the documents for 16 containers from the importer when he should have demanded the same from the buyer a long time ago? When the importer gave customs documents (CUSDEC) for 16 containers, the same will accommodate the balance of 10 containers also, as they were part and parcel of 26 containers and if so, why are you still delaying the settlement of the value of 10 containers?

It will tantamount to a very big injustice, if your office still denies our payment and I, therefore vehemently exhort you to realize your unmistakable responsibility and send the payment authorization for the 2nd and balance payment of USD 296,752.5 to SBI, Gift city immediately on receipt of this mail.

Shri. Vivek Sharma: Reading in copy: I had already explained in person, our just stand in this matter and our legitimate claim for the entire value of consignments in 26 containers. We have been injudiciously denied our due payments for all these months, causing us great anguish and setback to our business and I, therefore request you to urge the appropriate authorities in ICFCU, Sri Lanka customs etc. to make arrangements to send the payment authorization expeditiously to arrest our firm's further slide.

We look forward to your immediate sending of payment authorization for 10 fcls (USD 296,725.5) to SBI, Gifty city.

Regards

Yours sincerely


M.D.Sivakumar

Proprietor

Omvishkar Exports

Mobile. +919841041942

9 attachments

 **A - SRILANKA CUSTOMS , MINISTRY OF FINANCE.pdf**
65K

 **B - FCAU MINISTRY OF HEALTH.pdf**
197K

 **C- PQS , DEPT. OF AGRICULTURE.pdf**
149K

 **D - ENCL EX. REPORT.pdf**
170K

 **E- CIA & PA LOT NO-14.pdf**
361K

 **F MINUTES 27.04.2023.pdf**
209K

 **G - FCAU.pdf**
45K

**E8**

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

RE: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai**Indian Credit Line** <indiancredit@mo.treasury.gov.lk>

Tue, Ju

To: OMVISHKAR EXPORTS <omvishkarexports@gmail.com>, Lakmini Gunawardana <gunawardana.kkslp@dfd.treasury.gov.lk>

Cc: Samantha Bandara <samantha@erd.gov.lk>, "vivek.sharma74@mea.gov.in" <vivek.sharma74@mea.gov.in>, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, "dhc.colombo@mea.gov.in", "dcac2.colombo@mea.gov.in" <dcac2.colombo@mea.gov.in>, Irina Thakur <com2.colombo@mea.gov.in>, "dir_dev@trademin.gov.lk" <dir_dev@trademin.gov.lk>, "com3.colombo@mea.gov.in" <com3.colombo@mea.gov.in>, Chennai <chennai.chennai@bankofindia.co.in>, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>, "s.jaishankar@mea.gov.in" <s.jaishankar@mea.gov.in>, "anil.verma2@bankofindia.co.in" <anil.verma2@bankofindia.co.in>, "Headoffice.fbd@bankofindia.co.in" <Headoffice.fbd@bankofindia.co.in>, "shashank.misra@nic.in" <shashank.misra@nic.in>, "appointment.fm@gov.in" <appointment.fm@gov.in>, "fmo@nic.in" <fmo@nic.in>, "nsitharaman@nic.in" <nsitharaman@nic.in>, "eam@mea.gov.in" <eam@mea.gov.in>, "pmosb@pmo.nic.in" <pmosb@pmo.nic.in>, "connect@mygov.nic.in" <connect@mygov.nic.in>, vpcrlk <vpcrlk@statebank.com>, chlk <chlk@statebank.com>, tradelk <tradelk@statebank.com>, "credit.lk@statebank.com", "piyush.goyal@gov.in" <piyush.goyal@gov.in>, "C&IC department (Chennai)" <Chennai.CIC@bankofindia.co.in>, Nakul Ashok Mastakar <Nakul.Mastakar@bankofindia.co.in>, Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>, "risk.lk@statebank.com" <risk.lk@statebank.com>, "fcbu.lk@statebank.com" <fcbu.lk@statebank.com>, "ajaysahai@fio.org" <ajaysahai@fio.org>, "hcpant@fio.org" <hcpant@fio.org>, "vikasmittal@fio.org" <vikasmittal@fio.org>

Dear Mr Sivakumar,

This has reference to your trailing mail regarding the above.

We would like to kindly inform you that your query is well noted and ICFCU will do the needful as per the stipulated ICL procedures.

Regards,

Indian Credit Facility Coordinating Unit (ICFCU)

Room No. 209

Ministry of Finance

Colombo 01.

Tele: 011-2484600 Ext. 2207, 2002

Email: indiancredit@mo.treasury.gov.lk

Website: www.treasury.gov.lk

From: OMVISHKAR EXPORTS <omvishkarexports@gmail.com>**Sent:** Wednesday, June 14, 2023 8:10 PM**To:** Lakmini Gunawardana

Cc: Samantha Bandara; vivek.sharma74@mea.gov.in; Manjula Hettiarachchi; dhc.colombo@mea.gov.in; dcac2.colombo@mea.gov.in; Indian Credit Line; Irina Thakur; dir_dev@trademin.gov.lk; com3.colombo@mea.gov.in; Chennai; Sitaram Devasena; s.jaishankar@gov.in; anil.verma2@bankofindia.co.in; Headoffice.fbd@bankofindia.co.in; shashank.misra@nic.in; appointment.fm@gov.in; fmo@nic.in; nsitharaman@nic.in; eam@mea.gov.in; pmosb@pmo.nic.in; connect@mygov.nic.in; vpcrlk; chlk; tradelk; piyush.goyal@gov.in; C&IC department (Chennai); Nakul Ashok Mastakar; Deputy Secretary to the Treasury-R; risk.lk@statebank.com; fcbu.lk@statebank.com; ajaysahai@fio.org; hcpant@fio.org; vikasmittal@fio.org

Subject: RE: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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RE: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Mon, Jun 26, 2023 at 11:55 AM

To: Indian Credit Line <indiancredit@mo.treasury.gov.lk>

Cc: Lakmini Gunawardana <gunawardana.kkslp@dfd.treasury.gov.lk>, Samantha Bandara <samantha@erd.gov.lk>, "vivek.sharma74@mea.gov.in" <vivek.sharma74@mea.gov.in>, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, "dhc.colombo@mea.gov.in" <dhc.colombo@mea.gov.in>, "dcac2.colombo@mea.gov.in" <dcac2.colombo@mea.gov.in>, Irina Thakur <com2.colombo@mea.gov.in>, "dir_dev@trademin.gov.lk" <dir_dev@trademin.gov.lk>, "com3.colombo@mea.gov.in" <com3.colombo@mea.gov.in>, Chennai <chennai.chennai@bankofindia.co.in>, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>, "s.jaishankar@gov.in" <s.jaishankar@gov.in>, "anil.verma2@bankofindia.co.in" <anil.verma2@bankofindia.co.in>, "Headoffice.fbd@bankofindia.co.in" <Headoffice.fbd@bankofindia.co.in>, "shashank.misra@nic.in" <shashank.misra@nic.in>, "appointment.fm@gov.in" <appointment.fm@gov.in>, "fmo@nic.in" <fmo@nic.in>, "nsitharaman@nic.in" <nsitharaman@nic.in>, "eam@mea.gov.in" <eam@mea.gov.in>, "pmosb@pmo.nic.in" <pmosb@pmo.nic.in>, "connect@mygov.nic.in" <connect@mygov.nic.in>, vpcrlk <vpcr.lk@statebank.com>, chl <ch.lk@statebank.com>, tradelk <trade.lk@statebank.com>, creditlk <credit.lk@statebank.com>, "piyush.goyal@gov.in" <piyush.goyal@gov.in>, "C&IC department (Chennai)" <Chennai.CIC@bankofindia.co.in>, Nakul Ashok Mastakar <Nakul.Mastakar@bankofindia.co.in>, Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>, "risk.lk@statebank.com" <risk.lk@statebank.com>, "fcbu.lk@statebank.com" <fcbu.lk@statebank.com>, "ajaysahai@fio.org" <ajaysahai@fio.org>, "hcpant@fio.org" <hcpant@fio.org>, "vikasmittal@fio.org" <vikasmittal@fio.org>

Extraordinarily urgent.

Attention: Ms. Lakmini P Gunawardana,
2023
Deputy Director,
Indian Credit Facility Coordinating Unit (ICFCU)

Date. 26th June,

Dear Ms. Lakmini P Gunawardana,

Sub: Immediate issuance of Payment authorisation for US\$. 296,752.5 jointly pertaining to bills of 10 fcls chili consignment.

Ref: BL. NO. & DATE. INKATLKOMB6464 / 11.07.22, ASCLMAACMB2200266 / 16.07.22, JJJL/CHE/CMB/5960 / 21.07.22, EGLV101200103089 / 07.08.22 & CL/TUT/2022/20275 / 09.08.22
Invoice no. OMV/154, OMV/155, OMV/156, OMV/157 & OMV/163/22-23, OMV/164 & OMV/168/22-23, OMV/171/22-23, OMV/166, OMV/172 & OMV/179/22-23, OMV/223/22-23

In response to your office mail dated. 20th June, 2023, all the procedures for the settlement of our payments for the subject bills under ICL are already completed except your office sending the payment authorisation to SBI Gift city through Indian High Commission.

The ICL facility is governed by the terms of the following documentary communique which were released jointly on respective official Govt. websites by both GOI and GOSL at the time of entering into this facility agreement.

A) Indian Credit Facility - operating guidelines

B) 4 amendments dated 7th, 19th, 27th and 29th April, 2022 to Indian Credit Facility - operating guidelines (A) as above.

C) SBI agreement dated March, 17, 2022

D) Frequently asked questions (FAQ)

In our case, all the required terms of above A, B, C and D are complied with as we elucidate under.

Under A Indian Credit Facility - operating guidelines.

The steps from 4.10 to 4.14 in implementation mechanism, were already completed. Only pending activities are from 4.15 to 4.18 which are to be immediately done by your office.

Under C - SBI agreement.

Para B of SBI agreement relates to " Operations of disbursements and payment to Indian Exporters", and as required, we had already submitted the relevant documentary evidence to your office.

In fact, by now your office should have collected these documentary evidence viz commercial invoice, bill of lading, insurance copy and certificate of country of origin along with the recommendation under clause 3.3 of ICL guidelines from Sri Lanka customs. These are the only documents to be collected from Sri Lanka customs to process our payments. The reason why these documents are required from Sri Lanka customs, is to ensure the authenticity, genuineness of the trade transaction and who else, other than the Sri Lanka customs can vouch for the documents!

Under D - frequently asked questions (FAQ).

Answer to Question 25, clearly states that the liability of GOSL to make any payment is primarily and shall no way be conditional upon due performance by the exporter / importer or affected by any dispute between an importer and an exporter" and going by this unambiguous clause, your office should not have withheld our payment authorisation for so long.

From the above assertion of facts, it is clear that all procedures under ICL, barring your office sending the payment authorisation through the Indian High Commission are completed. It is high time that you send the payment authorisation immediately and end this inordinately protracted impasse.

Regards,
Yours sincerely,
M D Sivakumar
Proprietor
Omvishkar exports
Chennai India

[Quoted text hidden]



RE: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai

Indian Credit Line <indiancredit@mo.treasury.gov.lk>
To: OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Mon, J

Dear Sir,

Received your email and Noted.

Regards,

Indian Credit Facility Coordinating Unit (ICFCU)

Room No. 209

Ministry of Finance

Colombo 01.

Tele: 011-2484600 Ext. 2207, 2002

Email: indiancredit@mo.treasury.gov.lk

Website: www.treasury.gov.lk

From: OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Sent: Friday, July 14, 2023 2:51 PM

To: Indian Credit Line

Cc: Lakmini Gunawardana; Samantha Bandara; vivek.sharma74@mea.gov.in; Manjula Hettiarachchi; dhc.colombo@mea.gov.in; dcac2.colombo@mea.gov.in; Irina Thakur; dir_dev@trademin.gov.lk; com3.colombo@mea.gov.in; Chennai; Sitaram Devasena; s.jaishankar@gov.in; anil.verma2@bankofindia.co.in; Headoffice.fbd@bankofindia.shashank.misra@nic.in; appointment.fm@gov.in; fmo@nic.in; nsitharaman@nic.in; eam@mea.gov.in; pmosb@pmo.nic.in; connect@mygov.nic.in; vpckrk;chlk;tradellpiyush.goyal@gov.in; C&IC department (Chennai); Nakul Ashok Mastakar; Deputy Secretary to the Treasury-R; risk.lk@statebank.com; fcbu.lk@statebank.com; ajaysahai@hcpant@fio.org; vikasmittal@fio.org

Subject: Re: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai

[Quoted text hidden]

[Quoted text hidden]



RE: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai

COMMERCIAL WING <com3.colombo@mea.gov.in>

Mon, Jul 17, 2023 at 3:43 PM

To: indiancredit <indiancredit@mo.treasury.gov.lk>

Cc: Irina Thakur <com2.colombo@mea.gov.in>, omvishkarexports <omvishkarexports@gmail.com>

Ms. Lakmini P Gunawardana
Deputy Director
Indian Credit Facility Coordination Unit
Ministry of Finance
Government of Sri Lanka.

Dear Ms. Gunawardana,

With reference to the ongoing correspondence on the subject, you may like to take a look into the matter in the light of procedural and regulatory issues including those highlighted by Mr. MD Sivakumar, Proprietor, Omvishkar Exports for settlement of the same.

regards,

Vivek Sharma
First Secretary (E&C)
High Commission of India
Colombo

From: omvishkarexports@gmail.com

To: indiancredit@mo.treasury.gov.lk

Cc: "gunawardana kkslp" <gunawardana.kkslp@dfd.treasury.gov.lk>, samantha@erd.gov.lk, "vivek sharma74" <vivek.sharma74@mea.gov.in>, "hettiarachchi pmk" <hettiarachchi.pmk@dfd.treasury.gov.lk>, "DHC Colombo" <dhc.colombo@mea.gov.in>, "dcac2 colombo" <dcac2.colombo@mea.gov.in>, "Irina Thakur" <com2.colombo@mea.gov.in>, "dir dev" <dir_dev@trademin.gov.lk>, "COMMERCIAL WING" <com3.colombo@mea.gov.in>, "chennai chennai" <chennai.chennai@bankofindia.co.in>, "sitaram devasena" <sitaram.devasena@bankofindia.co.in>, "s jaishankar" <s.jaishankar@gov.in>, "anil verma2" <anil.verma2@bankofindia.co.in>, "Headoffice fbd" <Headoffice.fbd@bankofindia.co.in>, "shashank misra" <shashank.misra@nic.in>, "appointment fm" <appointment.fm@gov.in>, fmo@nic.in, nsitharaman@nic.in, "EAM" <eam@mea.gov.in>, pmosb@pmo.nic.in, connect@mygov.nic.in, "vpcr lk" <vpcr.lk@statebank.com>, "ch lk" <ch.lk@statebank.com>, "trade lk" <trade.lk@statebank.com>, "credit lk" <credit.lk@statebank.com>, "piyush goyal" <piyush.goyal@gov.in>, "Chennai CIC" <Chennai.CIC@bankofindia.co.in>, "Nakul Mastakar" <Nakul.Mastakar@bankofindia.co.in>, dst@mo.treasury.gov.lk, "risk lk" <risk.lk@statebank.com>, "fcbu lk" <fcbu.lk@statebank.com>, ajaysahai@fio.org, hcpant@fio.org, vikasmittal@fio.org

Sent: Friday, July 14, 2023 2:51:30 PM

Subject: Re: Non-receipt of payment of bills under LC - under ICL arrangement - from SBI Colombo to Bank Of India, Chennai

[Quoted text hidden]

Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Fri, Oct 6, 2023 at 4:14 PM

To: Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>

Cc: Lakmini Gunawardana <gunawardana.kksp@dfd.treasury.gov.lk>, Samantha Bandara <samantha@erd.gov.lk>, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, vivek.sharma74@mea.gov.in, Irina Thakur <com2.colombo@mea.gov.in>, com3.colombo@mea.gov.in, COMMERCIAL WING <com3.colombo.mea@nic.in>, creditlk <credit.lk@statebank.com>, vpcrlk <vpcr.lk@statebank.com>, chlk <ch.lk@statebank.com>, tradelk <trade.lk@statebank.com>, Presidential Secretariat <ps@presidentsoffice.lk>, Secretary Bureau <secbure@presidentsoffice.lk>, as2.secure@presidentsoffice.lk, wickremesinghe_r@parliament.lk, CGM IBG <cgm.ibg1@sbi.co.in>, GM OPS IBG <gmops.ibg@sbi.co.in>, s.jaishankar@gov.in, piyush.goyal@gov.in

TOP MOST URGENT**Without prejudice**

Mr. R M P Rathnayake,
Deputy Secretary to the Treasury.
Colombo, Sri Lanka

Dear Mr. R M P Rathnayake,

Sub: Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC

Ref: SBI, Colombo Mail dated 18.07.2023.

We are aghast to learn from SBI Colombo from their mail dated 18th July, 2023 that you have returned our money to M/s. Convenience foods Lanka. This is sheer mishandling of our money by your office. The LC opening bank, SBI Colombo had transferred the ownership of the consignments to the buyer after collecting our money from the said buyer. The money thus collected must only be paid to us. Since Indian Govt has given a loan to Govt of Sri Lanka under credit facility, Indian Govt, in view of your Govt's scarcity for USD to buy essential goods in those times and to ensure that your country buys from Indian exporters, only allowed to keep our money with Sri Lanka as Indian Govt's loan with an arrangement that Indian Govt will pay us through SBI gift City. It's only an arrangement from our Govt to facilitate a loan to your country. Like in the normal circumstances involving LC, we must get the payment settled by the buyer. It's illegal on your part to return our money to the buyer and there is no provision whatsoever in ICL guidelines etc permitting your ICFCU to return our money to the buyer.

We take strong exception to your wrong act and vehemently urge you to get back our money from the buyer and arrange to settle the same through the proper channel to us immediately.

Kindly reply advising your positive action in this matter.

Regards,

Yours sincerely,
For Omvishkar Exports
M D Sivakumar
Proprietor

----- Forwarded message -----

From: **creditlk** <credit.lk@statebank.com>

Date: Tue, Jul 18, 2023 at 11:46 AM

Subject: Fw: Bills under LC ref. 25122LU00020 and 25122LU00021 by Convenience Foods Lanka Pvt. Ltd..

To: omvishkarexports@gmail.com <omvishkarexports@gmail.com>Cc: vpcrlk <vpcr.lk@statebank.com>, chlk <ch.lk@statebank.com>, tradelk <trade.lk@statebank.com>

Dear Sir,

With regard to the trailing mail we have received the attached letter ref. MF/ICFCU/ICL/RF-Conv Foods dated 17.07.2023 from Indian Credit Facility Coordinating Unit (ICFCU).

Submitted for information please.

Best Regards,

Ramesh Amarasinghe

Head - Trade & Corporate Credit

 Description: Description: cid:image001.png@01D2F01C.7F3EAC50

Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Mon, Oct 9, 2023 at 5:09 PM

To: Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>

Cc: Lakmini Gunawardana <gunawardana.kkslp@dfd.treasury.gov.lk>, Samantha Bandara <samantha@erd.gov.lk>, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, vivek.sharma74@mea.gov.in, Irina Thakur <com2.colombo@mea.gov.in>, com3.colombo@mea.gov.in, COMMERCIAL WING <com3.colombo.mea@nic.in>, creditlk <credit.lk@statebank.com>, vpcrlk <vpcr.lk@statebank.com>, chlk <ch.lk@statebank.com>, tradelk <trade.lk@statebank.com>, Presidential Secretariat <ps@presidentsoffice.lk>, Secretary Bureau <secbure@presidentsoffice.lk>, as2.secure@presidentsoffice.lk, wickremesinghe_r@parliament.lk, CGM IBG <cgm.ibg1@sbi.co.in>, GM OPS IBG <gmops.ibg@sbi.co.in>, s.jaishankar@gov.in, piyush.goyal@gov.in, vipul.bansal@nic.in, alok.dwivedi21@nic.in, np.toppo13@nic.in, ramniwas.dgsnd@nic.in, aanchal.garg.04@gov.in, Chennai <chennai.chennai@bankofindia.co.in>, anil.verma2@bankofindia.co.in, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>

Without prejudice**Reminder**

Mr. R M P Rathnayake,
Deputy Secretary to the Treasury.
Colombo, Sri Lanka

Dear Mr. R M P Rathnayake,

Sub: Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC).

Ref: SBI, Colombo Mail dated 18.07.2023.

This is utterly unbecoming and unsavoury of your office in not returning our money yet. It is indubitable that your office is committing a big mistake in not arranging our payment. Instead your office has perpetrated a cardinal blunder by injudiciously, illegally returning our money to the buyer surreptitiously. Our shipments were performed vide Letters of credit issued by SBI Colombo. Once the documents are accepted by the buyer after settling money to SBI Colombo, the consignments are buyer's and money is our's. . It's diabolical on your part to return our money to the buyer. Indian Govt. has allowed you to use our money as a loan under credit facility extended to your country with an arrangement to settle us locally through SBI Gift City. If your office does not want to use our money as loan, your office should have returned the money to us through the proper channel. But instead you have breached the trust, our Govt. has reposed in you and committed an act tantamount to travesty of justice. Here I recall vividly, when called on in person, your Mr.Manjula Hettiarachi asserted that our money will never be returned to the buyer, come what may! Then, how our money is returned to the buyer stealthily on 17th July, 2023.

For all the inexpressible mental agony and inestimable loss caused to us through your biased, arbitrary and collusive acts, we hold your office liable to compensate us with an humongous

penalty. We once again strongly urge you to send our money immediately failing which we shall sue your organization through gubernatorial channels.

Regards,

E15

Yours sincerely,

M D Sivakumar
Omvishkar exports

[Quoted text hidden]

Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Thu, Oct 12, 2023 at 2:14 PM

To: Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>

Cc: Lakmini Gunawardana <gunawardana.kkslp@dfd.treasury.gov.lk>, Samantha Bandara <samantha@erd.gov.lk>, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, vivek.sharma74@mea.gov.in, Irina Thakur <com2.colombo@mea.gov.in>, com3.colombo@mea.gov.in, COMMERCIAL WING <com3.colombo.mea@nic.in>, creditlk <credit.lk@statebank.com>, vpcrlk <vpcr.lk@statebank.com>, chlk <ch.lk@statebank.com>, tradelk <trade.lk@statebank.com>, Presidential Secretariat <ps@presidentsoffice.lk>, Secretary Bureau <secbure@presidentsoffice.lk>, as2.secure@presidentsoffice.lk, wickremesinghe_r@parliament.lk, CGM IBG <cgm.ibg1@sbi.co.in>, GM OPS IBG <gmops.ibg@sbi.co.in>, s.jaishankar@gov.in, piyush.goyal@gov.in, vipul.bansal@nic.in, alok.dwivedi21@nic.in, np.toppo13@nic.in, ramniwas.dgsnd@nic.in, aanchal.garg.04@gov.in, Chennai <chennai.chennai@bankofindia.co.in>, anil.verma2@bankofindia.co.in, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>

Reminder

Mr. R M P Rathnayake,
Deputy Secretary to the Treasury.
Colombo, Sri Lanka

Dear Mr Rathnayake,

Apropos our recent mails, your inaction yet is highly deplorable and is causing immeasurable anguish to us. We again strongly urge you to make immediate amends in returning our money of USD 296,752.00 through the proper channel.

Your silence does not behove well for an organisation of your stature.

We persuade you to return our money forthwith.

Regards,
Yours sincerely,
M D Sivakumar
Omvishkar exports
India

[Quoted text hidden]

Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Mon, Oct 16, 2023 at 12:46 PM

To: Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>

Cc: Lakmini Gunawardana <gunawardana.kkslp@dfd.treasury.gov.lk>, Samantha Bandara <samantha@erd.gov.lk>, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, vivek.sharma74@mea.gov.in, Irina Thakur <com2.colombo@mea.gov.in>, com3.colombo@mea.gov.in, COMMERCIAL WING <com3.colombo.mea@nic.in>, creditlk <credit.lk@statebank.com>, vpcrlk <vpcr.lk@statebank.com>, chlk <ch.lk@statebank.com>, tradelk <trade.lk@statebank.com>, Presidential Secretariat <ps@presidentsoffice.lk>, Secretary Bureau <secbure@presidentsoffice.lk>, as2.secure@presidentsoffice.lk, wickremesinghe_r@parliament.lk, CGM IBG <cgm.ibg1@sbi.co.in>, GM OPS IBG <gmops.ibg@sbi.co.in>, s.jaishankar@gov.in, piyush.goyal@gov.in, vipul.bansal@nic.in, alok.dwivedi21@nic.in, np.toppo13@nic.in, ramniwas.dgsnd@nic.in, aanchal.garg.04@gov.in, Chennai <chennai.chennai@bankofindia.co.in>, anil.verma2@bankofindia.co.in, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>

Reminder

Mr. R M P Rathnayake,
Deputy Secretary to the Treasury.
Colombo, Sri Lanka

Dear Mr R M P Rathnayake,

We take strong exception to your deliberate inaction in the subject matter. We are repeatedly insisting you to return our money and your continued neglect of our claim is condemnable.

We persuade you to return our money today.

Regards,

Yours sincerely,
M D Sivakumar
Omvishkar exports

[Quoted text hidden]



Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC

Indian Credit Line <indiancredit@mo.treasury.gov.lk> Tue, Oct 17, 2023, 9:58 AM
To: "omvishkarexports@gmail.com" <omvishkarexports@gmail.com>
Cc: Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>, Lakmini Gunawardana <gunawardana.kksp@dfd.treasury.gov.lk>, Samantha Bandara <samantha@erd.gov.lk>, Manj <hettiarachchi.pmk@dfd.treasury.gov.lk>, "vivek.sharma74@mea.gov.in" <vivek.sharma74@mea.gov.in>, Irina Thakur <com2.colombo@mea.gov.in>, "com3.colombo@mea.gov.in" <com3.colombo@mea.gov.in>, COMMERCIAL WING <com3.colombo.mea@nic.in>, creditlk <credit.lk@statebank.com>, vpcrlk <vpcr.lk@statebank.com>, chlk <ch.lk@statebank.com>, <trade.lk@statebank.com>, Presidential Secretariat <ps@presidentsoffice.lk>, Secretary Bureau <secbure@presidentsoffice.lk>, "as2.secure@presidentsoffice.lk" <as2.secure@presid >, "wickremesinghe_r@parliament.lk" <wickremesinghe_r@parliament.lk>, CGM IBG <cgm.ibg1@sbi.co.in>, GM OPS IBG <gmops.ibg@sbi.co.in>, "s.jaishankar@gov.in" <s.jaishankar@gc >, "piyush.goyal@gov.in" <piyush.goyal@gov.in>, "vipul.bansal@nic.in" <vipul.bansal@nic.in>, "alok.dwivedi21@nic.in" <alok.dwivedi21@nic.in>, "np.toppo13@nic.in" <np.toppo13@nic.in>, "ramniwas.dgsnd@nic.in" <ramniwas.dgsnd@nic.in>, "aanchal.garg.04@gov.in" <aanchal.garg.04@gov.in>, Chennai <chennai.chennai@bankofindia.co.in>, "anil.verma2@bankofindia.co.in" <anil.verma2@bankofindia.co.in>, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>

Dear Mr Sivakumar,

This refers to the trailing mail regarding the above.

We would like to inform you that status of the referred matter has already been communicated to High Commission of India, the official channel of the Facility.

Regards,

Indian Credit Facility Coordinating Unit (ICFCU)

Room No. 209

Ministry of Finance

Colombo 01.

Tele: 011-2484600 Ext. 2207, 2002

Email: indiancredit@mo.treasury.gov.lk

Website: www.treasury.gov.lk

From: Deputy Secretary to the Treasury-R
Sent: Tuesday, October 17, 2023 9:58 AM
To: Indian Credit Line
Subject: FW: Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC)

From: OMVISHKAR EXPORTS [mailto:omvishkarexports@gmail.com]
Sent: Monday, October 16, 2023 12:47 PM
To: Deputy Secretary to the Treasury-R
Cc: Lakmini Gunawardana; Samantha Bandara; Manjula Hettiarachchi; vivek.sharma74@mea.gov.in; Irina Thakur; com3.colombo@mea.gov.in; COMMERCIAL WING; creditlk; Presidential Secretariat; Secretary Bureau; as2.secure@presidentsoffice.lk; wickremesinghe_r@parliament.lk; CGM IBG; GM OPS IBG; s.jaishankar@gov.in; piyush.goyal@mea.gov.in; vipul.bansal@nic.in; alok.dwivedi21@nic.in; np.toppo13@nic.in; ramniwas.dgsnd@nic.in; aanchal.garg.04@gov.in; Chennai; anil.verma2@bankofindia.co.in; Sitaram Devasena
Subject: Re: Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Mishandling of our money USD 296,752.00 settled by SBI Colombo under LC bearing No.25122LU00020 and 25122LU00021 (Issued on behalf of M/s. Convenience Foods Lanka PLC

OMVISHKAR EXPORTS <omvishkarexports@gmail.com>

Wed, Oct 18, 2023 at 4:16 PM

To: Indian Credit Line <indiancredit@mo.treasury.gov.lk>

Cc: Deputy Secretary to the Treasury-R <dstr@mo.treasury.gov.lk>, Lakmini Gunawardana <gunawardana.kkslp@dfd.treasury.gov.lk>, Samantha Bandara <samantha@erd.gov.lk>, Manjula Hettiarachchi <hettiarachchi.pmk@dfd.treasury.gov.lk>, "vivek.sharma74@mea.gov.in" <vivek.sharma74@mea.gov.in>, Irina Thakur <com2.colombo@mea.gov.in>, "com3.colombo@mea.gov.in" <com3.colombo@mea.gov.in>, COMMERCIAL WING <com3.colombo.mea@nic.in>, creditlk <credit.lk@statebank.com>, vpcrlk <vpcr.lk@statebank.com>, chlkl <ch.lk@statebank.com>, tradelk <trade.lk@statebank.com>, Presidential Secretariat <ps@presidentsoffice.lk>, Secretary Bureau <secbure@presidentsoffice.lk>, "as2.secure@presidentsoffice.lk" <as2.secure@presidentsoffice.lk>, "wickremesinghe_r@parliament.lk" <wickremesinghe_r@parliament.lk>, CGM IBG <cgm.ibg1@sbi.co.in>, GM OPS IBG <gmops.ibg@sbi.co.in>, "s.jaishankar@gov.in" <s.jaishankar@gov.in>, "piyush.goyal@gov.in" <piyush.goyal@gov.in>, "vipul.bansal@nic.in" <vipul.bansal@nic.in>, "alok.dwivedi21@nic.in" <alok.dwivedi21@nic.in>, "np.toppo13@nic.in" <np.toppo13@nic.in>, "ramniwas.dgsnd@nic.in" <ramniwas.dgsnd@nic.in>, "aanchal.garg.04@gov.in" <aanchal.garg.04@gov.in>, Chennai <chennai.chennai@bankofindia.co.in>, "anil.verma2@bankofindia.co.in" <anil.verma2@bankofindia.co.in>, Sitaram Devasena <sitaram.devasena@bankofindia.co.in>, fmo@nic.in, nsitharaman@nic.in

Mr. R M P Rathnayake,
Deputy Secretary to the Treasury.
Colombo, Sri Lanka

Ref : your office mail dated 17th October, 2023

We have been continuously asking you to return our money but the same is denied to us wilfully without any compassion.

Your reply Dt 17/10/2023 is unacceptable and evasive. Notwithstanding your updation to Indian High Commission about the status of the matter, which we are unaware till this moment, you are answerable to us and irrevocably liable to return our money. The money collected by SBI Colombo against irrevocable Letters of credit under latest UCP clauses belongs to us and must be given to us. Your secret act of returning our money is an abetment to a grievous wrong and is done with audacity with utter disregard to the ethics.

I once again forcefully urge to return our money immediately. Your inaction all these months have caused serious setback to my health and before it is too late, I hope you will make amends to avoid tragedy to my family.

Reading in copy: As the sole sufferer in this matter, since late 2022, I have been writing to all the Honourable officials with copies of guidelines, correspondence etc to get me justice. I would once again fervently appeal to all the Honourable officials to ask the ICFCU to return our money immediately to our account.

Regards,
Yours sincerely,
M D Sivakumar

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On Tue, Oct 17, 2023 at 12:27 PM Indian Credit Line <indiancredit@mo.treasury.gov.lk> wrote:

[Quoted text hidden]