

Government of India
Ministry of Commerce & Industry
Directorate General of Foreign Trade
Udyog Bhawan, New Delhi -110011

F.No. 18/61/18-19/ECA-I | 416

Date of Order: 10.01.2020

Date of Dispatch: 13.01.2020

Name of the Applicant:

Dulari Exports Pvt. Ltd.,
D 14/4 Okhla Industrial Area, Phase-II,
New Delhi-110020.

IEC No.

0588078557

Order reviewed against:

Order-in-Original No. 05/36/21/1231/AM04/
EPCG.I/ CLA dated 15.01.2018 passed by
Asstt. DGFT, CLA, New Delhi.

Order-in-Review passed by:

Shri Amit Yadav, DGFT

Order-in-Review

Dulari Exports Pvt. Ltd., New Delhi (here-in-after referred to as 'the petitioner') filed a Review Petition dated 10.12.2018 against Order-in-Original No. 05/36/21/1231/AM04/EPCG.I/CLA dated 15.01.2018 passed by Asstt. DGFT, CLA, New Delhi, imposing a penalty of Rs. 40,000/- on it for non-fulfilment of export obligation against EPCG Authorisation No. 0530135469 dated 30.12.2003.

Facts of the case:

2. The petitioner obtained an EPCG Authorisation No. 0530135469 dated 30.12.2003 from office of the Zonal Addl. DGFT, CLA, New Delhi, as per provisions of the Foreign Trade Policy (FTP) prevalent during that period, for import of capital goods for a Duty Saved Value of Rs. 408227/- with an obligation to export products manufactured with the same and similar machinery, for an FOB value of Rs. 3265816/- (US\$ 68251.11) to be completed within a period of 8 years from the date of issue of the Authorization. As per condition of the Authorization, the petitioner was required to submit the prescribed documents showing fulfilment of obligation within a time frame as mentioned in the FTP.

2.1 The export obligation period expired on 29.12.2011. The petitioner did not furnish any document showing fulfilment of export obligation. A Show Cause Notice was issued to the petitioner for taking action under section 11(2) of the Foreign Trade (Development & Regulation) Act, 1992, (here-in-after referred to as 'the Act') as

