F.No. 01/36/218/42/AM-21/EPCG

MINUTES OF 3rd MEETING OF AM-21 OF THE EPCG COMMITTEE HELD UNDER THE CHAIRMANSHIP OF SHRI SATYAN SHARDA, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 2.45 PM ON 11.08.2020

I. The meeting was scheduled to be held on 10.08.2020 but was postponed to 11.08.2020.

II. The meeting was held on 11.8.2020 through Video Conferencing Mode on Cisco webex cyber meeting app due to Covid-19 restrictions (Meeting number: **170 053 6042.**

III. Following officers attended the meeting:

i. Shri Rajbir Sharma, Joint Director General of Foreign Trade, DGFT
ii. Shri Vaibhav Bhatnagar, OSD, Department of Revenue
iii. Shri A.K. Mishra, A.I.A, Ministry of Steel
iv. Shri Randheep Thakur, Deputy Director General of Foreign Trade, DGFT

IV. The Committee deliberated upon all the cases and following decisions were taken:

Sl. No	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
1.	M/s. Delphi-TVS Technologies, Limited, Chennai 01/60/162/725/AM20/PRC	0430003670 dated 03.05.2006	Request for condonation of procedural lapse in respect of EPCG authorization No. 0430003670 dated 03.05.2006	The Committee deliberated upon the case and decided to **defer** it for calling for a report from the RA.

2.	M/s. MS Plastic Technology Pvt. Ltd., Chennai 01/60/162/16/ AM21/PRC	0430012448 dated 13.05.2013	Request for relaxation for shortfall of Annual Average Export Performance (AAEP) in respect of EPCG Authorization	The party has informed that they have completed specific Export Obligation (EO) against the EPCG authorization within half of the EO period. However, the party has requested for waiver from maintenance of annual average EO due to decline in export orders for export products. The Committee deliberated upon the case and noted that annual average Export Obligation needs to be fulfilled first and decided to **reject** it as there is no merit in the case.
3.	M/s.AB Mauri India Pvt Ltd, Mumbai 01/60/162/26 1/AM20/PRC	0330004466 dated 08.10.2003	Request for condonation of delay in installation of capital goods beyond 18 months in respect of EPCG authorization	The party has informed that the EPCG authorisation was obtained for the import of Capital Goods and installation at factory address at Uran, Distt. Raigad, Maharashtra. The Capital Goods were imported vide BOE dated 20.01.2004. Due to unstable market condition, the unit was forced to shut down. After closure of the unit, the party obtained amendment in the license on 04.11.2004 for installation of Capital Goods at their Chiplun factory. After receipt of the amendment the capital goods were shifted to new location. RA, Mumbai in its report dated 18.12.2019 has submitted as under :- 1) The firm has fulfilled EO 79.48% in second block and 27.89% in third block. 2) Goods have been installed on 1.12.2005 and installation certificate submitted from a Chartered Engineer.

				3) ECA show-cause notice issued on 07.02.2014 to the firm for non-fulfilment of EO. The Committed deliberated upon the case and decided to **defer** the matter to call for comments from the party on the ECA action initiated by the RA.
4.	M/s. Mankind Pharma Ltd., New Delhi 01/60/162/31/ AM21/PRC	0530168379 dated 22.08.2016	Request for revalidation of EPCG Authorizatio n	The party has informed that they had imported Capital Goods vide BOE dated 04.10.2016. However, the BOE was filed for only 70% of the amount paid to the foreign supplier. When the party approached Customs for amendment in the BOE, the validity of EPCG authorization had expired on 21.02.2018. Therefore, the party has requested for revalidation of EPCG Authorization for a period of 3 months. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the case.
5.	M/s. Shiv Shakti Thermo (P) Ltd., U.P. 01/60/162/39/ AM21/PRC	1530000683 dated 07.03.2011	Request for acceptance of manual BRC's instead of E-BRC for redemption in respect of EPCG Authorizatio n	The Committee deliberated upon the case and decided to **defer** the case for calling for a report from the RA.
6.	M/s. Ashok Jain Shawl Emporium Pvt. Ltd.,	3030011255 dated 27.06.2013	Request for acceptance additional EPCG	The party has requested to allow regularization of late payment of additional fee to cover excess imports.

	Ludhiana 01/60/162/03/ AM21/PRC		License fee under excess duty utilized amount against EPCG Authorization	The Committee noted that in this regard, para 5.16 (a) of HBP 2015-20, as amended, provides that if authorization issued has been utilized for import of goods in excess of duty saved amount indicated on the authorization by not more than 10%, the RA may accept additional fee to cover excess imports effected, in terms of duty saved amount, even beyond one month but within two years of the excess import taking place, subject to payment of composition fee of Rs. 5000/- per authorization. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** for condonation of procedural lapse of delay of more than a month in payment of fee for excess duty saved amount as envisaged in the para 5.16(a) of HBP 2015-20, subject to payment of composition fee of Rs. 5000/- and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisation. **This has the approval of DG.**
7.	M/s. Basic Hitech Furniture Pvt. Ltd., Chennai 01/60/162/881/AM20/PRC	0430008175 dated 03.02.2010	Request for relaxation of the policy under Para 2.58 oftheFTP2015-20 requesting: 1. Extension	The party has submitted the following :- 1. They did not get export orders to fulfil the EO within the EO period. However, they have made substantial direct exports from March, 2019 to August, 2019 which will

			of EPCG License for 4 years for EPCG License No. 0430008175 dt. 03.02.2010 2. To condone the delay in filing of application for EOP extension 3. To condone the procedural lapse of not mentioning the EPCG License no. on the Direct Export Shipping Bills	help in fulfilling the EO to redeem the license. The party is seeking extension in EOP for 4 years. 2. The delay in seeking extension in EOP beyond 03.02.2016 was due to the fact that the management was not aware that this licence was pending. The delay in applying for EOP extension may please be condoned. 3. They have exported the export items as mentioned on the EPCG license but they inadvertently did not mention the EPCG license on the Shipping Bills. The party seeks condonation of this procedural lapse. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the case.
8.	M/s. Asia Pulp & Papers Pvt. Ltd., Bangalore 01/60/162/922/PRC/EPCG	0730010061 dated 04.05.2011	Request for extension in E.O. period in respect ofEPCG LicenceNo. 0730010061 dt. 04.05.2011 and also requisition to	The party has submitted the following :- 1. All Shipping Bills were assessed as free Shipping Bills since no export benefits were claimed and also the EPCG authorization number and date were not mentioned on them. The party is

			consider free shipping Bills towards EO	requesting for considering these Bill towards EO. 2. Export to the extent of 59.67% in US dollars and 38.36% in INR is covered beyond original EOP. The party is seeking extension in EOP. The Committee deliberated upon the case and noted that the extended EOP has already expired on 03.05.2019. It was decided to **reject** the request as there is no merit in the case.
9.	M/s. India Crank Manufacturing Co., Rajkot 01/60/162/17/AM21/PRC	2430000900 dated 05.03.2008	Request for counting of Export of Alternate Products in EO and Extension of EOP	The Committee deliberated upon the case and decided to **defer** the case for calling for a report from the RA.
10.	M/s. Thermosol Glass Pvt. Ltd., Gujarat 01/60/162/950/AM20/PRC	0830004636 dated 19.01.2012	Request for relaxation under Para 2.58 of FTP 2015-20 for extension of EOP for further 4 years' time period in respect of EPCG Authorization 0830004636 dt. 19.01.2012	The Committee noted that the request of the party for extension in Export obligation period (EOP) for a period of 2 years was earlier taken up by the EPCG Committee on 24.01.2020 and rejected being devoid of merit for the reason that in the allocated EOP, party has not made any exports. The Committee deliberated upon the request for extension in EOP for a period of 4 years and decided to **reject** it as there is no merit in the request.
11.	M/s.	0830004980	Request for	The Committee noted that the

	Thermosol Glass Pvt. Ltd., Gujarat 01/60/162/951/AM-20/PRC/EPCG	dated 25.07.2012	relaxation under Para 2.58 of FTP 2015-20 for extension of EOP for further 4 years' time period in respect of EPCG Authorization 0830004980 dt. 25.07.2012.	request of the party for extension in Export obligation period (EOP) for a period of 2 years was earlier taken up by the EPCG Committee on 24.01.2020 and rejected being devoid of merit for the reason that in the allocated EOP party has not made any exports. The Committee deliberated upon the request for extension in EOP for a period of 4 years and decided to **reject** it as there is no merit in the request.
12.	M/s. Shantilal& Bros, Mumbai 01/60/162/915/AM-20/PRC	0330040346 dated 01.12.2014	Request for regularisation of excess duty utilized on EPCG import relaxation of condonation in respect of EPCG Licence No. 0330040346 dt. 01.12.2014	The party has requested to allow regularization of late payment of additional fee to cover excess imports. The Committee noted that in this regard, para 5.16 (a) of HBP 2015-20, as amended, provides that if authorization issued has been utilized for import of goods in excess of duty saved amount indicated on the authorization by not more than 10%, the RA may accept additional fee to cover excess imports effected, in terms of duty saved amount, even beyond one month but within two years of the excess import taking place, subject to payment of composition fee of Rs. 5000/- per authorization. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** for condonation of procedural lapse of delay of more than a month in

				payment of fee for excess duty saved amount as envisaged in the para 5.16(a) of HBP 2015-20, subject to payment of composition fee of Rs. 5000/- and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisation. **This has the approval of DG.**
13.	M/s. Tejas Chandulal Savla, Mumbai 01/60/162/936/AM-20/PRC	0330035693 dated 08.05.2013	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence No. 0330035693 dt. 08.05.2013	The party has requested to allow regularization of late payment of additional fee to cover excess imports. The Committee noted that in this regard, para 5.16 (a) of HBP 2015-20, as amended, provides that if authorization issued has been utilized for import of goods in excess of duty saved amount indicated on the authorization by not more than 10%, the RA may accept additional fee to cover excess imports effected, in terms of duty saved amount, even beyond one month but within two years of the excess import taking place, subject to payment of composition fee of Rs. 5000/- per authorization. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** for condonation of procedural lapse of delay of more than a month in payment of fee for excess duty saved amount as envisaged in the para 5.16(a) of HBP 2015-20, subject to payment of composition fee of Rs. 5000/- and to the condition that the excess utilization

				is not more than 10% of duty saved mentioned in the subject EPCG authorisation. **This has the approval of DG.**
14.	M/s. Globion India Pvt. Ltd., Secundrabad 01/60/162/786/AM20/PRC/EPCG	i.0930004293 dated 12.08.2008 ii.0930004596 dated 15.12.2008 iii.0930004646 dated 06.01.2009 iv.0930004910 dated 28.05.2009 v. 0930005301 dated 13.11.2009 vi.0930005302 dated 13.11.2009	Request for extension of Export Obligation period upto June, 2022 w.r.t.3% EPCG Authorisation No. 930005196 dated 5.10.2009 and regularization of exports made outside EO period up to December 2019 w.r.t. six 3% EPCG Authorisation Nos. 930004293 dated 12.8.2008, 930004596 dated 15.12.2008, 930004646 dated 6.1.2009, 930004910 dated 28.5.2009, 930005301 dated 13.11.2009, & 930005302 dated	The Committee noted that the request of the party is for: 1. Extension in EOP for a period upto June, 2022 for 1 EPCG authorisation, and 2. Regularization of exports made outside the EO period for 6 EPCG authorisations without payment of composition fee. The justification given by the party is that the EO could not be completed in the allocated EOP due to unavoidable statutory and technical requirements including termination of their contract with their JV partner. Now, they are in a position to fulfil the stipulated EO provided their EO period is extended. The party also claims to have completed the EO against 6 EPCG licenses after expiry of the stipulated EOP. The Committee deliberated upon the case and decided to **reject** it as the grounds cited are generic and there is no merit in the request for further extension in the EOP period/regularization of exports without payment of composition fee in respect of the subject EPCG authorisations.

			13.11.2009 without any composition fee, etc., on Block-wise and EO Extension periods.	
15.	M/s Shri Ganga Kripa Granite, Jaipur 01/60/162/43/ AM21/PRC	1330000932 dated 05.05.2005	Request for one time relaxation in Export Obligation period in respect of EPCG License No. 1330000932 dt. 05.05.2005	The Committee deliberated upon the case and decided to **defer** the case for calling for a report from the RA.
16.	M/s. Printex Art, Ludhiana 01/60/162/95 5/AM-20/PR C/EPCG	3030013439 dated 07.01.2015	Request for acceptance additional EPCG Licence fee under excess duty utilized amount against EPCG Licence No. 3030013439 dt. 07.01.2015	The party has requested to allow regularization of late payment of additional fee to cover excess imports. The Committee noted that in this regardpara 5.16 (a) of HBP 2015-20, as amended, provides that if authorization issued has been utilized for import of goods in excess of duty saved amount indicated on the authorization by not more than 10%, the RA may accept additional fee to cover excess imports effected, in terms of duty saved amount, even beyond one month but within two years of the excess import taking place, subject to payment of composition fee of Rs. 5000/- per authorization. The Committee deliberated upon the case and decided to **recommend**

				to DG for relaxation under Para 2.58 of FTP 2015-20 for condonation of procedural lapse of delay of more than a month in payment of fee for excess duty saved amount as envisaged in the para 5.16(a) of HBP 2015-20, subject to payment of composition fee of Rs. 5000/- and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisation. **This has the approval of DG.**
17.	M/s. Phils Heavy Engineering Pvt. Ltd., Mumbai 01/60/162/954/AM-20/PRC	0330046088 dated 02.01.2017	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence No. 0330046088 dt. 02.01.2017.	The party has requested to allow regularization of late payment of additional fee to cover excess imports. The Committee noted that in this regardpara 5.16 (a) of HBP 2015-20, as amended, provides that if authorization issued has been utilized for import of goods in excess of duty saved amount indicated on the authorization by not more than 10%, the RA may accept additional fee to cover excess imports effected, in terms of duty saved amount, even beyond one month but within two years of the excess import taking place, subject to payment of composition fee of Rs. 5000/- per authorization. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** for condonation of procedural lapse of delay of more than a month in payment of fee for excess duty saved amount as envisaged in the

				para 5.16(a) of HBP 2015-20, subject to payment of composition fee of Rs. 5000/- and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisation. **This has the approval of DG.**
18.	M/s. Falcon Marine Exports Ltd., Kolkata 01/36/218/15/AM-21/EPCG	i.0230011584 dated 08.02.2016 ii.0230011316 dated 20.05.2016 iii.0230011371 dated 06.06.2016, iv.0230011370 dated 06.06.2016 v.0230011416 dated 16.06.2016 vi.0230011966 dated 25.11.2016 vii.0230011972 dated 29.11.2016 viii.0230012525 dated 06.01.2017 ix.0230012182 dated 30.01.2017 x.023001225	Request for change in installation address in respect of capital goods imported under EPCG authorizations	The party has requested for change in installation address/regularization of shifting of capital goods imported against thirteen (13) EPCG authorizations. The Committee took into account the submission of the party that the subject EPCG Authorizations were issued with the place of installation of the imported capital goods mentioned as 'Falcon Marine Exports Limited, Plot No. 51A/51B, Industrial Estate, Patia, Bhubaneswar, Odisha - 751024' but due to operational reasons, the imported capital goods have been installed at 'Falcon Marine Export Ltd., Jaimangalpur, Tangi, Dist. Khordha, Odisha'. The party has submitted that both the plants are their branches, duly declared in their IEC (No. 2388000211) and also in the Industrial Entrepreneurs Memorandum (IEM) issued to Jaimangalpur unit. The Committee deliberated upon the case and noted that as per para 5.04 of HBP 2015-20, the authorization holder shall be

		9 dated 24.02.2017 xi.0230012257 dated 24.02.2017 xii.0230012333 dated 21.03.2017 xiii.0230012258 dated 24.02.2017		permitted to shift capital goods during the entire export obligation period to other units mentioned inthe IEC and RCMC of the authorization holder subject to production of fresh installation certificate to the RA concerned within six months of theshifting. The Committee also noted that the party has submitted the Chartered Engineer’s certificate in respect of all the EPCG Authorisations. The Committee decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to allow change in installation address/regularization of installation of the capital goods from 'Falcon Marine Exports Limited, Plot No. 51A/51B, Industrial Estate, Patia, Bhubaneswar, Odisha - 751024'to 'Falcon Marine Export Ltd., Jaimangalpur, Tangi, Dist. Khordha, Odisha', subject to verification that the party sends the Chartered Engineer’s certificate in respect of all the EPCG Authorisations to the Jurisdictional Customs Authority for intimation/record and further verification that the name and address of the new place of installation is endorsed on the IEC and RCMC of the party. The party shall also make a payment of Rs. 5000/- as composition fee against the Authorisations where the CE Certificate has been produced beyond six months from date of completion of import as per para 5.04 of HBP 2015-20.Further, RA to verify that no ECA/DRI/ Customs action has been initiated against the party.

				This has the approval of DG.
19.	M/s. Mittal Corp Ltd.,Bhopal 01/36/218/27/AM-21/EPCG	1130002236 dated 29.08.2011	Request for 2nd extension up to 28.08.2021 in respect of EPCG Licence no. 1130002236 dt. 29.08.2011	The Committee noted that the extended Export obligation period (EOP) of the Zero duty EPCG authorisation No. 1130002236 dated 29.08.2011expired on 28.08.2019. The party is seeking second extension in the EOP upto 28.08.2021 in respect of the subject EPCG authorization. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the request.
20.	M/s. Roki Minda Co Pvt Ltd, Rewari 01/36/218/354/AM-20/EPCG	0530164764 dated 28.04.2015	Request for condonation of delay in payment of fee for excess utilisation in respect of EPCG authorisation no.0530164764 dated 28.04.2015.	The party has requested to allow regularization of late payment of additional fee to cover excess imports. The Committee noted that in this regard, para 5.16 (a) of HBP 2015-20, as amended, provides that if authorization issued has been utilized for import of goods in excess of duty saved amount indicated on the authorization by not more than 10%, the RA may accept additional fee to cover excess imports effected, in terms of duty saved amount, even beyond one month but within two years of the excess import taking place, subject to payment of composition fee of Rs. 5000/- per authorization. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** for condonation of procedural lapse of

				delay of more than a month in payment of fee for excess duty saved amount as envisaged in the para 5.16(a) of HBP 2015-20, subject to payment of composition fee of Rs. 5000/- and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisation. **This has the approval of DG.**
21.	M/s.Dalmia Cement (Bharat) Ltd, New Delhi 01/37/218/161/AM-20/EPCG	i.0230002133 dated 06.02.2007 ii.0230002194 dated 02.03.2007 iii.0230002938 dated 16.01.2008 iv.0230003121 dated 24.03.2008 v.0230003166 dated 07.04.2008 vi.0230003729 dated 23.10.2008	Request for condonation of procedural lapse for mentioning wrong EPCG Authorization Number in Shipping Bills.	The party has submitted that due to oversight and human error, incorrect EPCG authorisation number was mentioned on 182 shipping Bills in which EPCG authorisation No. 0530169559 dated 31.01.2017 was incorrectly mentioned instead of the six (06) subject EPCG authorisations for which the export obligation is intended to be counted (The list of 182 Shipping Bills will be sent to the RA separately). The Committee took into account the report of the RA dated 14.07.2020 informing that the 6 subject EPCG authorisations have not been redeemed and the Shipping Bills are not free Shipping Bills and 100% EO has been fulfilled through third party exports within the extended EO period. The Committee deliberated upon the case and decided **to recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** condonation of wrong mentioning of the EPCG authorization 0530169559 dated 31.01.2017 in 182 Shipping Bills instead of the 6 EPCG

				authorisations No. 0230002133dated 06.02.2007, 0230002194 dated 02.03.2007, 0230002938 dated 16.01.2008, 0230003121 dated 24.03.2008, 0230003166 dated 07.04.2008 and 0230003729 dated 23.10.2008. The above recommendation is subject to the condition that:- (i) The party had not submitted 182 shipping bills to the RA for redemption of the subject six EPCG Authorization. RA to verify this aspect carefully. (ii) The concerned six EPCG authorisations have not been redeemed. (iii) These are not free shipping bills. (iv) All the EPCG Authorisations under consideration have the same export product. (v) All the EPCG Authorisations under consideration are issued in the same Policy period. (vi) The export in these 182 shipping bills has been made within the EOP endorsed on the EPCG Authorisations. (vii) The specific export obligation that was to be fulfilled within the Block and within the EOP has been fulfilled within the valid EOP. (viii) There is no double counting of exports. These Shipping Bills have not been/shall not be considered towards the discharge of E.O. against

				any other EPCG Authorisation. (ix) Annual Average EO, if imposed, has to be maintained in respect of the EPCG Authorisations. (x) Payment of a composition fee of Rs. 200/- per export document is to be made by the party. (xi) Any investigation/adjudication proceeding by DRI/ Customs/ ECA action is not pending in respect of the subject EPCG authorisations. **This has the approval of DG.**
22.	M/s. Kumaran Fishnets Export Corporation, Nagarcoil, Tamil Nadu 01/36/218/384/AM-20/EPCG	i.3530002251 dated 21.12.2006 ii.3530003206 dated 29.04.2008	Request approval for clubbing permission of two EPCG Authorizations No. 3530002251 dt 21.12.2006 & 3530003206 dt. 29.04.2008	The Committee deliberated upon the case and decided to **defer** the case for calling for a report from the RA.
23.	Transformers and Electricals Kerala Limited, Dist. Ernakulam, Kerala 01/36/218/353/AM-20/EPCG	1030002036 dated 01.09.2011	Request for Waiver of Average Export Obligation on EPCG Authorisation No. 1030002036 dated 01.09.2011	The party has informed that their Average EO was fixed on the basis of a windfall export that came to them during the preceding three years as on the date of application. The boom in exports for the years 2008-09, 2009-10 and 2010-11 was due to a number of power projects coming up in Oman and since they exclusively supply to Oman, the exports in the future years from 2010-11 dwindled. Therefore, the

				party has requested for waiver from maintenance of annual Average EO. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the case.
24.	M/s. Finproject India Pvt Ltd., Jaipur 01/36/218/384/AM-14/EPCG-I	i.1330003044 dated 05.10.2011 ii.1330003046 dated 14.06.2011	Request for amendment in place of installation in respect of EPCG Authorization Nos. 1330003044 dated 05.10.2011 and 1330003046 dated 14.06.2011	The Committee deliberated upon the case and decided to **defer** the case for calling for a report from the RA.
25.	M/s. TijariaPolypipes Ltd, Jaipur 01/36/218/130/AM-20/EPCG	1330002899 dated 01.02.2011	Review-Extension of EOP by another 2 years in respect of Zero duty EPCG Licence No. 1330002899 dt. 01.02.2011	The case was listed before Committee on 10.01.2020 wherein the following decision was taken :- *“The Committee noted that the party has requested for second extension in EOP for two years in respect of Zero Duty EPCG Authorisation. The Party had imported machinery to manufacture yarn from pet bottle scrap. The export product was YARN manufactured from pet bottle scrap. The party says that it could not export the product because pet bottle scrap was restricted till April, 2016 and could be imported only with the permission of MOEF which was not very easy to obtain. Further, in April 2016, pet bottle scrap was completely banned. They could get the scrap locally but this*

				became quite a struggle. *The Committee heard the representative of the party who appeared for the PH. The Committee noted that in addition to export of YARN manufactured from pet bottle scrap, the export product included many other items like PVC Pipes, HDPE Pipes, Tubes of polyethylene etc. but the party has fulfilled only 40.44% of the EO.* *The Committee deliberated upon the case and opined that under the circumstances there is no merit in the request and thus decided to reject it."* The Committee deliberated upon the review application and noted that the party has submitted that their request for EOP extension was not accepted on the grounds that instead of yarn they could have exported some other items (PVC, HDPE pipes) which were endorsed on their licence.In this regard, the party has submitted that the transportation charges for PVC pipes, HDPE pipes, Tubes of polyethylene etc. were very high as compared to material cost and hence they were unable to obtain the order for export and submitting the request for review. The Committee deliberated upon the review application and noted that there is no merit in accepting the request. Therefore, it was decided to maintain the **rejection**.
26.	M/s Suryalakshmi	i.0930012360 dated	Request for:	The Committee noted that the request of the party is to allow

	Cotton Mills Ltd.,Hyderabad 01/36/218/43/AM-21/EPCG	08.09.2016 ii.0930012479 dated 20.10.2016	1. Transfer (change) of factory address in respect of EPCG License Nos. 0930012360 dt. 08.09.2016 & 0930012479 dt. 20.10.2016. 2. To add additional Export Product in EPCG License No. 0930012479 dt.20.10.2016	addition of a new export product Denim Fabric same in the subject two EPCG Authorizationsand shifting of imported CGs to new location due to certain commercial reasons. The Committee deliberated upon the case and noted that as per para 5.03 (d) of HBP 2015-20, an application for amendment in the list of export item(s) including addition(s)/deletion(s) if any, may be filed with RA concerned provided the ExportObligation Periodofthe authorisation is valid and the CGhas nexus with export product. The applicant would give justification for seeking such amendment(s) along with fresh nexus certificatefromanindependentCharteredEngineer. The Committee also noted that as per para 5.04 of HBP 2015-20, the authorization holder shall be permitted to shift capital goods during the entire export obligation period to other units mentioned inthe IEC and RCMC of the authorization holder subject to production of fresh installation certificate to the RA concerned within six months of theshifting. The Committee deliberated upon the case and decided to **remand** the case to RA concerned for doing the needful in respect of the subject two EPCG Authorisations as per para 5.03(d) and para 5.04 of HBP 2015-20, subject to party fulfilling the conditions laid down in the said paras. The party would also be required to achieve the annual

				average export obligationin respect of the additional export item Denim Fabric in terms of para 5.04(b) of FTP 2015-20.
27.	M/s. Steel Strips Ltd, Ludhiana 01/36/218/17/ AM-21/EPC G	i.3030016008 dated 08.09.2016 ii. 3030016010 dated 08.09.2016 iii. 3030016016 dated 12.09.2016 iv. 3030016048 dated 27.09.2016 v. 3030016067 dated 29.0 9.2016 vi. 3030016141 dated 26.10.2016 vii. 3030016256 dated 20.12.2016 viii. 3030016374 dated 14.02.2017 ix. 3030016547 dated 26.04.2017 x. 3030016640 dated 08.06.2017 xi. 3030016694	Addition of same and similar products against 18 EPCG Authorization Nos.	The Committee noted that the request of the party as per their representation dated 01.06.2020 is to allow addition of same and similar products against 18 EPCG Authorization Nos. and shifting of certain imported CGs to new location. The Committee deliberated upon the case and noted that whereas the party wants to add the new export product Steel Wheel Rims in all the 18 Authorisations, it wants to shift the capital goods capable of manufacturing the Steel Wheel Rims from only three Authorisations. The Committee decided to call for clarification from the party on this issue, i.e., how is it going to manufacture the Steel Wheel Rims in respect of other Authorisations. The Committee also decided that the party may also produce an independent Chartered Engineer Certificate certifying that the capital goods imported against the 18 Authorisations can also manufacture Steel Wheel Rims.

		dated 24.07.2017 xii. 3030016832 dated 07.11.2017 xiii. 3030017018 dated 26.03.2018 xiv. 3030017019 dated 26.03.2018 xv. 3030017139 dated 29.06.2018 xvi. 3030017143 dated 29.06.2018 xvii. 3030017197 dated 27.07.2018 xviii. 3030017228 dated 27.08.2018		
28.	M/s. YSI Automotive Pvt Ltd, Tamil Nadu 01/37/218/349/AM-18/EPCG-II	i.0430005407 dated 25.09.2007 ii.0430005560 dated 21.11.2007 iii.0430007277 dated 08.04.2009 iv.0430008225 dated 19.02.2010 v.0430009951 dated	Review – Request for allowing for fulfilment of EO through third party export and shipping bills of third party exporter towards redemption.	The case was listed before Committee on 24.05.2019 wherein the following decision was taken :- *"The Committee noted that the party has requested for allowing for fulfillment of EO through third party, i.e., M/s. Glovis India Pvt Ltd. The third party shipping bills are neither endorsed with the EPCG Authorisations nos. and date, nor is endorsed with M/s.YSI Automotive Pvt Ltd as supporting manufacturer at the time of export.*

		08.06.2011 vi.043001018 4 dated 16.08.2011 vii.04300108 92 dated 24.02.2012 viii.0430012 957 dated 24.02.2013		*The Committee further noted that as per RA's report the party has not submitted complete export documents to RA.* *The Committee deliberated upon the case and decided to* ***reject*** *the request as there is no merit in accepting such shipping bills towards export obligation fulfillment."* The Committee deliberated upon the review application and noted that the party has submitted that the thirdparty exports fall under the ambit of FTP para 5.7.1. ofFTP 2004-09 which allows to fulfil the EO with third party export. But EPCG authorisation number has not been mentioned in the Shipping Bills since M/s. Glovis India Pvt. Ltd. is a merchant exporter procuring materials from large number of vendors/supporting manufacturer who supply various components and parts that are used/assembled in Hyundai cars. In such circumstances, it is impossible for M/s. Glovis India Pvt. Ltd. to mention EPCG authorisation No. of each supporting manufacturer. Further, this process will not only hamper the export of M/s. Glovis India Pvt. Ltd. but also cause administrative inconvenience to the Customs Department. In view of this, the Shipping Bills could not be endorsed with the EPCG authorisation numbers and the party has requested for condonation of this lapse. The Committee deliberated upon

				the review application and noted that there is no merit in accepting Shipping bills without endorsement of EPCG authorisation number and date for counting towards fulfilment of Export obligation through the thirdparty exports. Therefore, the Committee decided to maintain the **rejection**.

DGFT = Directorate General of Foreign Trade, DG = Director General, FTP = Foreign Trade Policy, HBP v1 = Handbook of Procedure Vol. I, EO = Export Obligation, EODC = Export Obligation Discharge Certificate, EOP = Export Obligation Period, B.O.E.=Bill of Entry, EPCG = Export Promotion Capital Goods, RA = Regional Authority, BG = Bank Guarantee, FFE = Free Foreign Exchange, IEC = Importer-Exporter Code, DoR = Department of Revenue, IEM = Industrial Entrepreneurs Memorandum, RCMC = Registration-cum-Membership-Certificate.