

ADDENDUM

Minutes of PRC Meeting No.09/AM24 held on 07.07.2023 (EPCG Section – 23 cases from S.No. 46 to 68)

Meeting No. 09/AM24

Case No. 46 H.M. Enterprises, Kolkata
File No. HQREPCGPRAPP00000619AM23
Meeting No. 09/AM24 held on 07.07.2023

Subject: Condonation for late submission of Installation certificate obtained from Chartered Engineer instead of Central Excise against EPCG Authorization No. 0230006900 dt. 15.07.2011.

The applicant stated that they imported Capital Goods vide Bill of entry dt. 09.08.2011 and installed them on 14.08.2011. Due to ignorance, the firm could not submit the original Installation certificate to RA within the prescribed time period. As per Installation certificate issued by Chartered Engineer on 22.08.2011, Capital Goods were imported on 09.08.2011 and installed on 14.08.2011. Upon request, Commissioner of Custom (Port) Kolkata has issued a Utilization certificate on 03.02.2022.

Decision: The Committee went through the statements made by the applicant and noted that the applicant has not submitted any cogent reason/justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to **reject** the request.

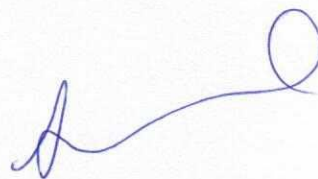
Case No. 47 YNG Steels Limited, Delhi
File No. HQRPRCAPPLY00004082AM23
Meeting No. 09/AM24 held on 07.07.2023

Subject: Condonation for late submission of Installation certificate obtained from Chartered Engineer instead of Central Excise against EPCG authorization No. 0530159531 dated 17.10.2012.

The applicant stated that the original installation certificate issued by Central Excise for import of dies and moulds along with original EPCG License, Shipping Bills, Bill of Entry etc. were misplaced/lost during transit. At the time of closure of authorisation, they have submitted Chartered Engineer certificate towards installation of the Capital Goods imported against the license and also 100% EO has been fulfilled.

Decision: The Committee went through the submission made by the applicant and concluded that genuine hardship is there in this case and therefore decided to accede to the request for accepting the installation certificate issued by Chartered Engineer in place of Central Excise Authority against **EPCG Authorization No. 0530159531 dated 17.10.2012** only for regularization purpose subject to the payment of composition fee amount of Rs. 25,000/-. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

Case No. 48 Planet Inc., Kolkata
File No. HQREPCGPRAPP00000529AM23
Meeting No. 09/AM24 held on 07.07.2023



Subject: Condonation for late submission of Installation certificate obtained from Chartered Engineer instead of Central Excise against EPCG Authorization No. 0230008325 dated 28.09.2012.

The applicant stated that they could not submit the installation certificate within the stipulated time due to ignorance about the policy and procedure and later due to Covid pandemic. As per Installation certificate dated 04.03.2013 issued by Chartered Engineer, Capital Goods were imported on 28.09.2012 and installed on 24.01.2013. The applicant is stating that they have already fulfilled the EO.

Decision: The Committee went through the statements made by the applicant and noted that the applicant has not submitted any cogent reason/justification in support of any genuine hardship faced by them. Accordingly, the Committee decided to **reject** the request.

Case No. 49 Citizen Umbrella Manufacture Ltd., Kolkata

File No. HQREPCGPRAPP00000531AM23

Meeting No. 09/AM24 held on 07.07.2023

Subject: Condonation for late submission of Installation certificate obtained from Chartered Engineer instead of Central Excise EPCG License No. 0230007154 dt. 19.09.2011.

The applicant vide letter dated 13.07.2021 requested for acceptance of installation certificate issued by Chartered Engineer instead of Central Excise. It was further stated that they had fulfilled EO and applied for EODC to RA. In response, RA issued Deficiency letter asking them to submit installation certificate issued by Central Excise. The request of the firm was filed before the EPCG Committee which was rejected.

In their application against the decision of the EPCG Committee, the firm has stated that they obtained the installation certificate issued by the Central Excise Authority but it was lost/misplaced. The Capital Goods imported under EPCG have been installed and certified by a Chartered Engineer and the EO has also been fulfilled.

Decision: The Committee went through the submission made by the applicant and concluded that genuine hardship is there in this case and therefore decided to accede to the request for accepting the installation certificate issued by Chartered Engineer in place of Central Excise Authority against **EPCG Authorization No. 0230007154 dt. 19.09.2011** only for regularization purpose subject to the payment of composition fee amount of Rs. 25,000/-. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

Case No. 50 Al-Dua Food Processing Pvt. Ltd., New Delhi

File No. HQRPRCAPPLY00003971AM23

Meeting No. 09/AM24 held on 07.07.2023

Subject: Condonation for late submission of Installation certificate obtained from Chartered Engineer instead of Central Excise against EPCG Authorization No. 0530161419 dt. 22.08.2013 - reg.

The applicant stated that double EO has been fulfilled within a year. After a change in the management in June 2018, the original documents of the EPCG Authorization were misplaced

during shifting of office. They obtained a copy of the EPCG license and a utilization report from the Tuglakabad Customs as well as the Installation Certificate in original from the Chartered Engineer who had earlier issued this certificate on 11.03.2014. The firm approached the Excise Department but no records were found as the license was very old. Also, the excise office has been converted into GST office in 2017.

Decision: The Committee went through the submission made by the applicant and concluded that genuine hardship is there in this case and therefore decided to accede to the request for accepting the installation certificate issued by Chartered Engineer in place of Central Excise Authority against **EPCG Authorization No. 0530161419 dated 22.08.2013** only for regularization purpose subject to the payment of composition fee amount of Rs. 25,000/-. The firm shall approach RA within 30 days from the date of uploading of the minutes of meeting.

Subject: Condonation for late submission of Installation certificate issued by Chartered Engineer against EPCG Authorizations

Case No.	Name of applicant
51	Mediblu Healthcare Pvt. Ltd., Hyderabad
52	Birla Corporation Limited , Kolkata
53	Silon Granito LLP, Gujarat
54	Bardhaman Agro Pvt. Ltd., Burdwan (West Bengal)
55	BBS Global Pvt. Ltd., Kolkata
56	PS Agro Industries, Jharkhand
57	Hemraj Industries Pvt. Ltd., Kolkata
58	Hemraj Industries Pvt. Ltd., Kolkata
59	Mikrotek Machines Limited, Bangalore
60	Krypton Industries Ltd., Kolkata
61	Hotel Rashmi Plaza, Cuttack
62	Hotel Rashmi Plaza, Cuttack
63	Hotel Rashmi Plaza, Cuttack
64	Chumbi Mountain Retreat, Pelling, West Sikkim
65	Vishal Metal Industries, Haryana
66	Nahar Paddy Industries, Chhattisgarh
67	Siddharth Agro Product, Chhattisgarh
68	Emmay Knitwears, Ludhiana

Decision: The Committee deliberated upon the cases and noted that there a large number of cases are pending with RAs where the EPCG authorization holders are either not able to regularize their cases or avail the Amnesty Scheme due to their inability to submit the Installation Certificate from Chartered Engineer within time. The Committee decided to refer to EPCG Section for issue of a general guideline/instruction for giving relief in such cases.

(Action: EPCG Section, DGFT HQ)

