F.No. 01/36/218/110/AM-21/EPCG

MINUTES OF 6TH MEETING OF AM-21 OF THE EPCG COMMITTEE HELD UNDER THE CHAIRMANSHIP OF Shri S.B.S. REDDY, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 3.00 PM ON 25.11.2020

I. The meeting was initially scheduled to be held on 6.11.2020. It was rescheduled to 25.11.2020.

II. The meeting was held on 25.11.2020 through Video Conferencing mode on Cisco webex cyber meeting app due to Covid-19 restrictions (Meeting Number: 1761578395)

II. 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 Vinay Kumar, AIA, Ministry of Steel
iv. Shri Shobhit Gupta, Deputy Director General of Foreign Trade, DGFT

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

Sl. No.	Firm's Name and Reference Number	EPCG Authorisation No.	Subject	Decision of the Committee
1.	M/s. Gujjar Industries., Ahmedabad 01/36/218/61/AM-20/EPCG	0830003770 dated 12.08.2010	Request for extension of EOP in respect of EPCG Authorization no. 0830003770 dt. 12.08.2010	The party seeks extension for 2 years against the subject EPCG authorisation issued under the Zero duty EPCG Scheme. The Committee noted that the party has fulfilled just over 60% of its EO against the subject EPCG Authorisation. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the request.
2.	Birladp Carpets Private Limited., Mumbai 01/36/218/82/AM-21/EPCG	0330026883 dated 12.08.2010	Request for extension of EOP in respect of EPCG Authorization no. 0330026883 dt. 12.08.2010.	The party seeks extension for 11 days against the subject EPCG authorisation issued under 3% duty EPCG Scheme after availing the benefit of Notification No. 57/2015-20 i.e., EPCG licenses expiring between 01.02.2020 and 31.07.2020 are automatically extended for a further period of six months from the date of such expiry on the grounds that their exports have been affected by Covid-19 pandemic. The Committee observed that it will not be appropriate for the EPCG Committee to give relaxation on case to case basis in case the exports are

				affected by Covid-19 pandemic. If the authorities decide to grant relief to all exporters affected due to Covid-19 pandemic, the firm may obtain relief under that condition. Under the circumstances, the Committee decided to **reject** the request.
3.	Sesha Tools Pvt. Ltd., Bangalore 01/36/218/90/AM-21/EPCG	0730011540 dated 13.08.2012	Request for extension of EOP in respect of EPCG Authorization no. 0730011540 dt. 13.08.2012.	The party seeks extension for 12 months against the subject EPCG authorisation issued under zero duty EPCG Scheme on the grounds that their exports have been adversely affected by Covid-19 pandemic. The Committee observed that it will not be appropriate for the EPCG Committee to give relaxation on case to case basis in case the exports are affected by Covid-19 pandemic. If the authorities decide to grant relief to all exporters affected due to Covid-19 pandemic, the firm may obtain relief under that condition. Under the circumstances, the Committee decided to **reject** the request.
4.	M/s Pavithra Toolings, Bangalore 01/36/218/95/AM-21/EPCG	0730009060 dated 25.06.2010	Request for 2 nd block EO extension in respect of EPCG Authorization no. 0730009060 dt. 25.06.2010 under concessional duty 3%.	The party seeks extension for 03 years against the subject EPCG authorisation issued under 3% duty EPCG Scheme. The Committee noted that the firm has fulfilled 28% EO in 2nd Block period in the subject EPCG Authorisation. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the request.
5.	Metal Forms Private Limited., Chennai 01/36/218/311/AM-20/EPCG	0430010366 dated 04.10.2011	Request for extension of EOP in respect of EPCG Authorization no. 0430010366 dt. 04.10.2011.	The party in its review application seeks 2nd extension up to 04.10.2021 against the subject EPCG authorisation issued under zero duty EPCG Scheme. The request of the firm was earlier considered in the EPCG Committee meeting held on 10.06.2020. The Committee had rejected the request observing that the firm's EO fulfilment position which was 24.57% then was meagre even after expiry of 08 years and there is no meritorious reason given by the firm for further extension. The Committee noted that the firm has now fulfilled 62.89% of EO in the subject EPCG Authorisation. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the request.

6.	Chandra Polyplast Pvt Ltd., Aurangabad 01/36/218/32/AM-21/EPCG	P-CG-0110918 dated 11.08.1999	Request for year-wise and overall extension of EO against EPCG License No. P-CG-0110918 dt. 11.08.1999 under 10% EPCG Scheme.	The Committee deliberated upon the case and decided to defer it for examination on file.
7.	M/s Century Pulp and Paper, Kolkata 01/36/218/96/AM-21/EPCG	0230003756 dated 06.11.2008	Request for EOP extension of 1 year in respect of EPCG Authorization no. 0230003756 dt. 06.11.2008 under concessional duty 3%.	The party seeks extension for one year against the subject EPCG authorisation issued under 3% duty EPCG Scheme after availing 02 years extension up to 06.11.2020 in terms of Para 5.11(a) of HBP 2009-14 upon payment of 50% Custom Duty in proportion to the fulfilled EO on the grounds that their exports have been adversely affected by Covid-19 pandemic. The Committee observed that it will not be appropriate for the EPCG Committee to give relaxation on case to case basis in case the exports are affected by Covid-19 pandemic. If the authorities decide to grant relief to all exporters affected due to Covid-19 pandemic, the firm may obtain relief under that condition. Under the circumstances, the Committee decided to **reject** the request.
8.	Bharat Heavy Electricals Ltd., Hardwar 01/36/218/100/AM-21/EPCG	6130000375 dated 21.12.2012	Request for condonation of delay in installation of capital goods imported under EPCG Authorization no. 6130000375 dt. 21.12.2012.	The Committee noted that the delay in installation of the Capital Goods of the party beyond the prescribed time period by six months is due to delay on the part of the supplier in review of the foundation design, supervision during foundation construction etc. and delays due to unforeseen problems in the machine like spindle leakage, mixing of cool and with hydraulic oil, taper issue during machine erection which are beyond the control of the firm. 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 delay of six months in installation of the Capital Goods subject to payment of composition fee of Rs. 5000/- and submission of installation certificate. **This has the approval of DG.**
9.	Bengal Energy Limited., Kolkata 01/36/218/76/AM-21/EPCG	0230004392 dated. 07.08.2009 0230004393dated.	Request for condonation of delay in export beyond 1 st Extension of EOP in respect of	The party seeks extension in the following EPCG authorisations issued under 3% EPCG Scheme on the grounds that their exports have been adversely affected by cyclone, floods etc.

		07.08.2009 0230004394 dated. 07.08.2009	EPCG Authorization Nos. 0230004392 dt. 07.08.2009, 0230004393 dt. 07.08.2009 & 0230004394 dt. 07.08.2009.	(i) 0230004392 dated. 07.08.2009 for 01 day (ii) 0230004393 dated. 07.08.2009 for 38 days (iii) 0230004394 dated. 07.08.2009 for 42 days 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 delay of 01 day in fulfilling the EO in respect of EPCG Authorisation No. 0230004392 dated 07.08.2009. The Committee decided to **reject** the request for extension in fulfilling the EO in other two authorisations viz. 0230004393 dated. 07.08.2009 and 0230004394 dated. 07.08.2009 as there is no merit in the request. **This has the approval of DG.**
10.	M/s The Highland Produce Co. Ltd., Cochin 01/36/218/88/AM-21/EPCG	1030001279 dated 09.01.2008	Request for endorsement of alternate products towards EO fulfillment in respect of EPCG Authorization No. 1030001279 dt. 09.01.2008.	The party has requested for considering alternate product exported by their group company for fulfilment of EO. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the request.
11.	Reliance Industries Ltd., Mumbai 18/163/AM-20/P-5	i. 0330038064 dated 18.02.2014 ii. 0330038416 dated 23.03.2014 iii. 0330040083 dated 27.10.2014 iv. 0330040123 dated 05.11.2014 v. 0330040783 dated 21.01.2015 vi. 0330040784 dated 21.01.2015 vii. 0330041493 dated 21.04.2015 viii. 0330042719	Clarification sought by RA, Mumbai regarding clubbing of EPCG licences issued to M/s Reliance Industries Ltd.	The party has requested for clubbing of 08 EPCG licenses of which 06 licenses were issued under policy period 2009-14 and 02 licenses issued during HBP 2015-20 under zero duty EPCG Scheme. The request made is on the grounds that clubbing is allowed as laid down in Para 5.18 of 2009-14 and 5.27 of 2015-20 of respective HBP. As per para 5.27(h) of the HBP (RE:2017)/2015-20, the EPCG Authorisations issued between Notification of HBP 2015-20 till the Notification of HBP 2015-20 (RE 2017) shall be governed by provisions contained in HBP 2015. The EPCG Notification of HBP 2015-20 shall be governed by the provisions contained in PN No. 1 dated 18.4.2013. The Committee after deliberation decided to withdraw the case and

		dated 06.10.2015		refer it to Policy Interpretation Committee.
12.	KCL Ltd. (formerly Khemka Containers Ltd.), New Delhi 01/36/218/61/AM-21/EPCG	0530142606 dated 12.12.2006	Request for issue EODC/Redemption letter in respect of EPCG Authorization No. 0530142606 dt. 12.12.2006.	The Committee noted that the party has made supplies to various 100% EOUs, under the deemed export category for fulfilment of EO in the subject EPCG Authorisation. The party applied to RA for EODC along with ARE-3 certificates. RA objected that the rubber stamp affixed on ARE-3 certificates showing EPCG Authorisation Number and date is without any authentication of concerned Central Excise Authority. The Committee noted the contention of the party that Central Excise Department is no longer in existence and GST has replaced that department. The Committee deliberated upon the case and decided to direct the party to approach the concerned GST authorities and obtain authentication on the ARE-3 certificates.
13.	Ramind Cold Forge Pvt. Ltd., Tamilnadu 01/36/218/380/AM-20/EPCG	0430009409 dated 14.01.2011	Request for regularization of shifting of capital goods in respect of EPCG Authorization No. 0430009409 dt. 14.01.2011.	The party has requested for change in installation address/regularization of shifting of capital goods imported against 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 '18, Corporation Road, Seevaram, Perungudi, Chennai-600096 but due to operational reasons, the imported capital goods have been installed at SIPCOT Industrial Complex, Phase-III, Mukundarayapuam, Ranipet-632405. The Committee deliberated upon the case and 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 in the IEC and RCMC of the authorization holder subject to production of fresh installation certificate to the RA concerned within six months of the shifting. The Committee also noted that the party has submitted the Chartered Engineer's certificate in respect of the EPCG Authorisation. 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 '18, Corporation Road, Seevaram,Perungudi,Chennai-600096to SIPCOT Industrial Complex, Phase-III, Mukundarayapuam, Ranipet-632405 subject to verification that the party sends the Chartered Engineer's certificate in respect of the EPCG Authorisation 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. **This has the approval of DG**.
14.	M/s. B.P Lipeds., Ludhiana 01/36/218/84/AM-21/EPCG	2230001603 dated 24.01.2011	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence No. 2230001603 dt. 24.01.2011.	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/- per authorisation and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of the period of two years of the excess import taking place. **This has the approval of DG.**

15.	Turbo Industries private Limited., Ludhiana 01/36/218/80/AM-21/EPCG	i.3030009343 dated 12.03.2012 ii.3030016782 dated 05.10.2017 iii.3030013381 dated 18.12.2014 iv.3030013382 dated 18.12.2014 v. 3030014605 dated 28.08.2015	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence Nos. 3030009343 dt. 12.03.2012, 3030016782 dt. 05.10.2017, 3030013381 dt. 18.12.2014, 3030013382 dt. 18.12.2014, 3030014605 dt. 28.08.2015.	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/- per authorisation and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of the period of two years of the excess import taking place. **This has the approval of DG.**
16.	Mahika Packaging (India) Ltd., Mumbai 01/36/218/87/AM-21/EPCG	0330020924 dated 08.08.2008	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence No. 0330020924 dt. 08.08.2008.	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/- per authorisation and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of the period of two years of the excess import taking place. **This has the approval of DG.**
17.	M/s. Global Packaging., Mumbai 01/36/218/282/AM-20/EPCG	0330034276 dated 16.11.2012	Request for condonation of delay in submission of enhancement fees in respect of EPCG Licence No. 0330034276 dt. 16.11.2012.	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/- per authorisation and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of

				the period of two years of the excess import taking place. **This has the approval of DG.**
18.	M/s D.R. Industries, Mohali 01/36/218/60/AM-21/EPCG	2230002754 dated 14.07.2016	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence No. 2230002754 dt. 14.07.2016.	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/- per authorisation and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of the period of two years of the excess import taking place. **This has the approval of DG.**
19.	Maharaja Shree Umaid Mills Ltd., Jaipur 01/36/218/111/AM-20/EPCG	i.0330026933 dated 18.08.2010 ii.0330017085 dated 10.08.2007	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence Nos. 0330017085dt. 10.08.2007 and 0330026933 dt. 18.08.2010.	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/- per authorisation and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of the period of two years of the excess import taking place. **This has the approval of DG.**
20.	Poddar Tyres Ltd., Ludhiana 01/36/218/92/AM-21/EPCG	3030013845 dated 30.03.2015	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence No. 3030013845 dt. 30.03.2015.	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/- per authorisation and to the condition that the excess utilization is not more

				than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of the period of two years of the excess import taking place. **This has the approval of DG.**
21.	Maccaferri Environmental Solutions Ltd.,Mumbai 01/36/218/278/AM-20/EPCG	0330021389 dated 23.09.2008	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence No. 0330021389 dt. 23.09.2008**.**	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/- per authorisation and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of the period of two years of the excess import taking place. **This has the approval of DG.**
22.	Balkrishna Industries Ltd., Mumbai 01/36/218/103/AM-21/EPCG	0330041300 dated 23.03.2015	Request for regularisation of excess duty credit utilized within 10% on EPCG Licence No. 0330041300 dt. 23.03.2015.	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, providesthat 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/- per authorisation and to the condition that the excess utilization is not more than 10% of duty saved mentioned in the subject EPCG authorisations. The party is also required to pay an additional composition fee of Rs. 5,000/- per authorisation for each year of delay beyond the expiry of the period of two years of the excess import taking place. **This has the approval of DG.**
23.	Saraf Infraprojects Ltd., Kolkata 01/36/218/67/AM-21/EPCG	0230006077 dated 07.12.2010 + 49 other licenses	Request for grant and exemption in fulfilling the Export Obligation in respect of EPCG License Nos. 0230006077 dt. 07.12.2010 + 49 other licenses.	The party vide letter dated 9.8.2020 has filed an application before the EPCG Committee for grant of relief and exemption under the para 2.58 of the FTP from fulfilling the EO imposed and issue of direction to RA, Kolkata to issue them Export Obligation Discharge Certificate (EODC) against the fifty EPCG authorisations issued to them by the RA, Kolkota. The Committee noted that the Hon'ble High Court of Calcutta vide order dated 10.9.2020 in the W.P.A. 6522 of 2020 IA No. CAN 1/2020 (Old No. CAN 5253/2020) in the case of M/s. Saraf Infra projects Limited & Anr. v/s. The Principal Commissioner of Customs (Port) & Ors. has, inter-alia, directed as under :- "..Since the application is pending. I am not going into the merits of the case. The EPCG committee is requested to consider the application filed by the petitioner on 9th August,

				2020 within four weeks from today. The committee is also requested to pass a reasoned order after giving opportunity of hearing, not only to the petitioner but also to the customs authority, if required.” In compliance of the order dated 10.9.2020, the firm was requested vide letter/e-mail dated 18.9.2020 to send the details of the representative who could attend hearing through teleconferencing. Notice of hearing was later sent on 25.9.2020 for the meeting of EPCG Committee to be held on 1.10.2020. In response, the party informed vide an e-mail dated 29.09.2020 that Shri Rajendra Singhvi, Advocate will be representing them during the scheduled hearing on 01.10.2020. Later, the counsel for the party informed vide e-mail dated 30.9.2020 that the record is quite bulky and as a result it is requested to adjourn the matter for minimum two weeks. It was requested to kindly fix any date once the regular hearing starts. The meeting of the EPCG Committee was postponed to 5.10.2020 and later further postponed to 14.10.2020. Notice of regular hearing for attending the meeting on 14.10.2020 was sent to the counsel of the party vide an e-mail dated 9.10.2020. The counsel of the party informed vide an e-mail dated 13.10.2020 as under :- “A fire took place at the premises of Mr Niket Saraf, the instructing person, on 8.10 at Kolkata and the same was widely reported in local news paper. Mr Niket is under tremendous trauma and as a result could not come to Delhi to instruct me and also to attend the personal hearing. Because of such unforeseen circumstances beyond our control, I request you to adjourn the matter for a week.” The Committee after deliberation decided to defer the case. The case was again considered in the EPCG Committee Meeting dated 06.11.2020. The advocate of M/s Saraf Infraprojects Ltd. informed that he has to submit large number of documents related to the case to the EPCG Committee before it decides upon the case. In a virtual meeting, it will not be possible for him to submit

				those documents. On the request of the advocate of the party, it was decided to defer the case for holding a physical meeting at another date. The documents have been received from the party. As these documents are bulky, the Committee decided to **defer** the case for consideration in the next meeting of the EPCG Committee.
24.	Kumaran Fishnets Export Corporation, Tamil Nadu 01/36/218/384/AM-20/EPCG	3530002251 dated 21.12.2006 3530003206 dated 29.04.2008	Request approval for clubbing permission of two EPCG Authorization No. 3530002251 dt 21.12.2006 & 3530003206 dt. 29.04.2008.	The Committee deliberated upon the case and decided to **defer** it for examination on file.

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.