MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 26.10.2015

Following officers attended the meeting:

a. Shri Akash Taneja, Joint Director General of Foreign Trade, DGFT
b. Shri D.K. Gupta, Director (DBK), Department of Revenue
c. Smt. Chitra Sharma, Deputy Director General of Foreign Trade, DGFT
d. Shri Kumar Rahul, Deputy Director General of Foreign Trade, DGFT
e. Shri S.K. Kala, Foreign Trade Development Officer, DGFT
f. Shri A.S. Chauhan, Foreign Trade Development Officer, DGFT

II. Minutes of the last Meeting held on 21.09.2015 were confirmed.

III. 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 Cheema Boilers Limited, Chandigarh 01/36/218/312/AM-14/EPCG-I	2230001931 dated 08.02.2012 2230001840 dated 08.09.2011	Regularization of shifting of capital goods	The Committee took into account, the submission of the party that they had obtained the subject authorization for their manufacturing unit located at Village Banmajra, Kurali, District Ropar, Punjab and Village Dhang Nihil Jagatkhana, Solan (HP). However, they had shifted the entire plant and machinery to their unit No. II , Village Muthari Kurali District Ropar, Punjab due to paucity of space in their unit Banmajra. Both the addresses of the units are endorsed on IEC and RCMC. The party has already obtained installation certificate in respect of both the EPCG authorization from Central Excise for their unit where the capital goods are installed. The Committee, therefore, decided to **regularize** installation of capital goods at their unit No. II, Village Muthari Kurali District Ropar, Punjab Banmajra subject to payment of composition fee of Rs. 5000/- for each authorisation.
2.	M/s Dattatreya Textiles (P) Limited, Madurai 01/36/218/75/AM-16/EPCG-I	3530002101 dated 07.11.2006	i. Extension of block-wise EO; ii. condonation of non maintenance of year-wise annual average EO offset by	The Committee noted that the party has fulfilled their entire EO in the second block 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** extension in block-wise EOP, as the party could not apply to RA within

			exports in other years.	the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. The Committee observed that there is a short fall in average EO in the year 2009-10, 2010-11 and 2011-12. However, the party has maintained excess in average EO in the year 2012-13 and 2013-14 which covers the shortfall in average EO in the year 2009-10, 2010-11 and 2011-12. The Committee, therefore, decided to **allow** counting of the excess exports made in the year 2012-13 and 2013-14 towards shortfall in average EO in the year 2009-10, 2010-11 and 2011-12. **This has the approval of DG.**
3.	M/s Bharat Chemical Products, Bangalore 01/36/218/206/AM-15/EPCG-I	0730005122 dated 11.01.2007	Extension of block-wise EO and extension in EOP for 2 years.	The Committee noted that party has stated that they could not fulfil EO during the original EOP due to price competition, non-availability of skilled labour, global recession and loss of their EPCG authorization during shifting of their factory. The Committee took into account the submission of the party that they have sufficient export orders and are confident to fulfil their EO during the extended time 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**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an

				enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
4.	M/s A.B. Industries, Ballabgarh 01/36/218/45/AM-16/EPCG-I	0530154706 dated 04.02.2011 0530155913 dated 05.07.2011	Condonation of delay in submission of installation certificate from Central Excise	The Committee noted that the party has obtained the installation certificate from Central Excise Authority on 24.09.2015 wherein date of installation is shown as 24.10.2011 and 28.05.2012 which are within prescribed time period. However, the installation certificate is submitted after the prescribed time period of 18 months. The Committee took into account the fact that the capital goods have been installed within time as per the installation certificate given by Central excise authority and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in submission of installation certificate from Central Excise Authority subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
5.	M/s Ahura Mazda Mfg. Co. Pvt. Ltd., Mumbai 01/36/218/48/AM-15/EPCG-I	0330010216 dated 14.11.2005	Extension in EOP for 2 years	The Committee noted that the party has obtained extension of first block period from RA Mumbai and fulfilled 27.68% EO in the second block. The Committee took into account the submission of the party that they have sufficient export orders in hand and are confident to fulfil their EO during the extended time 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** extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved

				amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
6.	M/s G.B. Sports, Meerut 01/36/218/123/AM-16/EPCG-I	0530144604 dated 19.09.2007	Extension of block-wise EO and extension in EOP for 2 years.	The Committee noted that the party has fulfilled 51.63% during original EOP, but failed to fulfil 100%, due to huge slump in international market. The party has already deposit the 2% composition fee to concerned RA. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
7.	M/s HPL Electric & Power Pvt. Ltd., New Delhi	0530156843 dated 02.11.2011	Condonation of delay in installation of capital goods	The Committee noted that the party has fulfilled their entire EO within 1st block period.

	01/36/218/36/AM-16/EPCG-I			The Committee took into account the submission of the party that they had obtained the installation certificate from Central Excise Authority but there was a delay in installation of Capital Goods beyond 18 months. The party stated that the delay in installation of Capital Goods was due to damage to the civil works and problem in the electrical connections. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in installation of capital goods subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
8.	M/s Karan Synthetic (India) Pvt. Ltd., Ahmedabad 01/36/218/95/AM-16/EPCG-I	0830002066 dated 16.05.2007	Extension of block-wise EO and extension in EOP for 2 years.	The Committee noted that the party has fulfilled 13.14% EO during the original EOP. The Committee took into account the submission of the party that they have already obtained extension of first block period. They now have sufficient export orders and are confident to fulfil their EO during the extended time 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**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms

				of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
9.	M/s Bhumi Cotton Pvt. Ltd., Jalna 01/36/218/138/AM-16/EPCG-I	3130003472 dated 23.09.2008	i. Extension of first block EO period; ii. Inclusion of alternate export product for fulfillment of 50% EO.	The Committee noted that the party has not fulfilled any EO till date. However, they have furnished copies of export enquiries received from overseas buyers. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. The Committee observed that there was a provision to fulfil 50% EO by exports of alternate products at the time of issuance of authorization. The Committee therefore decided to **recommend to D.G. for relaxation under Para 2.58 of FTP and allowing** fulfilment of EO by export of alternate product from the date of issuance of authorization subject to re-fixation of average EO. **This has the approval of DG.**
10.	M/s Jade Knits, Gurgaon 01/36/218/83/AM-16/EPCG-I	0530137084 dated 28.09.2004 0530139347 dated 24.08.2005	Regularization of EPCG authorization wherein capital goods have been shifted without prior permission.	The Committee noted that the party has not been able to fulfil the EO of subject authorization and they had opted to regularise the case by paying duty along with interest as per P.N. 22 dated 12.08.2013. The Committee also noted that the Capital Goods had been shifted in 2007

				itself without prior permission of the RA. However the RA in its report has informed that the party has furnished a letter dated 20.9.2007 written to Central Excise regarding shifting of capital goods. The Committee therefore decided to **regularise** the shifting of capital goods as the duty along with interest had already been paid under PN 22 dated 12.8.2013.
11.	M/s Orient Abrasives Ltd., New Delhi 01/37/218/113/AM-16/EPCG-II	0530142137 dated 16.10.2006	Condonation of delay in submission of installation certificate	The Committee noted that the party has fulfilled their entire EO within the 1st block period and obtained the installation certificate beyond 18 months from the date of import. 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 in submission of installation certificate subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
12.	M/s PRG International Electricals Pvt. Ltd., New Delhi 01/37/218/110/AM-16/EPCG-II	0530140059 dated 15.12.2005	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO in the second block 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** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
13.	M/s SPM Autocomp	0530145550 dated	Extension of block-	The Committee took into account the submission of the party that they have

	Systems Pvt. Ltd. Gurgaon. 01/37/218/12/AM-16/EPCG-II	06.02.2008	wise EO period.	fulfilled their entire EO in 2nd block 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** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. RA should verify the export performance before making endorsement. **This has the approval of DG.**
14.	M/s Tata Steel Limited, Mumbai 01/37/218/137/AM-16/EPCG-II	0230008929 dated 05.07.2013	Extension in time for installation of capital goods	The Committee took into account the submission of the party that the import of CG was completed in July, 2013 and has reached at project site by September, 2013. The party stated that the delay in installation is due to the following reasons: a) During October, 2013, the coastal region of Odisha had suffered due to Cyclone Phailine which resulted in massive destruction of construction power, offices and stores at project site. b) The civil and structural work at site progressed at considerably slow pace due to the prolonged monsoon in last two years. c) Massive amount of enabling work for site leveling, civil and structural work is being done before the start of installation of CG.

				The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in time for submission of installation certificate upto 31st December 2015, subject to payment of composition fee of Rs.5000/- for each authorization. **This has the approval of DG.**
15.	M/s Vera Automotive Components Pvt. Ltd., Delhi 01/37/218/64/AM-16/EPCG-II	3030004851 dated 29.12.2008	Condonation of delay in submission of Installation Certificate.	The Committee noted that the party has fulfilled their entire EO in the 1st block period and obtained installation certificate on 28.06.2012 which is beyond prescribed time 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 delay in submission installation of capital goods subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
16.	M/s Reva Transmission, Faridabad 01/37/218/260/AM-15/EPCG-II	0530153960 dated 12.11.2010	Condonation of delay in submission of installation certificate.	The Committee noted that installation certificate has been issued by the Central Excise Authority on 12.08.2014 i.e after 37 months which is beyond the maximum time period of 18 months which can be allowed by RA. The Committee observed that the party has not furnished any reason for delay in installation. The Committee, therefore, decided to **defer** the case.
17.	M/s Presco - Mec Autocomp Pvt. Ltd., New Delhi 01/37/218/54/AM-16/EPCG-II	0530142449 dated 22.11.2006	Extension of Block-wise EO and extension of EOP for 2 years.	The Committee took into account the submission of the party that they have fulfilled their EO through third party exports, but the third party refused to give the copies of shipping bills, BRCs and disclaimer certificate of the shipments. At present, the authorisation holder has export orders and is confident to fulfil EO by direct exports during the extended time 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**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
18.	M/s Rajashree Spintex (P) Ltd., Tamilnadu 01/37/218/136/AM-16/EPCG-II	3530002482 dated 26.03.2007 3530002483 dated 26.03.2007 3530002484 dated 26.03.2007	Extension in EOP for 2 years	The Committee took into account the submission of the party that they could not fulfil EO due to cancellation of their export orders. However, now they have third party export orders and are confident to fulfil their EO during the extended time 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** extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period.

				RA should verify the export performance before making endorsement. Third party exports would be subject to conditions prescribed in para 5.10 (d) of HBP 2015-20. **This has the approval of DG.**
19.	M/s R.K.L. Printers, Chennai 01/37/218/17/AM-16/EPCG-II	0430004950 dated 16.5.2007	Extension of block-wise EO period and extension in EOP for 2 years.	The Committee noted that the party has not made any exports during the original EOP. The Committee noted that the party has not given any reasons for nil exports even after expiry of 8 years. It was accordingly decided to **defer** the case.
20.	M/s Safire International (P) Ltd., Delhi 01/37/218/183/AM-15/EPCG-II	0530142573 dated 06.12.2006	Extension of block-wise EO period and extension in EOP for 2 years.	The case was considered in the EPCG Committee meeting held on 26.02.2015 and it was decided to reject the case as the party had not made any export and their EOP had expired on 05.12.2014. The Committee observed that the party has not made any exports during the original EOP, due to slump in international market. The Committee noted that party has submitted copy of purchase order and took into account the submission of the party that they have already deposited the 2% composition fee and are confident to fulfil their EO during the extended time 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**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each

				year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
21.	M/s Thomson Press (India) Limited, Faridabad 01/37/218/52/AM-16/EPCG-II	0530142082 dated 06.10.2006	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO during the second block 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** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
22.	M/s Rockwool (India) Ltd., Telangana 01/37/218/101/AM-16/EPCG-II	15 EPCG authorization issued during the period of AM-08 to AM-12	Condonation of procedural lapse of endorsing wrong EPCG authorization no. & date on shipping bills.	The Committee took into account the submission of the party that they have fulfilled the EO in respect all the 15 authorizations within 3-4 years of issuance of authorizations and submitted redemption application under fast track provision. While filing redemption it was noticed that they had endorsed a single Authorization No. i.e. 0930004110 on all the shipping bills in respect of all the 15 EPCG authorizations. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP to condone** the procedural lapse of endorsing wrong EPCG authorization numbers on the bills of exports subject to the condition that there is no double counting of exports/Shipping Bills, no free shipping bills will be counted, the value S/Bill is not split and imposition of composition fee of Rs. 200/- on each

				shipping bill which are being counted for fulfilment of EO of other Authorisation also provided that item of export is same in all cases. **This has the approval of DG.**
23.	M/s Technico Industries Limited, Gurgaon 01/37/218/72/AM-16/EPCG-II	0530161078 dated 25.06.2013 0530161758 dated 25.10.2013 0530162145 dated 16.01.2014 0530162714 dated 08.05.2014	1. Condonation of procedural lapse of not mentioning EPCG authorization no. in third party shipping bills. 2. Condonation from payment of i.e. 200 per shipping bills charged by the committee.	The Committee noted that as per certificate dated 11.04.2014 issued by the Supdt. of Central Excise the party has supplied the material 'Hinge Assembly Parts and Auto Parts etc." to M/s Nissan Motors India Pvt. Ltd., under various ARE-3 forms. The copies of ARE-I, ARE-3 and shipping bills were examined by the representative of DoR and it was seen that correlation of goods supplied by M/s Technico Industries Limited and exported by M/s Nissan Motors India Pvt. Ltd., can be established as the description of goods supplied and their quantity mentioned in ARE-3 and sales invoice of M/s Technico Industries Limited tally with the description of goods exported and their quantity indicated on the shipping bills of M/s Nissan Motors India Pvt. Ltd. It was also noted that M/s Nissan Motors India Pvt. Ltd. has given a disclaimer to the effect that they have physically exported all the goods procured from M/s Technico Industries Limited and that they have not availed any EPCG benefit on the above export. The Committee, therefore, decided to **allow** third party export in terms of Para 5.7 of HBP v1 read with Policy Circular No. 7/2002 dated 11.07.2002 subject to the condition that the party would produce EPCG authorization wise corroborative evidence to RA regarding exports made by them through third party and also subject to the condition that there is no double counting of exports. A composition fee of Rs. 200 per shipping bill would be charged for such shipping bills which are being considered for fulfilment of EO through third party exports. The Committee deliberated upon the

				request for condonation from payment of composition fee i.e. 200 per shipping bills imposed by the committee and decided to reject the request.
24.	M/s Preci-Turn Engineers, Vadodara 01/37/218/173/AM-16/EPCG-II	3430001243 dated 05.06.2008	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO in the second block 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** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
25.	M/s Srikals Graphics Pvt. Ltd., Chennai 01/37/218/130/AM-16/EPCG-II	0430004812 dated 29.03.2007	Extension of block-wise EO and extension in EOP for 2 years.	The Committee noted that the party has not been able to fulfil their specific EO during the original EOP due to lack of export orders. The Committee took into account the submission of the party that they now have sufficient export orders and are confident to fulfil the EO during the extended time 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**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty

				saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
26.	M/s CG Galva India, Guwahati 01/36/218/130/AM-16/EPCG-I	0530150416 dated 19.11.2009	Re-export of capital goods.	The Committee noted the account of the party that the plant was imported in 2009 and changes in policy combined with hard competition and new technological development made the project unviable. The party has also informed that they could not even obtain the installation certificate to operate the plant. Para 5.25 of HBP 2015-20 stipulates that the Capital Goods imported and found defective or otherwise unfit for use may be exported within the period of **3 years**. But in this case the time period is approximately **6 years** after import. The Committee deliberated upon the case and decided to **reject** the request of the party for re-export of capital goods. They may however pay Customs duty and applicable interest thereon and thereafter export the CG.
27.	M/s Avi Ansh Textile Pvt. Ltd., New Delhi 01/36/218/66/AM-16/EPCG-I	2230001011 dated 30.09.2008 2230001015 dated 30.09.2008	Extension of block-wise EO period.	The Committee noted that the party have fulfilled 36.23% EO during the first block period against authorization No. 2230001011 dated 30.09.2008 and Nil against authorization No.2230001015 dated 30.09.2008. However, now they have sufficient export orders and are confident to fulfil their EO during the EOP. The Committee deliberated upon the case and decided to **defer** the same for seeking reasons for non-fulfilment of EO even after 8 years of issuance of

				the authorization.
28.	M/s Bestech Hospitalities Pvt. Ltd., Gurgaon 01/36/218/160/AM-15/EPCG-I	28 EPCG authorizations issued during the period of AM-07 to AM-09	Modification of average EO for authorizations issued during the years of 2007-08 and 2008-09	The Committee noted that case was last placed before the EPCG Committee meeting held on 27.04.2015 and it was decided to defer the case for examination in consultation with DOR. The issue of deletion of exports made during the preceding 3 years against EPCG authorizations which had been redeemed was discussed. The Committee noted that the EO period of the EPCG authorizations issued between 2004 to 2008 was valid when the party took fresh EPCG authorizations for their new Hotel between 2007 to 2009. However the exports made towards fulfilment of specific export obligation against their authorizations between 2004 to 2008 was counted for fixation of average EO in terms of para 5.7.4 of HBP v1 2009-14 which stipulated that exports made only against EPCG authorizations which have not been redeemed shall not be added up for calculating average EO for subsequent EPCG authorizations. The Committee deliberated upon the case and noted that the provisions of para 5.7.4 of HBP v1 2009-14 have been amended w.e.f. 18.4.2013 and all exports made against EPCG authorizations irrespective of the fact that they have been redeemed or are unredeemed shall not be added up for calculating average EO for subsequent EPCG authorizations. The Committee noted that the party has got redeemed 12 authorisations in 2007 from forex earnings of 2005-06. These were issued in AM 2005. Had the party delayed the redemption of these authorisations, these export earnings would not have been counted for average EO fixation in terms of Para 5.7.4 of HBP v1 of the relevant period. The Committee therefore, decided to **recommend to DG for relaxation under para 2.58 of FTP 2015-20** to **grant** the benefit of Para 5.12 of

				current HBP as has been allowed by the Committee in similar cases. **This has the approval of DG.**
29.	M/s V.M. Granites, Bangalore 01/37/218/07/AM-15/EPCG-II	0730003135 dated 08.03.2005	Second EOP extension for 2 years	The Committee noted that the party has not made any export during the original EOP and extended EOP. The Committee also noted that a report has been called from concerned RA which is still awaited. The Committee therefore decided to **defer** the case.
30.	M/s Tata Steel Limited – Mumbai 01/37/218/154/AM-16/EPCG-II	0230008693 dated 15.03.2013	Extension in time for submission of installation certificate.	The Committee took into account the submission of the party that the import of CG was completed in July, 2013 and they have already obtained extension in time for installation of CG up to June, 2015 from RA, Kolkata. The party stated that the delay in installation was due to delay in supply of the equipment being procured by them indigenously which has led to sequential delay in installation of the imported capital goods. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in time for submission of installation certificate upto April, 2016 subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
31.	M/s Pioneer Industries, Haridwar 01/37/218/61/AM-16/EPCG-II	0530141845 dated 31.08.2006	Condonation of delay in installation of capital goods	The Committee noted that the party has fulfilled their entire EO within the 1st block period. They could however not install their capital goods imported under the EPCG authorization within the prescribed period due to delay in obtaining necessary permissions from state government. The Committee observed that the installation certificate was issued by Central Excise Authority but there was a delay in installation of the Capital

				Goods beyond 18 months. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in installation of capital goods subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
32.	M/s SNG Metal (P) Ltd., Faridabad 01/37/218/131/AM-16/EPCG-II	0530156860 dated 03.11.2011	Condonation of delay in installation of capital goods	The Committee noted the party has fulfilled their entire EO within the first block period and already obtained the installation certificate from chartered engineer within the prescribed period. The certificate issued by central excise is dated 26.5.2014 which is beyond the prescribed period. Further date of installation of capital goods has not been mentioned on the certificates issued by central excise. The Committee took into account the submission of the party that central excise authorities have refused to endorse the date of installation of capital goods on the certificate on the grounds that the party has approached them after the prescribed period. The Committee therefore, decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in installation of capital goods subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
33.	M/s Tata Steel Limited, Mumbai 01/37/218/157/AM-16/EPCG-II	0230008746 dated 26.03.2013	Extension in time for submission of installation certificate.	The Committee took into account the submission of the party that the import of CG was completed in November, 2013 and they have already obtained extension in time for installation of CG up to May, 2015 from RA, Kolkata. The party stated that the delay in installation was due to delay in supply of the equipment being procured by them indigenously which has led to sequential delay in installation of the

				imported capital goods. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in time for submission of installation certificate upto March, 2016 subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
34.	M/s Tata Steel Limited, Mumbai 01/37/218/156/AM-16/EPCG-II	0230008691 dated 15.03.2013	Extension in time for submission of installation certificate.	The Committee took into account the submission of the party that the import of CG was completed in November, 2013 and they have already obtained extension in time for installation of CG up to May, 2015 from RA, Kolkata. The party stated that the delay in installation was due to delay in supply of the equipment being procured by them indigenously which has led to sequential delay in installation of the imported capital goods. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in time for submission of installation certificate upto May, 2016 subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
35.	M/s Tata Steel Limited, Mumbai 01/37/218/155/AM-16/EPCG-II	0230008694 dated 15.03.2013	Extension in time for submission of installation certificate.	The Committee took into account the submission of the party that the import of CG was completed in November, 2013 and they have already obtained extension in time for installation of CG up to July, 2015 from RA, Kolkata. The party stated that the delay in installation was due to delay in supply of the equipment being procured by them indigenously which has led to sequential delay in installation of the imported capital goods.

				The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in time for submission of installation certificate upto April, 2016 subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
36.	M/s Mandava Cotton Mills Pvt. Ltd., Andhra Pradesh 18/105/AM-15/P-5	0930003378 dated 03.08.2007 0930003715 dated 20.12.2007 0930004006 dated 02.05.2008 0930003379 dated 03.08.2007	Extension of block-wise EO period.	The Committee noted that the party has not fulfilled any EO till date. The Committee took into account the submission of the party that they have sufficient export orders to fulfil the specific EO. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 © of HBP 2015-20. **This has the approval of DG.**
37.	Lloyd Electric & Engineering Ltd., New Delhi 01/36/218/169/AM-15/EPCG-I	0530143088 dated 20.02.2007	1. Transfer of EPCG authorization from M/s Perfect Radiators & Oil Coolers Pvt. Ltd. to M/s Lloyd Electric & Engineering Limited as per High Court order; 2. Extension of block-wise EO period and extension in	The Committee observed that the said authorizations were issued to M/s Perfect Radiators & Oil Coolers Pvt. Ltd., and upon takeover the capital goods were transferred to M/s Lloyd Electric & Engineering Limited as per Order of the Hon'ble High Court of Delhi. The Committee, deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** transfer of EPCG authorizations from M/s Perfect Radiators & Oil Coolers Pvt. Ltd., to M/s Lloyd Electric & Engineering Limited on

			EOP for one year.	account of Hon'ble High Court Order subject to: i) Submission of fresh BG/LUT Bond. ii) All the terms and conditions of the EPCG authorizations including maintenance of average EO and Specific EO will remain same. iii) In case the transferee company exports same and similar item the transferee company will maintain average EO in addition to average EO under these licenses. The Committee noted that the party has fulfilled 82.60% EO during the original EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
38.	M/s Alpha Woven Labels India Pvt. Ltd.,	0530143574 dated 04.05.2007	Extension of block-wise EO and extension in EOP	The Committee took into account the submission of the party that they have not fulfilled their EO during original EOP, due to slow-down in export

	01/36/218/65/AM-16/EPCG-I	0530144605 dated 19.09.2007	for 2 years.	market, costing factor and financial crunch in company during 2006-07 to 2013-14. However, now they have sufficient export order and are confident to fulfil their EO during the extended time 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**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
39.	M/s Himachal Slates & Stones, Chamba 01/36/218/112/AM-16/EPCG-I	2230000321 dated 25.05.2006	i. Extension of block-wise EO & extension in EOP for 2 years. ii. Permission to allow alternate product to fulfill the export obligation.	The Committee took account the submission of the party that they have made the exports through third party, but they did not mention their name and authorization number in the shipping bills. Now they wish to export again for fulfilment of EO. They have sufficient export orders and are confident to fulfil their EO during the extended time 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**:

				(a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. The Committee observed that there was a provision to fulfil 100% EO by exports of alternate products at the time of issuance of authorization. The Committee therefore decided to **allow** alternate product/addition of product manufactured and exported by the party from the date of issuance of authorization subject to re-fixation and maintenance of average EO of the alternate product. **This has the approval of DG.**
40.	M/s Accufix Precision Tools Pvt. Ltd., Vadodara 01/36/218/42/AM-16/EPCG-I	3430002224 dated 21.08.2012	Condonation of delay in obtaining installation certificate	The Committee noted that the party has fulfilled their entire EO in the 1st block period. The Committee took into account the submission of the party that they had obtained the installation certificate from Central Excise Authority on 13.11.2014, which is beyond the prescribed time period. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in

				obtaining installation certificate subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
41.	M/s JSW Steel Limited, Mumbai 01/36/218/191/AM-13/EPCG-I	0330033820 dated 27.09.2012 0330033982 dated 18.10.2012 0330034847 dated 17.01.2013 0330034829 dated 16.01.2013 0330035060 dated 12.02.2013 0330035061 dated 13.02.2013 0330035062 dated 13.02.2013	Installation of capital goods in premises of supporting manufacture i.e. M/s Amba River Coke Ltd., consequent upon merger of JSW Steel Ltd., with M/s JSW Ispat Steel Ltd vide Hon'ble High Court order.	The Committee noted that the case was last placed before the EPCG Committee meeting held on 06.03.2013, wherein the party had stated that the coke produced by M/s Amba River coke Ltd., would be supplied to M/s JSW Ispat Steel Ltd., who would use it to manufacture HR Coils which would then be supplied to M/s JSW Steel Ltd., (authorization holder). The Committee therefore decided to defer it for examination on file. The Committee took into account the current submission of the party that M/s JSW Ispat Steel Ltd has been merged with JSW Steel Ltd. consequent to orders of the Hon'ble High Court of Bombay dated 3.5.2013 and now the supporting manufacturer M/s Amba River Coke Ltd. will manufacture coke and directly supply it to JSW Steel Ltd., for manufacture of HR coils and sheets which are the export products mentioned in the 7 EPCG authorizations issued to M/s JSW Steel Limited. The Committee noted that the final product in this case is Hot Rolled Coils and sheets which are the export products mentioned in the EPCG authorizations issued to M/s JSW Steel Limited and are not valued added products. The Committee deliberated upon the case and was of the view that import of coke oven plant for installation in the premises of supporting manufacturer(s) of M/s JSW Steel Ltd. can be permitted under the EPCG scheme. The supporting manufacturer will supply the coke produced from the coke oven plant which itself is an integrated unit

				of the steel plant, to other integrated units, of the steel plant of M/s JSW Steel Ltd., located in the same vicinity, who would use it for manufacture of the final export product viz. HR coils and sheets. **RA Mumbai is directed** to consider the application of the firm for grant of EPCG authorizations accordingly, for import of coke oven plant and installation in premises of supporting manufacturer.
42.	M/s Asian Food Industries, Gujarat 18/102/AM-16/P-5	Applied for.	Issuance of EPCG authorization for import of fork lift truck.	The Committee took into account the submission of the party that the Electric Fork Lift Trucks are distinctly different from ordinary trucks and are required for the purpose of loading, unloading and stacking of the material within the factory premises and are used in pre-production and post-production process in the confines of manufacturing unit ; that 'Electric Fork Lift Truck' is not a 'Truck' per se but an equipment to move material inside the factory premises. The Committee was of the view that that Forklift Truck is **allowed** under EPCG provided the same is used within the factory premises.
43.	Reference received from CLA, New Delhi (M/s Orient Craft Ltd.) 18/41/AM-16/P-5	-----	Issuance of EPCG authorization for import of 'Double Skin Air Cooling Machine 40000 CFM with DIDM' and air conditioner.	The Committee deliberated upon the case and decided to **defer** the case due to absence of technical members.
44.	M/s CG Foods India Pvt. Ltd., New Delhi 01/36/218/131/AM-16/EPCG-I	0530156883 dated 08.11.2011 (in lieu of original authorization no. 0530140295 dated 16.01.2006)	Extension of block-wise EO period and extension in EOP for 2 years	The Committee took into account the submission of the party that they had made third party exports but the same were not taken into account for fulfilment of export obligation due to their documents being incomplete. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**:

				(a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
45.	M/s Avitron Components Pvt. Ltd., Gurgaon 01/36/218/70/AM-16/EPCG-I	0530141054 dated 16.05.2006	Extension of block-wise EO period and Extension in EOP for 2 years	The Committee noted that the party has fulfilled 32.52% EO during the original EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**: (a) extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, as the

				party could not apply to RA within the prescribed time period. **This has the approval of DG.**
46.	M/s Navjivan Roller Flour & Pulses Mills Pvt. Ltd. 18/91/AM-15/P-5	3430000204 dated 23.01.2004	Extension in EOP	The Committee noted that EO was fixed for Pulses, Rice, Cereals. The company has not done any exports till date. The party has submitted that that they could not export because there was a ban on exports of Rice and Pulses for considerable time. The request had been rejected on file earlier and party was informed vide letter dated 03.12.2014. RA in its report has stated that the party also had the option of exporting other cereals which were not banned and have not made any exports under the authorisation for the whole EOP even though the export of rice and pulses was not banned during the entire period. The Committee took into account the submission of the party that they mainly deal in wheat and manufacture gram flour and wheat products and rarely deal in rice and pulses. The Committee was of the view that the party had the option of exporting other cereals which were not banned and have not made any exports so far. The Committee therefore decided to **reject** the request of the party for further EOP extension.
47.	M/s Heritage Foods Limited, Hyderabad 01/36/218/60/AM-16/EPCG-I	16 EPCG authorizations issued during the period of 2007 to 2009.	i. Conversion from manufacture exporter to merchant cum manufacturer exporter; ii. Inclusion of additional export product i.e. fruits, vegetables, cereals, processed fruits & vegetables; iii. Extension of block-wise EO	The Committee deliberated upon the case and decided not to examine the requests of conversion from manufacture exporter to merchant cum manufacturer exporter and inclusion of additional export products, as the RA is empowered to consider the aforesaid requests. The Committee noted that the party has made substantial exports in six authorizations and in the remaining 10 authorizations they have failed to export. The main reason for non-fulfilment of EO is disparity between the prices of milk products in India and

			period.	in International Markets. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
48.	M/s Bharat Aluminium Company Limited, Korba 01/36/218/121/AM-14/EPCG-I	98 Auths. Issued in the period between AM-09 to AM-14	i. To count the commencement of first block from 5 years after the issuance of respective 98 authorizations without payment of composition fee. ii. Extension in time for installation of capital goods till December, 2015 against 5 EPCG authorizations nos. 0530149779 dated 10.9.2009, 0530149979 dated 6.10.2009, 0530150185 dated 28.10.2009, 0530150884 dated 7.1.2010 and 0530153123 dated 19.8.2010.	The representative of the party appeared for PH before the committee. He informed that the under construction chimney had collapsed in September 2009 due to lightning and the entire project activities came to halt and the project was resumed after a delay of one year. They had applied for extension in time for installation for 98 authorizations which was allowed by the Committee in its meeting held on 19.11.14. The Committee took into account the submission of the party that out of 98 authorizations they have already obtained installation certificate in respect of 92 authorizations and would complete the installation by December, 2015 in respect of remaining authorizations. The representative stated that in spite of the collapse of the chimney, they had commissioned the project in December, 2012 and they were ready to commence the production and applied to the State Authorities for consent to operate vide their letter dated 15.05.2012. They received the consent to operate the aluminum smelter only in the month of October, 2013.

				The party has now requested to allow commencement of first block after five years from the date of issuance of authorizations. The Committee took into account the submission of the party that they have fulfilled 30% of the total EO in the first block. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** the commencement of first block after 18 months from the date of issuance of respective authorizations obtained by the party till August 2010 without composition fee and thereafter extension of block-wise EO period with 2% composition fee on unfulfilled EO in terms of para 5.14 © of HBP 2015-20 . The Committee also decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension in time for installation of capital goods in respect of five EPCG Auths. upto December, 2015 subject to payment of composition fee of Rs. 5000/- for each authorizations. **This has the approval of DG.**
49.	M/s Reliance Industries Limited, Mumbai 01/37/218/158/AM-16/EPCG-II	0330036685 dated 30.08.2013 0330037062 dated 18.10.2013 0330037303 dated 25.11.2013 0330037304 dated 25.11.2013 0330037338 dated	Extension in time for installation of capital goods	The Committee took into account the submission of the party that for large scale projects of huge complexity, size and costs, the project completion dates may not always be met as a result there has been delay in installation of the Capital Goods. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of** FTP 2015-20 t**o allow** extension in time for installation of Capital Goods upto 30th June, 2016, subject to payment of composition fee of Rs. 5000/- for each authorization.

		28.11.2013 0330038058 dated 18.02.2014		**This has the approval of DG.**
50.	M/s Panacea Biotec Limited, New Delhi 01/37/218/79/AM-16/EPCG-II	7 authorisations	Waiver of annual average EO.	The Committee deliberated upon the case and decided to **defer** it for further examination on file.
51.	M/s Tata Steel Limited, Mumbai 01/37/218/159/AM-16/EPCG-II	0230008692 dated 15.03.2013	Extension in time for submission of installation certificate.	The Committee took into account the submission of the party that the import of CG was completed in November, 2013 and they have already obtained extension in time for installation of CG up to May, 2015 from RA, Kolkata. The party stated that the delay in installation was due to delay in supply of the equipment being procured by them indigenously which has led to sequential delay in installation of the imported capital goods. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in time for submission of installation certificate upto April, 2016 subject to payment of composition fee of Rs.5000/- **This has the approval of DG.**
52.	M/s Tata Steel Limited, Mumbai 01/37/218/153/AM-16/EPCG-II	0230004454 dated 10.09.2009	Extension in time for submission of installation certificate and condonation of delay in installation	The Committee took into account the submission of the party that they had imported capital goods by September-2009. However, installation got delayed due to prolonged time taken in the particular project (construction of the Ladle Turret, Tundish & Tundish Car) which was completed in March-2012. In this regard party has requested for extension in time for installation of equipment till March 2012 and to accept installation certificate from

				jurisdictional central excise authority based on actual installation date of March 2012. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in time for obtaining installation and to accept installation certificate of March 2012, subject to payment of composition fee of Rs. 5000/- **This has the approval of DG.**
53.	M/s Wellknown Polyesters Limited, Mumbai 01/37/218/192/AM-15/EPCG-II	0330032343 dated 30.03.2012 0330032860 dated 12.06.2012 0330033012 dated 26.06.2012 0330033621dated 07.09.2012 0330033622 dated 07.09.2012	Inclusion of export product i.e. polyester texturised yarn produced in unit which has availed TUFS benefit	The Committee was informed that the matter has been referred to office of Textile Commissioner for comments which have not been received so far. The Committee, therefore, decided to **defer** the case.
54.	M/s Needle Industries (India) Pvt. Ltd., Tamilnadu 18/112/AM-12/EPCG-II	0430004546 dated 11.01.2007 0430005235 dated 08.08.2007	i. Extension of block-wise EO; ii. Condonation of not maintaining year-wise annual average EO offset by exports in other years.	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. The Committee, further decided to **allow** condonation from not maintaining year-wise annual average EO and grant permission to offset the same by exports in other years subject to verification by RA. **This has the approval of DG.**

55.	M/s Kwality Offset Pvt. Ltd., New Delhi 01/36/218/217/AM-14/EPCG-I	0530145006 dated 20.11.2007	Addition of export product.	The Committee took into account the submission of the party that the capital goods imported under the subject authorization are capable of manufacturing all items made of paper and board which fall under the ITCHS Chapter 48 and 49. The Committee also took into account the nexus certificate issued by Chartered Engineer, which states that there is a nexus between the goods covered under chapter 48 & 49 more particularly ITC HS 48201090 and 49111010 and the capital goods imported under the subject EPCG authorization. The Committee observed that there was a provision to fulfil 100% EO by exports of alternate products at the time of issuance of authorization. The Committee therefore decided to **allow** alternate product/addition of product manufactured and exported by the party from the date of issuance of authorization subject to re-fixation and maintenance of average EO of the alternate product.
56.	M/s Redlay Metal Products Pvt. Ltd., Delhi 01/37/218/108/AM-16/EPCG-II	0530145336 dated 04.01.2008	i. Extension of block-wise EO and extension in EOP for 2 years; ii. Shifting of capital goods	The Committee noted that the party has not made any export during the original EOP and neither given any reasons for non-fulfilment of EO nor submitted copies of export orders to assure that they are in a position to fulfil EO. The Committee therefore, decided to **defer** it with the direction to obtain the same from the party.
57.	M/s Livingstones, Mumbai 01/36/218/104/AM-15/EPCG-I	0330008457 dated 21.04.2005	Condonation of non-endorsement of supporting manufacturer details on the export documents.	The Committee took into account the submission of the party that they supply the uncut diamonds to the supporting manufacturer for the purpose of cutting and polishing. The finished products return to their unit where the Quality control system and technical persons carry out quality control processes. As per the export order their technical staff sort out the sizes of the diamonds and prepare the export invoices as per quality and quantity approved by the Customs Authority for exports and then the invoice is signed by the Customs authority. The party has stated that in view of this procedure the final invoices were prepared at their registered office and the supporting manufacturer's details could not be inadvertently endorsed on

				export documents. The party has also furnished copies of shipping Bills showing exports made to Madrid, Spain and New York, USA. The Committee further noted that the party has already fulfilled their specific EO as well as average EO within one year of issuance of authorization. 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 non-endorsement of supporting manufacturer details on the export documents. **This has the approval of DG.**
58.	M/s Hotel Royal Park Pvt. Ltd., Chennai 01/36/218/61/AM -16/EPCG-I	0430005132 dated 05.07.2007 0430005804 dated 12.02.2008 0430005880 dated 28.02.2008 0430007622 dated 20.08.2009 0430006686 dated 30.09.2008	i. Extension of block-wise EO period; ii. Condonation of delay in submission of installation certificate.	The Committee took into account the submission of the party that they have fulfilled the EO to tune of US $ 78,885 till date out of total EO US$ 16,78,264 and are confident to fulfill remaining EO within extended EOP. The Committee deliberated upon the case and decided to recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This would be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. The Committee took into account the submission of the party that they had obtained the installation certificate from chartered engineer. There was, however, a delay in installation of capital goods. The party has submitted that they have imported the capital goods between August 2007 to August 2009 and applied for power supply connection of their hotel to the Superintending Engineer, Electricity Department, Puducherry on 18.08.2008. The Electricity Department, Puducherry had given power supply to their hotel on 17.02.2012. Permission for establishing a new hotel was given by the Commissioner, Oulgaret Municipality on

				05.03.2012 and the hotel was inaugurated on 09.05.2012. Therefore, the installation of capital goods is after 18 months from the date of import of capital goods. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in installation of capital goods subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
59.	M/s Vardhman Textiles Limited, Ludhiana 01/37/218/22/AM-16/EPCG-II	-----	Permission for issue of EPCG authorization for import: 1. LT – Distriution Panel 2. 11 KV, 800 A, 40 KA ICOG Panel.	The Committee deliberated upon the case and decided to **defer** the case due to absence of written comments and technical members.
60.	M/s VMT Spinning Company Ltd., Ludhiana 01/37/218/142/AM-16/EPCG-II	-----	Permission for issue of EPCG authorization for import of APFC Panel.	The Committee deliberated upon the case and decided to **defer** the case due to absence of written comments and technical members.
61.	M/s Vardhman Yarn and Threads Ltd., Ludhiana 01/37/218/143/AM-16/EPCG-II	-----	Permission for issue of EPCG authorization for import of "Main PCC LT – Distriution Panel".	The Committee deliberated upon the case and decided to **defer** the case due to absence of written comments and technical members.
62.	M/s East End Silk Pvt. Ltd., Kolkata 01/36/218/08/AM-13/EPCG-I	0230004182 dated 07.05.2009 0230005571 dated 02.08.2010 0230005053 dated 23.03.2010 0230004344	Exemption from maintenance of Average Export Performance in terms of Para 5.7.6 of HBP v1 (2009-14) ï whether the export product Spun Silk Yarn, Silk Noil Yarn, Silk Top Silver	The request of party was earlier placed before the EPCG Committee in its meeting held on 18.09.2012 and 09.01.2013, wherein it was decided to **reject** the case, stating that the export products are not covered under Sericulture. The representative of the party appeared for PH before the committee. He informed that they manufacture and export spun silk yarn, silk noil

		dated 21.07.2009 0230001241 dated 01.12.2005	produced from raw silk, cocoon waste or silk waste can be treated as an item of sericulture or not.	yarn, silk top sliver produced from Raw silk, cocoon waste or silk waste which are all related to sericulture. The Committee noted that the Central Silk Board has stated that ñSericulture involves various activities like growing food plants to feeding silkworms, rearing of silkworms to produce cocoons & reeling of threads from the cocoons to produce the raw silk or the silk yarn. The cocoons which are not suitable for reeling and the waste which gets generated as by-products during reeling process are used for the manufacture of silk tops, spun silk yarn & silk noil yarn through the process of spinning. Hence, the activities related to silkworm rearing, silk reeling and spinning are part of Sericulture.ò O/o Textile Commissioner, Mumbai vide letter dated 28.7.2015 informed that ñpara 5.7.6 of HBP vol.1 2004-09 allow exemption from maintenance of average export performance in respect of goods related to sericulture. Since the item of export is related to sericulture (made from sericulture product), the contention of the applicant appears in order.ò The Committee deliberated upon the case and decided to **allow** waiver from maintenance of Average Export Performance in terms of para 5.7.6 of HBP vol.1 2004-09.

***

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
EPCG = Export Promotion Capital Goods
RA = Regional Authority
BG = Bank Guarantee
FFE = Free Foreign Exchange
FE = Foreign Exchange
IEC = Importer-Exporter Code
DOR = Department of Revenue
CLA = Central Licensing Area
IEM = Industrial Entrepreneurs Memorandum
RCMC = Registration-cum-Membership Certificate
