MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 18.12.2015

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. Shri V.K. Kohli, Director, O/o Textile Commissioner
d. Shri K.K. Tiwari, Industrial Adviser, Department of Heavy Industry
e. Smt. Chitra Sharma, Deputy Director General of Foreign Trade, DGFT
f. Shri Kumar Rahul, Deputy Director General of Foreign Trade, DGFT
g. Shri S.K. Kala, Foreign Trade Development Officer, DGFT
h. Shri A.S. Chauhan, Foreign Trade Development Officer, DGFT

II. Minutes of the last Meeting held on 23.11.2015 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 EPCG Committee
1.	M/s Hindustan Zinc Limited, Udaipur 01/36/218/148/ AM-16/EPCG-I	1330003688 dated 05.02.2013 1330003817 dated 31.05.2013	Permission to shift the capital goods.	The Committee took into account the submission of the party that the capital goods were installed at their unit located at their Rajpura Dariba Mines Dist. Rajsamand Rajasthan The party vide their e-mail dated 07.12.2015 submitted a copy of installation certificate issued by central excise. The party has stated that low LME price of Zinc and poor grade of ore has reduced viability of their mines expansion capacity. Hence, they want to shift the capital goods to their unit located at Zawar Mines Dist. Udaipur, Rajasthan and Sindesar Khurd Mines Dist. Rajsamand, Rajasthan. This shall obviate their requirement of importing these equipments again for Sindesar Khurd Mines. Addresses of both these units are already endorsed in IEC and RCMC. The Committee deliberated upon the case and decided to **allow** shifting of capital goods from Rajpura Dariba Mines to their unit located at Zawar Mines and Sindesar Khurb Mines. The party shall submit fresh installation certificate to RA within 6 months from the date of installation of capital goods at the new units.
2.	M/s Honda Motorcycle and Scooter India Pvt. Ltd., Gurgaon 01/36/218/12/AM-16/EPCG-I	0530158631 dated 22.06.2012	Permission to shift the capital goods to the premises of supporting manufacturers.	The Committee took into account the submission of the party that the capital goods were imported and were installed at their unit located at "Plot No. 109 to 142, KIADB, Narsapura Industrial Area, Karinayakanahalli Village Kasba Hobil, Malur Taluk, District Kolar, Karnataka – 563 130. The party vide their letter dated 02.09.2015 has furnished a copy of installation certificate issued by central excise authority. The party has submitted that they want to shift production of motorcycle frame body and scooter frame body to their supporting manufacturers i.e. M/s Indo Autotech Ltd., situated at Plot No. 176-P, 177-P, 178-P, 179 to 181 Narsapura Industrial Area, Bangalore, Karnataka - 563133 and M/s Track Components Ltd., situated at Sy No.57 & 56/4, Narsapur Village, Narsapura Hobli, Kolar, Karnataka-563133. The Committee deliberated upon the case and decided to **allow** shifting of capital goods from Plot No. 109 to 142, KIADB, Narsapura Industrial

				Area, Karinayakanahalli Village Kasba Hobil, Malur Taluk, District Kolar, Karnataka – 563 130 to their supporting manufacturer i.e. M/s Indo Autotech Ltd situated at Plot NO.176-P ,177-P, 178-P, 179 to 181 Narsapura Industrial Area, Bangalore, Karnataka-563133 and M/s Track Components Ltd. situated at Sy No.57 & 56/4, Narsapur Villagae, Narsapura Hobli, Kolar , Karnataka-563133 subject to endorsement of name of supporting manufacturer by RA. The party shall submit fresh installation certificate to RA within 6 months from the date of installation of capital goods at the new units.
3.	M/s Narinder Engg. Works, Chandigarh 18/83/AM-15/P-5	2230000346 dated 13.07.2006	Extension in EOP for 1 year.	The Committee noted that the party has fulfilled 42.59% in the first block period. Party has submitted that they had already made exports to the extent of Rs. 1.80 crore and submitted the documents to RA, Chandigarh for issuance of EODC. However, some of their claims were not accepted because of procedural lapse of not-mentioning their name and authorization no. in export documents. Now they have some orders and their product will be exported through merchant exporter. They are hopeful to achieve the target within extended time. 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 1 year 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 Naaraayani Sons Pvt. Ltd., Kolkata 18/122/AM-15/P-5	0230002507 dated 31.07.2007 0230002697 dated 16.10.2007 0230003040 dated 26.02.2008 0230003185 dated 31.07.2008	i. Extension of block-wise EO period and extension in EOP for 2 years. ii. Endorsement of alternate product.	The Committee noted that party has stated that they could not fulfil EO during the original EOP because of the intermittent restrictions and export duty imposed on Iron ore fines leading to higher cost of production. The party has thus requested for alternate product 'Ferro manganese'. The Committee took into account the submission of the party that they have sufficient export orders of ferro-manganese 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 shall 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 request for endorsement of alternate product may be examined by RA concerned as per policy and subject to the export product being manufactured by the authorisation holder. **This has the approval of DG.**
5.	M/s Amar Singh & Sons (Regd.), Ludhiana 01/36/218/174/ AM-16/EPCG-I	3030005859 dated 15.10.2009	Extension of block-wise EO period and extension in EOP for 1 year.	The Committee noted that party has stated that they could not fulfil EO during the original EOP due to heavy slump in the international market. The Committee took into account the submission of the party that they have sufficient export orders. The Committee further noted that description of the items given in the export order is not matching with the export items allowed in the said authorization. The Committee decided to **defer** the same for seeking export orders for the item of export as stated in the authorisation.
6.	M/s Helsa – Icon India Pvt. Ltd., Hyderabad 01/36/218/139/ AM-16/EPCG-I	0930004512 dated 05.11.2008	Condonation of non maintenance of year-wise annual average EO offset by exports in other years.	The Committee observed that there is a short fall in average EO in the year 2008-09, 2009-10 and 2010-11. However, the party has maintained excess in average EO in the year 2012-13 which covers the shortfall in average EO in the year 2008-09, 2009-10 and 2010-11. The Committee, therefore, decided to **allow** counting of the excess exports made in the year 2012-13 towards shortfall in average EO in the year 2008-09, 2009-10 and 2010-11.
7.	M/s K D Textile, Kolkata 01/36/218/192/ AM-15/EPCG-I	0230003260 dated 16.05.2008	Extension of block-wise EO period.	The Committee noted that party has submitted that they could not fulfil 50% EO during the 1st block EOP due to global economic recession and economic slowdown. 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 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** extension in block-wise EOP, as the party could not apply to RA within the prescribed time period. This shall 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.**
8.	M/s Aradhya Steel Pvt. Ltd., Bangalore 01/36/218/125/ AM-16/EPCG-I	0730004609 dated 20.09.2006	Extension of block-wise EO period and extension in EOP for 2 years.	The Committee noted that party has not submitted the basic details of the authorization/documents in support of their request. The Committee deliberated upon the case and decided to **defer** the same to obtain the basic details/documents of the authorization from the party.
9.	M/s Ever Bright Corporation,	3430001084 dated	Extension of block-wise EO period and	The Committee noted that party has fulfilled 68.77% EO during original EOP.

	Vododara 01/36/218/172/ AM-16/EPCG-I	12.07.2007	extension in EOP for 1 year.	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 shall 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.**
10.	M/s B.G. Shrike Construction Technology Pvt. Ltd., Pune 01/36/218/178/ AM-16/EPCG-I	3130001696 dated 04.04.2006	Extension of block-wise EO period.	The Committee took into account the submission of the party that they have fulfilled their entire EO in 2nd block period. The Committee also took into account the submission of the party that they could not fulfil block-wise EO because of delay in securing the various approvals from the Government authorities in India as well as from Sri Lanka. 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 shall 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.**
11.	M/s Siemens Limited, Mumbai 01/37/218/194/ AM-16/EPCG-II	0430009251 dated 02.12.2010 0430009581 dated 22.02.2011	Condonation of procedural lapse of mentioning wrong EPCG authorization nos. on Bill of exports.	The Committee noted that the party has fulfilled their entire specific EO as well as average EO within original EO period. But the EPCG authorization number mentioned on Bill of exports are different (i.e. 0430008961 dt. 15.09.2010 and 0430008995 dt.23.09.2010). The party further informed that the said authorizations were issued in favour of M/s Winergy Drive Systems India Pvt. Ltd., and it got merged with Siemens Limited w.e.f. 01/04/2013 vide Hon'ble High court's order. They have further stated that due to oversight, bill of exports got endorsed with wrong EPCG authorizations nos. The Committee deliberated upon the case and decided to **allow** counting of Bill of exports on which wrong EPCG authorization No. was mentioned for regularisation of said authorisations on payment of composition fee of Rs. 200 per Bill of exports. RA shall ensure that there is no double counting of Bill of exports.

12.	M/s Bharat Litho, New Delhi 01/36/218/54/AM-16/EPCG-I	0530143589 dated 04.05.2007	Extension of block-wise EO period and extension in EOP for 1 year.	The Committee noted that the request of the party was earlier placed before the EPCG Committee meeting held on 21.09.2015, wherein it was decided to defer it in order to obtain the valid export orders from the party, which have now been submitted. 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 shall 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.**
13.	M/s Hinduja Foundries Limited, Chennai 01/36/218/180/AM-15/EPCG-I	0430004325 dated 15.11.2006	Extension of block-wise EO period and extension in EOP for 2 years.	The Committee noted that the party has fulfilled 49.34 % EO in the first block period. The Committee took into account the submission of the party that they could not fulfil EO during the original EOP due to global slowdown in the automobile industry. 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 shall 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.**
14.	M/s Sheetal Mercantile Pvt. Ltd., Delhi 01/37/218/125/AM-16/EPCG-II	0530144038 dated 03.07.2007	Extension of block-wise EO period and extension in EOP for 1 year.	The Committee noted that the party has fulfilled 44.87% EO during the original EOP. The Committee noted the submission of the party that they could not complete their export obligation due to lack of orders. 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 shall 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.**
15.	M/s Paul Components Pvt. Ltd., New Delhi 01/37/218/213/AM-15/EPCG-II	0530141927 dated 13.09.2006	Extension of block-wise EO period and extension in EOP for 2 years alongwith addition of alternate products for EO fulfillment.	The Committee took into account the submission of the party that they have made exports to the tune of US$ 1,10,352.89 but have not been able to complete their export obligation. The party has submitted installation certificate for the capital goods imported and as per report from RA no ECA action has been initiated against them. 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 shall 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 request for endorsement of alternate product may be examined by RA concerned as per policy. **This has the approval of DG.**
16.	M/s Tata Cummins Pvt. Ltd., Pune 01/37/218/85/AM-16/EPCG-II	3130005128 dated 23.09.2010 3130005299 dated 29.11.2010	Extension of block-wise EO period.	The Committee noted that the party has fulfilled 26% EO against the authorization No.313000299 dated 29.11.2010 and 27% EO against authorization No. 3130005128 dated 23.09.2010 during first block EOP. The Committee took into account the submission of the party that they could not fulfil EO during the 1st block due to immense international competition and increase in costs during the period of shipment.

				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 shall 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.**
17.	M/s Tupperware India Pvt. Ltd., Dehradun 01/37/218/166/ AM-16/EPCG-II	0530150962 dated 15.01.2010	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO within the 1st 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 shall 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.**
18.	M/s Vakons Embroidery Pvt. Ltd. New Delhi 01/37/218/94/A M-16/EPCG-II	0530153812 dated 26.10.2010	Request for counting job work as third party exports.	The Committee took into account the submission of the party that due to paucity of funds they could not purchase raw material to generate export orders as required by foreign buyers. The party has now got job order from various leading exporters who have agreed to endorse their EPCG authorization No. & date as third party export shipping bills. The Committee deliberated upon the case and decided to **reject** the request as job work is not covered under 3rd party exports.
19.	M/s Panacea Biotec Limited, New Delhi 01/37/218/79/A M-16/EPCG-II	0530156084 dated 26.07.2011 0530156585 dated 27.09.2011 0530155472 dated 01.05.2011 0530155575 dated 25.05.2011 0530157750 dated 27.02.2012 0530157805 dated 02.03.2012 0530160247 dated 29.01.2013	Waiver of annual average EO.	The Committee noted that the request of the party was earlier placed before the EPCG Committee meeting held on 26.10.2015, wherein it was decided to defer it for further examination on file. The Committee noted that a detailed report would need to be called from RA in respect of all EPCG authorizations issued to the party during that period to assess the implication of delisting of their export product by WHO during 18.8.2011 to 12.10.2013. It was accordingly decided to **defer** the case for calling report from RA.
20.	M/s Riverside Resorts & Holidays Homes Pvt. Ltd., Goa 01/37/218/150/ AM-16/EPCG-II	1730001006 dated 20.11.2009	Condonation of delay in installation of capital goods.	The Committee noted that the party has fulfilled their entire EO within 1st block period. The Committee took into account the submission of the party that they had obtained the installation certificate from Chartered Engineer but there was a delay in installation of Capital

				Goods beyond 18 months. The party has stated that the capital goods are LCD TVs and installation of the same had to be linked with the completion of floor-wise/ location-wise plans of the building which led to the delay in installation. 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.**
21.	M/s R.P. Knitting, Kolkata 01/37/218/10/AM-16/EPCG-II	0230003265 dated 21.05.2008	Extension of block-wise EO period.	The Committee deliberated upon the case and decided to **defer** the case with direction to obtain the detailed report from concerned RA.
22.	M/s Y.S.R. Spinning & Weaving Mills (P) Ltd., Guntur 01/37/218/151/AM-16/EPCG-II	0930001169 dated 14.10.2004 0930001183 dated 20.10.2004	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO in respect of authorization no. 0930001183 dated 20.10.2004 in fourth block period and 92.60% EO against authorization no. 0930001169 dated 14.10.2004 in fourth 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 shall 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 subject to payment of Customs duty + interest towards the shortfall in the fulfilment of EO in respect of authorization no. 0930001169 dated 14.10.2004. **This has the approval of DG.**
23.	M/s Balaji Paper & Newsprint Pvt. Ltd., Kolkata 01/36/218/200/AM-13/EPCG-I	0230000748 dated 18.10.2004 0230000898 dated 02.03.2005 0230000962 dated 13.04.2005 0230000961 dated 13.04.2005 0230000857 dated 27.01.2005 0230001107 dated 19.08.2005	i. Extension of block-wise EO period ii. First and second extension in EOP for 2+2 years. iii. Endorsement of additional export product.	The Committee noted that party has stated that they could not fulfil EO during the original EOP due to global economic recession and economic slowdown. 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 against all the subject authorizations, as the party could not apply to RA within the prescribed time period. This shall 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) first extension in EOP for 2 years against all the subject authorizations 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. (c) second extension in EOP for further two years in respect of 4 EPCG authorizations which are issued after 01.04.2005 on payment of 50% of duty as per Para 5.11 of HBP (RE: 2005). The request for endorsement of alternate product may be examined by RA concerned as per policy. **This has the approval of DG.**
24.	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 0330033621 dated 07.09.2012 0330033622 dated 07.09.2012	Inclusion of export product i.e. polyester texturized yarn.	The Committee noted that the request of the party is for inclusion of export product Polyester Texturised yarn against 5 EPCG authorizations issued for export of Polyester Chips and partially oriented yarn (POY) and the same has been earlier rejected by RA Mumbai on the grounds that Polyester Texturised yarn was being manufactured in a unit which had availed benefits under Technology Upgradation Fund Scheme (TUFS) administered by Ministry of Textiles, Government of India and zero percent EPCG scheme was not available for units availing TUFS benefits. The Committee observed that the party has requested that they be allowed to fulfil EO by export of Polyester Texturised yarn since the policy has changed and that zero percent EPCG scheme is now also available to units availing TUFS benefits and that they are also ready to undertake additional export obligation up to 25% to 50% considering that PTY is a product which undergoes two production stages after Chips and one stage from Partially oriented yarn to Polyester Texturised yarn. The Committee deliberated upon the request and decided to **reject** the same on the grounds that zero percent EPCG scheme was not available for units availing TUFS benefits when the authorizations were availed by the party and the FTP does not provide for undertaking additional export obligation by export of value added products.
25.	M/s Supertech Infrastructure Pvt. Ltd., Noida 01/36/218/263/ AM-15/EPCG-II	13 EPCG authorizations issued during 2009 to 2011	Transfer of EPCG authorizations from the name of M/s Supertech Infrastructure Pvt. Ltd., to M/s Marvelous Infraestate Pvt. Ltd., on the basis of slump sale.	The Committee observed that the said authorizations were issued to M/s Supertech Infrastructure Pvt. Ltd., and upon takeover of the hotel on slump sale basis, the capital goods installed in the hotel were transferred to M/s Marvelous Infraestate Pvt. Ltd., 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 Supertech Infrastructure Pvt. Ltd., to M/s Marvelous Infraestate Pvt. Ltd., on account of slump sale subject to: i) Submission of fresh BG equivalent to duty saved amount. 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 imposed under these authorizations. **This has the approval of DG.**
26.	M/s Crest Steel & Power Pvt. Ltd., Mumbai 01/36/218/75/AM-15/EPCG-I	0330032067 dated 13.03.2012	Extension in time **up to 31.07.2015** for submission of installation certificate.	The Committee observed that the party could not install the capital goods imported against this authorization because the party has not completed import of entire CG required for their project due to financial constraint as banks have put financing of their projects on hold due to ban on mining. The Committee took into account the submission of the party that they had placed orders for purchase of all the equipments for 3 MTPA wire rod mill and had accordingly had made the payment for 65 containers in which parts of equipments were received by them. Subsequently, due to paucity of funds at their end they could not pick up the balance items and meanwhile, the validity of EPCG authorization had also expired. They are making all efforts to organise funds and install 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 to allow** extension in time upto 31.07.2015 for installation of capital goods subject to payment of composition fee of Rs.5000/- and the party would also submit installation certificates from Central Excise to concerned RA. **This has the approval of DG.**
27.	M/s German Express Shipping Agency (I) Ltd., Mumbai 18/53/AM-15/P-5	0330015037 dated 09.02.2007	Regularization of shifting of capital goods.	The Committee took into account the submission of the party that the capital goods were imported to be installed at CFS Rajaji salai Chennai, Tamilnadu. Since, the CFS Rajaji salai was under construction and they did not get the possession of the site they have shifted the capital goods to CFS Kondakarai panchayat Ponneri High Road, Chennai. Both the addresses of the units are already endorsed in IEC and RCMC. The Committee deliberated upon the case and decided to **regularize** the shifting of capital goods from CFS, Tamilnadu to CFS, Chennai subject to payment of composition fee of Rs.5000/-.
28.	M/s Balar Synthetics Pvt. Ltd., Jaipur 01/36/218/36/AM-15/EPCG-I	1330001947 dated 10.10.2008	Inclusion of alternate product.	M/s Balar Synthetics Pvt. Ltd., Bhilwara vide their letter dated 21.11.2014 have requested to allow 100% EO fulfillment of exports of synthetic fabrics in respect of EPCG authorization no. 1330001947 dated 10.10.2008. The RA has reported that the export item mentioned in the licence is synthetic fabrics (ITCHS - 55151130) and the items actually exported were textile piece goods such as dyed 100% cotton (ITCHS – 52081190) and polyester 60% cotton 40% and polyester 90% viscose 10% (ITCHS – 54075290). The case was placed before EPCG Committee meeting held on 19.09.2014. The decision of the Committee is reproduced as under: "The technical representative of Ministry of Textiles informed that the alternate items cannot be manufactured by the capital goods imported against the subject EPCG

				Authorization. However, the Committee observed that as per the relevant provision in force at the time of issuance of EPCG Authorization, 50% EO can be fulfilled by export of alternate products; however relaxation is required for counting of exports already made by the firm. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP to allow counting of exports of alternate items upto the extent of 50% of EO only and subject to refixation of Average EO against the subject EPCG Authorization." The party vide their letters dated 21.11.2014 and 2.2.2015 submitted that the product which was exported by them is not an alternate product but the same and similar product as allowed under the authorisation. They have requested to allow them 100% EO fulfillment through exports of products made by them with the use of same capital goods imported under the subject authorization. The party has furnished a copy of CEC in this regard. An email dated 08.09.2015 was received from O/o Regional Textiles Commissioner, Noida who now have confirmed in writing that the alternate items can be manufactured by the Capital Goods imported against the subject EPCG Authorization. The Committee noted that the products exported are same and similar and can be manufactured by the same capital goods. The Committee **remanded** the matter back to the RA for examination for redemption on the basis of the written comments of the O/o Regional Textiles Commissioner, Noida.
29.	M/s JHS Svendgaard Laboratories Limited, New Delhi 01/36/218/383/ AM-14/EPCG-I	2230000263 dated 03.01.2006	i. Amendment/ Re-fixation of maintenance of annual average export obligation ii. Regularization of shifting of capital goods	The Committee took into account the submission of the party that they had included the FOB figures of Exports made by their EPZ unit Jai Hanuman Exports, Noida inadvertently in their application for issuance of EPCG authorization, and such exports are not accountable for annual average for the reason that all the productions/items from EPZ is for export purpose only. The party in their request has also informed that they have shifted their capital goods from unit at B-1/E-23, Mohan cooperative industrial area, Mathura Road, New Delhi – 110 044, mentioned in their EPCG authorization and where the Capital Goods were installed to JHS Svendgaard Laboratories Ltd., Trilokpur Road, Kheri (Kala-Amb), Tehsil Nahan as the unit at Delhi met with a fire accident. The party has informed that they could not inform the same to the RA concerned in time and requested to regularize the shifting of Capital Goods to the new unit. The party vide their letter dated 05.08.2015 has also submitted RCMC in which the address of the unit has been mentioned as Trilokpur Road, Kheri, (Kala-Amb), Tehsil Nahan, Sirmour (HP). The Committee deliberated upon the case and decided to (i) **allow** the refixation of annual average export obligation by excluding the export

				performance of the EPZ unit. (ii) **regularize** shifting of capital goods from to their unit located at their unit at **B-**1/E-23, Mohan cooperative industrial area, Mathura Road, New Delhi – 110 044 to JHS Svendgaard Laboratories Ltd., Trilokpur Road, Kheri (Kala-Amb), Tehsil Nahan subject of payment of composition of Rs. 5000/-.
30.	M/s Nidhi Mining Pvt. Ltd., Gandhidham. 18/132/AM-16/P-5	3730000083 dated 10.06.2008 3730000095 dated 12.08.2008 3730000094 dated 11.08.2008	i. Permission to shift the capital goods from Bellary, Karnataka to Kasez, Gandhidham; ii. Allow alternate product i.e. Salt; iii. Extension of block-wise EO and extension in EOP from 28.07.2010 till the alternate product are allowed for export under EPCG; iv. Condonation from not submitting installation certificate.	The Committee took into account the submission of the party that they were in possession of the mining lease of mines located in Bellary District of the State of Karanataka. The company has been issued EPCG license for export of Iron Ore for which mining operations have been suspended by Karnataka Government vide order dated 28.07.2010, on the directions of Hon'ble Supreme Court. Consequent upon the report of illegal mining in the area, the Hon'ble Supreme Court has also appointed Central Empowered Committee (CEC) to look in the affairs of the mining in the year 2010. CEC in its report dated 03.02.2012 has recommended for cancellation of lease rights of the company. The company has contested this decision through writ petition in the Hon'ble Supreme Court which is yet to be decided. The party has further stated that the export obligation towards above mentioned EPCG license cannot be completed from the original export product i.e. Iron Ore due to suspension of mining operations, vide Karnataka Govt, order dated 28.07.2010 on the directions of Hon'ble Supreme Court. The party has also stated that the capital goods are lying with them uninstalled. The Committee deliberated upon the case and **decided to recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** (i) extension in block-wise EOP against all the subject authorizations, as the party could not apply to RA within the prescribed time period. This shall 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; (ii) condonation from not submitting installation certificate at Bellary, Karnataka as the capital goods have not been installed. (iii) Permission to shift the capital goods from Bellary, Karnataka to Kasez, Gandhidham as both the addresses are mention in IEC. The party shall submit installation certificate within six months of endorsement. The request for endorsement of alternate product may be examined by RA concerned as per policy. **This has the approval of DG.**
31.	M/s Master Voss International Projects Pvt. Ltd., Mumbai	0330024713 dated 22.12.2009	i. Regularization of import of Hydraulic Modular axles	The Committee deliberated upon the case and it was decided that a policy decision is required in this case. The case was **withdrawn** for examination on file.

	18/81/AM-16/P-5		for redemption of EPCG authorization. ii. Clarification on import of second hand/used heavy load hydraulic modular axles, secondhand/used heavy load equipment for usage with modular axles under EPCG Scheme.	
32.	M/s Panchal Engineers (India) Pvt. Ltd., Nashik 01/37/218/93/AM-16/EPCG-II	3130002213 dated 12.01.2007	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 have not fulfilled the EO within the original EO period due to poor demand and highly price competitive market. Now, 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 shall 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.**
33.	M/s Shyam Indospin Limited, Mohali 01/37/218/236/AM-15/EPCG-II	2230000529 dated 03.01.2007	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 have not fulfilled the EO within the original EO period due to the internal restructuring of plant operations in the past. Now, 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 shall 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. In case of exports through third party, the provisions of Para 5.10(d) of HBP 2015-20 should be followed. **This has the approval of DG.**
34.	M/s Siderforgerossi India Pvt. Ltd., Bangalore 01/37/218/193/ AM-16/EPCG-II	0730010384 dated 19.07.2011	Permission for re-export of Hot Radial Forging Machine.	The case was **deferred** for comments from DoR.
35.	M/s India Infrastructure & Logistics Pvt. Ltd., Mumbai 01/36/218/47/A M-16/EPCG-I	0330012797 dated 03.08.2006	Extension of block-wise EO period and extension of EOP for 2 years.	The Committee took into account the submission of the party that they have fulfilled the EO in terms of Rupees but the corresponding amount in terms of dollar is slightly less. 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 shall 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.**

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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
IEM = Industrial Entrepreneurs Memorandum
RCMC = Registration-cum-Membership Certificate
