MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 20.01.2016.

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. Smt. Chitra Sharma, Deputy Director General of Foreign Trade, DGFT
e. Shri Kumar Rahul, Deputy Director General of Foreign Trade, DGFT
f. Shri S.K. Kala, Foreign Trade Development Officer, DGFT
g. Shri A.S. Chauhan, Foreign Trade Development Officer, DGFT

II. Minutes of the last Meeting held on 18.12.2015 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 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 case was earlier placed before the EPCG Committee meeting held on 26.10.2015, wherein it was decided to defer the case for seeking reasons for non-fulfilment of EO even after 7 years of issuance of the said authorizations. The Committee noted that the party has fulfilled 36.23% EO in the first block period against authorization No. 2230001015 dated 30.09.2008 and Nil against 2230001011 dated 30.09.2008. The Committee also took into account the submission of the party that they could not fulfil block-wise EO due to financial instability in the company. New management took over in mid 2013 and they had to pay huge amount to the bank as loan reimbursement. They also undertook renovation and repair of existing machines and installed new machines. 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.**
2.	M/s Alfa Soles, Chennai 01/36/218/176/AM-16/EPCG-I	0430004894 dated 23.04.2007	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 cancellation of their export orders. The Committee took into account the submission of the party that they have sufficient export orders now 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.**
3.	M/s Maruti Suzuki India Ltd., New Delhi 01/36/218/425/AM-14/EPCG-I	16 EPCG authorizations issued during the period of AM-09.	Extension of block-wise EO period.	The Committee noted that the party has 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 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.**
4.	M/s Gupta Swabs Limited, Chennai 01/36/218/314/AM-14/EPCG-I	0430002937 dated 17.08.2005	Extension of block-wise EO period and extension in EOP for 2 years.	The party has submitted that they have fulfilled their entire specific EO within original EOP. However, they have not fulfilled their annual average EO. Hence their specific EO cannot be treated as fulfilled. Party has submitted that they require extension in EOP to fulfil average 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**: (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.**
5.	M/s Brooks Laboratories Limited, Mumbai 01/36/218/111/AM-16/EPCG-I	2230001980 dated 19.04.2012	Extension in time upto 30th April, 2016 for installation of capital goods.	The Committee took into account the submission of the party that the import of CG was completed in 17.02.2012. The party has stated that the delay in installation has been on account of delay in obtaining permission for use of land leading to further delay in construction work. Now, the project is at the stage of completion. 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 and verification certificate from central excise/chartered engineer that the capital goods, unused, are physically available at their site. **This has the approval of DG.**
6.	M/s Bio-gen Extracts Pvt. Ltd., Bangalore 01/36/218/155/AM-16/EPCG-I	0730010500 dated 26.08.2011	i. Permission to shift the capital goods; ii. Extension in time for installation of capital goods.	The Committee took into account the submission of the party that they could not install the capital goods imported for their unit at Sunkadakatte (Bangalore) due to space constraints. The party has further submitted that they want to shift the capital goods to their unit located at Dabaspet (Bangalore). Both the addresses of the units are already endorsed on IEC and RCMC. The Committee deliberated upon the case and decided to **allow** shifting of capital goods from Sunkadakatte (Bangalore) to Dabaspet (Bangalore) subject to submission of chartered engineer / central excise certificate that the CGs are lying uninstalled and unused with them.
7.	M/s Carborundum Universal Limited, Chennai	1030002168 dated 15.02.2012	Condonation of delay in submission of installation certificate.	The Committee took into account the submission of the party that they had installed the capital goods on 12.12.2012 but could obtain the installation certificate

	01/36/218/184/AM-16/EPCG-I			from central excise only on 03.03.2015. The Committee 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.**
8.	M/s Jindal Saw Limited, New Delhi 01/36/218/14/AM-16/EPCG-I	0530139896 dated 17.11.2005	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 due to delay in installation of 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 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.**
9.	M/s Jindal Poly Films Limited, New Delhi 01/36/218/72/AM-13/EPCG-I	0530133359 dated 27.09.2002 0530136565 dated 14.07.2004 0530140674 dated 20.03.2006	Clubbing of 3 EPCG authorizations.	M/s Jindal Poly Films Limited, New Delhi have requested for clubbing of EPCG Authorization Nos. 0530133359 dated 27.09.2002, 0530136565 dated 14.07.2004 and 0530140674 dated 20.03.2006. Para 5.27 (g) of HBP 2015-20 provides that for clubbing of EPCG authorizations issued prior to 1.4.2007 provisions contained in Chapter 5 of HBP Vol.1 (RE-2006) shall be applicable. The Para 5.18.2 of HBP Vol.1 (RE-2006) states that clubbing may be allowed for licenses issued during the same licensing year, same custom notification, and for same product/service. The Para further states that no clubbing shall be allowed in case of expiry of the EPCG authorization. The Committee noted that the request of the party was earlier placed before the EPCG Committee on 27.04.2015 and 19.06.2015, wherein representative of DOR stated that they need to call for a report from customs in the matter before furnishing their comments. The Committee had therefore deferred the case. DOR vide their letter dated 08.12.2015 has reported that the importer had not imported the items mentioned as per the import list; Importer had imported parts and spare parts by mis-declaration in description; Imports have been made after

				expiry of the validity period of the authorization; SCN's have been issued to the party on 28.03.2013, 26.06.2015 and 25.03.2013. The Jurisdictional Commissioner at NCH, Mumbai has recommended that the request for clubbing of these authorizations after expiry of EOP does not appear to legal and proper. The Committee deliberated upon the case and decided to **reject** the request for clubbing in view of the policy provisions and comments provided by DoR.
10.	M/s KSV Embroiders, Chennai 01/36/218/126/AM-16/EPCG-I	0430004169 dated 03.10.2006	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO in 2nd block period. The Committee took into account the submission of the party that they could not fulfil block-wise EO due to difficulty in marketing the export products. The party has submitted that they had lost the original authorization on 03.10.2006, got the utilization certificate from Customs and had duplicate authorization issued on 21.06.2012, which also led to delay. 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 Koch Chemical Technology Group India Pvt. Ltd., Vadodara 01/36/218/271/AM-14/EPCG-I	3430001385 dated 24.12.2008	Condonation of delay in obtaining installation certificate from central excise.	The Committee noted that the party has fulfilled their entire EO within original EO period. The Committee took into account the submission of the party that they had obtained the installation certificate issued by chartered engineer on 24.06.2010 certifying that the equipments were installed on 12.01.2009. Thereafter excise authority had visited their factory for physical verification and issued installation certificate on 10.08.2011. This, however was beyond 18 months and not covered under P.N. 48 dated 10.01.2014. The Committee decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in obtaining installation certificate from Central Excise authority subject to payment of composition fee of Rs. 5000/. **This has the approval of DG.**
12.	M/s Erode Annai Spinning Mills (P)	3230011028 dated	Extension of block-wise EO and	The Committee noted that party could not fulfil any EO during the original EOP. The

	Ltd., Tamilnadu 01/36/218/149/AM-16/EPCG-I	28.11.2007	extension in EOP for 2 years.	Committee took into account the submission of the party that they have third party export orders worth US$ 15,00,000/. 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. Third party exports shall be subject to conditions prescribed in para 5.10 (d) of HBP 2015-20 read with policy circular 3 dated 02.09.2015. **This has the approval of DG.**
13.	M/s Honda Motorcycle & Scooter India Pvt. Ltd., Gurgaon. 01/36/218/137/AM-16/EPCG-I	0530160848 dated 17.05.2013	Permission to shift the capital goods to the premises of their supporting manufacturer.	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 23.12.2015 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 manufacturer i.e. M/s Badve Engineering Ltd., situated at 207 to 210, 211 P, 234 P, 235 to 238, Narsapura Industrial Area, Narsapura, Kolar, Karnataka – 563 133. 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 Badve Engineering Ltd., situated at 207 to 210, 211 P, 234 P, 235 to 238, Narsapura Industrial Area, Narsapura, Kolar, Karnataka – 563 133 subject to endorsement of name of supporting manufacturer by RA. The party shall submit fresh installation certificate to RA within 6 months of the endorsement.
14.	M/s L.T. Karle & Co., Bangalore 01/36/218/172/AM-16/EPCG-I	0730005184 dated 24.01.2007 0730005283 dated 19.02.2007	Waiver from obtaining installation certificate from central excise authorities.	The Committee noted that the party has fulfilled their entire EO within first block period. They have submitted installation certificate from Chartered Engineer and obtained physical verification certificate from Central Excise that the capital goods are physically available in the authorization holder's premises. The Committee took into account the submission of the party that because they were not doing any domestic clearances at the time of procurement of capital goods. They were on the verge of surrendering their central excise certificate. For this reason they had obtained installation certificate from chartered engineer. The Committee deliberated upon the case decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** waiver in obtaining installation certificate from central excise authorities subject to payment of composition fee of Rs. 5000/- for each authorization. **This has the approval of DG.**
15.	M/s Mahendra Kumar Ashok Kumar Goyal, Kota 18/118/AM-16/P-5	1330004294 dated 27.10.2014	Regularization of shifting of capital goods.	The Committee took into account the submission of the party that they had imported the capital goods and installed the same at their manufacturing unit located at G-90, Agro Food Park, Phase- II, Ranpur, Kota – 325 003. However, they had shifted the entire plant and machinery to their unit G-262, Agro Food Park, Phase-II, Ranpur, Kota – 325 003 due to paucity of space constraint, non- availability of supporting machines and operational & technical supports. Both the addresses of the units are endorsed on IEC. The party has already obtained installation certificate from chartered engineer. The Committee, therefore, decided to **regularize** installation of capital goods at their unit G-262, Agro Food Park, Phase- II, Ranpur, Kota – 325 003 subject to payment of composition fee of Rs. 5000/-. The party shall submit fresh installation certificate to RA within 6 months from the date of installation of capital goods at their new unit.
16.	M/s Paragon Industries Limited, New Delhi	0530144418 dated 24.08.2007	i. Extension of block-wise EO	The Committee noted that party has fulfilled 10.58% in respect of EPCG authorization no. 0530144418 dated

	01/37/218/213/AM-16/EPCG-II	0530144507 dated 07.09.2007 0530144493 dated 06.09.2007	period and extension in EOP for two years; ii. Condonation of delay in submission of installation certificate.	24.08.2007 and Nil in the other 2 EPCG authorizations during original EO period due to huge slump in international market. 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. The Committee noted that the installation certificate from central excise, submitted by the party is beyond 18 months. The Committee 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.**
17.	M/s RSB Transmissions (I) Limited, Pune 01/37/218/218/AM-16/EPCG-II	3130002711 dated 18.09.2007 3130002566 dated 10.07.2007 3130002458 dated 22.05.2007	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO in the 2nd block period. The Committee also took into account the submission of the party that they could not fulfil block-wise EO due to recession in market. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20to 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 Ruchira Papers Limited. 01/37/218/141/AM-16/EPCG-II	2230000614 dated 20.03.2007 2230000620 dated 26.03.2007 2230000416 dated 09.10.2006 2230000656 dated 04.06.2007	Extension in EOP for 2 years.	The Committee noted that the request of the party was earlier placed before the EPCG Committee meeting held on 23.11.2015, wherein it was decided to defer it with directions to ask the party to confirm whether the realization from exports to Nepal will be in free foreign exchange. The Committee took into account of submission of the party that all the earlier export realization has been realized in US$ (FFE). They confirmed that the payment will be realized in US$ (FFE) for further exports to be made to Nepal. 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.**
19.	M/s V.M. Granites, Bangalore 01/37/218/07/AM-15/EPCG-II	0730003135 dated 08.08.2005	Second EOP extension for 2 years.	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 with directions to obtain the report from RA concern. The Committee took into account the submission of the party that they have not been able to fulfil their EO during original EOP and extended EOP (i.e. 8 years + 2 years) due to inordinate delay in government sanction required for starting the mining activities. The Committee further took into account the submission of the party that the permission has been granted by Government of Karnataka for a period covering ten years. They also informed that they have purchase orders and are confident to fulfil the entire within 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** second extension in EOP beyond 2 years with a condition that 50% of duty payable in proportionate to the unfulfilled EO is paid by the authorization holder to custom authorities

				before endorsement of extension in made on EPCG authorization by RA concern in terms of provisions contained in Para 5.11 of HBP (RE: 2005) w.e.f. 01.04.2005. **This has the approval of DG.**
20.	M/s Liberty Whiteware Limited, Gurgaon 18/138/AM-16/P-5	0530143541 dated 25.04.2007	Condonation of delay in obtaining installation certificate from central excise.	The Committee took into account the submission of the party that they have fulfilled the EO under fast track benefit within 4th years (74.87%). The party has obtained the installation certificate from chartered engineer within time and also obtained installation certificate from Central Excise beyond 18 months. 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 from Central Excise Authority subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
21.	M/s Siderforgerossi India Pvt. Ltd., Mysore 01/37/218/192/AM-16/EPCG-II	0730005127 dated 12.01.2007 0730004298 dated 29.06.2006 0730004768 dated 27.10.2006 0730009670 dated 13.12.2010 0730004221 dated 12.06.2006 0730005535 dated 23.04.2007	Extension of block-wise EO period.	The Committee noted that in four out of six authorizations, party has fulfilled their entire EO in 2nd block period. They have fulfilled 76.35% and Nil in respect of EPCG authorization nos. 0730004298 dated 29.06.2006 and 0730009670 dated 13.12.2010 respectively. The Committee took into account the submission of the party that they could not fulfil the first block EO due to delay in installation of capital goods, deflation in the economy and global melt down. 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.**
22.	M/s Oxo India Pvt. Ltd., Mohali 01/37/218/87/AM-16/EPCG-II	2230000164 dated 12.05.2005	Extension of first block EO period.	The Committee noted that the party has fulfilled 60.38% EO. The Committee took into account the submission of the party that they have deposited the Customs duty along with interest as per P.N. 22 dated 12.08.2013. 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.**
23.	M/s Swastika Creations, Howrah 01/37/218/197/AM-16/EPCG-II	0230005544 dated 22.07.2010	Extension in block-wise EO period.	The Committee took into account the submission of the party that they could not fulfil their first block EO due to recession in the global market and competition from China. 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.**
24.	M/s Schott Kaisha Pvt. Ltd., Mumbai 01/37/218/165/AM-16/EPCG-II	0330030116 dated 26.07.2011	Condonation of delay in submission of installation certificate.	The Committee noted that the party has fulfilled their entire EO within first block period. The Committee took into account the submission of the party that the imported capital goods were second hand which required some repairs and were sent to the manufacturer. After completion of repair they had approached to Central Excise for issuance of installation certificate and obtained the same beyond 18 months. 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 from Central Excise Authority subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
25.	M/s Universal Construction Machinery & Equipment Limited, Pune 01/37/218/229/AM-16/EPCG-II	3130001744 dated 10.05.2006 3130001723 dated 28.04.2006 3130001755 dated 24.05.2006	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO in 2nd block period. The Committee took into account the submission of the party that they could not complete the first block EO due to recession and non-availability of export orders. 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.**
26.	M/s Polyrub Extrusions (India) Pvt. Ltd. , Mumbai 01/37/218/88/AM-15/EPCG-II	0330012249 dated 09.06.2006	Condonation of delay in submission of installation certificate.	The Committee took into account the submission of the party that they have already fulfilled their entire EO within original EO period. The Committee further took into the account the submission of the party that the land acquired from MIDC in Chakkan which was under a legal dispute. They have obtained the installation certificate from Central Excise, wherein date of installation of capital goods is 10.09.2008 which is beyond 18 months from the date of completion 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 from Central Excise Authority subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
27.	M/s Prabhakar Balaji Samleti ,Maharashtra 01/37/218/219/AM-16/EPCG-II	3030003323 dated 22.07.2008	Extension of block-wise EO period.	The Committee took into account the submission of the party that they have could not fulfil the EO within first block period due to non-availability of export orders. However, now they have sufficient export orders and are confident to fulfil the EO within valid EO period. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** 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.**
28.	M/s Shriniwas Bhoopati Samleti, Pune 01/37/218/216/AM-16/EPCG-II	3130003320 dated 21.07.2008	Extension of block-wise EO period.	The Committee took into account the submission of the party that they could not fulfil the EO within first block period due to non-availability of export orders. However, now they have sufficient export orders and are confident to fulfil the EO within EO period. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** 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.**
29.	M/s Steel Strips Wheels Limited, Chandigarh. 01/37/218/217/AM-16/EPCG-II	3030006233 dated 28.01.2010	Condonation of delay in installation of capital goods.	The Committee noted that the party has fulfilled their entire EO within first block period. The Committee also noted that the installation certificate issued by central excise authority is beyond 18 months from the date of completion 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 installation of capital goods subject to payment of composition fee of Rs.5000/. **This has the approval of DG.**
30.	M/s Finolex J-Power Systems Pvt. Ltd., Pune 01/36/218/63/AM-16/EPCG-I	3130005563 dated 04.03.2011 3130005603 dated 22.03.2011 3130005621 dated 31.03.2011 3130005420 dated 12.01.2011 3130005578 dated 10.03.2011	Extension of block-wise EO period.	The Committee took into account the submission of the party that they could not fulfil their EO in first block period, due to delayed implementation of project and commercial production. Further, they submitted that for getting export order they need to get some certificates from international test laboratories like KEMA & CESI before selling material to the overseas customer. They are in process of getting such certificates which will help them to participate in the international market to get the export orders. 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.**
31.	M/s Reliance Industries Ltd., Mumbai 01/37/218/209/AM-16/EPCG-II	0330011580 dated 30.03.2006	Condonation of procedural lapse of mentioning wrong EPCG authorization no. in shipping bills.	The Committee noted that the party has fulfilled their entire EO within original EOP. But the EPCG authorization numbers mentioned on shipping bill no. 5484326 dt. 02.09.2008 was 0330018293 and shipping bill no. 5488128 dt. 24.10.2008 was 0330011948. Both the exports were not counted for fulfilment of EO or for AEP against the respective EPCG authorization. The Committee deliberated upon the case and decided to **allow** counting of shipping bills on which wrong EPCG authorization

				No. was mentioned for regularisation of said authorisations on payment of composition fee of Rs. 200 per shipping bill. RA shall ensure that there is no double counting of shipping bills.
32.	M/s Karmen International Pvt. Ltd., Chennai 01/36/218/37/AM-16/EPCG-I	0430011008 dated 21.03.2012	Regularization of shifting of capital goods.	The Committee noted that the party has fulfilled their entire EO within first block period. The Committee took into account the submission of the party that they had obtained the subject authorization for their manufacturing unit located at **75, Athipalayam Road, Ganapathy, Coimbatore – 641 006**. However, they had shifted the entire plant and machinery to their unit **S.F. 70/ 2 B, 72/ 1 B, Athipalayam Road, Chinnavedampatti, Coimbatore, Tamilnadu – 641 006** after amending the IEC. The party has already obtained installation certificate from Central Excise after shifting of capital goods. The Committee, therefore, decided to **regularize** shifting of capital goods at their unit S.F. 70/2 B, 72/1 B, Athipalayam Road, Chinnavedampatti, Coimbatore, Tamilnadu – 641006 subject to payment of composition fee of Rs.5000/- for each authorisation.
33.	M/s Jade Knits, Gurgaon 01/36/218/83/AM-16/EPCG-I	0530137084 dated 28.09.2004 0530139347 dated 24.08.2005	Acceptance of installation certificate issued by chartered engineer instead of central excise.	The Committee noted that the request of the party for regularization of shifting of capital goods was placed before the EPCG Committee meeting held on 26.10.2015 and Committee decided to regularize the shifting of capital goods. The Committee took into account, the submission of the party that their company was under registration with excise for 2 years only and when government made excise registration optional for textile industries, they had de-registered from excise. Unfortunately, they had missed out taking installation certificate from excise department during that period. The Committee observed that the party had already deposited the Customs duty + interest to regularize the case in terms of P.N. 22 dated 12.08.2014. RA has reported that party is registered with excise authority but has submitted installation certificates from chartered engineer according to which dates of installation are 15.01.2015 and 18.02.2015. The Committee deliberated upon the case and this being regularization under PN 22 decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** acceptance of

				installation certificate issued by chartered engineer instead of central excise authority subject to payment of composition fee of Rs.5000/- for each authorization. **This has the approval of DG.**
34.	M/s GHCL Limited, Madurai 01/36/218/187/AM-16/EPCG-I	3530002751 dated 18.07.2007 3530002546 dated 30.03.2007	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 could not fulfil the EO during the original EOP due to severe recession in the international market. 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.**
35.	M/s Brain "N" Beyond Biotech Pvt. Ltd., Bangalore 01/36/218/389/AM-14/EPCG-I	0730002752 dated 01.04.2005 0730002854 dated 09.05.2005 0730003183 dated 22.08.2005	Second EOP extension for 2 years.	The Committee took into account the submission of the party that they have not been able to fulfil their EO during original EOP and extended EOP (i.e. 8 years + 2 years) as they had very little time left for exports after first EO extension granted by the EPCG Committee meeting held on 26.02.2015. They also informed that they have purchase orders in hand and are confident to fulfil the entire within 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** second extension in EOP beyond 2 years with a condition that 50% of duty payable in proportionate to the unfulfilled EO is paid by the authorization holder to custom authorities

				before endorsement of extension in made on EPCG authorization by RA concern in terms of provisions contained in Para 5.11 of HBP (RE: 2005) w.e.f. 01.04.2005. **This has the approval of DG.**
36.	M/s Warah Appliances, Faridabad 01/37/218/76/AM-16/EPCG-II	0530145623 dated 15.02.2008	Condonation of procedural lapse for not-mentioning the EPCG authorization no. & date on shipping bills.	Representative of DOR stated that they need to call for comments from the concerned central excise authority and customs for verification of shipping bills and ARE forms. The Committee, therefore, decided to **defer** the case.
37.	M/s Videocon Industries Limited, Mumbai 01/37/218/83/AM-16/EPCG-II	0330014375 dated 18.12.2006 0330013021 dated 24.08.2006 0330030346 dated 19.08.2011	Regularization of exports made by alternate service export / alternate products.	The Committee noted that the request of the party was last placed in the EPCG Committee on 18.08.2015 for endorsement of alternate services/product and extension of block-wise EO period. The committee had acceded to block-wise EO extension and had advised the RA to consider the request of the party for endorsement of alternate services for EO fulfilment in terms of relevant policy/procedure. Accordingly, they approached RA, Mumbai for endorsement of alternate services made by them. In response RA, Mumbai has issued a deficiency letter stating that the request cannot be considered now as per para 5.4 (i) 2004-09 (w.e.f. 01.04.2006) i.e. the relevant para in force at the time of issuance of authorization in this case, as the party has not taken prior permission. The Committee observed that 100% EO could be fulfilled by export of alternate goods manufactured/services provided by the party as per Para 5.4(i) of FTP 2004-09(RE 2006). This shall be applicable for authorisations issued in 2006. For authorisations issued in 2011, Para 5.5 of FTP 2009-14 shall be applicable which allowed fulfilment of EO by alternate goods manufactured/services provided by the party to the extent of 50%. Therefore, the Committee **recommended to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** regularization of exports made/ services provided prior to taking approval for export of alternate goods manufactured/ services provided to the extent allowed by the policy. **This has the approval of DG.**
38.	M/s Shresid Interiors Pvt. Ltd., New Delhi 01/37/218/13/AM-16/EPCG-II	0530142832 dated 11.01.2007	i. Counting of exports made against 1st EPCG authorization (i.e. 0530132775 dated 22.04.2002) may be treated/counted for fulfillment of	The Committee deliberated upon the case and decided to **defer** it with directions to obtain report from RA concerned in respect of: i) Whether nexus is established in the product exported; ii) Whether the shipping bills have partially been used for EO fulfillment

			EO against 2nd EPCG authorization (i.e. 0530142832 dated 11.01.2007). ii. Acceptance of installation certificate issued by chartered engineer instead of central excise.	or not used at all; iii) Whether the LEO dates are before/after the issuance of the second authorization (i.e. 0530142832 dated 11.01.2007); iv) Whether the 1st EPCG authorization (i.e. 0530132775 dated 22.04.2002) is redeemed or not. The party was also advised to submit a copy of installation certificate from Central Excise.
39.	M/s Manaksia Limited, Kolkata 18/122/AM-16/P-5	0230005589 dated 04.08.2010	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 due to slowdown in the economy. 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.**
40.	M/s Akums Drugs & Pharmaceuticals Limited, Delhi 01/36/218/118/AM-16/EPCG-I	14 EPCG authorizations issued during the period of AM- 07 to AM-11.	Extension of block-wise EO period.	The Committee deliberated upon the case and decided to **defer** it with directions to obtain report from RA concerned whether extension in EO period has been requested and if so the EO fulfilment status of the authorizations.
41.	M/s Savi Trexim Pvt. Ltd., Kolkata 01/37/218/48/AM-16/EPCG-II	0230002148 dated 15.02.2007	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 could not fulfil the EO within the original EO period due to adverse market conditions. The Committee took into account the submission of the party that they have 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.**
42.	M/s Olympic Cards Limited, Chennai 18/128/AM-16/P-5	0430005524 dated 07.11.2007	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 could not fulfil the EO within the original EO period due to recession in international market. The Committee took into account the submission of the party that they have purchase 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.**
43.	M/s Dindigul Cotton Textile Mills (P) Ltd., Dindigul 01/36/218/205/AM-16/EPCG-I	3530002512 dated 29.03.2007 3530002513 dated 29.03.2007 3530002757 dated 18.07.2007	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 could not fulfil the EO within the original EO period due to high cost of raw material, labour problems and higher interest cost. The Committee took into account the submission of the party that they have sufficient purchase 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.**
44.	M/s Federal – Mogul Goetze (India) Limited, Delhi 01/36/218/31/AM-16/EPCG-I	0530154747 dated 19.02.2011 (in lieu of original authorization no. 0530132892 dated 23.05.2002)	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO during extended period of EOP. The Committee took into account the submission of the party that they could not fulfil block-wise EO due to adverse market conditions. 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.**
45.	M/s Krishnapatnam Port Company Limited, Visakhapatnam 18/08/AM-16/P-5	-----	Issuance of EPCG authorization for import of heavy duty trailers with Jeep under EPCG Scheme.	The Committee deliberated upon the case and decided to **defer** the case due to absence of concerned technical member of the Committee.
46.	M/s Chennai Petroleum Corporation Limited, Chennai 18/66/AM-16/P-5	-----	Issuance of EPCG authorization for import of pipes under EPCG Scheme.	M/s Chennai Petroleum Corporation Limited(CPCL), Chennai, a subsidiary of Indian Oil Corporation Ltd, have requested for clarification regarding issuance of EPCG for import of pipes and have, submitted that CPCL is currently implementing Resid Upgration Project for which new Delayed Coker Unit is proposed. The items proposed to be imported are parts of capital goods used in furnaces, heat exchangers, heaters

				coolers for carrying the products, intermediates etc. The refining equipments are mostly made of pipes of various dimensions and metallurgies. At the Delayed Coker Unit of CPCL, different grades of alloy steel pipes are required to transfer petroleum products within the unit to get it processed most extensively in the heater to coke drum area where very high temperature is encountered. Alloy steel pipes are known to deliver exceptional performance. Comments of the technical authorities from Ministry of Petroleum and Natural Gas are,"The alloy pipes being imported would be used in the setting up of Delayed Coker Unit (DCU). The alloy pipes can be considered to be an integral component of the DCU and hence the status of Capital Good may be considered for the purpose of EPCG endorsement by Directorate General of Foreign Trade. CPCL has also committee to fulfill the export obligations in respect of the import of pipes, if permitted under EPCG scheme." The Committee deliberated upon the case and decided that it should be clarified that such pipes which are an integral part of the plant and machinery and shall be installed within the factory/premises are **allowed** under the EPCG scheme.
47.	M/s Mafatlal Industries Limited, Mumbai 01/36/218/156/AM-12/EPCGI	01500721 dated 30.03.1998	Extension of EPCG authorization for fulfilling import obligation by 10 years as per modified Rehabilitation Scheme of BIFR sanctioned on 24/25thJune, 2009.	The Committee observed that the case was deferred in its meeting held on 13.7.2015 for obtaining comments from DoR. The Committee took into account the comments of DoR that the decision may be taken keeping in view the rehabilitation scheme sanctioned by BIFR and relevant policy provision. The Committee noted that the party had been granted revalidation in 25.11.2003 of the authorization upto 29.3.2004 along with extension in EOP for 10 years upto 30.10.2012 in terms of BIFR scheme dated 11.11.2002. BIFR in its order dated 25.6.2009, in the modified revival scheme has again recommended allowing time of 10 years from the sanction of modified scheme for fulfilling various export/import obligations and the party has been allowed EO extension of 10 years as per the modified scheme vide decision of the EPCG Committee meeting held on 9.1.2013. The Committee noted that the EPCG authorization was issued to the party with a condition that if the licence issued under the zero duty scheme has actually been utilized for import for a value less than 20 crores, such imports shall not be covered under the zero duty scheme and the imported shall be liable to pay full customs duty with interest. In this case the party has made imports to the tune of Rs.

				13.78 crores. The Committee noted that the party has already been allowed extension in EO period upto 2019 and therefore decided **to recommend to DG for relaxation under para 2.58 of FTP 2015-20 to extend the import validity of the authorization upto 31.12.2016** in order to enable the party to complete the balance import of Rs. 7.37 crores, in terms of the condition of the EPCG authorization and modified revival scheme approved by BIFR. In case the party is not able to fulfil its import/export obligations within the extended period, they shall pay the entire duties of customs along with interest in addition to any penalty which may be imposed under the FT (D&R) Act, 1992, as amended. **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
DOR = Department of Revenue
IEM = Industrial Entrepreneurs Memorandum
RCMC = Registration-cum-Membership Certificate
