MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 14:30 Hours ON 23.11.2016.

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

II. Minutes of the last Meeting held on 26.10.2016 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 Alpha Pharma Healthcare India Pvt. Ltd., Mumbai. 01/36/218/253/AM-16/EPCG-I	0330039236 dated 10.07.2014	Extension in time till 31.12.2016 for installation of capital goods.	The Committee noted that the case was placed before the EPCG Committee meeting on 28.04.2016, wherein it was decided to defer it with directions to obtain documentary evidence in support of party's request that delay in installation occurred due to delay in obtaining necessary permissions from the concerned municipal corporation for commencing construction activity. Further, the Committee took into the account the revised submission of the party that their factory is situated in Gram Panchayat area and not in Municipal Corporation area. The party has submitted a certificate from Gram Panchayat, stating that the construction activity is still in progress. 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 up to 31.12.2016 subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
2.	M/s Badotherm Instruments Holland Pvt. Ltd., Gurgaon. 01/36/218/165/AM-17/EPCG-I	0530143714 dated 22.05.2007	Condonation of delay in installation of capital goods.	The Committee noted that the party has fulfilled their entire EO within original EOP. The Committee took into account the submission of the party that the Capital Goods were imported in 2007. They had informed Jurisdictional Central Excise Authorities on 22.09.2007 regarding the same. Jurisdictional Central Excise Authorities issued the installation certificate on 25.05.2010, showing date of installation as 04.04.2009 i.e. after a delay of more than 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 installation of capital goods subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**

3.	M/s Bharat Aluminium Company Limited, Korba. 01/36/218/108/AM-17/EPCG-I	0530145834 dated 18.03.2008 0530149357 dated 09.07.2009 0530149798 dated 14.09.2009 0530150033 dated 08.10.2009 0530150192 dated 28.10.2009 0530150558 dated 08.12.2009 0530151608 dated 22.03.2010 0530152380 dated 08.06.2010	Extension of block-wise EOP.	The Committee noted that the party has fulfilled 87.89% EO in respect of EPCG authorization no. 0530145834 dated 18.03.2008 and fulfilled Nil EO against remaining 07 EPCG authorizations. The Committee took into account the submission of the party that due to recession in international market as well as the recession in the Aluminum Sector, they could not fulfill any export obligation in the first block against these authorizations. The party has submitted a copy of sales agreement as an evidence of export order. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP2015-20** to **allow** extension of 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 5.8.3 of HBP 2004-09 & 2009-14. **This has the approval of DG.**
4.	M/s Bhuvee Stenovate Pvt. Ltd., Kolkata 01/36/218/216/AM-16/EPCG-I	0230007021 dated 17.08.2011 0230007139 dated 15.09.2011 0230007022 dated 17.08.2011 0230007420 dated 09.12.2011 0230007037 dated 18.08.2011 0230007036 dated 18.08.2011 0230007035 dated 18.08.2011	i. Extension of block-wise EOP. ii. Change of name of the company from M/s Integrated Equipments & Infraservices Pvt. Ltd., to M/s Bhuvee Stenovate Pvt. Ltd.	The Committee noted that the case was placed before the EPCG Committee on 30.06.2016, wherein representative of DoR had stated that they need to call for comments regarding pending DRI investigation against the party. The Committee had therefore, decided to **defer** the case. Further, the Committee noted that DRI vide DRI/HQ-CI/50D/Misc-70/2016-CI/5336 dated 19.08.2016 has furnished their comments. DRI has strongly recommended outright rejection of the request of the importer, in view of their past performance and perceived inability to discharge EO. DRI has stated that the FTP and the corresponding customs notifications have been consistently violated by the party, which calls for stringent action as significant revenue has been foregone in this case. The Committee deliberated upon the case and decided to **reject** the request.
5.	BRG Iron & Steel Co. Pvt. Ltd., Kolkata 01/36/218/217/AM-16/EPCG-I	0230002585 dated 27.08.2007 0230003374 dated 17.06.2008 0230004546 dated 14.10.2009 0230005813 dated 11.10.2010 0230005844 dated 19.10.2010 0230005478 dated	i. Extension of block wise EOP and extension of EOP in respect of authorization no. 0230002585 dated 27.08.2007. ii. Change of name of the licensee on the basis of merger of two companies i.e. from Bhuvee Profiles to "& Stainless Pvt. Ltd to M/s BRG Iron & Steel Iron & Steel Co. Pvt. Ltd.	The Committee noted that the request of the party was placed before the EPCG Committee on 30.06.2016, wherein representative of DoR had stated that comments regarding a pending DRI investigation needs to be called for. The Committee therefore had decided to **defer** the case. Further, the Committee noted that DRI vide DRI/HQ-CI/50D/Misc-70/2016-CI/5336 dated 19.08.2016 has furnished their comments. DRI has strongly recommended outright rejection of the request of the importer, in view of their past performance and perceived inability to discharge EO. DRI has stated that the FTP and the corresponding customs notifications have been consistently violated by the party, which calls for

		08.07.2010 0230006227 dated 14.01.2011 0230007120 dated 14.09.2011 0230007292 dated 04.11.2011 0230007393 dated 05.12.2011		stringent action as significant revenue has been foregone in this case. The Committee deliberated upon the case and decided to **reject** the request.
6.	M/s BRG Iron & Steel Co. Pvt. Ltd., Kolkata 01/36/218/218/AM-16/EPCG-I		i. Extension of block-wise EO period and change of name of the licensee on the basis of merger of two companies i.e. from M/s Rabirun Vinimay Pvt. Ltd. to M/s BRG Iron & Steel Co. Pvt. Ltd., against 07 EPCG authorizations Nos. 0230004543 dated 13.10.2009, 0230004544 dated 13.10.2009, 0230004545 dated 14.10.2009, 0230005085 dated 31.03.2010, 0230005916 dated 03.11.2010, 0230006732 dated 03.06.2011 and 0230007167 dated 22.09.2011. ii. Extension of EOP for 2 years in respect of 4 EPCG authorizations nos. 0230004543 dated 13.10.2009, 0230004544 dated 13.10.2009, 0230004545 dated 14.10.2009 and 0230005085 dated 31.03.2010.	The Committee noted that the request of the party was placed before the EPCG Committee on 30.06.2016, wherein representative of DoR had stated that they need to call for comments regarding pending DRI investigation. The Committee therefore decided to **defer** the case. Further, the Committee noted that DRI vide DRI/HQ-CI/50D/Misc-70/2016-CI/5336 dated 19.08.2016 has furnished their comments. DRI has strongly recommended outright rejection of the request of the importer, in view of their past performance and perceived inability to discharge EO. DRI has stated that the FTP and the corresponding customs notifications have been consistently violated by the party, which calls for stringent action as significant revenue has been foregone in this case. The Committee deliberated upon the case and decided to **reject** the request.
7.	M/s Century Metal Recycling Pvt. Ltd., Faridabad	0530159496 dated 15.10.2012	i. Regularization of shifting of Capital Goods to	The Committee noted that the party has fulfilled **79.86% EO** in the first block period.

	01/36/218/166/AM-17/EPCG-I		Manesar Unit of the company. ii. Acceptance of installation certificate issued by Chartered Engineer in place of Central Excise.	The Committee took into account the submission of the party that they had obtained the subject authorization for their factory located at Tatarpur, Bhagola Road, Village Tatarpur, Palwal. Further, due to paucity of space they have shifted the capital goods to Plot No. 182, Sector-5, IMT, Manesar, Gurgaon. The address of this unit is endorsed on IEC of the party. The Committee, therefore, decided to **regularize** the shifting of capital goods from Tatarpur, Bhagola Road, Village Tatarpur, Palwal to Plot No. 182, Sector-5, IMT, Manesar, Gurgaon subject to payment of composition fee of Rs. 5000/-. The Committee also took into account the submission of the party that they had already obtained the installation certificate from chartered engineer and also intimated the Central Excise, Authorities for issuance of installation certificate at the present place of installation. The Committee deliberated upon the case and 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 subject to: i. Payment of composition fee of Rs. 5000/-. ii. Submission of verification certificate from Central Excise authority that the capital goods are installed in their factory/premises at Plot No. 182, Sector-5, IMT, Manesar, Gurgaon. **This has the approval of DG.**
8.	M/s Continental Electrical Industries Pvt. Ltd., Lucknow. 01/36/218/132/AM-17/EPCG-I	0630001231 dated 19.02.2008	Extension of EOP for one year.	The Committee noted that the party has fulfilled 6.35 % EO within original EOP. The Committee further noted that DRI, Lucknow vide their letter dated 08.07.2016 has informed not to allow EO extension till finalization of DRI investigation. Subsequently, vide their letter dated 03.10.2016 DRI has also informed that they have seized the CGs installed in the factory premises of M/s Continental Electrical Industries, imported by them vide Bill of Entry No. 728911 dated 29.02.2008 and further investigation is under way. The Committee deliberated upon the case and decided to **reject** the request of the party.
9.	M/s Eskay Cartons Pvt. Ltd., Chennai 01/36/218/309/AM-14/EPCG-I	0430005050 dated 08.06.2007 0430005037 dated 07.06.2007 0430005316 dated 03.09.2007 0430005426	Extension of EOP for 2 years.	The Committee took into account the submission of the party that they had obtained the said authorizations for export of Corrugated Boxes and they were exporting the same to M/s Heat Max, a US based company and also negotiated with a few other companies in US. However due to global financial crisis in 2007-08, M/s Heat Max stopped giving them orders and the companies who were in the final negotiation with them simply stopped communicating,

		dated 03.10.2007 0430005282 dated 22.08.2007 0430004667 dated 13.02.2007		resulting in non-fulfilment of EO. At present they have export orders available and they have furnished copy of purchase order in support of their request. 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 of 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 5.11 of HBP 2004-09, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
10.	M/s Golden Apparel Export Pvt. Ltd., Panipat. 01/36/218/45/AM-17/EPCG-I	3330000080 dated 22.05.2003 3330000082 dated 26.05.2003	Extension of block-wise EOP.	The Committee noted that the party has fulfilled 111.62% EO in respect of EPCG authorization no. 3330000080 dated 22.05.2003 and fulfilled 99.71% EO against authorization no. 3330000082 dated 23.05.2003. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP2015-20** to **allow** extension of 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 short fall at the end of each block in terms of the provisions of Para 5.8.3 of HBP 2004-09. **This has the approval of DG.**
11.	M/s Jindal Industries, Ludhiana 01/36/218/189/AM-17/EPCG-I	3030007208 dated 09.09.2010	Extension of block-wise EOP.	The Committee noted that the party has fulfilled their entire EO during the second block period. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP2015-20** to **allow** extension of 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 short fall at the end of each block in terms of the provisions of Para 5.8.3 of HBP 2009-14. **This has the approval of DG.**
12.	M/s Jindal Poly Films Ltd., New Delhi. 01/36/218/140/AM-17/EPCG-I	0530145218 dated 19.12.2007 0530145805 dated 13.03.2008	Request to allow clubbing after expiry of EOP.	The Committee took into account the submission of the party that they have completed clubbed EO of the authorizations before the expiry of EOP of earliest issued authorization, but could not submit their application for clubbing to RA in time. The Committee noted that their request has been rejected by RA, stating that they have applied for clubbing after the expiry of EOP of both the EPCG authorizations. The Committee deliberated upon the case and decided to **reject** the request of the party in

				terms of Para 5.18.6 of HBP (RE: 2007-08) which does not permit clubbing after expiry of EOP.
13.	M/s Happy Forgings Limited, Ludhiana. 01/36/218/190/AM-17/EPCG-I	3030006809 dated 07.06.2010	Extension of block-wise EOP.	The Committee noted that the party has fulfilled US$ 76,030/- (i.e. 30.77%) EO in first block period and fulfilled US$ 1, 74,290/- (i.e. 70.55%) specific EO during the second block period and also maintained the annual average EO. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP2015-20** to **allow** extension of 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 short fall at the end of each block in terms of the provisions of Para 5.8.3 of HBP 2009-14. **This has the approval of DG.**
14.	M/s Haldex India Limited, Nashik 01/36/218/239/AM-14/EPCG-I	3130000726 dated 31.05.2004 3130000784 dated 09.08.2004	i. Extension of block-wise EOP. ii. Condonation of not maintaining average EO years wise.	The Committee noted that the party could not achieve block-wise specific EO for the 2nd and 3rd block period. The party has fulfilled 100% EO in the 4th block period. Further, the Committee noted that there is a shortfall in average EO in the years AM-05 to AM-07 which has been offset by excess exports made from AM-07 to AM-11 in fulfillment of 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 of 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 5.8.3 of HBP 2004-09. (b) Condonation of non maintenance of Annual Average EO as the company has covered the shortfall in Average EO by excess exports in other years. **This has the approval of DG.**
15.	M/s Kunstocom (India) Limited, New Delhi. 01/36/218/127/AM-16/EPCG-I	0530134294 dated 05.06.2003	Waiver of submission of installation certificate from Central Excise authority.	The Committee noted that the party has fulfilled 120.05% specific EO and also maintained the annual average EO during the EOP. The Committee took into account the submission of the party that they had approached the excise authority for issuance of installation certificate. The Excise authorities have refused to issue the same as the party approached them after the prescribed time period. The authorization holder has also obtained the installation certificate from Chartered Engineer within time. The Committee observed that the party has obtained verification report / certificate from

				Central Excise, to the effect that the capital goods were found installed in the premises and are in working condition. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** waiver of submission of installation certificate from central excise authority subject to confirmation by RA that the description of capital goods mentioned in the verification report of central excise authorities matches with the capital goods allowed for import under the EPCG authorization. However, this will be subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
16.	M/s KKK Cotspin Pvt. Ltd., Ludhiana. 01/36/218/158/AM-16/EPCG-I	3030003485 dated 11.12.2007	Extension of block-wise EOP.	The Committee noted that the party has fulfilled 100% EO through third party exports in the second block period. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP2015-20** to **allow** extension of 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 short fall at the end of each block in terms of the provisions of Para 5.8.3 of HBP 2004-09. 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.**
17.	M/s JVS Export, Madurai. 18/108/AM-17/P-5	3530005955 dated 20.04.2015	Revalidation of EPCG authorization till 31.12.2016.	The Committee noted the party's submission that they had re-exported the Capital Goods for repair. The repaired Capital goods arrived at the Tuticorin Port on October 6, 2016 and customs clearance was delayed because the customs could not re-credit the duty amount due to technical reasons. The authorization was re-credited manually on October 21, 2016. Party has stated that because of the delay, they could not utilize the authorization for re-import as the validity of the authorization had expired. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP2015-20** to **allow** revalidation of the authorization till 31st December, 2016. **This has the approval of DG.**
18.	M/s Lake Chemicals Pvt. Ltd., Bangalore. 18/87/AM-17/P-5	0730007884 dated 06.03.2009	Condonation of non maintenance of year-wise annual average EO offset by exports in other years.	The Committee noted the party's submission that there is a shortfall in average EO in the years 2008-09, 2009-10 and 2010-11 which has been offset by excess exports in 2011-12. 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 from maintenance of Annual

				Average EO as the firm has covered the shortfall in Average EO by excess exports in other years. **This has the approval of DG.**
19.	M/s Omega Icehill Pvt. Ltd., Noida. 18/77/AM-17/P-5	0530154169 dt. 06.12.2010 0530151341 dt. 23.02.2010	i. Extension of block-wise EOP in respect of authorization no. 0530154169 dt. 06.12.2010 & 0530151341 dt. 23.02.2010. ii. Extension of EOP for 2 years against authorization no. 0530151341 dt. 23.02.2010.	The Committee noted that the party has not fulfilled any EO in respect of EPCG authorization No. 0530154169 dated 06.12.2010 and fulfilled 43.52% EO in the first block & 54.34% EO during the second block period against EPCG authorization No. 0530151341 dated 23.02.2010. Party has submitted that they have sufficient export orders in hand at present and they are confident to fulfil the EO 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**: a) extension of block-wise EOP in respect of EPCG authorization nos. 0530154169 dt. 06.12.2010 & 0530151341 dt. 23.02.2010, 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 first block in terms of the provisions of Para 5.8.3 of HBP 2009-14; and b) extension of EOP for 2 years in respect of EPCG authorization no. 0530151341 dt. 23.02.2010 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 5.11 of HBP 2009-14, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
20.	M/s Super Creative Graphic Services Pvt. Ltd, Mumbai. 01/37/218/163/AM-17/EPCG-II	0330021331 dated 18.09.2008	Extension of block-wise EO and extension of EOP for 2 years.	The Committee took into account the submission of the party that they could not make any exports during the original EOP as international market was not favourable. Presently, they have sufficient export orders in hand and are confident to fulfil the EO within extended EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**: a) extension of 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 first block in terms of the provisions of Para 5.8.3 of HBP 2004-09; and b) extension of 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 5.11 of HBP 2009-09, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
21.	M/s Stelco Limited, Punjab 01/37/218/306/AM-16/EPCG-II	3030007303 dated 28.09.2010	Condonation of delay in submission of installation certificate.	The Committee noted that the capital goods were imported on 12.10.2010 and were installed on 04.04.2011 which is within prescribed time period. There was, however, a delay in obtaining installation certificate from Central Excise which is beyond the prescribed time period. The Committee, therefore, **decided to recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in submission of installation certificate subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
22.	M/s Phoenix Udyog (P) Ltd, Sirmore (H.P) 01/37/218/184/AM-17/EPCG-II	0530145073 dated 28.11.2007 0530145711 dated 28.02.2008 0530146335 dated 06.06.2008	Extension of block-wise EO and extension of EOP for 2 years.	The Committee took into account the submission of the party that they could not make any exports during the original EOP due to recession in the international market. Presently, they have sufficient export orders in hand and are confident to fulfill the EO within extended EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**: a) extension of 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 first block in terms of the provisions of Para 5.8.3 of HBP 2009-14; and b) extension of 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 5.11 of HBP 2009-14, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
23.	M/s Reliance Industries Limited, Mumbai. 01/37/218/208/AM-17/EPCG-II	0330036873 dated 25.09.2013 0330037058 dated 18.10.2013 0330037636 dated	Extension of installation period due to delay in project completion.	The Committee took into account the submission of the party that they are currently implementing a large number of projects in petroleum and petrochemical sector at their Jamnagar facility. The project being of large scale and of huge complexity, size and costs the capital goods could not be installed within estimated completion dates.

		03.01.2014 0330038057 dated 18.02.2014 0330038093 dated 18.02.2014 0330038198 dated 28.02.2014 0330038429 dated 26.03.2014 0330038513 dated 03.04.2014 0330038827 dated 23.05.2014 0330039075 dated 24.06.2014 0330039421 dated 04.08.2014		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 up to 31^{st} March, 2017, subject to payment of composition fee of Rs. 5000/- for each authorization. **This has the approval of DG.**
24.	M/s YSI Automotive Pvt. Ltd, Tamil Nadu 01/37/218/185/AM-17/EPCG-II	0430005407 dated 25.09.2007 0430005560 dated 21.11.2007 0430007277 dated 08.04.2009 0430008225 dated 19.02.2010 0430010892 dated 24.02.2012	Extension of block-wise EO and extension of EOP for 2 years.	The Committee took into account the submission of the party that they could not make any exports during the original EOP because the third party exporter rejected their products for the reason that these were not competitive. Presently, they have sufficient export orders in hand and are confident to fulfil the EO within extended EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**: a) extension of 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 first block in terms of the provisions of Para 5.8.3 of HBP 2009-14; and b) extension of 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 5.11 of HBP 2009-14, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
25.	M/s Parksons Cartamundi Pvt. Ltd, Mumbai. 01/37/218/191/AM-17/EPCG-II	0330025227 dated 16.02.2010 0330021706 dated 24.10.2008	Extension of block-wise EO and extension of EOP.	The Committee took into account the submission of the party that they could not make any exports during the original EOP due to worldwide recession. Presently, they have sufficient export orders in hand and are confident to fulfil the EO within extended EOP. The Committee deliberated upon the case and

				decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**: a) extension of 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 first block in terms of the provisions of Para 5.8.3 of HBP 2009-14; and b) extension of 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 5.11 of HBP 2009-14, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
26.	M/s Super Nova Auto Industries, Sirmour, H.P. 01/37/218/153/AM-17/EPCG-II	2230001860 dated 21.10.2011 2230001686 dated 31.03.2011	Extension of block-wise EOP.	The Committee took into account the submission of the party that they could not make any exports during the original EOP as they could not follow stipulated procedure in respect of supplies made to SEZ. Presently, they have sufficient export orders in hand and are confident to fulfil the EO within extended EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension of 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 first block in terms of the provisions of Para 5.8.3 of HBP 2009-14. **This has the approval of DG.**
27.	M/s Rothe Erde India Pvt. Ltd., Nashik 01/37/218/65/AM-16/EPCG-II	3130005607 dated 23.03.2011 3130005308 dated 01.12.2010 3130005372 dated 22.12.2010 3130005590 dated 16.03.2011 3130005587 dated 16.03.2011 3130003976 dated 22.04.2009 3130004721 dated 06.04.2010	i. Extension of EOP for 2 years. ii. Regularization of exports made by Group Company for fulfillment of EO.	The Committee observed that the case was earlier placed before the EPCG Committee meeting held on 28.04.2016, 25.07.2016, 30.08.2016 and 26.09.2016, wherein it was decided to defer it with directions to obtain comments of DoR. The Committee was informed that DoR has strongly recommended for outright rejection of the request of the importer in view of their failure to fulfill EO even after completion of 6 years. DoR has also recommended to reject any consideration of regularizing exports made by Thyssenkrupp Industries India Pvt. Ltd towards discharge of EO of M/s Rothe Erde India Pvt. Ltd., Nashik for the reason that the two companies cannot be treated as group companies under Para 9.28 of FTP. The Committee deliberated upon the request and decided to **reject** the case.
28.	M/s SEL Print India Pvt. Ltd,	0330018287 dated	Extension of block-wise EOP.	The Committee noted that the party has fulfilled 100% EO during second block period.

	Mumbai. 01/37/218/136/AM-17/EPCG-II	04.12.2007		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 of 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 first block in terms of the provisions of Para 5.8.3 of HBP 2004-09. **This has the approval of DG.**
29.	M/s Sona Alloys (P) Ltd, Ahmadabad 01/37/218/222/AM-17/EPCG-II	3130004206 dated 25.09.2009 3130004285 dated 31.10.2009 3130004283 dated 30.10.2009 3130004851 dated 10.06.2010 3130004782 dated 29.04.2010 3130004984 dated 23.07.2010 3130004207 dated 25.09.2009	Extension of EOP for 2 years.	The Committee noted that the party could not fulfill their export obligation during the validity of the Export Obligation Period due to technical problems of delay in setting up plant and fluctuations in international market. Presently, they have sufficient export orders in hand and are confident to fulfil the EO within the extended EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension of 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 5.11 of HBP 200914, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
30.	M/s Siderforgerossi India Pvt. Ltd, Bangalore 01/37/218/142/AM-17/EPCG-II	0730004768 dated 27.10.2006 0730004221 dated 12.06.2006 0730010429 dated 02.08.2011 0730004298 dated 29.06.2006	i. Extension of block-wise EOP. ii. Condonation of non-maintenance of year-wise average level of export obligation.	The Committee noted the party's submission that they could not fulfill the EO block-wise. Further, the Committee noted the party's submission that there is a shortfall in average EO which has been offset by excess exports in other years. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow:** (a) Extension of 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 5.8.3 of HBP 2009-14. (b) Condonation from maintenance of Annual Average EO as the firm has covered the shortfall in Average EO during other years through excess exports provided that there is no shortfall in fulfillment of average EO in the first block. **This has the approval of DG.**
31.	M/s Shri Govindaraja Textiles Pvt. Ltd, Tamil Nadu	3530003417 dated 11.09.2008	Extension of EOP for 2 years.	The Committee noted that the party could not fulfill their export obligation during the validity of the Export Obligation Period due severe recession in the international market. Presently,

	01/37/218/229/AM-17/EPCG-II			they have sufficient export orders in hand and are confident to fulfil the EO within the extended EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension of 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 5.11 of HBP 2004-09, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
32.	M/s Rabirun Vinimay Pvt. Ltd., Kolkata. 01/37/218/260/AM-16/EPCG-II	0230007400 dated 07.12.2011 0230007401 dated 07.12.2011 0230007403 dated 07.12.2011	Extension of block-wise EO period.	The Committee noted that the case was placed before the EPCG Committee on 30.06.2016, wherein representative of DoR had stated that they need to call for comments regarding a pending DRI investigation against the party. The Committee had therefore, decided to **defer** the case. Further, the Committee noted that DRI vide DRI/HQ-CI/50D/Misc-70/2016-CI/5336 dated 19.08.2016 has furnished their comments. DRI has strongly recommended for outright rejection of the request of the importer, in view of their past performance and perceived inability to discharge EO. DRI has stated that the FTP and the corresponding customs notifications have been consistently violated by the party, which calls for stringent action as significant revenue has been foregone in this case. The Committee deliberated upon the case and decided to **reject** the request of the party for extension of block wise EOP.
33.	M/s Steel Authority of India Limited (Salem Steel Plant). 01/37/218/86/AM-16/EPCG-II	3230012793 dated 12.11.2008 3230012792 dated 11.11.2008 3230012959 dated 30.12.2008 3230012958 dated 30.12.2008 3230012960 dated 30.12.2008 3230013071 dated 06.02.2009 3230013230 dated 31.03.2009 3230013248 dated 01.04.2009 3230013510	i. Inclusion of similar product i.e. mild steel material as item of export; ii. Permission to count the exports of mild steel flat products made by other plants/ units of SAIL from the date of issue of EPCG authorizations for fulfillment of EO;	The Committee noted that the case was placed before the EPCG Committee meeting on 25.07.2016 wherein the Committee noted the comments of Technical Authority(Ministry of Steel in consultation with MECON, Ranchi) that the capital goods imported by Salem Steel Plant under the said EPCG authorizations are primarily meant for producing/processing stainless steel strips in sheet and coil form. However, most of the equipments can also be used for producing/processing non- alloy steel strips. The Technical member, however, was not present. Form the comments of the Technical member it is not clear whether the item mild steel is same or similar product. 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 procedural lapse of not applying to RA concerned for endorsement of alternate product before effecting exports with the following conditions:

		dated 09.07.2009 3230013551 dated 17.07.2009 3230014029 dated 23.11.2009 3230014062 dated 30.11.2009		i. EO could be fulfilled by export of Mild steel to the extent of 50%. ii. Only those shipping bills should be considered for EO fulfillment which are covered under any of the schemes under FTP. iii. A composition fee of Rs 200/- per shipping bill should be charged in respect of those S/Bills which do not have concerned EPCG authorization number. iv. Export of other units of SAIL whose shipping bills are being considered for EO discharge should be taken into consideration for average EO fixation as per policy. **This has the approval of DG.**
34.	M/s Sona Alloys (P) Ltd, Ahmadabad 01/37/218/253/AM-17/EPCG-II	3130004401 dated 11.12.2009, 3130004547 dated 29.01.2010 3130004621 dated 02.03.2010, 3130004405 dated 11.12.2009 3130004451 dated 29.12.2009 3130004622 dated 02.03.2010 3130004546 dated 29.01.2010 3130004548 dated 29.01.2010 3130004957 dated 12.07.2010 3130005103 dated 13.09.2010 3130005194 dated 18.10.2010 3130005355 dated 15.12.2010	Extension of EOP for one year.	The Committee noted that the party has already obtained one year extension in Export Obligation Period but could not fulfill their total export obligation during the validity of the extended Export Obligation Period. However, they have been able to complete the EO of Rs.12,89,64,599/- against total required EO of Rs.14,18,61,059/- in the extended Export Obligation Period. Presently, they have sufficient export orders in hand and are confident to fulfil the EO within the extended EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of** FTP 2015-20 to **allow** extension of 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 5.11 of HBP 2009-14, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
35.	M/s Laxmi Cotspin Limited, Jalna. 18/178/AM-16/PC-5	3130002494 dated 12.06.2007 3130003265 dated 01.07.2008 3130003343 dated 31.07.2008 3130004296 dated 04.11.2009	i. Extension of block-wise EOP. ii. Inclusion of alternate product.	The Committee took into account the submission of the party that they could not fulfil the EO in first block period. However, they have fulfilled their entire EO during the second block period. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of** FTP 2015-20 to **allow** extension of 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

		3130004336 dated 13.11.2009 3130006351 dated 14.02.2012		proportion to the short fall at the end of each block in terms of the provisions of Para 5.8.3 of HBP 2004-09 and 2009-14. Further, the Committee directed that the RA shall examine the request of the party for inclusion of alternate product as per policy. **This has the approval of DG.**
36.	M/s Malu Paper Mills Limited, Nagpur. 18/57/AM-17/P-5	0330014747 dated 15.01.2007 0330014503 dated 27.12.2006	Extension of block-wise EO and extension of EOP for 2 years.	The Committee noted that the request was placed before the EPCG Committee meetings held on 30.08.2016 & 26.10.2016 alongwith request for EO extension in respect of authorization No 0330012954 dated 21.08.2006 and it was decided to **defer** it as representative of DOR had stated that they need to call for comments regarding pending DRI investigation against the party. On the request of the party this time request i.r.o. only two authorizations were placed before the committee. Sh. Girish Malpani representative of the party appeared before the Committee and informed that there are no pending DRI investigations against these two EPCG authorizations nos. 0330014747 dated 15.01.2007 & 0330014503 dated 27.12.2006. The Committee noted that the party has fulfilled 33.07% specific EO in respect of EPCG authorization No. 0330014503 dt. 27.12.2006 and Nil EO against authorization no. 0330014747 dt. 15.01.2007. At present, they have sufficient export orders in hand and are confident to fulfil the EO within the 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**: a) extension of 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 first block in terms of the provisions of Para 5.8.3 of HBP 2004-09; and b) extension of 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 5.11 of HBP 2004-09, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
37.	M/s Ashapura International Limited, Mumbai. 01/36/218/37/AM-	0330039449 dated 07.08.2014 0330039530 dated	Transfer of EPCG Authorizations and EO to their parent company i.e. M/s Ashapura Minechem	The Committee noted that the said authorizations were issued to M/s Ashapura International Limited, and the capital goods were transferred to M/s Ashapura Minechem Ltd., on account of slump sale.

	17/EPCG-I	18.08.2014 0330039506 dated 13.08.2014 0330034307 dated 21.11.2012 0330035250 dated 06.03.2013 0330035415 dated 22.03.2013 0330035549 dated 04.04.2013 0330035662 dated 06.05.2013 0330036207 dated 27.06.2013 0330036600 dated 20.08.2013 0330036846 dated 23.09.2013 0330037422 dated 10.12.2013 0330037438 dated 12.12.2013 0330038757 dated 15.05.2014	Ltd., on account of slump sale.	Further, the Committee noted that RA, Mumbai vide their email dated 16.09.2016 has confirmed that the subject authorizations of M/s Ashapura International Ltd. have been transferred to M/s Ashapura Minchem Ltd. on the basis of slump sale agreement**.** 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 Ashapura International Ltd., to M/s Ashapura Minchem Ltd., on account of slump sale subject to: i) Submission of fresh BG/LUT. ii) All the terms and conditions of the EPCG authorizations including specific EO and average EO will remain same. However, in case the transferee company already exports same and similar items then transferee Company would maintain its own average EO in addition to average EO under these authorizations. **This has the approval of DG.**
38.	M/s Global Heritage Ventures Limited, New Delhi. 01/36/218/09/AM-16/EPCG-I	27 EPCG authorizations issued during the period of AM-08 to AM-10.	Permission to allow 100% EO fulfilment through alternate product/services.	The Committee deliberated upon the case and decided to **defer** it for further examination.
39.	M/s Kamani Oil Industries Pvt. Ltd. 01/36/218/75/AM-17/EPCG-I	0330021123 dated 28.08.2008 0330021678 dated 22.10.2008 0330021766 dated 07.11.2008 0330021942 dated 03.12.2008 0330022082 dated 18.12.2008 0330022194 dated 06.01.2009 0330022292 dated 23.01.2009 0330022389	Consideration of EOP extension for 05 years from the date of endorsement.	The Committee noted that the party had been given PH to explain their case but the party could not appear before the committee. Party has requested to allow any other date for PH. The Committee deliberated upon the case and decided to **defer** it for next meeting.

		dated 05.02.2009 0330022737 dated 02.04.2009 0330022777 dated 15.04.2009		

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
IEC = Importer-Exporter Code
DOR = Department of Revenue
IEM = Industrial Entrepreneurs Memorandum
RCMC = Registration-cum-Membership Certificate.
