MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 30.05.2016.

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

II. Minutes of the last Meeting held on 28.04.2016 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 Achiever Apparels Pvt. Ltd., Gurgaon 01/36/218/386/AM-14/EPCG-I	0530142425 dated 21.11.2006	Regularization of exports already made between 14.08.2008 to 27.03.2010 by alternate product.	The Committee took into account the submission of the party that they had fulfilled their entire EO in first block by export of embroidered readymade garments, but had not mentioned the word "embroidered" in the description of export item on the shipping bills. Therefore, these exports were not considered for EO fulfilment by the RA. Further, the party has requested to consider the exported products as alternate product. The Committee observed that there was a provision to fulfil 100% EO by export of alternate products at the time of issuance of licence. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** counting of exports of alternate products viz. 'readymade garments'. The party would however maintain average export obligation for alternate product as may be re-fixed by RA. **This has the approval of DG.**
2.	M/s JNS Instruments Limited, Gurgaon. 01/36/218/220/AM-16/EPCG-I	0530133632 dated 11.12.2002 0530134972 dated 01.10.2003 0530135859 dated 09.03.2004	Acceptance of installation certificate issued by Chartered Engineer instead of Central Excise.	The Committee noted that the party has fulfilled their EO in respect of all the 3 EPCG authorizations within original EOP. The Committee took into account the submission of the party that Central Excise authorities had refused to issue the installation certificate as there was a delay in approaching the Central Excise authorities. However, the Central Excise authorities conducted physical verification on 18.03.2015 and after the verification they issued the installation certificates but the date of installation were certified on the basis of Chartered Engineer Certificate. The Committee noted that the RA has refused to accept the same stating that installation certificates issued by Central Excise are conditional. 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 authority subject to payment of composition fee of Rs.5000/- for each authorization. **This has the approval of DG.**
3.	M/s Dream Plast India Pvt. Ltd., Pune. 01/36/218/239/AM-16/EPCG-I	3130006674 dated 19.06.2012	Acceptance of installation certificate issued by Chartered Engineer in place of Central Excise.	The Committee noted the submission of the party that they had obtained the Capital Goods for a different unit and temporarily transferred the machines to their premises at **Plot No.15, Shed No.2, Gate No.147, Chakan, Pune in the month of April, 2014.** Thereafter, on 06.07.2014 incident of fire took place in the said premises and the machines were burnt. In support of fire incident the party has submitted the copy of FIR, details of the estimated damages duly attested by the Police Inspector, news article in the local newspaper and copy of fire attendance certificate issued by Fire Department, Pimpri, Pune. Representative of DOR stated that they need to call for comments from the concerned Central Excise authority in the matter. It was also decided to call for English/Hindi translation of the FIR, other police and fire department reports and published/non-published material from the party. The Committee, therefore, decided to **defer** the case.
4.	M/s Creative Line International Pvt. Ltd., Ludhiana. 01/36/218/13/AM-17/EPCG-I	3030001782 dated 06.06.2006	Extension of block-wise EO period and extension of EOP for 2 years.	The Committee took into account the submission of the party that they were unable to fulfil the EO due to slump in international market. However, at present they have sufficient export orders in hand. 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 5.14 (c) of HBP 2015-20; 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 5.17 (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 DLF Emporio Restaurants Limited, New Delhi. 01/36/218/225/AM-16/EPCG-I	0530146477 dated 23.06.2008	Extension of block-wise EO period.	The Committee took into the submission of the party that they could not fulfil the first block EO due to recession in the market. 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 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
6.	M/s Bhupendra Steels (P) Limited, New Delhi 01/36/218/63/AM-15/EPCG-I	0530147897 dated 05.12.2008	i. Regularization of shifting of capital goods. ii. Extension of block-wise EO period.	The Committee noted that the party had obtained the said authorizations for their factory located at Plot No. 25, Sector-6, Faridabad – 122006. However, due to shortage of space they installed the Capital Goods in their factory situated at Plot No. 146, Sector -24, Faridabad – 121005. Party stated that both the addresses are mentioned in IEC and RCMC. The Committee, therefore, decided to **regularize** the shifting of capital goods from Plot No. 25, Sector-6, Faridabad – 122006 to their factor Plot No. 146, Sector -24, Faridabad – 121005 subject to payment of composition fee of Rs. 5000/-. The Committee took into account, the submission of the party that there was delay in endorsement of export items on their authorization, due to which they could not fulfill their EO. The party has now submitted export orders for fulfillment of EO. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension 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 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
7.	M/s Indo Autotech Limited, Faridabad. 01/36/218/04/AM-17/EPCG-I	0530144787 dated 12.10.2007	Regularisation of installation of Capital Goods at the main unit instead of unit address endorsed on the condition sheet.	The Committee noted that party has fulfilled their entire EO within 1st block EO period. The Committee took into account, the submission of the party that they had imported the capital goods for their unit at Plot No. 261, Sector – 24, Faridabad but had installed the CG at their main unit at Plot No. 334-338 due to some constraints. Both the addresses are already incorporated in IEC & RCMC. The party has already obtained the

				installation certificate from chartered engineer as well as Central Excise certifying that the capital goods are installed at their unit located at Plot no. 334-338, Sector – 24, Faridabad. The Committee deliberated upon the case and decided to **allow** the installation of capital goods at the main unit mentioned in the EPCG authorization instead of unit address mentioned in condition sheet subject to payment of composition fee of Rs. 5000/-.
8.	M/s Knitwell, Gurgaon. 01/36/218/199/AM-16/EPCG-I	0530144838 dated 23.10.2007 0530146642 dated 09.07.2008	i. Extension of block-wise EO period in respect of 2 EPCG authorization nos. 0530144838 dated 23.10.2007 & 0530146642 dated 09.07.2008; and ii. Extension of EOP for further two years against authorization no. 0530144838 dated 23.10.2007.	The Committee deliberated upon the case and noted that the party has not made any exports till date and proposes to fulfil their EO through third party exports. It was decided to **defer** the matter with directions to RA to obtain a copy of the agreement entered into between the authorization holder and the third party exporter in terms of Para 5.10(d) of HBP 2015-20.
9.	M/s Navjivan Roller Flour & Pulses Mills Pvt. Ltd., Dahod (Gujarat). 18/91/AM-15/P-5	3430000204 dated 23.01.2004	Extension in EOP for further six month from the date of approval.	The Committee noted that the party had imported Automatic colour sorting machine and undertaken export obligation of Indian pulses, Rice and cereals. The party has stated that they could not fulfil export obligation because there was a ban on export of pulses and rice for intermittent periods. The Committee noted that the request of the party for extension of EOP in respect of subject authorization was placed before the EPCG Committee meeting held on 26.10.2015, wherein it was decided to reject the request of the party for further EOP extension on the grounds that the party had the option of exporting other cereals which were not banned. The party has filed an appeal and was given a PH by the Committee, Sh. Shailesh Sheth Executive Director appeared for PH and informed the Committee that they could not fulfil EO due to lack of export orders for other cereals which were not banned. The Committee noted that The EO period had expired on 22.01.2012 and there was no provision for second EO extension under the policy under which the authorisation was issued. The Committee deliberated upon the case and decided to maintain the **rejection** of the request of the party for EO extension on the grounds mentioned above.
10.	M/s Nitin Nylographics, Pune.	3130000816 dated 03.09.2004	Extension of block-wise EO and extension of EOP for 5 years i.e.	The Committee noted that the request of the party was examined earlier and not acceded to on the ground that the said

	18/137/AM-16/P-5		upto 03.09.2017.	authorization's EOP of 8 years had already expired on 2.9.2012 and the extended EOP in terms of para 5.11 (RE-2004-05) had also expired on 3.9.2014. The party has again requested for extension of EOP beyond five years, i.e upto 3.9.2017 The Committee noted that said EPCG authorisation was issued during AM 2004-05 and during that period, there was no provision of extension of EOP for 5 years. The Committee deliberated upon the case and decided to **reject** the request of the party for EO extension on the grounds that there was no such policy provision at the time of issuance of authorisation.
11.	M/s DA Rubber Industries Limited, Delhi 01/36/218/210/AM-16/EPCG-I	0530142516 dated 28.11.2006	i) Waiver of conditions for installation of CG beyond prescribed time period; ii) Permission to install the CGs in the premises of the supporting manufacturer viz. Noslar International Limited; iii) EOP extension up to 12 years under provision of BIFR; and iv) Waiver of annual average EO in respect of EPCG authorization No. 0530142516 dated 28.11.2006 issued to M/s Ralson Industries Ltd.	The Committee deliberated upon the case and decided to **defer** the case with directions to the party to obtain a certificate from the concerned central excise authority that the capital goods are in their physical possession.
12.	M/s Spun Micro Processing Pvt. Ltd., New Delhi 01/37/218/08/AM-17/EPCG-II	0530154371 dated 24.12.2010	Acceptance of installation certificate issued by Chartered Engineer instead of Central Excise.	The Committee took into account the submission of the party that Central Excise Authority has refused to issue installation certificate because they did not approach them in time. The Committee noted that the party has already obtained the installation certificate issued by Chartered Engineer within prescribed time period. The Committee deliberated upon the case decided to **defer** it with directions to call verification report from Central Excise authority.
13.	M/s Super Sales India Limited, Coimbatore. 01/37/218/23/AM-17/EPCG-II	3230006590 dated 31.03.2006	Second extension of EOP for 2 years i.e. upto 31.03.2018.	The Committee took into account the submission of the party that they have fulfilled 16.82% EO till date and already obtained first extension of EOP for 2 years i.e. up to 31.03.2016 from RA, Coimbatore.

				The Committee deliberated upon the case and decided to **advise** the party to approach concerned RA for second extension of EO in terms of Para 5.17 (c) of HBP, 2015-20 as per which request for extension in EO period can be made to RA within 75 days of expiry of original EO period.
14.	M/s SEP India Pvt. Ltd., Hosur. 01/37/218/247/AM-15/EPCG-II	0430001567 dated 15.03.2004	Extension of block-wise EO period.	The Committee took into the account the submission of the party that they had fulfilled their entire EO before 01.08.2013 i.e. within the extended time and applied to RA, Chennai for redemption. The redemption is pending since they have not fulfilled the block-wise EO and while they have obtained extension of EO, they have not obtained block-wise extension from RA, Chennai. 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 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
15.	M/s Renault Nissan Automotive India Pvt. Ltd., Tamilnadu. 01/37/218/248/AM-16/EPCG-II	0430014515 dated 19.03.2015	Regularization of shifting of capital goods from one unit to other unit of supporting manufacturer.	The Committee took into account the submission of the party that the capital goods were installed at their supporting manufacturer M/s RICO Auto Industries Ltd.'s unit located at "Plot No. 23, Sector – 5, Phase –II, Growth Centre, Bawal, Rewari, Haryana. The party has submitted due to the business exigency, the same goods have been shifted to the same supporting manufacturer M/s Rico Auto Industries Ltd.'s unit located at "Plot No. A-9, SIPCOT Industrial Growth Centre, Oragadam, Sriperumbudur, Kancheepuram – 602 105. The Committee deliberated upon the case and decided to **regularize** shifting of capital goods from Plot No. 23, Sector – 5, Phase –II, Growth Centre, Bawal, Rewari, Haryana to their supporting manufacturer i.e. M/s Rico Auto Industries Ltd., located at "Plot No. A-9, SIPCOT Industrial Growth Centre, Oragadam, Sriperumbudur, Kancheepuram – 602 105 subject to payment of composition fee of Rs. 5000/-. The party shall also submit fresh installation certificate to RA within 3 months of the endorsement. The Committee directed that in future shifting of CG should take place only after prior permission of the EPCG Committee. The party must obtain fresh installation certificate from Central Excise within three months of shifting.
16.	M/s Tijaria Polypipes Ltd,	1330001833 dated	Extension of block-wise EOP and extension of	The Committee took into account the submission of the party that they were

	Jaipur. 01/37/218/25/AM-17/EPCG-II	25.04.2008	EOP for one year.	unable to fulfil the EO as the markets worldwide were very depressed. Now they have export orders in hand and 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 5.14 (c) of HBP 2015-20. The EOP of said authorization has expired on 24.04.2016 and the party may approach concerned RA in terms of Para 5.17 (c) of HBP 2015-20 for EO extension. **This has the approval of DG.**
17.	M/s Simplex engineering & Foundry Works (P) Ltd, New Delhi. 01/37/218/161/AM-16/EPCG-II	0530137943 dated 28.01.2005 0530138940 dated 23.06.2005	i. Acceptance of installation certificate from chartered engineer in place of central excise. ii. Regularization of shifting of capital goods in another unit.	The Committee noted that party had fulfilled 100% EO in respect of authorization no. 0530138940 dated 26.03.2005 and 85.84% EO against authorization no. 0530137943 dated 28.01.2005. The Committee took into account the submission of the party that they had obtained the installation certificate from Central Excise Authority wherein the date of installation of capital goods was not mentioned. They have also obtained the installation certificate from Chartered Engineer showing the date of installation of capital goods as 05.05.2005 and 18.10.2005. The Committee deliberated upon the case 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. The Committee also took into account the submission of the party that they have imported 5 numbers of capital goods against the subject authorization and installed 02 numbers of capital goods at the same premises i.e. Plot No. 65, Industrial Estate, Bhilai as mentioned in the authorization. However, 03 numbers of capital goods were installed in their unit i.e. Tedasara, Rajanandgaon, which is also mentioned in their RCMC. The Committee deliberated upon the case and decided to **regularize** the shifting of 03 number of capital goods from Plot No. 65, Industrial Estate, Bhilai

				to their unit i.e. Tedasara, ajanandgaon subject to payment of composition fee of Rs. 5000/- for each authorization. The Committee directed that the party shall submit fresh installation certificate from Central Excise within 3 months of the online publication of the minutes of the meeting.
18.	M/s Shriram Enterprises, Delhi 01/37/218/299/AM-16/EPCG-II	0530160395 dated 19.02.2013	Regularization of shifting of capital goods.	The Committee took into account the submission of the party that the capital goods were installed in the premises of their supporting manufacturer M/s Dewan Publications Pvt. Ltd., A-6/1, Maya Puri Industrial Area, Phase- I, New Delhi – 110 064. The capital Goods have been shifted to their own factory i.e. “N-27, Sector -1, Bawana Industrial Area, New Delhi – 110 039. The new address where the CGs have been shifted appears in IEC, and RCMC. They have already obtained installation certificate issued by Chartered Engineer for installation of capital goods at earlier address as well as at new address. The Committee deliberated upon the case and decided to **regularize** shifting of capital goods from supporting manufacturer M/s Dewan Publications Pvt. Ltd., A-6/1, Maya Puri Industrial Area, Phase- I, New Delhi – 110 064 to their own factory i.e. “N-27, Sector -1, Bawana Industrial Area, New Delhi – 110 039 subject to payment of composition fee of Rs. 5000/-.
19.	M/s Spektrum, Bangalore 01/37/218/115/AM-16/EPCG-II	0730005696 dated 12.06.2007 0730006042 dated 03.09.2007	Extension of block-wise EO and extension of EOP for 2 years.	The Committee took into account the submission of the party that they were unable to fulfil the EO due to price competition, non-availability of skilled labour and global recession. They have already paid 2% composition fee for unfulfilled EO to O/o JDGFT, Bangalore. Now, they have export orders in hand and are confident to fulfil the EO in 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 5.14 (c) of HBP 2015-20; 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 5.17 (b) of HBP 2015-20, as the party could

				not apply to RA within the prescribed time period. **This has the approval of DG.**
20.	M/s Redstone Industries (India) New Delhi. 01/37/218/271/AM-16/EPCG-II	0530140245 dated 09.01.2006 0530140221 dated 05.01.2006	i. Extension of block-wise EOP. ii. Condonation of delay in installation of capital goods.	The Committee noted that party has fulfilled 76.04% EO and 145% EO in respect of authorization nos. 0530140221 dated 05.01.2006 and 0530140245 dated 09.01.2006 respectively during the original EO period but could not fulfill the block-wise EO. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension 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 5.14 (c) of HBP 2015-20. The Committee took into account the submission of the party that due to delay in civil work, they could not install the capital goods within 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 installation of capital goods subject to payment of composition fee of Rs. 5000/- for each authorization. **This has the approval of DG.**
21.	M/s Swastik Knit Fab, Ludhiana. 01/37/218/117/AM-16/EPCG-II	3030003270 dated 11.10.2007	Extension of block-wise EO period.	The Committee noted that the party has fulfilled their entire EO in the second block period. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension 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 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
22.	M/s Y.S.R. Spinning & Weaving Mills (P) Ltd., Guntur. 01/37/218/293/AM-16/EPCG-II	0930001189 dated 21.10.2004	Extension of block-wise EO period and extension of EOP for one year.	The Committee noted that the party has fulfilled their entire EO in 9th year i.e. after expiry of their original 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**: 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 5.14 (c) of HBP 2015-20; and b) extension of EOP for one year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO. 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.**
23.	M/s Pro M Machining Solutions India Pvt. Ltd, Hosur. 01/37/218/302/AM-16/EPCG-II	0430003352 dated 19.01.2006	i. Regularization of the shifting of capital goods. ii. Extension of EOP for regularization of the EO fulfilled beyond the EO period.	The Committee took into account the submission of the party that they have obtained the said authorizations for their unit located at Plot No. B-20, Sidco Industrial Estate, Hosur – 635 126. However, as the rental period was over, they have shifted the Capital Goods in their own factory situated at Plot No. 32-C, Titan Jewelry Road, Sipcot Industrial Complex, Hosur – 635 126. The new address where the CG has been shifted is mentioned in IEC. They had already obtained the installation certificates from Central Excise authority for both the premises. The Committee, therefore, decided to **regularize** the shifting of capital goods from Plot No. B-20, Sidco Industrial Estate, Hosur – 635 126 to their factory at Plot No. 32-C, Titan Jewelry Road, Sipcot Industrial Complex, Hosur – 635 126 subject to payment of composition fee of Rs. 5000/- 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 5.14 (c) of HBP 2015-20; and b. extension of EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO for each year of extension sought in terms of provisions contained in Para 5.17 (b) of HBP 2015-20, for regularization purposes, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**

24.	M/s Tata Steel Limited, New Delhi 01/37/218/303/AM-16/EPCG-II	0230009213 dated 06.12.2013	Extension in time for installation of capital goods upto May, 2016.	The Committee took into account the submission of the party that the new laboratory building is being constructed in a brownfield environment and the capital equipment imported under the above license can be installed only after the construction is completed. 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 31st May, 2016, subject to payment of composition fee of Rs.5000/-. **This has the approval of DG.**
25.	M/s Stori Fashion Pvt. Ltd., Bangalore. 01/37/218/200/AM-16/EPCG-II	0730007041 dated 11.06.2008	Regularization of shifting of capital goods.	The Committee noted that party has fulfilled 100% EO within the 1st block period. The Committee took into account the submission of the party that have installed the machinery at 108/1, Renuka Complex, 1st and 2nd floor Avalahalli Cross Road, New Timber Yard Layout, Mysore Road, Bangalore-560026 instead of the address mentioned in the authorization. Party stated that both the addresses are mentioned in IEC and RCMC. The Committee deliberated upon the case and decided to **regularize** the shifting of capital goods instead of address mentioned in the authrozation to 108/1, Renuka Complex, 1st and 2nd floor Avalahalli Cross Road, New Timber Yard Layout, Mysore Road, Bangalore-560026 subject to payment of composition fee of Rs. 5000/- .
26.	M/s Swati Concast & Power Pvt. Ltd., Kolkata. 01/37/218/158/AM-15/EPCG-II	0230002487 dated 18.07.2007	Extension of block-wise EO period.	The Committee noted that party has not fulfilled any EO till date and has requested for block wise EOP extension. DRI, Kolkata has also booked a case against the party for non-fulfilment of EO. The Committee deliberated upon the case and decided to **defer** it with directions to to call for details from RA as to whether the party had applied for EOP extension to RA as well as details of export orders, if any, available with the party.
27.	M/s Amfil Autotech Components Pvt. Ltd., New Delhi. 01/36/218/224/AM-16/EPCG-I	0530141898 dated 05.09.2006	Extension of EOP for 2 years.	The Committee took into account the submission of the party that they were unable to fulfil the EO due to delay in sanctioning of power and non-availability of raw material & technology in domestic market. Now, they have confirmed purchase orders and are confident to fulfil the EO 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** 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 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
28.	M/s Anand Granite Exports Pvt. Ltd., Ongole. 01/36/218/13/AM-16/EPCG-I	0930005577 dated 18.02.2010 0930006929 dated 18.03.2011	Condonation of non maintenance of year-wise annual average EO offset by exports in other years.	The Committee took into account the party's submission that there is a short fall in average EO in the year 2011-12. However, the party has maintained excess average EO in the year 2010-11, 2012-13 and 2013-14 against authorization No. 0930005577 dated 18.02.2010 and 0930006929 dated 18.03.2011 which covers the shortfall in 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** condonation from annual maintenance of Average EO as the firm have covered the shortfall in Average EO during some years through excess exports. **This has the approval of DG.**
29.	M/s Indtech Apparels Pvt. Ltd., Ludhiana 01/36/218/05/AM-17/EPCG-I	3030009311 dated 01.03.2012 3030009887 dated 25.07.2012 3030010542 dated 12.02.2013	Condonation of delay in submission of installation certificate from Central Excise.	The Committee noted that the party has fulfilled 75% EO during the 1st block and claimed benefit of Para 5.9 of FTP under Fast Track redemption in respect of all the 3 authorizations. The Committee took into account the submission of the party that they have imported the capital goods against the subject authorization between 15.03.2012 and 26.03.2012. At that time their unit was registered with the Central Excise, and hence they had to submit the installation certificate from Central Excise. They surrendered their Central Excise Registration on 01.03.2013 as their unit became exempted from the provisions of Central Excise. They have obtained the installation certificate from Chartered Engineer on 10.07.2012. Thereafter, they have obtained the installation certificate from Central Excise on 26.03.2015 and 27.03.2015 which, however is beyond the stipulated 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 installation of capital goods subject to payment of composition fee of Rs. 5000/- for each authorization. **This has the approval of DG.**
30.	M/s Essar Oil Limited, Mumbai.	0330020535 dated	Condonation of delay in submission of	The Committee noted that the party has fulfilled 100% EO against authorizations

	01/36/218/11/AM-17/EPCG-I	03.07.2008 0330020608 dated 09.07.2008 0330021432 dated 26.09.2008 0330021732 dated 29.10.2008 0330025630 dated 29.03.2010	installation certificate from Central Excise.	no. 0330020535 dated 03.07.2008, 0330020608 dated 09.07.2008 and 0330021732 dated 29.10.2008 and Nil against authorizations no.0330021432 dated 26.09.2008 and 0330025630 dated 29.03.201075. The party submitted that the delay in installation of the CGs imported against the said authorizations was due to technical challenges faced during the expansion of the refinery. The Committee observed that the party has submitted the installation certificate from Central Excise but there was a delay in installation of Capital Goods beyond 18 months. The Committee, therefore, **decided to recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in installation of capital goods subject to payment of composition fee of Rs. 5000/- for each authorization. **This has the approval of DG.**
31.	M/s High Street Fashions Limited, Jaipur. 01/36/218/28/AM-14/EPCG-I	1330001670 dated 23.08.2007	Extension of block wise EOP.	The Committee took in to account the submission of the party that they have fulfilled their entire EO during 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 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 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
32.	M/s Mytec Process Pvt. Ltd., Bangalore. 18/14/AM-17/P-5	0730005485 dated 05.04.2007	Extension of block-wise EO and extension of EOP for 2 years.	The Committee noted that the party has fulfilled 12.86% EO during original EOP. The Committee took into account the submission of the party that due to global recession they were unable to fulfil the entire EO during the original EOP. Now they have exports order from M/s Suretex Prophylatics India Limited an EOU unit located at Bangalore and they have already started supplies. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow**: i. extension 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 5.14 (c) of HBP 2015-20; and ii. 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 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
33.	M/s Honda Motorcycle and Scooter India Pvt. Ltd., Gurgaon. 01/36/218/241/AM-16/EPCG-I	0530162870 dated 09.06.2014	i. Permission to scrap the damaged machines imported under EPCG authorization no. 0530162870 dated 09.06.2014, and not require them to pay the Customs duties applicable at the time of import. ii. Fulfillment of EO for both damaged machines as well as replacement machines obtained against 2nd EPCG authorization no. 0530166457 dt. 04.12.2015; and iii. Waiver in submission of installation certificate as the imported capital goods have been damaged beyond repair.	The representative of the party Shri Naveen Kumar Division Head Taxation, appeared for PH before the Committee and explained that some of the capital goods imported under EPCG authorization no. 0530162870 dated 09.06.2014 were damaged beyond repair during transit from Kandla Port to their factory site. The party has claimed insurance against the damaged goods and has requested for permission to scrap the same. Shri Naveen Kumar submitted that they have obtained a fresh EPCG authorization for the damaged as well as additional capital capital goods and would undertake to fulfil EO of both the authorizations against the new EPCG authorization for which they would apply for clubbing to the concerned RA. The Committee considered the request for waiver in submission of installation certificate and decided to **allow** the same subject to the party obtaining verification report from central excise and necessary evidence of the capital goods having been damaged beyond repair, to RA.
34.	M/s Crest Steel & Power Pvt. Ltd. 01/36/218/75/AM-15/EPCG-I	0330032067 dated 13.03.2012 0330032340 dated 30.03.2012 0330032342 dated 30.03.2012 0330035263 dated 06.03.2013	Extension in time **up to 31.12.2017** for installation of Capital Goods.	The Committee noted that the request of the party was placed before the EPCG Committee meeting held on 19.11.2014 in respect of 3 EPCG authorizations nos. 0330032340 dated 13.03.2012, 0330032342 dated 30.03.2012 & 0330035263 dated 06.03.2013 and EPCG Committee meeting held on 18.12.2015 against authorization no. 0330032067 dated 13.03.2012, wherein Committee granted extension in time upto 31.07.2015 for installation of capital goods subject to submission of verification certificate from Central Excise.

				The Committee observed that the party could not install the capital goods imported against these three authorizations because the party has not completed import of CG required for their project, due to financial constraint as banks have put financing of their projects on hold due to ban on mining. These items are stored at project site and excise authorities have confirmed the availability of these items at their project site against 3 EPCG authorizations except authorization no. 0330032067 dated 13.03.2012. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension in time up to 31.12.2016 for installation of capital goods subject to the condition that the party would submit installation certificates from Central Excise by 31.12.2016. Endorsement in authorization no. 0330032067 dated 13.03.2012 will be made by RA after party obtains a confirmation certificate from central excise that the goods imported against this authorization are in their possession. This will be subject to composition fee of Rs 5000/- in each case. **This has the approval of DG.**
35.	M/s Bil Energy Systems Limited, Mumbai 01/36/218/227/AM-16/EPCG-I	0330020163 dated 02.06.2008 0330020164 dated 02.06.2008 0330021509 dated 03.10.2008 0330021957 dated 04.12.2008	Extension of block-wise EO period.	The Committee took into account the submission of the party that they could not fulfill the EO in 1st block period due to following reasons: i. It took substantial time to set up the entire plant ii. It took substantial time for the production of exports products of International standard specifications and to get them approved abroad. 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 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
36.	M/s Dabur India Limited, New Delhi. 01/36/218/177/AM-16/EPCG-I	0530135701 dated 13.02.2004 0530135823 dated 04.03.2004	i. Extension of block-wise EO period and extension of EOP for one year i.e. up to 03.03.2013 in respect of authorization no. 0530135823 dated 04.03.2004;and ii. Second extension of	The Committee noted that the party has fulfilled 102.79% EO in the 9th year (extended time) against the EPCG authorization no. 0530135823 dated 04.03.2004 and fulfilled 57.38% EO till date against authorization no. 0530135701 dated 13.02.2004. The Committee also observed that the party had already obtained extension of

			EOP for further 2 years i.e. up to 12.02.2016 against authorization no. 0530135701 dated 13.02.2004.	EOP for one year against authorization no. 0530135823 dated 04.03.2004 i.e. up to 03.03.2013 and two years in respect of authorization no. 0530135701 dated 13.02.2004. i. 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 against both the EPCG authorizations, as the party could not apply to RA within the prescribed time period. This shall be subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of first block in terms of the provisions of Para 5.14 (c) of HBP 2015-20. **This has the approval of DG.** ii. The EO period of the authorization No. 0530135701 dated 13.02.2004 was 8 years which has already expired on 12.02.2012 and the extended EOP in terms of Para 5.11 (RE: 2004-05) has also expired on 12.02.2014. The Committee, therefore, decided to **reject** the request of the party for second extension of EOP for further 2 years as there are no policy provisions for the same at the time of issuance of authorization.
37.	M/s Vijayarajan Textiles Ltd., Tamilnadu. 01/37/218/262/AM-16/EPCG-II	3530003407 dated 05.09.2008	Extension of block-wise EO period.	The Committee took into account the submission of the party that they were unable to fulfil the EO due to recession in global market. They have submitted that they have substantial Group Company exports during the relevant periods. 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 5.14 (c) of HBP 2015-20. **This has the approval of DG.** The issue of Group Company exports may be examined by the RA as per policy and in terms of the order of the Hon'ble High Court of Judicature at Bombay.
38.	M/s Zee Entertainment Enterprises Limited, Mumbai 01/37/218/195/AM-16/EPCG-II	-----	Issuance of EPCG authorization for import of Van & Vanity Box without engine Buccaneer Crusier classified ITCHS code 87161000.	The Committee deliberated upon the case and decided to **defer** the case due to non receipt of comments and absence of the concerned technical member.

39.	M/s Rupana Paper Mills Limited, Delhi 01/37/218/227/AM-16/EPCG-II	0530343089 dated 20.02.2007 0530143090 dated 20.02.2007 0530143507 dated 19.04.2007 0530144358 dated 20.08.2007 0530152508 dated 17.06.2010	Condonation of procedural lapse of mentioning wrong EPCG authorization nos. in the shipping bills.	The Committee noted that the party has fulfilled 75.63% EO & 68.23% in respect of EPCG authorization Nos. 0530343089 dated 20.02.2007 and 0530143090 dated 20.02.2007 respectively, and Nil against authorizations 0530143507 dated 19.04.2007, 0530144358 dated 20.08.2007 and 0530152508 dated 17.06.20103. The Committee took into account the submission of the party that the error occurred due to mis-handling of documents by their staff. The Committee deliberation decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **condone** procedural lapse of mentioning wrong EPCG authorization nos. in the shipping bills subject to the condition that there is no double counting of exports/Shipping Bills. The Committee further recommended imposition of a composition fee of Rs. 200/- on each such shipping bill where more than one EPCG authorization number has been endorsed and which are being counted for fulfilment of EO. **This has the approval of DG.**
40.	M/s Shri Govindraja Textiles (P) Ltd., Aruppukottai. 01/37/218/16/AM-17/EPCG-II	3530003014 dated 13.12.2007	Extension in EOP for two years.	The Committee took into account the submission of the party that they had fulfilled 67.76% EO during the original EO period and obtained extension of block-wise EOP from RA, Madurai. Now they are getting the export orders and shall be able to fulfil 100% 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 5.17 (b) of HBP 2015-20, as the party could not apply to RA within the prescribed time period. **This has the approval of DG.**
41.	M/s Pragati Transmission Pvt. Ltd., Bangalore. 01/37/218/280/AM-16/EPCG-II	0730004339 dated 11.07.2006	Extension of block-wise EO period.	The Committee noted that party has fulfilled their entire EO within original EOP. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** extension 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 5.14 (c) of HBP 2015-20. **This has the approval of DG.**
42.	M/s E.I.D. Parry (India) Limited, Chennai. 01/36/218/39/AM-17/EPCG-I	0730004993 dated 12.12.2006	i. Extension of block-wise EOP; ii. Condonation of delay in installation of capital goods beyond 18 months.	The Committee noted that party has fulfilled 100% EO in the 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 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 5.14 (c) of HBP 2015-20. The Committee took into account the submission of the party that the capital goods was imported vide B/E No. 11302 dated 16.11.2006, but installation certificate was obtained from the Central Excise on 08.10.2008 i.e. after 18 months from the date of completion of import. The party has also obtained verification certificate certifying that the capital goods are physically available in their unit form the Central Excise authority. The Committee, therefore, **decided to recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in installation of capital goods subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
43.	M/s Krishna Gears (P) Ltd., Ghaziabad. 01/36/218/108/AM-15/EPCG-I	0530137257 dated 21.10.2004 0530137289 dated 28.10.2004 0530137389 dated 11.11.2004 0530137785 dated 05.01.2005 0530139160 dated 21.07.2005	i. Extension of EOP for 02 years against authorization nos. 0530137257 dated 21.10.2004 and 0530137785 dated 05.01.2005. ii. Condonation of average EO against 05 EPCG authorization Nos. 0530137257 dated 21.10.2004, 0530137289 dated 28.10.2004, 0530137389 dated 11.11.2004, 0530137785 dated 05.01.2005 and 0530139160 dated 21.07.2005.	The Committee noted the submission of the party that vide representation dated 02.08.2014 they had requested to waive the average EO and to extend the EO period of the subject authorisations. The Committee also took into account the submission of the party that they have not been able to fulfil export obligation due to recession, cancellation of export orders, and deterioration of financial position of the company. The Committee was informed that the request of the party from maintenance of average EO was not acceded to and the same was conveyed to the party on 16.10.2014. A report in the matter was simultaneously called from the RA on 16.10.2014 and the copy of the same was marked to the party. The Committee was informed that the party has filed a Writ Petition (C) 4905/2016 and the Hon'ble High Court of Delhi, on 26.05.2016, had directed DGFT to dispose off the requests of the party, preferably within six weeks. A report was again called for from RA on

				27.05.2016. The Committee noted that the party had not fulfilled specific EO as well as not maintained the annual average EO in the original EOP. The EOP of subject EPCG authorizations had expired during 2012-13 and the cases have already been adjudicated by the RA and the party has the option of filling an appeal u/s 15(1)(b) of the FT (D&R) Act,1992. The Committee deliberated upon the case and decided to recommend to DG to **reject** the request of the party with directions to follow the appellate procedure in terms of section 15(1)(b) of the FT (D&R) Act, 1992(as amended).

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