MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 30.08.2016.

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. Shri K.K. Tiwari, Industrial Adviser, Department of Heavy Industry
e. Smt. Chitra Sharma, Deputy Director General of Foreign Trade, DGFT
f. Shri Kumar Rahul, Deputy Director General of Foreign Trade, DGFT
g. Shri S.K. Kala, Foreign Trade Development Officer, DGFT
h. Shri A.S. Chauhan, Foreign Trade Development Officer, DGFT
i. Shri S.K. Panigrahi, Economic Officer, DGFT

II. Minutes of the last Meeting held on 25.07.2016 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 Aditya Cotton & Oil Agro Tech Industries, Karimnagar (A.P.). 01/36/218/65/AM-17/EPCG-I	0930004080 dated 05.06.2008	Extension of block-wise EOP and extension of EOP for 2 years.	The Committed deliberated upon the case decided to **defer** it with directions to obtain documents such as agreements between the parties etc. as per Para 5.10(d) of HBP regarding third party export.
2.	M/s Amethyst Hospitality Pvt. Ltd., Bangalore. 01/36/218/85/AM-17/EPCG-I	0730007659 dated 05.12.2008	Extension of block-wise EOP.	The Committee noted that the party has fulfilled only 24.44% EO within 1st block EO period because the hotel could start functioning only in 2012. Foreign exchange earnings were also very limited. They have now tied up with MNCs and they are earning considerable foreign exchange. They have requested for block-wise EO extension. 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.**
3.	M/s Asahi India Glass Ltd., New Delhi. 01/36/218/61/AM-17/EPCG-I	0530142771 dated 04.01.2007	Condonation of delay in submission of installation certificate.	The Committee took into account the submission of the party that they have informed the excise authorities about import of the CG but installation certificate was not issued. Thereafter, they have obtained the installation certificate from the Central Excise which is beyond prescribed time. 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.**
4.	M/s Harisons Industries, Kolkata. 01/36/218/07/AM-17/EPCG-I	0230002233 dated 26.03.2007	Extension of block-wise EOP and extension of EOP for 2 years.	The Committee deliberated upon the case and decided to **defer** it for further examination.
5.	M/s J.K. & Company, Faridabad. 01/36/218/78/AM-17/EPCG-I	0530146342 dated 09.06.2008	Extension of block-wise EOP.	The Committee noted that the party has fulfilled only 5.60% EO within original EOP and that the EO period of the authorization has expired. The Committee deliberated upon the case and decided to **defer** it with directions to obtain report from RA concerned to inform the Committee whether party has applied for overall EOP extension in RA.
6.	M/s Karolia Lighting Pvt. Ltd., New Delhi. 01/36/218/80/AM-17/EPCG-I	0530145658 dated 20.02.2008	Extension of block-wise EOP and extension of EOP for 2 years.	The Committee noted that the party has fulfilled 73% EO during the original EOP but failed to fulfil the entire EO due to recession in the market. Now they have third party 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 2004-09, as the party could not apply to RA within the prescribed time period. Third party exports shall be subject to conditions prescribed in Para 5.10 (d) of HBP 2015-20 read with policy circular 3 dated 02.09.2015. **This has the approval of DG.**
7.	M/s Minda Industries	0530145383	Condonation of delay	The Committee noted that the party

	Limited, Gurgaon. 18/58/AM-17/PC-5	dated 10.01.2008	in submission of installation certificate issued by Central Excise authorities.	has fulfilled 131.13% EO within EOP. The Committee took into account the submission of the party that they are a excise registered unit but have obtained the installation certificate from chartered engineer. However, there was a delay in obtaining installation certificate from Central Excise. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in submission of installation certificate issued by Central excise subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
8.	M/s MRF Limited, Chennai 18/61/AM-17/PC-5	0430005760 dated 30.01.2008	Condonation of delay in installation of capital goods.	The Committee noted that the party has fulfilled 83.07% EO within original EOP. The Committee took into account the submission of the party that machines could be successfully commissioned only after making certain necessary modifications, adapting to their requirements, for which, suppliers of the machine had to be called, leading to delay in installation of CG. The party has since obtained the installation certificate from Central Excise which is after 18 months of import. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** condonation of delay in installation of capital goods subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
9.	M/s MBD Printographics Pvt. Ltd., New Delhi 18/213/AM-16/PC-5	3030004736 dated 19.11.2008 3030004737 dated 19.11.2008 3030004917 dated 15.01.2009 3030004920 dated 15.01.2009 3030004921 dated 15.01.2009 3030004922 dated 15.01.2009 3030004923 dated 15.01.2009	Extension of block-wise EO period.	The Committee took into account the submission of the party that they could not make any exports in the first block due to depressed market conditions. However, now they have sufficient export orders in hand to export their 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** 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.

		3030004950 dated 21.01.2009 3030004951 dated 21.01.2009 3030004952 dated 21.01.2009 3030005132 dated 26.03.2009 3030005133 dated 26.03.2009 3030005138 dated 27.03.2009		**This has the approval of DG.**
10.	M/s Fresenius Kabi Oncology Limited, New Delhi 01/36/218/49/AM-15/EPCG-I	0530147125 dt. 13.10.2008 (issued in lieu of authorization no. 0530140260 dated 12.01.2006) 0530140538 dated 27.02.2006 0530140755 dated 28.03.2006 0530142043 dated 28.09.2006 0530142065 dated 04.10.2006 0530143617 dated 08.05.2007 0530143868 dated 11.06.2007 0530151481 dated 10.03.2010	i. Acceptance of installation certificate issued by chartered engineer instead of central excise authority against 05 EPCG authorization nos. 0530140260 dated 12.01.2006, 0530140538 dated 27.02.2006, 0530140755 dated 28.03.2006, 0530142043 dated 28.09.2006, 0530143617 dated 08.05.2007. ii. Condonation of delay in submission of installation certificate in respect of 03 EPCG authorization Nos. 0530142065 dated 04.10.2006, 0530143868 dated 11.06.2007 and 0530151481 dated 10.03.2010.	The Committee took into account the submission of the party that they are a central excise registered unit but have obtained installation certificate from Chartered Engineer. Subsequently, they also approached Central Excise Authority for issuance of installation certificates. However, Central Excise Authorities has denied issuance of installation certificates, as they could not approach them within prescribed time period. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** acceptance of installation certificate issued by chartered engineer instead of Central Excise authority in case of authorization no. 0530140260 dated 12.01.2006, 0530140538 dated 27.02.2006, 0530140755 dated 28.03.2006, 0530142043 dated 28.09.2006, and 0530143617 dated 08.05.2007 subject to: i. payment of composition fee of Rs. 5000/- for each authorization and ii. submission of verification certificate from Central Excise authority that the capital goods are installed in their factory/premises. Further, the Committee took into account the submission of the party that they had obtained the installation certificate from the Central Excise beyond the prescribed time period against 03 EPCG authorizations 0530142065 dated 04.10.2006, 0530143868 dated 11.06.2007 and 0530151481 dated 10.03.2010. 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/- for each authorization. **This has the approval of DG.**
11.	M/s Indian Arts & Crafts Syndicate, Noida. 01/36/218/08/AM-17/EPCG-I	0530141089 dated 18.05.2006 0530142690 dated 26.12.2006	Regularization of exports already made by group company for fulfillment of EO.	The Committee took into account the submission of the party that they had fulfilled the export obligation through their Group Company M/s C & R Textiles Pvt. Ltd., for purpose of fulfilment of EO against the subject authorizations. Further, Committee noted that CLA, New Delhi vide their letter dated 11.07.2016 has stated that M/s Indian Arts & Crafts Syndicate and M/s C & R Textiles Pvt. Ltd. are group companies. Further, the RA has stated that they are eligible for accounting exports made by the group company for the purpose of fulfilment of exports obligation. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **regularize** the exports made by their Group Company for the purpose of fulfilment of EO subject to the party fulfilling the criteria of Group Company as per policy read with the Judgement of the Hon'ble High Court of Bombay in the case of Tata Teleservices. **This has the approval of DG.**
12.	M/s Quantaplast Polymer Pvt. Ltd., Jaipur. 01/37/218/94/AM-17/EPCG-II	1330001709 dated 26.10.2007 1330001732 dated 28.11.2007 1330001822 dated 31.03.2008 1330001823 dated 31.03.2008 1330001846 dated 29.05.2008	Extension of block-wise EO and extension of EOP for 2 years.	The Committee noted that the party has not made any export till date and also not submitted the copy of valid export order. The Committee, therefore, decided to **defer** the case with directions to call for copy of valid export orders.
13.	M/s Universal Electro Magnetic Cores. 01/37/218/78/AM-17/EPCG-II	0930004774 dated 18.03.2009 0930004281 dated 06.08.2008	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 fulfil their entire EO due to non-availability of export orders. They have already paid 2% composition fee for unfulfilled EO to RA, Hyderabad. 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 each 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. **This has the approval of DG.**
14.	M/s Such Exports (P) Ltd, New Delhi. 01/37/218/82/AM-17/EPCG-II	0530144884 dated 31.10.2007	Extension of block-wise EOP.	The Committee noted that the party has fulfilled their entire EO in the second block period through 3rd party exports. They have already paid 2% composition fee for unfulfilled EO to CLA, Delhi. 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 first 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.**
15.	M/s Suja Shoei Industries Pvt. Ltd., Tamilnadu. 01/37/218/301/AM-16/EPCG-II	0430003092 dated 05.10.2005	Condonation of procedural lapse of inadvertently mentioning different authorization number while filing shipping bills.	The Committee noted that the party has fulfilled their entire EO in respect of EPCG authorization No. 0430003092 dated 05.10.2005. The Committee took into account the submission of the party that their shipping/Clearing Agents inadvertently endorsed a EPCG authorisation number i.e. No. 0430001813 dated 25.07.2004 of another EPCG authorization issued to them, on all shipping bills. The Committee further noted that the

				concerned RA has verified that the authorisation No. 0430001813 dated 25.07.2004 has been redeemed and they have not included the shipping bills presently filed for EODC against EPCG Authorisation no. 0430003092 dated 05.10.2005 in the redeemed case. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **condone** the procedural lapse of inadvertently mentioning incorrect authorisation number while filing shipping bills, subject to the condition that there is no double counting of exports/Shipping Bills and the exports made are after issuance of the EPCG authorization 0430003092 dated 05.10.2005. The Committee further recommended imposition of a composition fee of Rs. 200/- on each such shipping bill where different EPCG authorization number has been endorsed and which are being counted for fulfilment of EO. **This has the approval of DG.**
16.	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 case was earlier placed before the EPCG Committee meeting held on 28.04.2016 and 25.07.2016, wherein it was decided to defer it with directions to obtain comments of DoR in the matter. Representative of DOR again informed that the report from DRI is yet to be received. The Committee therefore decided to **defer** the case with directions to request DoR to expedite their comments.
17.	M/s Pemraj Industries, Pune 01/37/218/102/AM-17/EPCG-II	3130004262 dated 23.10.2009	Extension of block-wise EOP.	The Committee noted that the party has fulfilled their entire EO within 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 first block in terms of the provisions of Para 5.8.3 of

				HBP 2009-14. **This has the approval of DG.**
18.	M/s Topworth Pipes and Tubes Pvt. Ltd, Mumbai 01/37/218/41/AM-16/EPCG-II	0330024472 dated 30.11.2009	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 fulfil their EO due to recession in industry, stiff competition in the market and non-availability of export orders. Now, they have export orders in hand and are confident to fulfil the EO in extended 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 each 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. **This has the approval of DG.**
19.	M/s Ponni Agro Industries (P) Ltd, Tamil Nadu 01/37/218/24/AM-17/EPCG-II	0430006081 dated 01.05.2008	Extension of EOP for 2 years.	The Committee took into account the submission of the party that they could not fulfil their EO due to delay caused by fire in their plant. Now, they have export orders in hand and are confident to fulfil the EO in extended 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 5.11 of HBP 2009-14, as the party could not apply to RA within the prescribed time. **This has the approval of DG.**
20.	M/s R.A. Textiles Process (P) Ltd, Tirupur	3230006121 dated 06.02.2006	Extension of EOP for 4 years (first & second extension).	The Committee took into account the submission of the party that they could not fulfil their EO because of the Tamil

	01/37/218/56/AM-17/EPCG-II	3230006094 dated 02.02.2006 3230006120 dated 06.02.2006		Nadu Pollution Control Board's instructions to close the polluting dying units which continued intermittently between 2006 and 2013 hampering their operations. Now they have been permitted to operate the processing unit which is working smoothly for last 10 months and they have started receiving export orders from their customers. 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 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. b) Second extension of EOP for further 02 years with a condition that 50% of duty payable in proportion to the unfulfilled export obligation is paid by authorization holder to Custom authorities before an endorsement of extension is made on EPCG authorization by RA concerned in terms of Para 5.11 of FTP 2004-09. **This has the approval of DG.**
21.	M/s Srini Pharmaceuticals Ltd, Hyderabad 01/37/218/03/AM-17/EPCG-II	0930002729 dated 30.11.2006	Counting exports made in 2006-07, 2012-13, 2013-14 to offset shortfall.	The Committee noted that the annual Average Export Obligation fixed in the said Authorisation is Rs. 81.65 crores. However, there is a shortfall in average EO in the first block of 6 years in 2007-08, 2008-09, 2009-10 and 2010-11. The party has maintained excess average EO in the year 2006-07, 2012-13 and 2013-14 to offset the shortfall in average EO. Further, Committee noted that the party has not maintained the year wise annual average EO in the first block period and hence, they also require extension of block wise EOP. The Committee deliberated upon the case and **decided to recommend to DG for relaxation under Para 2.58 of FTP2015-20 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 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.**
22.	M/s Pye Tools Pvt. Ltd, Ludhiana 01/37/218/90/AM-17/EPCG-II	3030007811 dated 02.02.2011 3030012316 dated 11.04.2014 3030012688 dated 25.06.2014	Condonation of delay in submission of installation certificate issued from central excise authorities.	The Committee took into account the submission of the party that they are registered with central excise but had obtained the installation certificate from the Chartered Engineer within 06 months from the date of import of Capital Goods. Subsequently, they had approached Central Excise for issuance of installation certificate on 06.10.2015. The Central Excise authorities issued installation certificate on 23.12.2015. 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 in submission of Installation Certificate issued from Central Excise authorities subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
23.	M/s Sanjay Tools & Accessories Pvt. Ltd, Pune 01/37/218/38/AM-17/EPCG-II	3130007079 dated 19.12.2012	Extension of block-wise EOP.	The Committee noted that the first block of Export Obligation Period in respect of the subject EPCG authorisation is valid till 18.12.2016. The Committee, therefore, decided to **advise** the party to approach concerned RA for extension of block wise export obligation in terms of para 5.8.3 of HBP 2009-14.
24.	M/s Rex Poly extrusion Pvt. Ltd, Maharashtra 01/37/218/15/AM-17/EPCG-II	3130003410 dated 29.08.2008 3130004134 dated 29.07.2009 3130005491 dated 03.02.2011	Extension of block-wise EOP.	The Committee noted that the party could not fulfil EO due to recession in world market. The committee took into account the submission of the party that 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 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 first block in

				terms of the provisions of Para 5.8.3 of HBP 2009-14. **This has the approval of DG.**
25.	M/s Sree Jaya Soundhram Textile Mills Pvt. Ltd, Tamil Nadu	3530002774 dated 25.07.2007 3530002445 dated 16.03.2007	Extension of block-wise EO and extension in EOP for 2 years	The Committee noted that the party has not made any exports even after expiry of EOP and the party has not furnished copy of valid export orders. The Committee therefore decided to **defer** the request of the party with directions to call for copies of valid export orders.
26.	M/s Nav Engineers Pvt. Ltd., Noida. 18/64/AM-17/P-5	0530146383 dated 11.06.2008	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 global recession and non-availability of export orders and they have 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** 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.**
27.	M/s Menaka Card Pvt. Ltd., Chennai. 18/58/AM-16/P-5	0430004292 dated 08.11.2006	Extension of block-wise EO and extension of EOP for 2 years.	The Committee took into account the submission of the party that they could not fulfil the EO as they failed to file shipping bills in respect of their past exports by couriers correctly. For the current exports they have started filing the shipping bills. They also have confirmed export orders in hand to fulfil the 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 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

<table>
<tr><td></td><td></td><td></td><td></td><td>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.</td></tr>
<tr><td>28.</td><td>M/s Mehr Image Pvt. Ltd., New Delhi.

18/59/AM-17/P-5</td><td>0530145131 dated 06.12.2007</td><td>Extension of EOP for 2 years.</td><td>The Committee noted that the party has fulfilled 50.63% EO during the original EOP.

The Committee took into account the submission of the party that they were unable to fulfil their entire EO due to currency fluctuation and that they now have 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 <u>FTP 2015-20</u> 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.</td></tr>
<tr><td>29.</td><td>M/s Malu Paper Mills Limited, Nagpur.

18/57/AM-17/P-5</td><td>0330012954 dated 21.08.2006
0330014747 dated 15.01.2007
0330014503 dated 27.12.2006</td><td>Extension of block-wise EO and extension of EOP for 2 years.</td><td>Representative of DOR stated that they need to call for comments regarding a pending DRI investigation against the party. The Committee, therefore, decided to defer the case.</td></tr>
<tr><td>30.</td><td>M/s Emami Paper Mills Limited, Kolkata.

01/36/218/69/AM-17/EPCG-I</td><td>0230001666 dated 28.07.2006
0230002165 dated 02.02.2007
0230002277 dated 09.04.2007
0230002400 dated 07.06.2007
0230002643 dated 24.09.2007</td><td>Extension of EOP for 2 years.</td><td>The Committee noted that the EO fulfilment details given by the party are as under:
<table>
<tr><td>Authorization No. & Date</td><td>EO fulfilled</td></tr>
<tr><td>0230001666/ 28.07.2006</td><td>34.38%</td></tr>
<tr><td>0230002165/02.02.2007</td><td>Nil</td></tr>
<tr><td>0230002277/09.04.2007</td><td>98.77%</td></tr>
<tr><td>0230002400/07.06.2007</td><td>9.42%</td></tr>
<tr><td>0230002643/24.09.2007</td><td>97.85%</td></tr>
</table>
The Committee took into account the submission of the party that they could not fulfil the entire EO within original EOP due to worldwide recession and financial crisis.</td></tr>
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				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 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.**
31.	M/s Fresenius Kabi Oncology Limited, New Delhi 01/36/218/197/AM-16/EPCG-I	0530155186 dated 31.03.2011 0530155187 dated 31.03.2011 0530155661 dated 02.06.2011 (duplicate Lic No. 0530157773 dt. 28.02.2012). 0530157663 dated 15.02.2012 0530158515 dated 08.06.2012 0530159242 dated 12.09.2012 0530159681 dated 05.11.2012 0530160025 dated 21.12.2012 0530160262 dated 31.01.2013	Condonation of delay in submission of installation certificate issued by central excise authority.	The Committee took into account the submission of the party that they are registered with central excise but could not get the installation certificate issued from Central Excise within prescribed time period. However, they have now obtained the installation certificate for the subject authorizations from Central Excise and the same is beyond 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 of capital goods subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
32.	M/s Adhunik Cement Limited, Kolkata 01/36/218/168/AM-16/EPCG-I	0230002133 dated 06.02.2007 0230002194 dared 02.03.2007 0230002938 dated 16.01.2008 0230003121 dated 24.03.2008 0230003166 dated 07.04.2008 0230003729 dated	Regularization of exports made by Group Company for fulfilment of EO.	The Committee took into account the submission of the party that they had made exports for EO fulfilment through their Group Companies OCL India Limited and Dalmia Cement (Bharat) limited between 01.04.2011 and 01.04.2012. Further, the Committee noted that RA Kolkata vide their letter dated 11.08.2016 has stated that OCL India Limited and Dalmia Cement (Bharat) Limited are covered under the definition of group companies as per policy provisions read with the Judgement of the Hon'ble High Court of Bombay in the case of Tata Teleservices Ltd.

		23.10.2008		The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **regularize** the exports made by their Group Company for the purpose of fulfilment of EO subject to the party fulfilling the criteria of Group Company as per policy read with the judgement of the Hon'ble High Court of Bombay in the case of Tata Teleservices Limited. **This has the approval of DG.**
33.	M/s JBJ Technologies Limited, New Delhi. 01/36/218/46/AM-17/EPCG-I	0530162726 dated 08.05.2014	Regularization of shifting of capital goods.	The Committee took into account the submission of the party that they have imported the capital goods to be installed at A-14, Sector-5, Noida UP-201301 and shifted/installed the capital goods in their new factory i.e. Plot No. 350,351,352, Ecotech-III, Udyog Kendra –II, Greater Noida, UP-201306. The party has furnished a copy of IEC and RCMC wherein the new address of the installation of CG is mentioned. The Committee, therefore, decided to **regularize** the shifting of capital goods from A-14, Sector-5, Noida UP-201301 to Plot No. 350,351,352, Ecotech - III, Udyog Kendra –II, Greater Noida, UP-201306 subject to payment of composition fee of Rs. 5000/- and submission of installation certificates for both places.
34.	M/s Agni Nets. 01/36/218/32/AM-17/EPCG-I	3530002485 dated 26.03.2007	Extension of block-wise EOP and extension of EOP for 2 years.	The Committee noted that the party has fulfilled 59.78% EO during the original EOP. The Committee took into account the submission of the party that they could not fulfil the entire EO during the original EOP due to recession in the international 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**: 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.**
35.	M/s Jiwan Polycot, Haridwar 01/36/218/164/AM-15/EPCG-I	0530141250 dated 08.06.2006	Second extension of EOP for 2 years.	The Committee noted that the request of the party was earlier placed before the EPCG Committee meeting held on 21.09.2015 for extension of block wise EOP and extension of EOP for 02 years, wherein it was decided to allow the extension of block-wise EOP and extension of EOP for 02 years to them. The Committee deliberated upon the case and decided to **reject** the case as they did not fulfil any EO during the original EOP and extended EOP for 02 years.
36.	M/s Krishna Kripa Creations, Kolkata 01/36/218/63/AM-17/EPCG-I	0230002126 dated 31.01.2007	i. Extension of block-wise EOP. ii. Condonation of delay in submission of installation certificate.	The Committee took into account the submission of the party that they could not fulfil EO during the 1st block due to global economic recession and economic slowdown. However, they have fulfilled the EO during the 2nd block period through 3rd party exports. 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. 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. The Committee noted that that party has obtained the installation certificate but not in 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.**
37.	M/s Anand Granite Exports Pvt. Ltd., Ongole. 01/36/218/13/AM-16/EPCG-I	0930006496 dated 25.11.2010 0930006614 dated 28.12.2010	Condonation of non maintenance of year-wise annual average EO offset by exports in other years.	The Committee noted that the party has fulfilled 100% EO within the first block period and not maintained the year wise annual average EO. However, they have maintained the annual average EO in toto, offsetting

				the deficit by excess exports in other years. The Committee deliberated upon the case and decided to **remand** the case to RA concerned for further examination as the party has fulfilled 100% EO within the first block period.
38.	M/s Phoenix Hitec Engineers Pvt. Ltd, Chennai 01/37/218/117/AM-17/EPCG-II	0430008583 dated 02.06.2010	Extension of block-wise EOP and extension of EOP for 2 years.	The Committee deliberated upon the case and decided to **direct** the RA concerned to examine the request in terms of Para 5.10 (d) of HBP 2015-20, relating to third party exports and send a report to the Committee.
39.	M/s Shriram Pistons & Rings Ltd, New Delhi 01/37/218/118/AM-17/EPCG-II	0530149469 dated 24.07.2009 0530158431 dated 25.05.2012	Permission for shifting of capital goods.	The Committee took into account the submission of the party that due to change in demand pattern, they have decided to produce certain model of their products at their 2nd manufacturing unit i.e. SP-1, 892 & 893, Pathredi, Industrial Areas, Near Chopanki, Bhiwadi, Alwar, Rajasthan, for which the capital good are required. Consequently, they have decided to transfer the capital goods from existing Unit at A-4 to A-7, Industrial Area-3, Meerut Road, Ghaziabad to SP-1, 892 & 893, Pathredi, Industrial Areas, Near Chopanki, Bhiwadi, Alwar, Rajasthan. Both the addresses are mentioned in IEC and RCMC. The Committee deliberated upon the case and decided to **permit** shifting of capital goods from manufacturing unit located at A-4 to A-7, Industrial Area-3, Meerut Road, Ghaziabad to their other unit located at SP-1, 892 & 893, Pathredi, Industrial Areas, Near Chopanki, Bhiwadi, Alwar, Rajasthan. The party shall submit fresh installation certificate to RA within 6 months from the date of installation of capital goods at the new unit.
40.	M/s Rajhans Enterprise, Bangalore 01/37/218/61/AM-17/EPCG-II	0730006211 dated 18.10.2007	Extension of block-wise EO and extension of EOP for 2 years.	The Committee noted that the party has fulfilled 52.78% EO during the original EOP. The Committee took into account the submission of the party that they could not fulfil their entire EO due to price competition, global recession, non-availability of skilled labours and lack of export order. 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 each 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. **This has the approval of DG.**
41.	M/s Radcoflelx India Pvt. Ltd, Tamil Nadu. 01/37/218/215/AM-16/EPCG-II	0430004365 dated 27.11.2006	i. Extension of block-wise EO and extension of EOP for 2 years. ii. Inclusion of alternate product.	The Committee noted that the case was earlier placed before the EPCG Committee meeting held on 25.07.2016, wherein it was decided to defer the case with directions to obtain copy of valid export order from the party. Now, the party has submitted export orders in hand and are confident to fulfil the EO in extended 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 each 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. **This has the approval of DG.**

				RA shall examine the details of items of manufacture as per SSI / IEM Registration and dispose the request of the party for inclusion of alternate export product as per policy provisions.
42.	M/s Reliance Industries Limited, Mumbai. 01/37/218/126/AM-17/EPCG-II	0330040445 dated 11.12.2014	Re-validation of EPCG authorization upto 30th September 2016.	The Committee took into account the submission of the party that they have got EPCG authorisation invalidated in favour of a domestic manufacturer i.e. M/s. Larsen & Toubro Ltd. (L&T) on 19.02.2015. The CGs (coke drums) are very large in size and can only be transported through coastal shipping from L &T factory located at Hazira to proposed installation site at Jamnagar. Party has submitted that in view of the bad weather period in Arabian Sea between 1st June to 31st August, Director General of Shipping, Government of India, does not allow coastal/ocean towing during this time period. Though the CG would be ready by July end, it cannot be supplied on account of prevailing weather conditions. The authorisation was valid till 30.6.2016. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** re-validation of EPCG authorization upto 30th September 2016, subject to payment of composition fee of Rs. 5000/-. In view of the fact that raw materials have been imported by M/s L&T Ltd., for manufacture of CG's against corresponding Advance licence. **This has the approval of DG.**
43.	M/s Sun Pharmaceutical Industries Ltd,- Mumbai 01/37/218/49/AM-17/EPCG-II	0330030417 dated 26.08.2011	Condonation of procedural lapse of non endorsement of name of supporting manufacturer on shipping bills.	The Committee noted that the party has fulfilled 103.60% EO within original EO period. The Committee took into account the submission of the party that in shipping Bill nos. 1284434 dated 13.08.2012, 2041868 dated 04.10.2012 & 1688874 dated 10.09.2012, they have mentioned date & number of EPCG authorization, but by oversight, the name of supporting manufacturer has not been endorsed. However, in ARE-1 Form nos. 009/12-13, 012/12-13, & 071/12-13 under which the said shipments have been released by the concerned excise authorities, the name & address of supporting manufacturer as "Unimed Technologies Ltd., Halol" has clearly been mentioned. The number/details of these aforesaid ARE-1 Forms have also clearly been mentioned on third page of the aforesaid Shipping Bills. The Committee deliberated upon the

				case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **condone** the procedural lapse of non-endorsement of name of supporting manufacturer on shipping bills. **This has the approval of DG.**
44.	M/s Sun Pharmaceutical Industries Ltd- Mumbai 01/37/218/04/AM-16/EPCG-II	0330028750 dated 22.02.2011 0330027047 dated 27.08.2010	Condonation of non-endorsement of Supporting Manufacturer name in shipping bills towards fulfillment of EO.	The Committee took into account the submission of the party that they have duly fulfilled the EO in respect of EPCG authorization No. 0330028750 dated 22.02.2011, vide shipping Bill nos. 8516846 dt. 19.11.2013 and 8639113 dt. 26.11.2013, and against authorization No. 0330027047 dated 27.08.2010 vide shipping bill No. 8047826 dt. 19.10.2013, in which they have mentioned the date & number of said EPCG authorizations, but by oversight, the name of supporting manufacturer, has not been endorsed. However, in ARE-1 Form nos. 098/13-14, 38/13-14 & 076/13-14 under which the said shipments have been released by the concerned excise authorities, the name & address of supporting manufacturer as "Unimed Technologies Ltd., Halol" has clearly been mentioned on these ARE-1 Forms. The number/details of these aforesaid ARE-1 Forms have also clearly been mentioned on third page of the aforesaid Shipping Bills. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **condone** the procedural lapse of non-endorsement of name of supporting manufacturer on shipping bills. **This has the approval of DG.**
45.	M/s Rattha Somerset Greenways Pvt. Ltd., Chennai. 01/37/218/111/AM-17/EPCG-II	0430005860 dated 26.02.2008 0430005864 dated 26.02.2008	Condonation of delay in submission of installation certificate.	The Committee noted that the party has fulfilled 96% EO in respect of EPCG authorization No. 0430005860 dated 26.02.2008 and fulfilled 92% EO against authorization no. 0430005864 dated 26.02.2008. The Committee further noted that the capital goods were imported on 04.04.2008 & 17.04.2008 and installed on 15.07.2011 and 10.06.2011 respectively. The Committee took into account the submission of the party that due to delay in the completion of the project and other administrative reasons the capital goods could not be installed in stipulated time. 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.**
46.	M/s Tata Steel Limited – Mumbai 01/37/218/222/AM-17/EPCG-II	0230009348 dated 13.02.2014	Extension in time for installation of capital goods upto 15th September, 2016.	The Committee noted that the request of the party was earlier placed in the EPCG Committee meeting held on 29.03.2016, wherein extension in time for submission of installation certificate upto 31.03.2016 was allowed by the Committee. However, now the party has stated that they need time till September 15, 2016. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to **allow** further extension in time for submission of installation certificate upto 15th September, 2016 subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
47.	M/s Shankar Packaging's Limited – Mumbai. 01/37/218/83/AM-17/EPCG-II	0330031101 dated 22.11.2011	Correction in address of installation of capital goods.	The Committee noted that the party has fulfilled 93.86% EO within two years of the EOP. The Committee took into account the submission of the party that they have imported capital goods for installation at Plot No. 1416, G1DC, Waghodia, District Baroda, Gujarat 391760. The capital goods have been installed at the same place and address which is mentioned in the authorization. The address mentioned in IEC and Installation Certificate also mentions 'Unit IV', Plot No. 1416, GIDC Estate, Waghodia, Vadodara, Gujarat -391 760 but by mistake they have written the address excluding Unit IV. The Committee deliberated upon the case and decided to **permit** 'Unit IV' to be prefixed to the address stated in the authorisation (Plot No. 1416, GIDC Estate, Waghodia, Vadodara, Gujarat) as mentioned in IEC.
48.	M/s Aloke Textile Mills, Kolkata 01/36/218/69/AM-15/EPCG-I	0230001421 dated 24.03.2006	Second extension of EOP for one year.	The Committee noted that earlier the request of the party was placed before the EPCG Committee meeting held on 22.01.2015 for extension of block wise EOP and extension of EOP for one year wherein Committee granted extension of block wise EOP and extension of EOP for one year. The Committee further noted that the party has fulfilled 67.60% 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** second extension of EOP for one year with a condition that 50% of duty payable in proportion to the unfulfilled EO is paid by the authorization holder to custom authorities before endorsement of extension in made on EPCG authorization by RA concerned in terms of provisions contained in Para 5.11 of HBP (RE: 2006) w.e.f. 01.04.2005. **This has the approval of DG.**
49.	M/s Alagulakshmi Tex (P) Ltd., Sattur. 01/36/218/95/AM-17/EPCG-I	3530002287 dated 09.01.2007	Extension of block wise EOP and extension of EOP for 02 years.	The Committee took into account the submission of the party that they could not fulfil their EO due to severe recession in the international market, stiff global competition, increase in cost of raw material and labour cost domestically. Now they have third party export orders in hand and are confident to fulfil the EO within extended 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 5.8.3 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. 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.**
50.	M/s Finolex Cables Limited, Pune. 01/36/218/194/AM-16/EPCG-I	3130003341 dated 31.07.2008 3130003342 dated 31.07.2008 3130003532 dated 20.10.2008	i. Extension of block-wise EO period against 16 EPCG authorizations issued during the period of AM- 09 to AM-11. ii. Extension of EOP for 2 years in	The Committee took into account the submission of the party that due to recession world over and sluggish market conditions they could not fulfil their EO. However, now they have export orders in hand. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58**

		3130003533 dated 20.10.2008 3130003534 dated 20.10.2008 3130003535 dated 20.10.2008 3130003536 dated 20.10.2008 3130003538 dated 21.10.2008 3130003539 dated 21.10.2008 3130004025 dated 14.05.2009 3130004049 dated 01.06.2009 3130004474 dated 06.01.2010 3130004480 dated 07.01.2010 3130004490 dated 11.01.2010 3130004491 dated 11.01.2010 3130004511 dated 18.01.2010	respect of 05 EPCG authorization nos. 3130004474 06.01.2010, 3130004480 dated 07.01.2010, 3130004490 dated 11.01.2010, 3130004491 dated 11.01.2010 and 3130004511 dated 18.01.2010.	**of** **FTP 2015-20** to **allow**: a) extension of block-wise EOP in respect of all 16 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 5.8.3 of HBP 2009-14; and b) extension of EOP for 2 years in respect of 05 EPCG authorizations Nos. 3130004474 dated 06.01.2010, 3130004480 dated 07.01.2010, 3130004490 dated 11.01.2010, 3130004491 dated 11.01.2010 and 3130004511 dated 18.01.2010 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.**
51.	M/s Fiat India Automobiles Limited 01/36/218/189/AM-14/EPCG-I	21 EPCG authorizations issued during the period of AM – 08 to AM-09.	To consider EOP as 12 years for clubbed licences.	The Committee noted that the request of the party was earlier placed before the EPCG Committee meetings held on 23.10.2013, 04.04.2014 and 19.11.2014 wherein it was decided to defer the case for further examination. The Committee took into account the submission of the party that they have got clubbed, 09 EPCG authorizations amounting to duty saved value of Rs. 177.21 Crores issued in 2007-08 and 12 EPCG authorizations issued in 2008-09 amounting to duty saved value of Rs.114.76 crores as per provisions of Clubbing. The clubbed authorisations were issued in the same year and for the same project. The firm has now requested for an EOP for 12 years for the clubbed authorisations [given that the duty

				saved amount exceeds 100 Cr and Para 5.1 of FTP(RE 2007 and 2008) states that in respect of EPCG authorisations with duty saved amount of Rs 100 Cr or more the EOP shall be 12 years]. However, Para 5.18.3 of HBP Vol I 2009-14 provides that in cases where clubbing has been allowed and the duty saved value exceeds Rs. 100 Crore, no corresponding benefit of increase in EO period shall be admissible. The Committee noted that it was also decided to seek the comments of DoR, DIPP and Ministry of Heavy Industries and Public Enterprises on request of the party for procedural relaxation of export obligation period from 8 years to 12 years for clubbed licenses. They have further stated that the Company will be making additional investment of about Rs. 1500 Cr. if their request is considered favourably otherwise this investment is likely to be diverted to some other country. The Committee observed that the Department of Heavy Industries has furnished their comments stating that the request of M/s Fiat India Automobiles Ltd for re-fixation of EOP to 12 years for clubbed licenses has been examined. It is observed that the request is purely procedural and they support the request. Department of Revenue has conveyed no objection of Central Board of Excise and Customs to allowing EO period of 12 years in case of 21 clubbed EPCG licenses of M/s FIAT India Automobiles Ltd. The Committee after due deliberation decided to **recommend to DG for consideration of the request under Para 2.58 of <u>FTP 2015-20</u>**. (However, it was decided to put up the matter on file.)
52.	Reference received from RA, Kanpur. 18/73/AM-16/P-5	Applied for the authorisation	Issuance of EPCG authorization for Consumable Items i.e. "Refractory item Saggar" ceramic port for glass melting.	The Committee observed that as per the technical comments furnished by DIPP the import item i.e. Saggar Ceramic pot for glass melting is not covered under refractories for initial lining and spare refractories. It is a consumable item and is used on one time basis i.e. once used for melting of glass, it cannot be reused." The Committee, therefore, decided **not to allow** import of saggar ceramic port for glass melting under EPCG Scheme.
53.	M/s RSB Transmissions (I) Ltd., Pune, 01/37/218/65/AM-	3130005652 dated 04.12.2011 3130004838	Extension of block-wise EOP and extension of EOP.	The Committee noted that the request of the party was earlier examined in the EPCG Committee meeting held on 25.07.2016 wherein it was decided to

	17/EPCG-II	dated 28.05.2010 3130003590 dated 17.11.2008 3130004198 dated 24.09.2009 3130002785 dated 07.11.2007 3130003132 dated 14.05.2008 3130003257 dated 27.06.2008 3130004670 dated 19.03.2010 3130003133 dated 14.05.2008 3130003210 dated 17.06.2008 3130002947 dated 07.02.2008 3130002955 dated 11.02.2008 3130002694 dated 12.09.2007 3130002826 dated 05.12.2007 3130003101 dated 16.04.2008		defer the case as the party did not submit copies of valid export orders. Now, they have submitted valid 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 in respect of all the authorization, 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; and b) extension of EOP for 2 years in respect of 13 EPCG authorizations except authorization nos. 3130005652 dt. 04.12.2011 and 3130003590 dt. 17.11.2008 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 & 2009-14, as the party could not apply to RA within the prescribed time. **This has the approval of DG.**
54.	M/s Yazaki India Limited. 01/37/218/201/AM-14/EPCG-II	3130000108 dated 28.02.2001 3130000123 dated 28.05.2001 3130000156 dated 01.10.2001 3130000176 dated 18.12.2001 3130000148 dated 29.08.2001 3130000219 dated 03.07.2002	Subsuming of outstanding EO against EPCG authorizations in the export performance of the unit being converted from DTA to EOU.	The Committee noted that six EPCG licenses were granted to their company formerly known as Tata Yazaki Autocomp Ltd, (now known as Yazaki India Ltd), in the year 2001-02 for the purpose of manufacturing integrated Wiring Harness Including high tension battery cables and their components and parts thereof. Out of these six EPCG licenses, five were issued in the year 2001 and sixth was issued on 03.07.2002. The Committee deliberated upon the case and decided to **defer** it for further examination. It was also decided to allow PH to the party on the next meeting date i.e. 26th of September, 2016 to explain certain aspects of the case.

DGFT = Directorate General of Foreign Trade
DG = Director General
FTP = Foreign Trade Policy

HBP v1 = Handbook of Procedure Vol. I
EO = Export Obligation
EODC = Export Obligation Discharge Certificate
EOP = Export Obligation Period
EPCG = Export Promotion Capital Goods
RA = Regional Authority
BG = Bank Guarantee
FFE = Free Foreign Exchange
FE = Foreign Exchange
IEC = Importer-Exporter Code
DOR = Department of Revenue
IEM = Industrial Entrepreneurs Memorandum
RCMC = Registration-cum-Membership Certificate
