MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 17.12.2014

Following officers attended the meeting:

a. Shri Akash Taneja, Joint Director General of Foreign Trade, DGFT
b. Shri K.K. Sinha, Industrial Advisor, Department of Industrial Policy and Promotion,
c. Shri K.K. Tiwari, Industrial Advisor, Department of Heavy Industry.
d. Shri D.K.Gupta, Director(DBK), Department of Revenue,
e. Shri V.K. Kohli, Director, O/o Textile Commissioner, Noida
f. Shri G. S. Bains, Technical Officer (DBK), Department of Revenue.

II. Minutes of the last Meeting held on 19.11.2014 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 Poovu Matches (India) Pvt. Ltd., Tamil Nadu. 01/37/218/156/AM-15/EPCG-II	3530003044 dated 31.12.2007	Condonation of block-wise EO (first block) and delay in installation of capital goods under EPCG scheme.	The Committee deliberated upon the case and observed the the party has obtained installation certificate from Central Excise Authority and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow:** (a) condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012). (b) condone the delay in installation of capital goods. **This has the approval of DG.**
2.	M/s Sona Alloys Pvt. Ltd., Satara 01/37/218/145/AM-15/EPCG-II	11 EPCG authorization issued during the period of AM-10 to AM-11	Condonation of block-wise EO	Representative of the DOR stated that they need to call for a report from their field office in the matter before furnishing their comments. The Committee therefore decided to **defer** the case. Representative of DOR was requested to send their comments during the next meeting of EPCG Committee.
3.	M/s Safire International Pvt. Ltd., New Delhi 01/37/218/131/AM-15/EPCG-II	0530141685 dated 08.08.2006	Condonation of block-wise EO and extension in EOP for 2 years	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**: (a) condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012); and (b) extension in EOP for 2 year on payment of composition fee equal to 2% of proportionate

				duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
4.	M/s Prime Lenses Private Limited, Goa 01/37/218/135/AM-15/EPCG-II	1730000353 dated 15.04.2005	Extension in EOP for 2 years	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**extension in EOP for 2 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
5.	M/s Sri Nangali Rice Mills (P) Ltd., Gurdaspur 01/37/218/50/AM-15/EPCG-II	3030003212 dated 25.09.2007 3030003213 dated 25.09.2007	Condonation of block-wise EO	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012) subject to the condition that the party will furnish installation certificate from Central Excise Authority in case the unit is registered with Central Excise. **This has the approval of DG.**
6.	M/s PTC Spinning Mills (P) Ltd., Kalugumalai 01/37/218/161/AM-15/EPCG-II	3530002399 dated 20.02.2007	Condonation of block-wise EO (first block)	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012). **This has the approval of DG.**
7.	M/s T.H.E. Makers Pvt. Ltd., New Delhi 01/37/218/144/AM-15/EPCG-II	0530131851 dated 28.05.2001	Regularization of installation of capital goods imported under EPCG scheme	The Committee observed that imported capital goods were required to be installed at Unit –I located at 57, Udyog Vihar, Phase-I, Gurgaon **whereas** the party has installed the capital goods imported under EPCG at Unit-2 located at E-250, focal Point, Phase-IV, Ludhiana. The Committee also noted that both the addresses are included in IEC and RCMC and, therefore, decided to **regularize** the installation of capital goods at Unit-2

				located at E-250, focal Point, Phase-IV, Ludhiana.
8.	M/s Tata Motors Limited, Mumbai 01/37/218/273/AM-14/EPCG-II	0330020586 dated 08.07.2008 0530149574 dated 07.08.2009 0330020423 dated 20.06.2008 0330016980 dated 06.08.2007 0530160104 dated 03.01.2013 0530159202 dated 05.09.2012 0330011253 dated 07.03.2006	Change of supporting manufacturer and place of installation of capital goods	The Committee observed that the party has not furnished installation certificates in respect of capital goods imported under these EPCG authorizations and hence decided to **defer** the case with the direction to ask the Party to provide installation certificates issued by Central Excise authority.
9.	M/s Spray Engineering Devices Limited, Chandigarh 01/37/218/93/AM-15/EPCG-II	2230000191 dated 19.07.2005 2230000205 dated 23.08.2005 2230000210 dated 06.09.2005 2230000232 dated 09.11.2005 2230000192 dated 19.07.2005 2230000229 dated 27.10.2005 2230000260 dated 26.12.2005	Counting of export of alternate product namely 'complete condensing system' already made for discharge of E.O.	The Committee observed that there was a provision to fulfil 100% EO by exports of alternate product at the time of issuance of licence. The representative of DIPP also confirmed that the alternate export product exported by the firm is a combination of Mist Cooling System and Multijet condensers already endorsed in the authorization. The Committee, therefore, decided to **recommend to DG** to **allow** counting of exports of alternate products viz. 'complete condensing system'. The firm would however maintain average export obligation for all three items viz. Mist Cooling System Multijet condensers and complete condensing system as may be re-fixed by RA. **This has the approval of DG.**
10.	M/s Rajarathnam Matches (India) Pvt. Ltd., Sivakasi 01/37/218/155/AM-15/EPCG-II	3530003045 dated 31.12.2007 3530003123 dated 22.02.2008 3530003962 dated 13.03.2010	Condonation of block-wise EO (first block) and delay in installation of capital goods	The Committee observed that DRI has initiated investigation regarding non-fulfilment of export obligation during the first block. The Committee also observed that it seems that the party has installed the capital goods imported under these EPCG authorizations in January, 2014. The Committee, therefore, decided to **defer** the case with the direction to call for a report from concerned RA whether the investigation was initiated by DRI after installation or prior to installation of capital goods.
11.	M/s Pioneer Embroideries Limited, Mumbai 01/37/218/193/AM-14/EPCG-II	0330002038 dated 30.04.2002 0330002183 dated 07.06.2002 0330003146 dated 21.01.2003	Condonation of block-wise EO and conversion of EPCG authorization No.0330002038 dated 30.04.2002, clubbed with EPCG authorizations No.0330002183 dated	The Committee deliberated upon the case decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the

			07.06.2002 and 0330003146 dated 21.01.2003, from CIF basis to duty saved basis	provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012) subject to the condition that there is no investigation/ECA action against these authorizations. For conversion of EPCG of authorization from CIF to duty saved basis in terms of para 5.19 of HBP v1, the party may approach the RA concerned. **This has the approval of DG.**
12.	M/s Sarla Exports Private Limited, New Delhi 01/37/218/27/AM-15/EPCG-II	0530158889 dated 20.07.2012 0530158974 dated 01.08.2012	Amendment in export product from "Rough Granite Block" to "Green Marble Blocks and Green Marble Slabs"	The Committee observed that there was a provision to fulfil only 50% EO by exports of alternate product at the time of issuance of licence. The Committee, therefore, decided to **allow** fulfilment of 50% EO by export of "Green Marble Blocks and Green Marble Slabs" subject to the condition of re-fixation of average EO. The party would submit verification report from Central Excise Authority after shifting of capital goods to their mines at Udaipur, confirming that capital goods imported under EPCG licenses have been installed in the Green Marble Mines owned and operated by them in Udaipur.
13.	M/s Nihal Healthcare, Solan 01/37/218/272/AM-14/EPCG-II	2230001082 dated 23.01.2009 2230000618 dated 22.03.2007	Counting of excess exports made against one EPCG authorization to fulfil E.O of other authorization.	The Committee deliberated upon the case and decided to allow counting of exports made against EPCG authorization no. 2230000618 dated 22.03.2007 for fulfilment of EO of EPCG authorization No.2230001082 dated 23.01.2009 subject to the condition that the exports made are within the validity period of EPCG Authorizations and that there is no double counting of exports. Further, adjustment of excess exports is done in respect of value of entire shipment under a shipping bill and not a part of it. Further, RA will provide the list of such Shipping Bills to the concerned customs authority at the port of registration. A composition fee of **Rs 200** per shipping bill would be charged for such shipping bills which are being considered for fulfilment of EO in respect of other EPCG authorization.
14.	M/s Uttam Energy Systems Limited, Pune 01/37/218/165/AM-15/EPCG-II	To be issued.	Issuance of EPCG authorization for import of material handling equipments.	The Technical Member of the Committee confirmed that the capital goods proposed to be imported will be kept in stationary mode in the factory premises for loading/uploading of plates/coils/tubes during bending/ welding process for manufacturing of 'Boilers' and hence essentially required for pre-production and post production activity. The Committee, therefore, decided to **allow** issuance of EPCG authorization for import of material handling equipments.
15.	M/s Sterling Technotex Private Limited,	3530001952 dated	Extension in EOP for 2 years.	The Committee deliberated upon the case and decided to **recommend to**

	Rajapalayam 01/37/218/159/AM-15/EPCG-II	21.08.2006 3530001953 dated 21.08.2006 3530001968 dated 29.08.2006 3530001969 dated 29.08.2006 3530001972 dated 29.08.2006 3530001974 dated 29.08.2006		**DG for relaxation under Para 2.5 of FTP** to **allow**extension in EOP for 2 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
16.	M/s Rainbow Denim Limited, Mumbai 01/37/218/65/AM-15/EPCG-II	0003501092 dated 13.01.1999	Removal of 20% additional EO imposed in terms of Para 5.11(a) of HBP v1.	The Committee deliberated upon the case and observed that the request of the Party was contrary to the order of BIFR. The Committee, therefore, decided to **defer** it with the direction to examine the case after getting clarification from Party on the issue.
17.	M/s P.A.S. Cotton Mills (P) Ltd., Rajapalayam 01/37/218/146/AM-15/EPCG-II	3530002057 dated 19.10.2006	Extension in EOP for 2 years	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**extension in EOP for 2 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
18.	M/s Uflex Limited, Noida 01/37/218/153/AM-15/EPCG-II	0530136509 dated 05.07.2004	Condonation of delay in installation of capital goods imported under EPCG scheme.	The Committee observed that the Installation Certificate has already been obtained from the Central Excise and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **condone** the delay in installation of capital goods. **This has the approval of DG.**
19.	M/s Digital Magic Visuals (I) Ltd., Chennai 01/36/218/111/AM-15/EPCG-I	0430003799 dated 13.06.2006	Condonation of block-wise EO and extension in EOP for 2 years	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**: a) condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012); and b) extension in EOP for 2 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an

				enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
20.	M/s Noble Broadcasting Corporation (P) Ltd., Chennai 18/88/AM-15/P-5	0430005352 dated 13.09.2007	Condonation of block-wise EO and first extension in EOP for 2 years	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**: a) condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012); and b) extension in EOP for 2 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
21.	M/s Max India Limited, Chandigarh 01/36/218/131/AM-14/EPCG-I	2230000988 dated 22.08.2008 2230000634 dated 13.04.2007 2230002101 dated 26.12.2012 2230002119 dated 18.01.2013 2230002170 dated 01.05.2013 2230002255 dated 11.10.2013 2230002272 dated 03.12.2013	Transfer of EPCG authorization to M/s Max Speciality Films Limited.	The Committee noted that: • The EPCG authorization holder i.e. M/s Max India Limited has hived off their Max Specialty Films Division to a new company M/s Max Speciality Films Limited with all assets and liabilities under Business Transfer Agreement. • The Business Transfer Agreement has been effective since 01.04.2014; • M/s Max Speciality Films Limited has undertaken to fulfil all the conditions laid down in the EPCG authorizations using the Capital Goods at the original place of installation. The Committee, therefore, decided to **allow** transfer of EPCG authorizations issued to M/s Max India LimitedtoM/s Max Speciality Films Limitedsubject to the condition that the latter would furnish fresh Bank Guarantee /Bond to Customs.
22.	M/s Gland Pharma Limited, Hyderabad 18/74/AM-15/P-5	Applied for.	Grant of EPCG authorization for import / procurement of fabricated clean rooms by pharma companies.	The Committee deliberated upon the case and decided to **reject** the case as import of construction material, except for specified items permitted to the services sector only, is not permitted under the EPCG scheme.

23.	M/s Globe Metal Industries, Moradabad 01/36/218/110/AM-15/EPCG-I	2930000142 dated 02.01.2007 2930000157 dated 12.09.2007 2930000147 dated 20.03.2007 2930000146 dated 09.03.2007	Condonation of block-wise EO (first block) and extension in EOP for 1 year (in respect of one authorization no. 2930000146 dated 09.03.2007).	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**: a) condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012); and b) extension in EOP for 1 year in respect of EPCG authorization No.2930000146 dated 09.03.2007 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, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
24.	M/s Jasmer Pack Limited, Himachal Pradesh 01/36/218/148/AM-15/EPCG-I	2230000738 dated 28.09.2007	Condonation of block-wise EO (first block)	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1 (RE:2013) /Para 5.8.3 of HBP v1 (RE:2012). **This has the approval of DG.**
25.	M/s Agarwal Marbles India Pvt. Ltd., Jaipur 01/36/218/122/AM-15/EPCG-I	1330001676 dated 30.08.2007	Condonation of block-wise EO and extension in EOP	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**: a) condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012); and b) extension in EOP for 2 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of

				HBP Vol. I. **This has the approval of DG.**
26.	M/s Indo British Garments (P) Ltd., Faridabad 01/36/218/118/AM-15/EPCG-I	0530161164 dated 09.07.2013	Shifting of capital goods imported under EPCG scheme	The Committee observed that imported capital goods have been shifted from factory located at Plot No.48, DLF Industrial Area, Phase-I, Faridabad-121003 to their factory located at Plot No.23, Sector-24, Faridabad and obtained installation certificate from Central Excise Authority. The Committee also noted that both the addresses are included in IEC and RCMC and, therefore, decided to **regularize** the installation of capital goods at Plot No.23, Sector-24, Faridabad.
27.	M/s Kothari Processors Pvt. Ltd., Kolkata 01/36/218/114/AM-15/EPCG-I	0230002154 dated 20.02.2007	Condonation of block-wise EO (first block)	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013) / Para 5.8.3 of HBP v1 (RE:2012). **This has the approval of DG.**
28.	M/s Edizi Tools Pvt. Ltd., Bangalore 01/36/218/03/AM-15/EPCG-I	0730003814 dated 17.02.2006	Condonation of block-wise EO (1st block)	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1 (RE:2013)/Para 5.8.3 of HBP v1 (RE:2012). **This has the approval of DG.**
29.	M/s Narinder Engineering Works 18/83/AM-15/P-5	2230000346 dated 13.07.2006	Condonation of block-wise EO and extension in EOP (1 year).	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**: a) condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012); and b) extension in EOP for 1 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO

				for each year of extension sought at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
30.	M/s Bestech Hospitalities Pvt. Ltd., Gurgaon 01/36/218/160/AM-15/EPCG-I	24 EPCG authorizations issued during the period AM-07 to AM-09	Modification of average EO for authorizations issued during the year of 2007-08 and 2008-09	The Committee deliberated upon the request of the firm. It was decided to **defer** the case for further examination.
31.	M/s Samrat Plywood Ltd., Chandigarh 01/37/218/129/AM-15/EPCG-II	2230000824 dated 11.01.2008	Condonation of block-wise EO	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012). **This has the approval of DG.**
32.	M/s Standard Spinning & Weaving Mills Ltd., Sivakasi 01/37/218/89/AM-15/EPCG-II	3530002370 dated 07.02.2007 3530002371 dated 07.02.2007 3530002372 dated 07.02.2007 3530002079 dated 30.10.2006	Extension in EOP	The Committee deliberated upon the case. It was observed that the firm has not fulfilled block-wise EO and only requested for EOP extension for 2 years and not for condonation of block-wise EO. Only grant of EO extension will not serve the purpose. It was therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow:** (a) condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012); and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
33.	M/s Spenta International Ltd., Mumbai 01/37/218/176/AM-14/EPCG-II	------	(i) Counting of exports made against three EPCG authorization no. 0330008095 dated 10.03.2005,	The Committee deliberated upon the case and decided to **defer** it with the direction to call for the list of Shipping Bills from the party which would be utilized by them for EO fulfilment of EPCG authorization No. 0330000135 dated 18.02.2000. The Committee also directed that after getting list of Shipping Bills from the Party, report

			0330009809 dated 23.09.2005 & 0330012141 dated 31.05.2006 for fulfilment of EO of EPCG authorization No. 0330000135 dated 18.02.2000; (ii) Conversion of EPCG authorization no. 0330000135 dated 18.02.2000 from CIF basis to duty saved basis.	from RA would be sought as to whether these S/Bills have been utilised for discharge of EODC of three EPCG authorization no. 0330008095 dated 10.03.2005, 0330009809 dated 23.09.2005 & 0330012141 dated 31.05.2006.
34.	M/s Orphic Embroidery 01/37/218/124/AM-15/EPCG-II	0530142558 dated 04.12.2006	Condonation of block-wise EO	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012). **This has the approval of DG.**
35.	M/s Tata Motors, Mumbai 01/37/218/182/AM-14/EPCG-II	List enclosed	Counting of excess exports made against nine EPCG authorizations to fulfil EO of 52 other EPCG authorizations	The Committee deliberated upon the case and decided to allow counting of excess exports made against 9 EPCG authorizations for fulfilment of EO of 52 EPCG authorizations subject to the condition that the exports made are within the validity period of EPCG Authorizations and that there is no double counting of exports. The adjustment of excess exports is to be done in respect of value of entire shipment under a shipping bill and not a part of it and only such shipping bills would be taken into account which have EPCG authorization numbers mentioned on them. RA will provide the list of such Shipping Bills to the concerned Port of registration/custom authority. Shipping bills on which authorization numbers have not been mentioned may be examined by RA in terms of policy circular no.7 dated 11.7.2002 provided they are not free shipping bills or third party shipping bills. A composition fee of **Rs 200** per shipping bill would be charged for such shipping bills which are being considered for fulfilment of EO in

				respect of other EPCG authorizations.
36.	M/s Rama Panels Pvt. Ltd., Uttarakhand 01/37/218/170/AM-15/EPCG-II	1130000659 dated 31.07.2006 1130000680 dated 06.09.2006 1130000681 dated 06.09.2007 1130000786 dated 16.01.2007	Counting of export of group companies w.e.f 2006-07 and 01.04.2012	The Committee observed that there was a provision to fulfil 100% EO by Group Company at the time of issuance of authorization. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** counting of exports of Group Company w.e.f 2006-07 and 2012-13 for fulfilment of export obligation subject to re-fixation and maintenance of average E.O. of the Group Company. **This has the approval of DG.**
37.	M/s Sunfresh Agro Industries (P) Ltd. 01/37/218/111/AM-15/EPCG-II	3130005151 dated 01.10.2010	Condonation of delay in installation of capital goods.	The Committee observed that the party has registered the unit with Central Excise authority on 08.06.2012; however, the export product being dairy product is not excisable. As the unit is registered with Central Excise Authority, the Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation of delay in obtaining installation certificate from central excise and to direct the party to obtain the Installation Certificate from the Central Excise Authority. The endorsement of condonation of delay will be done by RA only after the Installation Certificate from the Central Excise authority is produced by the firm. **This has the approval of DG.**
38.	M/s ITC Limited, Chennai 01/36/218/139/AM-15/EPCG-I	0430010293 dated 16.09.2011 0430010326 dated 22.09.2011 0430010726 dated 10.01.2012 0430010734 dated 11.02.2012 0430011064 dated 30.03.2012	Partial deletion of average EO imposed on the 5 EPCG authorizations in relaxation of para 2.5 of the FTP	The Committee deliberated upon the case and decided to **defer** it for further examination.
39.	M/s Classic Marble Company Pvt. Ltd., Mumbai 01/36/218/46/AM-15/EPCG-I	0330017070 dated 09.08.2007	Condonation of delay in installation certificate	The Committee observed that the Installation Certificate has already been obtained from the Central Excise and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **condone** the delay in installation of capital goods subject to the condition that there is no investigation/ ECA Action contemplated/ pending against the EPCG authorization. **This has the approval of DG.**
40.	M/s Lahoti Terra	0330017894	Condonation of block-	The Committee deliberated upon the

	Knitfab Limited, Mumbai 01/36/218/04/AM-15/EPCG-I	dated 24.10.2007 0330017891 dated 24.10.2007	wise EO.	case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE: 2013)/Para 5.8.3 of HBP v1 (RE:2012) subject to submission of installation certificate from Central Excise Authority. **This has the approval of DG.**
41.	M/s GKN Sinter Metals Pvt. Ltd., Pune 01/36/218/163/AM-13/EPCG-I	9 EPCG authorizations issued during the period of AM-04 to AM-07	Condonation from requirement of maintaining the Annual Average Export Obligation for the initial years and condonation of block-wise EO	The Committee observed that the firm has fulfilled both average EO and specific EO in the prescribed EOP of 8 years. The Committee deliberated upon the case and noted that since the firm has not fulfilled average EO in the 1st block. The exports made in this block cannot be taken into account for fulfilment of specific EO. The Committee therefore decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE: 2013)/Para 5.8.3 of HBP v1 (RE:2012) and regularize the shortfall in average EO in the 1st block in view of the fact that the firm has made excess exports in the 2nd block. **This has the approval of DG.**
42.	M/s Axa Parenterals Limited, Haridwar 01/36/218/83/AM-15/EPCG-I	0530140395 dated 07.02.2006 0530140997 dated 05.05.2006 0530141425 dated 06.07.2006 0530141445 dated 07.07.2006 0530144569 dated 13.09.2007 0530144080 dated 10.07.2007 0530143112 dated 22.02.2007	Condonation of block-wise EO and extension in EOP for 2 years	The Committee deliberated upon the case and decided **defer** the case with the direction to ask the firm to provide installation certificate issued by Central Excise Authority.
43.	M/s Indo British Garments (P) Ltd., Faridabad	0530139205 dated 01.08.2005	Condonation of procedural lapse not-mentioning the date of	The Committee observed that the Installation Certificate has already been obtained from the Central Excise

	01/36/218/93/AM-15/EPCG-I	0530139103 dated 13.07.2005 0530141915 dated 11.09.2006 0530141671 dated 04.08.2006 0530141838 dated 30.08.2006 0530141562 dated 24.07.2006 0530144078 dated 10.07.2007 0530143771 dated 29.05.2007	installation on installation certificate	and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP for condonation of delay and** to **accept** the installation certificate issued by Central Excise Authority without mentioning date of installation of capital goods in the installation certificate subject to the condition that there is no investigation/ ECA Action contemplated/ pending against the EPCG authorization. **This has the approval of DG.**
44.	M/s Intelifab Fashions Pvt. Ltd., Mumbai 01/36/218/306/AM-14/EPCG-I	0330016055 dated 14.05.2007	Condonation for procedural lapse of not informing installation of machinery at the address other than that mentioned in EPCG authorization.	The Committee observed that imported capital goods were required to be installed at the Unit located at 299/10, Vadavali, Post-Uchat, Tal-Wada, Distt.- Thane. However, the party has installed the capital goods imported under EPCG at the factory premises located at 32, Apurva Industrial Estate, Makwana Road, Off Andheri Kurla Road, Morol Naka, Andheri (E), Mumbai-400059 and obtained installation certificate from Chartered Engineer. The Committee also noted that both the addresses are included in IEC and, therefore, decided to **regularize** the installation of capital goods at 32, Apurva Industrial Estate, Makwana Road, Off Andheri Kurla Road, Morol Naka, Andheri (E), Mumbai-400059.
45.	M/s Ind-swift Limited, Chandigarh 01/36/218/64/AM-15/EPCG-I	2230000482 dated 23.11.2006	Regularization of place of installation of capital goods imported under EPCG scheme	The Committee deliberated upon the case and decided to **defer** the case with the direction to ask the Party to furnish installation certificate from Central Excise Authority.
46.	M/s Aberammy Industry, Kanyakumari 01/36/218/127/AM-15/EPCG-I	3530001555 dated 10.03.2006	Extension in EOP for 2 years	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** extension in EOP for 1 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
47.	M/s Grand Windsor Resorts Limited, Jalandhar 01/36/218/296/AM-14/EPCG-I	10 EPCG authorizations issued during the period AM-07 to AM-09	Re-fixation of average EO	Representative of the DOR stated that they need to call for comments from their field office in the matter before giving their views. The case was accordingly **deferred**. Representative of DOR was requested to send their comments during the next meeting of

				EPCG Committee.
48.	M/s High Street Fashions Limited, Jaipur 01/36/218/28/AM-14/EPCG-I	1330001583 dated 13.04.2007 1330001584 dated 13.04.2007 1330001585 dated 13.04.2007 1330001670 dated 23.04.2007	Counting of excess exports made against 3 EPCG authorizations already clubbed and redeemed for fulfilment of EO of 4th EPCG Authorisation issued in the same year.	The Committee deliberated upon the case and decided to **defer** it with the direction to call for the list of Shipping Bills from the party which would be utilized by them for EO fulfilment of EPCG authorization No. 1330001670 dated 23.04.2007. The Committee also directed that after getting list of Shipping Bills from the Party, report from RA would be sought as to whether these S/Bills have been utilised for discharge of EODC of three EPCG authorizations 1330001583 dated 13.04.2007, 1330001584 dated 13.04.2007, 1330001585 dated 13.04.2007.
49.	M/s Uflex Limited, New Delhi 01/37/218/171/AM-15/EPCG-II	To be issued	Import of Diesel Rotary uninterrupted power source (DRUPS)	The technical member of the Committee informed that although the proposed capital goods are covered under the provision of Notification No.7 dated 18.04.2013, but it is essentially required for ensuring uninterrupted power supply during manufacturing process of the export product. The Committee, therefore, **decided to recommend to DG for relaxation under Para 2.5 of FTP to allow** import of Diesel Rotary uninterrupted power source (DRUPS) under EPCG Committee. **This has the approval of DG.**
50.	M/s Sarda Energy and Mineral Ltd., Raipur 18/162/AM-12/EPCG-II	1130000829 dated 29.03.2007 0330016957 dated 31.07.2007	Exemption from submission of installation certificate.	The case was earlier considered in EPCG Committee meeting held on 25.04.2012 where the Committee observed that the party could not install the capital goods due to ban imposed by Hon'ble High Court and State Government on the grounds of high pollution condition and therefore the Committee advised the Party that exemption from submission of installation certificate is not allowed. However, they may come up with an alternative proposal like shifting of capital goods in the premises of supporting manufacturer to enable the Committee to consider the case. Now the Party has informed that they tried to work out the alternative as per the direction of EPCG Committee but could not succeed. The Committee also observed that the party has fulfilled entire EO and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** for exemption of submission from installation certificate against these authorizations subject to condition that the party will submit a confirmation report from concerned Jurisdictional Central Excise Authority to the effect that capital goods are physically in the possession of the

				party. **This has the approval of DG.**
51.	M/s Veekay Polycoats Ltd. 01/37/218/95/AM-15/EPCG-II	0530149339 dated 08.07.2009 0530149973 dated 05.10.2009	Shifting of capital goods imported under EPCG scheme from one unit to other unit.	The Committee observed that both the addresses of the unit i.e. the unit where the capital goods are installed at present and the unit where the capital goods are to be shifted are incorporated in IEC and RCMC. The company have also produced copies of Installation Certificates confirming installation at the former unit. The Committee, therefore, decided to **grant permission** to shift the capital goods from their plant located at 'Plot No.2, Sector No.3, 11E Raniupur, Haridwar **to** the plant located at 'Plot No.SP-1, Industrial Area, Tapukara, Alwar, Rajasthan'. However, party should submit installation certificate to RA concerned within 6 months.
52.	M/s Jubilant Life Sciences, Noida 01/36/218/106/AM-15/EPCG-I	0530162884 dated 10.06.2014 0530163014 dated 03.07.2014	Transfer of ownership of capital goods in pursuance of business transfer agreement.	The Committee noted that M/s Jubilant Generics Limited, the recipient of EPCG authorization, has been taken over by M/s Jubilant Life sciences Limited with all assets and liabilities under slump sale agreement. The applicant firm has undertaken to fulfill the export obligation imposed on the subject licences using the Capital Goods at the original place of installation. Therefore, the Committee decided to **allow** transfer of EPCG authorizations issued to M/s Jubilant Life sciences Limited to M/s Jubilant Generics Limited subject to the condition that the latter would furnish fresh Bank Gaurantee/Bond.
53.	M/s Creative Infocom Pvt. Ltd., New Delhi 01/36/218/129/AM-15/EPCG-I	0530137801 dated 07.01.2005	Condonation of block-wise EO and extension in EOP for 2 years	The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow**: a) condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012); and b) extension in EOP for 1 year on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO for each year at the choice of exporter, in terms of provisions contained in Para 5.11(a) of HBP Vol. I. **This has the approval of DG.**
54.	M/s Escott Apparels Pvt. Ltd., Noida	0530134467 dated	Condonation of block-wise EO	The Committee deliberated upon the case and decided to **recommend to**

	01/36/218/99/AM-15/EPCG-I	07.07.2003		**DG for relaxation under Para 2.5 of FTP** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012). **This has the approval of DG.**
55.	M/s Al-nafees Proteins Pvt. Ltd., New Delhi 01/36/218/20/AM-14/EPCG-I	Applied for	Clarification on whether item puf panel etc. are permitted to be imported under EPCG scheme.	The Committee deliberated upon the case and decided to **reject** the case with the reason that the puf panel is an insulating material used for constructing cold storage room etc which is not permitted for import as capital goods under EPCG scheme.
56.	M/s Mafatlal Industries Limited, Mumbai 18/23/AM-15/P-5	3500374 dated 07.03.1997 3500717 dated 26.02.1998	Condonation block-wise EO, extension of EOP and resetting of AEO.	The Committee noted that similar relief had been granted to the firm with approval of the DG in respect of another authorization no. 01500721 dated 30.03.1998 in its meeting dated 09.01.2013. Where the firm had made an additional request for amendment in CIF value for entitlement under zero duty EPCG scheme in terms of Customs Notification No. 29/97 dated 01.04.1997 which is under examination by DOR. The Committee noted that the firm has requested only for condonation of block-wise EO, extension in EOP and re-setting of AEO & that the firm was not able to apply for relief in respect of these authorizations along-with the authorization No. 01500721 dated 30.03.1998 due to the fact that their employees left the company and their records were also shifted from their Gujarat factory to Mumbai office and the above two authorizations where left out by over sight. The Committee observed that: (i) the firm is registered with BIFR since year 2000; (ii) 3 of the textiles units of the company (two units in Mumbai and one unit at Ahmedabad) were closed down/stopped working from the year 2000 onwards; (iii) other two units at Navsari and Nadiad were not functioning to fullest capacity; During 1994-95, 1995-96 and 1996-97 they were having altogether 3007, 2346 and 1903 looms (average 2418 looms) respectively whereas as on June, 2011 they are having only 504 numbers of installed looms at their Nadiad Unit and Navsari Unit for production of exportable Fabrics; (iv) Their loom capacity as on date

				has reduced to 14.30% compared to 1994-97 and production capacity of their final product has also reduced accordingly; (vi) Their request is to reset their AEO to 14.30% of original EO due to capacity closure. Member from the textile side had also confirmed that the re-fixation should be done in this case. The Committee further observed that the Company is under BIFR and as per BIFR package announced by them in 2009, the Company is to be given 10 years time from the sanction of modified scheme for fulfilling various export/import obligations by the Commissioner of Customs. Since the extension in time for fulfilment of EO is prerogative of DGFT, the Committee decided to **recommend to DG** to allow: (i) 10 years time for EO fulfillment (from the sanction of modified scheme vide proceeding dated 24-25.06.2009). (ii) condonation from condition of fulfillment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of block in terms of the provisions of Para 5.8.2 of HBP v1(RE:2013)/Para 5.8.3 of HBP v1 (RE:2012). (iii) re-fixation of AEO on pro-rata basis. **This has the approval of DG.**
57.	M/s Reliance Infrastructure Limited, Mumbai 18/184/AM-13/EPCG-II	0330029636 dated 01.06.2011 0330029874 dated 30.06.2011 0330030896 dated 21.10.2011	Suitable amendment in the decision of EPCG Committee meeting dated 19.12.2013.	The representative of firm appeared before the Committee and informed that they are unable to utilise the Capital Goods imported under the authorizations as the export of service permitted by EPCG Committee in its meeting dated 19.12.2013 has not been incorporated on the Authorization. They further informed that the EPCG authorizations were issued to them in the year 2011 and more than three years of EOP has lapsed. They also submitted that the finalization of SCN by Customs could take considerable time and requested to allow endorsement of service covered under para 9.53 (ii) of FTP allowed by EPCG Committee in the meeting dated 19.12.2013. The Committee therefore, decided to **recommend to DG** to permit endorsement of service covered under para 9.53 (ii) of FTP as allowed by the EPCG Committee in its meeting dated 19.12.2013 irrespective of the

				finalization of the adjudication proceeding initiated against them by Customs. The firm may approach RA Mumbai for amendment in export product. **This has the approval of DG.**

Out of agenda case

58.	M/s Pahwa Impex Pvt. Ltd., Panipat 18/92/AM-15/P-5	------	Clarification regarding import and export of handloom and handicraft items under EPCG Scheme.	The Technical Member of the Committee ascertained that the import item viz. Shuttleless Looms and Chenille Yarn Machine cannot be used for manufacturing of export product viz. Home furnishing articles (Durries, Bathmats, Bed Covers etc). The Committee, therefore, **decided not to allow** counting of exports of export product such as Home Furnishing articles for fulfilment of export obligation.

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
CLA = Central Licensing Area
IEM = Industrial Entrepreneurs Memorandum
RCMC = Registration-cum-Membership Certificate
DHI = Department of Heavy Industry
DOT=Department of Telecommunication

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