MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 04.04.2014

Following officers attended the meeting:

a. Shri Akash Taneja, Joint Director General of Foreign Trade, DGFT
b. Shri V. K. Kohli, Director, O/o Textile Commissioner, Noida
c. Shri K. K. Sinha, Industrial Adviser, Department of Industrial Policy and Promotion
d. Shri A.K Pandey, Senior Technical Officer (DBK), Department of Revenue

II. Minutes of the last Meeting held on 27.02.2014 were confirmed.

III. The Committee deliberated upon all the cases and following decisions were taken:

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
1.	M/s Afflatus Gravures Private Limited 01/36/218/404/AM-14/EPCG-I	0530143416 dated 03.04.2007	Condonation of delay and extension of EO prescribed for first block in respect of EPCG Authorization No. 0530143416 dated 03.04.2007	The Committee observed that EOP of the Authorization is still valid 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 composition fee of 2% 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 v1 (RE:2012). **This has the approval of DG.**
2.	M/s Charbhuja Industries Private Limited 01/36/218/375/AM-14/EPCG-I	0330033624 dated 07.09.2012	Shifting of capital goods imported against EPCG Authorization No. 0330033624 dated 07.09.2012	The Committee observed that both the addresses of the unit i.e. the unit where it was initially installed and the unit where it was subsequently shifted are mentioned in IEC and RCMC and therefore decided to **regularize** the shifting of capital of capital goods from the unit located at Unit 129, SIDC RD, B/H Shantidham Society At. Village Veraval (shaper), Tal. Kotda Sangani, Dist. – Rajkot – 360024 to the unit located at Sur. No. 187 Plot No. 10/11, Opp. Atul Auto Limited, At Village Veraval, Tal. Kotda Sangani, Dist. Rajkot – 360024 subject to the condition that the firm will furnish fresh installation certificate.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
3.	M/s Mahalaxmi Polypack Private Limited 01/36/218/372/AM-14/EPCG-I	0530145447 dated 18.01.2008 0530145755 dated 05.03.2008 0530143922 dated 19.06.2007 0530151097 dated 29.01.2010 0530151098 dated 29.01.2010 0530151099 dated 29.01.2010 0530151102 dated 01.02.2010 0530151104 dated 01.02.2010 0530151103 dated 01.02.2010 0530151147 dated 04.02.2010 0530151146 dated 04.02.2010 0530151547 dated 16.03.2010 0530151871 dated 23.04.2010 0530151870 dated 23.04.2010 0530152079 dated 12.05.2010	Condonation of block-wise EO	The Committee observed that EOP of the Authorizations is still valid 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 composition fee of 2% 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 v1 (RE:2012). **This has the approval of DG.**

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

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
4.	M/s Allied Strips Limited 01/36/218/399/AM-14/EPCG-I	0530157833 dated 06.03.2012	Extension in time for installation of capital goods	The Committee observed that the firm could not install the capital goods due to severe financial crisis for which Corporate Debt Restructuring (CDR) package has been approved on 28.09.2013. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **grant** extension in time for installation of capital goods upto June, 2015. **This has the approval of DG.**
5.	M/s JCT Electronics Limited 01/36/218/376/AM-14/EPCG-I	0530135928 dated 19.03.2004	Extension in EOP in respect of EPCG Authorization No. 0530135928 dated 19.03.2004 as the EOP expired on 18.03.2012 and condonation of delay in seeking extension	The Committee observed that the Company is registered in BIFR vide case No. 316/2002 and decided to **grant** extension in EOP upto 18.03.2016 in terms of Para 5.5.1 of FTP.
6.	M/s Balkrishna Industries Limited 01/36/218/190/AM-13/EPCG-I	0330031269 dated 12.12.2011 0330031712 dated 25.01.2012 0330032735 dated 25.05.2012 0330032942 dated 20.06.2012 0330033043 dated 29.06.2012 0330033440 dated 14.08.2012 0330034711 dated 02.01.2013	Extension in time for installation of capital goods	The Committee observed that a. the Central Excise has confirmed that the capital goods imported against these licences are in the possession of the firm and b. the firm could not install the capital goods as location of the plant is in high seismic zone, retention of labour force which is mainly from other states, delay in erection of water and power facilities etc. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **grant** extension in time for installation of capital goods upto 31.12.2014. **This has the approval of DG.**

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
ICD = Inland Container Depot
CDR=Corporate Debt Restructuring

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S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
7.	M/s Jindal Steel & Power Limited 01/36/218/379/AM-14/EPCG-I	3330001957 dated 11.02.2011 3330001685 dated 26.05.2010	Shifting of capital goods	The Committee observed that: a. the firm has sought prior permission to shift the machine from their Patratu (Jharkahnd) plant to their Angul, Odisha Plant; b. address of their Angul Plant, Odisha i.e. the plant where capital goods are to be shifted is endorsed in the IEC. The Committee, therefore, decided to **allow** shifting of capital goods from their Patratu, Jharkhand Plant to Angul, Odisha Plant subject to the condition that the firm will furnish fresh installation certificate.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
8.	M/s Mitter Fasteners 01/36/218/209/AM-14/EPCG-I	3030000867 dated 27.01.2005	Condonation of block-wise EO for 1st block year and Extension in EOP	The Committee observed that the firm's request for extension in EOP has been rejected by the RA on the basis that as per Public Notice No. 1 dated 18.04.2013 request for extension shall be made to RA within 30 days from the date of expiry of original EOP. The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** (i) condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% 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 v1(RE:2012) and (ii) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfiled 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(a) of HBP Vol. I. **This has the approval of DG.**
9.	M/s Fiat India Automobiles Limited 01/36/218/189/AM-14/EPCG-I	21 EPCG authorizations issued during AM-08 to AM-09	To consider EOP as 12 years [given that the duty saved amount is more than INR 100 Crores] for clubbed licences	The Committee deliberated upon the case and decided that the case may be examined on file.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
10.	M/s Anest Iwata Motherson Limited 01/36/218/233/AM-14/EPCG-I	0530157111 dated 02.12.2011 0530145571 dated 08.02.2008	Permission for adjustment of excess exports made against EPCG Authorization No. 0530145571 dated 08.02.2008 for fulfillment of EO against other EPCG authorization No. 0530157111 dated 02.12.2011(issued in lieu of original EPCG authorization no. 0530139797 dated 27.10.2005)	The Committee deliberated upon the case in detail and **decided to recommend to DG for relaxation under Para 2.5 of FTP** for counting of excess exports made against EPCG Authorization No. 0530145571 dated 08.02.2008 for fulfillment of EO against other EPCG Authorization No. No. 0530157111 dated 02.12.2011 (issued in lieu of original EPCG authorization no. 0530139797 dated 27.10.2005) provided the exports made are within the validity period of EPCG Authorizations and subject to the condition that there is no double counting of exports and exports made are within the validity period of EOP of licence obtained in 2011(in lieu of licence obtained in 2005). **This has the approval of DG.**
11.	M/s Jewel Classic Hotels Private Limited 01/36/218/301/AM-14/EPCG-I	3330001255 dated 26.02.2009	Condonation from requirement of maintaining average EO year-wise	The Committee observed that excess in average EO in the year 2009-10 and 2010-11 covers the shortfall in average EO in the year 2008-09 and, therefore, decided **to recommend to DG for relaxation under Para 2.5 of FTP** to **regularize** the shortfall in average EO in the year 2008-09. **This has the approval of DG.**
12.	M/s Maithan Ispat Limited 01/36/218/255/AM-14/EPCG-I	15 EPCG authorizations issued during the period AM-07 to AM-08	Regularisation of EO by allowing third party export in terms of Para 5.7 of HBP v1 read with Policy Circular No. 7/2002 dated 11.07.2002	The Committee deliberated upon the case and decided to **defer** it with the direction to call for the corroborative evidence from the RA regarding exports made by the firm through third party alongwith a tabular statement showing S/B No. and date, ARE No. and date, Invoice No. and date and details whether ARE & Shipping Bills mention EPCG details.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
13.	M/s Dhanvantri Enterprises private limited 01/36/218/242/AM-13/EPCG-I	0430000052 dated 25.02.2000	a. To accept S/Bs (where license number/date and licence holder's name are not mentioned) in terms of policy circular 7 dated 11.07.2002. The firm have stated that their despatches have been made under ARE forms countersigned by Central Excise Authorities and they can produce the copies of these ARE forms to confirm that they only supplied the goods to Godrej Sara Lee Limited, Mumbai. b. The firm's request to accept the exports made by them after the expiry of initial EOP i.e. for the periods from 25.02.2005 to 24.02.2007. As per Para 5.11(a) of HBP v1 extension in EOP for two years can be granted on payment of applicable composition fee. c. Condonation of block-wise EO (RA has stated that EODC cannot be issued without condonation of block-wise EO). As per Para 5.8.2 of HBP v1 condonation of block-wise EO can be granted.	The Committee deliberated upon the case and decided to **defer** it with the direction to call for the corroborative evidence from the RA regarding exports made by the firm through third party alongwith a tabular statement showing S/B No. and date, ARE No. and date, Invoice No. and date and details whether ARE & Shipping Bills mention EPCG details.
14.	M/s Dong-A India Automotive Private Limited 01/36/218/327/AM-14/EPCG-I	0430000836 dated 27.11.2002 0430001017 dated 12.03.2003 0430001370 dated 13.11.2003 0430002112 dated 25.11.2004	Clubbing of 4 EPCG authorizations, approval of period (EOP) from the date of first EPCG authorization till 31.01.2014, condonation of block-wise EO, condonation of 5% shortfall in EO as per Para 5.12 of HBP v1, to count the exports made vide 37 S/Bs wherein incorrect EPCG Authorization nos. were mentioned	The Committee deliberated upon the case and decided to **reject** it as EOP in all cases has already expired.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
15.	M/s Cold Forge 01/36/218/284/AM-14/EPCG-I	0530141043 dated 15.05.2006 0530143300 dated 16.03.2007	Condonation of delay in submission of installation certificate	The Committee observed that the firm have already obtained the Installation Certificate from the Central Excise and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP to condone** the delay in submission of installation certificate. **This has the approval of DG.**
16.	M/s J.K. Tools 01/36/218/230/AM-13/EPCG-I	0530135280 dated 27.11.2003	Extension in EOP for 2 years	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP to allow** extension in EOP for 2 years beyond the first extension of 2 years subject to payment of 50% of duty payable in proportion to the unfulfilled EO in terms of Para 5.11(b) of HBP v1(RE:2013) to enable the firm to complete the EO. **This has the approval of DG.**

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
17.	M/s Ideal Industrial Explosives Limited 01/36/218/423/AM-14/EPCG-I	0930001113 dated 03.09.2004	Condonation of block-wise EO performance and extension in EOP for another 2 years	The Committee observed that the firm have been directed by the RA to approach EPCG Committee for condonation of block-wise EO. The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** (i) condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% 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 v1(RE:2012)/Para 5.8.2 of HBP v1 (RE: 2013) and (ii) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfiled 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(a) of HBP Vol. I. **This has the approval of DG.**

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
18.	M/s RSB India Limited 18/08/AM-14/EPCG-II	0230000515 dated 03.03.2004	Condonation of block-wise EO and extension in EOP	The Committee observed that as the EOP is over, before granting extension in EOP, condonation of block-wise EO is also required to be granted. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** (i) condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% 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 v1(RE:2012)/Para 5.8.2 of HBP v1 (RE: 2013) and (ii) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfiled 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(a) of HBP Vol. I. **This has the approval of DG.**
19.	M/s Premier Paper Packaging 01/37/218/189/AM-14/EPCG-II	0530143048 dated 09.02.2007	Condonation of block-wise EO, extension in EOP for 2 years and amendment of the name in EPCG authorization	The Committee deliberated upon the case and decided to **reject** it with the direction to the RA to take necessary action against the firm in terms of FT(D&R) Act as the capital goods were shifted without permission.
20.	M/s V.S. Industries 01/37/218/186/AM-14/EPCG-II	1830000008 dated 20.11.2006 1830000009 dated 12.12.2006	Condonation of block-wise EO	The Committee observed that EOP of the Authorization is still valid 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 composition fee of 2% 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 v1 (RE:2012). **This has the approval of DG.**

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
21.	M/s Pyramid Timber Associates Private Limited 01/37/218/177/AM-14/EPCG-II	0730003241 dated 02.09.2005	Re-fixation of average EO	The Committee decided to **defer** the case with the direction to call for comments from DIPP.
22.	M/s Pujita Spinning Mills Pvt. Ltd. 01/37/218/233/AM-14/EPCG-II	0930002078 dated 14.03.2006	Condonation of block-wise EO	The Committee observed that EOP of the Authorization is still valid 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 composition fee of 2% 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 v1 (RE: 2012). **This has the approval of DG.**
23.	M/s Sterlite Technologies Limited 01/37/218/248/AM-14/EPCG-II	27 EPCG authorizations	Shifting of capital goods 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 and the unit where these are to be installed are mentioned in IEC and therefore, decided to **grant** permission to shift the capital goods from the unit located at 2D, Sector-10, Integrated Industrial Estate, Haridwar – 263145 to the new unit located at Build.C PTB Div., Survey No. 209 & 203/2, Phase-II, Piparia Indl. Estate, UT of D&N Haveli – 396230 subject to the condition that the firm will furnish fresh installation certificate.
24.	M/s Uttar Pradesh Steels 01/37/218/264/AM-14/EPCG-II	0530146991 dated 26.08.2008	Condonation of delay in installation of capital goods	The Committee observed that as per Installation Certificate issued by Central Excise there is a delay of 20 months in installation. Since the Installation Certificate has already been obtained from the Central Excise, the Committee 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.**

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
25.	M/s Turbo Industries Private Limited 01/37/218/268/AM-14/EPCG-II	3030002478 dated 21.02.2007	Condonation of block-wise EO	The Committee observed that EOP of the Authorization is still valid 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 composition fee of 2% 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 v1 (RE: 2012). **This has the approval of DG.**
26.	M/s Repromen Offset Printers Private Limited 01/37/218/267/AM-14/EPCG-II	0730003663 dated 28.12.2005	Condonation of block-wise EO	The RA advised the firm to approach the EPCG Committee as the firm could not submit their request within 3 months from the date of expiry of 1st block period. The Committee 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 composition fee of 2% 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 v1 (RE: 2012). **This has the approval of DG.**
27.	M/s S.K.A. Exports 01/37/218/213/AM-14/EPCG-II	0530140034 dated 12.12.2005	Extension in EOP and condonation of block-wise EO	The Committee deliberated upon the case and decided to **defer** it with the direction to call for details of exports, copy of installation certificates and information whether the firm have taken benefit of Public Notice 22 dated 12.08.2013 to regularize the case.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
28.	M/s Woodstock Laminates Limited 01/37/218/265/AM-14/EPCG-II	2230000624 dated 29.03.2007	Condonation of block-wise EO	The Committee observed that EOP of the Authorization is still valid 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 composition fee of 2% 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 v1 (RE:2012). **This has the approval of DG.**
29.	M/s Caparo Engineering India Limited 01/36/218/198/AM-14/EPCG-I	0530142872 dated 16.01.2007 0530143489 dated 18.04.2007 0530148498 dated 25.02.2009	a. To amend the description of EO item from existing "machine tool, dies & their parts" to "machine tools, dies & their parts" & "Sheet Metal Components/Aluminium Casting all types for motor vehicles" b. To allow transfer of 1 machine imported against EPCG authorization No. 0530143489 dated 18.04.2007 from M/s Caparo Engineering India Limited, Chennai to their Group Company M/s Caparo Maruti Limited, Bawal; c. To allow transfer of 1 machine imported against EPCG authorization No. 0530145498 dated 25.02.2009 from M/s caparo Engineering India Limited, Chennai to their group company M/s Caparo Maruti Limited, Bawal.	The Committee deliberated upon the case and decided to **defer** it with the direction to call for the details of machinery, catalogue, technical literature and copy of Chartered Engineer Certificate regarding nexus. A doubt was raised about the capability of the CG in respect of manufacture of Aluminium Casting/all types of Motor vehicles.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
30.	M/s Independent News services private limited 01/36/218/196/AM-13/EPCG-I	0530135793 dated 01.03.2004	Extension in EOP for 2 years	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP to allow** extension in EOP for 2 years beyond the first extension of 2 years subject to payment of 50% of duty payable in proportion to the unfulfilled EO in terms of Para 5.11(b) of HBP v1(RE:2013) to enable the firm to complete the EO. **This has the approval of DG.**
31.	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	Subsumption of outstanding EO against EPCG authorizations in the export performance of the unit being converted from DTA to EOU	The Committee deliberated upon the case and decide d to **defer** it with the direction to call for details regarding: a. Chronological details of debonding; b. Chronological details of fulfillment of EO; c. Final exit order from SEEPZ authorities.
32.	M/s Vardhman Textile Limited 01/37/218/246/AM-14/EPCG-II	Applied	Import of automatic storage and retrieval system under EPCG scheme – request for issuance of EPCG authorization	The Technical Member of the Committee **confirmed** the nexus between the capital goods and export product. The Committee, therefore, **allowed** import of automatic storage and retrieval system under EPCG scheme.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
33.	RA, Ludhiana 01/37/218/278/AM-14/EPCG-II	Applied	Issuance of EPCG authorization for import of 'Electric Fork Lift Truck'	The technical Members of the Committee perused the catalogue of the Electric Fork Lift Truck and confirmed that these are distinctly different from ordinary trucks and are essential for the purpose of loading, unloading and stacking of the material within the factory premises. Therefore, the Committee decided to **allow** import of Electric Fork Lift Truck subject to the condition that the same will not ply on the road, should be used within the factory premises and would not be sold in the market.
34.	M/s Jindal Steel & Power Limited 01/36/218/378/AM-14/EPCG-I	-----	Import of Transformer under EPCG Scheme	The technical member confirmed that these transformers are not for generation/transmission of electricity but are used to make the electric furnace operational. The Committee, therefore, decided to **allow** import of these transformers (EAF Transformer, Series Reactor, and LF Transformer) under EPCG Scheme.
35.	M/s Gopsons Papers Limited 01/36/218/422/AM-14/EPCG-I	0530134936 dated 26.09.2003	Condonation of block-wise EO (3rd block)	The Committee observed that the firm have fulfilled the EO within the EOP and, 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 composition fee of 2% 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 v1 (RE: 2012)/Para 5.8.2 of HBP v1 (RE: 2013). **This has the approval of DG.**
36.	M/s Maruti Suzuki India Limited 01/36/218/425/AM-14/EPCG-I	55 EPCG authorizations	Addition of Export Product as "car" in 55 EPCG authorizations issued to M/s Suzuki Powertrain India Limited (SPIL) now merged with M/s Maruti Suzuki India Limited	

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee

The Committee observed the following submissions made by the firm M/s Maruti Suzuki India Limited:

a. SPIL has been amalgamated with MSIL vide Hon'ble Delhi High Court Order effective on 01.04.2012 with completion of all the required formalities on 17.03.2013;
b. Both Powertrain plant (erstwhile SPIL) and Car manufacturing plant of MSIL are situated in the same premises i.e. Plot No. 1, Phase-3A, IMT Manesar, Gurgaon(Haryana);
c. SPIL had obtained 55 EPCG Authorizations for import of Capital Goods with export product as "Engine, Transmission and components";
d. Due to economic slowdown in Europe, the export of Engines was stopped from India. However, export of Transmission and components is still continuing;
e. Due to limited production of Engine and growing demand of Maruti vehicles in domestic as well as export markets, the company stopped exporting engine and concentrated more on vehicle exports;
f. The Capital Goods imported by SPIL are now directly involved in manufacture of Automobile sub-assemblies which are used in manufacture of final product viz. CAR. The firm has requested that the final export product may kindly be added as "Passenger Cars" in addition to existing "Engines/Transmissions (gear box)/components;
g. The firm have obtained Revised Nexus Certificate from an independent Chartered Engineer on Appendix 32 A which clearly shows the nexus between CG imported under EPCG Licences and final product "Car".

The Committee also noted that at the time of issuance of Authorizations and even at the time of amalgamation there was a provision to fulfill 50% of EO by exports of other goods.

The Committee deliberated upon the case in detail and decided to allow addition of export product as "Cars" in addition to existing products. It observed that the company would be exporting value added product which would be in the interest of the party as well as national interest. **The Committee decided to recommend to DG for relaxation under Para 2.5 of FTP** to **allow fulfillment of export obligation by export of cars in relaxation of the provisions of Para 5.5 (c) of FTP RE:2012.** The requests of the firm regarding **c**hange of name as "Maruti Suzuki India Limited" in place of "Suzuki Powertrain India Limited" may be considered by RA as per High Court Order regarding amalgamation of the firms. The request of the firm regarding refixation of Average EO would also be examined by RA.

This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
37.	M/s Ejaz Tanning Company 01/36/218/418/AM-14/EPCG-I	0430001839 dated 09.08.2004 0430001841 dated10.08.2004	Condonation of block-wise EO (1st block) and extension in EOP	The Committee observed that as the EOP is over, before granting extension in EOP condonation of block-wise EO is also required to be granted. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** (i) condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% 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 v1(RE:2012) and (ii) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfiled 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(a) of HBP Vol. I. **This has the approval of DG.**

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
38.	M/s Glenmark Pharmaceuticals Limited 01/36/218/137/AM-13/EPCG-I	0330020538 dated 03.07.2008	Re-fixation of Average EO	The Committee observed that the authorization was issued on 03.07.2008 and Average EO was fixed by taking into account exports of all the three Divisions viz. API Division, USA Formulation Division and SRM Formulations Division of M/s Glenmark Pharmaceuticals Limited. RA has confirmed that the business of two out of the three Divisions had been transferred to their subsidiary M/s Glenmark Generics Limited as per Business Transfer Agreement dated 24.12.2007 i.e. before the issuance of the subject EPCG Authorization. The Committee, therefore, felt that RA should allow refixation of Average EO by subtracting the figures of exports of API Division and USA Formulation Division (i.e. Average would be fixed by taking into accounts the export figures of only one unit i.e. SRM Formulation which remains with the firm) which had been transferred by the firm to their subsidiary under Business Transfer Agreement prior to obtaining the EPCG Authorization.
39.	M/s Jindal Steel & Power Limited 01/36/218/428/AM-14/EPCG-I	30 EPCG authorizations issued during AM-05 to AM-08	Condonation of delay in submission of installation certificate	The Committee observed that the firm have already obtained Installation Certificate from the Central Excise Authorities and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to condone the delay in installation of capital goods imported against the subject Authorizations. **This has the approval of DG.**

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
40.	M/s G.N.H Kini 01/36/218/02/AM-15/EPCG-I	0730003665 dated 28.12.2005	Condonation of block-wise EO and extension in EOP	The Committee observed that as the EOP is over, before granting extension in EOP condonation of block-wise EO is also required to be granted. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to **allow** (i) condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% 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 v1(RE:2012) and (ii) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfiled 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(a) of HBP Vol. I. **This has the approval of DG.**
41.	M/s Sach Fabs Creation Pvt. Ltd. 01/37/218/254/AM-14/EPCG-II	0530141229 dated 02.06.2006	Condonation of block-wise EO	The Committee observed that EOP of the Authorization is still valid 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 composition fee of 2% 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 v1 (RE:2012). **This has the approval of DG.**