

MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI MUKESH BHATNAGAR , ADGFT AT 1430 Hours ON 14.06.2013

Following officers attended the meeting:

- a. Shri Jaikant Singh, Joint Director General, DGFT
 - b. Shri S. S. Tak, Joint Industrial Adviser, M/o Steel
 - c. Shri Sanjay Kumar, Sr. Technical Officer, D/o Revenue
 - d. Shri D. V. S. P. Varma, Deputy Director General, DGFT
 - e. Shri A. K. Gopal, Foreign Trade Development Officer (EPCG. I), DGFT
 - f. Shri S. K. Swarnkar, Foreign Trade Development Officer (EPCG. II), DGFT
 - g. Smt. Rekha Sharma, Foreign Trade Development Officer (P-5), DGFT
2. Minutes of the last Meeting held on 15.05.2013 were confirmed.
 3. The Committee deliberated upon all the cases and following decisions were taken:

Case No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
1	M/s NSP Electronics Ltd, Bangalore 18/93/AM-13/EPCG-II	0730000565 dated 17.04.2002 0730000971 dated 10.04.2003 0730000709 dated 30.08.2002 0730000752 dated 07.10.2002	Maintenance of average export obligation against EPCG Authorization	The Committee deliberated upon the case and decided to defer the case as the technical member was not present and their comments had also not been received.
2	M/s SPM Autocomp systems Pvt. Ltd. 01/37/218/41/AM-14/EPCG-II	0530138105 dated 22.02.2005	(i) Condonation of delay in submission of installation certificate and acceptance of installation certificate issued by chartered Engineer and central excise. (ii) Condonation of block-wise EO	(i) The committee deliberated upon the case and decided to recommend to DG for relaxation under Para 2.5 of FTP to condone the delay in submission of installation certificate. (ii) 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. This has the approval of DG.
3	M/s Vatika Hotels Pvt. Ltd. 01/37/218/43/AM-14/EPCG-II	15 EPCG Authorization issued during the period from	(i) Change in name of licensee in 15 EPCG Authorizations.	The Committee observed that a. M/s Vatika Hospitality Pvt. Ltd. (Authorization Holder) has been merged with M/s Vatika Hotels Pvt. Ltd. w.e.f. 01.04.2010

		31.07.2007 to 06.09.2011	(ii) Counting of foreign exchange earnings of M/s Vatika Hotels Pvt. Ltd from the date of merger w.e.f. 01.04.2010 for fulfillment of EO of EPCG Authorization.	as per Delhi High Court Order dated 05.10.2011; b. M/s Vatika Hotels Pvt. Ltd., have undertaken to fulfil EO against all the 15 EPCG Authorizations. The Committee, therefore, decided to recommend to DG to allow: a. Change in name of licensee in 15 EPCG Authorizations issued during the period from 31.07.2007 to 06.09.2011 from M/s Vatika Hospitality Pvt. Ltd. to M/s Vatika Hotels Pvt. Ltd., and b. Counting of foreign exchange earnings of M/s Vatika Hotels Pvt. Ltd from the date of merger i.e. w.e.f. 01.04.2010 for fulfilment of EO of EPCG Authorizations issued to M/s Vatika Hospitality Pvt. Ltd. provided Average E.O. is refixed taking into consideration exports of the transferee co. This has the approval of DG.
4	M/s Vatika Hotels Pvt. Ltd. 01/37/218/23/AM-14/EPCG-II	09 EPCG Authorization issued during the period from 09.10.2006 to 22.03.2007	Counting of exports of M/s vatika hotels Pvt. Ltd. for the period 2010-11 for fulfillment of EO of 9 EPCG Authorizations	The Committee observed that the request of the party is regarding counting of exports of Group Company and decided to defer the case to call for a detailed Report from the concerned Regional Authority.
5	M/s Yamada Automation Pvt. Ltd. 18/215/AM-13/EPCG-II	9 EPCG Authorizations issued from August 2005 to August, 2006	Condonation of block-wise EO	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. This has the approval of DG.
6	M/s Sesa Goa Ltd. 01/37/218/31/AM-14/EPCG-II	1730001058 dated 09.09.2010	Condonation of delay in installation of imported capital goods	The committee deliberated upon the case and 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.
7	M/s Rashmi Metaliks Ltd.	0230004900 dated	Import of PEB Steel Structure for Ductile	The technical member of the Committee indicated that item of import i.e. PEB Steel

	18/12/AM-14/EPCG-II	03.02.2010	Iron Pipes under EPCG scheme.	Structure cannot be treated as Capital Goods. The Committee, therefore, decided to reject the case.
8	M/s Sakthi Scanners Ltd. 01/37/218/38/AM-14/EPCG-II	0430001106 dated 20.05.2003	Extension in EOP, condonation of block-wise EO and certification of nexus.	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. The Committee further decided to recommend to DG for relaxation under Para 2.5 of FTP to allow 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 at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.11 of HBP Vol. I. This has the approval of DG. The Committee also decided to certify the nexus between the import item and the export item.
9	M/s Sterling Tools Ltd. 01/37/218/45/AM-14/EPCG-II	0530158065 dated 29.03.2012	Extension in time for installation of capital goods.	The Committee observed that the imported CG(vide B/E dated 18.09.2012) is to be integrated with indigenous CG which is likely to be received in the firm's plant by end of August, 2013 due to change in schedule of implementation of the project. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for extension in time upto 30.09.2013 for submission of Installation Certificate. This has the approval of DG.
10	M/s Richa Global Exports Pvt. Ltd. 18/126/AM-13/EPCG-II	0530140894 dated 19.04.2006 0530140895 dated 19.04.2006 0530141439 dated 07.07.2006	Counting of Exports of the firm for fulfillment of export obligation of EPCG Authorization	The Committee observed that the partnership firm M/s Richa Knitwears (Authorization Holder) was taken over by Private Limited Company M/s Richa Global Exports Private Limited w.e.f. 01.07.2006 and all the assets and liabilities of the firm M/s Richa Knitwears were transferred to M/s Richa Global Exports Private Limited. The Committee, therefore, decided to recommend to DG to allow counting of

		0530141775 dated 23.08.2006 0530141506 dated 17.07.2006		export sale of M/s Richa Global Exports Limited for EO fulfillment against the EPCG Licence issued to M/s Richa Knitwears subject to refixation of Average Export Obligation. <i>However, DG desired to know why the party was issued licences in the name of M/s Richa Knitwears even after amalgamation on 01.07.2006. The matter was checked up from the RA and it was found that the applications in respect of two cases were made after the amalgamation. Hence, it was decided to reject the case and to advice the RA to seek clarification from the party.</i>
11	M/s Jakhau Salt Company Pvt. Ltd, Jakhau, Kutch (Reference received from KASEZ, Kutch) 01/36/218/265/AM-13/EPCG-1	3730000107 dated 29.09.2008	Procurement of Truck Model Tipper under EPCG Scheme	The Committee observed that the Capital Goods AMW Truck Model 2518 TP was allowed to be imported well before the issuance of Policy Circular No. 48 dated 19.12.2008. Moreover, technical members of the Committee also supported the view that there is nexus between the import item and export item i.e. Solar Raw Salt. The Committee, therefore, decided to recommend the case to DG for approval of the case for certification of nexus. <i>The matter was discussed with DG. It emerged during the discussion that Truck may be required for transportation of most of the export goods. In this case also trucks were imported for transportation of goods and, therefore, import of Trucks should not have been allowed under EPCG Scheme. The case is, therefore, rejected.</i>
12	M/s MOC Dies and Moulds 01/36/218/33/AM-14/EPCG-1	0430001089 dated 12.05.2003	Extension in EOP against EPCG Authorization No. 0430001089 dated 12.05.2003	The Committee decided to recommend to DG for relaxation under Para 2.5 of FTP to allow extension in EOP upto 11.05.2015 subject to payment of 50% of duty payable in proportion to unfulfilled EO in terms of provisions contained in Para 5.11 of HBP Vol. I. This has the approval of DG.
13	M/s Advance Lamp Component & Table Wares Pvt. Ltd. 01/36/218/166/AM-13/EPCG-1	0530148709 dated 27.03.2009	Condonation of delay in obtaining/submission of Installation Certificate in respect of EPCG Authorization No.	The committee deliberated upon the case and 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.

			0530148709 dated 27.03.2009	
14	M/s International Print O Pac Limited 01/36/218/201/AM-13/EPCG-1	0530134643 dated 08.08.2003	Condonation for shortfall in fulfillment of required percentage of block-wise EO against EPCG Authorization No. 0530134643 dated 08.08.2003	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. This has the approval of DG.
15	M/s Colorplast Systems Pvt. Ltd. 01/36/218/26/AM-14/EPCG-1	0530156835 dated 01.11.2011 0530150217 dated 30.10.2009 0530146770 dated 29.07.2008 0530145823 dated 17.03.2008 0530150793 dated 30.12.2009	Shifting of machines imported under EPCG Authorization Nos. 0530156835 dated 01.11.2011, 0530150217 dated 30.10.2009, 0530146770 dated 29.07.2008, 0530145823 dated 17.03.2008 and 0530150793 dated 30.12.2009	The Committee decided to allow shifting of Capital Goods from their unit located at C-8, Sector 65, Noida to B-6, Sector 65, Gautam Budh Nagar, Noida subject to condition that IEC and RCMC have both the addresses endorsed on them and submission of fresh installation certificate within 6 months of such transfer.
16	M/s Jayadevi Mills Pvt. Ltd. 01/36/218/263/AM-13/EPCG-1	3530000796 dated 11.01.2005 3530000872 dated 11.03.2005 3530000905 dated 18.03.2005 3530000906 dated 18.03.2005	Fulfillment of Export Obligation through Group Company Exports in Terms of Para 5.4(i) of the FTP and Condonation of Block-wise fulfillment of EO in respect of EPCG Authorization Nos. 3530000796 dated 11.01.2005, 3530000872 dated 11.03.2005, 3530000905 dated 18.03.2005 and 3530000906 dated 18.03.2005	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. This has the approval of DG. The Committee also decided to advise the RA to consider the request of the firm regarding fulfillment of EO through Group Company Exports as per relevant Foreign Trade Policy including PIC decision in this regard.
17	M/s Albert David Ltd. 01/36/218/125/AM-13/EPCG-1	0230000206 dated 27.03.2002	Counting of exports of other goods for fulfillment of EO against EPCG Authorization No. 0230000206 dated 27.03.2002 issued to M/s Albert David Ltd,	The Committee observed that a. the request of the party is to count the exports of alternate product viz. Pharmaceuticals Product although the provision for the same was not introduced in the year of

			Kolkata Representation forwarded by Plastic Export Promotion Council –	issuance of EPCG Authorization i.e.2002; b. the provision to count the export of alternate product manufactured by the same company was introduced in the Policy w.e.f. 01.04.2003; c. The benefit is to be granted from the date of application for the same; d. The export product endorsed on the EPCG Authorization was 'syringes'; e. However, the firm had exports of 'Pharmaceutical Products' as well through which they want to fulfil the shortfall in Average EO; f. If we consider Average of both 'syringes' and 'Pharmaceutical Products' (excluding the exports made in 2002) also, the firm have exported much more to cover the maintenance of the average of Syringes as well as Pharmaceutical products and fulfil specific EO as well. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP to allow counting of exports of other goods/alternate product (Pharmaceutical products) with effect from 01.04.2003 to regularize the shortfall in Specific/Average Export Obligation. This has the approval of DG.
18	M/s Indus Sports Private Limited (Reference received from O/o Joint DGFT, Bangalore) 01/36/218/47/AM-14/EPCG-1	-----	EPCG Authorization for import of Sprinklers and Water Turbine Systems in respect of Golf Club	The Committee deliberated upon the case and decided not to allow import items viz. Sprinklers and Water Turbine Systems to the Golf Resorts.
19	M/s Dilip Fabrics Pvt. Ltd, 01/36/218/34/AM-14/EPCG-1	0230001183 dated 10.10.2005 0230001316 dated 20.01.2006	Condonation for non-fulfillment of blockwise EO in respect of EPCG Authorization Nos. 0230001183 dated 10.10.2005 and 0230001316 dated 20.01.2006	The Committee 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 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. This has the approval of DG.

20	M/s HI- Tech Gears Ltd. 01/36/218/27/AM-14/EPCG-1	0530155660 dated 02.06.2011	Approval for change in location of CG imported under EPCG in respect of EPCG Authorization No. 0530155660 dated 02.06.2011	The Committed decided to allow installation of Capital Goods at one of their units located at '24-26, Sector-7, IMT Manesar, Gurgaon, Haryana' instead of the address endorsed in the EPCG Authorization i.e. SPL 146A, RIICO Industrial Complex, Bhiwadi- 301019, Rajasthan) subject to the condition that IEC and RCMC have both the addresses endorsed on them. The firm will furnish the required Installation Certificate to the Regional Authority.
21	M/s Delta International Ltd. Kolkata 01/36/218/05/AM-14/EPCG-1	0230001127 dated 30.06.1999	Finalization of nexus in respect of an EPCG Authorization No. 0230001127 dated 30.06.1999 issued to M/s Delta International Limited	The Committee observed that the documents called for in the matter are awaited and, hence, decided to defer the case.
22	M/s Feroke Boards Ltd. 01/36/218/241/AM-13/EPCG-1	1030000735 dated 22.12.2005	Relaxation of provision of Para 5.4 of FTP in respect of EPCG Authorization No. 1030000735 dated 22.12.2005	The Committee observed that: - From 01.04.2003, there was a provision for fulfillment of EO through alternate products manufactured by the same company. - However, the firm was required to submit the application on the date from which they wanted counting of exports of alternate products. - The firm applied on 03.03.2012 to the concerned RA for benefit of Para 5.4(i) of FTP with the intention to get the benefit from 2005-06; - The export product endorsed in the EPCG Authorization is 'Processed Rubber Wood'. - The firm fulfilled the EO through exports of 'Teak manufactured hull boards'. - Request of the firm is to regularize the exports by allowing fulfillment of EO through exports of alternate product viz. Teak manufactured hull boards. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP to allow the party to fulfill their EO through exports of alternate product viz. Teak manufactured hull boards already made by the Company subject to refixation of Average EO, as applicable. This has the approval of DG.

23	M/s Mercy Luxury Business Hotel 01/36/218/161/AM-13/EPCG-1	1030000976 dated 08.09.2006	Permission for counting of Payment received in Indian rupees from vessel agents in respect of catering & crew accommodation services to foreign companies towards fulfillment of EO under EPCG Scheme in respect of EPCG Authorization No. 1030000976 dated 08.09.2006	The Committee observed that: - It was clarified through Policy Circular No. 60 dated 24.12.1998 that (a) payment received by Air/Flight catering unit, stand alone and others and (b) by hotels for staying of foreign Airline crew from foreign airlines in Indian Rupees against their repatriable earnings shall be considered for discharge of EO under EO Scheme in addition to the direct earning in foreign exchange; - There is no such corresponding provision in respect of earning in Indian Rupees from vessel agents towards vessel catering & crew accommodation services; - The Members of the Committee felt that there should be a corresponding provision for vessel agents also. The Committee, therefore, decided to recommend to DG for evolving a Policy Guideline in this regard and if possible to allow payment received in INR from vessel agents towards vessel catering & crew accommodation services for fulfillment of Export Obligation under EPCG Scheme. <i>The matter was discussed with DG. There appeared no need to consider change in Policy. The case has, therefore, been rejected.</i>
24	M/s Fresenius Kabi Oncology Ltd. (Formerly Dabur Pharma Ltd.) 01/36/218/266/AM-13/EPCG-1	0530132541 dated 05.02.2002 0530133014 dated 24.06.2002 0530137216 dated 14.10.2004	Relaxation in Para 5.3.1 of Handbook of Procedures about submission of Installation Certificate in respect of their three EPCG Authorizations issued by O/o Joint DGFT, New Delhi	The committee deliberated upon the case and decided to recommend to DG for relaxation under Para 2.5 of FTP to condone the delay in submission of installation certificate in respect of EPCG Authorization No. 0530133014 dated 24.06.2002 and 0530137216 dated 14.10.2004. This has the approval of DG. In respect of EPCG Authorization No. 0530132541 dated 05.02.2002, the Committee decided to ask the firm whether they had applied with the Jurisdictional Excise Authority for issuance of Installation Certificate and if so, the details thereof and a copy each of the communication sent/received in this regard.
25	M/s Ankit India Ltd.	0230000683	EO extension for 7	The Committee deliberated upon the case

	01/36/218/49/AM-14/EPCG-1	dated 02.09.2004 0230001145 dated 09.09.2005	years and waiver of Annual Average Export Obligation against EPCG Authorization Nos. 0230000683 dated 02.09.2004 and 0230001145 dated 09.09.2005	and decided to defer it with the direction to advise the concerned RA to examine the issue with respect to Para 5.11.3 of HBP v1 and to call for a report.
26	M/s Samsung India Electronics Pvt. Ltd. 18/192/AM- 13/EPCG-II	0530134381 dated 23.06.2003	a. Consideration of the export of alternate export product namely "Refrigerator" towards fulfillment of export obligation against EPCG Authorization No. 0530134381 dated 23.06.2003 b. Consideration of the excess export of main product as well as alternate product made against other EPCG Authorizations No. 0530134063 dated 23.04.2003, 0530134940 dated 26.09.2003 & 0530141240 dated 02.06.2006 for fulfillment of EO of the subject Authorization.	(a) The Committee observed that the subject licence was issued during the period when there was a provision to fulfil 100% export obligation of EPCG Authorization No. 0530134381 dated 23.06.2003 by export of other products manufactured by same company. Therefore, it decided to recommend to DG for relaxation under Para 2.5 for granting the benefit from the date of issuance of licence (instead of date of request) subject to the condition that the firm will also maintain the average EO of the alternate product(Refrigerator). (b) The Committee also decided to recommend to DG for relaxation under Para 2.5 of FTP to allow the firm to count excess exports of other products namely 'Refrigerator' made against EPCG authorization No. 0530134063 dated 23.04.2003, No. 0530134940 dated 26.09.2003 and No. 0530141240 dated 02.06.2006 for fulfilment of EO of the subject licence subject to the condition that there is no double counting of exports under those shipping bills. This has the approval of DG.
27	M/s Richa Global Exports Pvt. Ltd, 01/37/218/50/AM- 14/EPCG-II	0530156005 dated 15.07.2011 0530157123 dated 05.12.2011	Shifting of capital goods imported under EPCG scheme from one unit to other unit.	The Committee decided to allow shifting of Capital Goods from their unit located at 18/2A, Amblipura Village, Belandur Gate, Sarjapur Road, Bangalore to their own factory at 309-317 P, Bommasandra Jigani Link Road, Jigani Industrial Area, Anekal Taluk, Bangalore Urban District – 562 106 subject

		0530157518 dated 31.01.2012		to condition that IEC and RCMC have both the addresses endorsed on them and submission of fresh installation certificate within 6 months of such transfer.
28	M/s LLOYD Electronics & Engineering Ltd. 01/36/218/38/AM-14/EPCG-1	0530153436 dated 17.09.2010, 0530153437 dated 17.09.2010 0530153438 dated 17.09.2010 0530154328 dated 22.12.2010 0530137089 dated 28.09.2004, 0530137338 dated 03.11.2004 0530137615 dated 15.12.2004 0530140297 dated 16.01.2006 0530140179 dated 02.01.2006	(a) Permission for adjustment of excess exports made against EPCG Authorization Nos. 0530153436 dated 17.09.2010, 0530153437 dated 17.09.2010 and 0530154328 dated 22.12.2010 for fulfilment of EO against other EPCG Authorization Nos. 0530137089 dated 28.09.2004, 0530137338 dated 03.11.2004 and 0530137615 dated 15.12.2004 (b) Permission for adjustment of excess exports made against EPCG Authorization Nos. 0530153436 dated 17.09.2010, 0530153437 dated 17.09.2010, 0530153438 dated 17.09.2010 and 0530154328 dated 22.12.2010 for fulfilment of EO against other EPCG Authorization Nos. 0530140297 dated 16.01.2006 and 0530140179 dated 02.01.2006 (c) Extension in EOP of second and third block of years into the fourth block of years [condonation in block-wise EO in 2 nd and 3 rd blocks] against EPCG Authorization Nos.	(a) The Committee decided to recommend to DG for relaxation under Para 2.5 of FTP to allow adjustment of excess exports made against EPCG Authorization Nos. 0530153436 dated 17.09.2010, 0530153437 dated 17.09.2010 and 0530154328 dated 22.12.2010 for fulfilment of EO against other EPCG Authorization Nos. 0530137089 dated 28.09.2004, 0530137338 dated 03.11.2004 and 0530137615 dated 15.12.2004 subject to the condition that there is no double counting of exports under those shipping bills. This has the approval of DG. (b) The Committee decided to recommend to DG for relaxation under Para 2.5 of FTP to allow adjustment of excess exports made against EPCG Authorization Nos. 0530153436 dated 17.09.2010, 0530153437 dated 17.09.2010, 0530153438 dated 17.09.2010 and 0530154328 dated 22.12.2010 for fulfilment of EO against other EPCG Authorization Nos. 0530140297 dated 16.01.2006 and 0530140179 dated 02.01.2006 subject to the condition that there is no double counting of exports under those shipping bills. This has the approval of DG. (c) 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. This has the approval of DG. (d) The Committee also decided to refer the fourth request of the party to concerned RA with the direction to examine it as per relevant FTP/HBP v1 and PIC decision in respect of Group Company.

			0530137089 dated 28.09.2004, 0530137338 dated 03.11.2004 and 0530137615 dated 15.12.2004 (d) Refixation of Average EO imposed on account of Exports of other products made by Group Company against EPCG Authorization Nos. 0530137089 dated 28.09.2004, 0530137338 dated 03.11.2004, 0530137615 dated 15.12.2004, 0530140297 dated 16.01.2006 and 0530140179 dated 02.01.2006	
29	M/s Sri Vari Agro Industry, Krishnagiri 01/37/218/37/AM-14/EPCG-II	0430002781 dated 30.06.2005	Extension in EOP, condonation of block-wise EO and certification of nexus.	The Committee observed that the firm have not made any exports so far and, therefore, decided to reject their request.
30	M/s Tata Motors Ltd, Mumbai 18/05/AM-14/EPCG-II	0330020330 dated 12.06.2008 0330021693 dated 24.10.2008	Permission to supporting manufacturer i.e. M/s Caparo Engineering India Pvt. Ltd., to export directly in its own name to the overseas group company	Shri A. S. Puri, Vice President, Tata Motors Limited appeared in PH and explained their request. The Committee observed that the party need not have approached DGFT for permission for export of goods manufactured by their supporting manufacturer directly to another importer since the supporting manufacturer is already supplying ' <i>pressed panels</i> ' to Tata Motors which are being used in manufacture of trucks for export purposes and M/S Tata Motors would be fulfilling EO by export of these trucks. However, in view of circumstances explained for direct exports of Panels, the export of ' <i>pressed panels</i> ' by supporting manufacturer directly to M/S Daewoo Motors may be allowed in this case subject to the condition that these exports cannot be counted towards fulfillment of EO against EPCG Authorization issued to M/S Tata Motors and or M/s Caparo Engineering. This may be recommended to DG . This has the approval of DG.
31	M/s Tata Motors Ltd,	0330015677 dated	Change of supporting	The Committee deliberated upon the case and decided to allow endorsement of

	01/37/218/39/AM-14/EPCG-II	30.03.2007 0530154115 dated 02.12.2010 0530151066 dated 28.01.2010	manufacturer and place of installation of capital goods	supporting manufacturer and shifting of Capital goods from their present place of installation to proposed place as indicated as under: <table><tr><th>EPCG authorization No.</th><th>Present place of installation</th><th>Proposed place of installation/ name of supporting manufacturer</th></tr><tr><td>0330015677 dated 30.03.2007</td><td>Tata Motors Ltd, Jamshedpur</td><td>TML Drivelines Ltd, C/o Tata Motors Ltd, Jamshedpur- 831010</td></tr><tr><td>0530154115 dated 02.12.2010</td><td>Tata Autocomp Systems Ltd., Interiors and Plastic Division, Survey No.235 & 245, Village Hinjewadi, Mulshi, Pune- 411057</td><td>Tata Autocomp Systems Ltd., Plot No.31, D- II Block, MIDC, Chinchwad, Haveli, Pune</td></tr><tr><td>0530151066 dated 28.01.2010</td><td>-do-</td><td>-do-</td></tr></table>	EPCG authorization No.	Present place of installation	Proposed place of installation/ name of supporting manufacturer	0330015677 dated 30.03.2007	Tata Motors Ltd, Jamshedpur	TML Drivelines Ltd, C/o Tata Motors Ltd, Jamshedpur- 831010	0530154115 dated 02.12.2010	Tata Autocomp Systems Ltd., Interiors and Plastic Division, Survey No.235 & 245, Village Hinjewadi, Mulshi, Pune- 411057	Tata Autocomp Systems Ltd., Plot No.31, D- II Block, MIDC, Chinchwad, Haveli, Pune	0530151066 dated 28.01.2010	-do-	-do-
EPCG authorization No.	Present place of installation	Proposed place of installation/ name of supporting manufacturer														
0330015677 dated 30.03.2007	Tata Motors Ltd, Jamshedpur	TML Drivelines Ltd, C/o Tata Motors Ltd, Jamshedpur- 831010														
0530154115 dated 02.12.2010	Tata Autocomp Systems Ltd., Interiors and Plastic Division, Survey No.235 & 245, Village Hinjewadi, Mulshi, Pune- 411057	Tata Autocomp Systems Ltd., Plot No.31, D- II Block, MIDC, Chinchwad, Haveli, Pune														
0530151066 dated 28.01.2010	-do-	-do-														
32	M/s Obeetee Textiles Pvt. Ltd. 01/37/218/56/AM-14/EPCG-II	0530153351 dated 09.09.2010 0530154004 dated 18.11.2010 0530154909 dated 01.03.2011 0530155292 dated 19.04.2011 0530155384 dated 28.04.2011 0530157079 dated 30.11.2011	Partial redemption of six EPCG Authorizations by counting of export of group company	The Committee observed that the party have requested for partial EODC on the basis of the exports made by their Group Company only and they have not made any exports on their own so far. The Committee, therefore, decided to reject the case.												

33	M/s British School Society, New Delhi 18/22/AM-14/P-5	The firm has applied for it.	Request to furnish the clarification whether EPCG Authorization can be issued for import of capital goods under EDUCATIONAL SERVICE	The Committee observed that there is no justification to grant import of Air Conditioner and accessories under EPCG Scheme to Educational Service Provider and, therefore, decided to reject the case.
34	M/s Sahiba Ltd, Surat 01/37/218/58/AM-14/EPCG-II	-----	Import of HF-F2 Fingerprint and Mifare Card Access Control, HF- I Clock360 Fingerprint and Mifare Card time attendance & HF-FR402 plus face & finger print time attendance with Mifare Card Reader under EPCG scheme	The Committee observed that there is no justification to grant Attendance Registration Equipment under EPCG Scheme and, therefore, decided to reject the case.
35	Reference received from RA, Bangalore 18/23/AM-14/P-5	-----	Import of UPS and Transformer under EPCG Scheme	The Committee observed that vide Notification No. 7 dated 18.04.2013, import of Capital Goods under EPCG Scheme for supply/export of electricity transmission services has been discontinued and, hence, decided to reject the case.
36	M/s Weatherford Drilling & Production Services (india) Pvt. Ltd, 01/37/218/55/AM-14/EPCG-II	3430000890 dated 07.08.2006	Shifting of capital goods imported under EPCG scheme from one unit to other unit.	The Committee observed that the firm could not install the Capital Goods imported against EPCG Authorization at the address endorsed in EPCG Authorization i.e. 858/1, GIDC, Ind. Estate, Makarpura, Baroda and had instead installed it at their another premises at Block No. 74, Mukutnagar-Sokhada Road, VII Manjusar, Savli, Vadodara. There is also delay in submission of Installation Certificate. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for grant of ex-post facto approval in respect of installation of Capital Goods at a different location as endorsed in the EPCG Authorization and for condonation of delay in submission of Installation Certificate. This has the approval of DG.
37	M/s Jai Prakash Industries Ltd, 18/26/AM-13/P-5	0630000091 dated 01.10.2003	RA, Kanpur has vide its letter dated 19.02.2013 requested to clarify whether the party's export of alternate products in place of export of "Cement" is to be accepted to	The Committee observed that a. from 01.04.2003 there was a provision for counting of exports of alternate products/services rendered by the same company; b. the Regional Authority has sought clarification whether foreign exchange earned through 'Construction and Engineering Services' in place of export

			discharge the export obligation and the foreign exchange earned through "Construction & Engg. Services is to be considered towards redemption of the case under Para 5.4 of Exim Policy 2002-07	of 'Cement' may be counted for fulfillment of Export Obligation. Since, the reference is in nature of clarification, the Committee decided to clarify that the foreign exchange earnings made through export of 'Construction and Engineering Services' in place of export of 'Cement' (the export product endorsed in the Authorization) can be counted towards fulfillment of EO in respect of EPCG Authorization No. 0630000091 dated 01.10.2003. However, for regularization of the exports already made, the case is recommended to DG for relaxation under Para 2.5 of FTP subject to the condition that Average Export Obligation is maintained. <i>The matter was discussed with DG. It emerged during the discussion that whenever an alternate product is allowed {for licence(s) issued during 01.04.2003 to 17.04.2013} in case of export of goods any other goods only can be exported and where EO is for services any other services can only be exported to fulfill the Export Obligation. In other words, for export of goods alternate item will only be goods and for rendering services alternate item will only be services.</i>
38	M/s Kerala State Rubber Co-operative 01/36/218/49/AM-13/EPCG-1	Rubco Huat Woods Pvt. Ltd. 1030000006 dated 13.04.2000 1030000008 dated 19.04.2000 Rubco Sales International Pvt. Ltd. 1030000139 dated 16.11.2001	Counting of exports of alternative products from the date of issue of Authorizations in respect of EPCG licences obtained by M/s Kerala State Rubber Cooperative Ltd, and its two Group Companies viz. M/s Rubco Huat Woods Pvt. Ltd. and M/s Rubco Sales International Pvt. Ltd.	The Committee observed that the request of the Company M/s Kerala State Rubber Cooperative Limited to allow counting of exports of other goods manufacture by the same/group company from the date of issue of Authorizations was approved by it in the meeting held on 05.12.2012. The names of their Group Company viz. M/s RUBCO Huat Woods Private Limited and M/s RUBCO Sales International Private Limited and 5 licences issued to M/s Kerala State Rubber Cooperative Limited were indicated in the Minutes of the said meeting. Now, the firm have requested that the Minutes may be amended so that 2 licences issued to M/s RUBCO Huat Woods Private Limited and 1 licence issued to M/s RUBCO Sales International Private Limited may also be incorporated in the Minutes of the meeting held on 05.12.2012. The Committee, therefore, decided to recommend to DG to incorporate Authorizations issued to the Group companies of M/s Kerala State Rubber Cooperative Limited in the Minutes of the meeting dated 05.12.2012. RA will examine

				the aspect of Group Company as per FTP and PIC decision. This has the approval of DG.
39	M/s Unisex Footwears Pvt. Ltd. 01/37/218/48/AM-14/EPCG-II	0530133465 dated 29.10.2002	(i) Condonation of block-wise EO (ii) Regularization of EPCG Authorization after payment of Customs duty + interest on unfulfilment 40.67% of EO	The Committee deliberated upon the case and decided to defer the case with the direction to call for a Report from the concerned Regional Authority. This has the approval of DG.
40	M/s The Saraswati Industrial Syndicate Ltd, 01/37/218/51/AM-14/EPCG-II	0530140615 dated 09.03.2006	Condonation of delay in Installation of imported Capital Goods	The committee deliberated upon the case and 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.
41	M/s Thomyam Food Industries (india) Pvt. Ltd. 01/37/218/40/AM-14/EPCG-II	0430001785 dated 08.07.2004	Extension in EOP for two years	The Committee decided to recommend to DG for relaxation under Para 2.5 of FTP to allow 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 at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.11 of HBP Vol. I. This has the approval of DG.
