

MINUTES OF EPCG COMMITTEE HELD AT 11.00 AM ON 03.11.2010 IN ROOM NO. 04, UDYOG BHAWAN, NEW DELHI UNDER CHAIRMANSHIP OF SHRI V.K. GUPTA, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE.

Export Promotion Capital Goods (EPCG) Committee Meeting was held at 11.00 AM on 03.11.2010. Following officials participated:

S. No. Name and Designation

- (i) Shri V.K. Gupta, Addl. DGFT & Chairman
- (ii) Shri Hardeep Singh, Jt. DGFT.
- (iii) Shri Pramod Kumar, Technical Officer, DOR
- (iv) Shri Ishwar Singh, Dy. DGFT.
- (v) Shri Kamlesh Kumar, FTDO (EPCG-I).

2. Minutes of last Meeting dated 23.09.2010 were confirmed.

3. The Agenda comprised of two parts, that is, Part-I and Part-II. It consisted of two types of cases i.e. Policy related cases and Nexus approval cases. At first, the Committee took up the cases relating to Policy and took the decisions as indicated against each of them below :

No.	Firm's Name	Licence No. & Date	Request of the firm	Decision of the EPCG Committee
	M/s Claris Life Science Limited	083000137 dated 12.07.2001 083000116 dated 26.04.2001	Shifting of excess export from EPCG licence No. 083000137 dated 12.07.2001 (i) 0830000962 dated 16.09.2005 (ii) 0830001330 dated 23.05.2006 and 083000116 dated 26.04.2001 to (i) 0830000552 dated 11.06.2004 (ii) 0830001228 dated 13.03.2006	The case was considered as per agenda and in light of observations of Deptt. of Revenue in their letter No. 605/13/2010-DBK dated 02.11.2010. The Committee decided to accede to the request for allowing adjustment of excess exports subject to the condition that the firm should not avail double benefit of the exports against the subject licences; Customs/Central Excise has not initiated any action against the company and affidavit from MD & one Director that company will indemnify the Govt. against any revenue loss.

	M/s Montex Pen Industries	0330017787 dated 15.10.2007	Clarification regarding acceptance of installation certificate issued by Chartered Engineer	The case was considered as per agenda and in light of observations of Deptt. of Revenue in their letter No. 605/13/2010-DBK dated 02.11.2010. The Committee noted that the firm is not registered in the Customs & Central Excise Department and as such Chartered Engineer Certificate for installation of capital goods is in orders as per provisions of para 5.3.1 of HBP Vol.I.
	M/s Intimate Fashion Ltd.	04500537 dated 04.05.1999 and 04500553 dated 28.06.1999	Quantum of the penalty amount to be recovered from firm	The case was considered as per agenda, and in light of observations of Deptt. of Revenue in their letter No. 605/13/2010-DBK dated 02.11.2010 and Minutes of EPCG Committee dated 22.12.2008. The Committee noted that the firm converted to an EOU before reaching the threshold limit of Rs. 1 Crore of imports under zero duty EPCG Scheme, paid customs duty and interest at the time of conversion from DTA to EOU and fulfilled the export obligation. Therefore, it was decided to impose only 2% of CIF value of authorizations as penalty in both the licences in addition to the duty and interest already paid for allowing conversion of EPCG licence from zero duty to 10%.
	M/s Balaji Filaments	0330000600 dated 22.02.2000	Extension of EO by 2 years and	The case was considered as per agenda and in light of

Ltd.	28.09.2000	endorsement of alternate product against the subject EPCG licence	observations of Deptt. of Revenue in their letter No. 605/13/2010-DBK dated 02.11.2010. The Committee noted that the extension in export obligation period is being allowed as per para 5.11 of HBP Vol.I even in respect of old unredeemed EPCG Authorizations and therefore the views of DOR that extension in EOP beyond 2010 should not be allowed were not accepted. The Committee decided to extend the export obligation period from 2008 to 2010 subject to payment of 2% Composition Fee for each year of extension and extension from 2010 to 2012 is subject to payment of 50% of Customs duty in proportion to unfulfilled export obligation as per the provisions of para 5.11 of HBP Vol.I. However, before allowing extension, RA to check that some exports have taken place.
M/s Afimac Associates Pvt. Ltd.	0530138008 dated 07.02.2005	To issue a NOC to convert the commercial vehicle into Private Category on completion of Export obligation against the subject EPCG licence.	The case was considered as per agenda and in light of observations of Deptt. of Revenue in their letter No. 605/13/2010-DBK dated 02.11.2010. The representative of DOR informed the Committee that there is a decision of the Court regarding fulfillment of export obligation by the use of imported vehicles. The Committee asked the DOR representative to send a copy of decision to further examine the case. Hence, the case was deferred.

4. The Committee took up the nexus cases for consideration. On going through the cases the Committee noted that the cases pertain to a period prior to 2003 whereafter nexus is accepted on the basis of Chartered Engineer Certificate. The Committee further noted that despite repeated references to the Technical Authority, the technical inputs have not been received, nor the concerned Technical Authorities are attending the Meetings of the EPCG Committee. In order to avoid further delay in regularization of these licences on fulfillment of export obligation, it was decided that the concerned RAs may be asked to dispose these cases on the basis of Chartered Engineer Certificate; as per the provisions of Para 5.3.1 of the current HBP Vol.I except wherein there is negative report from Technical Authority. All Technical Authorities will also be informed with reference to earlier reference number of cases when sent initially.

o.	Name of the firm	Licence No.& Date	Import items	Export items	Decision of the EPCG Committee
1.	Hindalco Inds Ltd. Varanasi 23/62/AM09/ EPCG.I (also for below listed 26 cases)	1530000026 Dt.26-2-2002	As per list	Aluminum Ingots, Wire/Bars Rod/Ally Billets	Nexus Certified. The firm should submit the Chartered Engineer Certificate to concerned Regional Authority.
2.	--Do--	1530000019 Dt.9-11-2001	As per list	-Do-	-do-
3.	--Do--	1530000036 Dt. 17-3-2003	As per list	-Do-	-do-
4.	--Do--	1530000032 Dt. 18-11-2002	As per list	-Do-	-do-
5.	--Do--	1530000027 Dt. 10.7.2002	As per list	-Do-	-do-
6.	--Do--	1530000039 Dt. 27-03-03	As per list	-Do-	-do-
7.	--Do— Mumbai	0330000819 Dt. 12-1-2001	Slitter Machine etc.	Aluminum Foils	-do-
8.	-Do-	0330001520 Dt. 13-11-01	Lamintor	Aluminum Foils	-do-

		Dt. 15-11-01			
9.	Mangalore Refinery & Petro Chemical Ltd., Mumbai	0330004188 Dt. 26-08-03	As per list	Naphtha, ATF,HSD, etc.	-do-
10.	Ballarpur Inds. Ltd. Mumbai	0330001531 Dt. 3-12-01	As per list	Paper & Paper products	-do-
11.	Technova Imaging Systems Pvt. Ltd., Mumbai	0330003075 Dt. 8-1-03	As per list	Offset Printing Plates used for image transfe	-do-
12.	Indian Dairy machinery Co. Ltd., Udyog Nagar	3430000083 Dt. 15-11-2002	As per list	As per list	-do-
13.	Jewel Consumer Care Pvt. Ltd., Baroda	3430000059 Dt. 27-6-2002	As per list	Tooth Brushes/Domestic Brushes/Paint Brushes/Synthetic or Artificial Monofilament yarn	-do-
4.	Steelco Gujarat Ltd., Bharuch	3430000135 Dt.31-7-2003	As per list	Cold Rolled Non Alloy Sheets/W9de coils/circle Cold Rolled Galvanized Non Alloy Steel sheets/wide Coils	-do-
5.	Groz- Beckert Asia Pvt. Ltd., New Delhi	0530133349 Dt 25.09.2002	1 Latch Machines	NT Latches for Hosiery Needles.	-do-
6.	Honda	0530134905 Dt. 22.09.2003	Import item Details as per item list attached	SOOTER & PARTS & ACCESSORIES	-do-
7.	Aarti Industries	033004396	Import	DMS, PNCB, ONCE 2.4 PNCB	-do-

	Limited., Mumbai	Dt. 26.09.2003	item Details as per item list attached	UNCC, 2-4 DINCB, OPDA, ONA, OA, TCB, etc.	
18.	Kartik Electronics., Faridabad	0530134313 Dt. 13.06.2003	Import item Details as per item list attached	WIRING HARNESS	-do-
19.	M/s.Bharti Infotel Limited	0530135382 Dt.16.12.2003	As Per List of Import items enclosed	Service Provider	-do-
20.	M/s.Bharati Cellular Limiter,N D	0530134754 Dt.29.08.2003	As Per List of Import items enclosed	Service Provider	-do-

21.	M/s. Syndicate Binders	0530132243 Dt.16.10.2001	12000 Sinloch Perfect Blinder SB- 1300 S4MP- Number-1	Stationary & Allied Products (Diaries etc.)	-do-
22.	M/s. Macro Entertainment Pvt. Limited,	0530132507 Dt.21.01.2002	As Per List of Import items enclosed	Video Software, Television Software, Multimedia Software, Graphics Related services Thereof.	-do-
23.	M/s. Samsung India Electronics Limited ND	0530133818 Dt.05.02.2003	As Per List of Import items enclosed	Colour Televisions	-do-

24.	M/s. Samtal Color Limited	0530134534 Dt.18.07.2003	As Per List of Import items enclosed	Color Picture Tube/Color Display Tubes	-do-
25.	M/s. Sunstar Overseas Limited, Delhi	0530134173 Dt.14.05.2003	As Per List of Import items enclosed	Basmati/Non Basmati Rice	-do-
26.	M/s. Musashi Auto Partsindia Pvt. Limited,	0530134559 Dt.23.07.2003	As Per List of Import items enclosed	Bearings, Gears, Gearing and Driving Elements	-do-
27.	M/s. Musashi Auto Partsindia Pvt. Limited,	0530134578 Dt.25.07.2003	As Per List of Import items enclosed	Bearings, Gears, Gearing and Driving Elements	-do-

28.	M/s. Positiv Television Pvt. Limited,	0530135138 Dt.27.10.2003	As Per List of Import items enclosed	Television services, Television Transmission services, Video Software Related Services.	-do-
29.	M/s Sterlite Technologies Limited,	0330002178 Dt. 07.06.2002	As Per List of Import items enclosed	Single Mode. Optical Fibres and Optical Fibre Cabal	-do-
30.	M/s Presidency Kid Leather Limited	0430000428 Dt. 23.09.2001	Pc New Turbo with No.6 Superimposed work Plates Gross	FINISHED LEATHER	-do-

			Dimensions mm. 6000x2800mm, Working dimensions: mm 5900x2650mm.		
--	--	--	---	--	--

5. The Members of the Committee took up issue of convening meeting of EPCG Committee out of Agenda. It was unanimously decided that the meeting of the Committee may be held on first Wednesday of every month at 10.30 a.m. Agenda papers will be sent by e-mail to the members. Similarly Minutes of the Meeting will also be sent by e-mail.

Meeting ended with thanks to participants.
