

MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI MUKESH BHATNAGAR , ADGFT AT 10.30 A.M. ON 10.10.2012

Following officers attended the meeting:

- (a) Shri Jaikant Singh, Joint Director General, DGFT
- (b) Shri R. A. Lal, Director, O/o Textile Commissioner, Noida
- (c) Shri K. K. Tiwari, Industrial Adviser, D/o Heavy Industry
- (d) Shri K. K. Sinha, Industrial Adviser, D/o Industrial Policy and Promotion
- (e) Shri A. K. Pandey, Sr. Technical Officer, D/o Revenue
- (f) Shri Gajraj Singh, Sr. D.O., D/o Heavy Industry
- (g) Smt. Rita Mahana, Deputy Director General, DGFT
- (h) Shri A. K. Gopal, Foreign Trade Development Officer (EPCG.I), DGFT
- (i) Shri S. K. Swarnkar, Foreign Trade Development Officer (EPCG.II), DGFT
- (j) Smt. Rekha Sharma, Foreign Trade Development Officer (P-5), DGFT

2. Minutes of the last Meeting held on 18.09.2012 were confirmed.

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

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
1.	M/s Grindwell Norton Limited, Bangalore 01/36/218/61/AM-13/EPCG-I	0730010383 dated 19.07.2011	To extend the import validity of shipment up to 24 months, against EPCG Authorization No. 0730010383 dated 19.07.2011 as a special case under Para 2.5 of FTP for enabling the company to import the remaining CKD part of materials under Zero duty benefit scheme	The Committee, while deliberating the case in detail, observed that: a. Supplies against the zero duty EPCG Authorization issued to the firm are not yet completed; b. Licence is having the balance of unutilized duty saved amount of Rs. 30 lakh(approximately); c. They have made a single Purchase Order(PO) to cover the entire import of the equipment in CKD condition with multiple supplies; d. No confirmation of delivery schedule was given by the supplier and supply was initiated by acknowledging the PO by an email. The Committee, therefore, decided to recommend to DG to extend the import validity of the subject EPCG Authorization till 31.03.2013, in exceptional circumstances as a special case, with the rider that this decision will have no precedent value. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
2.	M/s Preci-Turn Engineers, Baroda 18/62/AM-13/EPCG-II	3430000256 dated 08.04.2004 3430000810 dated 20.03.2006.	The firm has requested for (i) Extension in export obligation period for two years i.e. upto 07.04.2014; & condonation of Block-wise EO against EPCG authorization No.3430000256 dated 08.04.2004; (ii) Condonation of block-wise EO for the first block in respect of EPCG authorization No.3430000810 dated 20.03.2006	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 in respect of first Authorization. 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. DG has approved the case.
3.	M/s Unitech Developers & Hotels Pvt. Lt., Gurgaon 18/90/Am-12/EPCG-II		The firm has requested condonation from submission of fresh BG	The Committee dropped the case with the direction to examine the same on file after receiving comments from Department of Revenue.
4.	M/s Rabirun Vimimay (P) Ltd., Kolkata 18/134/AM-12/EPCG-II	0230005058 dated 31.03.2010	Extension in time period upto 31.03.2013 for submission of installation certificate in respect of EPCG authorization No.0230005058 dated 31.03.2010	The Committee noted the following information provided by the firm: a. The factory premises of the firm is near Indian Air Force Base and hence permission for installation of the Chimney is pending with Indian Air Force Authorities which will take some more time; b. Construction of the factory has been held up due to heavy rain which is expected to be completed by December, 2012 and only then machinery be installed; and decided to recommend to DG for relaxation under Para 2.5 of FTP to allow extension in time period for submission of installation certificate upto 31.03.2013. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
5.	M/s Olam Agro India Limited, Gurgaon 18/86/AM-13/EPCG-II	0530156571 dated 26.09.2011	Change of factory address for installation of capital goods imported against EPCG authorization No.0530156571 dated 26.09.2011 and allow 3 months time from the date of endorsement of new address in the authorization, of submission of installation certificate.	The Committee observed that the firm's request is regarding installation of imported Capital Goods in its own unit instead of Supporting Manufacturers factory which had got endorsed on the EPCG Authorization at the time of issuance. The Committee decided to allow endorsement of address of its own unit in the EPCG Authorization for installation purpose subject to condition of endorsement of the address of the unit on IEC & RCMC. The Committee also decided to grant 3 months time from the date of endorsement of new address in the authorization for submission of installation certificate.
6.	M/s Thaker Felts Pvt. Ltd., Vadodara 18/92/AM-13/EPCG-II	3430001796 dated 27.09.2010	Condonation of delay in submission of installation certificate.	The Committee observed that the firm could not install the machineries within the time period stipulated in Para 5.3.1 of HBP v1 due to some technical complications. Now the Company has submitted installation certificate dated 06.09.2011 issued by Central Excise Authority. The committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP to condone the delay in submission of installation certificate. DG has approved the case.
7.	M/s Simplex Engineering & Foundry /Works Pvt. Ltd., Bhilai 18/87/AM-13/EPCG-II	0530141757 dated 18.06.2006 & 0530141758 dated 18.06.2006	Condonation of delay in submission of installation certificate.	The Committee observed that the firm did not approach Central Excise Authority within the time period stipulated in Para 5.3.1 of HBP v1 for getting installation certificate. However, later on, they obtained installation certificate dated 05.11.2008 & 06.11.2008 issued by Central Excise Authority. The committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP to condone the delay in submission of installation certificate. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
8.	M/s Hindoostan Technical Fabrics, Mumbai 01/36/218/88/AM-13/EPCG-I	0330028046 dated 08.12.2010	Conversion of Zero Duty EPCG Authorization No. 0330028046 dated 08.12.2010 to 3% Duty Authorization for amendment of ITC HS code form 52080000 to 68151090	The Committee observed that: - The firm, by oversight, mentioned ITC(HS) code of the export product "Carbon Weaving Fabrics, Cotton Mill Made Fabrics (Including Woven Fabrics)" as 52080000 instead of 68151090; - When they submitted amendment of ITCHS Code from 52080000 to 68151090, Regional Office informed them that Zero Duty EPCG Scheme is not available for import of CG relating to export of products covered under chapter of ITC HS classification 68; - The firm is ready to pay requisite duty with applicable interest for conversion of the EPCG Authorization from Zero Duty to 3% Concession Duty; - Member from the DOR endorsed that in the situation elaborated by the firm conversion of the EPCG Authorization from zero duty to 3% Duty can be allowed. The Committee, therefore, decided to recommend to DG to allow the conversion of the EPCG Authorization from Zero Duty to 3% Concessional Duty. The firm will have to pay requisite customs duty with applicable interest. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
9.	M/s Mercury Car Rentals Ltd. 01/36/218/97/AM-13/EPCG-I	0530143675 dated 17.05.2007	Permission to dispose the Car, imported under EPCG Scheme against EPCG Authorization No. 0530143675 dated 17.05.2007, damaged completely in accident as scrap	The Committee observed that: - One Toyota Camry car, out of 26 (24 Toyota Camry - imported and 2 Mercedes Benz – procured indigenously) Cars imported by the Company under EPCG Authorization, met with an accident on July, 15, 2008 and got fully damaged and was not fit for repair and move on the road; - Insurance surveyor in its survey Report confirmed that complete front portion including engine of the vehicle was damaged; - RTO, Bangalore reported that the vehicle had been completely damaged and not fit for repair and to move in the road, and thereby recommended to cancel the RC; - The RC was cancelled by the RTO w.e.f. 18.08.2012; - The firm is ready to fulfill 100% EO imposed against the subject EPCG Authorization within the EOP; - The firm have ensured that they will not ask for any waiver in Export Obligation proportionately for the accidented vehicle and also not ask for import of any other vehicle as replacement to the accidented vehicle. The Committee, in view of the situation elaborated by the firm and with the firm ensuring that they will fulfill 100% EO within EOP and will not ask for (a) any waiver of Export Obligation (b) import of any other vehicle as replacement of the damaged vehicle, decided to recommend to DG to grant permission to dispose of the Car, damaged completely in accident, as scrap. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
10.	M/s Vedanta Aluminium Limited, Kalahandi 18/100/AM-13/EPCG-II	33 EPCG authorizations issued during the period 11.9.2008 to 16.6.2010.	Condonation of delay in installation of capital goods for a period till the issuance of direction by Ministry of Environment and Forests (MOEF) for restarting the expansion project of alumina refinery.	The Committee observed that the firm could not install the plant and machineries imported/procured for expansion of their existing alumina refinery from 1 million to 6 million TPY as the Ministry of Environment and Forest (MOEF) has not given clearance for expansion of the project of alumina refinery. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP to allow extension in time period for 6 months from the date of approval of clearance from MOEF. DG has approved the case.
11.	M/s Sesa Goa Limited, Goa 18/103/AM-13/EPCG-II	1730001035 dated 24.05.2010	Condonation of delay in submission of installation certificate.	The Committee observed that the firm could not install the machineries within the time period stipulated in Para 5.3.1 of HBP v1 due to delay in civil and structural works. However, the Company has obtained installation certificate dated 17.05.2012 issued by Central Excise Authority. The committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP to condone the delay in submission of installation certificate. DG has approved the case.
12.	Ma Prominent Agro Industries (P) Ltd., Delhi 18/98/AM-13/EPCG-II	0530134672 dated 18.08.2003	The firm has requested for condonation of block-wise EO and extension in export obligation period for two years against EPCG authorization No.0530134672 dated 18.08.2003.	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 in respect of first Authorization. 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. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
13.	M/s Orbit Fabrics Ltd., Vadodara 18/95/AM-13/EPCG-II	3430000598 dated 16.06.2005	Clarification whether 'Dyed fabrics' and 'Grey fabrics' fall under the same and similar export product category or both are different items.	The Committee observed that 'Dyed fabrics' and 'Grey fabrics' fall under the same and similar category.
14.	M/s Wenzel South Asia (P) Ltd., Faridabad 18/94/AM-13/EPCG-II		Issuance of EPCG authorization for import of capital goods for providing Commission Agent Services.	The Committee decided to defer the case with the direction to call for the following from the firm: (a) Brochure & technical literature of the items (b) intended service use of the machinery (c) justification note (d) details about earning foreign exchange by use of the capital goods to be imported.
15.	M/s RAF Stationary Mrg. Co., Noida 18/102/AM-13/EPCG-II	0530132366 dated 03.12.2001	The firm has requested extension in export obligation period upto 02.06.2014 against EPCG authorization No.0530132366 dated 03.12.2001.	The Committee decided to defer the case with the direction to call for detailed Report from concerned Regional Authority about any action initiated by them against the firm as Customs Authority has already encashed BG of the full duty saved amount.
16.	M/s Novartis Healthcare Pvt. Ltd., Madhapur 18/80/AM-13/EPCG-II		Issuance of EPCG authorization for import of computer workstations, furniture and chairs, Office Chairs	The Committee observed that the items to be imported are purely furniture items and not equipments directly related to the services to be rendered and, therefore, rejected the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
17.	M/s EIH Limited, Delhi 01/36/218/ 126/AM-12/EPCG-I	0530151846 dated 21.04.2010	Permission to transfer 5 vehicles imported against EPCG Authorization No. 0530151846 dated 21.04.2010 from one of the unit of M/s Trident Nariman Point, Mumbai to another unit of their unit/branch (The Oberoi, New Delhi).	The Committee observed that: - Similar dispensation to the firm in respect of 15 vehicles was given by the Committee in its meeting held on 17.11.2011; - The firm have, now sought transfer of 5 remaining vehicles, out of the total 20 imported against the subject EPCG Authorization, to one of their own unit/branch (The Oberoi, New Delhi) stating that these vehicles are lying as surplus at one of their unit/branch at "Trident – Nariman Point, Mumbai"; - Addresses of both the units/branches are included in IEC and RCMC. The Committee, therefore, decided to recommend to DG to allow transfer of the 5 remaining vehicles, out of total 20 imported against subject EPCG Authorization, from their unit at Trident – Nariman Point, Mumbai to The Oberoi, Delhi. The Committee, however, cautioned the firm to plan the imports as per their requirements. DG has approved the case.
18.	M/s Bhola Plastic Industries Pvt. Ltd., Delhi 01/36/218/ 98/AM-13/EPCG-I	0530137042 dated 22.09.2004	Condonation from block-wise EO in respect of EPCG Authorization No. 0530137042 dated 22.09.2004 for regularization purpose	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. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
19.	M/s Maisang Products Pvt. Ltd., Guwahati 01/36/218/ 24/AM-13/EPCG-I	1430000036 dated 05.09.2005	Condonation of shortfall in fulfillment of EO and Extension in EOP for 4 years against EPCG Authorisation No. 1430000036 dated 05.09.2005 issued to M/s Maisang Products Pvt. Ltd., Guwahati by O/o JDGFT, Guwahati	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. DG has approved the request. The Committee observed that the EOP of the Authorization is upto 04.09.2013 and came to the conclusion that the request regarding extension in EOP for 4 years is premature.
20.	M/s Fedders Lloyd Corporation Ltd., New Delhi 01/36/218/ 87/AM-12/EPCG-I	0530154076 dated 26.11.2010 and 0530154885 dated 25.02.2011	Permission for shifting Capital Goods imported against EPCG Authorisation No. 0530154076 dated 26.11.2010 and 0530154884 dated 25.02.2011 issued to M/s Fedders Lloyd Corporation Ltd., New Delhi	The Committee observed that: - In both the subject authorizations, the address of the factory was mentioned as Plot No. 5, UPSIDC Industrial Area, Sikandarabad, Bulandshahar, U.P.; - Due to expiry of lease of he said plot, the firm have been allotted another plot/location at Plot No. 6/1, UPSIDC Industrial Area, Sikandarabad, Bulandshahar, U.P.; - The firm had imported and installed 4 machines against EPCG Authorization No. 0530154885 at their supporting manufacturer's address located at "Lloyd Electric & Engineering Limited, Industrial Park II, Saleempur Mehdood, SIDCUL, Haridwar" and obtained installation certificate as well; - The firm is claiming that their supporting manufacturer is facing some technical problem and is unable to manufacture the desired export product using two machines out of the four machines and, therefore, they may be allowed to shift these two machines to their own unit at "Fedders Lloyd Corporation Limited, C-4, Industrial Area, Phase-II, Dist. – Gautam Budh Nagar, Noida, U.P. – 201305";

Sl No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
				Plot No. 6/1, UPSIDC Industrial Area, Sikandarabad, Bulandshahar, U.P.; "Lloyd Electric & Engineering Limited, Industrial Park II, Saleempur Mehdood, SIDCUL, Haridwar" and "Fedders Lloyd Corporation Limited, C-4, Industrial Area, Phase-II, Dist. – Gautam Budh Nagar, Noida, U.P. – 201305" are included in IEC and RCMC of the firm. The Committee, therefore, decided to allow (a) shifting of Capital Goods installed at "Plot No. 5, UPSIDC Industrial Area, Sikandarabad, Bulandshahar, U.P." to their new unit at "Plot No. 6/1, UPSIDC Industrial Area, Sikandarabad, Bulandshahar, U.P." in respect of both the Authorizations and (b) shifting of 2 Nos. of Capital Goods from their supporting manufacturer's address located at "Lloyd Electric & Engineering Limited, Industrial Park II, Saleempur Mehdood, SIDCUL, Haridwar" to their own unit located at "Fedders Lloyd Corporation Limited, C-4, Industrial Area, Phase-II, Dist. – Gautam Budh Nagar, Noida, U.P. – 201305" subject to the condition that the firm will furnish fresh installation certificate after shifting of Capital Goods.
21.	M/s CSG Networks Pvt. Ltd., New Delhi 01/36/218/ 100/AM-13/EPCG-I	0530151839 dated 19.04.2010	Exemption from requirement of putting the name of supporting manufacturer on the Shipping Bills by granting relaxation under Para 2.5 of Foreign Trade Policy for redemption of EPCG Authorization No. 0530151839 dated 19.04.2010	The Committee deliberated upon the case and decided to defer it with the direction to call for complete details about (a) EPCG Authorization (b) Supporting Manufacturer (c) Capital Goods installed and (d) Installation Certificate.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
22.	M/s M and M Auto Industries Limited, Gurgaon, Haryana 01/36/218/ 107/AM-13/EPCG-I	0530135913 dated 17.03.2004, 0530137381 dated 08.11.2004 and 0530139805 dated 27.10.2005	Extension in EOP and Condonation from block-wise fulfillment of EO against 3 EPCG Authorisation	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. 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. DG has approved the case.
23.	M/s Bharat Aluminium Company Limited, Chhattisgarh 01/36/218/ 145/AM-12/EPCG-I (Part File)		Permission for EPCG Authorization to domestically procure Bogie Alumina Tank Wagons (BTAP) and Break Vans (BVZI) under invalidation	Shri S. Varadharajan, Vice President (Indirect Taxation) appeared before the Committee and informed as under: - The Wagons in question are totally different from the normal wagons; - These cannot be used for other purpose; - These wagons are used to carry Calcined Alumina from another location viz. at Lanjigah, Orissa to Korba; - As per the agreement exchanged with Railway authorities, these wagons are exclusive designed for Calcined alumina and can be used only for this purpose; - BTAP are specially designed wagons which are essentially required for carrying out pre-production as well as post-production activity; - BTAP wagons are used for movement of manufactured calcined alumina which is the raw material for the manufacture of aluminium ingots and other aluminium products;

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
				g. These wagons should be exclusively used by them for production activity and are not intended to be used for leasing to Indian Railways or any other Third Party as a Public Transport on rental basis; h. These specially designed wagons are made only to meet the specific requirement of their type of industry and cannot be used as a Public Transport Vehicle; i. The BVZI wagons are used along with rake of BTAP wagons for transportation of calcined alumina in the aluminium smelter; j. They have already obtained prior permission from M/s Railways for importing as well as running such wagons under Liberalized Wagon Investment Scheme (LWIS) in the past. The technical member from the Department of Heavy Industry confirmed that: a. The BTAP and BVZI wagons are especially designed i.e. specialized, and not ordinary, wagons for carrying manufactured calcined Alumina from one place to another place; b. Calcined Alumina, which is the raw material for the manufacture of aluminium ingots and other aluminium products, is required to be carried in seal tight containers for preventing it from contamination/moisture and to preserve its intrinsic properties. These wagons are suitable for this purpose. The Committee taking into account the details furnished by the representative of the firm and confirmation by the technical member decided to recommend to DG to allow import of BTAP and BVZI wagons to the firm with the conditions that these will not be leased to the Railways and will not be used for Public transport on rent.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee DG has approved the case.
24.	M/s Bharat Aluminium Company Limited, Chhattisgarh 01/36/218/ 145/AM-12/EPCG-I (Part File)	0530135942 dated 24.03.2004	Enhancement in EO by 10% in lieu of 2% composition fee in terms of Para 5.11 of HBP v1	The Committee observed that the firm's request is to grant them the benefit of 10% enhancement in Export Obligation as per Para 5.11 of HBP v1 in lieu of 2% composition fee prescribed for condonation from block-wise EO as per Para 5.8.3 of HBP v1. The Committee also observed that Para 5.11 of HBP v1 relates to extension in EOP (where there is an option of 10% enhancement in Export obligation in lieu of payment of 2% composition fee) whereas Para 5.8.3 of HBP v1 relates to condonation from shortfall in fulfillment of requisite percentage of block-wise Export Obligation and, therefore, decided not to grant the benefit as both the provisions are totally distinct.
25.	M/s American International Health Management Ltd., Udaipur (Rajasthan) 01/36/218/ 109/AM-13/EPCG-I	1330000635 dated 13.07.2004	Extension in EOP for 2 years and Condonation from block-wise fulfillment of EO	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. 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. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
26.	M/s Deepak Cables (India) Limited, Bangalore 01/36/218/121/AM-13/EPCG-I	0730006061 dated 07.09.2007	Extension in time period for submission of Installation Certificate	The Committee observed that: - The firm could not obtain the Installation Certificate within the time period stipulated in Para 5.3.1 of HBP v1 due to inordinate delay in project implementation; - The firm were adding more items to their products range as part of their company's expansion of operations and for accomplishing the task they had imported the machinery; - Technical modifications to existing factory were required as Vulcanisation line itself required about 120 meters and supporting equipments and provision to cool inert atmosphere of pure Nitrogen had to be provided upon receipt of Capital Goods; - Quality of water available also required installation of treatment plant; - They continued to explore all possibilities for installation but constraint of space became major threat; - The firm have now located a place in Odisha for installation of the machinery. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation in delay in submission of Installation Certificate and extension in time for submission of Installation Certificate upto 31.03.2013 subject to the submission of fresh Installation Certificate. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
27.	M/s Hero MotoCorp Ltd. 01/36/218/120/AM-13/EPCG-I	0530154988 dated 10.03.2011	Approval to mention name and address of supporting manufacturer in the EPCG Authorization and also allow shifting of Dies to supporting manufacturer	The Committee observed that - the Company intend to shift 4 sets of Dies, imported against the subject Authorization, to their Supporting manufacturer M/s Shiv Tools Eng Pvt. Ltd. (Plant II), Plot No. 315, Dabua Nawada Road, NIT Faridabad(Haryana); - Fresh Installation Certificate in respect of Dies shifted will be submitted by the firm within 6 months from the date of shifting; - These "Dies" will remain with supporting manufacturer as sole property of the Company and will not be shifted to any other place; - The item manufactured from these dies not be sold to any other parties; - The Company M/s Hero Moto Corp Ltd. will be solely responsible for fulfillment of EO; The Committee, therefore, decided to allow endorsement of name and address of supporting manufacturer in the EPCG Authorization and also to shifting of 4 sets of 'Dies' to supporting manufacturer.
28.	M/s Prime Ophthalmic Products (P) Ltd., Goa 18/89/AM-13/EPCG-II	1730000296 dated 09.11.2004	The firm has requested for Extension in export obligation period for two years against EPCG authorization No.1730000296 dated 09.11.2004	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. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
29.	M/s Rathna Offset Printers, Chennai 18/114/AM-13/EPCG-II	0430001888 dated 25.08.2004	The firm has requested for Extension in export obligation period for two years and condonation of block-wise EO against EPCG authorization No.0430001888 dated 25.08.2004	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. 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. DG has approved the case.
30.	M/s Samtel color Ltd., New Delhi 18/112/AM-13/EPCG-II	01500366 dated 16.04.1996	The firm has requested for condonation of block-wise EO and shortfall upto 4.72% in EO against EPCG authorization No.01500366 dated 16.04.1996 and	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 firm may approach concerned Regional Authority in respect of their request for condonation in shortfall of 4.72% in specific Export Obligation in term of Para 5.12 of HBP v1. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
31.	M/s Polygenta Technologies Limited, Mumbai 18/104/AM-13/EPCG-II	0330022844 dated 24.04.2009 and 0330022020 dated 12.12.2008	Counting of excess export made against EPCG authorization No.0330022844 dated 24.04.2009 for fulfilment of EO against EPCG authorization No.0330022020 dated 12.12.2008.	The committee observed that the request of the firm is regarding counting of excess exports made against EPCG Authorization No.0330022844 dated 24.04.2009 towards fulfilment of EO against EPCG Authorization No.0330022020 dated 12.12.2008. The Committee arrived at the conclusion that exports made under licence No.0330022844 dated 24.04.2009 should be allowed to be used for discharge of export obligation of EPCG Authorization No.0330022020 dated 12.12.2008 provided the exports made are within the validity period of EOP of the authorizations. The Committee, therefore, decided to recommend the case to DG for relaxation under Para 2.5 of FTP for counting of excess exports against an EPCG Licence for fulfilment of EO in respect of other EPCG Licences. DG has approved the case.
32.	M/s Strong Strap Pvt. Ltd., Ahmedabad 18/115/AM-13/EPCG-II	0330012796 dated 03.08.2006 & 0330015604 dated 28.03.2007	The firm has requested for condonation of block-wise EO against EPCG authorization No.0330012796 dated 03.08.2006 & No.0330015604 dated 28.03.2007.	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. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
33.	M/s Power Build Ltd., Vallabh Vidyanagar, Gujrat 18/76/AM-13/EPCG-II	3430000185 dated 27.11.2003	The firm has requested for Extension in export obligation period for two years against EPCG authorization No.3430000185 dated 27.11.2003	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. Although the firm have not requested for condonation from fulfilment 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 as the extension in EOP cannot be granted until condonation from block-wise EO is allowed. DG has approved the case.
34.	M/s Enchante Jewellery Limited, Gurgaon, Haryana 01/36/218/211/AM-11/EPCG-I	P/CG 2134008 dated 02.03.1995	Extension in EOP upto March, 2006 – WP(C) No. 7803/2002 – WP No. 467/2012 – Subjudice matter – Next date of hearing 15.10.2012	The Committee observed that : - The licence was issued in 1995; - EOP was for 5 years; - The firm could not complete the EO within EOP and requested for extension; - DGFT asked them to submit the required BG; - DRI raided the Company and issued an SCN for failing to fulfill EO; - The Company filed a WP in Hon'ble High Court of Delhi; - The Court directed on 08.10.2002 that proceedings under FTDR Act are expeditiously concluded and a decision is taken on the issues and objections raised by the petitioner as are legally admissible; - After the court's direction, the firm's request was considered several times and was finally rejected by PRC;

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
				i. The matter was examined again as there was a shortfall in fulfillment of EO in \$ terms; j. The matter was examined again and the it was observed that the request cannot be acceded to as some shipment cannot be counted for discharge of EO; k. The Company has been declared <u>sick</u>; however, Rehabilitation package has not been finalized by them; l. The request of the firm for extension of EOP till 2005 was again rejected with the approval of DG and communicated vide letter dated 22.11.2011; m. the provision regarding BIFR was included in the Foreign Trade Policy in 2002; As per the directions of BIFR of 18.05.2009, DGFT was urged to expedite the decision on the request of the Company for granting benefit of Para 5.5.1 of FTP. n. the firm have again filed Writ Petition in High Court of Delhi; o. the firm is ready to withdraw their writ petition if extension in EOP is granted to them. The Committee deliberated on the case in detail and noted that there was no package announced by BIFR till date. However, considering the fact that this is BIFR registered Company, DGFT may take a view in the matter on file.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
35.	M/s Suner Marbles & Granites Pvt. Ltd., Jaipur 18/136/AM-12/EPCG-II	Capital Goods Licences No. 2096887 dated 19.11.1984 and No. 2043054 dated 01.12.1988	Deletion of export obligation condition in terms of DIPP Press Note No.3 (2001 series) dated 25.04.2001 and Ministry of MSME Notification S.O. No.1169(E) dated 20.10.2004.	The case was discussed in the meeting held on 06.08.2012 and was deferred with the direction to call for the comments of Department of Industrial Policy and Promotion (DIPP). DIPP in his comments has stated that (a) as per Notification No.477(E) dated 25.07.1991, the item "Roofing Tiles –Marble & Flooring Tiles Marble less than 10 MM thickness" were not reserved from SSI sector at that time. (b) Secondly, the firm was granted DGTD registration dated 14.03.1998 for the manufacture of Marble Flooring Tiles (below 10MM thickness only) wherein no export obligation was imposed on them. (c) Since the item was not reserved for small scale sector, this office has no objection for deletion of export obligation imposed on these two licences. In view of the above comments of DIPP, the Committee decided to recommend to DG for relaxation under Para 2.5 of FTP for deletion of export obligation condition imposed against Capital Goods Licences No. 2096887 dated 19.11.1984 and No. 2043054 dated 01.12.1988. DG has approved the case.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
36.	M/s M.V. Enterprises, New Delhi 01/36/218/106/AM-13/EPCG-I	0330013916 dated 13.11.2006; 0530145374 dated 08.01.2008; 0530145907 dated 31.03.2008; 0530147389 dated 06.10.2008; 0530148796 dated 15.04.2009; 0530151072 dated 28.01.2010; 0530151073 dated 28.01.2010 and 0530153519 dated 24.09.2010.	Consideration of exports of Group Company for fulfilment of Export Obligation against 8 EPCG Authorizations as the whole factory gutted in fire due to short circuit	The Committee decided to defer the case for detailed discussion during the next meeting.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee
37.	M/s Hariomarmo Grani Pvt. Ltd., Udaipur, Rajasthan 01/36/218/137/AM-12/EPCG-I	1330000174 dated 21.10.2002 1330000196 dated 11.12.2002 1330000170 dated 11.10.2002	a. EO extension in terms of para 5.11 current HBP Volume 1 read with Para 2.5 of current FTP for EO period extension on 2% composition fees for each Blocks, 2% of proportionate duty for 9th & 10th each year and on 50% Custom duty payment of Rs. 17.62 Lacs for 11th & 12th year within outer limit of extension up to October 2014. b. Clubbing of 3 EPCG Licenses to take the advantage of Excess exports of 19.84% in 1 of the Licenses with short export in other Licenses as per Para no 5.18 of current HBP v1. c. Allowing amendment in the export product for inclusion of other products within same category by amending the description from "Marble Granite Dolomite and Other Stones Blocks" to "Marble Granite Dolomite and Other Stones Blocks/Slabs/Tiles" d. Fulfillment of Export Obligation under Third Party Exports using its EPCG Machinery as manufacturer for part export obligation due to stiff market condition internationally.	The Committee decided to defer the case for detailed discussion during the next meeting.

SI No.	Firm's Name and Numbers	Licence No./ Date	Subject	Decision of the Committee