

MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH , ADGFT AT 1430 Hours on 23.10.2013

Following officers attended the meeting:

- a. Shri Akash Taneja, Joint DGFT, Directorate General of Foreign Trade
 - b. Shri K. K. Tiwari, Industrial Adviser, Department of Heavy Industry
 - c. Shri K. K. Sinha, Industrial Adviser, Department of Industrial Policy and Promotion
 - d. Shri V. K. Kohli, Director, O/o Textile Commissioner, Noida
 - e. Shri A. K. Pandey, Sr. Technical Officer, Department of Revenue
 - f. Shri D. V. S. P. Varma, Deputy Director General, Directorate General of Foreign Trade
2. Minutes of the last Meeting held on 30.08.2013 were confirmed.
3. 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 SRS Knit Fab 01/37/218/121/AM-14/EPCG-II	3030002372 dated 22.01.2007	Condonation of block-wise EO for the 1 st block	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
2.	M/s Poly Medicure Limited, New Delhi 01/37/218/123/AM-14/EPCG-II	0530149916 dated 24.09.2009 0530150849 dated 05.01.2010 0530151314 dated 19.02.2010 0530153163 dated 23.08.2010 0530153271 dated 03.09.2010 0530156104 dated 28.07.2011	Acceptance of installation certificate issued by Chartered Engineer	The Committee deliberated upon the case and decided to defer it with the direction to obtain confirmation from Central Excise Authority about the installation of Capital Goods.
3.	M/s Vedanta Aluminium Limited 01/37/218/133/AM-14/EPCG-II	N.A	Grant of EPCG Authorization for import of "Metal Transport Vehicle (MTV)" [ITC (HS) Code: 84289090]	The technical members of the Committee confirmed that the equipment to be imported is a machinery to be used for production purpose only and not for transportation on road. Hence, the Committee decided to allow issuance of EPCG Authorization for import of the same.
4.	M/s Vedanta Aluminium Limited, Jharsuguda 01/37/218/134/AM-14/EPCG-II	0530142538 dated 30.11.2006 0530142807 dated 10.01.2007 0530143144 dated 28.02.2007	Condonation of delay in submission of installation certificate	The Committee observed that the firm had already obtained Installation Certificate from Central Excise and decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of 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
5.	M/s Shree Laxmi Glasstech 01/37/218/115/AM-14/EPCG-II	1330003789 dated 09.05.2013	Grant of permission for change of installation of capital goods from leased premises to their own premises	The Committee observed that the firm could not install the Capital Goods in their rented/leased premises located at H-118, Bhadrana, VKI Area, Jaipur due to dispute raised by land owner and have taken another premises at H-1/163, VKI Area Extension (Bhadrana), Jaipur – 302013 for installation of Capital Goods. The Committee, therefore, decided to allow installation of Capital Goods at their factory premises at H-1/163, VKI Area Extension (Bhadrana), Jaipur – 302013.
6.	M/s SKH SILA India Pvt. Ltd. 01/37/218/112/AM-14/EPCG-II	3130004302 dated 06.11.2009	Shifting of capital goods form one unit to other unit	The Committee observed that both the addresses i.e. the address endorsed in EPCG Authorization and the address of other unit where Capital Goods have been actually installed are mentioned in IEC and, therefore, decided to allow shifting of Capital Goods from their Pune Plant to their plant located at <i>Khasra No. 970/1971, NH-8, Delhi-Jaipur Highway, Shikopur, Gurgaon</i> subject to the condition that the firm will submit fresh Installation Certificate within 6 months from the date of shifting.

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7.	M/s Sterlite Technologies Limited 01/37/218/136/AM-14/EPCG-II	3130002200 dated 10.01.2007 3130002583 dated 19.07.2007 3130002760 dated 25.10.2007 3130004003 dated 28.04.2009 3130004866 dated 11.06.2010 3130005006 dated 04.08.2010	Shifting of capital goods from one unit to other unit	The Committee observed that both the addresses i.e. the address endorsed in EPCG Authorization and the address of other unit where Capital Goods have been actually installed are mentioned in IEC. The new address is also mentioned in RCMC. The Committee, therefore, decided to allow shifting of Capital Goods from their Plant located at 2D, Sec-10, Integrated Industrial Estate, Haridwar-263145 to their plant located at Build C PTB Div. Survey No. 209 and 203/2, Phase-II, Piparia Industrial Estate, Piparia, UT of D&N Haveli - 396230 subject to the condition that the firm will submit fresh Installation Certificate within 6 months from the date of shifting.
8.	M/s Sanghvi Forging and Engineering Limited 01/37/218/117/AM-14/EPCG-II	3430002152 dated 07.05.2012	Condonation of delay in submission of installation certificate	The Committee observed that the firm had already obtained Installation Certificate from Central Excise and decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of delay in Installation of Capital Goods. This has the approval of DG.
9.	M/s Singhvi Paper Products (P) Limited 01/37/218/129/AM-14/EPCG-II	0430000709 dated 29.07.2002	Extension in Export Obligation Period	The Committee decided to recommend to DG for relaxation under Para 2.5 of FTP to allow extension in EOP for 2 years, beyond first extension of 2 years, on payment of 50% Customs Duty in proportion to unfulfilled EO in terms of provisions contained in Para 5.11(b) 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
10.	M/s Paranjape Metal Shapers Pvt. Ltd, Pune 01/37/218/127/AM-14/EPCG-II	3130002099 dated 14.11.2006	(a) Condonation of delay and relaxation in obtaining installation certificate from Central Excise Authority. (b) Acceptance of shipping bills without authorization number and date as per Policy Circular No. 7 dated 11.07.2002	(a)The Committee noted that: i. the EO has been stated to be fulfilled by the firm; ii. the firm had obtained Installation Certificate from Chartered Engineer as per which date of installation is 02.03.2007; iii. Central Excise Authority has requested the firm to furnish the Installation Certificate failing which penal action will be initiated against the firm to recover the duty+interest. The Committee deliberated upon the case and decided to recommend to DG for relaxation under Para 2.5 of FTP to allow condonation of delay in submission of Installation Certificate from Central Excise subject to the condition that the firm will furnish the same within 3 months. This has the approval of DG. (b) In respect of the firm's request regarding acceptance of shipping bills without authorization number and date as per Policy Circular 7 dated 11.07.2002, the Committee decided to remand the case to the concerned Regional Authority for examination and further necessary action.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
11.	M/s Prism Knit-Fab (P) Limited 01/37/218/84/AM-14/EPCG-II	0230000211 dated 04.04.2002	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 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/Para 5.8.2 of HBP v1 (RE:2013). This has the approval of DG.
12.	M/s Meramax Private Limited 01/36/218/148/AM-11/EPCG-I	0330015155 dated 21.02.2007	Condonation for partial export obligation of US\$ 17,08,314/- (Rs. 7,52,51,225/-) under EPCG License No. 0330015155 dated 21.02.2007 as per Para 5.11.2 of HBP v1 2004-09 in relaxation of Policy Provision under Para 2.5 of FTP 2004-09 on the grounds of genuine hardship and unforeseen circumstances beyond their control	The Committee considered the case and points raised by the representative of Department of Revenue. It was decided that the party should fulfill Export Obligation as Export Obligation Period was still valid or they may regularize the case in terms of Para 5.14 of HBP v1. For this, they may claim insurance benefit if they feel so.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
13.	M/s Mehta Print Arts Private limited 01/36/218/126/AM-14/EPCG-I	0530141573 dated 24.07.2006 0530154587 dated 20.01.2011	Condonation of delay in getting installation certificate from jurisdictional Excise Authority against 2 EPCG Authorizations No. 0530141573 dated 24.07.2006 and 0530154587 dated 20.01.2011. Acceptance of installation certificates from independent chartered engineer	The Committee observed that the firm had already obtained Installation Certificate from Central Excise and decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of delay in Installation of Capital Goods. This has the approval of DG.
14.	M/s Bangera Seaworld Private Limited 01/36/218/156/AM-14/EPCG-I	6 EPCG Authorizations issued during AM-13	Condonation of delay in installation of capital goods in respect of 6 EPCG Authorizations issued during AM-13	The Committee observed that the export product is claimed to be non-excisable and the firm have already taken Chartered Engineer Certificate for Installation of Capital Goods. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of 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
15.	M/s Bhadra International (India) Private Limited 01/36/218/127/AM-13/EPCG-I	0530156655 dated 03.10.2011	Condonation of delay in submission of Installation certificate in respect of EPCG Authorization No. 0530156655 dated 03.10.2011	The Committee observed that the Authorization Holder is a Service Provider and has already obtained Installation Certificate from Chartered Engineer. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of delay in Installation of Capital Goods. This has the approval of DG.
16.	M/s Arihant Tiles & Marbles Pvt. Ltd. 01/36/218/48/AM-14/EPCG-I	1330000416 dated 17.12.2003	Condonation for slight deviation in description of capital goods imported against EPCG Authorization No. 1330000416 dated 17.12.2003	The Committee deliberated upon the case in detail and decided to defer the case. It was decided to call from the party a copy of Custom attested Invoice of Capital Goods bearing technical details/specifications.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
17.	M/s India Forge & Drop stampings Limited 01/36/218/111/AM-14/EPCG-I	3130001502 dated 27.12.2005	(a) Condonation from requirement of maintaining average EO year-wise (b) Condonation from non-mentioning of EPCG License No. and date on shipping bills in respect of EPCG Authorization No. 3130001502 dated 27.12.2005	a. The Committee observed that the firm have shortfall in average EO in the year 2006-07 however they have excess average export obligation in the years 2007-08 and 2008-09 which covers the shortfall in Average EO in the year 2006-07. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for Condonation from requirement of maintenance of average EO year-wise. This has the approval of DG. b. The Committee decided to remand back the case to the concerned RA to examine the request of the firm regarding condonation from non-mentioning of EPCG Licence No. and date on shipping bills.

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18.	M/s Arun Plasto Moulders (India) Pvt. Ltd. 01/36/218/118/AM-14/EPCG-I	0430002267 dated 13.01.2005	Condonation of block-wise EO and nexus certification against EPCG Authorization No. 0430002267 dated 13.01.2005	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). The technical members of the Committee indicated that there is nexus between import item (Engel Injection Moulding Machine, Hot Stamping Machine for cosmetic cap material P.P for small cap and Hot stamping machine for cosmetic cap material P.P for big cap) and export product(Laminated tubes excluding items reserved for SSI sector). The Committee, therefore, certified the nexus. This has the approval of DG.
19.	M/s Alphamed Formulations Private Limited 01/36/218/140/AM-14/EPCG-I	0930007379 dated 11.08.2011	Condonation of delay in submission of Installation Certificate in respect of EPCG Authorization No. 0930007379 dated 11.08.2011	The Committee observed that the firm had already obtained Installation Certificate from Central Excise and decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of delay in Installation of Capital Goods. This has the approval of DG.

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20.	M/s Asian Hotels (North) Limited 01/36/218/170/AM-14/EPCG-I	0530150885 dated 07.01.2010	Change of place of Installation of Capital Goods	The Committee observed that: - The subject licence was issued to them {M/s Asian Hotels (North) Limited, New Delhi} who are the owners of the Vehicle; - The BMW cars imported for their Group Company M/s Magus Estates & Hotels Limited, Mumbai are not running as per their expectations; - They have decided to bring these vehicles to their Hyatt Regency Delhi Hotel; - The firm have been informed by the JDGFT, CLA, New Delhi to approach DGFT Headquarters for permission to change of place of installation against the subject EPCG Authorization; - Party is confident that they shall be able to fulfil the Foreign Exchange requirements at Hyatt Regency, Delhi within EO Period. The Committee, therefore, decided to allow change of place of Installation of Capital Goods from their Group Company Hotel M/s Magus Estates & Hotels Limited, Mumbai to their Hotel located at Hyatt Regency, Delhi. The Committee also allowed endorsement of their Delhi address (Bhikaji Cama Place, M. G. Marg,

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
21.	Dr. Kavita Gupta, Additional DGFT, Mumbai 01/36/218/159/AM-14/EPCG-I	Not Applicable	Issue regarding delay in installation of capital goods under the EPCG Scheme (Acceptance of Condonation of delay in installation of Capital Goods granted by customs Authorities in cases of grant of Installation Certificates by them beyond 6 months from date of completion of imports)	The Committee decided that the issue may be examined on file .
22.	M/s Jayalakshmi Textiles (P) Limited 01/36/218/173/AM-14/EPCG-I	5 EPCG Authorizations issued during AM-2007	Condonation of block-wise (first block) Export Obligation in respect of 5 EPCG Authorizations issued during AM-2007	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee															
23.	M/s Akkaya Consultancy Services (Reference also received from RA, Bangalore) 01/36/218/167/AM-14/EPCG-I	Not Applicable	Issuance of EPCG Authozation for import of items meant fro amusement park, back water entertainment etc.	The issue had been discussed in the Committee. It was observed that the party has sought for 72 items and most of which did not appears to the covered in the definition of Capital Goods. However, the party has, subsequently, submitted a list of 4 items only which were Capital Goods for providing services (Recreational Service). The Committee, therefore, cleared only the following 4 items for consideration by RA: <table><tr><th>Item</th><th>No. of pieces</th><th>Code(as given by the party)</th></tr><tr><td>Yamaha Jet Ski 700VX(Water Scooter)</td><td>1</td><td>95062900</td></tr><tr><td>Trolley (Non-mechanised motorless trailer for transporting water scooter.)</td><td>1</td><td>87161000</td></tr><tr><td>2013 Duchmen Denali 324 LBS (Non mechanized motor less trailer)</td><td>1</td><td>87161000</td></tr><tr><td>2013 18x18 Air ranger Guide Boat with standard spares</td><td>1</td><td>89011030</td></tr></table>	Item	No. of pieces	Code(as given by the party)	Yamaha Jet Ski 700VX(Water Scooter)	1	95062900	Trolley (Non-mechanised motorless trailer for transporting water scooter.)	1	87161000	2013 Duchmen Denali 324 LBS (Non mechanized motor less trailer)	1	87161000	2013 18x18 Air ranger Guide Boat with standard spares	1	89011030
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Yamaha Jet Ski 700VX(Water Scooter)	1	95062900																	
Trolley (Non-mechanised motorless trailer for transporting water scooter.)	1	87161000																	
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2013 18x18 Air ranger Guide Boat with standard spares	1	89011030																	

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24.	M/s Global Health Private Limited 01/36/218/35/AM-14/EPCG-I	No. 20158688 dated 29.06.2012	Permission to sell the damaged capital goods as scrap exemption from provision of Para 5.4 of FTP (RE: 2012) and exemption from provision of Para 5.3.1(c) of HBP v1 (RE: 2012)	The Committee observed that the firm is a 'Service Provider' and out of the 5 capital goods imported against the subject Authorization one was found totally damaged on opening the container. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP to exempt the firm from Actual User Condition (Para 5.4 of FTP) and from submission of Installation Certificate (Para 5.3.1 of HBP v1) subject to the condition that (a) the firm will fulfill 100% Export Authorization imposed on the subject EPCG Authorization and no proportionate reduction in EO will be allowed (b) the firm will not ask for any waiver of Export Obligation and (c) the firm will not ask for any replacement to the damaged Capital Goods. This has the approval of DG.
25.	M/s D.P. Cocoa Products (P) Limited 01/36/218/174/AM-14/EPCG-I	2230000444 dated 26.10.2006 2230000514 dated 13.12.2006 2230000575 dated 14.02.2007 2230000576 dated 14.02.2007	Condonation of block-wise EO fulfillment in respect of 4 EPCG Authorizations (No.2230000444 dated 26.10.2006, No.2230000514 dated 13.12.2006, No.2230000575 dated 14.02.2007 and 2230000576 dated 14.02.2007)	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). This has the approval of DG.

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26.	M/s Bharat Aluminium Company Limited, Korba 01/36/218/129/AM-14/EPCG-I	0530136177 dated 07.05.2004	Extension in EOP and Condonation of shortfall in block-wise EO in respect of EPCG Authorization No. 0530136177 dated 07.05.2004	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/Para 5.8.2 of HBP v1 (RE: 2013). 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.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
27.	M/s Dulari Exports Private Limited, Gurgaon 01/36/218/169/AM-14/EPCG-I	10 EPCG Authorizations issued during AM-04	Extension in EOP, Condonation of shortfall in block-wise EO and Condonation from year wise maintenance of Average EO as they have completed the entire AEO during the 10 years of EOP/extended EOP in respect of 10 EPCG Authorizations issued during AM-04	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/Para 5.8.2 of HBP v1 (RE: 2013). 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.1 for regularization of their case. The Committee also recommend to DG for relaxation under Para 2.5 of FTP for Condonation from requirement of maintenance of average EO year-wise as the firm have fulfilled the Average EO + specific EO in toto. This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
28.	M/s Bharat Textiles and Proofings Industries Limited 01/37/218/245/AM-13/EPCG-I	P/CG/2133815 dated 11.01.1995	Grant of one year extension from 31.03.2003 for regularization of Exports in respect of EPCG Authorization No. P/CG/2133815 dated 11.01.1995	The Committee examined the issue and the Court's order. It was, thereafter, decided to recommend to DG for grant of extension of one year in EOP i.e. upto 31.03.2003 for the purpose of regularization. This has the approval of DG.
29.	M/s Reliance Infrastructure Limited, Mumbai 18/184/AM-13/EPCG-II	0330029636 dated 01.06.2011 0330029874 dated 30.06.2011 0330030896 dated 21.10.2011	Import of cranes under EPCG scheme	The Committee decided to defer the case for want of comments from DOR.
30.	M/s Veer Overseas Limited, Karnal 01/37/218/138/AM-14/EPCG-II	3330002980 dated 19.08.2013	Grant of EPCG Authorization for import of "Control Panel and Wired Cabinets.	The technical members of the Committee confirmed that the item 'Control Panel and Wired Cabinet' is an integral part of the dryer plant and is not used in the production/transmission of electricity. The Committee therefore decided to allow import of this item along with the capital goods under EPCG Scheme.
31.	M/s Kalyani Hayes Lemmerz Limited, Pune 01/36/218/132/AM-14/EPCG-1	3130000434 dated 18.07.2003	Nexus approval required against EPCG License No. 3130000434 dated 18.07.2003	The Committed decided to refer the case to the concerned RA to examine the case in terms of Point 9 of Policy Circular No. 12 dated 17.01.2011.

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32.	M/s Bharat Aluminium Company Limited, 01/36/218/145/AM-12/EPCG-1	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 members felt that the provision of Para 5.11 (a) could be logically applied in respect of Para 5.8.3 of HBP v1 also. However, the view of representative of Department of Revenue was that there is no specific provision in Para 5.8.3 of HBP v1, the case need not be considered. The Committee considered those cases which are not under the Policy provisions and hence it was felt that the Committee recommends the case to DG to take a final call in respect of relaxation under Para 2.5 of FTP. This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
33.	M/s Tiger Steel Engineering (India) Pvt. Ltd. 01/37/218/89/AM-14/EPCG-II	0330011535 dated 29.03.2006	Regularization of installation of capital goods at other unit	The Committee observed that both the addresses i.e. the address of one unit located at Murbad and endorsed in EPCG Authorization and the address of other unit located at Haridwar where Capital Goods have already been shifted are mentioned in IEC and RCMC and, therefore, decided to allow shifting of Capital Goods, for regularization purpose from their Murbad Unit to their plant located at <i>Plot No. 4, Sector No. 12, Integrated Industrial Estate, BHEL, Haridwar, Uttaranchal – 249403</i>. The Committee also observed that the firm had already obtained Installation Certificate from Central Excise and decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of delay in Installation of Capital Goods. This has the approval of DG.
34.	M/s Varuna Spinning Mills (P) Limited 01/37/218/140/AM-14/EPCG-II	0430003214 dated 06.12.2005	Condonation of block-wise EO for the 1 st block	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). This has the approval of DG.

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35.	M/s P.M.P Textiles Spinning Mills Limited 01/37/218/52/AM-14/EPCG-II	0430003792 dated 08.06.2006	Condonation from maintenance of year-wise average EO and block wise E.O.	The Committee noted that the firm has not maintained average EO during the first block and, therefore, there is 100% shortfall in specific EO during the first block. The Committee, therefore, referred the case to RA for examining the EO fulfillment properly as per the Policy and 2% composition fee may be imposed for entire EO because specific EO can be fulfilled only after fulfillment of average EO.
36.	M/s Samrat Plywood Limited 01/37/218/142/AM-14/EPCG-II	2230000373 dated 17.08.2006	Condonation of block-wise EO for the 1 st block	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
37.	M/s Weir Minerals (India) Private Limited 01/37/218/146/AM-14/EPCG-II	0730011279 dated 17.05.2012	Shifting of capital goods from one unit to other unit.	The Committee observed that the firm had installed the Capital Goods at their unit located at Weir Minerals India Private Limited, Shed No. 2, Survey No. 130, Hoskur Road, Dasanapura Village, Bangalore North Taluk, Bangalore North, Karnataka – 562123 and had obtained Installation Certificate from Central Excise. Now, the firm wants prior permission to shift the Capital Goods to their unit located at Weir Minerals India Private Limited, Shed No. 1, No. 61/2 B Virgonagar, Avalahalli, Bangalore. Both the addresses are mentioned in IEC and RCMC. The Committee, therefore, allowed shifting the Capital Goods from their Dasanapura unit to Avalahalli Unit.
38.	M/s Pearl Mineral and Mines Private Limited 18/06/AM-14/EPCG-II	N.A.	Issuance of EPCG Authorization for import of 'Caterpillar 770 off-highway Truck' and caterpillar 770 G Rear Dumper	The Committee observed that The Automotive Research Association of India (ARAI) has already clarified that the import items viz. Caterpillar 770 Off-highway Trucks are not intended for plying on the road. Technical members also supported the view of ARAI. The Committee, therefore, decided to allow import of Caterpillar 770 Off-highway Trucks under EPCG Scheme subject to the condition that it will be used in the mining area only.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
39.	M/s Raga Engineers 01/37/218/116/AM-14/EPCG-II	0530137426 dated 22.11.2004	Condonation of block-wise EO and extension in EOP	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). 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.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
40.	M/s Viown Mettube Private Limited 01/37/218/143/AM-14/EPCG-II	0530139514 dated 09.09.2005 and 0530138947 dated 24.06.2005	Condonation of block-wise EO and extension in EO period.	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). 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.
41.	M/s Claris Lifesciences Limited 01/36/218/153/AM-14/EPCG-I	15 EPCG Authorizations issued during AM-08 to AM-14	Transfer of EPCG Authorizations on account of transfer of business to M/s Claris Otsuka Limited	The Committee observed that - M/s Claris Lifesciences Limited wants to transfer the EPCG Authorizations issued to them to M/s Claris Otsuka Limited, which is a JV Company, on account of transfer of infusion business by the former to the latter; - A licence transfer agreement dated 22.07.2013 has been executed between the Company and the JV Company;

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
				The Committee would be installed/remain installed at the manufacturing facility namely Clarion-2 and Clarion-4; d. M/s Claris Otsuka Limited have undertaken that they will fulfill the EO against EPCG Authorizations and will not remove, sale, transfer or otherwise dispose of the CGs until EO is completed; a. They [M/s Claris Otsuka] are also ready to abide by terms and conditions stipulated in the EPCG Scheme and such other conditions as may be imposed by the licensing authority; b. RA, Ahmedabad has stated that it has no objection, if the obligation is transferred to M/s Claris Otsuka Limited on account of transfer of business. The Committee, therefore, decided to allow transfer of EPCG Authorization issued to M/s Claris Lifesciences Limited to M/s Claris Otsuka Limited subject to submission of fresh BG/LUT.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
42.	M/s Baxter (India) Private Limited 01/36/218/192/AM-14/EPCG-I	10 EPCG Authorizations issued during AM-09 to AM-11	Condonation of delay in Installation of Capital Goods imported against 10 EPCG Authorizations obtained during AM-09 to AM-11 as the date of installation in beyond 6 months from the date of completion of imports	The Committee observed that the firm had already obtained Installation Certificate from Central Excise and decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of delay in Installation of Capital Goods. This has the approval of DG.
43.	M/s Kanodia Global Private Limited (Formerly Kanodia Hosiary Mills Pvt. Ltd.) 01/36/218/25/AM-14/EPCG-I	0530143462 dated 13.04.2007	Condonation in terms of Para 2.5 of FTP for installation of capital goods imported against EPCG Authorization No. 0530143462 dated 13.04.2007 at their premises at Panipat which is a place other than mentioned in their application /EPCG Authorization	The Committee observed that: a. The firm were clear while applying the licence that they would not be able to install the Capital Goods at their New Delhi premises on account of shortage of space but they did not delay the import as they were confident that by the time the licence was issued and Capital Goods arrived they would be able to finalize the premises at Panipat; b. Vide their letter dated 18.06.2007, they applied to CLA for addition of their Panipat premises in their IEC; c. The Panipat premises was added in their IEC on 06.07.2007; d. Out of 7 Capital Goods imported, only one Capital

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
				Goods were installed on 30.06.2007 at Panipat after hiring the Panipat premises on 22.05.2007 and before inclusion of Panipat premises in the IEC; e. All the remaining 6 CGs were installed at Panipat premises after inclusion of Panipat premises on 06.07.2007; f. They are Export House and against this EPCG Authorization they have completed the EO in less than 4 years. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation for installation of Capital Goods at a place other than mentioned in EPCG Authorization i.e. at Panipat subject to the condition that the firm will submit Installation Certificate from Central Excise to the concerned RA. This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
44.	M/s Kuteer Equipment Private Limited 01/36/218/195/AM-14/EPCG-I	2230000297 dated 29.03.2006	Condonation of block-wise EO and Extension in EOP in respect of EPCG Authorization No. 2230000297 dated 29.03.2006	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). In respect of the firm's request regarding extension in EOP, the Committee advised that the firm may approach the concerned RA as it was within their power. This has the approval of DG.
45.	M/s Emke Foot Care Products 01/36/218/196/AM-14/EPCG-I	1030001042 dated 08.12.2006	Condonation of shortfall in first block EO and to merge the EO against first block with the second block in respect of EPCG Authorization No. 1030001042 dated 08.12.2006	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 first block in terms of the provisions of Para 5.8.3 of HBP v1/Para 5.8.2 of HBP v1 (RE: 2013). This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
46.	M/s Greaves Cotton Limited 01/36/218/194/AM-14/EPCG-I	0430001893 dated 26.08.2004	Condonation of non-fulfilment of EO during the 3 rd block period in respect of EPCG Authorization No. 0430001893 dated 26.08.2004	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/Para 5.8.2 of HBP v1 (RE: 2013). This has the approval of DG.
47.	M/s Hindalco Industries Limited 01/36/218/107/AM-14/EPCG-I	3430002389 dated 07.06.2013	Certification of nexus in respect of EPCG Authorization No. 3430002389 dated 07.06.2013 issued to M/s Hindalco Industries Ltd.	The case was placed before the EPCG Committee in its last meeting held on 30.08.2013 wherein it was deferred with the direction to call the representative of the firm for PH before the Committee in its next meeting. In the meanwhile, the firm informed that they would not be able to attend the meeting scheduled on 23.10.2013 due to unavoidable circumstances. The Committee, therefore, decided to defer the case to advise the firm to appear for PH before the Committee in its next meeting.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
48.	M/s Fresenius Kabi Oncology Limited 01/36/218/266/AM-13/EPCG-I	13 EPCG Authorizations issued during AM-02 to AM-08	(a) Relaxation in Para 5.3.1 of HBP v1 abut submission of Installation Certificate in respect of EPCG Authorization No. 0530132541 dated 05.02.2002 (b) Relaxation in Para 5.4 of FTP in respect of their 13 EPCG Authorizations	a. The Committee deliberated upon the case and decided to recommend to DG for relaxation under Para 2.5 of FTP for condonation of delay in submission of Installation Certificate from Central Excise subject to the condition that the firm will submit the same to the concerned RA within 6 months. b. The Committee observed that Fresenius Kabi Oncology Limited was formerly known as Dabur Pharma Limited. The Dabur Pharma Limited has been taken over by Frsenius Kabi Group of Germany in 2009. Accordingly, the name of the company was changed from Dabur Pharma Limited to Fresinius Kabi Oncology Limited. The name change has also been approved by ROC on 09.01.2009. The name was got changed in IEC, RCMC accordingly. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for relaxation in Para 5.4 of FTP (Actual User Condition) in respect of their 13 EPCG Authorizations. This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Committee
49.	M/s Jindal Saw Limited 01/36/218/199/AM-14/EPCG-I	0530150780 dated 30.12.2009 and 0530159016 dated 09.08.2012	Permission for shifting of capital goods imported under EPCG Authorization from Darrang, Assam Unit to Mundra, Kutch, Gujarat Unit	The Committee noted that the Authorization Holder was having difficulty in setting up of Capital Goods and manufacturing of export items. Since, the new address (Unit located at Kutch, Gujarat) on the IEC and RCMC it decided to allow shifting of Capital Goods from <i>IID Centre, Dalgaon, Dist. Darrang, Assam- 784116</i> to <i>Integrated pipe unit, Samaghogha Village, Mundra Taluka- 370415, Dist- Kutch, Gujarat</i> subject to the condition that the firm will submit fresh Installation Certificate within 6 months of shifting.
50.	M/s Fiat India Automobiles Private Limited 01/36/218/189/AM-14/EPCG-1	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 decided to defer the case for detailed examination during the next meeting.