

MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAİKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 18.11.2013

Following officers attended the meeting:

- a. Shri Akash Taneja, Joint Director General of Foreign Trade, DGFT
- b. Shri K. K. Tiwari, Industrial Adviser, Department of Heavy Industry
- c. Shri K. K. Sinha, Industrial Adviser, D/o Industrial Policy and Promotion
- d. Shri A.K Pandey, Senior Technical Officer (DBK), D/o Revenue

II. Minutes of the last Meeting held on 23.10.2013 were confirmed.

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

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
1.	M/s Federal Mogul Goetze (India) Limited 01/36/218/182/AM-13/EPCG-I	11 EPCG Authorizations issued during AM-03 to AM-07	Condonation of delay in submission of installation certificate in respect of 11 EPCG Authorizations issued during AM-03 to AM-07	The Committee observed that the firm have already obtained Installation Certificate from Jurisdictional Central Excise Authority and, therefore, decided to recommend to DG for relaxation under Para 2.5 of Foreign Trade Policy for grant of condonation of delay in submission of Installation Certificate. This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
2.	M/s Hyundai Motor India Limited 01/36/218/197/AM-14/EPCG-I	156 EPCG Authorizations issued during AM-97 to AM-14	Request for recognition of supporting manufacturers	Shri Ajay Kumar Saxena, General Manager and Shri K. P. Sampath Kumar, Assistant General Manager also appeared before the Committee and represented their case. In this case the party had submitted a list of 236 supporting manufacturers against 156 EPCG Authorization alongwith authorization-wise break-up. It was observed that the party had in certain cases changed their supporting manufacturer and shifted the Capital Goods. The Committee deliberated upon the case in detail and decided to defer the case with the direction to advise the firm to first obtain certificate from Central Excise Authorities about installation and shifting of Capital Goods.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
3.	M/s Jai Corp Limited 01/36/218/236/AM-14/EPCG-I	21 EPCG Authorizations issued during AM-07 to AM-09	(a) Condonation of delay in obtaining installation Certificate from Excise Authority and consequent delay in submission to Mumbai, ADGFT office against 12 EPCG Authorizations issued during AM-07 to AM-09 (b) Condonation of delay in submission of installation certificate and to advice Central Excise Authority for issuance of installation certificate in respect of 9 EPCG Authorizations issued during AM-07 to AM-09.	(a) The Committee observed that the firm have already obtained Installation Certificate from Jurisdictional Central Excise Authority and, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for grant of condonation of delay in submission of Installation Certificate. (b) The Committee observed that Central Excise Authority has, vide letter dated 07.06.2012, confirmed that all the machinery are available in the factory premises and in working condition. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for grant of condonation of delay in submission of Installation Certificate. This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
4.	M/s Genus Electrotech Limited 01/36/218/128/AM-14/EPCG-I	25 EPCG Authorizations issued during AM-05 to AM-07	Extension in EOP (by way of enhancement in Export Obligation in terms of Para 5.11 of HBP v1), condonation of block-wise EO and permission to count exports made by Group Company in fulfillment of EOP from the date of authorization in respect of 25 EPCG Authorizations	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. 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. In so far as request regarding counting of exports of Group Company from the date of issuance of Authorizations is concerned, the Committee decided to remand the case to the concerned RA for examination and consideration.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
5.	M/s Ankit India Limited 01/36/218/49/AM-14/EPCG-I	0230000683 dated 02.09.2004 0230001145 dated 09.09.2005	Extension in EOP for 7 years and waiver of Annual Average Export Obligation against EPCG Authorization Nos. 0230000683 dated 02.09.2004 and 0230001145 dated 09.09.2005	The Committee observed that the firm have already been granted extension in EOP for 3 years (from 05.02.2013 to 04.02.2016 in terms of Para 5.11.3 of HBP v1 due to ban on exports of the export products) by the concerned RA and the firm have vide their revised report requested only for waiver of Annual Average in terms of Para 5.11.3 of HBP v1. The Committee, therefore, decided to recommend the case to DG to allow waiver of Annual Average EO for the period in which there was a ban on the export product. This has the approval of DG.
6.	M/s India Forge & Drop Stampings Limited 01/36/218/113/AM-14/EPCG-I	3130002510 dated 18.06.2007 3130002976 dated 21.02.2008 3130002585 dated 20.07.2007 3130002528 dated 25.06.2007	Condonation of delay in submission of Installation Certificate in respect of 4 EPCG Authorizations	The Committee observed that the firm have already obtained Installation Certificate from Jurisdictional Central Excise Authority and, therefore, decided to recommend to DG for relaxation under Para 2.5 of Foreign Trade Policy for grant of condonation of delay in submission of Installation Certificate. This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
7.	M/s Bayer Material Science Private Limited 01/36/218/241/AM-14/EPCG-I	0330032387 dated 04.04.2012	Extension in time, for 12 months, for installation of Capital Goods imported against EPCG Authorization No. 0330032387 dated 04.04.2012	The Committee observed that: a. The firm had <i>imported</i> only a small portion of their total plant and machinery under EPCG Authorization. For major portion they had placed order from Indian manufacturers; b. However, due to delay in receipt of huge machinery from the local manufacturers, the imported portion of their plant is now lying at their factory premises for more than a year waiting for alignment. They have now received SCN from Customs for non-installation of imported machinery under EPCG Scheme. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of Foreign Trade Policy for grant of extension in time for installation for 12 months. This has the approval of DG.
8.	M/s Embroidery Craft 01/36/218/235/AM-14/EPCG-I	0530139486 dated 08.09.2005 0530139794 dated 27.10.2005	Condonation of block-wise EO against EPCG Authorization No. 0530139486 dated 08.09.2005 and 0530139794 dated 27.10.2005	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 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.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
9.	M/s AIA Engineering Limited 01/36/218/231/AM-14/EPCG-I	0830005325 dated 18.02.2013	Extension in time for submission of installation of capital goods imported against EPCG Authorization No. 0830005325 dated 18.02.2013	It was observed that the firm could not install the capital goods due to various reasons and technical hitches particularly on account of Capital Goods under CKD condition. The firm have, in their representation, stated that the complete installation of subject Capital Goods could be feasible only around April, 2014. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for extension in time for installation of capital goods upto 30.04.2014. This has the approval of DG.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
10.	M/s Emami Paper Mills Limited 01/36/218/124/AM-13/EPCG-I	27 licenses issued during AM-12	Extension in time for 2 ½ years (from 13.06.2013) for installation of 2 nd Hand Capital Machinery and subsequent submission of Installation Certificate	The Committee noted that: - The firm have completed imports under 27 EPCG Authorizations; - However, the firm is in the process of procuring other allied machines like Pulp making machinery, Deinking facilities, Effluent treatment equipment etc. to complete the Paper making plant. - The Central Excise Authority has issued a certificate stating that goods imported against 27 EPCG Authorizations are at firm's Balasore Factory in packed condition. The Committee, therefore, decided to recommend to DG for relaxation under Para 2.5 of FTP for extension in time for installation of capital goods for 2½ years. This has the approval of DG.
11.	M/s Krypton Industries Limited 01/36/218/232/AM-14/EPCG-I	0230001185 dated 18.10.2005	Extension of EOP for 1 year i.e. upto 30.09.2014 in respect of EPCG Authorization No. 0230001185 dated 18.10.2005	The Committee decided to recommend to DG for relaxation under Para 2.5 of FTP to allow extension in EOP for 1 year 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, 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 Authorization No.	Subject	Decision of the Committee
12.	M/s Pundrik Textile Mills Private Limited 01/37/218/103/AM-14/EPCG-II	3030002286 dated 21.12.2006 3030002238 dated 30.11.2006 3030001750 dated 26.05.2006 3030002285 dated 21.12.2006 3030001897 dated 13.07.2006 3030001896 dated 13.07.2006	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 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.
13.	M/s Vatika Hotels Private Limited 01/37/218/23/AM-14/EPCG-II	9 EPCG Authorizations issued during the period from 19.10.2006 to 22.03.2007	Counting of exports of M/s Vatika Hotels Private Limited for the period 2010-11 for fulfillment of EO of 9 EPCG Authorizations	The Committee observed that: a. The licence was issued to M/s Vatika Hospitality Private Limited; b. M/s Vatika Hospitality Private Limited merged with M/s Vatika Hotels Private Limited with effect from 01.04.2010 vide Delhi High Court order dated 05.10.2011. The Committee, therefore, allowed counting of exports of M/s Vatika Hotels Private Limited for the period 2010-11 for fulfillment of EO of 9 EPCG Authorizations.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
14.	M/s Style Design Embroideries Private Limited 01/37/218/122/AM-14/EPCG-II	0530139436 dated 02.09.2005	Condonation of block-wise EO and acceptance of a few third-party shipping bills which do not bear the name of firm.	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. The Committee observed that the third-party shipping bills contain the Licence Number and date and decided that these may be accepted as licence number is a unique number for a particular firm.
15.	M/s Victora Auto Parts Private Limited 18/162/AM-13/EPCG-II	0530153101 dated 17.08.2010 0530142144 dated 16.10.2006	Condonation of delay in installation of capital goods and in obtaining installation certificate from Central Excise Authority	The Committee observed that the firm have already obtained Installation Certificate from Jurisdictional Central Excise Authority and, therefore, decided to recommend to DG for relaxation under Para 2.5 of Foreign Trade Policy for grant of condonation of delay in submission of Installation Certificate. This has the approval of DG.
16.	M/s Tata Motors Limited 01/37/218/22/AM-14/EPCG-II	0530157286 dated 26.12.2011	Change of place of installation of capital goods and name of supporting manufacturer	The Committee deliberated upon the case and decided to allow endorsement of supporting manufacturer and shifting of Capital goods from their present place of installation to proposed place as indicated below subject to the submission of fresh Installation Certificate within 6 months of shifting:

DG = Director General
 FTP = Foreign Trade Policy
 HBP v1 = Handbook of Procedure Vol. I
 EO = Export Obligation

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	<table><tr><td rowspan="2">EPCG authorization No.</td><td colspan="2">Capital goods</td><td rowspan="2">Present place of installation</td><td rowspan="2">Proposed place of installation/ name of supporting manufacturer</td></tr><tr><td>Sl. No. of Lic.</td><td>Details of capital goods</td></tr><tr><td>No.0530157286 dated 26.12.2011</td><td>96</td><td>Press Tool Dies, Blanking Dies alongwith Checking fixtures, Spares and accessories for Reinf. A-Pillar Top L/R(1 Set)</td><td>M/s JBM MA Automotive Private Limited, C-1/2 MIDC, Chakan Talegaon Road, Chakan, Pune - 410501</td><td>M/s Rasandik Engineering Industries India Limited, E 82/83, MIDC Ranjangaon, Tal. Shirur, Pune - 412209</td></tr></table>	EPCG authorization No.	Capital goods		Present place of installation	Proposed place of installation/ name of supporting manufacturer	Sl. No. of Lic.	Details of capital goods	No.0530157286 dated 26.12.2011	96	Press Tool Dies, Blanking Dies alongwith Checking fixtures, Spares and accessories for Reinf. A-Pillar Top L/R(1 Set)	M/s JBM MA Automotive Private Limited, C-1/2 MIDC, Chakan Talegaon Road, Chakan, Pune - 410501	M/s Rasandik Engineering Industries India Limited, E 82/83, MIDC Ranjangaon, Tal. Shirur, Pune - 412209			
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17.	M/s S.D. Industries 01/37/218/157/AM-14/EPCG-II	0330016758 dated 16.07.2007	Condonation of delay in submission of installation certificate	The Committee observed that the firm have already obtained Installation Certificate from Jurisdictional Central Excise Authority and, therefore, decided to recommend to DG for relaxation under Para 2.5 of Foreign Trade Policy for grant of condonation of delay in submission of Installation Certificate. This has the approval of DG.												
18.	M/s Sheena Exports Panipat 18/75/AM-13/EPCG-II	3330000669 dated 06.12.2006 3330000739 dated 29.03.2007 3330000791 dated 04.07.2007 3330000872 dated 30.10.2007 3330000980 dated 10.04.2008 3330000974 dated 07.04.2008	Grant of benefit of Para 5.7.6 of HBP v1	Since the Technical Member from M/o Textiles was absent the Committee decided to defer the case.												

EODC = Export Obligation Discharge Certificate

EOP = Export Obligation Period

EPCG = Export Promotion Capital Goods

RA = Regional Authority

NHAI = National Highways Authority of India

BG = Bank Guarantee

UPS = Uninterrupted Power Supply

SKD = Semi knocked down

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
19.	M/s Reliance Infrastructure Limited 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	In this case comments of D/o Revenue had been sought. They have so far not furnished the comments. Hence, the case was deferred .
20.	M/s Shivalik Bimetal Controls Limited 18/183/AM-13/EPCG-II	0530155424 dated 05.05.2011 0530155431 dated 05.05.2011 0530155667 dated 03.06.2011 0530155745 dated 14.06.2011	Installation of capital goods at new location	The Committee decided to allow installation of capital goods at Shivalik Bimetal Controls Limited, 16-18, New Electronics Complex, Chambaghat, Solan, H.P. as the place where the capital goods were to be installed had been notified by the NHAI for widening (four-laning) of the highway from Solan to Shimla.
21.	M/s Reliance Industries Limited 01/37/218/149/AM-14/EPCG-II	-----	Issuance of EPCG Authorization for import of UPS System and Electrical Cable	The Committee deliberated upon the case in detail. The technical members were of the view that UPS System has nothing to do with power generation/transmission/supply. The Committee, therefore, allowed import of UPS System and related Electrical Cable under EPCG Scheme.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
22.	M/s Orient Refractories Limited 01/37/218/148/AM-14/EPCG-II	0530155257 dated 13.04.2011	Change of name in EPCG Authorization	The Committee observed that: - The subject EPCG Authorization was issued in the name of M/s Orient Abrasives Limited; - Delhi High Court approved the scheme of arrangement (demerger) between M/s Orient Abrasives Limited and M/s Orient Refractories Limited. The Committee, therefore, allowed change of name from M/s Orient Abrasives Limited to M/s Orient Refractories Limited subject to fresh submission of BG.
23.	M/s Adarsh Realty and Hotels Private Limited 01/36/218/151/AM-14/EPCG-I	Applied for license	Import of FAÇADE GLAZING SYSTEM (Pre-fabricated structure/framing system for Hotel building in SKD condition under EPCG Scheme)	Pre-fabricated double glazed glass i.e. FAÇADE cannot be covered under the category of Capital Goods under EPCG Scheme. The Committee, therefore, decided to reject the case.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
24.	M/s Baxter (India) Private Limited 01/36/218/163/AM-14/EPCG-I	21 EPCG Authorizations issued during AM-09 to AM-12	Permission to fulfil export obligation from their Manesar Unit situated at Plot No. 183, Sector 5, IMT Manesar in respect of EPCG Authorizations availed for their Waluj, B-15/2, MIDC Area, Waluj, Aurangabad Unit	The Committee observed that: - Para 5.5 (a) of FTP of the relevant period clearly stipulates that "EO shall be fulfilled by export of goods manufactured/services rendered by the applicant". - Total exports from all the units of same and similar products are taken for computation of Average Export Obligation. The Committee, therefore, decided to recommend the case to DG to grant permission to fulfil export obligation from their Manesar Unit situated at Plot No. 183, Sector 5, IMT Manesar in respect of EPCG Authorizations availed for their Waluj, B-15/2, MIDC Area, Waluj, Aurangabad Unit. This has the approval of DG.
25.	M/s Sambandam Spinning Mills Limited 01/37/218/135/AM-14/EPCG-II	-----	Issuance of EPCG Authorization for import of UPS System	The Committee deliberated upon the case in detail. The technical members were of the view that UPS System has nothing to do with power generation/transmission/supply. The Committee, therefore, allowed import of UPS System under EPCG Scheme.

S. No.	Firm's Name and Numbers	EPCG Authorization No.	Subject	Decision of the Committee
26.	M/s Essar Steel Private limited 01/36/218/180/AM-14/EPCG-I	5230007436 dated 27.08.2010	Permission to sell oxygen plant on completion of export obligation for proportionate value and based on partial EODC issued against EPCG Authorization No. 5230007436 dated 27.08.2010	The case could not be considered due to paucity of time and would be taken up in the next meeting.