MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI MUKESH BHATNAGAR , ADGFT AT 1430 Hours ON 09.01.2013

Following officers attended the meeting:

(i) Shri Jaikant Singh, Joint Director General, DGFT
(ii) Shri R. A. Lal, Director, O/o Textile Commissioner, Noida
(iii) Shri K. K. Sinha, Industrial Adviser, D/o Industrial Policy and Promotion
(iv) Shri S. S. Tak, Joint Industrial Adviser, M/o Steel
(v) Shri A. K. Pandey, Sr. Technical Officer, D/o Revenue
(vi) Smt. Rita Mahana, Deputy Director General, DGFT
(vii) Shri A. K. Gopal, Foreign Trade Development Officer (EPCG.I), DGFT
(viii) Shri S. K. Swarnkar, Foreign Trade Development Officer (EPCG.II), DGFT
(ix) Smt. Rekha Sharma, Foreign Trade Development Officer (P-5), DGFT

2. Minutes of the last Meeting held on 05.12.2012 were confirmed.

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

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
1.	M/s Classic Marbles Company Private Limited, Mumbai 01/36/218/168/AM-13/EPCG-I	0330022594 dated 12.03.2009	Addition of Factory Address in EPCG Authorisation No. 0330022594 dated 12.03.2009	The Committee observed that the new factory address (Naroli Village, Suvey No. 286, Near Naroli RTO Check Post, Silvassa – 396 230, Dadra & Nagar Haveli) is already mentioned in the IEC and RCMC and the request of the firm is to add the subject address in the EPCG Authorization. The Committee, therefore, **allowed** endorsement of the factory address (Naroli Village, Survey No. 286, Near Naroli RTO Check Post, Silvassa – 396 230, Dadra & Nagar Haveli) on the EPCG Authorization subject to the condition that the firm would submit fresh installation certificate also if Capital Goods imported earlier are to be installed at new premises.

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
1A.	M/s Classic Marbles Company Private Limited, Mumbai 01/36/218/168/AM-13/EPCG-I	0330015728 dated 04.04.2007	Addition of Factory Addresses in EPCG Authorisation No. 0330015728 dated 04.04.2007	The Committee observed that the new factory addresses (S. No. 130/2, At Village Athal, Silvasa, Dadra & Nagar Haveli, U. T. of Dadra & Nagar Haveli, PIN – 396 230 and Survey No. 286, Naroli Village, Silvasa, Dadra & Nagar Haveli, U.T. – 396 230) are already mentioned in the IEC and RCMC and the request of the firm is to add the subject factory addresses in the EPCG Authorization. The Committee, therefore, **allowed** endorsement of the addresses ((S. No. 130/2, At Village Athal, Silvasa, Dadra & Nagar Haveli, U. T. of Dadra & Nagar Haveli, PIN – 396 230 and Survey No. 286, Naroli Village, Silvasa, Dadra & Nagar Haveli, U.T. – 396 230) on the EPCG Authorization subject to the condition that the firm would submit fresh installation certificates also if Capital Goods imported earlier are to be installed at new premises.
2.	M/s Advance Lamp Component & Table Wares Private Limited, Firozabad 01/36/218/166/AM-13/EPCG-I	0530155999 dated 14.07.2011	Condonation of delay in Installation of Capital Goods against EPCG Authorisation No. 0530155999 dated 14.07.2011	The Committee observed that the firm could install the Capital Goods with a delay of approximately 4 months due to civil work at the factory premises. Date of completion of imports was 20.09.2011 as per B/E whereas the date of installation is 18.07.2012 as per Installation Certificate issued by Central Excise. The Committee, therefore, decided to condone the delay in installation 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.**

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Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
3.	M/s J Pan Tubular Components Private Limited, Greater Noida, 01/36/218/154/AM-13/EPCG-I	0530154707 dated 04.02.2011	Condonation of delay in submission of Installation Certificate against EPCG Authorisation No. 0530154707 dated 04.02.2011	The Committee observed that the Capital Goods imported were installed on 03.06.2011 and 02.10.2011 vide Installation Certificate issued by Central Excise Authority on 06.08.2012. Installation Certificate is required to be produced to the concerned Regional Authority within a period of 6 months from the completion of imports (30.08.11). Although the CGs were installed in time, the Certificate by the Central Excise Authorities was not issued within the time limit prescribed in Para 5.3.1 of HBP v1. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to condone the delay in production of installation certificate. **DG has approved the case.**
4.	M/s Evershine Exports 01/36/218/156/AM-13/EPCG-I	1330000730 dated 24.09.2004	Condonation from shortfall in fulfillment of block-wise EO during 2nd and 3rd Block of EOP and EOP extension for 2 years against EPCG Authorisation No. 1330000730 dated 24.09.2004	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. The Committee 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.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
5.	M/s Canara Traders & Printers Limited, Chennai 01/36/218/**155/AM-13**/EPCG-I	0430001078 dated 07.05.2003	Condonation from shortfall in fulfillment of block-wise EO during 2nd and 3rd Block of EO against EPCG Authorisation No. 0430001078 dated 07.05.2003	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. **DG has approved the case.**
6.	M/s Bajaj Motors Limited, Gurgaon 01/36/218/160/AM-13/EPCG-I	0530140141 dated 26.12.2005	Condonation of delay in Installation of Capital Goods against EPCG Authorisation No. 0530140141 dated 26.12.2005	The Committee observed that the Capital Goods imported vide B/E dated 12.07.2006 were installed on 08.01.2007 as per Chartered Engineer Certification and 18.01.2007 as per Central Excise Installation Certificate. There is a delay of only 6 days in Installation in terms of Para 5.3.1 of HBP v1. 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 Fedders Llyod Corporation Limited, New Delhi 01/36/218/159/AM-13/EPCG-I	0530154885 dated 25.02.2011	Shifting of CG imported against EPCG Authorisation No. 0530154885 dated 25.02.2011	The Committee observed that both the addresses of the units i.e. the unit where CGs are installed at present and the unit where it is proposed to be shifted are mentioned on the IEC and RCMC and therefore, decided to **allow** shifting of CGs from the unit located at **"Fedders Lloyd Corporation Limited, C-4, Phase-II, Noida, Gautam Budh Nagar, U.P. – 201301"** to the unit located at **"Fedders Lloyd Corporation Limited, Intl. Area, Park-2, Salempur Mehdood-II, Near Sidcul in front of Denso Factory, Haridwar, Uttarakhand, PIN – 249402"** subject to the condition that the firm will furnish fresh installation certificate within 6 months from shifting of Capital Goods.

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
8.	M/s DSM Anti-Infectives India Limited 01/36/218/148/AM-13/EPCG-I	2230000063 dated 04.11.2003 2230000068 dated 13.11.2003	Nexus Approval in respect of EPCG Authorisation Nos. 2230000063 dated 04.11.2003 and 2230000068 dated 13.11.2003	The Committee deliberated upon the case in detail and decided to **certify the nexus.**
9.	M/s Allcargo Logistics Limited, Mumbai 01/36/218/31/AM-13/EPCG-I	0330005325 dated 01.03.2004 0330012804 dated 04.08.2006 0330010990 dated 10.02.2006	Inclusion of other services in EPCG Authorisation Nos. 0330005325 dated 01.03.2004, 0330012804 dated 04.08.2006 and 0330010990 dated 10.02.2006 in terms of Public Notice No. 42/2004 dated 28.01.2004 from date of issuance of Authorizations	The Committee observed that a. there was a provision w.e.f. 01.04.2003 to fulfil 100% EO by export of other goods/services; b. The request of the firm is to allow addition of the following services from the date of issuance of Authorizations; i. Freight Transportation ii. Rental of Commercial Vehicles with operator iii. Management Consulting Services c. the Authorizations were issued after 01.04.2003; d. the Services are covered in Appeneix-10 of HBP v1. The committee, therefore, **recommended to DG** to allow addition of the above services in the EPCG Authorizations from the date of issuance of licences subject to the condition to maintain Average EO for alternate products/services. **DG has approved the case.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
10.	M/s BPL Limited, Bangalore 01/36/218/165/AM-12/EPCG-I	P/CG/2134303 dated 25.05.1995	Refixation of Annual Average Export Obligation on account of closure of units against EPCG Licence No. P/CG/2134303 dated 25.05.1995	The Committee observed that: a. two units of the company at Manday and Bangalore were closed during 1997 and 2000 respectively; b. Intimation about the closure was given to the Central Excise Authorities; c. From the year 1997-98, there has been a steep fall in the price of CTVs/Monitors in the world market and replacement of CTV's with LCD had affected the Company tremendously. Taking into account the technical obsolescence of the export product and the hardships faced by the company due to closure of their units, the Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** for refixation of export obligation on pro-rata basis as per reduction of capacity due to such closure. **DG has approved the case.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
11.	M/s Keshava Plastics 01 /36/218/153/AM-13/EPCG-I	0930001495 dated 06.05.2005 0930001977 dated 10.01.2006	Condonation for shortfall in stipulated block-wise EO during 1st block of EOP and Extension in EOP against EPCG Authorisation No. 0930001495 dated 06.05.2005 and 0930001977 dated 10.01.2006	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. The Committee 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.**
12.	M/s Minda Industries Limited, Delhi 01/36/218/44/AM-13/EPCG-I	0530136463 dated 28.06.2004	Import of Second Hand Scanning 10W Systems Laser with Computer – Clarification whether the import item is a Personal Computer or not – sought by CLA, New Delhi	The Committee deliberated upon the request and decided to **defer** the case with the direction to call for the details of Bill of Entry, Invoice and Packing List from the Company.
13.	M/s Gold Plus Glass Industry Limited, Delhi 01/36/218/157/AM-13/EPCG-I	0530137073 dated 27.09.2004	Condonation for shortfall in fulfillment of block-wise EO against EPCG Authorisation No. 0530137073 dated 27.09.2004	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.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
14.	M/s Payorite Print Media Pvt. Ltd., Jaipur 18/124/AM-13/EPCG-II	1330000720 dated 15.09.2004	Condonation of block-wise EO and extension in EO period for 4 years	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow Extension in EOP for 2 years, in the first instance, 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.**
15.	M/s Rajesh Exports Limited, Bangalore 18/94/AM-13/EPCG-II	0730005174 dated 22.01.2007 0730005501 dated 11.04.2007 0730005723 dated 19.06.2007 0730005898 dated 27.07.2007 0730006110 dated 20.09.2007 0730006130 dated 26.09.2007 0730006147 dated 28.09.2007	Acceptance of export made by EOU units for fulfillment of export obligation of EPCG Authorisations	The Committee deliberated upon the case in detail and decided to **reject** it as the exports made by EOU cannot be counted for average exports of the DTA unit.
16.	M/s Ruler Plastics, Mumbai 18/72/AM-13/EPCG-II	0330004824 dated 09.12.2003	Re-fixation of nexus in respect of EPCG Authorisation No. 0330004824 dated 09.12.2003	The technical member from DIPP informed that their written comments sent vide letter dated 01.01.2013 be withdrawn. The export is dealt by their Directorate and they confirmed the nexus of the import items with the Export Product. A confirmation that

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17.	M/s Ruler Plastics, Mumbai. 18/71/AM-13/EPCG-II	0330004808 dated 08.12.2003	Re-fixation of nexus in respect of EPCG Authorisation No. 0330004808 dated 08.12.2003	*equipment being imported, namely, Servo Motor Drive file Bag Making Machine with the export product (Office Stationery items like plastic file & folder like plastic file presentation folder, PVC folder (out), Articles made solely of Polypropylene like PP Sheet for visiting car album and Report File with/without pocket etc.) is certified*, has also been received from DIPP. The Committee, therefore, **approved the nexus.**
18.	M/s Shekhawati Poly-Yarn Ltd.,Mumbai 18/123/AM-13/EPCG-II	0330016846 dated 20.07.2007	Counting of excess exports made against EPCG Authorisation No. 0330016846 dated 20.07.2007 for fulfillment of EO of EPCG Authorisation No. 0330011354 dated 17.03.2006 & 0330010666 dated 29.12.2005	The committee deliberated upon the case in detail and observed that the request of the firm is regarding counting of exports made against EPCG Authorization 0330016846 dated 20.07.2007 towards fulfilment of EO against EPCG Authorization No. 0330011354 dated 17.03.2006 and 0330010666 dated 29.12.2005. The Committee also noted that the export item against all these EPCG Authorizations is "Texturised Yarn". The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** for counting of excess exports made against EPCG Authorization 0330016846 dated 20.07.2007 towards fulfilment of EO against EPCG Authorization No. 0330011354 dated 17.03.2006 and 0330010666 dated 29.12.2005 provided the exports made are within the validity period of EPCG Authorizations. **DG has approved the case.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
19.	M/s Wenzal South Asia (P) Ltd., Faridabad 18/94/AM-13/EPCG-I		Issuance of EPCG Authorisation for import of capital goods for providing Commission Agent Services	A representative from the Company appeared for Personal Hearing and elaborated the arrangement for earning of Foreign Exchange by sending their trained employee to foreign countries. The training is proposed to be given by using the lab machines imported under EPCG Authorization. The Committee, not being satisfied with the explanation, decided to **defer** the case with the direction to the representative to furnish the information as to how the arrangement is covered under Foreign Trade Policy and how the earning of foreign exchange is covered under the definition of "Service Provider" as per Para 9.53 of FTP.
20.	M/s Mahindra Aerostructure, Bangalore 01/36/218/185/AM-13/EPCG-I	0730011316 dated 05.06.2012	Extension in time for Installation Certificate in respect of Capital Goods imported against EPCG Authorisation No. 0730011316 dated 05.06.2012	The Company have informed that the Capital Goods imported by them vide B/E dated 21.06.2012 are very complex and no agency in India has technical capabilities for installation of these equipments. They have engaged with the services of foreign technicians who will be coming in India in February, 2013 and the installation is expected to complete by April/May, 2013. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP,** for extension in time for submission of Installation Certificate by 6 months i.e. till 21.06.2013. **DG has approved the case.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
21.	M/s Balda Motherson Solution India Limited 01/36/218/105/AM-13/EPCG-I	0530141423 dated 06.07.2006 0430004558 dated 12.01.2007 0430005133 dated 05.07.2007 0430005749 dated 29.01.2008 0430006683 dated 30.09.2008	Permission for adjustment of excess exports made against EPCG Authorisation No. 0530141423 dated 06.07.2006 for fulfilment of EO against other 4 EPCG Authorisation Nos. 0430006683 dated 30.09.2008, 0430005133 dated 05.07.2007, 0430004558 dated 12.01.2007 and 0430005749 dated 29.01.2008 issued to the same unit and for the same export products by the O/o ZJDGFT, Chennai	The committee deliberated upon the case in detail and observed that the request of the firm is for adjustment of excess exports made against EPCG Authorization No. 0530141423 dated 06.07.2006 for fulfillment of EO against other 4 EPCG Authorization Nos. 0430006683 dated 30.09.2008, 0430005133 dated 05.07.2007, 0430004558 dated 12.01.2007 and 0430005749 dated 29.01.2008 issued to the same unit. The Committee, therefore, **decided to recommend to DG under Para 2.5 of FTP** for counting of excess exports made against EPCG Authorization No. 0530141423 dated 06.07.2006 for fulfillment of EO against other 4 EPCG Authorization Nos. 0430006683 dated 30.09.2008, 0430005133 dated 05.07.2007, 0430004558 dated 12.01.2007 and 0430005749 dated 29.01.2008 provided the exports made are within the validity period of EPCG Authorizations and subject to the condition that there will be no double counting of exports and for this entire list of Shipping Bills considered by CLA Office for EO discharge will be furnished to RA, Chennai. **DG has approved the case.**
22.	M/s Federal Mogual Goetze India 01/36/218/182/AM-13/EPCG-I	10 EPCG Authorizations issued during AM04	Condonation from block-wise EO against 10 EPCG Authorizations issued to M/s Federal Mogual Goetze India	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.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
23.	M/s CSG Networks Private Limited, New Delhi 01/36/218/100/AM-13/EPCG-I	0530151839 dated 19.04.2010	Exemption from requirement of putting the name of supporting manufacture on the Shipping Bills by granting relaxation under Para 2.5 of Foreign Trade Policy for redemption of EPCG Authorisation No. 0530151839 dated 19.04.2010	The Committee deliberated upon the case in detail and decided to **defer** the case with the direction to call for details regarding (a) permission, if any, obtained by the firm before shifting of Capital Goods, (b) Installation Certificate, (c) Chronology of events and (d) corroborative evidence that goods were manufactured by Supporting Manufacturer.
24.	M/s GTN Industries Limited, Hyederabad 01/36/218/139/AM-12/EPCG-I	1030000189 dated 20.06.2002	Reinstatement of the export product's description as originally as originally allowed in EPCG Authorization No. 1030000189 dated 20.06.2002	The Committee discussed the case and decided to **defer** it with the direction to remind the concerned RA to furnish (a) Complete Brochure of the machinery (b) details of import items with B/E (c) technical literature and (d) details of actual exports.
25.	M/s Meramax Pvt. Ltd. 01/36/218/148/AM-11/EPCG-I	0330015155 dated 21.02.2007	Waiver of Partial Export Obligation due to fire incident in the factory	The Committee deliberated upon the case in detail and observed that the company have still ample time to fulfil the Export Obligation and, therefore, decided to **reject** the case.
26.	M/s Meghalaya Bitchem Pvt. Limited, Meghalaya 01/36/218/19/AM-13/EPCG-I	0230002999 dated 12.02.2008 0230003993 dated 29.01.2009	Waiver of Annual Average Export Obligation against EPCG Authorisation No. 0230002999 dated 12.02.2008 and 023003993 dated 29.01.2009	The Committee decided to **recommend the case to Department of Revenue** after calling details regarding insurance claims received by the party.
27.	01/36/218/35/AM-13/EPCG-I		Guidelines to deal with cases pertaining to requests regarding Condonation of block-wise Export Obligation and extension in Export Obligation period under EPCG Scheme	To be examined on file.
28.	M/s India Exposition Mart Limited (IEML), New Delhi 01/36/218/62/AM-13/EPCG-I	0530139428 dated 01.09.2005	Fulfilment of EO by counting the foreign exchange earned by share holders and mart owners on the basis of surrender of exports of their shareholders in favour of IEML	To be examined on file.
29.	M/s Mafatlal Limited, Mumbai 01/36/218/156/AM-12/EPCG-I	01500721 dated 30.03.1998	a. The EPCG Authorisation No. 01500721 dated 30.03.1998 be amended in terms of Customs Notification	After deliberation, the Committee agreed to the following: (a) The applicability of Zero Duty EPCG as per the condition of Custom Notification 29/97 dated

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
			No. 20/97 dated 01.04.1997, as amended from CIF value of Rs. 20 Crores and above to Rs. 1 Crore and more, under Zero Duty EPCG Scheme b. To refix average annual export performance to Rs. 31.87 Crores per annum as against Rs. 222.93 Crores due to closure of installed capacity of looms in 3 of their mils in consonance with the provisons of Para 5.11.1 & 5.11.2 of HBP 2009-14 as also by considering the recommendations of BIFR in Para 5.5.5 of the modified scheme dated 24/25.06.2009 c. To refix EO to Rs. 77, 55, 51, 066/- bases on actual import effected against the said EPCG Authorisation i.e. 6 times of actual import value of Rs. 12,92, 58, 511/- (Original EO fixed as per Licence to Rs. 126, 43, 42, 835/- against Licence value of Rs. 21,07, 23, 806/-) d. To extend EOP by 10 years as recommended by Hon'ble BIFR in its modified Rehabilitation Scheme, dated 24/25th June, 2009	01.04.1997 may be examined by DOR keeping in view the actual imports made by the company. **(b)** The committee observed that (i) the firm is registered with BIFR since year 2000 (ii) 3 of the textiles units of the company (two units in Mumbai and one unit at Ahmedabad) were closed down/stopped working from the year 2000 onwards (iii) other two units at Navsari and Nadiad were not functioning to fullest capacity; During 1994-95, 1995-96 and 1996-97 they were having altogether 3007, 2346 and 1903 looms (average 2418 looms) respectively whereas as on June, 2011 they are having only 346 numbers of installed looms at their Nadiad Unit for production of exportable Fabrics (iv) Their loom capacity as on date has reduced to 14.30% compared to 1994-97 (v) Production capacity of their final product has also reduced accordingly to an average of Rs. 31.87 Crores, per annum (14.30% of Rs. 222, 93, 34, 416/-) (vi) Their request is to reset their AEO to 14.30% of original EO due to capacity closure. Member from the textile side also confirmed that the refixation should be done in this case. The Committee, therefore, decided to **recommend to DG** to refix the AEO on pro-rata basis. **DG has approved the request.** (c) The Committee decided that RA should consider the request of the firm for refixation of EO on actual utilization of Authorization. **(d)** The Committee observed that the Company is under BIFR and as per BIFR package announced by them in 2009, the Company is to be given 10 years time form the sanction of modified scheme for fulfilling various export/import obligations by the Commissioner of Customs. Since the extension in time for

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				fulfilment of EO is prerogative of DGFT, the Committee decided to **recommend to DG** to allow 10 years time for EO fulfillment (from the sanction of modified scheme vide proceeding dated 24-25.06.2009). **DG has approved the request.**
30	M/s Shelik Industries, Pune 18/159/AM-13/EPCG-II	3130000861 dated 08.10.2004	Condonation of Block-wise EO and extension in EO period for 2 years.	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. The Committee 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.**

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31	M/s Sri Dharma Spinners (P) Ltd., 18/157/AM-13/EPCG-II	3530000659 dated 14.09.2004	Condonation of block-wise EO and extension in EO period for 2 years	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. The Committee 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.**
32	M/s Victora Creations 18/154/AM-13/EPCG-II	0530133292 dated 10.09.2002 0530134067 dated 23.04.2003	Condonation of block-wise EO and extension in EO period for 2 years	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. The Committee 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.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
33	M/s Samsung India Electronics Pvt. Ltd, Noida 18/153/AM-13/EPCG-II	0530139273 dated 09.08.2005	(i) Allow fulfillment of 100% EO of EPCG authorization No. 0530139273 dated 09.08.2005 by export of other product namely 'Colour Television': (ii) Acceptance of excess exports already made against EPCG Authorizations No. 0530137883 dated 18.01.2005 & 0530137848 dated 13.01.2005 for fulfillment of EO of EPCG Authorisation No. 0530139273 dated 09.08.2005	(i) The Committee observed that the subject licence was issued during the period when there was a provision to fulfill the 100% export obligation of EPCG Authorization No. 0530139273 dated 09.08.2005 by export of other products manufactured by same company and, therefore, decided **to recommend to DG for relaxation under Para 2.5** for granting the benefit from the date of issuance of licence (instead of date of request) subject to the condition that the firm will also maintain the average EO of the alternate product. (ii) The Committee also **decided to recommend to DG for relaxation under Para 2.5 of FTP** to allow the firm to count excess exports of other products namely 'Colour Television' made against EPCG authorizations Nos. 0530137848 dated 13.01.2005 and No. 0530137883 dated 18.01.2005 for fulfilment of EO against EPCG Authorization No. 0530139273 dated 09.08.2005. **DG has approved the case.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
34	M/s Saint Gobain Glass India Ltd., 18/165/AM-13/EPCG-II	0330021137 dated 29.08.2008 0330021218 dated 09.09.2008 0330022628 dated 18.03.2009 0330022713 dated 30.03.2009	(i) Transfer of EPCG Authorisation from M/s Sezal Glass Ltd to M/s Saint Gobain Glass India Ltd. (ii) The re-fixation of annual average EO as per the provisions of Para 5.7.4 (C). (iii) Fulfillment of EO by same/similar goods manufactured by them from all manufacturing units of the company.	**(i)** The Committee observed that M/s Saint Gobain Glass India Limited has undertaken all the assets and liability of the unit of M/s Sezal Glass Limited including liabilities on account of EO fixed on the EPCG Authorizations issued to the latter firm and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow transfer of EPCG Authorization from M/s Sezal Glass Limited to M/s Saint Gobain Glass India Limited. **DG has approved the request.** (ii) The Committee decided to refer the case to RA to examine the request regarding refixation of annual average EO as per the provisions of Para 5.7.4(c) of HBP v1. (iii) The Committee decided to refer the case to RA to examine the request as per Policy.
35	M/s Sampark Industries Limited, Greator Noida, 18/14/AM-13/EPCG-II	0530132877 dated 21.05.2002	Extension in export obligation period for two years i.e. upto 20.05.2012 without payment of customs duty.	The Committee decided to **reject** the case as there is no provision for extension in EOP without payment of composition fee/customs duty.

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
36	M/s Premco Traders, Kolkata 18/199/AM-12/EPCG-II	0230000819 dated 23.12.2004	(i) Extension in export obligation period for two years i.e. upto 22.12.2014; $ (ii) Condonation of Block wise EO against EPCG Authorisation No. 0230000819 dated 23.12.2004	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. The Committee 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.**
37	M/s Bajaj Carpet Industries Limited, 01/36/218/48/AM-13/EPCG-I	0530136079 dated 19.04.2004	Condonation from shortfall in fulfillment of block-wise EO during 3rd Block of EOP and EOP extension for 2 years (upto 19.04.2014) against EPCG Authorization No. 0530136079 dated 19.04.2004	The Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP** to allow condonation from condition of fulfilment of block-wise EO subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.3 of HBP v1. The Committee 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.**

Case No.	Firm's Name and File Number	Licence No(s). / Date	Subject	Decision of the Committee
38	M/s Sterlite Technologies Ltd, Mumbai 18/122/AM-13/EPCG-II		Conversion of 29 EPCG authorization from zero duty to 3% duty scheme	The Committee decided to **defer** the case as the comments from Department of Revenue is awaited.
39	M/s Siemens Ltd., Mumbai 18/130/AM-13/EPCG-II	0330030117 dated 26.07.20011	Conversion of EPCG Authorisation from zero duty to 3% duty scheme	The Committee decided to **defer** the case as the comments from Department of Revenue is awaited.
40	M/s JSW Steel Limited, 01/36/218/91/AM-12/EPCG-I		Clarification with respect of Para 5.3 (a) of the Foreign Trade Policy 2009-12 under the EPCG Scheme	The Committee decided to refer the case to **Policy Interpretation Committee.**
41	M/s Dhanuka Laboratories Limited, Gurgaon 01/36/218/04/AM-13/EPCG-I	0530132831 dated 09.05.2002	Nexus approval in respect of EPCG Licence No. 0530132831 dated 09.05.2002	The Committee deliberated the case in detail and decided to **refer it to DIPP** for its comments.
42	M/s East End Silks (P) Limited, West Bengal 01/36/21/08/AM-13/EPCG-I	0230004182 dated 07.05.2009 0230005571 dated 02.08.2010 0230005053 dated 23.03.2010 0230004344 dated 21.07.2009 0230001241 dated 01.12.2005	Waiver from maintenance of Average Export Performance in terms of Para 5.7.6 of HBP v1 (2009-14) – Audit Objection whether the export product Spun Milk Yarn, Silk Noil Yarn, Silk Top Silver produced from raw silk, Cocoon waster or silk waste can be treated as an item of sericulture or not.	The technical member of the Committee from the textile side reiterated that that the export products are not covered under Sericulture. The Committee, therefore, decided to maintain the **rejection**.