MINUTES OF 10th MEETING OF EPCG COMMITTEE HELD UNDER THE CHAIRMANSHIP OF SHRI SATYAN SHARDA, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 11.00 AM ON 10.01.2020 IN COMMITTEE ROOM NO.11, H WING, UDYOG BHAWAN, NEW DELHI.

I. Following officers attended the meeting:

i. Shri Rajbir Sharma, Joint Director General of Foreign Trade, DGFT
ii. Shri Vaibhav Bhatnagar, OSD, Department of Revenue
iii. Shri A.K. Mishra, A.I.A, Ministry of Steel
iv. Shri Randheep Thakur, Deputy Director General of Foreign Trade, DGFT

II. Minutes of the last Meeting held on 11.10.2019 were confirmed.

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

Sl. No.	**Firm's Name and File Numbers**	**EPCG Authorisation No.**	**Subject**	**Decision of the EPCG Committee**
1.	M/s. Jaksons Engineers Ltd, Delhi 01/36/218/301/AM-18/ EPCG-I	i. 0530150994 dated 09.10.2010 ii.0530146558 dated 04.07.2008 iii.0530146559 dated 01.07.2008 iv.0530143014 dated 05.02.2007	Request for condonation of procedural lapse of not mentioning of EPCG authorization no. and date on ARE-3 and condonation of procedural lapse of not attesting of each ARE-1 and ARE-3 individually by Central Excise Authority.	The Committee noted that the party has said that whereas in two Authorisations, the RA has accepted ARE-3 attested by Central Excise authorities, in respect of three Authorisations, they are not accepting the ARE. The Committee noted that the RA has reported that they have not accepted the ARE-3 in other two EPCG authorisation No. 0530150219 dated 30.10.2009 and 0530146465 dated 26.08.2008 as ARE-3 has manual stamping of EPCG authorisation number which is not certified by the excise authorities. The Committee deliberated upon the case and opined that the RA has declined the request on valid ground and thus decided to **reject** it, being devoid of merit.
2.	M/s. More Retails Ltd., Mumbai 01/36/218/66 /AM-20/ EPCG	i.0330017124 dated 14.08.2007 ii.0330017977 dated 01.11.2007	Request for consideration of EO fulfilment by 100% subsidiary company M/s Trinethra Super Retail	M/s. More Retails Ltd (MRL), Mumbai (formerly known as M/s. Aditya Birla Retail Ltd.) has requested for permission to count Forex Earnings of 100% subsidiary company M/s. Trinethra Super Retail Private Limited (TSRL) towards fulfillment of EO in respect of their EPCG Authorisations and submitted that they did not apply for endorsement of group company before because they considered it was not required for subsidiary company.

			Private Limited.	The Committee noted that the case was deferred in EPCG Committee meetings held on 30.08.2019 and 13.09.2019 as the representative of the party could not appear in the Meeting. In the meeting held on 10.01.2020, the representative of the party appeared for the PH and explained the case. More Retails Ltd explained that they had acquired Trinethra Super Retail Private Limited in 2007 and till 2014 it was a 100% subsidiary company of More Retails Ltd. In 2014, Trinethra Super Retail Private Limited got merged with More Retails Ltd. RA vide report dated 12.07.2019 has stated that More Retails Ltd (the Authorisation holder) is also considering the payment received by M/s. Trinethra Super Retail Pvt. Ltd. for fulfillment of EO during AM-09 & AM-10 periods. More Retails Ltd had furnished the shareholding pattern of M/s. Trinethra Super Retails Ltd., according to which M/s. Aditya Birla Retail Ltd. (now called More Retails Ltd) was holding 90.43% shares in M/s. Trinethra Super Retail Pvt. Ltd., and hence is a group company, but More Retails Ltd has not applied/availed endorsement of group company before submitting documents for EO fulfilment. Hence payment received by group company cannot be considered. The Committee observed that in FTP 2007-08, there was a provision that export obligation may also be fulfilled by exports of group company/ managed hotel which has EPCG Authorisation and up to the FTP 2007-08, there was no specific limit on export of other goods and the Authorisation holders were allowed to fulfil the export obligation by way of export of other/alternate goods up to 100%. The Committee, deliberated upon the case and decided **to recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to allow counting of exports made by TSRL, a group company of MRL, prior to the date of endorsement, in terms of Para 5.4(i) of FTP/2004-09 in respect of EPCG authorisations No.0330017124 dated 14.08.2007 and No. 0330017977 dated 01.11.2007 subject to the

				compliance of the terms and conditions mentioned therein. RA shall count only those exports by TSRL which have been made after issuance of the EPCG Authorisations and within the EOP, including the extended EOP of Authorisations issued to MRL. MRL would also maintain average export obligation of TSRL, as maybe re-fixed by RA as per policy. **This has the approval of DG.**
3.	M/s. Jumps Auto Industries Limited, Gurugram 01/36/218/31 /AM-20/ EPCG	0530160501 dated 08.03.2013	Request for acceptance of Installation Certificate issued by Chartered Engineer instead of Central Excise in respect of EPCG authorization no. 0530160501 dated 08.03.2013.	The request of the party is for acceptance of Installation Certificate issued by Chartered Engineer instead of Central Excise Authority in respect of EPCG authorization no. 0530160501 dated 08.03.2013. The party has submitted that they have imported machine against bill of entry no. 9717251dated 30.03.2013 and installed the machinery on 14.05.2013. They had intimated and requested to the Central Excise Department on 05.06.2013 to issue Installation Certificate. They had not received certificate from the Central Excise Department. They obtained Installation Certificate from a Chartered Engineer on 01.06.2013. They have again requested to now GST Division on 22.04.2019 but they have not got certificate and any positive reply from them. Hence the request to accept Installation Certificate issued by Chartered Engineer instead of Central Excise Authority. The Committee noted that the current FTP allows that the Authorization holder can produce the installation certificate from the jurisdictional Customs authority or an independent Chartered Engineer, at the option of the authorisation holder and further that where the authorisation holder opts for independent Chartered Engineer's certificate, he shall send a copy of the certificate to the jurisdictional Customs Authority for intimation/record. The Committee deliberated upon the case and decided **to recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to allow acceptance of installation certificate from Chartered Engineer, subject to verification by RA and intimation to the Jurisdictional Customs Authority and payment of Rs. 5000/- against the Authorisation. Further, RA to verify that no

				ECA/DRI/ Customs action has been initiated against the party. **This has the approval of DG.**
4.	M/s. Replica Packarts Pvt Ltd., Pune 01/37/218/296/AM-17/ EPCG-II	3130005601 dated 22.03.2011	Addition of alternate products.	The Committee noted that the request of the party for addition of alternate product was considered in the EPCG Committee meeting held on 22.02.2017 and it was decided to defer it till report in the matter is received from DoR. The request of the party was taken up in the EPCG Committee meeting held on 31.05.2017 and on the basis of comments of DRI, New Delhi received vide their letter dated 25.04.2017, the request was rejected. The review request of the party was also rejected on the same grounds on 04.10.2017. The case was again taken up in EPCG Committee meeting held on 05.06.2018 and it was decided to remand the case back to RA to examine request of the party to get additional product added on the basis of nexus certificate issued by Chartered Engineer for prospective exports. The redemption of license will be subject to final report of DRI inquiry. The case was again taken up in EPCG Committee meeting held on 24.05.2019 and it was decided to defer it with the direction to seek the current status of DRI enquiry from RA, Pune, particularly to know as to whether the DRI has dropped the investigation altogether or they are not registering any offence in this case for the time being. Now, RA, Pune, vide letter dated 28.08.2019 has intimated that that they had made a reference to DRI and in response, DRI, Bangalore has forwarded a copy of DRI, Mangalore letter dated 05.08.2019 and stated following: During enquiry undertaken by DRI, Mangalore with regard to misuse of EPCG scheme it was noticed that M/s. Replica Packarts Pvt Ltd, Pune have also got their EPCG authorisation details endorsed on the shipping bills of unrelated third party exporter viz M/s. Riddhi Enterprises, Mumbai. In view of this as a precautionary measure, this office had requested RA, Pune to take further action if the party produces

				unrelated shipping bills to fulfil their EO. As the EODC was not issued to them against said EPCG authorisation, DRI has not gone into further verification/investigation in the said matter and no case has been registered against them. Further, since RA, Pune vide their letter dated 07.04.2016 intimated that EODC was yet to be issued and they will process the case further and issue demand notice for paying customs duty plus interest, DRI is not registering any offence case for the same matter. The Committee deliberated upon the case and noted that in this case the DRI has not taken further action only because EODC has not been issued to the party by RA, Pune. The Committee also deliberated that no new facts have been produced by the party since the last decision to reject their case. The Committee, therefore, decided to maintain the decision of **rejection** taken in its meeting held on 04.10.2017.
5.	M/s. Star Engineers, Vadodara 01/60/162/349 /AM20/PRC	3430002507 dated 10.06.2014	Re-fix EO with value of job work charges instead of export value of goods against EPCG license no. 3430002507 dated 10.06.2014.	The request of the party is for re-fixation of export obligation with value of job work charges instead of export value of goods against EPCG license no. 3430002507 dated 10.06.2014. The party has submitted that they have undertaken job work on behalf of the SEZ and earn job work charges. The party has stated that due to commercial reasons, input material-steel is supplied by SEZ unit and they supply “Dished End” after doing the job work and thereby, EPCG capital goods are utilized for export production. The party has also stated that at present, EO is fixed for value of goods exported which includes goods and labour charges incurred and that job work charges form 40% of value of export product mentioned in the licence and balance 60% value is of material cost. The Committee deliberated upon the case and decided to **reject** it as the EO is imposed after taking into account the entire value of the export product and not for job work only and thus there is no merit in the claim of the party.
6.	M/s. Rajkalp Mudranalaya Pvt Ltd,	0830001976 dated 28.03.2007	Second extension of EOP.	The Committee noted that the EOP in the EPCG authorisation no. 0830001976 dated 28.03.2007 even after permissible extension of 4 years ended

	Ahmedabad 01/37/218/137/AM-17/EPCG-II			on 27.03.2019. The request of the party is for extension in EOP till 30.09.2019 for regularizing their exports. The Committee noted that the party had requested the DGFT Headquarters for second extension in EOP and the party was advised to approach concerned RA in terms of Public Notices No.35 and 36/2015-20, both dated 25.10.2017. Thereafter, the party requested for second extension in EOP on payment of 2% composition fee instead of 50% required under para 5.11 (b) of HBP. This request was regretted vide letter dated 19.08.2018. The party approached High Court of Ahmedabad in a Special Civil Application and the High Court vide Order dated 01.08.2019 rejected their plea on the ground that there is no substance in the submission and prayer of the petitioner in the present petition and that furthermore, the petitioner firm has not availed the option of approaching the Grievance Redressal Committee under the FTP. The Committee deliberated upon the case in the above circumstances and decided to **reject** it as there is no merit in the request.
7.	M/s. Electroforce (India) private Ltd., Thane 01/36/218/273/AM-17/ EPCG-I	0330028528 dated 01.02.2011	Request for extension in EOP for further period of nine months only to fulfil export obligation.	The Committee noted that the party has not fulfilled EO inspite of obtaining extension in EOP for two years in respect of zero duty EPCG authorisation. The party has now sought extension in EOP beyond the extension in EOP already granted to fulfill EO. RA, Mumbai has reported that as per ANF 5B submitted by the party they have fulfilled Rs. 3.42 crore Specific EO out of total specific EO of Rs. 8.38 crore. The party has already obtained extension in block-wise EOP and extension in EOP in the EPCG Committee meeting held on 19.07.2017. The Committee deliberated upon the case and noted that the party has not fulfilled even 50% of the EO in 8 years and there is no merit in granting further extension. The Committee, therefore, decided to **reject** the request being devoid of merit.
8.	M/s. Appu Hotels	78 EPCG Authorizations	Request for re-fixation of	The request of the party is for re-fixation of Annual Average Export Obligation and

	limited, Chennai 01/36/218/62/AM-20/ EPCG	issued in 2009-10	export obligation and extension in EOP in respect of 78 EPCG authorizations.	extension in EOP in respect of 78 EPCG authorisations in AM 2009 and AM 2010. The party, M/s. Appu Hotels Limited, says that they are engaged in providing hospitality services and have a hotel "Le Royal Meridien" at Chennai whose commercial operations started in the year 2000. They have another hotel "Le Meridien" at Coimbatore whose commercial operations started in the year 2011. The Party submits that due to procedural lapse, at the time of filing application for EPCG authorisation for import of capital goods for M/s. Le Meridien, Coimbatore, they have furnished the details of Annual Average Exports of M/s. Le Royal Meridien, Chennai also and therefore, the Annual Average Export Obligation has been fixed after counting annual exports of both the facilities. As both the facilities are independent in nature and located at faraway places and there is no nexus in the operational approach, for all purposes each establishment has to be dealt as an independent Unit and thus the Annual Average Export of M/s. Le Royal Meridien, Chennai, need not be included to the export obligation amount of M/s. Le Meridien, Coimbatore. The Committee deliberated upon the case and noted that both the hotels fall under the control of only one entity M/s. Appu Hotels Limited who is the EPCG Authorisation holder. Since Annual Average Export is counted based on the IEC Number which in this case belongs to M/s. Appu Hotels Limited, the Annual Average Export Obligation under the EPCG Authorisation cannot be bifurcated on the basis of annual average exports of individual hotels. The Committee, therefore, decided to **reject** the request, being devoid of merit.
9.	M/s. RSB India Limited, Kolkata 01/37/218/197/AM-19/ EPCG-II	0230000515 dated 03.03.2004	Request for regularization of shifting of capital goods to new premises on the basis of verification report from Central Excise and	The request of the party is for regularisation of shifting of capital goods to new premises on the basis of verification report from Central Excise and installation of imported capital goods at the new factory premises. The Committee heard the representative of the party who appeared for the PH. The Committee noted that the case was taken up in EPCG Committee meeting held on 24.05.2019

			installation of imported capital goods at the new factory premises.	and deferred for calling a report from RA. In response the RA has stated that the place of installation was changed to Uluberia unit situated at the Plot No. 51(P) and 52(), UIG, Uluberia, Howrah. As per letter issued by Central Excise vide their letter dated 07.12.2018 capital goods was imported against EPCG authorisation No.0230000515 dated 03.03.2004 by M/s. RSB Ltd, and found uninstalled in the Factory premises at Uluberia Industrial Growth Centre, Plot No.51 and 52 (part), Howrah. The Committee took into account submission of the party that they had imported capital goods and installed at their unit at Bhiwadi and obtained installation certificate from Jurisdictional Central Excise Authority. However, due to business exigencies they had to shift the capital goods from their Bhiwadi unit to factory premises at Uluberia Industrial Growth Centre, Plot No.51 and 52 (part), Howrah. The capital goods are now very old and not in a condition to be installed. The party has now submitted copy of verification report from Office of the Superintendent of CGST and Central Excise, Kolkata, verifying the presence of capital goods in the new factory premises at Howrah. The Committee decided to **defer** the case with a request to the RA to verify and send a report as to how much exports were completed before the capital goods were shifted from the Bhiwadi Unit of the party (where the CGs were originally installed) and the new factory unit at Uluberia Industrial Growth Centre, Plot No. 51 and 52 (part), Howrah.
10.	M/s. S.P. Garments, Ludhiana 01/36/218/44/AM-20/EPCG	3030013887 dated 31.03.2015	Review of decision taken in EPCG committee meeting held on 28.06.2019 regarding condonation of procedural lapse of not mentioning	The Committee noted that while one of the items to be exported under the EPCG Authorisation was Readymade Garments, i.e., T-Shirt (Embroidered/Printed), the export was made with description on the shipping bill being T-Shirts (Knitted). The request of the party was rejected by the EPCG Committee in its meeting held on 28.06.2019 on the ground that there is no merit in the request. The review request of the party is for condonation of this procedural lapse. The Committee noted that the party has imported capital machinery for embroidery and printing.

			the word printed in the description of export item.	The Committee deliberated upon the case and decided to **defer** the case to obtain comments from the Office of Textile Commissioner on the request of the firm.
11.	M/s. Jahan Leather Exports, Chennai 01/60/162/457/AM-20/ PRC	i.0430006514 dated 21.05.2008 ii.0430006696 dated 06.10.2008	Request for waiver from maintenance of annual average export Obligation.	The party has requested for waiver from maintenance of annual average export Obligation due to global recession which led to lesser demands. The Committee deliberated upon the case and decided to **reject** it as the ground for waiver of annual average put forward by the party is too generic and thus devoid of merit.
12.	M/s. Tijaria Polypipes Ltd., Jaipur 01/36/218/130/AM-20/ EPCG	1330002899 dated 01.02.2011	Requested for extension in EOP in respect of EPCG authorisation no. 1330002899 dated 01.02.2011.	The Committee noted that the party has requested for second extension in EOP for two years in respect of Zero Duty EPCG Authorisation. The Party had imported machinery to manufacture yarn from pet bottle scrap. The export product was YARN manufactured from pet bottle scrap. The party says that it could not export the product because pet bottle scrap was restricted till April, 2016 and could be imported only with the permission of MOEF which was not very easy to obtain. Further, in April 2016, pet bottle scrap was completely banned. They could get the scrap locally but this became quite a struggle. The Committee heard the representative of the party who appeared for the PH. The Committee noted that in addition to export of YARN manufactured from pet bottle scrap, the export product included many other items like PVC Pipes, HDPE Pipes, Tubes of polyethylene etc. but the party has fulfilled only 40.44% of the EO. The Committee deliberated upon the case and opined that under the circumstances there is no merit in the request and thus decided to **reject** it.
13.	M/s. Pallava Granite Industries (India) Pvt Ltd, Chennai 01/36/218/119/AM-20/ EPCG	i.0430005153 dated 11.07.2007 ii.0430010563 dated 29.11.2011 iii.0430015390 dated 21.01.2016 iv.0430011016	Request for allowing shipping bills not carrying EPCG authorisation number and date.	The request of the party is for accepting the shipping bills not carrying EPCG authorisation number and date for fulfilment of EO. The Committee noted that the request of the party for redemption has been rejected by RA, Chennai on the ground that the shipping bills submitted for fulfilment of EO are free shipping bills and thus cannot be accepted.

		dated 22.03.2012 v.0430010458 dated 01.11.2011 vi.0430008842 dated 11.08.2010 vii.0430010185 dated 16.08.2011 viii.043000595 0 dated 17.03.2008 ix.0430010187 dated 16.08.2011		The Committee deliberated upon the case and noted that export consignments under free shipping bills are not subjected to customs checks and thus there is no merit in accepting such shipping bills. The Committee, therefore, decided to **reject** the request.
14.	M/s. Premier Cotspin Limited, Ludhiana 01/36/218/20 /AM-19/ EPCG-II	3030003694 dated 14.02.2008	Condonation of procedural lapse of wrong mentioning EPCG authorisation number in shipping bills.	The request of the party is for allowing excess exports made vide Shipping Bill No. 2055903 dated 08.01.2018 and Shipping Bill No. 1880296 dated 29.12.2017 under EPCG authorisation No. 3030010384 dated 21.12.2012 towards the fulfilment of EO in respect of EPCG authorisation No. 3030003694 dated 14.02.2008. The Committee took into account submission of the party that both the authorization are pending for redemption and they declare that they have not and shall not account for the same Shipping Bills for specific as well as average E.O. for any other EPCG authorization or their 3rd Party exports except authorization no. 3030003694 dated 14.02.2008, if approved. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to accept Shipping Bill No. 2055903 dated 08.01.2018 and Shipping Bill No. 1880296 dated 29.12.2017 under EPCG authorisation No. 3030010384 dated 21.12.2012 towards the fulfilment of EO in respect of EPCG authorisation No. 3030003694 dated 14.02.2008, subject to the following conditions: (i) These two Shipping bills are not free shipping bill; (ii) There is no double counting of exports and payment of a composition fee of Rs. 200/- per export document is made by the party; (iii) The export item mentioned in the shipping bills is the same that is mentioned in the

				EPCG authorisation No. 3030003694 dated 14.02.2008. (iv) The shipping bills on which the wrong EPCG authorisation number is mentioned and which are to be counted/utilised towards the EO fulfilment of other EPCG authorisation, have not been taken in consideration by the RA towards redemption of both the EPCG Authorisation. (v) None of the EPCG authorisations under consideration have been redeemed. (vi) The export made under both the concerned shipping bills are within the EOP. (vii) Any investigation/adjudication proceeding by DRI/Customs/ECA is not pending in respect of the subject EPCG authorisations. **This has the approval of DG.**
15.	M/s. Aqeel Leathers, Chennai 01/36/218/107/AM-15/ EPCG-I	0430003704 dated 11.05.2006	Request for counting of exports made by Group company for fulfilment of EO.	The Committee noted that M/s. Aqeel Leathers, Chennai is a partnership firm which obtained the EPCG authorization for export of “Leather shoe components & finished leathers”. Since there was not much demand in the global market for leather shoe components & finished leathers, they completed their EO through their owned and associated concern M/s. Mohib Shoes Pvt. Ltd with alternate product “Mens Leather Shoes”. The request of the party to count the exports made by M/s. Mohib Shoes Pvt Ltd. was taken up in its meeting held on 24.05.2019 and it was decided to defer it for further examination. The Committee deliberated upon the case and decided to **reject** it as M/s. Mohib Shoes Pvt Ltd. cannot be considered as a group company of M/s. Aqeel Leathers, which is a partnership firm, for the purpose of accepting export of alternative products.
16.	M/s. Jay Ace Technologies Ltd., Delhi 01/36/218/171/AM-18/ EPCG-I	i.6130000234 dated 05.01.2011 ii.6130000235 dated 05.01.2011 iii.6130000236 dated 05.01.2011 iv.6130000237 dated 05.01.2011	Request for clubbing of EPCG authorisations.	The request of the party is for clubbing of 06 EPCG authorisations issued on 05.01.2011. The party has submitted in its letter dated 6.8.2019 that they have fulfilled the EO on 28.12.2019. Since there is some confusion in the dates, it was decided by the Committee to **defer** the case and call for the details from the party of the EOP extension and actual dates of exports.

		v.6130000238 dated 05.01.2011 vi.6130000240 dated 05.01.2011		
17.	M/s. T.C. Spinners Pvt Ltd, Lalru, Mohali 01/36/218/56 /AM-20/ EPCG	3030009243 dated 10.02.2012	Request for acceptance of installation certificate issued by Chartered Engineer instead of Central Excise.	The Committee noted that the party has stated that they failed to obtain installation certificate from Jurisdictional Central Excise Authority and that they have purchased the company from previous owners and at the time of filling fresh EPCG application, the company was registered with Central Excise but falls under the exempted category, being the Textile/yarn. The Committee deliberated upon the case and noted that the current FTP allows that the Authorization holder can produce the installation certificate from the jurisdictional Customs authority or an independent Chartered Engineer, at the option of the authorisation holder and further that where the authorisation holder opts for independent Chartered Engineer's certificate, he shall send a copy of the certificate to the jurisdictional Customs Authority for intimation/ record. The Committee decided **to recommend to DG for relaxation under Para 2.58 of FTP 2015-20 to allow** acceptance of installation certificate from Chartered Engineer, subject to verification by RA and intimation to the Jurisdictional Customs Authority and subject to payment of composition fee of Rs. 5000/- against the Authorisation. Further, RA to verify that no ECA/DRI/Customs is pending. **This has the approval of DG.**
18.	M/s. Vedanta Limited, Jharsuguda 01/36/218/13 3/AM-20/ EPCG	i.0530151079 dated 29.01.2010 ii.0530155362 dated 27.04.2011 iii.0530154748 dated 09.02.2011 iv.0530154463 dated 07.01.2011	Request for condonation of delay submission of installation of capital goods beyond 18 months.	The Committee noted that installation of capital goods has been completed and the party has obtained installation certificate from Central Excise Authority. However, due to procedural lapse installation of capital goods has been delayed beyond 18 months. The capital goods have been imported vide bills of entries dated during the period from 23.06.2011 to 15.11.2011 and have been installed during the period from 23.02.2013 to 11.03.2013. The Committee deliberated upon the case and **decided to recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to allow

				condonation of delay in installation of capital goods, subject to payment of Rs. 5000/- as composition fee against each authorisation and further subject to the condition that any investigation/adjudication proceeding by DRI/Customs/ECA action is not contemplated/pending in respect of the subject EPCG authorisations. **This has the approval of DG.**
19.	M/s. Oriental carbon & Chemicals Ltd, New Delhi 18/117/AM-16/P-5	0530148078 dated 26.12.2008	Condonation of delay in submission of installation certificate.	The Committee noted that installation of capital goods has been completed and the party has obtained installation certificate from Central Excise Authority. However, due to procedural lapse installation of capital goods has been delayed beyond 18 months. The capital goods have been imported vide bills of entry dated 27.03.2009 and have been installed on 17.01.2011. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.58 of FTP 2015-20** to allow condonation of delay in installation of capital goods, subject to payment of Rs. 5000/- as composition fee against the authorisation and further subject to the condition that any investigation/adjudication proceeding by DRI/Customs/ECA action is not contemplated/pending in respect of the subject EPCG authorisation. **This has the approval of DG.**
20.	M/s. Haldex India Pvt Ltd., Nashik 01/36/218/77 /AM-19/ EPCG-I	i.3130000726 dated 31.05.2004 ii.3130000784 dated 09.08.2004	Extension in EOP in respect of EPCG authorizations issued prior to 01.09.2004.	The party has submitted that they have fulfilled 100% EO in respect of both the EPCG authorisations within the extended EOP and EOP extension is sought for regularization purpose only. The party has further submitted that EOP extension in terms of Public Notices No. 35 and 36/2015-20 dated 25.10.2017 is not applicable in their case as the authorisation issued prior to 01.09.2004 are not covered under these PNs. The Committee deliberated upon the case and decided to **defer** it for calling report from RA as the Authorisations are very old.
21.	M/s. Anjani Steels Limited, CLA New Delhi 01/36/218/10	0530139796 Dated 27.10.2005	Request for acceptance of third party exports against H Form.	The request of the party is for acceptance of third party exports against H- Form. The Committee noted that H-Forms are not export documents and H-Form supplies cannot be considered for fulfillment of EO under EPCG scheme. The Committee thus decided to **reject**

	3/AM-16/ EPCG-I			the request.
22.	M/s. Hotel Annamalai International, Madurai 01/36/218/03 /AM-20/ EPCG	3530003915 dated 01.02.2010	Request for consideration of payment received from Foreigners in INR by Hotel Industry Towards redemption of EPCG licence.	The party has requested for consideration of payment received from foreigners in INR by Hotel Industry towards redemption of EPCG licence. The Committee heard the representative of the party who appeared for PH and submitted that Policy Circular No. 60 dated 24.12.1998 provides for payment received from foreigners in INR against encashment certificates. They have fulfilled the EO by earning in free foreign exchange from foreigners during the period 2010 to 2018. However since they are a small hotel and were not well conversant with the formalities they did not obtain the photocopies of encashment certificate from the foreigners. The Committee deliberated upon the case and decided to **reject** it as there is no merit in the request.

DGFT = Directorate General of Foreign Trade, DG = Director General, FTP = Foreign Trade Policy, HBPv1 = Handbook of Procedure Vol. I, EO = Export Obligation, EODC = Export Obligation Discharge Certificate, EOP = Export Obligation Period, B.O.E.=Bill of Entry, EPCG = Export Promotion Capital Goods, RA = Regional Authority, BG = Bank Guarantee, FFE = Free Foreign Exchange, IEC = Importer-Exporter Code, DoR = Department of Revenue, IEM = Industrial Entrepreneurs Memorandum, RCMC = Registration-cum-Membership-Certificate.

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