

GOVERNMENT OF INDIA  
MINISTRY OF COMMERCE & INDUSTRY  
OFFICE OF THE JOINT DIRECTOR GENERAL OF FOREIGN TRADE  
117, K.K.NAGAR, MADURAI – 625020

Tel : 0452-2586485

Email : madurai-dgft@nic.in

F.No.35/36/21/009/AM06

Date: 22.9.2014

ORDER-IN-ORIGINAL

PASSED BY: **S. SASIKUMAR**  
JOINT DIRECTOR GENERAL OF FOREIGN TRADE, MADURAI.

1. Any person/party aggrieved by this order may, under Section 15 of the Foreign Trade (Development and Regulation ) Act, 1992 & notification no. 21(RE-2013)/2009-2014 dt. 13.6.2013 file and appeal against the same to the appropriate authority viz. The Additional Director General of Foreign Trade, Office of the Additional Director General of Foreign Trade, 4<sup>th</sup> Floor, Shastri Bhavan Annex, 26, Hadows Road, Nungambakkam, Chennai – 600006 within a period of forty five days ( 45 days) from the date of service of this adjudication order together with a copy of this order and a complete set of evidence in the form of Annexure to the appeal relied upon in support of the appeal.

2. Any person/party desirous of filing an appeal against this order shall deposit the penalty amount and produce proof of payment of penalty amount along with the appeal to the Appellate Authority failing which the appeal is liable to be rejected for non-compliance of the provisions of Section 15 of the Foreign Trade ( Development and Regulation ) Act, 1992.

3. The penalty amount is to be deposited in an authorized bank of Central Bank of India under the Head of Account "1453 Foreign Trade & Export Promotion Minor Head 102 other receipts fines, penalties etc.". The bank receipt must show the name of Dept. viz. Directorate General of Foreign Trade. The bank receipt drawn in favour of Pay & Accounts Officer (Foreign Trade), Chennai.

4. Evidence of payment of penalty is required to be furnished to the Adjudicating Authority within forty five days (45 days) from the date of service of this Adjudication Order, failing which the Importer-Exporter Code Number of the persons/companies/ other entities concerned is liable to be suspended under the provisions of Section 11(4) of the foreign Trade ( Development & Regulation ) Act, 1992 without making any further reference to them.

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5. **M/s. KUMAR GRANITES,13-A9, MADURAI MAIN ROAD,MELUR, MADURAI DISTRICT** PIN-625106 had obtained an EPCG licence no. 3530000966 dt. 25.04.2005 for duty saved amount of Rs. 2,30,400/- for import of capital goods with an export obligation to export dimensional dressed granite blocks worth US\$ 78,682 within a period of 8 years from the date of issue of authorization. IEC no allotted to the firm is 35004004215 dt. 19.10.2004
6. **M/s. KUMAR GRANITES,13-A9, MADURAI MAIN ROAD,MELUR, MADURAI DISTRICT** PIN-625106 had not submitted statement of exports evidencing fulfillment of export obligation in spite of this office letters dt. 30.05.2008, 10.12.2008, 24.08.2009, 31.05.2010, 30.01.2012, 09.10.2012, 21.06.2013 and 13.01.2014 calling for statement of exports.
7. Show cause notice dt. 02.07.2013 with personal hearing 16.07.2013 at 4.30 p.m. was issued to the firm and it's Proprietor. The firm have neither attended personal hearing nor submitted any reply to this office show cause notice. Hence demand notice was issued on 8.8.2013. The firm have failed to pay duty with interest as per the demand notice. Since there was no response from the firm, bank guarantee was forfeited on 09.04.2014 and **M/s. KUMAR GRANITES** was placed under Denied Entities List (DEL) Order dt. 10.04.2014.

In the circumstances, the undersigned is now fully convinced that the Licensee firm and its proprietor are guilty of violating the conditions of the Licence in question thereby liable to a penalty under Section 11 (2) of Chapter IV of Foreign Trade(Development and Regulation) Act, 1992. In exercise of powers vested in me vide Notification No. SO(E) dt. 17.4.2009 issued by DGFT, New Delhi in F.No. 18/27/HQ/06-07/ECA-II, I hereby impose a penalty of **Rs.2,30,400/- (Rupees two lakhs thirty thousand and four hundred only)** on the licensee and its proprietor in addition to payment of customs duty saved amount plus applicable interest towards non-fulfillment of export obligation in full against the subject licence.

I further order that no further authorization shall be issued to the firm/ Company or to any other firm/Company in which the proprietor of this firm/Company are directly or indirectly involved in the day-to-day activities of that firm/Company as per Provisions of Handbook read with Rule 7(1) of the Foreign Trade (Regulation) Rules, 1993.

This order is issued without prejudice to any other action that may be taken under any other Act, Rules or Regulations in force.

  
(S. Sasikumar)

JOINT DIRECTOR GENERAL OF FOREIGN TRADE

To: ✓

1. **M/s. KUMAR GRANITES, 13-A9, MADURAI MAIN ROAD,MELUR, MADURAI** DISTRICT PIN-625106

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Copy to:-

SHRI C.PERIAKARUPPAN  
50/9/1, MARIAPPA NADAR BUILDING  
GANDHI NAGAR FIRST STREET  
MELUR PIN-625106

The Additional Director General of Foreign Trade (**ECA Section**), Office of the  
Additional Director General of Foreign Trade, 4<sup>th</sup> Floor, Shastri Bhavan Annex, 26,  
Haddows Road, Nungambakkam, Chennai – 600006