

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.35/21/40/007/AM13

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Date: 05.05.2015

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 Director General of Foreign Trade, Udyog Bhavan, New Delhi - 110 011 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), New Delhi.

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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4. **M/s. SUN COIR MAT ,74 & 75, KUTTIAH PILLAI STREET, CUMBUM, THENI DISTRICT TAMILNADU PIN-625516** had obtained an advance authorisation no. 3510039476 dt. 16.10.2012 for cif value of Rs.5,20,201/- for import of PVC Resin and D.O.P with an export obligation to export Tufted Coir Products with synthetic chemical backing embedded on Plastisol of PVC resin & DOP for fob value Rs.13,69,000/- US\$ 27,380/- within a period of 18 months from the date of issue of the authorization. IEC No:3510005881 dt. 12.10.2010 was allotted to the firm.
5. **M/s. SUN COIR MAT, 74 & 75, KUTTIAH PILLAI STREET, CUMBUM, THENI DISTRICT TAMILNADU PIN-625516** has not submitted any reply to this office letters dt. 10.10.2014 and 05.01.2015, calling for documents, evidencing fulfilment of export obligation and the letters were returned undelivered by the postal authorities with the remarks "Refused". As per licensing condition, the authorization holder shall have to deliver to this office within 2 months from the date of expiry of export obligation period, documents as prescribed.
6. Show cause notice dt. 21.01.2015 with personal hearing 30.01.2015 at 11.00 a.m. was issued to the firm and it's partners and the same was also returned undelivered by the postal authorities with the remarks " Refused". The firm have neither submitted EO documents nor furnished challan for having paid duty with interest. Hence demand notice was issued on 06.02.2015. The firm have failed to pay duty with interest as per the demand notice. Since there was no response from the firm, M/s. Sun Coir Mat was placed under Denied Entities List (DEL) Order dt. 11.03.2015.

In the circumstances, the undersigned is now fully convinced that the Licensee firm and its partners are guilty of violating the conditions of the authorization 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.5,20,201/- (Rupees five lakhs twenty thousand two hundred and one only) (being one time cif)** on the licensee and its partners in addition to payment of customs duty plus interest as applicable towards non-fulfillment of export obligation in full against the subject authorization.

I further order that no further authorization shall be issued to the firm/ Company or to any other firm/Company in which the partners 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

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To: M/s. SUN COIR MAT, 74 & 75, KUTTIAH PILLAI STREET, ,CUMBUM,
THENI DISTRICT TAMILNADU PIN-625516

Copy to:-

SHRI MSS VIGNESH GANDHAN PARTNER 74,KUTTIAH PILLAI STREET CUMBUM THENI DISTRICT 625516	SMT. S.VIJAYALAKSHMI, PARTNER 74,KUTTIAH PILLAI STREET CUMBUM THENI DISTRICT 625516
SMT. V.YAMENE PARTNER 74,KUTTIAH PILLAI STREET CUMBUM THENI DISTRICT 625516	SHRI T.R.PRASANA VENKATESH PARTNER SIVA SAKTHI NAGAR KARUR
SMT. R.NAGALAKSHMI PARTNER SIVA SAKTHI NAGAR KARUR	

The Commissioner of Customs Customs House Tuticorin Sea Port - 628004

The Director General of Foreign Trade (ECA Section), Office of the
Director General of Foreign Trade, Udyog Bhavan, New Delhi - 110 011.

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