

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. 35/21/40/151/AM09

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15932-5938

Date: 11.9.2015

**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, Newdelhi 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.

6. 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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16/9/15

10. M/s Chillies Export House Ltd, no.18, Patel Road, Virudhunagar 626001 (IEC no. 0488001579) had obtained an Advance Authorisation No. 3510025995 dated 4.3.2009 under DES Scheme for a cif value of Rs 1,078,000(\$22000) with an export obligation to export Oleoresin Paprika(refined) worth Rs 1,296540/-( \$26460) to be fulfilled within a period of 120 days from the date of clearance of first consignment by Customs Authority.
11. Show cause notice dated. 18.5.2012 was issued to the firm and its directors with personal hearing on 6.6.2012 at 3.00PM for non-fulfilment of export obligation fixed against the licence .You had neither attended personal hearing nor submitted documentary evidence for having fulfilled Export Obligation. Hence Demand Notice dated 16.1.2014 was issued to pay duty with 18% interest for the unutilized imported material to the Customs Authority concerned. In reply the firm vide their letter dated 16.6.2012 had informed that they have approached DGFT, Newdelhi for extension in EO but till date no proof has been produced for extension of EO period or payment of duty with interest
12. . Since there was no response from the firm, Chillies Export House Ltd, no.18, Patel Road, Virudhunagar 626001 was placed under Denied Entities List (DEL) Order dt. 30.4.2015.

In the circumstances, the undersigned is now fully convinced that the Licensee firm and its directors 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 10,78,000/-** being one time cif on the licensee and its directors in addition to custom duty plus 18% 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 directors 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

Copy to:

1. CHILLIES EXPORT HOUSE LIMITED,  
NO.1B, PATEL ROAD,  
VIRUDHUNAGAR, TAMIL NADU -  
PIN-626001

:3:

2. CHILLIES EXPORT HOUSE LIMITED,  
NO.41, N.M.C. XVII, MOTHIRAPALLI VILAI,  
AMARA VILA P.O, TRIVANDRUM DT.KERALA  
PIN-
3. CHILLIES EXPORT HOUSE LIMITED,  
NO. 11, 12 PERALI ROAD  
VIRUDHUNAGAR  
TAMIL NADU PIN-626001
4. R .SANKARA RAMAKRISHNAN  
8/4, AA ROAD  
VIRUDHUNAGAR, TAMILNADU  
PIN-626001
5. R.VIDHYASAGAR  
NO.8/33,,AA ROAD  
VIRUDHUNAGAR, TAMILNADU  
PIN-626001
6. R.NARAYANAN  
NO.5/8, CARDIRAK ROAD  
THIYAGARAYA NAGAR,T.NAGAR  
CHENNAI, TAMILNADU  
PIN-600017
7. Commissioner of Customs, customs house, Chennai Sea, Chennai

  
(S.SASIKUMAR)

JOINT DIRECTOR GENERAL OF FOREIGN TRADE

