GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
OFFICE OF THE JOINT DIRECTOR GENERAL OF FOREIGN TRADE,
‘C’ BLOCK, PMT COMMERCIAL COMPLEX, SHANKARSETH ROAD,
SWARGATE, PUNE – 411 037.

Tel.No. 020-24449598
E.Mail: pune-dgft@nic.in

File No. 31/82/040/00125/AM - 12
(IEC No. 3195002116)

Date: 10.10.2018.

Passed by: S. SASIKUMAR
Joint Director General of Foreign Trade, Pune

ORDER IN ORIGINAL

1. Any person/party aggrieved by this Order, may under Section 15 of the Foreign Trade (Development & Regulation) Act, 1992 and O&M Instruction No. 3/2016 dated 05/09/2016, file an appeal against the same to the appropriate authority viz. Dr. Sonia Sethi, IAS, Head of the Office and Additional Director General of Foreign Trade, Mumbai Zonal Office of Directorate General of Foreign Trade located at Nishtha Bhavan, 48, Sir Vithaldas Thackersey Marg, Churchgate, Mumbai-400020, within a period of 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 desirious 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 & Regulation) Act, 1992 as amended from time to time.

3. The penalty amount is to be deposited in an authorized branch of Central Bank of India under the Heads of Account 1453 Foreign Trade and Export Promotion Minor Head 102 other Receipts Fines and penalties etc. The bank receipt must show the Name of Department viz. Directorate General of Foreign Trade. The bank receipt drawn in favour of Pay & Accounts Officer (Foreign Trade), Mumbai.
4. Evidence of payment of penalty is required to be furnished to the Adjudicating Authority within 45 days from the date of serving 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.

FACT OF THE CASE

5. The firm, M/s. Duplex Industries Ltd, Pune, had obtained an advance Authorisation No. 3110049877 dated 23.08.2011 as per SION Sr No. 61/1189 of Engineering Products with accountability condition for CIF value of Rs. 33,18,30,450/- US $ 74,23,500.00 subject to fulfilment of export obligation to Rs. 38,52,22,500/- US $ 87,75,000.00 to be fulfil within a period of 36 months from the date of issue of Licence.

6. The above licence was issued to you as per Sion Sr. No. 61/1189 of Engineering Products, with accountability condition.

7. Export Obligation period was expired on 22.08.2014, (36 Months), but the firm has not submitted export documents towards fulfilment of export obligation, a Demand Notice issued to them on 06.07.2015. As the firm has failed to comply with the said Demand Notice, their name has been kept under Denied Entity List on 31.07.2015, during further benefits under Foreign Trade Policy.

8. Subsequently, as there was no response from the firm, a Show cause Notice of even No. Dated 05.09.2018, was issued to them, with an opportunity for Personal Hearing on 21.09.2018, which was postponed to 24.09.2018.

9. As the firm failed to furnish the documentary evidence of exports towards fulfilment of export obligation, or attended the Personal Hearing on 24.09.2018, they have violated the licensing conditions as well as the legal undertaking executed by them.

10. In the circumstances, the undersigned is now fully convinced that the licensee firm and it directors are guilty of violating the condition of the Authorisation in question there liable to pay penalty under section 11(2) of chapter IV of Foreign Trade Development and regularisation act, 1992 as amended from time to time.

11. Accordingly, I hereby impose a penalty of Rs. 33,18,30,450/- (equivalent to one time cif value).
12. I further order that as per Rule 7 of Foreign Trade (Regulation) Rules, 1993 no further licence/Authorisation/Scrip or any instrument bestowing financial or fiscal benefits shall be issued to the firm or to any other entity covered by Rule 7 of 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:


2) Dr. Sonia Sethi, (IAS), Addl. DGFT, O/o Additional Director General of Foreign Trade, Nishtha Bhavan, 48, Sir vithaldas Thackersey Marg, New Marine Lines, Churchgate, Mumbai – 400 020.
Telephone No. 022-22016421.


4) Shri Mahesh Kumar Rastogi, Additional Director General, Central Economic Intelligence Bureau (CEIB), 1st, 6th & 8th Floor, B Wing, Janpath Bhawan, Janpath, New Delhi – 110 001.
Phone No. 23092653.

5) Licensing Section.

6) All Directors of the firm.

1. ANAND VISHNU SATPUTE
   PLOT NO.74,LANE NO.3,NATRAJ CO.OP.II
   KARVE NAGAR,
   PUNE-411052.

2. ANIL ANAND SATPUTE
   PLOT NO. 74, LANE NO. 3, NATRAJ HSG
   SOCIETY, KARVENAGAR,
<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name</th>
<th>Address</th>
<th>City/State, PIN</th>
<th>Phone/Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>ANAND VISHNU SATPUTE</td>
<td>PLOT NO. 74, LANE NO. 3, NATRAJ HSG SOCIETY, KARVENEGAR, PUNE/MAH</td>
<td>PIN-411052</td>
<td>0205440156</td>
</tr>
<tr>
<td>4</td>
<td>SHASHIKANT V AWATI</td>
<td>24, MILAP SOCIETY, PATWARDHAN BAUG, ERANDAWANE, PUNE/MAH</td>
<td>PIN-411004</td>
<td>02025382562</td>
</tr>
<tr>
<td>5</td>
<td>MANOJKUMAR R GUPTA</td>
<td>SWAMI H. NO. 22, GOKUL NAGAR, SR. NO. 36/2, KATRAJ KONDHWA ROAD, KATRAJ, PUNE/MAH</td>
<td>PIN-411046</td>
<td>02025382562</td>
</tr>
</tbody>
</table>