

SPEED POST



GOVERNMENT OF INDIA
MINISTRY OF COMMERCE
OFFICE OF THE JOINT DIRECTOR GENERAL OF FOREIGN TRADE
4, ESPLANADE EAST : CALCUTTA : 700 069.

No.18/65/2001-02/ECA/CAL/Adj.
ALS- A/02/71/040/00688/AM'94

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571, 572, 573.

Dated: 10.04.2014

ORDER-IN-ORIGINAL.

Passed by:-

Mr. R. L. Meena, Joint Director General of Foreign Trade,

1. Any person/party aggrieved by the order may, under section 15 of the Foreign Trade (Development and Regulation) Act, 1992 file an appeal against the same to the appropriate authority, I.e, the Additional Director General of Foreign Trade, Udyog Bhawan, New Delhi-110011 within a period of 45 days from the date of serving of this Adjudication Order together with a copy of this order and a complete set of evidence to be relied upon in support of the appeal in the form of an annexure.
2. Any person/party desirous of filing an appeal against this order shall deposit the 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(1) of the Foreign Trade (Development and Regulation) Act, 1992.
3. The penalty amount is to be deposited within a period of 7 days from the date of issue of this order under the head of account "1453 Foreign Trade & Export Promotion", Minor Head-102 other receipts, fines and penalties etc." failing which, the Importer Exporter Code Number allotted to the party may be suspended without any further notice, till payment of the full fiscal penalty amount.
4. A notice of even number dated 18.02.02 was issued to M/s. Kedia Exports, 25, Strand Road, 824-Marshall House, 1st floor, Kolkata-700001. (herein after referred to as the "Noticee") of under section 14 of Foreign Trade (Development and Regulation) Act, 1992, calling upon noticee firm to show cause as to why fiscal penalty should not be imposed upon them under section 11 of the said act for non submission of logged DEEC BOOK against Advance License No.P/K/3497577/C dated 18.02.94 as per provisions of Exim Policy. The noticee was given 15 days time for submission of their reply and also an opportunity for a personal hearing. The reason for the notice arose from the fact that the firm had failed to reply to the SCN. As such the firm was defaulter by the section on 04-10-2001.

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5. The prescribed period of 15 days for replying to the above notice has expired and the firm had not been able to produce any documents/amount of the undersigned as claimed for to the said Show Cause Notice. The firm have also failed to avail the opportunity of personal hearing to present their case.
6. After issuance of the Show Cause Notice for imposition of fiscal penalty, several opportunities were granted to the firm to represent their case by submission of documents .
7. I have gone through the facts and records of the case carefully. I find that M/s. Kedia Exports, 25, Strand Road, 824-Marshall House, 1st floor, Kolkata-700001, had obtained the Advance License and not submitted the assessed S/Bill and logged DEEC Book.
8. Therefore, in exercise of the powers vested in me under section 14 read with section 11 of the Foreign Trade (Development and Regulation) Act, 1992, I hereby impose a penalty of Rs.10,00,000/-(Ten Lakhs) to M/s. Kedia Exports, 25, Strand Road, 824-Marshall House, 1st floor, Kolkata-700001 and their Proprietor in addition to customs duty and applicable interest.
9. This action is without prejudice to any other actions that may be taken against the noticee firm under the Foreign Trade (Development and Regulation) Act, 1992 and the rules and order made thereunder or any other act or law in force.



(R.L. MEENA)

JOINT DIRECTOR GENERAL OF FOREIGN TRADE

To

1. M/s. Kedia Exports, 25, Strand Road, 824-Marshall House, 1st floor, Kolkata-700001.
2. The DGFT, New Delhi,
3. B.L. Cell.
4. FTDO (ALS B)
5. Shri Krishna Kumar Kedia, 4, Gangadhar Babu Lane, Kolkata – 700 012.

Handwritten signature
15.05.14

Handwritten signature
19.8.14

Handwritten initials
OTC