

नोएडा विशेष आर्थिक क्षेत्र

**दिनांक 19.06.2019 को 11.30 बजे पूर्वाह्न को एन.एस.ई.जेड., नोएडा में
डॉ. ललित बि. सिंघल, विकास आयुक्त महोदय की अध्यक्षता में हुई 100% निर्यातान्मुख
इकाइयों से संबंधित अनुमोदन समिति की चौथी बैठक (2019 सीरीज) का कार्यवृत्त**

The following members of the Approval Committee were present in the meeting:

1. Shri S.S. Shukla, Joint Development Commissioner, NSEZ, Noida.
2. Shri Aman Kumar Singh, Deputy Commissioner (Customs), Commissionerate of Customs (Preventive), Jodhpur (Jaipur).
3. Shri J.N. Meena, FTDO, Office of the Additional DGFT, Central Licensing Authority, New Delhi.

Besides, during the meeting (i) Shri R.K. Srivastava, Dy. Development Commissioner, and Shri Ram Baboo, Assistant Development Commissioner, NSEZ were also present to assist the Approval Committee.

2. At the outset, Development Commissioner, NSEZ welcomed the participants. After brief introduction, the Chairman informed the members about the issue raised by Shri Nilesh Khokhawat of Udaipur in respect of Customs duty evasion by 100%EOUTs dealing in Marble. It was informed that in its e-mail, the applicant has claimed that certain EOUTs are evading Customs duties by exporting indigenous material showing as imported material and clearing the same in domestic tariff area, under invoicing etc. It was informed that this office has already written to Commissioner, Customs of concerned Commissionerate for looking into the matter and taking necessary action. The Chairman directed that a copy of the e-mail dated 21.05.2019 sent by Shri Khokhawat along with this office letter dated 31.05.2019 forwarding therewith the e-mail to Commissioner, Customs, Jodhpur may be provided to Shri Aman Kumar Singh, Deputy Commissioner (Customs). The Chairman also requested Shri Aman Kumar Singh, Deputy Commissioner (Customs) to take up this issue with all the concerned Commissionerates and if deemed necessary could also contact the complainant for taking all the necessary information/inputs.

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The Chairman directed that a communication should also be sent to Sh. Khokhawat informing him that this office has already forwarded the matter to the jurisdictional Customs Authority and if any other information / feedback is available, the same may also be informed/provided to the Customs Authority. As directed, copy of this office letter dated 31.05.2019 alongwith e-mails dated 21.05.2019 and 14.06.2019 received from Shri Khokhawat were provided to Shri Aman Kumar Singh, Dy. Commissioner (Customs), Jodhpur during the UAC meeting.

After this, each item included in the agenda were taken up for discussion one by one.

4.00(2019) दिनांक 27.03.2019 को हुई अनुमोदन समिति की तीसरी बैठक के कार्य वृत्त का अनुमोदन

It was informed that no reference against the decisions of the Approval Committee Meeting held on 08.05.2019 has been received, and therefore the Committee ratified the Minutes of the Approval Committee held on 08.05.2019.

4.01 (2019) Marble Slabs & Tiles, Granite Slabs & Tiles के उत्पादन एवं निर्यात के लिए वर्तमान DTA यूनिट को 100% निर्यातोन्मुख एकक इकाई में बदलने हेतु मे० सोनेक्स मार्मो ग्रैनी प्राइवेट लिमिटेड का प्रस्ताव.

i) It was informed to the Committee that the proposal of M/s Sonex Marmo Grani Private Limited received is for conversion of existing DTA unit into 100%EOU at Khasra No. 2909/1196, Village Amberi, Tehsil-Girva, N.H. 8, Udaipur, Rajasthan-313011 for manufacture and export of below mentioned items along with annual capacity mentioned against them:-

1) Marble Slabs	220000 CFT per year	68022110
2) Marble Tiles	70000 CFT per year	68022190
3) Granite Slabs	60000 Sq.Mtr per year	68022390
4) Granite Tiles	24000 Sq.Mtr per year	68022310

ii) It was informed to the Committee that the export projections for five years are Rs.4601.00 lakhs and projected NFE is Rs.1867.00 lakhs. The area of proposed location is 14310

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Sq.ft. The Committee was informed that the antecedent reports from Vizag and Falta SEZ have been received and nothing adverse noticed. Further, it was informed to the Committee that the project was earlier placed before the UAC meeting held on 12.12.2018 in which jurisdictional Customs, Jodhpur had informed that the said unit has already been served with an SCN dated 06.04.2018 issued by the Joint Commissioner CGST Udaipur involving Central Excise duties of Rs.1,80,11,769/- besides various penalties. The case was therefore deferred and the Committee directed to place the case again before UAC after receipt of complete report from jurisdictional Customs authorities.

iii) The Committee was informed that the said SCN has been adjudicated and the OIO passed by the Joint Commissioner CGST Udaipur has been set aside by Commissioner (Appeal), Jodhpur vide Order in Appeal No. 450-51(CRM)/CE/JDR/2019. Now, vide letter dated 14.06.2019, jurisdictional Customs authorities has informed that as such there is nothing against the unit or its Directors as on date and unit's application for conversion of existing DTA unit into 100%EOU may be considered accordingly.

iv) Shri Manish Soni, Director of the unit attended the meeting and elaborated the project before the Committee. He informed that he was earlier working in capacity of Manager in M/s Sonex Marbles Pvt. Ltd. Which is being run by his father and is dealing in job work for exporters only. Proposed unit M/s Sonex Grani Marmo Pvt. Ltd. will do 100% exports to the overseas buyers and for manufacturing of finished products they will procure raw material from nearby mines and will also import some material. About 50% of raw materials will be procured indigenously and approx. 50% marble and granites will be imported. However, the Import will be of that marble and granite whose import is free as per guidelines mentioned in the Import Policy 2017. He also informed that he has got the orders from Middle East and U.S.A. He further informed that they have already installed plant and machinery worth Rs.1.00 to 1.50 crores and they plan to invest additional Rs.3.00 crore in plant and machinery.

vi) The Committee advised him to submit an undertaking that they will import 50% of marble as per guidelines mentioned in the Import Policy 2017 as raw material and utilize for

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export activities. The Committee also advised that no complaints should be received while dealing with Marble activities.

vii) The Committee, after due deliberations, approved the proposal of the unit subject to the condition that (i) only that marble and granite will be imported whose import is free as per guidelines issued by DGFT and (ii) no DTA sale of marble products will be allowed in any form.

4.02 (2019) Synthetic Filter Cloth (a) Press Cloth; (bb) Kelly Filter Cloth; (c) Non-Woven Filter Cloth/ Press/ Sleeves etc; & (d) Other Filter Fabrics के उत्पादन एवं निर्यात के लिए नई 100% निर्यातोनमुख इकाई लगाने के लिए मै० क्लियर एज एक्सपोर्ट्स प्राइवेट लिमिटेड का प्रस्ताव.

i) It was informed to the Committee that the proposal of M/s Clear Edge Exports Private Limited received is for setting up of a 100%EOU at A-118, B-119 120, Road No. 9, VKIA, Jaipur-302013 for manufacture and export of below mentioned items along with annual capacity mentioned against them:-

Synthetic Filter Cloth

a) Press Cloth	40,000 Nos.	5911 9090
b) Kelly Filter Cloth	10,000 Nos.	5911 9090
c) Non-Woven Filter Cloth/ Press/sleeves etc.	12,000 Nos.	5911 9090
d) Other Filter Fabrics	30,000 Nos.	5911 9090

ii) It was informed to the Committee that the export projections for five years are Rs.16786.00 lakhs and projected NFE is Rs.2778.00 lakhs. The area of proposed location is 8032 Sq.ft.(746 SqM). The Committee was informed that the antecedent reports from Vizag, Falta and MEPZ SEZs received and nothing adverse has been noticed. Further, the site inspection report from jurisdictional Customs Jodhpur vide letter dated 04.06.2019 has also been received and they have recommended the proposal for setting up of a new 100%EOU.

iii) Shri Laxmikant Khaitan, Director, Sh. Narendra Bhaga, Manager, and Shri Bhupendra, Asstt. Manager of the company attended the meeting and elaborated the project before the Committee. They mentioned that Clear Edge is a part of Clear Edge Filtration Group with net worth of Rs. 1.6 Billion Dollars employing more than 7000 people and having offices in

सिटी ऑफिस: स्टेट ट्रेडिंग कॉर्पोरेशन ऑफ इण्डिया लिमिटेड, चतुर्थ तल, जवाहर व्यापार भवन, टॉलस्ट्रीट मार्ग, नई दिल्ली-110001.

दूरभाष जोन कार्यालय: 0120-2567270; 3021444 से 46. / फ़ैक्स 0120-2562314. 0120-2567276

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around 70 locations in different countries. He further mentioned that Clear Edge Filtration Group is a part of Clear Edge Germany GmbH - the world's fastest growing filtration company. Shri Laxmikant Khaitan stated that he is an MBA having about 21 years of experience and from last six years he is with Clear Edge company.

iv) He further mentioned that in the proposed EOU the raw material used will be Polyester (PET), Poly Propylene (PP), Nylon (PA) both woven and non-woven. This will be imported in rolls generally measuring 100 meters from Germany and USA. These rolls are used in mines and minerals, fertilizers, dye stuff and edible oil industry for liquid & solid separation for technical purposes. These items are covered under Custom Chapter Heading 5911 (ITC HS Code) and are called Technical Textiles.

v) He informed that they will get raw material (main fabric) from their group companies (from Germany, Malesia and Australia) and U.S. All other raw material are available in India. Their Group company is already preparing these goods in Australia. They have shifted to India for cost cutting as cheap labour force is available in India. Initially, they will invest Rs.2.00 crores on machinery. They are using high technological machines for cutting and sewing and would install Industrial Sewing Machines and elaborated the process of making the finished products in detail. He informed that the final product will be supplied to their own company in Australia.

vi) On being asked whether the required capital goods would be supplied by their parent company or they will purchase the same from other sources, Mr. Khaitan informed that the necessary capital goods worth Rs.1.37 crores would be imported from China and machines worth Rs.50 lakh will be procured indigenously. Further, he informed that they have already set up a domestic unit in the same complex but the proposed EOU is separated from that unit by a boundary wall.

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vii) The Committee informed that in terms of provision of para 6.20 (d) of HBP 2015-20 relating to textiles, export of textile items shall be covered by bilateral agreements. In response, Shri Khaitan mentioned that their items fall under Chapter heading 59 and are called Technical Textiles and are probably not covered under para 6.20 (d) of HBP 2015-20. The Committee directed that clarification on the above may be taken from DGFT.

viii) It was also informed by the Committee that in the IEC, the name of only Indian director viz. Sh. Laxmikant Ajitkumar Khaitan is mentioned and the names of other two directors are not mentioned. In response, Shri Khaitan mentioned that they will file application for amendment in the IEC for including the names of two foreign directors Eric Armenat and Jan-Willem Radstaak and will submit the proof.

ix) The Committee, after due deliberations, approved the proposal in-principle subject to condition that LOP shall be issued only after (i) the name of other two directors are incorporated in the IEC; and (ii) the clarification from DGFT on the issue whether provision of para 6.20 (d) of HBP 2015-20 relating to textiles is applicable in this case or not is received.

4.03 (2019) Hammer; Pry Bar; Bolster; Ratchet; Striking Tools; Forging Non-Automotive; Forging Automotive-Engine Parts; Motor Vehicle Suspension Parts; and Gear Box Part के उत्पादन एवं निर्यात के लिए नई 100% निर्यातोन्मुख इकाई लगाने के लिए मै० ग्राज इंजीनियरिंग टूल्स प्राइवेट लिमिटेड का प्रस्ताव.

i) It was informed to the Committee that the proposal of M/s Groz Engineering Tools Private Limited received is for setting up of a 100%EOU at Plot No. SP4-314, Industrial Area, Karauli, Dist. Alwar, Rajasthan for manufacture and export of below mentioned items along with annual capacity mentioned against them:-

Item description	Installed capacity	ITC (HS) Code
1) Hammer;	9,60,000	8205 2000
2) Pry Bar;	4,00,000	8205 5990
3) Bolster;	4,00,000	8205 3000

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4) Ratchet;	2,00,000	8204 1110
5) Striking Tools;	50,000	8204 1220
6) Forging Non-Automotive;	50,000	8708 9900
7) Forging Automotive-Engine Parts;	40,000	8708 1090
8) Motor Vehicle Suspension Parts; and	30,000	8702 8000
9) Gear Box Part.	30,000	8708 4000

ii) It was informed to the Committee that the export projections for five years is Rs.32158.28 lakhs and projected NFE is Rs.28758.28 lakhs. The area of proposed location is 1,00,000 Sq.Mtr and covered area is 25,000 Sq.Mtr. which is allotted by RIICO on lease for 99 years w.e.f. 30.01.2018.

iv) The Committee was informed that the Unit is already having a 100%EOU bearing LOP No. 3-276/2002-100%EOU dated 08.05.2002 at Village Kherki Daula, National Highway-8, Distt. Gurgaon, Haryana and also have an SEZ unit at plot No. 128, NSEZ, Noida bearing LOA No. 02/02/909-Proj/2039 dated 19.03.2009 with same name and IEC Number. As per records, both the units are manufacturing and exporting Lubrication Tools and Accessories, Pumps, Engineering Tool, Industrial Tools, Camping Tool and hand Tools etc. and are having positive NFE and working satisfactorily.

v) The Committee was informed that the antecedent reports from Vizag and Falta SEZs received and nothing adverse has been noticed.

vi) Further, the site inspection report from jurisdictional Customs, Jodhpur has also been received vide letter dated 10.06.2019 and they have recommended the proposal for setting up of a new 100%EOU.

vii) Shri Anil Kumar Bammi, Managing Director, Shri Ritesh Kapoor, Finance Head and Shri Ram Bhardwaj, Manager-Commercial attended the meeting. Shri Anil Kumar Bammi, Managing Director elaborated the project before the Committee. He stated that currently in the existing EOU and SEZ units, they are mainly manufacturing Lubricating Tools and in the proposed new EOU they are planning to manufacture some specialized tools basically related to automotive sector and forging tools. The items are mostly for Mining industry and forging automotive engine parts belonging to automotive sector. He informed that they have received

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good feedback from their customer based in USA for their products and that they will be exporting to U.S.A, Australia, Europe, South Africa etc.. He informed initially approx. 100 people will be working in the EOU. They will import capital goods from Taiwan and Italy worth Rs. 5.00 Crores and commencement of production will take approx. 01 year.

viii) The Committee, after due deliberations, approved the proposal of the unit.

अध्यक्ष महोदय को धन्यवाद ज्ञापन के साथ बैठक समाप्त हुई.

(डॉ. ललित बि. सिंघल)
विकास आयुक्त