

भारत सरकार, वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग
विकास आयुक्त का कार्यालय
नौएडा विशेष आर्थिक क्षेत्र

नौएडा दादरी रोड, फेस-II, नौएडा.201305, जिला - गौतमबुद्ध नगर
Government of India, Min. of Commerce & Industry, Deptt. of Commerce,
Office of the Development Commissioner
NOIDA SPECIAL ECONOMIC ZONE
Noida Dadri Road, Phase-II, NOIDA-201305, Distt. Gautam Budh Nagar (UP)

फा. सं. 12/01/2019-प्रोज/

1842
13/2/19

दिनांक: 12/02/2019

सेवा मे,

1. मुख्य कार्यपालक अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नोएडा।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली।
3. आयुक्त, आयकर, ए 2 डी, आयकर भवन, सेक्टर 24, नोएडा।
4. आयुक्त, सीमा शुल्क, नौएडा सीमा शुल्क आयुक्तालय, इनलैंड कंटेनर डिपो, तिलपता, दादरी, गौतम बुद्ध नगर, उत्तर प्रदेश - २०१३०६.
5. उप सचिव, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001।
6. उप सचिव (आई एफ-1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
7. महाप्रबंधक, जिला उद्योग केंद्र, कलेक्ट्रेट के पास, सूरजपुर, ग्रेटर नोएडा।

विषय: दिनांक 06/02/2019 को पूर्वाह्न 11:30 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की यूनिट अनुमोदन समिति की बैठक का कार्यवृत्त - एतद संबंधी।


महोदय,

मुझे उपरोक्त विषय का सन्दर्भ लेने और डॉ. एल बी सिंघल, विकास आयुक्त, नौएडा विशेष आर्थिक क्षेत्र की अध्यक्षता मे दिनांक 06/02/2019 को पूर्वाह्न 11:30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नौएडा मे आयोजित नौएडा विशेष आर्थिक क्षेत्र की यूनिट अनुमोदन समिति की बैठक का कार्यवृत्त अग्रेषित करने का निर्देश हुआ है।

संलग्नक: उपरोक्त

प्रतिलिपि:-

1. विशेष कार्याधिकारी - विकास आयुक्त के सूचनार्थ।
2. वैयक्तिक सहायक - संयुक्त विकास आयुक्त के सूचनार्थ।
3. निर्दिष्ट अधिकारी, नौएडा विशेष आर्थिक क्षेत्र - सूचनार्थ एवं आवश्यक कार्यवाही के लिए।
4. सचिव, नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण- सूचनार्थ एवं आवश्यक कार्यवाही के लिए।
5. सहायक विकास आयुक्त (एडमिन) - सूचनार्थ एवं कार्यवृत्त के हिंदी अनुवाद के लिए।

भवदीय,

(नितिन गुप्ता)
उप विकास आयुक्त

उप विकास आयुक्त

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Minutes of meeting of the Approval Committee of Noida SEZ held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner (DC), Noida SEZ at 11:30 AM on 06/02/2019 in the Conference Hall of NSEZ.

The following members of the Approval Committee were present during the meeting:-

- 1) Shri S.S. Shukla, Jt. Development Commissioner, NSEZ.
- 2) Shri Rajesh Sharma, Asstt. Commissioner, Customs, Noida Commissionerate.
- 3) Shri Sachin Jain, Asstt. Commissioner, DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.).
- 4) Shri R.L. Meena, Asstt. DGFT, O/o Addl. DGFT, CLA, New Delhi.
- 5) Smt. Durgesh Nandini, Income Tax Officer, Income Tax Deptt., Noida.
- 6) Shri Mukesh Goyal, Manager, (Rep. of Noida Authority).

2. Besides, during the meeting S/Shri (i) Md. Salik Parwaiz, Specified Officer, NSEZ, (ii) Nitin Gupta, Dy. Development Commissioner, NSEZ, (iii) M.V. Ruhella, ADC, NSEZ, (iv) Rajendra Mohan Kashyap, PA to JDC, NSEZ, and (v) Kapil Muni, JE, UPPCL were also present to assist the Approval Committee.

3. At the outset, DC, NSEZ welcomed the participants. After brief introduction, each items included in the agenda were taken up for deliberation one by one. After detailed deliberations as well as interaction with the applicants / representatives of the units, the following decisions were taken:-

(i) Ratification of Minutes of last meeting of the Approval Committee held on 07/01/2019.

It was informed that no reference against the decisions of the Approval Committee held on 07/01/2019 was received. It was informed that in the last meeting of the approval committee held on 07.01.2019, the proposal of M/s. French Arabian Aroma for addition of items in authorized operations was considered. The representative of the unit had informed that during Nov-Dec, 2018 unit has done export of almost Rs.20 crores. The matter was deferred inter-alia with the direction to NSEZ custom to get physical verification done. Joint Commissioner (Customs), NSEZ informed that in verification everything has been found proper. It was further informed that M/s. French Arabian Aroma has submitted a request for withdrawal of its request for inclusion of additional

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items in LOA, which was deferred in the last meeting. The Approval Committee took note of the same. The Approval Committee also ratified Minutes of the meeting held on 07/01/2019.

Item wise decisions on proposals included in agenda:

1.

हेटवी ट्रेडिंग एल.एल.पी - नौएडा विशेष आर्थिक क्षेत्र में नयी इकाई लगाने हेतु प्रस्ताव ।

It was informed to the Approval Committee that the M/s. Hetvi Trading LLP, vide its letter dated 10.12.2018 received in this office on 17.12.2018 had proposed to set up a unit in NSEZ for the following authorized operations:-

- i) "Pearls, natural or cultured, whether or not worked or graded but not strung, mounted or set; pearls, natural or cultured (71010000);
- ii) Trading of polished diamonds (71023910);
- iii) Trading in precious and semi-precious stones (71031029);
- iv) Lab Grown Diamonds (71040000)
- v) Gold Jewellery studded with Diamonds, Precious and Semi-Precious Stones(71131930)."

1.2 However, the applicant vide its letter dated has revised its proposal for (a) Manufacturing of Gold & Silver Studded Jewellery (ITC HS-71131930); and (b) Manufacturing & Export of Polished Diamonds (ITC HS -71023910) with projected exports of Rs. 20000 Lakhs and NFE earnings worth Rs.1400 Lakhs over a period of five years.

1.3 This proposal was placed before the Approval Committee held on 07.01.2019. However, no one on behalf of applicant has attended the meeting and requested for deferment. Accordingly, the applicant was informed to appear in the next meeting i.e. 06.02.2019.

1.4 Shri Sukhbir Singh, appeared on behalf of the applicant stating that he has been authorized by the firm to represent the case in the Approval Committee dated 06.02.2019. He produced a letter dated 2.1.2019 addressed to him and signed by Shri Pranshu



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Kanaujiya, Designated Partner on the letter head of the firm, in support of his claim.
Extract of the letter is as under:-

"As discussed here we authorise you to submit application for setting up a unit at Noida SEZ for manufacturing and export of gold and silver studded jewellery as per norms of SEZ.

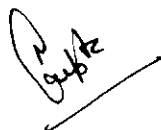
It is also agreed that the Company appoint you for complete management of the project at NSEZ upon its approval."

1.5 The committee observed that Shri Sukhbir Singh has not been authorized for the purpose of representing the case of applicant before the Approval Committee. The said authorization is for above purpose. Shri Sukhbir Singh mentioned that he could convey about the meeting of Approval Committee to promoters very late. In the circumstances, it has not been possible for them to attend the meeting. He also mentioned that promoters have requested for deferment.

1.6 The Committee after detailed deliberations decided as under:-

(i) As per the project report, the firm has suffered financial loss of Rs. 1,75,01,595/- and Rs.23,81,215.23 for the year 2016-17 and 2017-18 respectively. The Approval Committee directed that the applicant may be asked to clarify as to what activities they have been doing for which they have suffered loss of Rs. 2 crores approximately in the year 2016-17 and 2017-18.

(ii) The committee observed that the applicant has given a letter dated 17.01.2019 from M/s. Real Heart Pte Limited, Hong Kong stating that they would invest \$ 500,000.00 in M/s. Hetvi Trading LLP once it is set up in Noida SEZ. They will partner with M/s. Hetvi Trading LLP and take care of export for far East Countries and use their marketing network. However, it is not clear who has signed the letter and what will be nature of investment. It is also not clear as to what will be the responsibility of promoters and investor in case of default. Further no agreement between LLP firm and investor has been given. The committee directed that



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clarification on these issues may be sought from the applicant firm.

- (iii) The committee observed that the applicant has mentioned that the company has a small capital at present. However, it has proposed investment of over Rs.10.00 crores in its firm from associates and family friends for undertaking the present activity. The committee observed that applicant firm has not provided documents/proof towards the said investment of Rs.10.00 crores. The committee directed that documentary proof regarding proposed investment may be sought from the applicant.
- (iv) The committee observed that in terms of Rule 18 (2) (v) of the SEZ Rules, 2006, the applicant is required to submit the Income-tax returns, along with annexures, of the Proprietor or Partners, or in the case of a company, audited balance sheet for the last three years. The committee observed that the same has not been submitted in respect of Shri Ajay Kumar. In respect of Shri Pranshu Kanaujiya, the ITR has been submitted only for FY 2017-18. The committee directed to ask for the Income-tax returns, along with annexures, of both the Partners for the last three years, as required under the said Rule.
- (v) The committee observed that these partners joined the firm only on 15.09.2018. Prior to this, what they were doing has not been given. What the earlier partners/promoters were doing and who were earlier partners their details have also not been given. The same may be asked for from applicant.
- (vi) The committee directed that in addition to the above information, reminder may be issued to the applicant to submit following documents/information as called for from them vide letter dated 29/01/2019:-
- (a) Detailed bio-data of promoters (incorporating their background, professional qualification and experience etc.).
- (b) Separate manufacturing process flow chart of each proposed manufacturing items.
- (c) Separate projections of export, import, NFE earnings along with value addition calculation needs to be given in respect of each proposed items.
- (d) Copy of passport of both partners.



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- (e) ITRs of both the partners for three years along with Annexures i.e. computation sheet.
- (f) Correct list of raw materials/finished goods w.r.t. each proposed items needs to be given.
- (g) It has further been observed that against meager capital of just Rs. 7.07 Lakhs in FY 2016-17, the LLP has substantial amount of unsecured loans to the tune of Rs. 8.35 crores along with sundry creditors of Rs. 15.54 Crores. Similarly, in FY 2017-18, the amount of unsecured loan is Rs. 10.03 Crores and sundry creditors of Rs. 20.60 crores against a capital of Rs. 6.49 Lakhs. The same needs to be clarified by the applicant firm.
- (h) On the Import Export Code of the LLP, the Designation of the signatory applicant is Mr. Sourabh Mahaveer Prasad Sethi (Retired Designated Partner).

1.7 Accordingly, the Approval Committee deferred the matter for its next meeting. The committee decided that the communication to this effect be sent to partners of the firm well in time to ensure their presence in the next meeting of the approval committee. They should also be directed to ensure that all the requisite documents /information/ clarification are furnished well in time for examination by this office.

2. **औरिमा रिफाइनरी एल.एल.पी - नौएडा विशेष आर्थिक क्षेत्र में नयी इकाई लगाने हेतु प्रस्ताव**

It was informed to the Approval Committee that the M/s. Aurima Refinery LLP, vide its letter dated 14.12.2018 received in this office on 17.12.2018 had proposed to set up a jewellery unit in NSEZ.

2.2 It has been observed that in Form-F, applicant has mentioned proposed items as "Manufacturing of Jewellery of Gold/Silver". However, in project report, proposed items have been mentioned as "Manufacturing of Gold Jewellery (71131910) at one place while "Gold/Platinum/Palladium Coins & Pendants, Plain Gold/Platinum/Palladium Jewellery & Articles, Jewellery of Gold (71131910), Other Articles of Jewellery (71131130)" at another place. Further, in list of raw materials, "Gold bars/Unfinished or incomplete articles of gold" has been mentioned. Accordingly, shortcomings observed in the application were



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communicated to the applicant firm, for rectification, for which their reply is still awaited:-

- i) At S.No. VII of Form-F, values of indigenous capital goods has not been mentioned. Besides, values of raw material, component, consumables etc. have been mentioned in incorrect denomination.
- ii) Applicant has not signed at proper place on the page 5 of Form F.
- iii) Correct proposed items of manufacture along with its ITC HS code and list of respective raw materials needs to be given as the proposed items have been mentioned differently in Form F and project report.
- iv) Details of proposed value addition calculation need to be given in respect of proposed items.
- v) Copy of passport of Shri Shyam Sunder Biyani has expired on 31/08/2018. Hence, copy of valid passport needs to be given.
- vi) Copies of ITRs of promoters have been given without Annexures i.e. computation sheet of ITRs. Hence, ITRs of all promoters for last three years along with computation sheet needs to be given.
- vii) Affidavit has been given. However, the same is not notarized. Hence, duly notarized affidavit needs to be given.
- viii) Complete/detailed project report giving therein feasibility report, including details on which basis export projections have been worked out, has not been given.
- ix) Balance sheet of other companies/firms of promoters for last three years needs to be given in support of their claim that they belong to Biyani Group and has sufficient fund for finance of the proposed NSEZ unit w.r.t. investment & raw material procurement.
- x) Undertaking to fulfil the applicable environmental and pollution control norms has not been given.
- xi) Whether any exemption from Income Tax Deptt. is being claimed, the details under which section and whether Income Tax Deptt. has disallowed exemption at any time?
- xii) Whether any penalty imposed by the Income Tax Deptt. If yes, complete details are to be furnished.
- xiii) Details of transaction with sister concerns raising issue of transfer pricing, if any.

2.3 Further, comments were also obtained from nominated CA firm of NSEZ in this case and their observations are as under:

- (i) In the documents provided, the experience of the Partners in manufacturing of gold and jewellery products has not been documented.



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(ii) Value Addition Chart in connection with manufacturing of Gems and Jewellery products has not been provided.

(iii) No Financial Statements on a Provisional or Projected basis has been provided and therefore, no comment can be made regarding the Financial Feasibility of the Project.

2.4 It was informed to the Approval Committee that applicant has requested for deferment of proposal. Accordingly, Approval Committee deferred the matter for its next meeting. The committee decided that the communication to this effect be sent to partners of the firm well in time with a request to ensure their presence in the next meeting of the approval committee. They should also be directed to ensure that all the requisite documents/information/clarification are furnished well in time for examination by this office. Meanwhile, a request may be sent to DC and DC (Customs), SEEPZ SEZ Mumbai to get physical verification of the premises of promoters at Mumbai done to ascertain as to whether the said firm is working at the address given in the application or not.

3. **इम्पेटस इन्फोटेक (इंडिया) प्राइवेट लिमिटेड - नौएडा विशेष आर्थिक क्षेत्र में नयी इकाई लगाने हेतु प्रस्ताव**

It was informed to the Approval Committee that the M/s. Impetus Infotech (India) Pvt. Ltd. has proposed to set up its third unit in NSEZ to undertake Information Technology Services such as Software Development, Test Engineering and R&D Consulting with projected exports of Rs. 25750 Lakhs and NFE earnings worth Rs.24850 Lakhs over a period of five years.

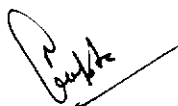
3.2 Shri Sanjeev Aggarwal, authorized representative of the company, appeared before the Approval Committee to explain the project. Shri Aggarwal informed that M/s. Impetus Infotech (India) Pvt. Ltd. has 5 units in different SEZs employing 1200 persons at Noida, Indore, Gurugram and Bengaluru. He further stated that they are mainly into development of software product and big data analytics on Time & Material (T&M) basis for US clients. They have 100% clients in USA.

3.3 Shri Aggarwal informed that they expect to deploy upto 750 employees over a period of five years. The applicant has also stated that based on their previous experience of execution of T&M project, they expect to generate projected revenue and employment

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	<p>for the proposed unit.</p> <p>3.4 The Approval Committee, after due deliberations, approved the proposal of M/s. Impetus Infotech (India) Pvt. Ltd. for setting up a unit in NSEZ for Information Technology Services such as Software Development, Test Engineering and R&D Consulting.</p>
4.	<p>सिटिक्ससिस टेक सोलुशंस प्राइवेट लिमिटेड - LOA के नवीनीकरण एवं प्रदर्शन की निगरानी हेतु प्रस्ताव</p> <p>It was informed to the Approval Committee that M/s. Citixsys Tech Solutions Pvt. Ltd. has been issued an LOA dated 24/04/2012 for Software Development and Consultancy (consultancy services include software development, software delivery, integration services, software support, website development). The unit commenced its export production w.e.f. 10/02/2014 and LOA is valid till 09/02/2019.</p> <p>4.2 It was informed to the Approval Committee that the unit has made exports worth Rs.5255.27 Lakhs and earned positive NFE earnings worth Rs. 5147.38 Lakhs during previous block of five years between 2013-14 to 2018-19 (upto 31/03/2018). Further, no foreign exchange has been shown pending for realization. The Approval Committee took note of the same.</p> <p>4.3 Shri Manish, director of the company appeared before the Approval Committee. Shri Manish informed that they have their headquarter in New York, USA. He further stated that due to adverse market conditions, their export turnover decreased during previous years. However, they are now planning to expand their business and they hope to increase their export in coming years.</p> <p>4.4 It was informed to him that as per Rule 19(6A)(1) of SEZ (Amendment) Rules, 2018 dated 19/09/2018, the units which intend to renew the validity of Letter of Approval, are required to submit completed application in form F1 along with requisite document before two months from the date of expiry of the Letter of Approval. Provided that in case an application is not submitted before the said period of two months, such application shall be placed before the Approval Committee and the said Committee, if it is satisfied that there was sufficient cause for not filling the same before the said period, may</p>



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direct for entertainment of such application.

4.5 Shri Manish regretted for the delay in filing application for renewal of LOA and requested to condone the delay. He further ensured that such delay will never occur in future.

4.6 The Approval Committee, after due deliberations, condoned the delay and decided to renew the validity of LOA for next block of five years i.e. upto 09/02/2024.

5. **सनग्लास पैलेस प्राइवेट लिमिटेड - LOA के नवीनीकरण एवं प्रदर्शन की निगरानी हेतु प्रस्ताव**

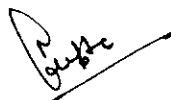
It was informed to the Approval Committee that M/s. Sunglass Palace Pvt. Ltd. has been issued an LOA dated 28/09/2012 for Trading of Imported Watches, Bags, all Crockery items, Apparel Garments and Footwears. The unit commenced its export production w.e.f. 27/09/2012 and LOA was valid till 26/11/2018.

5.2 It was informed to the Approval Committee that the unit has made exports worth Rs. 3216.37 Lakhs and earned positive NFE earnings worth Rs. 301.25 Lakhs during previous block of five years between 2013-14 to 2018-19 (upto 31/03/2018). Further, no foreign exchange has been shown pending for realization. The Approval Committee took note of the same.

5.3 Shri Arun Malhotra, director of the company appeared before the Approval Committee. Shri Malhotra informed that they are procuring imported goods from Switzerland, Hong Kong and exporting the same to Dubai, USA etc.

5.4 It was informed that NSEZ Customs has informed that during examination of imported consignment of the unit (from M/s. ENICAR Brand wrist watches made in Switzerland), it was found that M/s. Sunglass palace Pvt. Ltd., Plot No. 129G/64, NSEZ has been shown as sole service centre in India by M/s. ENICAR. However, as per the LOA, it is not clear whether the unit can act as service centre or not.

5.5 Shri Malhotra informed that they are not using their SEZ space for the purpose of Enicar Service Centre. They are purely engaged in Trading Business from NSEZ location. He further stated that it was fault on the side of M/s. Enicar and now they have removed



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	<p>name of M/s. Sunglass palace Pvt. Ltd. from the documents.</p> <p>5.6 The Approval Committee, after due deliberations, decided to renew the validity of LOA for next block of five years i.e. upto 26/09/2023 subject to submission of ITC HS Code of items being traded by them.</p>
6.	<p>मार्केट मूवर्स एक्सपोर्ट्स (इंडिया) प्राइवेट लिमिटेड - LOA के नवीनीकरण एवं प्रदर्शन की निगरानी हेतु प्रस्ताव</p> <p>It was informed to the Approval Committee that M/s. Market Movers Exports (India) Pvt. Ltd. has been issued an LOA dated 24/09/2007 for Manufacturing of Hangers & Hangers Cube, Cable Tie/Nylon Tie, All Kind of Stationery items & Products. The unit commenced its export production w.e.f. 31/01/2009 and LOA is valid till 30/01/2019.</p> <p>6.2 It was informed to the Approval Committee that the unit has made exports worth Rs. 826.56 Lakhs and earned positive NFE earnings worth Rs. 757.61 Lakhs during previous block of five years between 2013-14 to 2018-19 (upto 31/03/2018). Further, no foreign exchange has been shown pending for realization. The Approval Committee took note of the same.</p> <p>6.3 Shri Vivek Chandra, authorized representative of the company appeared before the Approval Committee. He informed that they mainly manufacture plastic stationery items & products and export the same. Shri Chandra informed that by mistake they have submitted application for renewal of LOA only for manufacturing of All kinds of stationery items & products. He requested to continue manufacturing of Hangers & Hanger Cubes along with All kind of stationery items & products for next block of five years. The Approval Committee directed him to submit revised Form-F1 for proposed authorized operations.</p> <p>6.4 It was informed to him that as per Rule 19(6A)(1) of SEZ (Amendment) Rules, 2018 dated 19/09/2018, the units which intend to renew the validity of Letter of Approval, are required to submit completed application in form F1 along with requisite document before two months from the date of expiry of the Letter of Approval. Provided that in case an application is not submitted before the said period of two months, such application shall be placed before the Approval Committee and the said Committee, if it is satisfied that there was sufficient cause for not filling the same before the said period, may</p>



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direct for entertainment of such application. Shri Chandra ensured that such delay will never occur in future.

6.5 The Approval Committee, after due deliberations, approved the request of unit and decided to renew the validity of LOA for next block of five years i.e. upto 30/01/2024 for manufacturing of (i) Hangers & Hanger Cubes and (ii) All kind of stationery items & products subject to submission of revised Form-F1 by the unit indicating ITC HS code of these items.

7. अर्दिती इंडिया प्राइवेट लिमिटेड - LOA के नवीनीकरण, अधिकृत कार्यों में संशोधन एवं प्रदर्शन की निगरानी हेतु प्रस्ताव।

It was informed to the Approval Committee that M/s. Arditi India Pvt. Ltd. has been issued an LOA dated 28/02/2013 for 1. Manufacture of Electrical and electronic components for lighting and components for lighting and parts thereof including LED Modules & Fixture. 2. Trading of parts (Electrical and electronic components for lighting and components for lighting and parts thereof including LED Modules & Fixture). The unit commenced its export production w.e.f. 10/12/2013 and LOA is valid till 09/02/2019.

7.2 It was informed to the Approval Committee that the unit has made exports worth Rs. 2558.91 Lakhs and earned positive NFE earnings worth Rs. 965.11 Lakhs during previous block of five years between 2013-14 to 2018-19 (upto 31/03/2018). Further, no foreign exchange has been shown pending for realization. The Approval Committee took note of the same.

7.3 Shri Rohit Kapoor and Shri Dinesh Sharma, directors of the company appeared before the Approval Committee. Shri Kapoor informed that they have started manufacturing activities from 2016-17. He further informed that earlier they were allowed for manufacturing as well as trading activities. But, now with amendment in SEZ Rules, the trading activities are no more relevant. Therefore, they have proposed to renew LOA for manufacturing activity only.

7.4 It was informed to him that as per Rule 19(6A)(1) of SEZ (Amendment) Rules, 2018 dated 19/09/2018, the units which intend to renew the validity of Letter of Approval, are required to submit completed application in form F1 along with requisite

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document before two months from the date of expiry of the Letter of Approval. Provided that in case an application is not submitted before the said period of two months, such application shall be placed before the Approval Committee and the said Committee, if it is satisfied that there was sufficient cause for not filing the same before the said period, may direct for entertainment of such application. Shri Kapoor ensured that such delay will never occur in future.

7.5 The Approval Committee, after due deliberations, approved the request of unit and decided to renew the validity of LOA for next block of five years i.e. upto 09/12/2023 for manufacturing and exports of Electrical and electronic components for lighting and components for lighting and parts thereof including LED Modules & Fixture subject to submission of ITC HS Code of these items. The approval committee also decided to delete Trading Activities from the LOA as requested by the unit.

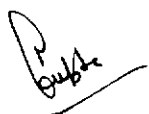
8. आर.ए. इंटरनेशनल - इकाई के साझेदारी के विघटन एवं शेयरहोल्डिंग में बदलाव हेतु प्रस्ताव |

It was informed to the Approval Committee that M/s. RA International has been issued an LOA dated 29/01/2010 for Manufacturing & Export of Plain & Studded Gold Jewellery. The unit commenced its export production w.e.f. 18/06/2010 and LOA is valid till 17/06/2020.

8.2 It was informed to the Approval Committee that the unit has informed that they have dissolved their partnership business on mutual consent from 03/11/2018 and all the existing business, assets and liabilities of the said partnership firm will be taken over by Shri Dinesh Verma.

8.3 It was further informed that the said matter was also considered by the Approval Committee in its meeting held on 05/12/2018 & 07/01/2019. However, as no one from the unit appeared for the meeting, the Approval Committee had deferred the matter for its next meeting and directed to write a letter to the unit to submit APR for the year 2017-18 and registered dissolution deed of partnership.

8.4 Shri Dinesh Verma, partner in the firm appeared before the Approval Committee. He informed that he and his father Shri Ram Avtar Sharma have mutually decided to



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dissolve their partnership business. He further informed that they have also decided to close M/s. R.A. International as they already have another unit in NSEZ namely M/s. Shree Shyam Exports which will continue working in the zone.

8.5 The Approval Committee took note of submission of Shri Dinesh Verma and directed him to submit their written submission w.r.t. their decision of exit from SEZ Scheme subject to compliance of relevant exit formalities.

9.

सिसकॉम कॉरपोरेशन प्राइवेट लिमिटेड - इकाई के नाम में परिवर्तन हेतु प्रस्ताव

It was informed to the Approval Committee that M/s. Syscom Corporation Pvt. Ltd. has been issued an LOA dated 13/07/2006 for Manufacturing & Trading activities. The unit commenced its export production w.e.f. 01/11/2006 and LOA is valid till 31/10/2021.

9.2 It was further informed that the unit has informed that name of their company has been changed from "Syscom Corporation Pvt. Ltd." to "Idemia Syscom India Private Limited" w.e.f. 06/12/2018 and submitted copy of certificate of incorporation pursuant to change of name.

9.3 Shri Nand Kishore Prusty, authorized representative of the unit appeared before the Approval Committee. He informed that there is no change in shareholding pattern of the company. He further informed that there is no addition of any new director. However, one existing director namely Mr. Pascal Alain Joseph has resigned from the board w.e.f. 30/11/2017.

9.4 It was informed that the DOC vide Instruction No. 89 dated 17/05/2018 has issued guidelines regarding change in shareholding pattern, name change of SEZ Developer and SEZ Units which inter alia states as under:

"5(ii) Re-organisation including Change of name, change in shareholding pattern, business transfer arrangements, court approved mergers and demergers, change in constitution of Units located in SEZs may be undertaken with the prior approval of Approval Committee in respect of Units subject to the condition that the unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on

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such reorganization.

6. Such reorganization shall be subject to the following safeguards:

- i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;
- ii) Fulfilment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;
- iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. Acts/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.
- v) The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT."

9.5 It was further informed that DOC vide Instruction No. 90 dated 03/08/2018 has also clarified that "it may not be interpreted that prior approval of BOA/UAC is to be taken before approaching the Registrar of Companies or the National Company Law Tribunal as is being done in some cases came to the notice of this department".



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	<p>9.6 The Approval Committee, after due deliberations, approved the proposal of unit for change of name of company from "M/s. Syscom Corporation Pvt. Ltd." to 'M/s. Idemia Syscom India Private Limited' in terms of Instruction No. 89 dated 17/05/2018 read with Instruction No. 90 dated 03/08/2018.</p>
10.	<p>एस.आई. ओवरसीज ज्वेलर्स - LOA में अतिरिक्त अधिकृत परिचालनों को शामिल करने के प्रस्ताव</p> <p>It was informed to the Approval Committee that M/s. S.I. Overseas Jewellers has been issued LOA dated 31/03/2015 for Manufacturing & Export of Handcrafted Plain Gold Jewellery. The unit commenced its export production w.e.f. 25/03/2018 and LOA is valid till 24/03/2023.</p> <p>10.2 It was informed to the Approval Committee that unit has submitted a proposal for inclusion of Manufacturing & export of (i) Handmade/machine made Studded Gold Jewellery - All purity and(ii) Silver jewellery in its authorized operations.</p> <p>10.3 Shri Shamsuddin Molla, partner in the firm appeared before the Approval Committee. He informed that currently there are 40-45 employees in the unit. He further informed that they have got queries from their overseas buyers for studded gold jewellery and silver jewellery due to which they have submitted proposal for inclusion of the same in their authorized operations.</p> <p>10.4 It was informed that in terms of this office circular dated 31/08/2017 read with Instruction No. 88 dated 16/08/2017 and DGFT Notification No. 21/2015-2010 dated 14/08/2017, "there is Restriction of Gold content from 8 carats and above upto a maximum limit of 22 carats for export of Gold jewellery, including partly processed jewellery, whether plain or studded and articles".</p> <p>10.5 Shri Molla informed that they have orders of Gold Jewellery with gold content of 14 carats and 22 carats. He further stated that they will comply with all the instructions in this regard.</p> <p>10.6 The Approval Committee, after due deliberations, approved the proposal of M/s. S.I. Overseas Jewellers for inclusion of Manufacturing & export of (i) Handmade/machine</p>



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	<p>made Studded Gold Jewellery of 14 Carats and 22 Carats and(ii) Silver jewellery in its authorized operations, subject to submission of ITC HS Code of these items and also that unit shall achieve value addition not less than as prescribed by Deptt. of Commerce.</p>
11.	<p>कृति मेटफॉर्म लिमिटेड - LOA में अतिरिक्त अधिकृत परिचालनों को शामिल करने के प्रस्ताव</p> <p>It was informed to the Approval Committee that M/s. Kriti Metform Ltd. has submitted a request to allow them 'Rebuild of Machines' as one of the authorized operations.</p> <p>11.2 S/Shri J.P. Singh and Ram Kumar, authorized representatives of the company attended the meeting. They requested that the proposed activity shall entail import and local procurement of old machines and then export and DTA sale of these old machines after repair/reconditioning.</p> <p>11.3 The approval committee pointed out that in terms of 2nd proviso to rule 18 (4) (d) of the SEZ Rules, 2005, reconditioning, repair, and re-engineering may be permitted subject to the condition that exports shall have one to one correlation with imports and all the reconditioned or repaired or reengineered products and scrap or remnants or waste shall be exported and none of these goods shall be allowed to be sold in the Domestic Tariff Area or destroyed.</p> <p>After due deliberations, the approval committee deferred the proposal as the same entail import and local procurement of old machines and then export and DTA sale of these old machines after repair/reconditioning as the same do not come under the purview of 2nd proviso to rule 18 (4) (d) of the SEZ Rules, 2005. The unit was advised to submit a detailed write up on the proposed activity alongwith a written undertaking that exports shall have one to one correlation with imports and all the reconditioned or repaired or reengineered products and scrap or remnants or waste shall be exported and none of these goods shall be allowed to be sold in the Domestic Tariff Area or destroyed.</p>
12.	<p>नियोक्राफ्ट ग्लोबल प्राइवेट लिमिटेड - LOA में अतिरिक्त अधिकृत परिचालनों को शामिल करने के प्रस्ताव</p> <p>It was informed to the Approval Committee that M/s. Neokraft Global Pvt. Ltd. has been</p>

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issued LOA dated 29/03/2011 for following activities:

Manufacturing :-

- 1) Homelights & Home lights systems & parts (wall mounted lamps, table lamps, selling lamps, spot lights, up lighter, pendant lamps & floor lamps, LED based lights and any other home furnishing Products)
- 2) Home furniture & kitchen ware (sheet metals & piped products)- such as chair, tables, table legs, curtain rods, flower pots, towel rail, storages, bathroom fixture & fittings, decorative items & handicraft item.
- 3) Electricals lightning & signaling equipment for automotive, work lamps, RCI Lamps, LED based lamps etc.
- 4) Commercial Lightings.
- 5) Miscellaneous metal (Plated & coated such as nickel, chrome, brass, copper, zinc & other antics finish, powder coated etc.) products, such as Garden tools, hardware.
- 6) Miscellaneous types of lamps shades

Trading:-

1. Trading activity related to home lights, home lights systems & home lights parts, components and home furnishing products.
2. Commercial Lightings.
3. Electrical Lightings & signaling equipment, for automotive, work lamps, RCL Lamps, LED based lamps etc.
4. Miscellaneous types of Lamp Shades.
5. Bathroom Fixture & fitting (**subject to 100% physical export**).

12.2 The unit commenced its export production w.e.f. 11/05/2011 and LOA is valid till 10/05/2021.

12.3 It was informed to the Approval Committee that unit has submitted a proposal for inclusion of manufacturing of Hardware such as (i) Other articles of Aluminum (7616), (ii) Base metal mounting fitting and similar articles suitable for furniture, door, doors, staircases, windows etc. (Door/Furniture Knobs, Hooks Handles etc. of Zinc/Aluminum



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/Iron (8302), (iii) Seats (garden chairs etc.) (9401), (iv) Other furniture parts thereof, (v) Table, Kitchen or other household article and parts thereof (7323) (vi) Builders ware of plastic (3925) in its authorized operations.

12.4 S/Shri Deepak Shara and Rajeev Ranjan, authorized representatives of the company appeared before the Approval Committee. He informed that although they have been given trading permission in their LOA, they have not done any trading activities till date. He further informed that the turnover from these new range of articles is expected to be approx. Rs. 10 Cr in FY 2019-20 and Rs. 30 Cr in FY 2020-21 with further increase in subsequent years.

12.5 The Approval Committee, after due deliberations, approved the proposal of M/s. Neokraft Global Pvt. Ltd. for inclusion of manufacturing of Hardware such as (i) Other articles of Aluminum (7616), (ii) Base metal mounting fitting and similar articles suitable for furniture, door, doors, staircases, windows etc. (Door/Furniture Knobs, Hooks Handles etc. of Zinc/Aluminum /Iron (8302), (iii) Seats (garden chairs etc.) (9401), (iv) Other furniture parts thereof, (v) Table, Kitchen or other household article and parts thereof (7323) (vi) Builders ware of plastic (3925) in its authorized operations subject to the following additional conditions for existing and instant approved authorized operation:-

- (i). No DTA sale of trading goods shall be allowed.
- (ii). Trading will be allowed only for physical export to any other country, for supply to other units and Developers in the same or other SEZ or EOUs, against freely convertible currency in terms of Section 2(z) of SEZ Act, 2005.
- (iii). Unit will maintain separate area earmarked for manufacturing and trading activities and maintain separate records/accounts of NFE for manufacturing and trading activities.
- (iv). NFE status for manufacturing activity and trading activity will be seen separately.

12.6 Shri Rajeev Ranjan, authorized representative also requested for urgent permission to allow them additional capital goods amounting to Rs.1.5 crores and Rs.4.5 crores for import and indigenous respectively. The approval committee agreed to his request, in-principle, subject to submission of revised foreign exchange balance sheet

