

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

नोएडा दादरी रोड, फेस-II, नोएडा-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.12/01/2017 -प्रोज/

दिनांक: 16/03/2018

सेवा मे,

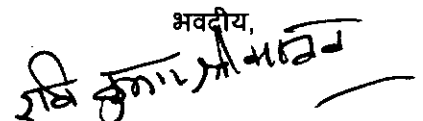
1. मुख्य कार्यपालक अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नोएडा।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली ।
3. आयुक्त, आयकर, ए 2 डी, आयकर भवन, सेक्टर 24, नोएडा ।
4. आयुक्त, सीमा शुल्क, नोएडा सीमा शुल्क आयुक्तालय, इनलैंड कंटेनर डिपो, तिलपता, दादरी, गौतम बुद्ध नगर, उत्तर प्रदेश - २०१३०६.
5. निदेशक, 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 07/03/2018 को पूर्वाह्न 11:30 बजे आयोजित नोएडा 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, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता मे दिनांक 07/03/2018 को पूर्वाह्न 11:30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा मे आयोजित नोएडा विशेष आर्थिक क्षेत्र की यूनिट अनुमोदन समिति की बैठक का कार्यवृत्त अग्रेषित करने का निर्देश हुआ है।

संलग्नक : उपरोक्त

भवदीय,

(आर.के. श्रीवास्तव)
उप विकास आयुक्त

प्रतिलिपि:

1. विशेष कार्याधिकारी - विकास आयुक्त के सूचनार्थ।
2. वैयक्तिक सहायक - संयुक्त विकास आयुक्त के सूचनार्थ।
3. निर्दिष्ट अधिकारी, नोएडा विशेष आर्थिक क्षेत्र - सूचनार्थ एवं आवश्यक कार्यवाही के लिए.
4. उप विकास आयुक्त, सम्पदा अनुभाग, नोएडा विशेष आर्थिक क्षेत्र, सूचनार्थ एवं आवश्यक कार्यवाही के लिए.

उप विकास आयुक्त

Noida Special Economic Zone

(Minutes of Meeting of Approval Committee of Noida SEZ held on 07/03/2018)

Page 1 of 16

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 07/03/2018 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) Ms. Sandhya Maurya, Income Tax Officer, Income Tax Deptt., Noida.
- 4) Shri Amit Kumar, DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.).
- 5) Shri Mukesh Goyal, Associate Architect, (Rep. of Noida Authority).

2. Besides, during the meeting S/Shri (i) R. K. Srivastava, Dy. Development Commissioner, NSEZ, (ii) Rajesh Kumar, Dy. Development Commissioner, NSEZ (iii) Sunil Kumar Sharma, Supdt., NSEZ Customs, (iv) Prakash Chand Upadhyay, Asstt. Development Commissioner, NSEZ, (v) Rajendra Mohan Kashyap, PA to JDC, NSEZ, (vi) Rahul Pandey, SDO, UPPCL, Noida, (vii) Kapil Muni, JE, UPPCL, Noida and (viii) J. P. Maurya, AEE, UPPCB, Noida 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 07/02/2018

It was informed that no reference against the decisions of the Approval Committee held on 03/01/2018 was received. It was further informed that during previous meeting in case of M/s. India Exports, Approval Committee had decided that DTA sale of trading items shall be allowed only up to 15% of FOB Value of export during preceding year. However, in the minutes of the meeting it was inadvertently mentioned as "DTA sale shall be allowed only up to 15% of FOB Value of export during preceding year". It was further informed that letter to the unit has been issued subject to condition that DTA sale of trading items shall be allowed only up to 15% of FOB Value of export during preceding year. The Approval Committee took note of the same and Minutes of the meeting held on 07/02/2018 were ratified *with this correction*



Item wise decisions on proposals included in agenda:

1. Proposal of M/s. FIRSTIDEA for setting up a unit in NSEZ.


It was informed to the Approval Committee that the applicant has proposed to set up a unit in NSEZ to undertake service activities viz. (i) Advertising Agency Services, (ii) Market Research Agency Services, (iii) Business Support Services, (iv) Information Technology Software Services, (v) Service of Promotion or marketing of brand of goods/ services/ events and (vi) Management or Business Consultant Services with projected exports of Rs. 3900 Lakhs and NFE earnings worth Rs. 3825 Lakhs over a period of five years.

Shri Arjun Prakash, proprietor of the firm appeared before the Approval Committee. Shri Prakash informed that they are into providing payment gateway service since last three years which is a merchant service provided by an e-commerce service provider that authorizes credit card or direct payments processing for e-business, online retailers. He further stated that they are promoting the business for Firstidea Solutions Inc., USA for "Web services, e-check processing, online payment processing, payment gateway, software support etc.". He further stated that they also provide software support solutions for issues related to computers, laptops, smartphones etc.

The Approval Committee observed that the applicant has shown requirement of built up area of 100 sq. mtrs. The Approval Committee informed the applicant that no premise with this size is available in the zone. It was also informed that there are SDFs of about 500 sq. mtrs. available in NSEZ. Shri Prakash stated that they will take one SDF and will try to expand the business accordingly.

The Approval Committee desired to know as to how with the merely 5 persons and in 500 sq. mtrs export turnover of Rs.3900 Lakhs has been projected. Shri Prakash informed that throughout the day they receive merely 10-15 queries per day and to respond to these queries 5 persons are enough. The Approval Committee directed the applicant to submit a write-up on financials of the DTA unit and operations proposed to be undertaken by them.

The Approval Committee, after due deliberations, approved the proposal of M/s.



Noida Special Economic Zone

(Minutes of Meeting of Approval Committee of Noida SEZ held on 07/03/2018)

	<p>FIRSTIDEA for setting up a unit in NSEZ for IT/ITES service activities viz. (i) Advertising Agency Services, (ii) Market Research Agency Services, (iii) Business Support Services, (iv) Information Technology Software Services, (v) Service of Promotion or marketing of brand of goods/ services/ events and (vi) Management or Business Consultant Services.</p>
2.	<p>Proposal in respect of M/s. C & B Aromas LLP for Inclusion of additional authorized operations in LOA.</p> <p>It was informed to the Approval Committee that M/s. C & B Aromas LLP has been issued an LOA dated 13/04/2016 for Manufacturing of (i) EAU DE Perfume, EAU DE Toilette, Perfume Body Spray, Room freshener, (ii) Perfume Gift set contain Perfume, Fragrance and other items related thereto. The unit has commenced its export production w.e.f. 11/04/2017 and LOA is valid till 10/04/2022.</p> <p>It was informed to the Approval Committee that the unit has submitted a proposal for inclusion of Manufacturing of Perfume Compounds and Perfume Ingredients in its authorized operations.</p> <p>It was further informed that the said proposal was also placed before the Approval Committee in its previous meeting held on 07/02/2018. As no one from the unit appeared, the Approval Committee deferred the proposal for its next meeting. The unit vide this office letter dated 26/02/2018 was requested to submit reply to this office letter dated 10/01/2018 and also to ensure presence before the Approval Committee in its next meeting scheduled to be held at 11:30 AM on 07th March 2018. Reply of the unit is still awaited.</p> <p>Shri Ram Upadhyay appeared before the Approval Committee on behalf of the unit. He informed that authorization letter in his favour has already been submitted in this office. However, it was observed that only Mr. Yash Dubey, partner has been authorized by other partners and there is no record in file for authorization of Shri Ram Upadhyay.</p> <p>The Approval Committee took serious note of misrepresentation of facts and non-compliance by the unit in the matter.</p> <p>The Approval Committee deferred the matter for its next meeting and directed to send letter to all the partners to explain complete facts and to ensure their presence in next meeting.</p>



3. **Proposal in respect of M/s. Naimex for Inclusion of additional authorized operations in LOA.**

It was informed to the Approval Committee that M/s. Naimex has been issued an LOA dated 22/08/2007 for Manufacturing of Geo Technical Investigation Instruments and Construction Materials testing equipments & Trading Activities. The unit has commenced its export production w.e.f. 17/12/2008 and LOA is valid till 16/12/2018.

It was informed to the Approval Committee that the unit has submitted a proposal for inclusion of Manufacturing of (i) Hot plate, Rectangular, with Energy Regulator, 250x300x150mm, 1.2kw (84194020); (ii) Hot Plate, Rectangular, with Energy Regulator, 300x450x180mm, 2.0kw (84195020); (iii) Environmental Test Chamber "Eco Friendly" with cooling Temp. Range-10°C to 60°C. +_1°C, Humidity-50% to 95% +_4%, Double Walled, Inner Chamber SS 304, Digital Controller cum Indicator, Size-610x610x910mm (84199090) in its authorized operations.

Shri Sudip Chattopadhyay, authorized representative appeared before the Approval Committee. He informed that currently there are 40-45 employees working in the unit. He further informed that they mainly export to African & South East Asian Countries. Shri Chattopadhyay further informed that they need to include few items in their authorized operations for ensuring that they are able to bid for the entire range of items in order to compete in International Market.

Shri Chattopadhyay further informed that they have not done any trading activity during previous years. However, in 2017-18 they have made export of trading goods worth Rs. 4-4.5 Lakhs.

The Approval Committee, after due deliberations, agreed to the request of unit for inclusion of Manufacturing of (i) Hot plate, Rectangular, with Energy Regulator, 250x300x150mm, 1.2kw (84194020); (ii) Hot Plate, Rectangular, with Energy Regulator, 300x450x180mm, 2.0kw (84195020); (iii) Environmental Test Chamber "Eco Friendly" with cooling Temp. Range-10°C to 60°C. +_1°C, Humidity-50% to 95% +_4%, Double Walled, Inner Chamber SS 304, Digital Controller cum Indicator, Size-610x610x910mm (84199090) in its authorized operations. The Approval Committee further decided to allow trading activities subject to the condition that Trading will be allowed only for



Noida Special Economic Zone

(Minutes of Meeting of Approval Committee of Noida SEZ held on 07/03/2018)

Page 5 of 16

	<p>physical export to any other country, for supply to other units and Developers in the same or other SEZ or EOUs, against foreign exchange and no DTA sale of trading items shall be allowed.</p>
4.	<p>Proposal in respect of M/s. Jassal Impex Pvt. Ltd. for extension of LOA for clearing the goods and complete exit formalities.</p> <p>It was informed that M/s. Jassal Impex Pvt. Ltd. was issued LOA dated 21/03/2016 for manufacturing & export of Readymade Garments and Artificial Jewellery. The unit did not commence its export production. LOA of the unit was valid till 20/03/2017. The unit was allotted SDF No. G-7, NSEZ.</p> <p>It was further informed to the Approval Committee that the Approval Committee in its meeting held on 01/11/2017 has reviewed the LOA and has directed the unit to first clear the dues and submit an application for extension of LOA for the purpose of clearing the lying goods and complete exit formalities. It was informed that the unit has not paid the pending lease rent and currently lease rent amounting to Rs. 17,12,090/- is outstanding against the unit. No one from the unit appeared before the Approval Committee.</p> <p>The Approval Committee deferred the matter for its next meeting. The Approval Committee directed the EM division, NSEZ to start the proceeding against the unit and its promoters for recovery of outstanding lease rent. The Approval Committee further directed NSEZ Custom to determine the amount to be remitted to the Government by the Unit in the form of Customs Duty on goods lying in the NSEZ premises and matter may be followed vigorously.</p>
5.	<p>Proposal in respect of M/s. Continental Hardware Pvt. Ltd. for change in directors and shareholding.</p> <p>It was informed to the Approval Committee that M/s. Continental Hardware Pvt. Ltd. has been issued an LOA dated 21/06/2005 for Manufacturing of Stainless Steel Builder Hardware, and Trading in builder hardware in stainless steel, brass, zinc, aluminium, copper, mild steel and cast iron. The unit commenced its export production w.e.f. 05/06/2010 and LOA is valid till 04/06/2020.</p> <p>It was informed to the Approval Committee that unit had informed about cessation of Smt.</p>



Sumanjit Kaur and appointment of Shri Dabeet Singh & Shri Navneet Singh as directors w.e.f. 29/09/2017. It was informed that as per this office records, Shri Navneet Singh has already been a director in the company since inception of the unit in NSEZ. The unit has never informed this office about his cessation at any time from the company. However, now the unit has intimated that Shri Navneet Singh has been appointed as a director on 29/09/2017. This is a violation of condition No. 14 of Bond-cum-LUT

It was further informed that there is also 24.62% change in shareholding of unit due to above change in directors.

Shri Navneet Singh, director appeared before the Approval Committee. He informed that he had resigned from the directorship of the company w.e.f. 10/05/2012 but was associated with the company in the capacity of Purchase Manager during 10/05/2012 to 28/09/2017. He further stated that they inadvertently could not inform this office about the said changes due to oversight without any malafide/willful intentions. He apologized for the same and assured that such mistake will not be repeated in future. He further informed that they have submitted all the requisite documents and requested that they may be pardoned for the lapse.

The Approval Committee, after due deliberations, decided to take the intimation of unit for change in directors and shareholding on records. The Approval Committee also warned the unit to be more careful in future for timely compliances.

6. **Proposal in respect of M/s. Aksasia Creations Pvt. Ltd. for change in directors and shareholding.**

It was informed to the Approval Committee that M/s. Aksasia Creations Pvt. Ltd. has been issued an LOA dated 21/02/2005 for Manufacturing of Garments including garments of leather, Leather & Leatherite-PU goods and Gift items. The unit commenced its export production w.e.f. 31/07/2005 and LOA is valid till 30/07/2018.

It was informed to the Approval Committee that unit had informed about change in shareholding of the company w.e.f. 25/01/2018. It was further informed that the original promoter of the company i.e. Mr. Arvind Singh has now transferred all his remaining shares (20%) to Smt. Chhaya Devi.



Noida Special Economic Zone

(Minutes of Meeting of Approval Committee of Noida SEZ held on 07/03/2018)

No one from the company appeared for the meeting. The Approval Committee observed that there have been exports from the unit worth Rs. 2.69 Lakhs and Rs. 1.01 Lakhs during 2015-16 & 2016-17 respectively, which is almost negligible.

The Approval Committee after due deliberations, decided to defer the proposal for its next meeting and directed to send a letter to Shri Arvind Singh with copy to all Directors for explaining the reasons for non-performance despite tall promises made earlier and also for ensuring their presence in the next Approval Committee meeting.

7. Proposal in respect of M/s. Herbul Henna Export House for Inclusion of additional authorized operations in LOA.

It was informed to the Approval Committee that M/s. Herbul Henna Export House has been issued an LOA dated 24/05/2011 for Manufacturing Hair Dye and Trading of Namkeen, Atta Noodles & Flour. The unit has commenced its export production w.e.f. 02/11/2011 and LOA is valid till 01/11/2021.

It was informed to the Approval Committee that the unit has submitted a proposal for inclusion of Manufacturing of (i) Henna Amla Hair Oil; (ii) Shampoo; (iii) Henna Paste in Tubes; and (iv) Eagle's Henna Hair Dye in its authorized operations.

Shri Ved Prakash Gupta and Shri Satish Kumar, partners appeared before the Approval Committee. Shri Gupta informed that currently there are 12-13 employees working in the unit. He further informed that they mainly export to Turkey, France, Malaysia & South East Asian Countries. Shri Gupta further informed that they need to include few items related to their existing business in their authorized operations.

The Approval Committee observed that the unit has been allowed Trading activities in its authorized operations, which is currently not being carried out by them. Shri Gupta informed that although they are currently not carrying out Trading activities, they may require doing trading activities at a later stage. Hence, they would like to retain the Trading activities. Shri Gupta informed that they will not sell traded goods in DTA and will do 100% exports. Approval Committee decided that trading will be permitted subject to the condition of 100% physical export. Shri Gupta gave his consent for inclusion of suitable condition in LOA with regard to Trading activities.



The Approval Committee further observed that foreign exchange of Rs. 89.12 Lakhs is outstanding as per APR for the year 2016-17. Shri Gupta informed that all the pending foreign exchange have been realized within the prescribed time.

It was informed that unit has not mentioned ITC HS Code of proposed items. The Approval Committee also observed that unit has already been allowed manufacturing of Hair Dye. However, unit has requested to include manufacturing of Eagle's Henna Hair Dye in its authorized operations.

Shri Gupta informed that they are going to export manufactured Hair Dye under the brand name of Eagle's and due to that they have requested to include the same in their authorized operations. It was informed to them that the brand is not a part of authorized operations and manufacturing of Hair Dye is already allowed to them. They can sell any of their manufactured items under their authorized brand name.

The Approval Committee, after due deliberations, agreed to the request of unit for inclusion of Manufacturing of (i) Henna Amla Hair Oil; (ii) Shampoo and (iii) Henna Paste in Tubes in its authorized operations subject to submission of ITC HS Code of proposed items and a CA certificate for realization of pending foreign exchange. The Approval Committee further decided to allow Trading activities subject to the condition that 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 foreign exchange and no DTA sale of Trading items shall be allowed.

8. Proposal in respect of M/s. PS Autotech International LLP for Inclusion of additional authorized operations in LOA.

It was informed to the Approval Committee that M/s. PS Autotech International LLP has been issued an LOA dated 02/02/2012 for Manufacturing of Automatic Slack Adjuster, Manual Slack Adjuster, Axle & Suspension component and Trading of Axle and Suspension components. The unit commenced its export production w.e.f. 11/05/2012 and LOA is valid till 10/05/2022.

It was informed to the Approval Committee that the unit has submitted a proposal for inclusion of (i) Trading of Container Twist Locks (8716) (ii) Manufacturing of Fifthwheel



Coupling & Parts (8716) (iii) Trading of Landing Legs & parts (8716) and (iv) Manufacturing of Machined Shafts (8431 & 8708) in its authorized operations.

Shri Sachit Kalra, authorized representative of the company, appeared before the Approval Committee. He informed that they are mainly into manufacturing and trading activities of few items are only to complement their manufactured products. He further stated that they are doing approx. 95% manufacturing activity and trading is only 5% of total turnover.

Approval Committee decided that trading will be permitted subject to the condition of 100% physical export. Shri Kalra gave his consent for inclusion of suitable condition in LOA with regard to Trading activities.

The representative of NSEZ Customs informed that unit has been allowed trading of Axle and Suspension Components. However, details of such components and their ITC HS Code have not been described. The Approval Committee directed the unit to submit details of trading items and their ITC HS Code so that there may not be any confusion in the classification of items.

The Approval Committee, after due deliberations, agreed to the request of unit for inclusion of (i) Trading of Container Twist Locks (8716) (ii) Manufacturing of Fifthwheel Coupling & Parts (8716) (iii) Trading of Landing Legs & parts (8716) and (iv) Manufacturing of Machined Shafts (8431 & 8708) in its authorized operations subject to submission of details of items under trading of Axle and Suspension components and their ITC HS Code. The Approval Committee further decided to allow Trading activities subject to the condition that 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 foreign exchange and no DTA sale of Trading items shall be allowed.

9. **Proposal in respect of M/s. Jindal Exports & Imports Pvt. Ltd. for renewal of LOA.**

It was informed to the Approval Committee that M/s. Jindal Exports & Imports Pvt. Ltd. has been issued an LOA dated 10/02/2004 for Manufacturing of Gold Jewellery. The unit commenced its export production w.e.f. 08/04/2004 and LOA was valid till 05/01/2017.

It was informed that unit has been lying non-functional since 2011-12. It was further



Noida Special Economic Zone

(Minutes of Meeting of Approval Committee of Noida SEZ held on 07/03/2018)

Page 10 of 16

informed that the unit was issued an SCN dated 16/04/2015 for lying non-functional and non-utilization of space allotted for the purpose to carry out authorized operations & earn foreign exchange. The Approval Committee in its meeting held on 06/01/2016 had withdrawn the SCN as the unit had achieved positive NFE & accordingly no action was called for under Rule 54 of SEZ Rules, 2006. Further, the Approval Committee also renewed the LOA of M/s Jindal Exports & Imports Pvt. Ltd. for one year upto 05/01/2017.

It was further informed that the LOA of the unit has already expired on 05.01.2017. Unit has submitted application for LOA renewal after delay of almost a year. However, no reason for delayed submission has been given. Further, unit has not yet submitted APRs for the year 2014-15, 2015-16 & 2016-17. The Approval Committee observed that unit has also failed to re-commence its operation in the extended period.

Shri S.K. Jindal, director appeared before the Approval Committee. He informed that despite their best efforts, they failed to get any orders for export and they could not re-commence their activities in NSEZ.

Shri Jindal further informed that now they want to close their unit and exit from NSEZ. However, they have some raw materials and machines lying in their premises. Shri Jindal stated that they want to export jewellery manufactured out of available raw materials and for the same they have requested for renewal of LOA.

The Approval Committee, after due deliberations, decided to revalidate the LOA for a period of two months from date of issuance of letter, only for the purpose of export of manufactured jewellery made from raw materials available and clearing the machineries and to complete the exit formalities. The Approval Committee further decided that no permission for procurement of new raw materials shall be granted.

10. Proposal in respect of M/s. Jindal Dyechem Industries Pvt. Ltd. for renewal of LOA.

It was informed to the Approval Committee that M/s. Jindal Dyechem Industries Pvt. Ltd. has been issued an LOA dated 05/01/2005 for Manufacturing of Gold Jewellery. The unit commenced its export production w.e.f. 18/02/2005 and LOA was valid till 05/01/2017.

It was informed that unit has been lying non-functional since 2012-13. It was further informed that the unit was issued an SCN dated 16/04/2015 for lying non-functional and



non-utilization of space allotted for the purpose to carry out authorized operations & earn foreign exchange. The Approval Committee in its meeting held on 06/01/2016 had withdrawn the SCN as the unit had achieved positive NFE & accordingly no action was called for under Rule 54 of SEZ Rules, 2006. Further, the Approval Committee also renewed the LOA of M/s. Jindal Dyechem Industries Pvt. Ltd. for one year upto 05/01/2017.

It was further informed that the LOA of the unit has already expired on 05.01.2017. Unit has submitted application for LOA renewal after delay of almost a year. However, no reason for delayed submission has been given. Further, unit has not yet submitted APRs for the year 2014-15, 2015-16 & 2016-17. The Approval Committee observed that unit has also failed to re-commence its operation in the extended period.

Shri S.K. Jindal, director appeared before the Approval Committee. He informed that despite their best efforts, they failed to get any orders for export and they could not re-commence their activities in NSEZ.

Shri Jindal further informed that now they want to close their unit and exit from NSEZ. However, they have some raw materials and machines lying in their premises. Shri Jindal stated that they want to export jewellery manufactured out of available raw materials and for the same they have requested for renewal of LOA.

The Approval Committee, after due deliberations, decided to revalidate the LOA for a period of two months from date of issuance of letter only for the purpose of export of manufactured jewellery made from raw materials available and clearing the machineries and to complete the exit formalities. The Approval Committee further decided that no permission for procurement of new raw materials shall be granted.

11. Proposal in respect of M/s. GPL Exports Ltd. for extension of trading permission for further 3 months.

It was informed to the Approval Committee that M/s. GPL Exports has been issued an LOA dated 28/02/2013 for Manufacturing & Trading activities. The unit has commenced its export production w.e.f. 01/05/2003 and LOA of the unit is valid till 30/04/2018.

It was further informed that during review of the authorized operations by the Approval Committee in its meeting held on 01/02/2017, the authorized representative of unit



Noida Special Economic Zone

Page 12 of 16

(Minutes of Meeting of Approval Committee of Noida SEZ held on 07/03/2018)

informed that currently some goods are lying at the unit for clearance in DTA under Rule 53 of SEZ Rules, 2006. He further pleaded that they are working in the zone from 2003 and the stocks have been accumulated during the course of time and requested to give permission for clearing these goods in DTA against free foreign exchange as permissible under Rule 53 of SEZ Rules, 2006.

The Approval Committee in its meeting held on 01/02/2017 allowed time upto 31/08/2017 for clearance of goods already imported and lying in the stock of the unit, as on date of its meeting i.e. on 01/02/2017, in DTA against freely convertible currency as permissible under Rule 53 of SEZ Rules, 2006. Thereafter, no DTA clearance for trading goods shall be allowed.

It was also informed that on request of the unit, the Approval Committee in its meeting held on 06/09/2017 had again granted six months' time i.e. upto 29/02/2018 for clearance of goods already imported and lying in the stock of the unit, as on 01/02/2017, in DTA against freely convertible currency as permissible under Rule 53 of SEZ Rules, 2006. Thereafter, no DTA clearance of trading goods shall be allowed. Also no import of such fresh good intended to clear in DTA as part of these trading activity would be allowed.

Now, the unit vide its letter dated 23/01/2018 has again requested to extend their trading permission for further 3 months as they still have some trading stock balance.

Shri Vikas Rungta, authorized representative of the company appeared before the Approval Committee. He informed that they have units in NSEZ and in DTA having export turnover of approx. Rs.40Crores in NSEZ and Rs. 50 Crores in DTA. Shri Rungta stated that as on date they are having trading stock of Rs. 126.44 Lakhs out of which the stock of Rs. 63.20 Lakhs can be used in manufacturing. However, they need three more months to clear the remaining trading stock of Rs. 62.94 Lakhs.

The Approval Committee observed that unit has already been granted one year time for clearing the existing trading stock in DTA. However, unit has failed to clear the trading goods in the given time period. Shri Rungta stated that in case they fail to dispatch the said trading stock of Rs. 62.94 Lakhs in next three months, they will transfer this stock to



their domestic unit after getting payment in free foreign exchange.

The Approval Committee, after due deliberations, decided to grant last extension of 3 months for clearance of goods already imported and lying in the stock of the unit, as on 01/02/2017, in DTA against freely convertible currency as permissible under Rule 53 of SEZ Rules, 2006. Thereafter, no DTA clearance of trading goods shall be allowed. Also no import of such fresh good intended to clear in DTA as part of these trading activities would be allowed.

12. Proposal in respect of M/s. Overdrive Electronics Pvt. Ltd. (Unit-I) for Monitoring of performance in view of exit request of unit.

It was informed to the Approval Committee that M/s. Overdrive Electronics Pvt. Ltd. (Unit-I) was issued an LOA dated 27/06/2005 for Business Process Outsourcing & Software Development with call center facility. The unit commenced its activities w.e.f. 21/12/2005 and LOA was valid till 20/12/2015.

It was informed that unit vide this office letter dated 14/12/2015 was advised to submit requisite documents for compliance with exit formalities. Unit has now submitted all the documents related to exit from SEZ scheme. Besides, NSEZ Customs has also issued NOC to the unit on 21/01/2016. It was further informed that in terms of Rule 54, it is for Approval Committee to arrive at conclusion that unit has achieved positive NFE.

Shri M. K. Aggrawal, Director of the company appeared before the Approval Committee. He informed that currently they are focusing on LED Lighting for domestic market as their export business is not doing well, due to which the management has decided to exit from SEZ scheme. He requested to allow them exit permission under Rule 74 of SEZ Rules, 2006.

The Approval Committee monitored the performance of the unit on the basis of APRs submitted by it up to 2015-16 and noted achievement of positive NFE by the unit. The Approval Committee further observed that no foreign exchange is pending for realization as on date. In view of above, the Approval Committee, after due deliberations, granted final exit to the unit.



13.	<p>Following cases for monitoring of performance/APRs under Rule 54 of SEZ Rules, 2006 were also placed before the Approval Committee. The unit wise decision of the Approval Committee are indicated below:-</p> <p>M/s. Cadence Design Systems (India) Pvt. Ltd. - The Approval Committee monitored the performance of the unit on the basis of APRs up to 2016-17 and noted achievement of positive NFE by the unit.</p>
14.	<p>Proposal in respect of M/s. Intellicus Technologies Pvt. Ltd. for setting up a new unit in NSEZ.</p> <p>It was informed to the Approval Committee that the applicant has proposed to set up a unit in NSEZ to undertake Information Technology Services such as Software Development, Test Engineering and R&D Consulting with projected exports of Rs. 950 Lakhs and NFE earnings worth Rs. 875 Lakhs over a period of five years.</p> <p>Shri Sanjeev Agrawal, Director of the company, appeared before the Approval Committee. He informed that Intellicus Technologies Pvt. Ltd. was founded in 2004 for providing IT services to their customers. He further informed that they already have existing SEZ units in NSEZ and Indore in the name of M/s. Impetus Infotech (India) Pvt. Ltd. and M/s. Cleartrail Technologies Pvt. Ltd. He further informed that the proposed unit in NSEZ will initially create additional 50 jobs which will gradually increase in future.</p> <p>It was informed that there were some discrepancies found in the application which have been communicated to the applicant vide this office email dated 06/03/2018 for necessary rectification. Reply is still awaited. Shri Agrawal informed that they have rectified the deficiencies and also submitted the required information on 07/03/2017.</p> <p>The Approval Committee, after due deliberations, approved the proposal of M/s. Intellicus Technologies Pvt. Ltd. for setting up a unit in NSEZ for Information Technology Services such as Software Development, Test Engineering and R&D Consulting.</p>
15.	<p>Proposal in respect of M/s. Lakshman Overseas for renewal of LOA.</p> <p>It was informed to the Approval Committee that M/s. Lakshman Overseas has been issued an LOA dated 25/10/2002 for Manufacturing & Export of Consumer electronics items</p>



Noida Special Economic Zone

(Minutes of Meeting of Approval Committee of Noida SEZ held on 07/03/2018)

Page 15 of 16

such as Electronic Office Equipments, Calculators, Communicators, Palm Top & Computers, Electronics Time Piece/ Electronic Wrist Watch/Electronic Movement & Modules (parts of Electronics Wrist Watch). The unit commenced its export production w.e.f. 01/03/2003 and LOA was valid till 28/02/2018.

It was informed that the Board of Approval in its meeting held on 24/07/2014 had directed DC, NSEZ to restore the LOP of the unit for manufacturing activities. Accordingly, this office vide letter dated 21/09/2015 had renewed the LOA of the unit and approved the projections for the remaining period upto 28/02/2018. Authorized operations of the unit were amended on 18/10/2016. It is also pertinent to mention here that vide this office letter dated 23/09/2016, the Specified Officer, NSEZ was advised to carry out 100% examination of import/export/sub-contracting (if any), in terms of quantity, value and other aspects and in case of sub-contracting Customs should ensure specifically correlation between items sent out by the unit and items brought in by the unit. Customs Authorities were also advised to exercise due diligence while according such permissions. After restoration of LOA, the unit had recommenced its export production w.e.f. 27/04/2015.

The Approval Committee observed that upto 2016-17 of the block of five years i.e. 2013-18, unit has achieved NFE earnings of Rs.1.71 Lakhs only against turnover of Rs.1368.70 Lakhs, which is very less. It was informed to the Approval Committee that APR for the period 2017-18 (up to 28/02/2018) is awaited from the unit.

Shri Vipul Aggarwal, proprietor appeared before the Approval Committee. He informed that they are now entering into the field of electronic smart watches in addition to their existing business. He further informed that he has undergone thorough research work by participating in international trade fairs and by acquiring the knowhow of the product in depth. He further informed that the market for electronic smart watches is growing rapidly as it has caught the imagination of youth and the smartwatch is also very cheap which can be purchased by the common man. He therefore mentioned that there is emerging & growing market for smartwatches.

The Approval Committee, after due deliberations, decided to renew the LOA for next five years block i.e. from 01/03/2018 to 28/02/2023. Approval Committee also directed that the Specified Officer, NSEZ should carry out 100% examination of import/export/sub-



Noida Special Economic Zone

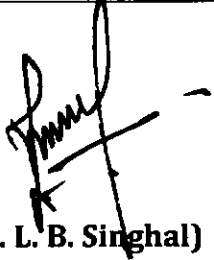
(Minutes of Meeting of Approval Committee of Noida SEZ held on 07/03/2018)

Page 16 of 16

contracting (if any), in terms of quantity, value and other aspects and in case of sub-contracting Customs should ensure specifically correlation between items sent out by the unit and items brought in by the unit. Customs Authorities were also advised to exercise due diligence while according such permissions. The Approval Committee also directed the unit to submit APR for the period 2017-18 (up to 28/02/2018) and decided that monitoring of performance shall be done after receipt of the said APR.

Meeting ended with a vote of thanks to the Chair.


(S. S. Shukla)
Jt. Development Commissioner


(Dr. L. B. Singhal)
Development Commissioner