

मुरादाबाद विशेष आर्थिक क्षेत्र

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(13/03/2020 को आयोजित मुरादाबाद विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त)

डॉ. एल० बी० सिंघल, विकास आयुक्त, नॉएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 13/03/2020 को दोपहर 12:00 बजे सम्मेलन हॉल, प्रशासनिक भवन, नॉएडा विशेष आर्थिक क्षेत्र, नॉएडा में आयोजित मुरादाबाद विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त

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

- 1) Shri S. S. Shukla, Jt. Development Commissioner, NSEZ, Noida.
- 2) Ms. Supriya Yadav, Deputy Commissioner of Customs, ICD Dadri, Noida.
- 3) Shri Santosh Kumar, Regional Manager, UPSIDA, Moradabad SEZ.
- 4) Shri Yogendra Sinha, Manager, UPSIDA, Kanpur.
- 5) Shri Shri Prakash, Superintendent, CGST, Moradabad.
- 6) Shri Chaman Lal, F.T.D.O., O/o Add. DGFT CLA, New Delhi.
- 7) Shri Jogendra Singh, Addl. St. O., O/o Jt. C. I. Moradabad.

2. Besides, during the meeting (i) Shri R. K. Srivastava, Dy. Development Commissioner, NSEZ (ii) Shri Tapan Bhattacharyya, Specified Officer, Moradabad SEZ, (iii) Dr. V. P. Sharma, Asstt. Development Commissioner, Moradabad SEZ were also present to assist the Approval Committee.

3. At the outset, Development Commissioner, NSEZ welcomed the participants. After brief introduction, the Approval Committee was apprised about the performance of the Zone. The Approval Committee was informed that during 2018-19 exports from the zone was Rs. 273.55 Crores and during 2019-20 (up to 29.02.2020) exports is Rs. 364.02 Crores. The Approval Committee was also informed that employment in the zone during 2019-20 was 6146. It was also informed that with the commencement of production by some big units namely M/s Sainik Lifestyle Pvt. Ltd, M/s C L Gupta LLP and M/s Parth Exports the exports from zone is expected to reach Rs. 800.00 crores in the next financial year.

4. Approval Committee was informed that after the issue of notification for conversion of Moradabad SEZ into three sector specific Zones namely (i) Handicrafts broad banded with engineering sector, (ii) Textile & its broad banded products and (iii) Broad banded IT/ITES/Electronic components & Hardware manufacturing on 21st November 2017 a meeting was held under the Chairmanship of Development Commissioner, NSEZ on 12.07.2019 with the



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developer i.e., UPSIDA for expediting the issues relating to infrastructure development. Thereafter a number of follow up meetings have been held with representatives of UPSIDA at the level of DC/JDC and a Joint Committee under the chairmanship of Jt. Development Commissioner, NSEZ, Noida and comprising of officials of UPSIDA and Moradabad SEZ officials has also been constituted by the Development Commissioner for reviewing the progress on the issues being faced in Moradabad SEZ.

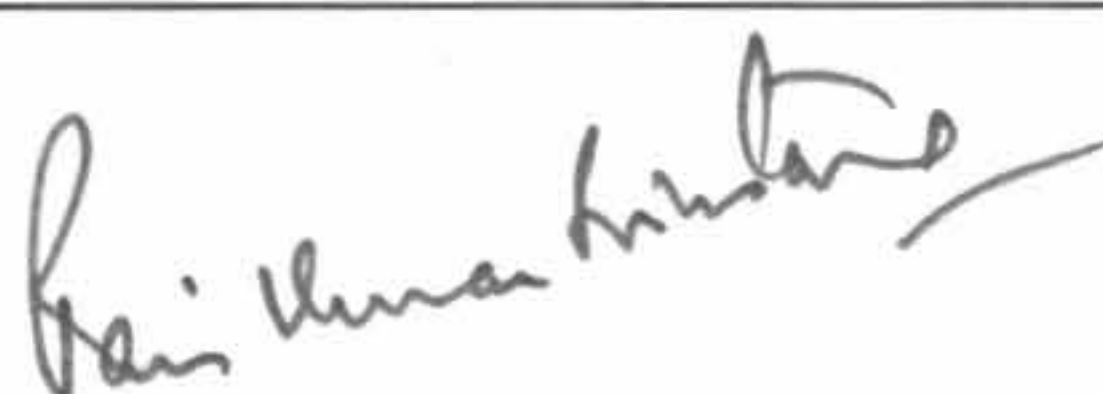
5. Shri Yogendra Sinha, Manager, UPSIDA, Head Office, Kanpur informed the Approval Committee that the issues related to infrastructure development in Moradabad SEZ are being taken care of and the important issues viz. (i) making installed Effluent Treatment Plant operational, (ii) installation of Weigh-bridge in the Zone and (iii) construction of stuffing yard are already forwarded to UPSIDA Head office for inclusion in the agenda for Board Meeting of UPSIDA which is scheduled in 2nd week of April, 2020.

5.1 Representative of UPSIDA also informed the Approval Committee that the repair & maintenance of Street Lights in the Zone and alongside the approach road from Pakwara to SEZ is already approved by UPSIDA Head office and is currently in tendering process, which will be completed in one month's time. It was also informed to the Approval committee that once the installation of Weigh Bridge, Stuffing Yard and operationalization of ETP are approved by UPSIDA in the Board meeting scheduled in 2nd week of April, then it will take approximately 02 months to complete the said work.

5.2 The officials of UPSIDA (formerly UPSIDC Ltd.) were requested to expedite the issues related to infrastructure development especially regarding (i) making installed Effluent Treatment Plant operational, (ii) installation of Weigh-bridge in the Zone, (iii) construction of stuffing yard and (iv) repair maintenance of street lights in the zone and on the approach road.

6. Thereafter, each item of the agenda was 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:-

8.1	Ratification of Minutes of last meeting of the Approval Committee held on 27/11/2019 It was informed that no reference against the decisions of the Approval Committee held on 27/11/2019 has been received, and therefore, Approval Committee ratified the Minutes of meeting held on 27/11/2019.
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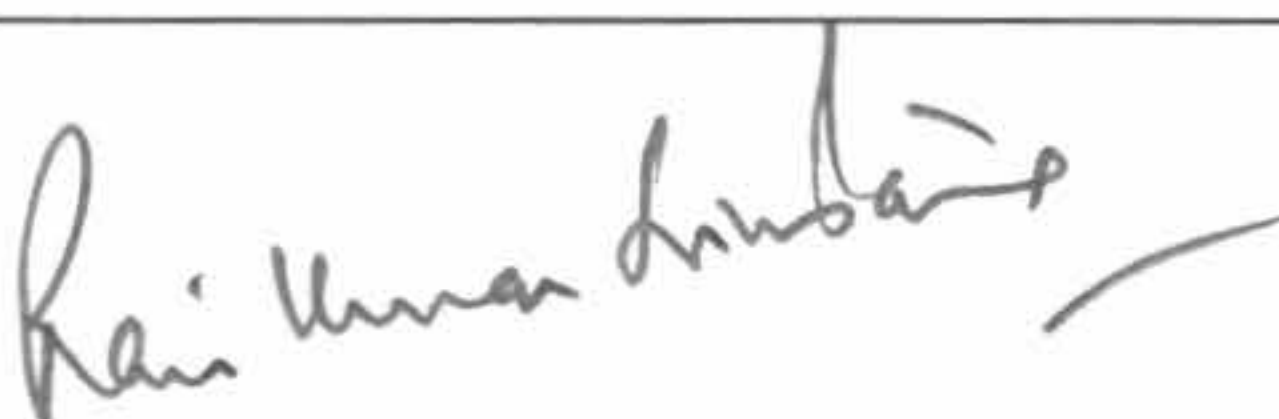
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8.2

Proposal of M/s Bansal Inc. for setting up a new unit in MSEZ – regarding.

- i) It was informed to the Approval Committee that the applicant has proposed to set up a new unit in Moradabad SEZ for manufacturing & export of handicrafts items made of Resin, Leather, Wood, Marble & Stone, Ceramic, Glass, Stone & Imitation Bead, Iron, Brass, Aluminium, Magnet, Rattan, Bamboo, Cane & Hurricane/Lanterns/Lamps Artwares with projected exports of Rs. 672.52 Lakhs and the NFE of Rs. 574.52 Lakhs over a period of five years.
- ii) It was also informed to the Approval Committee that the unit was previously granted LOA No. NSEZ/4-369/2003-MBD/9089 dated 24.07.2015 for Manufacturing & export of Aluminium, Brass, Wrought Iron, Glass, Wood, Fabric, Raisin, Plastics & Combination of different materials but the unit failed to start production. The unit did not apply for extension of LOA for 5th year beyond its expiry i.e. 23.07.2019, therefore LOA dated 24.07.2015 stands lapsed on 23.07.2019. Now M/s Bansal Inc. has submitted fresh proposal for setting up a new unit in Moradabad SEZ for manufacturing & export of handicrafts items.
- iii) Approval Committee enquired about the offer of allotment of space by the developer i.e. UPSIDA. Shri Santosh Kumar, Regional Manager, UPSIDA informed that the unit is already in possession of Plot No. D-14, Pocket-'A' which is valid till August, 2020. Representative of UPSIDA also informed that the unit has already applied for extension of time on the said plot which is under consideration at UPSIDA, Head Office, Kanpur.
- iv) Shri Sharad Bansal, Partner appeared before the Approval Committee to explain the project. He informed that he is already in the export business and is having a DTA unit which currently employs approximately 150 people. He further informed that the export from DTA unit was to the tune of Rs. 20-25 Crores per year during last 03 years. He further informed that the proposed SEZ unit is a partnership firm having Shri Sharad Kumar Bansal and Shri Mahesh Chandra Agarwal as partners. He also informed that their project would be financed through the partners own funds, through loan from bank and through unsecured loans. He further informed that as construction on the plot is nearing completion, the proposed unit is likely to become operational by 31.03.2020. He also informed that along with 09 permanent employees, the unit will employ approx. 50 persons as contract labour on product-to-product requirement basis on the basis of skills required for different products.



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v) The Approval Committee, after due deliberations, approved the proposal of M/s Bansal Inc. for setting up a new unit in Moradabad SEZ for Manufacturing & Export of Handicrafts items made Resin, Leather, Wood, Marble & Stone, Ceramic, Glass, Stone & Imitation Bead, Iron, Brass, Aluminium, Magnet, Rattan, Bamboo, Cane & Hurricane/Lanterns/Lamps Artwares as per ITC(HS) code mentioned below subject to the condition that no restricted / prohibited items shall be allowed:-

List Of Specific Handicrafts Items For Manufacturing With Their ITC(HS) Codes

	Material	ITC Code	Specific Name Of Products
1	Handicrafts of Wood Artwares	44140000, 44201000, 44209090	Clear Glass, Tulip Votive, T-Light Holder, Post Box Mini, Post Box
2	Handicrafts of Glass Artwares	70200090	Regular, Post Box Stand, Small Metal Shelf, Large Metal Shelf, Mini Metal Shelf, Hanging wall Rack, Lamb,
3	Handicrafts of Iron Artwares	73269099	Sheep, Pestel & Mortar, Dog Single, Kitchen Tool Holder, Hanger, Long
4	Handicrafts of Brass Artwares	74199930	Side Rack, Metal Bins & Umbrella
5	Handicrafts of Aluminium Artwares	76169990	Stand, Fleur De Lys Rod Small, Fleur De Lys Rod Medium, Spear Rod
6	Handicrafts of Magnet Artwares	85051190	Medium, Spear Rod Small, Chandelier, Notice Board, Board Stand, T-Light
7	Handicrafts of Marble & Stone Artwares	68159990, 68029900	Holder, Holder for Post Box, Mini Metal Shelf, Round Ball Rod, Wall box,
8	Handicrafts of Cane/Rattan/Bamboo	94051090, 94038010, 94038900, 94039000	Wall Metal Self, Bowl Wire Stand, Wine Rack, Dish Brush Holder,
9	Handicrafts of Resin Artwares	39231020, 94038900, 94033010, 94033090, 94036000	Cylindrical Candle Holder, Hanging
10	Handicrafts Stones, Imitation Bead	71179010, 71039990	Oval Candle Holder, Wall Skone, Post Box Kaviddo, Side Table, Candle
11	Handicrafts of Ceramic Artwares	69120010, 69120020, 69120090, 69149000, 69141000	Holder with Base, Fleur De Lys Rod
12	Handicrafts of Hurricane/Lanterns/Lamps	94055010, 94051020	Small, Fleur De Lys Rod Medium, Job Box, Bowl Candle Holder, Board Stand.
13	Handicrafts of PU Leather Artwares	39269099	

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8.3	Proposal of M/s Indian Allied Exports – renewal of LOA for next block of 5 years as per provisions of Rule 19(6) of SEZ Rules, 2006. i) Approval Committee was informed that M/s Indian Allied Exports was issued LOA No. NSEZ/4-348/2003-MBD/8109 dated 31.01.2014. The unit has been allotted Plot No. H-16, 17 & 18, Pocket-‘A’. The unit commenced production on 11.12.2014 and the unit completed their 1st block of five year on 10.12.2019. It was informed that total export of the unit during 1st block of 5 years was to the tune of Rs. 11620.34 Lakhs and total Foreign Exchange Outgo was Rs. 182.54 Lakhs. Thus, the net foreign exchange earnings by the unit were Rs. 11437.80 Lakhs. The Committee was also informed that the Foreign Exchange Pending for realization beyond nine months of stipulated time is Rs. 35,41,88,056.00 (as on 02.03.2020). It was informed to the Approval Committee that LOA of the unit was extended for 03 months from the date of its expiry up to 10.03.2020 so that the work of unit does not suffer. ii) Approval Committee was also informed that Asstt. Commissioner (BRC), ICD Dadri has issued a Demand-cum-Show Cause Notice dated 20.04.2018 to the unit for failing to produce proof of realization for export proceeds to the tune of Rs. 22,19,00,329/- by the unit during F.Y. 2015-16 & 2016-17 which has not been adjudicated till date. iii) Approval committee was informed that the unit has pending dues of developer (UPSIDA) to the tune of Rs. 20,691.00 against their plot. iv) No one from the unit appeared before the Approval Committee. v) <u>The Approval Committee, after due deliberations, took serious note of the amount of Foreign Exchange pending for realization by the unit beyond stipulated time period of nine months and decided to extend the LOA of the unit only for a period of 6 months i.e. up to 30.09.2020.</u> vi) Approval Committee also directed that the unit may be directed to realize the pending Foreign Exchange immediately and should also apply to RBI/ AD Bank for extension of time, if not already done and submit proof of same to this office. Approval Committee further directed

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	that the unit may be asked to clear the dues of developer promptly. The Approval Committee also directed that the case of the unit must be monitored regularly by DDC/ADC/DCC, Moradabad SEZ and directed that if Export Proceeds pending for realization are not realized within the extended period of LOA i.e. 30.09.2020, then action may be taken immediately and the file should be put up before the Development Commissioner for taking appropriate action and issuance of Show Cause Notice to the unit under FTDR Act, 1992. Approval Committee further decided that in case pending Foreign Exchange is completely realized by the unit within the extended period of LOA i.e. 30.09.2020 or at any point of time before 30.09.2020, then the case must be placed in the next Approval Committee for renewal of LOA of the unit for remaining period of 2nd block of 5 years i.e. up to 10.12.2024.
8.4	Proposal of M/s Modern Metals Overseas – renewal of LOA for next block of 5 years as per provisions of Rule 19(6) of SEZ Rules, 2006. i) Approval Committee was informed that M/s Modern Metals Overseas was issued LOA No. NSEZ/4-323/2003-MBD/5203 dated 12.07.2012. The unit has been allotted Plot No. F-16, Pocket-‘A’. The unit commenced production on 10.12.2012 and the unit completed their 1st block of five year on 09.12.2017. It was informed that total export of the unit during 1st block of 5 years was to the tune of Rs. 20624.02 Lakhs and total Foreign Exchange outgo was Rs. 6555.34 Lakhs. Thus, the net foreign exchange earnings by the unit were Rs. 14068.68 Lakhs. The Committee was also informed that the Foreign Exchange Pending for realization beyond nine months of stipulated time is Rs. 1,22,80,16,415.00 (as on 02.03.2020). ii) Approval Committee was informed that the case of unit for monitoring of performance and renewal of LOA was put up in the Approval Committee meeting held on 15.12.2017 and the Committee extended the LOA of the unit for three months (up to 31.03.2018) and the case was again put up in the next Approval Committee meeting held on 08.03.2018, the committee after deliberation extended the LOA of the unit for one year (up to 31.03.2019) from its expiry i.e. 31.03.2018. Further the case of the unit was again put-up in the Approval Committee meeting held on 15.02.2019 for renewal of LOA. The Approval Committee extended the LOA of the unit for one year up to 31.03.2020 from date of its expiry. iii) Approval Committee was also informed that Asstt. Commissioner (BRC), ICD Dadri has issued a Demand-cum-Show Cause Notice dated 15.01.2019 to the unit for failing to produce proof of realization for export proceeds to the tune of Rs. 65,55,43,648.00 by the unit during F.Y.

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2017-18 which has not been adjudicated till date.

iv) Further it was informed to the Approval Committee by Regional Manager, UPSIDA that the unit has pending dues of the developer to the tune of Rs. 59,240.00 against their plot.

v) Shri Imran Ahmad, partner from the unit appeared before the Approval Committee and informed that they have realized the Foreign Exchange pending against the export proceeds up to F. Y. 2017-18 and the current pending Foreign Exchange is for the F.Y. 2018-19 and 2019-20. He also informed the Approval Committee that the current pending Foreign Exchange amounting to Rs. 122.00 Crores will be realized within 03-04 month's time. He further informed that he has already applied for extension of time from the AD Bank which has not been received yet.

vi) The Approval Committee, after due deliberations, took serious note of the amount of Foreign Exchange pending for realization by the unit beyond stipulated time period of nine months and decided to extend the LOA of the unit only for a period of 6 months i.e. up to 30.09.2020.

vii) Approval Committee also directed the unit to realize the pending Foreign Exchange immediately and should also apply to RBI/ AD Bank for extension of time, if not already done and submit proof of same to this office. Approval Committee further directed the unit to clear the dues of developer promptly. The Approval Committee also directed that the case of the unit must be monitored regularly by DDC/ADC/DCC, Moradabad SEZ and decided that if Export Proceeds pending for realization are not realized within the extended period of LOA i.e. 30.09.2020, then action may be taken immediately and the file should be put up before the Development Commissioner for taking appropriate action and issuance of Show Cause Notice to the unit under FTDR Act, 1992. Approval Committee further decided that in case pending Foreign Exchange is completely realized by the unit within the extended period of LOA i.e. 30.09.2020 or at any point of time before 30.09.2020, then the case must be placed in the next Approval Committee for renewal of LOA of the unit for remaining period of 2nd block of 5 years i.e. up to 09.12.2022.

8.5 Proposal of M/s Superior Metals Overseas – renewal of LOA for next block of 5 years as per provisions of Rule 19(6) of SEZ Rules, 2006.

i) Approval Committee was informed that M/s Superior Metals Overseas was issued LOA No. NSEZ/4-321/2003-MBD/5201 dated 12.07.2012. The unit has been allotted Plot No. F-16, Pocket-'A'. The unit commenced production on 17.10.2012 and the unit completed their 1st block

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of five year on 16.10.2017. It was informed that total export of the unit during 1st block of 5 years was to the tune of Rs. 11176.35 Lakhs and total Foreign Exchange outgo was Rs. 1822.83 Lakhs. Thus, the net foreign exchange earnings by the unit were Rs. 9353.52 Lakhs. The Committee was also informed that the Foreign Exchange Pending for realization beyond nine months of stipulated time is Rs. 41,95,01,035.00 (as on 02.03.2020).

ii) Approval Committee was informed that the case of unit for monitoring of performance and renewal of LOA was put up in the Approval Committee meeting held on 15.12.2017 and the Committee extended the LOA of the unit for three months (up to 31.03.2018) and the case was again put up in the next Approval Committee meeting held on 08.03.2018. The committee after deliberation extended the LOA of the unit for one year (up to 31.03.2019) from its expiry i.e. 31.03.2018. Further the case of the unit was again put-up in the Approval Committee meeting held on 15.02.2019 for renewal of LOA. The Approval Committee extended the LOA of the unit for one year up to 31.03.2020 from date of its expiry.

iii) Approval Committee was also informed that Asstt. Commissioner (BRC), ICD Dadri has issued a Demand-cum-Show Cause Notice dated 24.12.2018 to the unit for failing to produce proof of realization for export proceeds to the tune of Rs. 61,83,86,085.00 by the unit during F.Y. 2016-17 & 2017-18 which has not been adjudicated till date.

iv) Further it was informed to the Approval Committee by Regional Manager, UPSIDA that the unit has pending dues of the developer to the tune of Rs. 18,914.00 against their plot.

v) Shri Ghazi Arif, partner from the unit appeared before the Approval Committee and informed that they have realized the Foreign Exchange pending against the export proceeds up to F. Y. 2016-17 and the current pending Foreign Exchange is for the F.Y. 2017-18 & 2018-19. He also informed the Approval Committee that the current pending Foreign Exchange amounting to Rs. 41.95 Crores will be realized within 03-04 month time. He further informed that he has already applied for extension of time from the AD Bank which has not been received yet.

vi) The Approval Committee, after due deliberations, took serious note of the amount of Foreign Exchange pending for realization by the unit beyond stipulated time period of nine months and decided to extend the LOA of the unit only for a period of 6 months i.e. up to 30.09.2020.

vii) Approval Committee also directed the unit to realize the pending Foreign Exchange

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	immediately and should also apply to RBI/ AD Bank for extension of time, if not already done and submit proof of same to this office. Approval Committee further directed the unit to clear the dues of developer promptly. The Approval Committee also directed that the case of the unit must be monitored regularly by DDC/ADC/DCC, Moradabad SEZ and decided that if Export Proceeds pending for realization are not realized within the extended period of LOA i.e. 30.09.2020, then action may be taken immediately and the file should be put up before the Development Commissioner for taking appropriate action and issuance of Show Cause Notice to the unit under FTDR Act, 1992. Approval Committee further decided that in case pending Foreign Exchange is completely realized by the unit within the extended period of LOA i.e. 30.09.2020 or at any point of time before 30.09.2020, then the case must be placed in the next Approval Committee for renewal of LOA of the unit for remaining period of 2nd block of 5 years i.e. up to 16.10.2022.
8.6	Proposal of M/s Sainik Lifestyle Pvt. Ltd. – Inclusion of additional manufacturing activities as authorized operations in LOA. i) Approval Committee was informed that M/s Sainik Lifestyle Pvt. Ltd. was granted LOA No. NSEZ/4-394/2003-MBD/9656 dated 16.06.2016 for Manufacturing & Export of Handicrafts made of Stainless Steel, Brass, Aluminium, Iron, Glass, Leather, Wood, Ropes, Wax, Marble Stone, Copper, Glass Mirror, Lamps & Lanterns, Cushions & Home Furnishing, Textile, Rugs MMF, Photo frames, Concrete and MDF Wood. The unit started their production on 18.02.2020. ii) Approval Committee was informed that now the unit vide their letter dated 26.02.2020 has submitted their request for inclusion of additional items/ITS(HS) codes as authorised operations in their LOA. The ITC(HS) codes of the proposed additional items were examined and tallied with the list of Handicrafts items published by Export Promotion Council for Handicrafts and it was found that some of the items are not falling under the said list. Unit was suggested that for the items which are not falling under the EPCH list, the unit should provide Handicrafts certificate from EPCH. The committee was further informed that the unit has provided the list of items along with photographs certified by EPCH but the ITC(HS) codes are not mentioned in list. The Approval Committee was also informed that for some items which are not in the EPCH list neither the items nor the photographs have been certified by EPCH. iii) Shri Vinay Mangla, Director appeared before the Approval Committee. He informed Approval Committee that they are witnessing a change in international demand of Handicrafts. Earlier there was demand of same products in higher quantities but as of now the demand has

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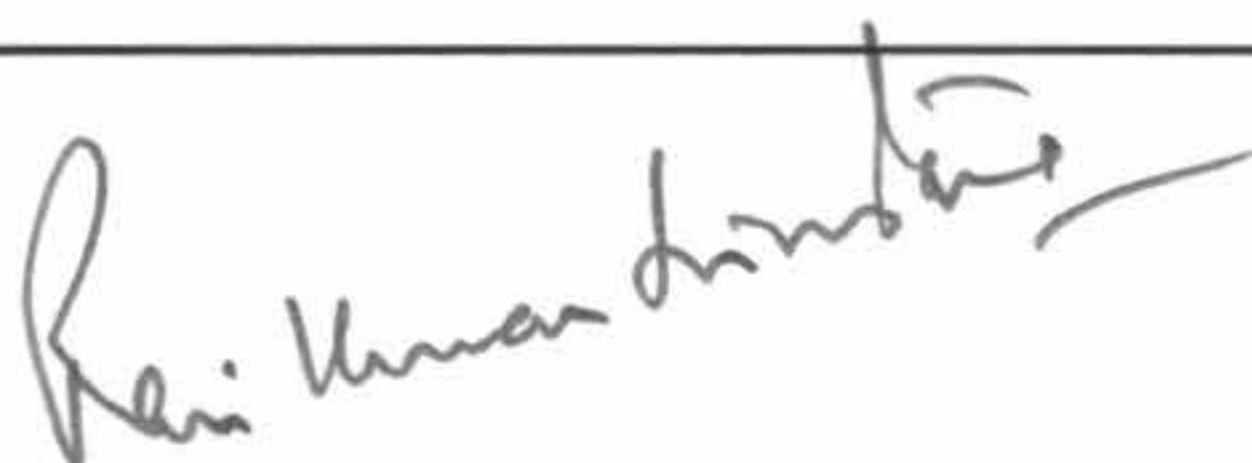
shifted to different designs and products in fewer quantities. Therefore to meet international buyer requirements, they have submitted additional items for inclusion as authorised operations in their LOA. Shri Mangla also informed that they are expecting to export to the tune of Rs. 40.00 Crores in Financial Year 2020-21.

iv) After deliberations, the Approval Committee decided as follows:-

1. The items alongwith ITC(HS) codes mentioned in Table A below which are already in the EPCH (Export Promotion Council for Handicrafts) approved list of Handicrafts items or already certified by EPCH as Handicrafts may be included in LOA of the unit.
2. The items alongwith ITC(HS) codes mentioned in Table B below which are not in the EPCH (Export Promotion Council for Handicrafts) approved list of Handicrafts items and for which the unit has neither submitted the EPCH certificate nor the photographs duly certified by EPCH, may be included in LOA subject to submission of Certificate of Handicrafts from EPCH by the unit alongwith photographs/ ITC(HS) codes.
3. The Approval Committee further directed that the above approval is subject to the condition that no restricted / prohibited items shall be allowed.

Table A: (already approved Handicraft items by EPCH)

ITC(HS) Code	Description
73239490	Handicrafts of Iron Artware
94038900	Handicrafts of Metal Furniture
44219060	Handicrafts of Wood Artware
94036000	Handicrafts of Wooden Furniture
34060010	Handicrafts of Wax Artware
68159990	Handicrafts of Marble (Stone) Artware
74199940	Handicrafts of Copper Artware
46021200	Handicrafts of Rattan
69120040	Handicrafts of Clay/ Terracota
74181021	Handicraft Table Artware made of Brass
76151030	Handicraft Table Artware made of Aluminum
74181022	Handicraft Table Artware made of Copper
70181090	Handicraft Glass Accessories
71179090	Handicraft Imitation Jewellery
61171020	Handmade Shawls, Scarves & Muffler of Wool
73269099	Handicrafts of Iron Artware



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Table B: (not in the EPCH approved list of Handicraft items/ ITC(HS) codes)

ITC(HS) Code	Description
42050019	Handicrafts of Leather Artware
42050350	Handicrafts of Leather Artware
44219190	Handicrafts of Wood Artware
44219170	Handicrafts of MDF Wood Artware
34049039	Handicrafts of Wax Artware
71039942	Handicrafts of Semi-precious agate (Stone)
39264049	Handicrafts of Acrylic Artwares
39269099	Handicrafts of Acrylic Artwares
68109990	Handicraft of Concrete Artwares
94119429	Handicraft of Concrete Artwares
44219170	Handicraft of Cane
63049910	Handicraft of Silk
63049281	Handicraft of Handloom
62141020	Handmade Shawls, Scarves, Throw
61172010	Handmade Shawls, Scarves & Muffler of Silk
61171030	Handmade Shawls, Scarves & Muffler of Cotton
61178040	Handmade Shawls, Scarves & Muffler of Man-made Fibres

8.7

Proposal of M/s Goldmine Overseas – Inclusion of additional manufacturing activities as authorized operations in LOA.

- Approval Committee was informed that M/s Goldmine Overseas was granted LOA No. NSEZ/4-391/2003-MBD/9669 dated 16.06.2016 for Manufacturing & Export of Handicrafts made of Brass, Aluminium, Iron, Wood, Copper, Glass, Textile, Home Décor & Home Furnishing, Steel, Leather and Tin. The unit commenced in production on 12.07.2018.
- Approval Committee was informed that now the unit vide their letter dated 02.03.2020 has submitted a request for inclusion of additional item i.e. Handicrafts of EPNS Wares under ITC(HS) code 74181024 as authorised operations in their LOA. The additional item/ ITC(HS) code was examined and tallied with list of Handicrafts items published by Export Promotion Council for Handicrafts and it was found that EPNS Ware under ITC(HS) code 74181024 is falling under the said list.
- Further it was informed to the Approval Committee by Regional Manager, UPSIDA that the unit has pending dues of the developer to the tune of Rs. 3.46 Lakhs against their plot.
- Shri Sumit Garg, Partner appeared before the Approval Committee. He informed

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	Approval Committee that they have new orders of EPNS Wares from their buyer so they wish to include the same in their LOA. Shri Garg also informed that in F.Y. 2018-19 they made exports to the tune of Rs. 16.00 Crores but as they did not have overseas orders so they had halted production in their SEZ unit in F. Y. 2019-20. Now, they have received fresh orders for EPNS Wares and are expecting to export to the tune of Rs. 20.00 Crores in Financial Year 2020-21. Shri Garg also informed that payment to UPSIDA will be made in 1st week of April, 2020. v) After due deliberations, the Approval Committee approved the inclusion of additional item i.e. Handicrafts of EPNS Ware under ITC(HS) Code 74181024 as authorised operations in existing LOA dated 16.06.2016. vi) The Approval Committee further directed that approval of above item is subject to the condition that no restricted / prohibited item shall be allowed.
8.8	Proposal of M/s Meena Handicrafts – renewal of LOA for next block of 5 years as per provisions of Rule 19(6) of SEZ Rules, 2006 & inclusion of additional manufacturing activities as authorized operations in LOA. viii) Approval Committee was informed that M/s Meena Handicrafts were granted LOA No. NSEZ/4-190/2003-MBD/558 dated 21.10.2005 for Manufacturing & Export of Metal Handicrafts, Imitation Jewelry, Handicrafts made of Textile, Iron, Bronze, Copper, Wood, EPNS, White Metal and Other Handicrafts. The unit completed their 2nd block of 5 years on 09.03.2018. It was also informed that total export income generated by the unit was to the tune of Rs. 6749.85 lakhs and total Foreign Exchange Outgo was Rs. 1457.55 Lakhs. The net foreign exchange earnings by the unit stand at Rs. 5292.30 Lakhs. The Foreign Exchange pending for realization beyond nine months is to the tune of Rs. 135.96 Lakhs as on 02.03.2020. ix) It was also informed to Approval Committee that the case of unit for monitoring of performance and renewal of LOA was put up in the Approval Committee meeting held on 15.02.2019 as the unit had Foreign Exchange pending for realization to the tune of Rs. 2,03,06,980.00 as on 01.02.2019. Approval Committee after deliberations, extended the LOA of the unit from 10.03.2018 up to 30.09.2019. The LOA of the unit expired on 30.09.2019 and the unit did not submit their request for extension/ renewal of LOA in-time before expiry of LOA on 30.09.2019. x) It was further informed that now the unit vide their letter dated 19.02.2020, has submitted

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request for renewal of LOA for the remaining period of 3rd block of 5 years along with request for broad-banding of LOA i.e. inclusion of 'Handicrafts of Glass' as authorised operations in LOA. The unit submitted revised projection for renewal & broad-banding of LOA in Form F-1 as prescribed in Rule 19(6A)(1) of the amended SEZ Rules, 2006. The unit has also submitted the Manufacturing Flow Chart and the list of ITC (HS) Code of Specific items.

xi) Approval Committee was also informed that Asstt. Commissioner (BRC), ICD Dadri has issued a Demand-cum-Show Cause Notice dated 24.12.2018 to the unit for failing to produce proof of realization for export proceeds to the tune of Rs. 13,57,46,267.00 by the unit during F.Y. 2012-13 & 2015-16 which has not been adjudicated till date.

xii) Further it was informed to the Approval Committee by Regional Manager, UPSIDA that the unit has pending dues of the developer to the tune of Rs. 43,903.00 against their plot.

xiii) Shri Mamta Mishra, proprietor from the unit appeared before the Approval Committee and informed that she will realize the Foreign Exchange pending within 6 months time. She further informed that she will apply for extension of time from the RBI/ AD Bank.

xiv) The Approval Committee, after due deliberations, took serious note of the amount of Foreign Exchange pending for realization by the unit beyond stipulated time period of nine months and decided to extend the LOA of the unit only for a period of 6 months i.e. up to 30.09.2020. Approval Committee also decided to approve the proposal of the unit to include the Handicrafts of Glass under ITC(HS) code 70200090 as authorised operation in existing LOA. The Approval Committee further directed that approval of above item is subject to the condition that no restricted / prohibited item shall be allowed.

xv) Approval Committee also directed the unit to realize the pending Foreign Exchange immediately and should also apply to RBI/ AD Bank for extension of time, if not already done and submit proof of same to this office. Approval Committee further directed the unit to clear the dues of developer promptly. The Approval Committee also directed that the case of the unit must be monitored regularly by DDC/ADC/DCC, Moradabad SEZ and decided that if Export Proceeds pending for realization are not realized within the extended period of LOA i.e. 30.09.2020, then action may be taken immediately and the file should be put up before the Development Commissioner for taking appropriate action and issuance of Show Cause Notice to the unit under FTDR Act, 1992. Approval Committee further decided that in case pending Foreign Exchange is



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	completely realized by the unit within the extended period of LOA i.e. 30.09.2020 or at any point of time before 30.09.2020, then the case must be placed in the next Approval Committee for renewal of LOA of the unit for remaining period of 3 rd block of 5 years i.e. up to 09.03.2023.
8.9	Proposal of M/s Akai Exports International – renewal of LOA for next block of 5 years as per provisions of Rule 19(6) of SEZ Rules, 2006 & inclusion of additional manufacturing activities as authorized operations in LOA. i) Approval Committee was informed that M/s Akai Exports International were granted LOA No. NSEZ/4-356/2003-MBD/8101 dated 31.01.2014 for Manufacturing & Export of Iron, Aluminium, Brass, Copper, Zinc, Wood, Leather, Glass, Textile & Home Furnishing. The unit completed their 1st block of 5 years on 29.01.2020. It was also informed that total export income generated by the unit was to the tune of Rs. 1157.46 lakhs and total Foreign Exchange Outgo was Rs. 49.06 Lakhs. The net foreign exchange earnings by the unit stand at Rs. 1108.40 Lakhs. The Foreign Exchange pending for realization beyond nine months is to the tune of Rs. 879.61 Lakhs as on 02.03.2020. The LOA of the unit was extended for 02 months up to 28.03.2020 by competent authority, NSEZ, Noida so that work of the unit does not suffer. ii) It was further informed that now the unit vide their letter dated 28.11.2019 & 27.12.2019 received in this office on 04.12.2019 & 03.01.2020 respectively, has submitted request for renewal of LOA for the remaining period of 2nd block of 5 years along with request for broad-banding of LOA i.e. inclusion of 'Handicrafts of Tin, Stone & Stainless Steel' as authorised operations in LOA. The unit submitted revised projection for renewal & broad-banding of LOA in Form F-1 as prescribed in Rule 19(6A)(1) of the amended SEZ Rules, 2006. The unit has also submitted the Manufacturing Flow Chart and the list of ITC (HS) Code of Specific items. iii) Further it was informed to the Approval Committee by Regional Manager, UPSIDA that the unit has pending dues of the developer to the tune of Rs. 10,87,345.00 against their plot. iv) Shri Ajhar Ali, proprietor from the unit appeared before the Approval Committee. He informed that he has realized approximately 4 crores and he will realize the remaining Foreign Exchange pending within 2-3 months' time. He further informed that he will apply for extension of time from the RBI/ AD Bank. v) <u>The Approval Committee, after due deliberations, took serious note of the amount of Foreign Exchange pending for realization by the unit beyond stipulated time period of nine</u>

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months and decided to extend the LOA of the unit only for a period of 6 months i.e. up to 30.09.2020 subject to the condition that unit submits proof of part payment of (Rs. 1.5 Lakhs) made to developer within one week time along with an undertaking that complete payment will be made in a time bound manner. Approval Committee also decided to approve the proposal of the unit to include the 'Handicrafts of Tin, Stone & Stainless steel' items as authorised operation in existing LOA. Accordingly, the approved authorised operations/ ITC(HS) codes are as follows:-

ITC(HS) Code	Description	Product name
73239190, 73269099	Handicrafts of Iron Artware / Other Article of Iron Handicraft of Steel Artware / Other Article of Steel	Candle Stand, Tool Box, Tray, Decorative Box, Sugar Pot, Beer Tub, Egg Stand, Oval Planter & various types of Planters, Votive, Garden Shower, Part Door handle, Screw, stool.
74199930, 74199940, 74199990, 74032100, 74032900, 74032290, 71171990	Handicrafts of Brass Artware / Other Article of Brass & Brass Ingots	Crown, Candle Stand, Hawandutt, Decorative Plates, Decorative Leaf, Flower Vases, Ashtray, Dish, Base, Card Holder, Sugar Bowl, Muslee, Pan Tray, Sun Well, Boat Dish, Tumbler, Leaf Jar, Towel Stand, Stick, Decorative Pot, Mango Tray, Lamps, Kettle, Heart Dish, Lotus Tray, Curve Tray, Table Pillar.
76169990, 76161000, 76012010, 76011010, 76012090	Handicrafts of Aluminum Artware/ Other Article of Aluminum & Aluminum Ingots	Bird Feeder, Wine Chiller, Door Handle, Bath Tub, Party Tub, Bucket, Ashtray, many types of plates, Stick, Candle Stand, Flower Vase, Flower Pot Table Pillar.
70200090, 70200021, 70200029, 70200011, 70133700, 70181020	Handicrafts of Glass Artware / Other Article of Glass	Mug, Jug, Beer Mug, Ice Jar, Glass, Plates, Flower Vase, Glass Balls, Glass Beads, Kitchen & Bathroom Accessories, Other Household things of glass
44209090, 44219160, 44209010, 44051090	Handicraft of Wood & Other Article of Wood	Photo Frames, Cases Boxes, Tableware of Wood.
42029100, 42023120, 42021190, 42021150	Handicraft of Leather & Other Article of Leather	Ladies Bags, Jacket, Shoes, Hand Bag, Wallet, Belt, Sleeper.
80070090, 80070010, 80011090, 80012000	Other Article of TIN	Statue, Plates, others gifts, Items Birds.
68151090, 68159990	Article of Stone	Beads, pebbles.

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	vi) The Approval Committee further directed that approval of above items is subject to the condition that no restricted / prohibited items shall be allowed. vii) Approval Committee also directed the unit to realize the pending Foreign Exchange immediately and should also apply to RBI/ AD Bank for extension of time, if not already done and submit proof of same to this office. The Approval Committee also directed that the case of the unit must be monitored regularly and decided that if Export Proceeds pending for realization are not realized within the extended period of LOA i.e. 30.09.2020, then action may be taken immediately and the file should be put up before the Development Commissioner for taking appropriate action and issuance of Show Cause Notice to the unit under FTDR Act, 1992. Approval Committee further decided that in case pending Foreign Exchange is completely realized by the unit within the extended period of LOA i.e. 30.09.2020 or at any point of time before 30.09.2020, then the case must be placed in the next Approval Committee for renewal of LOA of the unit for remaining period of 2nd block of 5 years i.e. up to 28.01.2025.
8.10	Proposal of M/s Rajkamal International – Change in Partnership/ Shareholding of the firm. i) Approval Committee was informed that M/s Rajkamal International was issued LOA No. NSEZ/4-313/2003-MBD/4747 dated 03.08.2011. It was also informed that now, the unit vide their letter dated 19.02.2020 received in this office on 20.02.2020 has requested this office for approval of change in partnership of firm and issue revised Letter of Approval in this regard. The unit has intimated this office that Three Partners (Shri Ruchir Agarwal, Shri Samarth Agarwal, Shri Akash Agarwal) having total of 36.5% shares got retired from the unit, out of which 12.5% of shares got transferred to Shri Rupak Agarwal (earlier had 12.5 % shares, now has 25% shares) and one other partner (Smt Manju Agarwal) with share of 24% got entered in the unit vide partnership deed dated 01.04.2017. M/s Rajkamal International has submitted duly notarized partnership deed. ii) It was also informed to the Approval Committee that the Department of Commerce vide their Instruction No. 89 dated 17.05.2018, delegated power/s to Approval Committee as under: <i>“5. (ii) Re-organization including change of name, change of shareholding pattern, business transfer arrangement, court approved mergers and demergers, change of 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</i>

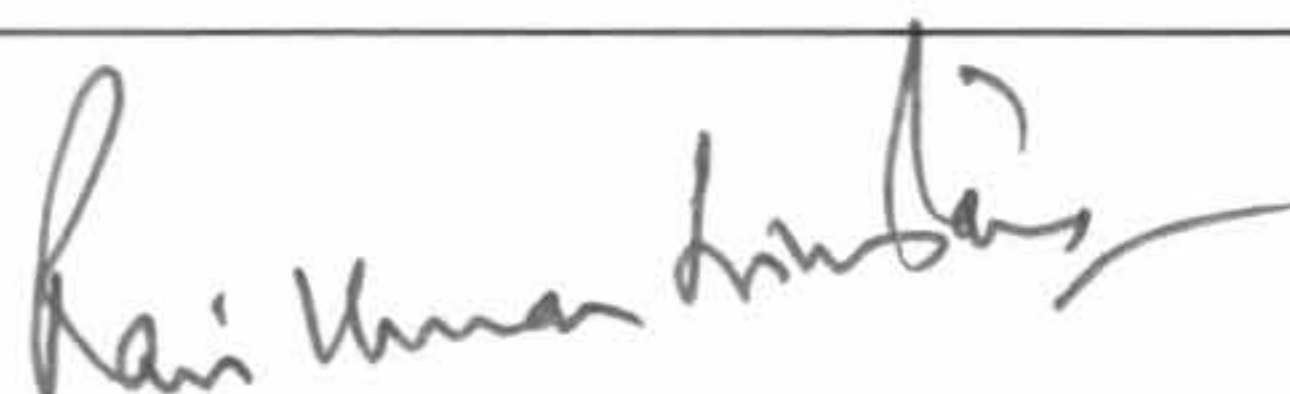
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	<i>remain unchanged on such reorganization."</i> iii) Further, it was informed that the Department of Commerce vide their Instruction No. 90 dated 03.08.2018, issued clarification on Instruction No. 89, which read as under: <i>"that the phrase 'prior approval of Board of Approval (BoA)/ Unit Approval Committee (UAC) in para 5 (i) & (ii) of the said guidelines in respect of Developer/ SEZ units means that approval of BoA/ UAC, as the case may be, taken before the SEZ entity/ unit is recognised by the new name or such arrangement in all the records. 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."</i> iv) It was also informed to the Approval Committee that the developer i.e. UPSIDA has already approved the change in partnership and has taken the same in their records. v) Approval Committee, after due deliberations, decided to approve the proposal of M/s Rajkamal International for change in partnership/ shareholding of the firm.
8.11.1	Proposal of M/s Ritu Overseas – review of performance as per provisions of Rule 54 of SEZ Rules, 2006 - regarding. i) The Approval Committee was informed that M/s Ritu Overseas was issued LOA No. NSEZ/4-335/2003-MBD/7067 dated 16.05.2013 for manufacturing and export of Handicrafts items made of Iron, Stainless Steel, Brass, Aluminium, Copper, Glass, Leather, Textile, Wood, Scarves, Mufflers, Rugs, Dari, Hand Knotted Carpets and Ceramic items. The unit has been allotted Plot No. G-28, Pocket-"A". The unit commenced production on 03.02.2015 and the LOA is valid up to 02.02.2025. ii) It was also informed that the total export income generated by the unit is to the tune of Rs. 310.55 Lakhs and the total Foreign Exchange Outgo is Rs. 7.38 Lakhs for the 1st current block of 5 years. The net foreign exchange earnings by the unit stand at Rs. 303.17 Lakhs and Foreign Exchange pending for realization beyond stipulated period of nine months is NIL (as on 02.03.2020). iii) Approval Committee, after due deliberations, took note of positive NFE achieved by the unit and found the performance satisfactory.
8.11.2	Proposal of M/s Tanishq International – review of performance as per provisions of Rule 54



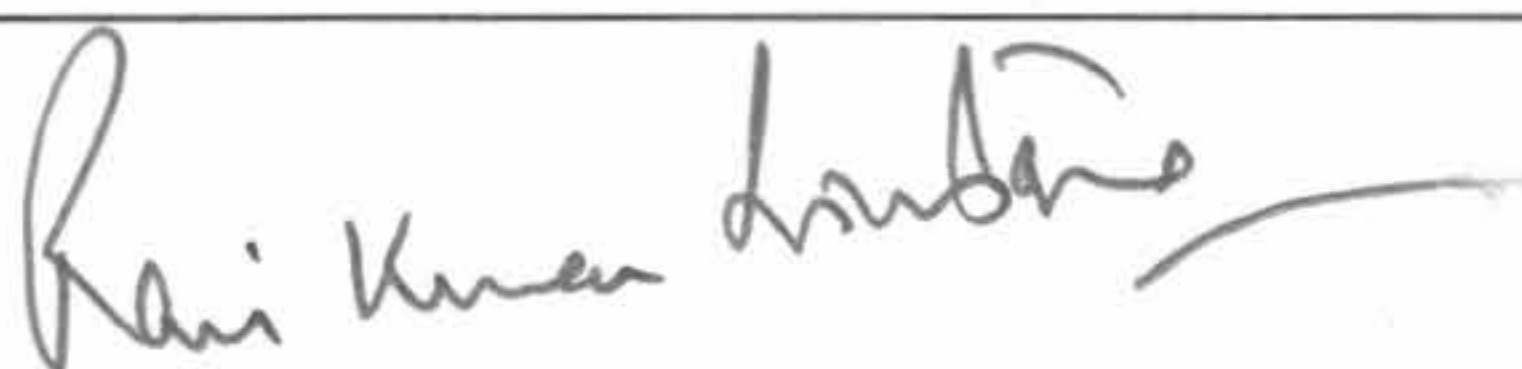
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of SEZ Rules, 2006 - regarding.

- i) The Approval Committee was informed that M/s Tanishq International was issued LOA No. NSEZ/4-357/2003-MBD/8100 dated 31.01.2014 for manufacturing and export of Handicrafts items made of Fashion & Artificial Jewelry, Glass Beads, Artware of Metal including Brass & other Fashion Accessories, Handicrafts items made of Textile, Rugs & Druggets, home décor and home furnishings. The unit has been allotted Plot No. G-33, Pocket-"A". The unit commenced production on 29.01.2015 and the LOA is valid up to 28.01.2025.
- ii) It was also informed that the total export income generated by the unit is to the tune of **Rs. 3859.23 lakhs** and the total Foreign Exchange Outgo is **Rs. 2738.13 Lakhs** for the 1st current block of 5 years. The net foreign exchange earnings by the unit stand at **Rs. 1121.10 Lakhs** and Foreign Exchange pending for realization beyond stipulated period of nine months is **Rs. 234.44 Lakhs** as on 02.03.2020.
- iii) Approval Committee was also informed that the Asstt. Commissioner (BRC), ICD Dadri has issued a Demand-cum-Show Cause Notice dated 29.03.2019 to the unit for failing to produce proof of realization for export proceeds to the tune of Rs. 8,69,74,483/- by the unit during F.Y. 2016-17 & 2017-18, which has not been adjudicated till date.
- iv) Further Approval Committee was informed by Regional Manager, UPSIDA that the unit has pending dues to the tune of Rs. 28,476.00 against their plot.
- v) Shri Anand Mishra, Partner from the unit appeared before the Approval Committee and informed that he will realize the Foreign Exchange pending within 20-30 days' time. He further informed that he has already applied for extension of time from the AD Bank and that he will start production activities by April 2020, once all the pending remittance is realized. He further informed that they are expecting exports to the tune of approx. Rs. 10.00 Crores in F.Y. 2020-2021. Shri Mishra also informed the committee that he will clear the dues of the developer within one weeks' time.
- vi) Approval Committee, after due deliberations, took note of positive NFE achieved by the unit and found the performance satisfactory. Approval Committee also directed the unit to realize the pending Foreign Exchange immediately and should also apply to RBI/ AD Bank for extension of time, if not already done and submit proof of same to this office.



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8.11.3 Proposal of M/S Global Export House – review of performance as per provisions of Rule 54 of SEZ Rules, 2006 - regarding.

i) The Approval Committee was informed that M/s Global Export House was issued LOA No. NSEZ/4-367/2003-MBD/8579 dated 19.09.2014. The unit has been allotted Plot No. G-28, Pocket-“A”. The unit commenced production on 20.01.2016 and the LOA is valid up to 19.01.2021.

ii) It was informed to the Approval Committee that remittances in respect of export proceed amounting to **Rs. 111.06 Lakhs** (as on 02.03.2020) pertaining to exports made from 01.04.2015 to 31.05.2019 have not been realized within the prescribed time period of nine months.

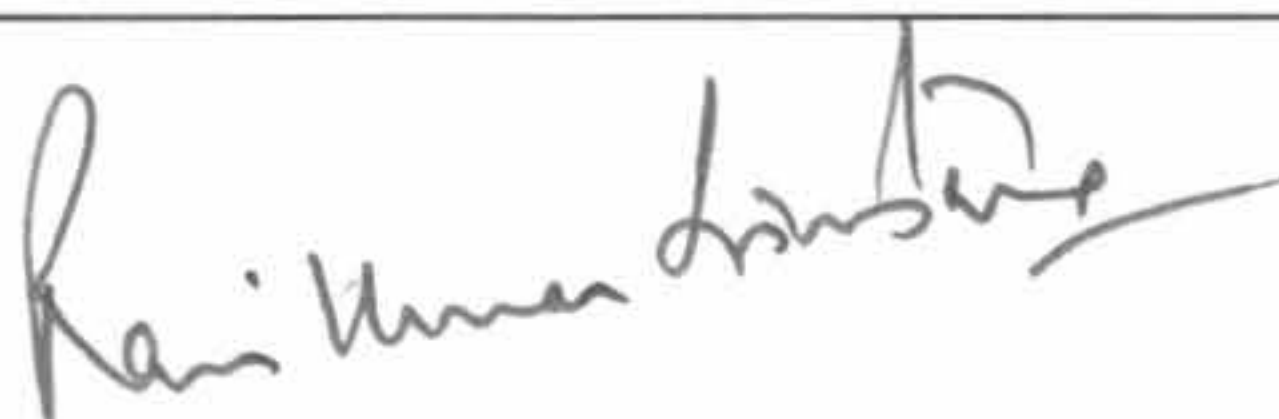
iii) It was informed that the case of unit was considered in the Approval Committee meetings held on 14.12.2018, 15.02.2019, 16.05.2019 and 27.11.2019 as the unit had Foreign Exchange pending for realization beyond nine months. Shri Mohan Maheshwari, CEO, appeared before Approval Committee in its meeting held on 27.11.2019 and submitted bank statement stating that Rs. 53.00 Lakhs from the pending Foreign Exchange have already been realized. He stated that he has already applied for time extension to AD Bank/ RBI and the remaining Foreign Exchange will be realized in three installments by December 2019.

iv) Approval Committee in its meeting held on 27.11.2019, directed the representative of the unit to (i) submit e-BRC's or Bank Certificates clearly mentioning the Shipping Bill Number and its date and (ii) submit extension from AD Bank/ RBI, as the case may be for the Foreign Exchange which has been realized after stipulated permitted period of nine months.

v) Approval committee was further informed that this office vide letter dated 04.06.2019 asked the unit to submit the E-BRC for the pending realization beyond nine months but no documents have been received in this office till date from the unit in the matter. Again this office vide letter dated 2.12.2019, 1.1.2020 and 3.2.2020. asked the unit to submit the E-BRC for the pending realization beyond nine months but no documents have been received in this office till date from the unit in the matter.

vi) Further Approval Committee was informed by Regional Manager, UPSIDA that the unit has pending dues to the tune of Rs. 70,426.00 against their plot.

vii) **No one from the unit appeared before the Approval Committee in its meeting held**



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	on 13.03.2020. viii) Approval Committee, after due deliberations, took serious note of the absence of partners/promoters of the unit and directed that a detailed letter be issued to the unit providing them last opportunity to submit BRCs/ Bank Certificates for the Foreign Exchange pending for realization within one month time failing which Show Cause Notice would be issued to the unit and necessary action under FTDR Act, 1992 would be initiated without any further notice. Approval Committee further directed that the unit may be asked to clear the dues of developer promptly. ix) Further, the Approval Committee deferred the case for monitoring under Rule 54 of SEZ Rules 2006 to its next meeting.
8.11.4	Proposal of M/S Indian Heritage Perfumers – review of performance as per provisions of Rule 54 of SEZ Rules, 2006 - regarding. i) Approval Committee was informed that M/s Indian Heritage Perfumers was issued LOA No. NSEZ/4-342/2003-MBD/7069 dated 16.05.2013. The unit has been allotted Plot No. L-05, Pocket-“A”. The unit commenced production on 14.05.2015 and the LOA is valid up to 13.05.2020. ii) Approval Committee was informed to the Approval Committee that remittances in respect of export proceed amounting to Rs. 69.76 Lakhs (as on 02.03.2020) pertaining to exports made from 01.04.2015 to 31.05.2019 have not been realized within the prescribed time period of nine months. iii) Approval Committee was also informed that the case of unit was considered in the Approval Committee meetings held on 14.12.2018, 15.02.2019, 16.05.2019 and 27.11.2019 as the unit had Foreign Exchange pending for realization beyond nine months. The unit had submitted bank certificates for the Foreign Exchange pending for realization. The Approval Committee had directed ADC, Moradabad SEZ to check the documents submitted by the unit and get them verified by the issuer AD Bank. iv) Approval Committee was further informed that multiple correspondences have been made with the bank which has issued realization Certificate as well as the bank's Chennai zonal office



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	for verification of the same but no response has been received till date. v) Further, it was informed to the Approval Committee by Regional Manager, UPSIDA that the unit has pending dues of the developer to the tune of Rs. 37,47,251.00 against their plot. vi) No one from the unit appeared before the Approval Committee. vii) Approval Committee, after due deliberations, decided to take on record the documents submitted by the unit and directed this office to make further efforts to contact the concerned bank for verification of the Bank Realization Certificates submitted by the unit. Approval Committee also directed the developer to take necessary action as deemed fit for recovery of outstanding dues on the unit against their plot. viii) Further, the Approval Committee deferred the case for monitoring under Rule 54 of SEZ Rules 2006 to its next meeting.
8.12	Proposal for approval of Building Plan of the unit by Approval Committee i) It was informed to the Approval Committee that Building Plan of M/s Designers International on plot No. M-57, Pocket - 'B' have been received after technical evaluation by the UPSIDA. It was informed that the technical Branch of UPSIDC Ltd has examined the Building Plans of M/s Designers International on plot No. M-57, Pocket- 'B' and found it in order as per relevant building byelaws. ii) Shri Ghulam Yazdani, Partner appeared before the Approval Committee and stated that the construction work on his unit is nearing completion and they wish to commence production by 31.03.2020. He also stated that initially 60-70 people will work in their SEZ unit. The Approval Committee accordingly approved the Building Plans in respect of M/s Designers International for Plot No. M-57, Pocket-'B', SEZ Moradabad.

Meeting ended with thanks to the Chair.

