

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.10/13/2006 -प्रोज/

दिनांक: 07/06/2016

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, गेटर, नोएडा।

विषय: दिनांक 02/06/2016 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 02/06/2016 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,

(राकेश कुमार)
उप विकास आयुक्त

प्रतिलिपि:

1. संयुक्त सचिव (एस.ई.जेड.), वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली - सूचनार्थ।
2. विशेष कार्याधिकारी - विकास आयुक्त के सूचनार्थ।
3. वैयक्तिक सहायक - संयुक्त विकास आयुक्त के सूचनार्थ।
4. निर्दिष्ट अधिकारी, नोएडा विशेष आर्थिक क्षेत्र - सूचनार्थ एवं आवश्यक कार्यवाही के लिए.
5. सहायक 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 02/06/2016)

Page 1 of 21

Minutes of the 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 02/06/2016 in the Conference Hall of NSEZ.

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

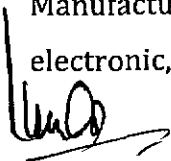
- 1) Shri S.S. Shukla, Jt. Development Commissioner, NSEZ.
- 2) Shri R.P. Pandey, Asstt. Commissioner, Customs, Noida Commissionerate.
- 3) Shri Rajiv Kumar Soni, Asstt. DGFT, CLA, New Delhi.
- 4) Ms. Sandhya Maurya, Income Tax Officer, Income Tax Deptt., Noida.
- 5) Dr. B. B. Awasthi, Regional Officer, UPPCB, Noida.
- 6) Shri Tribhuvan Nath Patel, Addl. Statistical Officer, DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.)
- 7) Mukesh Goyal, Associate Architect, (Rep. of Noida Authority).

2. Besides, during the meeting S/Shri (i) Rakesh Kumar, Dy. Development Commissioner, NSEZ, (ii) R.K. Srivastava, Dy. Development Commissioner, NSEZ, (iii) A.K. Srivastava, Specified Officer, NSEZ, (iv) R.P. Verma, Asstt. Development Commissioner, NSEZ, and (v) Bhuvan Yadav, 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 04/05/2016:-

It was informed that no reference against the decisions of the Approval Committee held on 04/05/2016 was received and therefore, Minutes of the meeting held on 04/05/2016 were ratified. It was informed that a proposal of M/s. Lingo Impex to incorporate Manufacturing of Hardware, components, parts, accessories & peripherals of mobile and electronic, Mini PC, Controller Card, Protection PCB for solar panel and communication



tower, Battery Pack, call with protection, Adaptor and mini charger initially for six months, was approved in the last meeting of the Approval Committee held on 04/05/2016. However, after issue of Minutes of meeting and before issue of formal approval letter, M/s. Lingo Impex has withdrawn the said application. The Approval Committee took note of the unit's request and cancelled the earlier approval.

Item wise decisions on proposals included in agenda:

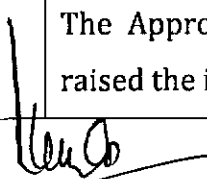
1. Proposal of M/s. Jagdamba Impex for setting up a new Unit in NSEZ.

It was informed to the Approval Committee that the applicant has proposed to set up a unit in NSEZ for Manufacturing & Export of Electrical Lamination, Core Oil Assembly, Electrical Transformer, Copper Wire/Strips, Aluminium wire/Strips, other parts with projected exports of Rs. 11289 Lakhs and NFE of Rs. 4459 Lakhs over a period of five years.

Shri Amit Aggarwal, Proprietor of the firm appeared before the Approval Committee to explain the project. He informed that he is also a director in M/s. Amit Industries Pvt. Ltd. (which was incorporated in 1998) and had a turnover of approx. Rs. 50 Crores in the last year. He also informed that he is a partner in another firm namely M/s Garv Udyog & Kwality Electricals, which had its unit in Haridwar & Roorkee. The said firm was started in 2009 for manufacture & supply of Electrical Lamination (Transformer Core) & Electrical transformer to various transformer manufacturers & State Electricity Boards. However, no work is being done since 2014 in the said firm.

The Approval Committee observed that the applicant has shown requirement of built up area of 2000 sq. mtrs. The Approval Committee informed Shri Aggarwal that in NSEZ land belongs to NSEZ Authority and the same is allotted to valid LOA holder on sub-lease basis. As on date, no plot in size of 2000 sq. mtrs. is available for allotment. However, a few building of sick/closed units are available for auction through MSTC Ltd./financial institution and they can participate in the auction. To begin with, they may be allotted one or two SDFs of 500 sq. mtrs. approx. each as per availability on receipt of application for allotment of SDF.

The Approval Committee further informed Shri Aggarwal that Ministry of Steel has raised the issue of import of non-prime, mills left over, scrap and spurious CRGO material



in SEZs by some traders circumventing the Steel Control Order. It has further been informed that many companies are importing the non-prime, mills left over, scrap and spurious CRGO material from all over the world in SEZs. Some unscrupulous companies are also repeatedly **importing core oil assemblies of old and decommissioned transformers from foreign countries**, under the guise of scraping the same. Shri Aggarwal was informed that if they have any plan for import of such old goods or secondary materials, the LOA may not be granted.

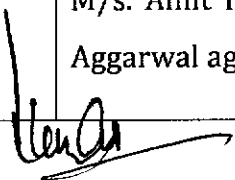
Shri Aggarwal informed that the proposed unit will import fresh/prime CRGO only and will export the products primarily to Germany. He also informed that they do not have any plan to import old transformers and only prime inputs shall be imported/purchased for export production in SEZ. He also consented the imposition of condition to import prime CRGO only.

The Approval Committee asked as to whether manufacturing process shall be in-house or they shall require to send some goods for sub-contracting also. Shri Aggarwal informed that part of production process shall also be carried out through sub-contracting in DTA/outsourced also. However, it was observed that in part-II of Form F no such details were given. Therefore, Approval Committee desired that part-II of Form F needs to be amended by the applicant, so as to indicate correct details of production process to undertaken through sub-contracting in DTA. Shri Aggarwal assured to comply with the same.

After due deliberations, the Approval Committee approved the application of M/s. Jagdamba Impex for setting up a new unit in Noida SEZ subject to following conditions:

1. Unit shall do 100% export its products;
2. Unit will import/purchase only prime CRGO for export production.
3. Unit will not be permitted to import non-prime, mills left over, scrap and spurious CRGO material.

The Approval Committee also directed the applicant to submit detailed background of M/s. Amit Industries Pvt. Ltd. & M/s. Garv Udyog & Kwality Electricals to which Shri Aggarwal agreed.



2. Proposal of M/s. Juse Jewellery Mfg. Co. for setting up a new Unit in NSEZ.

It was informed to the Approval Committee that the applicant has proposed to set up a new unit in NSEZ to undertake the manufacturing & export of Gold Ornaments (Plain & Studded with coloured gem stone) with projected exports of Rs. 92500 Lakhs and the NFE of Rs. 8125 Lakhs over a period of five years.

Shri Varun Gupta, proprietor of the firm appeared before the Approval Committee to explain the project. He informed that he has another running unit in the name of M/s. C.R. Steel & Hardware, which is their parental company. He further informed that they cater the jewellery requirements of NRI's on regular basis and have developed personal intimacy and attachment with lot of corporate and individual buyers. He also stated that they have a project which envisages melting/molding of old gold jewellery in their house at Amritsar to manufacture handmade designer jewellery. However, Shri Gupta failed to produce any documentary proof which could be relied upon for his existing jewellery business and credentials of M/s. C. R. Steel & Hardware.

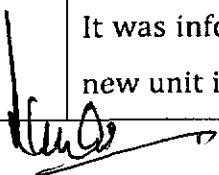
It was informed to the Approval Committee that jurisdictional Excise in respect of M/s. C.R. Steel & Hardware has been requested to verify the credentials of the said firm and response is awaited. Besides, report on genuineness of financial credentials by the certifying Chartered Accountant is also awaited.

The Approval Committee directed to send a reminder to the Chartered Accountant for report on genuineness of financial credentials of Shri Varun Gupta and to the jurisdictional Excise in respect of M/s. C.R. Steel & Hardware to verify the credentials of the said firm. Copy of letter sent to jurisdictional Excise may also be forwarded to the Shri R.P. Pandey, Asstt. Commissioner, Customs, Noida Commissionerate. The Approval Committee further directed Shri Gupta to submit his detailed background along with sale returns/documents to assess his existing jewellery business in Amritsar.

The Approval Committee, after due deliberation, decided to defer the proposal for its next meeting.

3. Proposal of M/s. Prabhat Zarda Factory (Overseas) for setting up a new Unit in NSEZ.

It was informed to the Approval Committee that the applicant has proposed to set up a new unit in NSEZ for i) Flavoured Chewing Tobacco [ITC HS: 2403], ii) Saffron flavoured



Silver Coated Cardamom and Supari. with projected exports of Rs. 26121 Lakhs and the NFE of Rs. 20411 Lakhs over a period of five years.

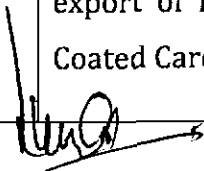
Smt. Chhaya Devi, Proprietor appeared before the Approval Committee to explain the project. She informed that they are into the business of flavored chewing tobacco since last 26 years. She further informed that they will introduce new brand (Arya Vijay) in SEZ unit for export to Gulf & Arabian countries.

It was informed to the applicant that the Govt. of Uttar Pradesh vide Notification No. 6288/FSDA/FOOD/2012 dated 04/10/2012 in pursuance of Regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulation 2011, has prohibited, w.e.f. 1st April 2013, in the state of Uttar Pradesh, the manufacture, storage, sale or distribution of Gutkha and Pan Masala containing tobacco or nicotine as ingredients, by whatsoever name it is available in the market.

Smt. Chhaya Devi informed that they are already operating from their DTA unit at E-37, Sector-8, in Noida, Uttar Pradesh for manufacturing & sale of chewing tobacco. She also informed that copy of Excise returns of the DTA firm have also been submitted as proof of their DTA business for Chewing Tobacco. The Approval Committee was informed that items proposed to be manufactured fall under heading 24.03 for which Industrial License is not required and they also do not fall under restrictive items.

The Approval Committee observed that the applicant has shown requirement of built up area of 1208 sq. mtrs. The Approval Committee informed Smt. Chhaya Devi that in NSEZ land belongs to NSEZ Authority and that is allotted to valid LOA holder on sub-lease basis. As on date, no plot in size of 1208 sq. mtrs. is available for allotment. However, a few building of sick/closed units are available for auction through MSTZ Ltd./financial institution and they can participate in the auction. Smt. Chhaya Devi submitted that to begin with, they may be allotted one SDF to which Approval Committee agreed in-principle.

The Approval Committee, after due deliberations, approved the proposal of M/s. Prabhat Zarda Factory (Overseas) for setting up a new unit in Noida SEZ for manufacturing and export of i) Flavoured Chewing Tobacco [ITC HS: 2403], ii) Saffron flavoured Silver Coated Cardamom and Supari subject to the condition that no DTA sale shall be allowed.



4. Proposal of M/s. Inetest Technologies India Pvt. Ltd. for setting up a trading Unit in NSEZ.

It was informed to the Approval Committee that the applicant has proposed to set up a new unit in NSEZ for trading of Test and Measurement equipment for the Electronic Manufacturing Industry and manufacturing equipment for the solar industry along with spares and Engineering services thereof with projected exports of Rs. 2809.69 Lakhs and the NFE of Rs. 417.90 Lakhs over a period of five years.

Shri Naveen Khurana, authorized representatives of the company appeared before the Approval Committee to explain the project. Shri Khurana informed that the promoter has already been running another unit in the name of M/s. NMtronics India Pvt. Ltd. in Noida SEZ. Shri Khurana further informed that the proposed unit will provide technical products and single window solution to solar & semiconductor manufacturing industry.

Shri Khurana further informed that they will not sell the items in DTA market and will be only doing export as well sale to the units in other SEZs.

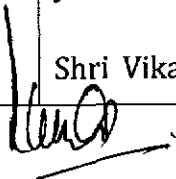
The Approval Committee, after due deliberations, approved the application of M/s. Inetest Technologies India Pvt. Ltd. for setting up a trading unit in Noida SEZ subject to following conditions:

- i) Unit shall be doing 100% export as well as supply to units in the same or other SEZs.
- ii) No DTA sale shall be allowed.

5. Proposal of M/s. V. V. Impex for setting up a new Unit in NSEZ.

It was informed to the Approval Committee that the applicant has proposed to set up a new unit in NSEZ to undertake the manufacturing & export of Plain Handcrafted/Machine made Gold Jewellery with projected exports of Rs. 68273.53 Lakhs and the NFE of Rs. 2647.02 Lakhs over a period of five years. The proprietor was also partner in M/s. Nationwide Exports, which made exit from NSEZ in the year 2012. The export performance was dismal and that unit could do export of Rs. 42 Lakhs only in 5 years.

Shri Vikas Verma, proprietor of the firm appeared before the Approval Committee to



explain the project. He informed that currently he is a director in three other companies namely namely i) Shree Chain Co. Pvt. Ltd.; ii) Vikas Diamonds Pvt. Ltd. and iii) Vikas De' Italia Chains Pvt. Ltd. He also informed that Shree Chain Co. Pvt. Ltd. had achieved turnover of Rs. 11 Crores in last year and turnover of M/s. Vikas Diamonds Pvt. Ltd. was approx. 5.5 Crores during the last year.

Shri Verma further informed that he will mainly focus on overseas market and the proposed unit will be only for export. The Approval Committee, taking the past track of SEZ unit of applicant into consideration, could not find the projected exports of Rs. 682 Crores in 5 years from a new firm constituted on 02/04/2016, as feasible.

Therefore, the Approval Committee directed the applicant to submit documentary evidence showing his attachment as director/shareholder in other companies/firm including i) Shree Chain Co. Pvt. Ltd.; ii) Vikas Diamonds Pvt. Ltd. and iii) Vikas De' Italia Chains Pvt. Ltd. The Approval Committee further directed the applicant to produce documentary evidence in support of his existing turnover, item of export and destination.

The matter was accordingly deferred to the next meeting.

6. Proposal of M/s. Syscom Corporation Pvt. Ltd. for inclusion of additional authorized operations in LOA.

It was informed to the Approval Committee that M/s. Syscom Corporation Pvt. Ltd. has submitted a proposal for inclusion of additional items i.e. "Manufacturing & Trading of RFID Contactless cards, Inlays for electronic passport, E-Purse and other semiconductor device" in their authorized operations as per existing export projections.

Shri N. K. Prusty, authorized representative of the company appeared before the Approval Committee. He informed that they have already been allowed manufacturing of GSM SIM Card, Smart Card etc. and the infrastructure & technology required for proposed items are same as manufacturing of GSM Sim Cards/Smart card; hence no additional investment in infrastructure & assets is required. He further informed that no trading activities have been done by the unit so far and they have taken permission for trading of above items only as a business continuity plan.

The Approval Committee, after due deliberations, approved the proposal to incorporate



the proposed items i.e. Manufacturing & Trading of RFID Contactless cards, Inlays for electronic passport, E-Purse and other semiconductor device into the authorized operations.

7. Proposal of M/s. Balaji Export Co. for inclusion of additional authorized operations in LOA.

It was informed to the Approval Committee that M/s. Balaji Export Co. has submitted a proposal for inclusion of additional items i.e. i) Manufacturing of Plain & Studded Silver/Platinum/Palladium Jewellery & Silver Coin item under Chapter 71 of ITC (HS); ii) Manufacturing of Brass/Steel Jewellery/Plain & Studded imitation Jewellery item under chapter 71 of ITC HS; and iii) Any other items covered under chapter 71 of ITC HS in their authorized operations.

Shri Viren Shah, Partner appeared before the Approval Committee. He informed that they have been working in the zone since 2003 and have a good track record. He also mentioned that he has another unit viz. M/s. BE Gold Pvt. Ltd. in NSEZ and has been exporting to Dubai, Turkey, USA and Canada.

It was informed to him that proposal for manufacturing of coin in any form is not permissible and hence cannot be accepted. It was further informed to him that their proposal for manufacturing of any other item covered under Chapter 71 of ITC HS is not specific and hence cannot be accepted.

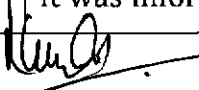
Shri Shah agreed and assured to comply with the directions of Approval Committee.

The Approval Committee, after due deliberations, approved the proposal to include the proposed items i.e. i) Manufacturing of Plain & Studded Silver/Platinum/Palladium Jewellery; ii) Manufacturing of Brass/Steel Jewellery/Plain & Studded imitation Jewellery item in their authorized operations.

The Approval Committee did not agree with the proposal of unit for "Manufacturing of Silver Coin and any other items under Chapter 71 of ITC HS".

8. Proposal of M/s. Gujeswori Apparels for Inclusion of additional authorized operations in LOA.

It was informed to the Approval Committee that M/s. Gujeswori Apparels has submitted



a proposal for inclusion of additional items i.e. i) Manufacturing of Rubber Toys; and ii) Trading of Leather Garments such as Shoes, Belt, Jackets, Coats, Skirts, Pouch and Armband etc. in their authorized operations.

Shri Rachit Goel, authorized representative of the firm appeared before the Approval Committee. He informed that they have already made exports of 5 consignments worth Rs. 60-65 Lakhs and currently there are approx. 35-40 employees working in the unit. He further informed that they have received orders from their overseas buyer for above items along with readymade garments.

It was informed to him that Manufacturing of Rubber Toys is altogether a different sector from the approved authorized operations of the unit and Deptt. of Commerce has issued an instruction No. 69 not to allow broadbanding of unrelated products. The Approval Committee further informed that the unit has restarted its export production activities only recently and at the moment permission for trading activity cannot be granted.

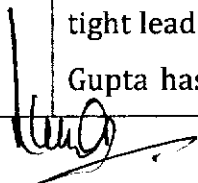
After due deliberation, the Approval Committee did not agree with the proposal of M/s. Gujeswori Apparels for inclusion of Manufacturing of Rubber Toys and Trading of Leather Garments in their authorized operations.

9. **Proposal of M/s. Reliance Precitone Jewellers Pvt. Ltd. for renewal of LOA for next five years in terms of rule 19(6) of SEZ Rules'06.**

It was informed to the Approval Committee that the unit has been issued LOA dated 19/04/1991 for Manufacturing & Export of Plain and Studded Gold Jewellery, Silver Jewellery, Glass Beads, Costume Jewellery and Handicraft items. The unit has commenced its export production w.e.f. 01/12/1993 and LOA of the unit was valid till 31/03/2016.

The Approval Committee observed that the unit has not made any export and has been lying non-functional since 2012-13.

Shri Raj K. Gupta and Shri Akash Gupta, Director appeared before the Approval Committee and stated that their unit belongs to Banaras Beads Group. He further stated that the reason for weak export sales has been due to downturn in export market, very tight lead time imposed by China and extremely dynamic fashion changing industry. Shri Gupta has further stated that looking at the above scenarios; they have changed their



strategy to manufacture & export. He further informed that presently they have finished items worth Rs. 90 Lakhs in hand which is ready for export & they could not make export in view of the non-validity of LOA. He further informed that they had mistakenly submitted the APR for the year 2013-14 showing nil exports. However, they had made exports worth 3.49 Lakhs during 2013-14. The Approval Committee directed them to submit revised APR.

Shri Gupta further informed that the submitted projection are only for manufacturing & export of Glass Beads, Costume Jewellery and Handicraft items. In their application it has been indicated that they are not manufacturing plain & studded gold/silver jewellery.

The Approval Committee, after due deliberations, decided to renew the LOA of the unit for one year i.e. upto 31/03/2017. The Approval Committee also decided that further renewal shall be considered on the basis of performance of unit during the extended period of validity of LOA and unit shall ensure that correct figures are reported in APRs.

10. **Proposal of M/s. H & S Industries for renewal of LOA for next five years in terms of rule 19(6) of SEZ Rules'06**

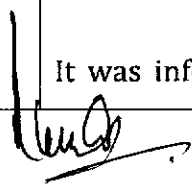
It was informed to the Approval Committee that in its meeting held on 04/11/2015, the Approval Committee extended validity of LOA of the unit for six months upto 06/05/2016 and decided that in case the unit fails to start full-fledged manufacturing operations in the extended period, the unit shall be liable to surrender the Plot to NSEZ Authority and no request for transfer of its assets & liabilities shall be entertained in any case.

It was further informed to the Approval Committee that LOA of unit has been renewed upto 30/06/2016 so as to enable them to continue their operations.

No one from the unit appeared for the meeting. The Approval Committee observed that the unit has made exports to the tune of Rs. 37,17,177/- during the extended validity period of LOA. The Approval Committee decided to renew the LOA of the unit for next one year i.e. upto 06/05/2017.

11. **Proposal of M/s. Gee Cee Exim Pvt. Ltd. for renewal of LOA for next five years in terms of rule 19(6) of SEZ Rules'06.**

It was informed to the Approval Committee that the unit has been issued LOA dated



25/09/2007 for Manufacturing & Export of OHE Conductors and Copper Strips. The unit has commenced its export production w.e.f. 23/12/2009 and LOA of the unit was valid till 22/12/2014.

The Approval Committee observed that the unit has made export worth Rs. 69,000/- in 2009-10 and has been lying non-functional since 2010-11. The Approval Committee further noted that unit has achieved negative NFE earnings to the tune of Rs. 33.33 Lakhs during the previous block of five years.

Shri M. M. Mittal, Director appeared before the Approval Committee. He informed that he was detected for cancer in 2012 & had undergone surgery in USA. Due to his ill health, he could not carry out operations in the unit for last few years and also total family was disturbed on this count. He further submitted that now he is fit and ready to restart the work. He further informed that the unit has however made exports worth USD 22000 during the year 2013-14. It was informed to Shri Mittal that they had submitted APR for the year 2013-14 showing Nil exports and therefore there is negative NFE Earnings.

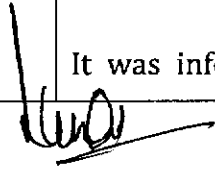
The Approval Committee directed Shri Mittal to submit corrected APR for the year 2013-14. In case the unit has failed to achieve positive NFE earnings, penalty will be imposed as per Rule 25 of SEZ Rules, 2006.

The Approval Committee, after due deliberations, renewed the LOA of the unit for six months from date of the meeting of the Approval Committee subject to submission of documents/information as asked vide this office letter dated 24/05/2016 and decided that no request for transfer of assets/building shall be entertained. The Approval Committee also decided that further renewal shall be decided on the basis of performance of the unit during the extended period of validity of LOA.

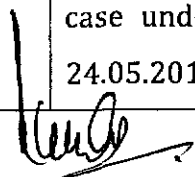
Shri Mittal agreed to the decision of the Approval Committee and stated to comply with the same.

12. **Proposal of M/s. Indeutsch International for change in constitution of the firm from 'Partnership' to "Proprietorship".**

It was informed to the Approval Committee that M/s. Indeutsch International have



	<p>dissolved their partnership firm w.e.f. 01/04/2016 and now the unit shall be a Proprietorship firm having "Smt. Riddima Jain" as its proprietor. It was further informed that unit has submitted a copy of their application for registration of dissolution deed.</p> <p>Shri Aroon Jain, authorized representative of firm appeared for the meeting. The Approval Committee observed that Smt. Riddima Jain had 99% shareholding in the erstwhile partnership firm.</p> <p>After due deliberation, the Approval Committee decided to approve the proposal of unit for change of constitution from "Partnership" to "proprietorship" under Rule 19(2) of SEZ Rules, 2006 as per the new guidelines of BOA approved in its meeting held on 23/02/2016, subject to submission of registered dissolution deed.</p>
13.	<p>Review of compliance with Exit permission by M/s. Bullet International and extension in the validity of LOA for six months beyond 31.03.2016.</p> <p>No one from the unit appeared for the meeting. The Approval Committee deferred the matter to its next meeting.</p>
14.	<p>Proposal of M/s. Alcome Perfumes & Cosmetics Pvt. Ltd. for Renewal of LOA.</p> <p>No one from the unit appeared for the meeting. It was informed to the Approval Committee that building has been sold by Bank as per the provision of SARFAESI Act. Estate management division is taking up the matter with Bank for recovery of government dues. The Approval Committee was informed that since the said property has been sold to another LOA holder, the proposal of M/s. Alcome Perfumes & Cosmetics Pvt. Ltd. for renewal of LOA has become redundant. The Committee directed that this position will be explained to the applicant by JDC/DDC(RK).</p>
15.	<p>Proposal of M/s. Hanung Toys & Textiles Ltd.(Unit-I) for renewal of LOA and transfer of Plot No.111 to M/s. Ebix Software India Pvt. Ltd. (Unit-II).</p> <p>It was informed to the Approval Committee that proposal of M/s. Hanung Toys & Textiles Ltd. for transfer of Plot No.111 to M/s. Ebix Software India Pvt. Ltd. (Unit-II) was placed before the Committee constituted under the chairmanship of JDC, NSEZ to examine the case under Rule 74A and 3rd proviso to Rule 19(2) held at NSEZ at 3:30 PM on 24.05.2016. The Approval Committee was further informed about the details of</p>

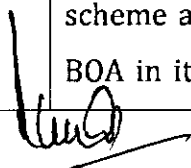


transferor and transferee units as under:

Name & Address of Transferor	M/s. Hanung Toys & Textiles Ltd.(Unit-I) Plot No. 108-111, 126-127, NSEZ
Whether formal request for exit from SEZ Scheme has been made by the transferor	No
<u>Details of LOA of transferor</u>	
Date of LOA	10/05/1990
DGP	15/01/1991
Date of LOA validity	31/03/2016
Whether the unit (transferor) has held a valid LOA as on date	No, LOA got expired on 31/03/2016. Renewal application received and is under consideration as part of agenda of Instant Approval Committee.
Whether the unit (Transferor) has held lease of land for not less than a period of 5 years on the date of transfer	Sub-lease deed of Plot No.111 is valid upto 30/04/2017.
Name & Address of Transferee	M/s. Ebix Software India Pvt. Ltd. (Unit-II) Plot No. 112-113, NSEZ
Whether the transferee fulfils all eligibility criteria applicable to a unit; if yes, details of LOA of transferee:	
Date of LOA	30/01/2013
DGP	30/09/2015
Date of LOA validity	29/09/2020

The said Committee noted that the transferor unit in this case has not made request to opt out from SEZ Scheme, hence the unit does not fulfil criteria as specified under Rule 74A as per clarifications of BOA. Besides, LOA of the unit has expired on 31.03.2016. Therefore, the Committee did not recommend this case for transfer of Plot 111 to M/s. Ebix Software (India) Pvt. Ltd. (Unit-II).

Shri A.K. Bansal, Director of M/s. Hanung Toys & Textiles Ltd. (Unit-I) and Shri Vikas Verma, authorized representative of M/s. Ebix Software India Pvt. Ltd. (Unit-II) appeared before the Approval Committee. Shri Bansal informed that they are not opting out of SEZ scheme and their proposal may be considered as slump sale. He further informed that BOA in its meeting held on 23.02.2016 had issued clarification that provisions of Rule



74A shall not apply to SEZ units that do not exit or opt out of the SEZ scheme by transferring its assets and liabilities to another person and the SEZ unit continues to operate as a going concern.

It was informed to them that as the unit has not made any request for exit, their case is not covered under Rule 74A of SEZ Rules, 2006. It was further informed that there is no provision in the SEZ rules for allowing partial exit. Hence, their proposal for transfer of one plot cannot be accepted at this stage.

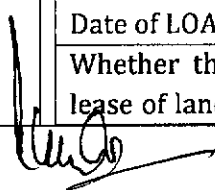
Shri Bansal informed that LOA of their unit has expired on 31/03/2016. It was informed to them that there is outstanding lease rent against the unit. Shri Bansal informed that they have cleared entire lease rent outstanding against the unit.

The Approval Committee, after due deliberations, decided to renew LOA of M/s. Hanung Toys & Textiles Ltd. (Unit-I) for next five years i.e. up to 31/03/2021. The Approval Committee however, did not approve the proposal of unit for transfer of assets at Plot No.111, NSEZ to M/s. Ebix Software India Pvt. Ltd. (Unit-II) as their request is not covered under Rule 74A of SEZ Rules, 2006. The Approval Committee directed that a speaking order be issued to the unit in this regard.

16. Proposal of M/s. Novo Technologies Pvt. Ltd. for exit and transfer of assets & Building at Plot No. 59-H(C), NSEZ to M/s. Saasfocus Consulting Pvt. Ltd. under provisions of Rule 74A of SEZ Rules, 2006.

It was informed to the Approval Committee that M/s. Novo Technologies Pvt. Ltd. has submitted a proposal for exit from SEZ scheme and transfer of its assets & Building at Plot No. 59-H(C), NSEZ to M/s. Saasfocus Consulting Pvt. Ltd. under provisions of Rule 74A of SEZ Rules, 2006 as per following details:

Name & Address of Transferor	M/s. Novo Technologies Pvt. Ltd. Plot No. 59-H(C), NSEZ
Whether formal request for exit from SEZ Scheme has been made by the transferor	Yes
<u>Details of LOA of transferor</u>	
Date of LOA	10/01/2006
DCP	27/12/2008
Date of LOA validity	26/12/2018
Whether the unit (Transferor) has held lease of land for not less than a period of	Sub-lease deed is valid upto 31.12.2020.



Noida Special Economic Zone

Page 15 of 21

(Minutes of Meeting of Approval Committee of Noida SEZ held on 02/06/2016)

5 years on the date of transfer	
Name & Address of Transferee	M/s. Saasfocus Consulting Pvt. Ltd. 29, Old Govindpura Ext., Street No. 3, New Delhi - 110051.
Whether the transferee fulfils all eligibility criteria applicable to a unit; if yes, details of LOA of transferee:	
Date of LOA	15/04/2015
DCP	--
Date of LOA validity	14/04/2017

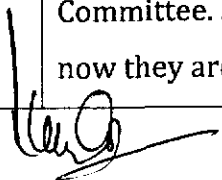
It was informed to the Approval Committee that the above proposal of M/s. Novo Technologies Pvt. Ltd. was placed before the Committee constituted under the chairmanship of JDC, NSEZ to examine the case under Rule 74A and 3rd proviso to Rule 19(2) held at NSEZ at 3:30 PM on 24.05.2016. The Committee noted that Rule 74A of the SEZ Rules, 2006 inter alia provides as under:-

'The unit may opt out of Special Economic Zone by transferring its assets and liabilities to another person by way of transfer of ownership including sale of Special Economic Zone units inter-alia subject to the following conditions:-

- (i) *The unit has held a valid Letter of Approval as well as Lease of Land for not less than a period of five years on the date of transfer;*
- (ii) *The unit has been operational for a minimum period of two years after the commencement of production as on the date of transfer;*
- (iii) *Such sale or transfer transactions shall be subject to the approval of the Approval Committee.'*

It was further informed that the said Committee observed that the transferor unit meets all the conditions of Rules 74A and transferee unit also has valid LOA. Accordingly, the Committee recommended the proposal of M/s. Novo Technologies Pvt. Ltd. for transfer of assets & Building at Plot No. 59-H(C), NSEZ to M/s. Saasfocus Consulting Pvt. Ltd. in terms of Rule 74A of SEZ Rules, 2006.

Shri Vinay Aggarwal, Director of M/s. Novo Technologies Pvt. Ltd. and Shri Sumit Pachnanda, Director of M/s. Saasfocus Consulting Pvt. Ltd. appeared before the Approval Committee. Shri Aggarwal informed that they are getting very less orders for exports and now they are mainly focusing on the DTA business.



Shri Sumit Pachnanda, informed that their unit shall be engaged into IT Enabled Services: Development, Customization, Designing, Programming, Consulting of different types of software. He further informed that initially they will employ approx. 50-100 persons.

The Approval Committee, after due deliberations, approved the proposal of M/s. Novo Technologies Pvt. Ltd. for exit from SEZ scheme under Rule 74A of SEZ Rules, 2006 and transfer of its assets & liabilities at Plot No. 59-H(C), NSEZ in favour of M/s. Saasfocus Consulting Pvt. Ltd. subject to fulfillment of exit formalities by M/s. Novo Technologies Pvt. Ltd.; payment of applicable transfer charges and submission of an undertaking by incoming entrepreneur regarding taking over the assets & liabilities of existing unit.

17. Proposal of M/s. Sterling Brassware for exit from SEZ Scheme and transfer of its assets & Building at Plot No. 28, 29 & 33, NSEZ under provisions of Rule 74A of SEZ Rules, 2006.

It was informed to the Approval Committee that M/s. Sterling Brassware has submitted a proposal for exit from SEZ scheme and transfer of its assets & Building at Plot No. 28-29, NSEZ to M/s. Knitpro International (Unit-II) and Plot No. 33 to M/s. Infinity Global under provisions of Rule 74A of SEZ Rules, 2006 as per following details:

Name & Address of Transferor	M/s. Sterling Brassware Plot No. 28 & 29 (in favour of M/s. Knitpro International (Unit-II)) Plot No. 33 (in favour of M/s. Infinity Global)
Whether formal request for exit from SEZ Scheme has been made by the transferor	Yes
<u>Details of LOA of transferor</u>	
Date of LOA	08/01/1993
DCP	01/04/1995
Date of LOA validity	31/03/2020
Whether the unit (Transferor) has held lease of land for not less than a period of 5 years on the date of transfer	<ul style="list-style-type: none"> • Sub-lease of Plot No. 28&29, NSEZ is valid upto 11.06.2028. • Sub-lease of Plot No. 33 is valid upto June 2025.
Name & Address of Transferee	<ol style="list-style-type: none"> 1. M/s. KnitPro International (Unit-II), [Plot No. PA-010-001 & 14, Engineering Zone, Mahindra World City SEZ, Jaipur, Rajasthan-302037.] 2. M/s. Infinity Global [Currently working from Plot No. 33 on sharing with Sterling



Noida Special Economic Zone

Page 17 of 21

(Minutes of Meeting of Approval Committee of Noida SEZ held on 02/06/2016)

	Brassware]	
Whether the transferee fulfils all eligibility criteria applicable to a unit; if yes, details of LOA of transferee:	M/s. KnitPro International (Unit-II)	M/s. Infinity Global
Date of LOA	13/01/2016	15/07/2015
DCP	--	--
Date of LOA validity	12/01/2017	14/07/2016

It was informed to the Approval Committee that the above proposal of M/s. Sterling Brassware was placed before the Committee constituted under the chairmanship of JDC, NSEZ to examine the case under Rule 74A and 3rd proviso to Rule 19(2) held at NSEZ at 3:30 PM on 24.05.2016. The Committee noted that Rule 74A of the SEZ Rules, 2006 inter alia provides as under:-

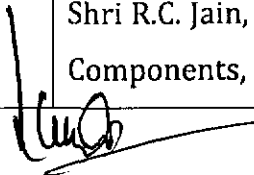
'The unit may opt out of Special Economic Zone by transferring its assets and liabilities to another person by way of transfer of ownership including sale of Special Economic Zone units inter-alia subject to the following conditions:-

- (i) *The unit has held a valid Letter of Approval as well as Lease of Land for not less than a period of five years on the date of transfer;*
- (ii) *The unit has been operational for a minimum period of two years after the commencement of production as on the date of transfer;*
- (iii) *Such sale or transfer transactions shall be subject to the approval of the Approval Committee.'*

It was further informed that the said Committee observed that the transferor unit meets all the conditions of Rules 74A and the transferee units also have valid LOAs. Accordingly the Committee recommended the proposal of M/s. Sterling Brassware for exit under Rule 74A and transfer of assets & Building/ Plot to (i) M/s. KnitPro International & (ii) M/s. Infinity Global in terms of Rule 74A of SEZ Rules.

Shri Pawan Gupta, represented both M/s. Sterling Brassware & M/s. Infinity Global. Shri R.C. Jain, Partner of M/s. Knitpro International (Unit-II) also appeared before the Approval Committee. Shri Gupta informed that there is downward trend in export market due to which he has planned to exit from the SEZ scheme. He further informed that M/s. Infinity Global is a proprietorship firm of his son and his son shall now going to start the operation in NSEZ as per latest market trends.

Shri R.C. Jain, informed that their unit is engaged into manufacturing & export of i) Cable Components, ii) Hand Knitted Products, iii) Hand Crocheted Products, iv) Hand Woven



Products, v) Handmade Accessories, vi) Knitting Yarn, and vii) Hobby and Craft Kits. They have already units in Noida SEZ and Mahindra World SEZ, Jaipur.

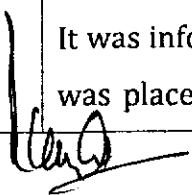
The Approval Committee, after due deliberations, approved the proposal of M/s. Sterling Brassware for exit from SEZ scheme under Rule 74A of SEZ Rules, 2006 and transfer of its assets & building at Plot No. 28-29, NSEZ to M/s. Knitpro International (Unit-II) and Plot No. 33 to M/s. Infinity Global subject to fulfillment of exit formalities by M/s. Sterling Brassware; payment of applicable transfer charges and submission of an undertaking by incoming entrepreneurs regarding taking over the assets & liabilities of existing unit.

18. Proposal of M/s. SSP Pvt. Ltd. for exit from SEZ scheme and transfer of its assets & Building at Plot No. 149, NSEZ to M/s. Stable Packaging Pvt. Ltd. (Unit-II) under provisions of Rule 74A of SEZ Rules, 2006.

It was informed to the Approval Committee that M/s. SSP Pvt. Ltd. has submitted a proposal for exit from SEZ scheme and transfer of its assets & Building at Plot No. 149, NSEZ to M/s. Stable Packaging Pvt. Ltd. (Unit-II) under provisions of Rule 74A of SEZ Rules, 2006 as per following details:

Name & Address of Transferor	M/s. SSP Pvt. Ltd. Plot No. 149, NSEZ
Whether formal request for exit from SEZ Scheme has been made by the transferor	Yes
<u>Details of LOA of transferor</u>	
Date of LOA	02/09/2003
DCP	01/05/2004
Date of LOA validity	30/04/2019
Whether the unit (Transferor) has held lease of land for not less than a period of 5 years on the date of transfer	Sub-lease deed is valid upto 31/08/2018.
Name & Address of Transferee	M/s. Stable Packaging Pvt. Ltd. (Unit-II) B-12/G-1, Dilshad Garden, Delhi
Whether the transferee fulfils all eligibility criteria applicable to a unit; if yes, details of LOA of transferee:	
Date of LOA	09/12/2013
DCP	--
Date of LOA validity	07/12/2016

It was informed to the Approval Committee that the above proposal of M/s. SSP Pvt. Ltd. was placed before the Committee constituted under the chairmanship of JDC, NSEZ to



examine the case under Rule 74A and 3rd proviso to Rule 19(2) held at NSEZ at 3:30 PM on 24.05.2016. The Committee noted that Rule 74A of the SEZ Rules, 2006 inter alia provides as under:-

'The unit may opt out of Special Economic Zone by transferring its assets and liabilities to another person by way of transfer of ownership including sale of Special Economic Zone units inter-alia subject to the following conditions:-

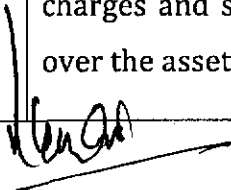
- (i) The unit has held a valid Letter of Approval as well as Lease of Land for not less than a period of five years on the date of transfer;*
- (ii) The unit has been operational for a minimum period of two years after the commencement of production as on the date of transfer;*
- (iii) Such sale or transfer transactions shall be subject to the approval of the Approval Committee.'*

It was further informed that the said Committee observed that the transferor unit meets all the conditions of Rules 74A and the transferee units also have valid LOA. Accordingly the Committee recommended the proposal of M/s. SSP Pvt. Ltd. for exit and transfer of assets & Building at Plot No. 149, NSEZ to M/s. Stable Packaging Pvt. Ltd. in terms of Rule 74A of SEZ Rules.

Shri Sudarshan Chaterjee & Shri Sujoy Nandi authorized representative of M/s. SSP Pvt. Ltd. and Shri Jai Gupta & Shri Pankaj Gupta, authorized representative of M/s. Stable Packaging Pvt. Ltd. (Unit-II) appeared before the Approval Committee. Shri Chaterjee informed that they have manufacturing facility in Faridabad & Nagpur and had achieved turnover of Rs. 170 Crores last year.

Shri Pankaj Gupta, informed that their unit shall be engaged into manufacturing & export packaging material like corrugated boxes. They have already one another unit running in the zone.

The Approval Committee, after due deliberations, approved the proposal of M/s. SSP Pvt. Ltd. for exit from SEZ scheme under Rule 74A of SEZ Rules, 2006 and transfer of its assets & building at Plot No. 149, NSEZ to M/s. Stable Packaging Pvt. Ltd. (Unit-II) subject to fulfillment of exit formalities by M/s. SSP Pvt. Ltd.; payment of applicable transfer charges and submission of an undertaking by incoming entrepreneur regarding taking over the assets & liabilities of existing unit.



SUPPLEMENTARY AGENDA:

With the approval of Chair, following matters were placed before the Approval Committee:

1. Proposal of M/s. DIN Engineering Services LLP for setting up a new Unit in NSEZ.

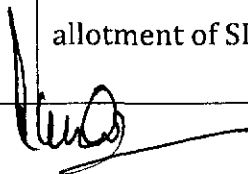
It was informed to Approval Committee that the applicant has proposed to set up a new unit in NSEZ to undertake IT/IT Enabled Services i.e. Solar Energy, Telecom Services, Architectural & GIS Services with projected exports of Rs. 3747.60 Lakhs and NFE of Rs. 3715.60 Lakhs over a period of five years.

It was further informed to the Approval Committee that the promoters have been issued another LOA No. 05/01/2016-Proj/3540 dated 13/04/2016 in the name of M/s. Dimension India Networks Pvt. Ltd. for same activities. The said unit is yet to commence its export activities. LOA of the unit is valid upto 12/04/2017 and they have also got allotment of SDF No. A-4, NSEZ.

Shri Anuj Gupta, partner appeared on behalf of the company before the Approval Committee. Shri Gupta informed that they are mainly into the field of engineering support services i.e. Engineering design and CAD drawing services with solar energy generation, preparing solar efficient underfloor heating & cooling radiant design, planning and designing ultra-high speed fibre optics networks. He further informed that that they have an issue with their client, as their client has insisted them to provide the technical support and software etc., only to be used by the newly established setup. So they are bound to form a new entity as LLP.

Shri Gupta further informed that that they will also retain the LOA issued to M/s. Dimension India Networks Pvt. Ltd. and they are working to get work order in that company at the earliest. Both the LOAs shall be implemented in NSEZ as per export orders received from clients.

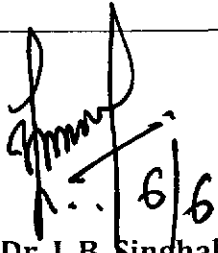
After due deliberations, the Approval Committee approved the application of M/s. DIN Engineering Services LLP for setting up a new unit in Noida SEZ. The request of unit for allotment of SDF No. A-4, NSEZ shall be decided by the Allotment Committee.



2.	<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 UAC are indicated below:-</p> <p>i) M/s. Indeutsch International - The Committee monitored the performance of the unit on the basis of APRs up to 2014-15 and noted achievement of positive NFE by the unit.</p> <p>ii) M/s. Harsh International - The Committee monitored the performance of the unit on the basis of APRs up to 2014-15 and noted achievement of positive NFE by the unit.</p> <p>iii) M/s. Mindmill - The Committee monitored the performance of the unit on the basis of APRs up to 2014-15 and noted achievement of positive NFE by the unit.</p> <p>iv) M/s. Tripler Group Pty. Ltd. - The Committee monitored the performance of the unit on the basis of APRs up to 2014-15 and noted achievement of positive NFE by the unit.</p>
3.	<p>Proposal in respect of M/s. Educomp Solutions Ltd. for monitoring of performance.</p> <p>It was informed to the Approval Committee that M/s. Educomp Solutions Ltd. Is the main allottee of Plot No. 85, NSEZ and unit has not been doing any activity since 2013-14. During current block 2012-2017, the NFE earnings during the year 2013-14 & 2014-15 are negative. However, LOA of the unit is valid upto 31/03/2017.</p> <p>It was further informed to the Approval Committee that M/s. Educomp Learning Pvt. Ltd. (which is a sister concern of M/s. Educomp Solutions Ltd.) is also working from the said plot on sharing basis. But, the main allottee i.e. M/s. Educomp Solutions Ltd. is not working and lying non-functional since 2013-14. In case main allottee is not willing to continue, the plot can be transferred to the sharing unit on payment of transfer charges.</p> <p>No one from the unit appeared for the meeting. The Approval Committee decided to defer the matter for its next meeting.</p>

Meeting ended with thanks to the Chair.


(S. S. Shukla)
Jt. Development Commissioner


(Dr. L.B. Singhal)
Development Commissioner