फ. सं. 12/01/2019-प्रोजेक्ट/  
दिनांक: ....../01/2020

सेवा में,

1. मुख्य कार्यालय अधिकारी, न्यू ओखला आयोगिक कार्यालय, मुख्य प्रशासनिक भवन, सेक्टर - 6, नौएडा।
2. अतिरिक्त महादेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विभाग, इंद्रप्रस्थ भवन, आई पी एसटेट, नई दिल्ली।
3. प्रधान आयुक्त आयुक्त, आयकर भवन, प्लाट सं.-ए-2डी, सेक्टर 24, नौएडा।
4. आयुक्त, सीमा शुल्क, नौएडा शीतल आयुक्तालय, इन्नर मैनेजमेंट डिपार्टमेंट, तिलपका, दादर, गोमती बुद्ध नगर, उत्तर प्रदेश - 201306।
5. उप सचिव, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली - 110001।
6. उप सचिव (आई एफ-1), विज्ञान प्रभाग, आयकर मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृणधार तल, जीवन दीप विलिंग विभाग, नई दिल्ली।
7. महाप्रबंधक, जिला उद्योग केंद्र, कान्हेश्वर कोटा, सूरजपुर, बेंगलुरु, नौएडा।

विषय: दिनांक 09/01/2020 को पूर्वाहन 11:30 बजे आयोजित नौएडा विशेष आयकर क्षेत्र की यूनिट अनुमोदन समिति की बैठक का कार्यक्रम - एतथ संबंधी।

महोदय,

मुख्य उपरोक्त विषय का संदर्भ होने और जी. एम. डी. सिंह, विकास आयुक्त, नौएडा विशेष आयकर क्षेत्र की आयुक्तालय में दिनांक 09/01/2020 को पूर्वाहन 11:30 बजे सम्मेलन होल, प्रशासनिक भवन, नौएडा विशेष आयकर क्षेत्र, नौएडा में आयोजित नौएडा विशेष आयकर क्षेत्र की यूनिट अनुमोदन समिति की बैठक का कार्यक्रम अयोग्य करने का निर्देश हुआ है।

भवदीय,

(निर्दिष्ट गुप्ता)  
उप विकास आयुक्त

संबंधित: उपरोक्त

प्रतिलिपि:
1. विशेष कार्यालय - विकास आयुक्त के सूचनार्थ।
2. वैयक्तिक सहायक - संयुक्त विकास आयुक्त के सूचनार्थ।
3. निर्दिष्ट अधिकारी, नौएडा विशेष आयकर क्षेत्र - सूचनार्थ एवं आयकर कार्यकारी के लिए।
4. सचिव, नौएडा विशेष आयकर क्षेत्र प्राधिकृत- सूचनार्थ एवं आयकर कार्यकारी के लिए।
5. सहायक विकास आयुक्त (एडिटिव) - सूचनार्थ एवं कार्यक्रम के हितों अनुसार के लिए।

उप विकास आयुक्त
Minutes of meeting of the Approval Committee of Noida SEZ held under
the Chairmanship of Dr. L.B. Singhal, Development Commissioner (DC),
Noida SEZ at 11:30 AM on 09/01/2020 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 Shyopat Singh, Asstt. Commissioner, Customs, Noida
Commissionerate.
3) Shri Tribhuvan Nath Patel, Addl. Statistical Officer, DIC, Noida (Rep. of
Principal Secretary, Industry, Govt. of UP.).
4) Shri Chaman Lal, FTDO, O/o Addl. DGFT, CLA, New Delhi.
6) Shri Prem Kumar, (Rep. of Noid Authority)

2. Besides, during the meeting S/Shri (i) Md. Salik Parwaiz, Specified
Officer, NSEZ, (ii) Nitin Gupta, Dy. Development Commissioner, NSEZ, (iii)
Pramod Kumar, Asstt. Development Commissioner, NSEZ, (iv) Arun Singh
Parihar, Assistant, NSEZ, and (v) S.K. Bharti, JE, UPPCL, 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 03/12/2019.

It was informed that M/s. Saanvre FTWZ Services had submitted a request for
amending the Minutes of meeting of Approval Committee held on 03/12/2019
to remove personal financial/ITRs details of proprietor from the said minutes.
Accordingly, the minutes were amended with approval of DC on file subject to
ratification by the Approval Committee. It was further informed that except the
above one, no other reference against the decisions of the Approval Committee
held on 03/12/2019 was received and, therefore, Minutes of the meeting held on 03/12/2019 as amended were ratified. The Approval Committee further directed that mention of personal financial/ITRs details of promoters may be avoided in the Minutes of meeting in future.

(ii) Item wise decisions on proposals included in agenda:

1. **Harsh Industries - Noida Vishesh Aryanik Kshetra Mein Naai Ikkaal Layane Heta Prastava**

   It was informed that M/s. Harsh Industries has proposed to set up a new unit in NSEZ for “Manufacturing & Export of (i) Sada Pan Masala (138 M.Tons/annum) (ITC HS 21069020) and (ii) Filter Khaini and Chewing Tobacco (130 M.Tons/annum) (ITC HS24039910)” with projected exports of Rs. 10923.19 Lakhs and NFE earnings worth Rs.10815.49 Lakhs and proposed investment of Rs. 253 Lakhs in indigenous plant & machinery/capital goods, over a period of five years.

1.2 Shri Yogesh Jain, proprietor and Shri Surjeet Singh appeared before the Approval Committee to explain the project. Shri Jain informed that he has experience of more than 18 years in this line of tobacco business. Further, he is one of the partners in one existing unit in NSEZ in the name of M/s. Harsh International which is into manufacturing & export of Filter Khaini and has export turnover of approx. 70 Crores during 2018-19. He is also manufacturing Khaini under the Brand name of ‘Chaini Khaini’. He further informed that presently exporting Filter Khaini to Middle East, USA, South Africa etc.

1.3 Shri Jain also informed that he is also running 2 more ventures in the name of (i) “Harsh Clean Dhan Private Limited” where detergents and washing powder are made and sold in the whole of India under Brand name “Woosh”; and (ii) “Harsh Nutricare Private Limited” where mouth freshener of new concept is being manufactured and sold in India.

1.4 The Approval Committee observed that DIPP vide its letter No.
7(1)/2011-IP dated 30/05/2014 had clarified as under:

“As per prevailing Industrial Licensing Policy notified vide Notification No.477(E) dated 25-7-1991- Cigars and Cigarettes of tobacco and manufactured tobacco substitutes are under compulsory Industrial Licensing with following description:

‘24.02: Cigars, Cheroots, Cigarillos and Cigarettes, of tobacco or of tobacco substitutes’.

However, other tobacco based items falling under ITC(HS) 24.03, does not attract provision of compulsory Licensing.”

1.5 The Approval Committee observed that the proposed products do not attract provision of compulsory licensing in view of above DIPP clarification. Shri Jain further informed that they will not manufacture & export any item which requires Industrial License or is restricted/ prohibited either by State Government or Central Government.

1.6 It was informed to the Approval Committee that few shortcomings have been observed in the application which have been conveyed to the applicant for necessary rectification.

1.7 The Approval Committee, after due deliberations, approved the proposal of M/s. Harsh Industries for carrying out Manufacturing & Export of (i) Sada Pan Masala (138 M.Tons/annum) (ITC HS 21069020)and (ii) Filter Khaini and Chewing Tobacco (130 M.Tons/annum) (ITC HS24039910)” subject to the condition that no manufacturing & export of any item which requires Industrial License or is restricted/ prohibited either by State Government or Central Government shall be done. The approval will be further subject to rectification of deficiencies observed in their application.
22 It was further informed that the said proposal was considered by the Approval Committee in its meeting held on 03/12/2019. The Approval Committee observed that applicant has projected exports of Rs. 1350 Lakhs and NFE earnings worth Rs.1350 Lakhs over a period of five years with proposed investment of Rs. 20 Lakhs in indigenous plant & machinery/capital goods. The Approval Committee also observed that applicant has projected space requirement of 6000 Sq. mtrs. in its application. Space of this dimension is not currently available with this office. Therefore, the only option available for large space is that the applicant participates in MSTC’s e-auction of Plots with building taken over by NSEZ under P.P. Act. The Approval Committee further observed that in the recent auction of building at Plot No. 129G/14, NSEZ having area of 800 sq.mtrs. conducted by MSTC, the successful bid was for Rs. 1.54 Crores. Thus with this rate the total space of 6000 sq. mtrs. with building should be around Rs. 10 Crores or so.

23 The Approval Committee further observed that some deficiencies have been observed in the application which have been conveyed to the applicant for necessary rectification. Shri Deepak Mittal, proprietor of the firm appeared before the said Approval Committee and informed that he already has 2 warehousing units, one in Adani Ports & SEZ, Mundra and another at Kandla SEZ, Gujarat. He further informed that they shall be starting with acquiring the SDFs in a phased manner as per the demand of their clients and size of the business increase so that their business can take off.
2.4 The Approval Committee in its meeting held on 03/12/2019 had decided to defer the proposal for its next meeting with a direction to the applicant to submit more information as directed:

(i) Additional documents/information as communicated to the applicant vide this office letter dated 29/11/2019.

(ii) Justification for seeking approval for warehousing unit in NSEZ when they have already taken LOA for setting up of warehousing facility in Kandla SEZ and Adani Ports & SEZ, Mundra.

(iii) In case he proposes to start work from SDF, he should submit revised application showing revised space requirement.

2.5 The Approval Committee also directed to place the case in the Approval Committee with full facts along with report from respective DC in respect of existing two units. On receipt of complete information, case will be examined on all aspects including admissibility of project under Rule 18(5) of SEZ Rules, 2006.

2.6 It was informed to the Approval Committee that the applicant vide its letters received in this office on 18/12/2019 & 20/12/2019 has submitted the required documents/information. It was also informed that reports from respective DC in respect of existing two units has also been received as under:

(i) A letter dated 03/12/2019 has been received in this office from DDC, KANDLA SEZ informing that M/s. Sea Shore Logistics (proprietorship firm of Shri Deepak Mittal) has been issued in-principle LOA dated 28/05/2019. The unit has not taken allotment of space in FTWZ of KASEZ and as such formal LOA is yet to be issued to the unit. The unit has not started authorized operations in KASEZ.

(ii) Reply from Adani Ports & SEZ, Mundra has also been received on 08/01/2020 wherein it has been stated that as per records available with them and as per details of LOA No. APSEZ/82/Sea Shore/2018-
19/581 dated 24.12.2018, the credentials of the promoters Mr. Deepak Mittal, A-36, Sector-61, Noida (U.P.)-201301 verified and found correct.

2.7 Shri Deepak Mittal, proprietor of the firm appeared before the Approval Committee to explain the project. He informed that the proposed project is for setting up a multi-product Warehousing and Logistic Services unit in NSEZ to cater to the needs of International and domestic clients who are currently using neighboring countries for their business activities to cater to South Asian Countries.

2.8 Shri Mittal also informed that he already has 2 warehousing units, one in Adani Ports & SEZ, Mundra and another at Kandla SEZ, Gujarat. He further stated that the unit at Adani Ports & SEZ, Mundra has started working since last one year and has a turnover of Rs. 10 Crores approx. However; unit at Kandla SEZ, Gujarat is yet to be operational. He further stated that they have been importing goods on behalf of International clients and the same are being cleared in DTA.

2.9 The Approval Committee observed that Rule 18(5) of SEZ Rules, 2006 states that:

"The Units in Free Trade and Warehousing Zones or Units in Free Trade and Warehousing Zone set up in other Special Economic Zone, shall be allowed to hold the goods on account of the foreign supplier for dispatches as per the owner’s instructions and shall be allowed for trading with or without labelling, packing or re-packing without any processing:

Provided that refrigeration for the purpose of storage and assembly of Completely Knocked Down or Semi Knocked Down kits shall also be allowed by the Free Trade and Warehousing units undertaking the said activities:

Provided further that these Units may also re-sell or re-invoice or re-
export the goods imported by them:

Provided also that all transactions by a Unit in Free Trade and Warehousing Zone shall only be in convertible foreign currency."

2.10 The Approval Committee further observed that Rule 5(2) of SEZ Rules, 2006 has been substituted vide notification dated 17/12/2019 as under:

"5(2) The requirements of minimum area of land for a class or classes of Special Economic Zone in terms of subsection (8) of section 3 shall be the following, namely:

(a) A Special Economic Zone or Free Trade Warehousing Zone other than a Special Economic Zone for Information Technology or Information Technology enabled Services, Biotech or Health (other than hospital) service, shall have a contiguous land area of fifty hectares or more:

Provided that in case a Special Economic Zone is proposed to be set up in the States of Assam, Meghalaya, Nagaland, Arunachal Pradesh, Mizoram, Manipur, Tripura, Himachal Pradesh, Uttarakhand, Sikkim, Goa or in a Union territory, the area shall be twenty-five hectares or more.

(b)....

(c)....

(d) All existing notified Special Economic Zone shall be deemed to be a multi-sector Special Economic Zone.

Explanation. – For the purpose of this clause, a "multi-sector Special Economic Zone" means a Special Economic Zone for more than one sector where Units may be setup for manufacture of goods falling in two or more sectors or rendering of services falling in two or more sectors or any combination thereof including trading and warehousing.";

2.11 The Approval Committee also noted that DOC has issued an Instruction No. 49 wherein following guidelines are laid down in respect of FTWZ :

(iii) No approval for procurement of service “Rental” of immovable property for office outside the Special Economic Zone/FTWZ can be
(iv) Regarding Licencing requirement, it is clarified that in terms of Rule 27 of SEZ Rules, a unit in SEZ/FTWZ can import all types of goods except prohibited items. However, in terms of Rule 26 of SEZ Rules, if any permission is required for import under any other law, the same shall be allowed with the approval of BOA. In respect of prohibited items, Instruction No.47 dated 4th March, 2010 shall apply.

(v) Regarding permissibility of diesel in the FTWZ, it is clarified that Rule 27 of SEZ Rules permits a developer to procure all types of goods including consumables for authorized operations. Hence diesel is permitted for authorized operations in the processing area including material handling equipment.

(vi) There are no limitation on Units set up in FTWZs located in Sector Specific SEZs to carry out Trading and Warehousing Activities in respect of any product.

(vii) Trading and Warehousing units located within FTWZ can carry out DTA to FTWZ and FTWZ to DTA transactions.

(viii) Requests for allowing cutting, polishing, blending etc. as part of authorized operation of a FTWZ unit can be considered by the Approval Committee on a case to case basis based on the merits of the case.

2.12 The Approval Committee also took note of the decision of BOA taken in its meeting held on 03.07.2017 in case of M/s. Onnsynex Ventures Pvt. Ltd. wherein it had allowed the appeal of M/s. Onnsynex Ventures Pvt. Ltd. excluding warehousing of liquor and precious/semi-precious metals. Accordingly, the Approval Committee in its meeting held on 02/08/2017 had approved proposal of M/s. Onnsynex Ventures Pvt. Ltd. for setting up a unit for warehousing service excluding warehousing of liquor and precious/semi-precious metals against free foreign exchange subject to condition that the activities of the warehouse would be only in accordance with scope and extent of Rule 18(5) of SEZ Rules, 2006 and Instruction No. 49.

2.13 The Approval Committee observed that in the list of products for warehousing, applicant has mentioned items viz (i) White Goods & Textile
Articles (84, 85), (ii) Financial Machinery Spares(84), (iii) Other free list items which are not prohibited or restricted by the Govt. of India. The Approval Committee further observed that ITC HS Code of various items have not been given correctly. Also other free list items are general in nature to which Approval Committee advised Shri Mittal to submit list of specific items.

2.14 The Approval Committee directed Shri Mittal to submit revised list of items for warehousing with their correct nomenclature and ITC HS Codes and by deleting the word ‘financial’ from “Financial Machinery Spares(84)” and removing White Goods & Textile Articles (84, 85), Other free list items which are not prohibited or restricted by the Govt. of India from the said list along with details of value added service which they actually want to do from the proposed unit. Shri Mittal ensured to submit the same.

2.15 The Approval Committee, after due deliberations, approved the proposal of M/s. Saanvre FTWZ Services for “(i) Warehousing in terms of Rule 76 and Rule 18(5) of SEZ Rules, 2006 and (ii) Value Added Services such as packing, labelling etc.” excluding the following:

(i) Warehousing of White Goods & Textile Articles (84, 85);

(ii) Other free list items which are not prohibited or restricted by the Govt. of India; and

(iii)Liquor and precious/semi-precious metals.

The above approval for undertaking approved activities would be against free foreign exchange subject to condition that the activities of the warehousing and value added services would be only in accordance with scope and extent of Rule 18(5) of SEZ Rules, 2006 and Instruction No. 49 and the same will be further subject to submission of revised list of items for warehousing & Value added services. The LOA shall be issued after obtaining correct list of items for warehousing from the applicant and the said list of items shall be attached with LOA. No prohibited or restricted items shall be allowed.
It was informed to the Approval Committee that the M/s. ALMS Frozen Foods Pvt. Ltd. has proposed to set up a new unit in NSEZ for “Manufacturing & Export of Poultry Feed (ITC HS 2309)” with projected exports of Rs. 17092 Lakhs and NFE earnings worth Rs.11020 Lakhs and proposed investment of Rs. 20 Lakhs and Rs. 100 Lakhs in imported and indigenous plant & machinery/capital goods respectively, over a period of five years.

3.2 Shri Salman Qureshi, director appeared before the Approval Committee to explain the project. Shri Qureshi informed that they already have a DTA unit in Hapur, Uttar Pradesh where they are doing trading of the same products after procuring it from DTA. He further informed that the turnover of the company is approx. Rs. 150 Crores.

3.3 Shri Qureshi further informed that now they are planning to manufacture Poultry Feed products and export the same to international markets like Middle East, Bangladesh etc. He also informed that they will import the raw materials from Bulgaria, Ukraine and other countries as well as also procure it from DTA.

3.4 Shri Qureshi informed that they have submitted List of revised raw material after removal of Meat Bone Meal, Mutton Tallow, Blood Meal etc. along with an undertaking for not using these raw materials as directed by Approval Committee in its last meeting held on 03/12/2019.

3.5 It was informed to the Approval Committee that in the list of revised raw materials, applicant has shown Sunflower Seeds and Maze under ITC(HS) 1206 and 1005 respectively. It was further informed that DGFT has issued notification No. 38 dated 01/01/2020 introducing/amending the provisions of exim codes 1005 and exim code1206 has certain policy conditions for import. Hence, the applicant needs to provide complete 8 digit ITC HS Codes against
3.6 The Approval Committee, after due deliberations, approved the proposal of M/s. ALMS Frozen Foods Pvt. Ltd. for setting up a unit in NSEZ for manufacturing & export of Poultiy Feeds (ITC HS 2309) subject to the condition that no restricted/ prohibited raw material items shall be allowed for import/procurement and further subject to submission of complete ITC HS codes of Sunflower Seeds and Maze under ITC(HS) 1206 and 1005 respectively.

It was informed to the Approval Committee that M/s. World Impex had submitted a proposal for setting up a new unit in NSEZ for Manufacturing & Export of (i) Diamond cut or otherwise but not mounted or set (71023910); (ii) Article of Gold, unstudded (71131910); (iii) Gold Jewellery studded with diamonds (71131930); (iv) Gold and Silver Jewellery items (71131940) with projected exports of Rs. 22000 Lakhs and NFE earnings worth Rs.1125 Lakhs and proposed investment of Rs.120 Lakhs in indigenous plant & machinery/capital goods, over a period of five years.

4.2 It was further informed that deficiencies/shortcomings observed in the said application were conveyed to the applicant on 25.06.2019 via Regd. Post and email. In response to email letter dt. 25.06.2019, unit submitted detailed itemwise reply on 27.06.2019.

4.3 It was also informed that the said proposal was considered by Approval Committee in its meeting held on 03/07/2019 deferred the proposal as it was premature and directed Shri Sanjay Shamsunder Tolani, proprietor of the firm to submit some documents. Decision along with deficiencies was conveyed to the applicant on 15.07.2019 at their Head Office address through Speed Post as well as Email also.
4.4 It was further informed that the letters sent to applicant’s head office address were returned undelivered with the comments “No such person”. It was decided to send the letter through Consul (Economic) Hong Kong to the applicant. Accordingly, a letter dated 07.10.2019 was sent to Sh. Manish Kumar, Consul (Economic), Hong Kong with a request to see whether the address of the applicant is in the existence and if so, the same may be got delivered to him. It was also requested that if otherwise, the factual position may be informed to this office.

4.5 Sh. Maneesh Kumar, Consul (ECO), Consulate General of India, Hong Kong vide his letter dated 22/11/2019 has sent his reply which is reproduced as under:

“As desired the given address of M/s World Impex (with reference to the letter dt. 24.06.2019) was discreetly verified. No such company was found in the name board of the building. Further, a letter enclosing the documents forwarded were also sent by post to M/s World Impex/Mr. Sanjay Shamsunder Tolani at Unit RM 2305 A, World Wide house, 19 Des Voeux Road, Central, Hong Kong.

The said letter was returned by the Postal authorities with a remark “No such company” written in Chinese characters.”

4.6 It was also informed that all the letters sent to M/s. World Impex through Speed Post were also sent through email as well. Besides, applicant has not responded to this office letter dt. 15.07.2019. All letters sent to the applicant at their Head Office through Speed Post have been returned undelivered.

4.7 In view of above and keeping in view the adverse report/negative feedback received from Consulate General of India and non-submission of required documents by the applicant, it was decided on file to treat the request of M/s. World Impex for setting up of a new unit in NSEZ as closed, subject to ratification by Approval Committee.

4.8 The Approval Committee, after due deliberation, ratified the decision for closure of application of M/s. World Impex for setting up a unit in NSEZ.
It was informed to the Approval Committee that M/s. One Touch Solutions (India) Pvt. Ltd. has been issued an LOA dated 29/04/2003 for IT Enabled Services including Call Center, BPO. The unit commenced its export activities w.e.f. 01/02/2004 and previous block of five years was valid till 31/01/2019.

5.2 It was informed that unit has requested for renewal of LOA for 4\textsuperscript{th} block of five years. It was also informed that the Approval Committee in its last meeting held on 03/12/2019 had deferred the proposal to its next meeting with a direction that original promoters/directors of the company i.e. Mr. Bharat Surana and Mrs. Madhu Surana should attend the meeting. The Approval Committee also directed the unit to submit current list of directors along with details of previous & current shareholding pattern of the company along with reasons for non-intimation of such changes.

5.3 It was informed to the Approval Committee that Rule 19(6A)(1) of SEZ (Amendment) Rules, 2018 dated 21/09/2018 read with SEZ (2\textsuperscript{nd} Amendment) Rules 2019 dated 07/03/2019 inter alia states as under:

"The Units which intend to renew the validity of Letter of Approval shall submit, before two months from the date of expiry of the Letter of Approval, the completed application in form F1 along with requisite documents.

Provided that in case an application is submitted after the said period of two months, reasonableness of the delay shall be examined on the merits and circumstances of the case and the request for renewal of Letter of Approval shall be decided by the Development Commissioner."

In the instant case, Unit has not submitted application before two months
from date of expiry of LOA.

5.4 It was informed that the unit has made exports worth Rs. 2778.25 Lakhs and earned positive NFE earnings worth Rs. 2778.25 Lakhs during previous block of five years.

5.5 It was also informed that unit has informed that both previous directors i.e. Mr. Bharat Surana and Mrs. Madhu Surana have left the company and now Mr. Nortan Mal Nahata and Mrs. Bimla Nahta have joined the company as directors w.e.f. 26/02/2019.

5.6 Shri Bharat Surana, Smt. Madhu Surana, Shri Nortanmal Nahta and Smt. Bimla Nahta, being previous & current directors respectively appeared before Approval Committee. Shri Surana informed that currently there is no change in shareholding pattern of the company due to change in directors. Shareholding pattern of the company prior to and after change in directors are as under:

<table>
<thead>
<tr>
<th>Name of shareholder</th>
<th>Shareholding percentage before change</th>
<th>Shareholding percentage after change</th>
</tr>
</thead>
<tbody>
<tr>
<td>i) Mr. Bharat Surana</td>
<td>25.67%</td>
<td>25.67%</td>
</tr>
<tr>
<td>ii) Mrs. Kavita Parikh</td>
<td>33.33%</td>
<td>33.33%</td>
</tr>
<tr>
<td>iii) Mrs. Madhu Surana</td>
<td>7.66%</td>
<td>7.66%</td>
</tr>
<tr>
<td>iv) Mr. Dharmesh Shah</td>
<td>33.33%</td>
<td>33.33%</td>
</tr>
<tr>
<td><strong>Change in shareholding pattern</strong></td>
<td><strong>0%</strong></td>
<td><strong>0%</strong></td>
</tr>
</tbody>
</table>

5.7 Shri Surana further regretted for non-submission of LOA renewal application and non-intimation of change in directors on time. He requested to condone the delay and assured that such lapse shall not occur in future.

5.8 The Approval Committee monitored the performance of unit and noted achievement of positive NFE by the unit during previous block of five years. The Approval Committee however observed that export performance of unit has continuously been decreasing. The Approval Committee directed the promoters of company to increase its export activities.
5.9 The Approval Committee, after due deliberations, decided to renew the validity of LOA of M/s. One Touch Solutions (India) Pvt. Ltd. for five years i.e. upto 31/01/2024 and also took note of change in directors of the unit. The Approval Committee also directed to place the performance of the unit for next 3 months before it for monitoring after 31/03/2020. The Approval Committee also warned the unit to be careful in future for timely compliances with SEZ Act/Rules.

6. Bhayani Plastic India (P) Ltd. has been issued an LOA dated 18/01/2012 for (i) Manufacturing of Plastic Hangers and Plastic Sizers (ii) Trading in Plastic Hangers and Plastic Sizers and (iii) Manufacturing of Plastic Clips. Unit has commenced its export production w.e.f. 25/09/2012 and its LOA was valid till 24/09/2017.

6.2 It was further informed that the Approval Committee in its meeting held on 04/10/2018 had decided to renew the LOA for a period upto 24/09/2019 subject to some compliance & submission of documents by the unit including APRs for the year 2013-14, 2016-17 & 2017-18 and deposition of lease rent. However, as the unit did not submit the required documents as directed by the Approval Committee, their LOA could not be renewed upto 24/09/2019.

6.3 Shri Atul Bhayani, director appeared before the Approval Committee. He informed that he basically belongs to Chennai. Over the period they lost orders drastically and production came down substantially. His major works at Chennai were severely adversely affected due to floods. In Noida now they have planned to revive their export production from Noida SEZ and requested to renew their LOA.

6.4 Shri Bhayani further informed that they have already submitted the APRs. The Approval Committee directed him to submit copy of acknowledgement along with APRs for this office records as the same have not
been received.

6.5 It was informed that along with renewal of LOA, unit has also proposed for revision in authorized operations by deleting manufacturing of plastic clips from existing operations and by adding manufacturing of Housewares, Kitchenware. Shri Bhayani informed that the existing machineries will be used for manufacturing of Housewares/ Kitchenwares.

6.6 It was further informed that few shortcomings have been observed in the application which have been conveyed to the unit vide this office letter dated 02/12/2019 & subsequent letter dated 20/12/2019.

6.7 The Approval Committee, after due deliberations, decided to renew the validity of LOA of M/s. Bhayani Plastic India (P) Ltd. for a period of five years from 25/09/2017 to 24/09/2022 subject to submission of documents/information as asked vide this office letter dated 02/12/2019 & subsequent letter dated 20/12/2019. The Approval Committee also approved revision in authorized operations by way of deleting manufacturing of plastic clips from existing operations and addition of manufacturing of Housewares, Kitchenware subject to following conditions:

(i) No DTA sale of trading goods shall be allowed.

(ii) Trading will be allowed only for physical export to any other country, for supply to other units and Developers in the same or other SEZ or EOU, against freely convertible currency in terms of Section 2(z) of SEZ Act, 2005.

(iii) Unit will maintain separate area earmarked for manufacturing and trading activities and maintain separate records/accounts of NFE for manufacturing and trading activities.

(iv) NFE status for manufacturing activity and trading activity will be seen separately.
It was informed that M/s. B.S. Bikram Overseas has been issued an LOA dated 09.07.2001 for Manufacturing & Export of Plain Gold Jewellery. Unit has commenced its export production w.e.f. 26.01.2004 and its LOA was valid till 25.01.2019.

7.2 It was informed to the Approval Committee that unit has applied for renewal of LOA for the fourth block of five years.

7.3 Shri Baldev Singh, partner in the firm, appeared before the Approval Committee. He informed that their accountant who was looking after all the work related to NSEZ had left the unit without informing them and due to the same they could not submit the LOA renewal application on time. Shri Singh requested to condone the delay in filing Form-F1 and other documents.

7.4 It was further informed to the Approval Committee that name of applicant has been mentioned as “Baldev Singh, Partner” in Form-F1 whereas the print out of the same submitted by unit has been signed by Mr. Shiv Bahadur as authorized signatory.

7.5 The Approval Committee, after due deliberations, decided to renew the validity of LOA of M/s. B.S. Bikram Overseas for a period of five years from 26.01.2019 to 25.01.2024 subject to submission of revised Form-F1 duly signed by managing partner of the firm.

It was informed that M/s. Continental Hardware Pvt. Ltd. has been issued an LOA dated 21/06/2005 for Manufacturing of Stainless Steel Builder Hardware and Trading in builder hardware in stainless steel, brass, zinc, Aluminium, copper, mild steel and cast iron. Unit commenced its export production w.e.f. 05/06/2010 and its LOA is valid till 04/06/2020.

8.2 It was further informed that unit has submitted a proposal for inclusion
of inclusion of Manufacturing of Builder Hardware in Stainless Steel, Brass, Zinc, Aluminium, Copper, Mild Steel and Cast Iron (under ITC HS 8302) in its authorized operations.

8.3 Shri Navneet Singh, director appeared before the Approval Committee. He informed that they are authorized for manufacturing of Stainless Steel Builder hardware and they need to add additional items in their authorized operations. He further stated that they will be using existing capital goods for manufacturing process. He also informed that they will require raw materials like Stainless Steel, Brass, Zinc, Aluminium, Copper, Mild Steel, Cast Iron etc.

8.4 The Approval Committee noted that the unit is already allowed manufacturing of Builder Hardware in Stainless Steel.

8.5 The Approval Committee, after due deliberations, approved the request of M/s. Continental Hardware Pvt. Ltd. for inclusion of Manufacturing of Builder Hardware in Brass, Zinc, Aluminium, Copper, Mild Steel and Cast Iron (under ITC HS 8302) in its authorized operations subject to following conditions:

(i) No DTA sale of trading goods shall be allowed.

(ii) Trading will be allowed only for physical export to any other country, for supply to other units and Developers in the same or other SEZ or EOUs, against freely convertible currency in terms of Section 2(z) of SEZ Act, 2005.

(iii) Unit will maintain separate area earmarked for manufacturing and trading activities and maintain separate records/accounts of NFE for manufacturing and trading activities.

(iv) NFE status for manufacturing activity and trading activity will be seen separately.
It was informed to the Approval Committee that M/s. Proteam Computer Corporation has been issued an LOA dated 08/07/2005 for Manufacturing & Export of “(1) Mother Boards, Add On Card, Bare Bone PC, 64 Bit OS item, Skype Phone, O.D.D., Memory (DDR 1 & 2) and Accessories of PC (2) Manufacture of Software and Re-Engineering, Re-Conditioning, Refurbishing, Upgrading, Retrieving of Components, Repacking, Remaking of Computer Peripherals”. The unit commenced its export production w.e.f. 19/10/2005 and its LOA is valid till 18/10/2020.

9.2 It was further informed that unit has submitted a proposal for change of constitution of firm from proprietorship to partnership and change of name from ‘M/s. Proteam Computer Corporation’ to ‘M/s. Proteam Computer’.

9.3 Shri Praveen Rastogi, authorized representative of the firm appeared before the Approval Committee. He informed that partnership deed has been registered by the Registrar of Firms on 23/10/2019 in the name of Proteam Computer and there are following changes in the unit:

(i) Change of name of firm from ‘M/s. Proteam Computer Corporation’ to ‘M/s. Proteam Computer’.

(ii) Change of constitution of firm from proprietorship firm of Mr. Munish Sharma to partnership firm as per following details:

<table>
<thead>
<tr>
<th>Name of partners</th>
<th>Profit/Loss Sharing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mr. Munish Sharma</td>
<td>60%</td>
</tr>
<tr>
<td>2. Mr. Rajat Sharma</td>
<td>20%</td>
</tr>
<tr>
<td>3. Mr. Udit Sharma</td>
<td>20%</td>
</tr>
</tbody>
</table>

(iii) Change of head office address from “11, Osian Building, 12, Nehru Place, New Delhi” to “Plot No. 90, NSEZ”

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

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

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

i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;

ii) Fulfilment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;

iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. Acts/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.

iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.

v) The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under

vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.”

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

9.6 It was also informed that unit vide this office letter dated 26/12/2019 has been asked to submit copy of PAN, IEC in the new name of firm along with an undertaking. Reply of unit is awaited.

9.7 The Approval Committee, after due deliberations, approved the changes proposed by the unit regarding change of name & constitution in terms of Instruction No. 89 dated 17/05/2018 and Instruction No. 90 dated 03/08/2018 along with change in head office address of the firm.

9.8 The Approval Committee also monitored the performance of unit and noted achievement of positive NFE earnings by the units during previous block of five years.

10 इम्पेटस इंफॉटेक (इंडिया) प्राइवेट लिमिटेड - इकाई के नाम में बदलाव की सुचना सम्बंधित प्रस्ताव]

It was informed to the Approval Committee that M/s. Impetus Infotech (India) Pvt. Ltd. have been issued three LOAs dated 24/10/2007, 25/09/2014 & 15/02/2019 in the NSEZ for Software Development, IT and IT Enabled Services. The first two units are operational and third unit is yet to commence
its export activities from NSEZ.

10.2 It was further informed that a proposal has been received regarding change of name of company from “Impetus Infotech (India) Pvt. Ltd.” to “Impetus Technologies India Private Limited” w.e.f. 28/08/2019 and unit has submitted copy of certificate of incorporation, PAN, IEC etc. pursuant to change of name.

10.3 Shri Subhash Chandra, authorized representative of the company appeared for the meeting. He informed that the name of company has been changed in accordance with their parent company M/s. Impetus Technologies Inc. and there is no change in directors or shareholding pattern of the company due to above change in name.

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

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

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

i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;

ii) Fulfilment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its
constituents;

iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. Acts/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.

iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.

v) The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.

vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.”

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

10.6 The Approval Committee, after due deliberations, approved the proposal for change of name of company (in respect of all three units in NSEZ) from “M/s. Impetus Infotech (India) Pvt. Ltd.” to ‘M/s. Impetus Technologies India Private Limited’ in terms of Instruction No. 89 dated 17/05/2018 read with Instruction No. 90 dated 03/08/2018.
It was informed to the Approval Committee that M/s. DIN Engineering Services LLP has been issued an LOA dated 20/06/2016 for “IT/ITES required for solar energy, Telecom Services, Architectural & GIS Services”. The unit commenced its export activities w.e.f. 14/10/2016 and its LOA is valid till 13/10/2021.

11.2 It was further informed that while examining Bond-cum-LUT submitted by the unit, it was observed that there have been some changes in the partners of the firm. Accordingly, after pointing out the observation by this office, M/s. DIN Engineering Services LLP has submitted revised LLP agreement dated 10/05/2018 and other documents for change in partners of the firm.

11.3 It was further informed that as per condition No. 14 of Bond-cum-LUT executed by the unit, “the unit is required to intimate any changes in the Board of Directors/Partners, telephone No., E-mail address, Web-Site, Pass port No., Bank Address and Factory address, forthwith, to the Development Commissioner and the Specified Officer”. However, in the instant case, the unit has intimated about change in partners after delay of approx. 1.7 years.

11.4 Shri Vaibhav Bansal, authorized representative of the firm appeared before the Approval Committee. Shri Bansal informed that due to oversight by the concerned person who is taking care of NSEZ compliance, they could not intimate about the appointment of new partners to this office. He requested to condone the lapse on their part as this was their first mistake and assured that such lapse shall not happen in future.

11.5 Shri Bansal further informed that two new partners have joined the firm and details of percentage Capital Contribution and share ratio of profit & loss before & after change in partners are as under:-
<table>
<thead>
<tr>
<th>S.No.</th>
<th>Name of shareholder/ Partner</th>
<th>Before change in partners</th>
<th>After change in partners</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mr. Naresh Chander Gupta</td>
<td>40%</td>
<td>20%</td>
</tr>
<tr>
<td>2.</td>
<td>Mr. Anuj Gupta</td>
<td>30%</td>
<td>45%</td>
</tr>
<tr>
<td>3.</td>
<td>Mr. Pankaj Gupta</td>
<td>30%</td>
<td>25%</td>
</tr>
<tr>
<td>4.</td>
<td>Ms. Meena Gupta (new partner)</td>
<td>Nil</td>
<td>5%</td>
</tr>
<tr>
<td>5.</td>
<td>Ms. Necha Gupta (new partner)</td>
<td>Nil</td>
<td>5%</td>
</tr>
</tbody>
</table>

**Total change in shareholding** 10%

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

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

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

i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;

ii) Fulfilment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;

iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. Acts/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.

iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.

v) The Assessing Officer shall have the right to assess the
taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.

vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.”

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

11.8 The Approval Committee, after due deliberations, took note of changes in partnership & shareholding pattern of the firm in terms of Instruction No. 89 dated 17/05/2018 read with Instruction No. 90 dated 03/08/2018. The Approval Committee also warned the unit to be careful in future for timely compliances with SEZ Act/Rules.

12 पेनहैलिगंस लंडन अटर इंक. - नौएडा विशेष आयकर क्षेत्र में नई इकाई लगाने हेतु प्रस्ताव

It was informed to the Approval Committee that the M/s. Penhaligons London Attar Inc. has proposed to set up a new unit in NSEZ for manufacturing and Export of Attar / Perfume (MEIS No. 2188) (ITC HS Code 33029011) [Capacity : 8500 pieces / annum] with projected exports of Rs. 52100 Lakhs and NFE earnings worth Rs.20647 Lakhs and proposed investment of Rs. 660.10 Lakhs and Rs. 65 Lakhs in imported and indigenous plant & machinery/capital goods respectively, over a period of five years.
12.2 It was informed to the Approval Committee that officers of this office had visited the declared Head Office premises of M/s. Penhaligons London Attar Inc. (hereinafter also referred to as Penhaligons) i.e. Property No. 5/2, Third Floor, Main W.E.A Road, Karol Bagh, New Delhi, on 07.01.2020. The site verification report is reproduced as under:

"The premises could be located with the telephonic help from Mr. Sidhartha Sharma, Proprietor of the firm. Details of site verification are reported as under:

(i) At the main entrance of the building, signboards of “A.T.S Fashion Den”, “Krishna Properties” and “Elite Thai Spa” were placed. No signboard was placed in the name of M/s. Penhaligons London Attar Inc. at the main entrance of building.

(ii) On reaching the 3rd Floor (taking the first floor as Upper Ground Floor), a newly furnished office premises having approximate area of 250 sq. yards existed with a small size plate with Firm name as “Penhaligons London Attar Inc.” fixed at the entrance door.

(iii) At the time of visit of premises of the firm, 05 persons were available there, out of them one person came forward and introduced himself as Vikas Sharma, working with Mr. Sidharth Sharma (Owner of M/s. Penhaligons London Attar Inc.) as Accountant since last 06 years. He informed us that the premises was taken on lease for three years w.e.f. 21.02.2019 and consisted of 05 Cabins, meant for office purpose only.

(iv) There were no business/manufacturing activities in the premises. Mr. Vikas Sharma informed that their main work is to carry out trading activity for the mobile phone accessories in the name of Hari Trading Co. since around 2010. He also informed that the said trading firm also deals in trading of attar/perfume with around 10% of total trading business and they are not having any experience in manufacturing of Attar/Perfume. However, no physical
document/tax invoice was available with them regarding trading of mobile phone accessories/attar compounds. Further, on being asked, sale and purchase invoices of mobile phone accessories raised in the name of M/s Hari Trading Co., C-104, Block-C, Yadav Nagar, Samaypur, Delhi-110042 were provided to the undersigned after receiving these on his WhatsApp. He also took us to a room attached with the office premises of Penhaligons and showed us some packed sacks/bags which, as per him, contained mobile phone accessories pertaining to M/s Hari Trading co.

(v) On asking, Mr. Vikas Sharma told us that though the Head office address of M/s Hari Trading co. is registered at C-104, Block-C, Yadav Nagar, Samaypur, Delhi-110042 however the said place is the residence of Proprietor Mr. Sidharth Sharma and all trading goods of M/s Hari Trading co. are warehoused in the premises of M/s Penhaligons for further sale to various shop(s) in local market. On inquiry about the address H.No. 2151/11A, office No. 10, New Patel Nagar -110008 Shri Vikas informed us that the said premises pertainned to Hari Trading co. and had already been left by the said firm years ago.

(vi) Copy of documents were given by Mr. Vikas Sharma during our visit viz. Copy of lease deed, GST Registration, electricity bill in respect of M/s Penhaligons and copy of 2 Tax Invoice pertaining to trading of mobile phone accessories by M/s Hari Trading co. along with photographs of visited premises.

12.3 Shri Sidharth Sharma, Proprietor of the firm appeared before the Approval Committee to explain the project. Shri Sharma informed that he has completed Bachelor of Arts in Hindi from Mumbai University in 2011. He has approx. 7 years of experience and is running another firm namely M/s. Hari Trading Co. in Karol Bagh since March 2012 wherein he is handling all sales and procurements of the goods in the garments industry along with sourcing of potential business parties for both sales and procurement of goods.
12.4 During interview, Shri Sharma also informed that he also has another partnership firm namely Blitz Trading Company which is engaged in Export activities wherein he has 50% shareholding. It has further been informed that he has exported Garments worth Rs. 50 Crores approx. during the last financial year from M/s. Blitz Trading Company.

12.5 The Approval Committee observed that applicant has proposed total investment in plant & machineries/capital goods worth approx. Rs. 7.25 Crores. The Approval Committee further observed that the proprietor has no experience in the field of manufacturing of Perfumes or Attar.

12.6 Shri Sharma informed that the project shall be financed through his personal capital investment as well as from advance to be received from overseas customers as per buy-back agreement.

12.7 It was further informed to the Approval Committee that few shortcomings have been observed in the application which have been conveyed to the applicant for necessary rectification. Reply of applicant is awaited.

12.8 The Approval Committee, after due deliberations, deferred the proposal for its next meeting with a direction to the applicant to submit following:

(i). Rectify the deficiencies already observed in the application.

(ii). Complete Bio-data of proprietor incorporating his background, professional qualification and experience etc.

(iii). Complete details and background of M/s Hari Trading Co. along with details of import and sales done by the firm duly supported with CA certified documentary evidence.

(iv). Details of M/s. Blitz Trading Co. viz. details of promoters, export, import made by the firm duly supported with CA certified documentary evidence.

(v). Complete details of Plant & Machinery worth Rs. 7.25 Crores proposed
for new unit in NSEZ along its value, pictures and uses details.

(vi). Details of source of finance for the proposed project duly supported with documentary evidence.

(vii). Explanation as to how the proprietor will undertake manufacturing & export of perfumes/attar worth Rs. 521 Crore in next five years when he does have no experience at all in this field.

It was informed to the Approval Committee that the M/s. A-One Jewellery (a unit of A-one Textech Pvt. Ltd.) has proposed to set up a new unit in NSEZ for manufacturing and Export of (i) Plain Gold Jewellery (Capacity 245 Kgs/annum ) (ITC HS 71131910) and (ii) Synthetic Stones Gold Jewellery (80 Kgs/annum) (ITC HS-71131940) with projected exports of Rs. 72500 Lakhs and NFE earnings worth Rs.6980 Lakhs and proposed investment of Rs. 18.15 Lakhs in indigenous plant & machinery/capital goods respectively, over a period of five years.

13.2 Shri Priank Gupta, Director of the Company appeared before the Approval Committee to explain the project. He informed that Sh. Rajan Kohli founder director of this company and Smt. Neelja Kohli are also partners in M/s Bridal Jewellery Mfg. Co., an NSEZ unit which is already engaged in manufacturing and export of Plain Gold Jewellery since last 20 years.

13.3 The Approval Committee asked Shri Gupta as to why they need another LOA when the promoters already have a unit in NSEZ for similar activities. Shri Gupta informed that they have proposed to set up this new unit in NSEZ for manufacturing of South Indian Jewellery for export.

13.4 It was informed to the Approval Committee that the proposed activities do not figure in the Memorandum & Articles of Association of company. As per
MOA, the main objects to be pursued by the company are related to business of Textile & Garments. However, the instant application is for manufacturing of gold jewellery. The applicant vide its another letter dated 30/12/2019 has submitted copy of Form-MGT-14 submitted for amendment in MOA. However, revised copy of Memorandum has not been given.

13.5 It was further informed that few shortcomings have been observed in the application which have been conveyed to the applicant for necessary rectification. Reply of applicant is awaited.

13.6 The Approval Committee, after due deliberations decided to defer the proposal for its next meeting and directed Shri Gupta to rectify all deficiencies observed in their application and also furnish a write up about activities proposed to be carried out in the new unit. The Approval Committee further directed that if possible, the original promoter i.e. Mr. Rajan Kohli should attend the next meeting.

It was informed to the Approval Committee that the M/s. Chandigarh Sweets Ltd. has proposed to set up a new unit in NSEZ for "Manufacturing & Export of Indian Sweets Frozen (21069099), Snacks ready to meals (21069099, 17049000), Bakery (19059020) with projected exports of Rs. 12200 Lakhs and NFE earnings worth Rs. 7831.25 Lakhs and proposed investment of Rs. 600 Lakhs and Rs. 400 Lakhs in imported and indigenous plant & machinery/capital goods respectively, over a period of five years.

14.2 Shri Ramesh Aggarwal, director and Smt. Taru Gupta, CA appeared before the Approval Committee to explain the project. Shri Aggarwal informed that he has business experience of 28 years in this industry and his company are leading manufacturer, exporter and Service provider of Indian Sweets, Namkeens, Bakery, Confectionery and ready to eat meals. As per him they have seven units in Chandigarh, one production unit in Panchkulla and one in
Mubarakpur, Punjab.

14.3 Shri Aggarwal further informed that presently they are doing export to many countries since last 7 years. They have planned to set up a unit in Noida SEZ to reduce the cost of transportation which is very high from Chandigarh to Dadri. He also assured to implement the project within 2 months after availability of space in Noida SEZ. He has also informed that his company has undertaken exports worth Rs. 12 Crore approx. during the last financial year.

14.4 The Approval Committee observed that applicant has envisaged requirement of space of approx. 2000 sq.mtrs. for the proposed project in NSEZ. The Approval Committee informed Shri Aggarwal that in NSEZ land belongs to NSEZ Authority and that is allotted to a valid LOA holder on sub-lease basis. As on date, no plot in size of 2000 sq. mtrs. is available for allotment. Therefore, the only option available for large space is that the applicant participates in MSTC’s e-auction of Plots with building taken over by NSEZ under P.P. Act. The Approval Committee further informed Shri Aggarwal that they may also be allotted one or more SDFs of 500 sq. mtrs. approx. each as per availability on receipt of application for allotment of SDF, if they want.

14.5 It was further informed that few shortcomings have been observed in the application which have been conveyed to the applicant for necessary rectification. Reply of applicant is awaited.

14.6 The Approval Committee, after due deliberations, approved the proposal of M/s. Chandigarh Sweets for setting up a new unit in NSEZ for “Manufacturing of Indian Sweets Frozen (21069099), Snacks ready to eat meals (21069099, 17049000), Bakery (19059020) subject to condition that no prohibited/restricted raw material shall be allowed for import/procurement from DTA and further subject to rectification in deficiencies observed in the application. Further, any statutory compliances will be ensured by the promoters of the unit.
It was informed to the Approval Committee that the M/s. AOV has proposed to set up a new unit in NSEZ for “Manufacturing of: (i) Rigid PVC/Screen/Casing Pipe (ITC HS 3917)(capacity: 300000 nos./annum) (ii) Galvanised Pipes of Different Wall Thickness (ITC HS 7305) (200000nos./annum) (iii) Stainless Steel Pipe (ITC HS 7305) (100000 Nos/annum) (iv) Deepwell Hand Pump Parts (ITC HS 8413) (500000 Nos/annum) (v) Deepwell Hand Pumps with & without connecting rod. (ITC HS 8413) (200000nos/annum) with projected exports of Rs. 12500 Lakhs and NFE earnings worth Rs.10600 Lakhs and proposed investment of Rs. 20 Lakhs and Rs. 50 Lakhs in imported and indigenous plant & machinery/capital goods respectively, over a period of five years.

15.2 Shri Anil Singhal, representative of the Company appeared before the Approval Committee to explain the project. Shri Singhal informed that they already have two units in Noida SEZ in the name of M/s AOV International LLP & AOV Clever Knits LLP. M/s AOV International LLP is operating from Plot NO. 69, 129G/3 & 191, NSEZ and doing good export.

15.3 Shri Singhal further informed that they have some new overseas customers and to keep the records separate, they have proposed to set up a second unit dedicated for these customers.

15.4 It was informed that various shortcomings have been observed in the application which have been conveyed to the applicant for necessary rectification. Reply of applicant is awaited.

15.5 The Approval Committee, after due deliberations, approved the request of M/s. AOV International LLP for setting up a second unit in NSEZ for “Manufacturing of: (i) Rigid PVC/Screen/Casing Pipe (ITC HS 3917)(capacity: 300000 nos./annum) (ii) Galvanised Pipes of Different Wall Thickness (ITC HS 7305) (200000nos./annum) (iii) Stainless Steel Pipe (ITC HS 7305) (100000 Nos/annum) (iv) Deepwell Hand Pump Parts (ITC HS 8413) (500000 Nos/annum) (v) Deepwell Hand Pumps with & without connecting rod. (ITC...
HS 8413) (20000nos/annum) subject to rectification of deficiencies observed in the application.

It was informed that M/s. Harsh Nutricare Pvt. Ltd. has proposed to set up a new unit in NSEZ for “Manufacturing of (i) Strip Base Mouth Freshener (6000 kgs/annum) (ITC HS 1704)and (ii) Strip Base Medicines (5000 kgs/annum) (ITC HS 3004)” with projected exports of Rs. 10492.07 Lakhs and NFE earnings worth Rs.10416.72 Lakhs and proposed investment of Rs. 505.77 Lakhs in indigenous plant & machinery/capital goods, over a period of five years.

16.2 Shri Yogesh Jain, proprietor and Shri Surjeet Singh appeared before the Approval Committee to explain the project. Shri Jain informed that he has experience of more than 25 years in several line of business. Further, he is one of the partners in one existing unit in NSEZ in the name of M/s. Harsh International which is into manufacturing & export of Filter Khaini and has export turnover of approx. 80 Crores during last year.

16.3 Shri Jain also informed that he is also running another venture in the name of (i) “Harsh Clean Dhan Private Limited” where detergents and washing powder are made and sold in the whole of India under Brand name “Woosh”. He further stated that M/s. Harsh Nutricare Pvt. Ltd. is already running its business from their manufacturing facilities at Hyderabad and Kundli since last three years.

16.4 Shri Jain further informed that they have established the technology to make strip base mouth freshener and medicines which has been widely accepted across the world where the strip is kept in mouth, need not to be chewed or spit and the flavour as well as effect of medicines reached the body.

16.5 The Approval Committee observed that along with mouth freshener applicant has also proposed to manufacture strip base medicines for which
they need to obtain manufacturing license from Drug Controller Authority or concerned authority. Shri Jain ensured that they will obtain required permission before commencement of their manufacturing business.

16.6 It was informed to the Approval Committee that few shortcomings have been observed in the application which has been conveyed to the applicant for necessary rectification.

16.7 The Approval Committee, after due deliberations, approved the proposal of M/s. Harsh Nutricare Pvt. Ltd. for “Manufacturing of (i) Strip Base Mouth Freshener (6000 kgs/annum) (ITC HS 1704) and (ii) Strip Base Medicines (5000 kgs/annum) (ITC HS 3004)” subject to the condition that unit shall obtain required permission from Drug Controller Authority or concerned authority for manufacturing of medicines and the same will be further subject to rectification of deficiencies observed in their application.

It was informed to the Approval Committee that M/s. Divya Creations have been issued two LOAs in NSEZ. It was further informed that the unit has submitted a proposal for merger of LOA of Unit-II into LOA of Unit-I along with its authorized operations. Besides, there has also been change in partnership deed of the firm. Details of units and its request are as under:

(i) Proposal for merger of Unit-II into Unit-I:

<table>
<thead>
<tr>
<th>Particulars</th>
<th>Unit-I</th>
<th>Unit-II</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOA No.</td>
<td>07/01/2003-Proc/1799</td>
<td>07/05/2014-Proc/9741</td>
</tr>
<tr>
<td>Date of LOA</td>
<td>12/03/2003</td>
<td>12/09/2014</td>
</tr>
<tr>
<td>DCP</td>
<td>06/06/2003</td>
<td>10/09/2015</td>
</tr>
<tr>
<td>LOA Valid upto</td>
<td>05/06/2023</td>
<td>09/09/2020</td>
</tr>
<tr>
<td>Authorized operations</td>
<td>Manufacturing &amp; export of (i) Plain &amp; Studded Gold Jewellery and Part &amp; Components thereof namely push, post, ear-dash wire, leaf, lock etc.; (ii)</td>
<td>Manufacturing &amp; export of : (i) Gold Jewellery plain &amp; studded with diamonds, precious, semi-precious &amp; CZ stones. (ii) Silver Jewellery plain &amp;</td>
</tr>
</tbody>
</table>
Plain & Studded Silver Jewellery and Part & Components thereof namely push, post, ear-dash wire, leaf, lock etc. (iii) Plain & Studded Platinum Jewellery; (iv) Remaking of Outdated/Old Jewellery; (v) Palladium Jewellery; (vi) Manufacturing of Base Metal Jewellery Clad with precious metal.

| Factory Address | Plot No. 97, NSEZ | SDF No. I-7(B), I-8, NSEZ |

(ii) Proposal related to change in partners and shareholding:

<table>
<thead>
<tr>
<th>वर्तमान साझेदारों एवं शेयर होल्डिंग का विवरण (as per records available)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mr. Amit Gupta</td>
</tr>
<tr>
<td>2. Mr. Sumit Gupta</td>
</tr>
<tr>
<td>3. M/s. Lalaram Enterprises LLP (Earlier known as Lalaram Finance &amp; Investment Co. Pvt. Ltd.)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>प्रस्तावित बदलाव का विवरण (as informed by the unit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cessation</td>
</tr>
<tr>
<td>1. M/s. Lalaram Enterprises LLP</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>प्रस्तावित बदलाव के बाद नए साझेदारों एवं शेयर होल्डिंग का विवरण</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mr. Amit Gupta</td>
</tr>
<tr>
<td>2. Mr. Sumit Gupta</td>
</tr>
</tbody>
</table>

17.2 It was informed to the Approval Committee that recently the SEZ Rules has been amended as published in Gazette Notification dated 19/09/2018 wherein in Rule 19, in sub-rule (2) after the third proviso, the following proviso shall be inserted, namely:-

“Provided also that the Approval Committee may also approve proposals for merger of Letters of Approval of two or more Units of the same company or firm subject to the condition that these Units fall within the same Special Economic Zone and after merger, block period for calculation of Net Foreign Exchange shall be from the date of commencement of production of the Unit which commenced operation first and the Income tax exemption period shall be considered from the date of start of operation of the first Unit.”;
17.3 Shri Sumit Gupta, Partner of the firm appeared before the committee. He informed that at present they are facing enhanced extra costs viz. shipping cost, compliance costs etc upon retaining / maintaining two separate units. So they need to merge both the units to enhance their operational efficiencies. Even small extra costs such as freight & logistics put off the foreign clients, resulting in loss of export orders.

17.4 Shri Gupta further informed that they have applied for registration of partnership deed with the office of Registrar of Firms, Uttar Pradesh and will submit the same once it is registered.

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

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

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

i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;

ii) Fulfilment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;

iii) Applicability of and compliance with all Revenue / Company Affairs / SEBI etc. Acts/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.

v) The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.

vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.”

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

17.7 The Approval Committee, after due deliberations, approved request of M/s. Divya Creations for merger of its Unit-II (LOA dated 12/09/2014) into Unit-I (LOA dated 12/03/2003) in terms of Rule 19(2) proviso 4 of SEZ Amendment Rules, 2018 subject to the following conditions:

(i). After merger, block period for calculation of Net Foreign Exchange shall be from the date of commencement of production of the Unit which commenced operation first i.e. from 06/06/2003;

(ii). No Income tax exemption will be available as Income tax exemption period has already been over for the first Unit.

17.8 The Approval Committee also took note of changes in partnership deed & shareholding pattern of the firm in terms of Instruction No. 89 dated
17/05/2018 read with Instruction No. 90 dated 03/08/2018 subject to submission of partnership deed duly registered with Registrar of Firms.

18. ताईबा इंटरनेशनल - LOA की बैठकता के नवीनीकरण, उत्पादन क्षमता में वृद्धि, अधिकृत परिचालनों में संशोधन एवं प्रदर्शन की निगरानी हेतु प्रस्तावः

It was informed to the Approval Committee that M/s. Taiba International has been issued an LOA dated 31.12.2008 for Manufacturing & Export of Handcrafted/machine-made Gold /Platinum/ Silver Jewellery, Plain /Studded with Colour Stones. (production capacity – 300Kgs/annum). Unit commenced its export production w.e.f. 16.11.2009. Second block of five years was valid upto 15.11.2019. LOA of the unit is currently valid upto 15/01/2020 as extended by the Approval Committee in its meeting held on 04/11/2019.

18.2 It was informed to the Approval Committee that along with renewal of LOA, the unit has also applied for revision in authorized operations and enhancement in production capacity as under:

<table>
<thead>
<tr>
<th>मुख्य अधिकृत ऑपरेशन:</th>
<th>Proposed for renewed period (नवीनीकृत अधिकृत के लिए प्रस्तावित)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing (विद्यमान)</td>
<td>Manufacturing of Handcrafted/ Machine made gold jewellery plain /studded with colour stones. (71131910, 71131920, 71131930, 71131940) [Production capacity-1390kgs/annum]</td>
</tr>
<tr>
<td></td>
<td>2. Import of rejected or damaged Plain or Studded Jewellery for Repairing (71131910) [Production capacity-10kgs/annum]</td>
</tr>
</tbody>
</table>

| अगले ब्लॉक के लिए प्रस्तावित फोरेक्स मुद्रा तुलनापत्र (FOREX Balance Sheet proposed for next block) (in Rs. Lakhs): |
|-----------------|--------|--------|--------|--------|--------|--------|
| क्रम सं. | मद | पहला | दूसरा | तीसरा | चौथा | पांचवा |
| : | : | : | : | : | : | : |
| 1 | पहले पांच वर्षों के निर्यात का पोत परीक्ष मूल्य | 49985.16 | 50339.52 | 50802.26 | 51510.97 | 51973.71 | 254611.62 |
| 2 | पहले पांच वर्षों के लिए विदेशी मुद्रा बहिर्गमन | 47899.71 | 48221.90 | 48629.82 | 49314.20 | 49722.11 | 243787.74 |

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## नौएडा विशेष आर्थिक क्षेत्र
(दिनांक 09/01/2020 को आयोजित अनुमोदन समिति की बैठक का कार्यक्रम)

<table>
<thead>
<tr>
<th>कोटा</th>
<th>मूल्य (रु. लाख)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>2085.45 2117.62 2172.44 2196.77 2251.60 10823.88</td>
</tr>
</tbody>
</table>

### पुंजीगत वस्तुओं में निवेश
**Investment in Capital Goods (in Rs. Lakhs)**

<table>
<thead>
<tr>
<th>विनिर्देशी (Indigenous)</th>
<th>विनिर्देशी (Indigenous)</th>
<th>विनिर्देशी (Indigenous)</th>
<th>विनिर्देशी (Indigenous)</th>
<th>विनिर्देशी (Indigenous)</th>
</tr>
</thead>
<tbody>
<tr>
<td>स्वदेशी (Indigenous)</td>
<td>0.00</td>
<td>0.00</td>
<td>17.47</td>
<td>20.00</td>
</tr>
</tbody>
</table>

### कच्चे माल में निवेश
**Investment in Raw Material (in Rs. Lakhs)**

<table>
<thead>
<tr>
<th>विनिर्देशी (Indigenous)</th>
<th>विनिर्देशी (Indigenous)</th>
<th>विनिर्देशी (Indigenous)</th>
<th>विनिर्देशी (Indigenous)</th>
<th>विनिर्देशी (Indigenous)</th>
</tr>
</thead>
<tbody>
<tr>
<td>स्वदेशी (Indigenous)</td>
<td>133.17</td>
<td>2100.06</td>
<td>105738.55</td>
<td>243767.74</td>
</tr>
</tbody>
</table>

### रोजगार (Employment)
**Employment**

<table>
<thead>
<tr>
<th>पुरुष (Men)</th>
<th>महिला (Women)</th>
</tr>
</thead>
<tbody>
<tr>
<td>109</td>
<td>1</td>
</tr>
<tr>
<td>141</td>
<td>4</td>
</tr>
</tbody>
</table>

18.3 It was informed that the Approval Committee in its meeting held on 04/11/2019 had observed that performance of unit during previous block of five years were as under:

<table>
<thead>
<tr>
<th>Year</th>
<th>Export (in Rs. Lakhs)</th>
<th>Inputs used (imported + indigenous)</th>
<th>Value addition value</th>
<th>Value addition required</th>
<th>Value addition achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-15</td>
<td>178.91</td>
<td>195.25</td>
<td>-16.34</td>
<td>3%</td>
<td>-8.37%</td>
</tr>
<tr>
<td>2015-16</td>
<td>20534.72</td>
<td>19887.67</td>
<td>647.05</td>
<td>3.5%</td>
<td>3.25%</td>
</tr>
<tr>
<td>2016-17</td>
<td>23551.11</td>
<td>23551.11</td>
<td>6.57</td>
<td>3.5%</td>
<td>0.03%</td>
</tr>
<tr>
<td>2017-18</td>
<td>23616.68</td>
<td>24033.65</td>
<td>-416.97</td>
<td>3.5%</td>
<td>-1.73%</td>
</tr>
<tr>
<td>2018-19</td>
<td>38204.72</td>
<td>38204.72</td>
<td>767.94</td>
<td>3.5%</td>
<td>2.01%</td>
</tr>
</tbody>
</table>

18.4 The Approval Committee had renewed LOA of the unit for further period of 2 months (upto 15/01/2020) as per existing authorized operations and directed the unit to give proper justification for shortfall in value addition along with year-wise details of value addition duly certified by Chartered Accountant. The Approval Committee also directed to examine the matter again on receipt of reply from the unit regarding shortfall in value addition and
place the same before it for consideration of renewal of LOA for remaining period and also to consider unit's proposal regarding change in existing authorized operation.

18.5 It was further informed that unit vide its letter dated 22/11/2019 and subsequent letter dated 18/12/2019 has informed that they have achieved a value addition of 3.50% in USD during previous 5 years block period and submitted yearwise as well as invoice wise details of value addition achieved by them duly certified by Chartered Accountant & their Authorized Bank during 2014-15 to 2018-19. Statement of value addition as certified by banker of the unit are as under:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Reported by Unit's banker (Value addition%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-15</td>
<td>3.09</td>
</tr>
<tr>
<td>2015-16</td>
<td>3.61</td>
</tr>
<tr>
<td>2016-17</td>
<td>3.50</td>
</tr>
<tr>
<td>2017-18</td>
<td>3.57</td>
</tr>
<tr>
<td>2018-19</td>
<td>3.49</td>
</tr>
</tbody>
</table>

18.6 It was also informed that the details of value addition achievement given by the unit & certified by their CA were forwarded to NSEZ Customs for verification. NSEZ Customs vide Internal Memo dated 06/01/2020 & 08/01/2020 has informed as under:

"the documents regarding value addition achievement has been examined in the light of Para 4.38 of Foreign Trade Policy (FTP) 2015-20 & Paragraph 4.61 of Handbook of Procedures 2015-20 & para 4A.2.1 of HBP 2009-14 and it is found that the value of alloy such as copper/silver/platinum etc. has not been taken into value of inputs by the unit for calculation of value addition. However, on taken the same in calculation of value addition, there is slight variation in value addition submitted by the unit. The value addition as reported by the unit and as observed/calculated by this office is tabulated below:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Reported by Unit (Value addition%)</th>
<th>Observed/calculated by this office (value addition%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-15</td>
<td>3.11</td>
<td>3.10</td>
</tr>
<tr>
<td>2015-16</td>
<td>3.60</td>
<td>3.60</td>
</tr>
</tbody>
</table>
18.7 It was also informed that the unit vide its another letter dated 07/01/2020 has mentioned that during 2016-17 & 2018-19, they made a mistake in invoice dated 09/09/2016 & 09/04/2018 for calculation of total amount of two bill of entries. The unit has further stated that they had submitted a free form for amendment later. The unit has requested to forgive them for mistake and give them a chance to do better in future. Unit has also stated that they were not aware about that amended free form because their representative who was handling all this was on leave while preparing documents for LOA renewal. Due to that they had given wrong value in previous sheet for value addition. The unit has also submitted revised value addition achievement details for the period 2016-17 & 2018-19 as under:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Reported by Unit (Value addition%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>3.50</td>
</tr>
<tr>
<td>2018-19</td>
<td>3.50</td>
</tr>
</tbody>
</table>

18.8 It was further informed that as per Rule 18(3)(b) of SEZ Rules, 2006 as amended vide SEZ Amendment Rules, 2018 dated 19/09/2018,

"for Gems and Jewellery, the minimum Value Addition earning requirement shall be as specified in the prevailing Foreign Trade Policy or Handbook of Procedures, as amended from time to time."

18.9 Shri Shaikh Samim, proprietor of the firm, appeared for the meeting. He informed that they have achieved minimum prescribed value addition during previous block of five years. He further stated that they have been exporting jewellery for last ten years and sometimes customers who have purchased jewellery from them or even from other shopkeepers approach them for repairs of the jewellery for minor damages over period of time due to wear and tear. They want to import such jewellery for repairing/remaking and this will also subject to value addition as per norms.
18.10 The Approval Committee observed that unit has almost achieved prescribed value addition except in some cases where it has failed slightly to achieve the same. The Approval Committee warned the unit to be careful in future for strict compliances with SEZ Act/Rules including achievement of minimum value addition.

18.11 The Approval Committee, after due deliberations, approved the proposal in respect of M/s. Taiba International for renewal of LOA upto 15/11/2024, enhancement in production capacity and revision in authorized operations. The addition of “Import of rejected or damaged Plain or Studded Jewellery for Repairing” shall be subject to compliance with Instruction No. 51 dated 25/03/2010.

<table>
<thead>
<tr>
<th>19</th>
<th>पी.पी. ज्वेल्स प्राइवेट लिमिटेड - इकाई के LOA की समीक्षा हेतु प्रस्ताव</th>
</tr>
</thead>
<tbody>
<tr>
<td>No one from the unit appeared for the meeting. It was informed to the Approval Committee that as per email received from sister concern of the unit i.e. M/s P.P. Jewells Delhi it has been informed that Sh. Kamal Gupta, director of the company is out of station and will return on Monday evening.</td>
<td></td>
</tr>
<tr>
<td>The Approval Committee, after due deliberations, decided defer the proposal.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>20</th>
<th>पी.पी. ज्वेलर्स (दिल्ली) - इकाई के LOA की समीक्षा हेतु प्रस्ताव</th>
</tr>
</thead>
<tbody>
<tr>
<td>No one from the unit appeared for the meeting. It was informed to the Approval Committee that as per email received from unit it has been informed that Sh. Kamal Gupta, director of the company is out of station and will return on Monday evening.</td>
<td></td>
</tr>
<tr>
<td>The Approval Committee, after due deliberations, decided defer the proposal.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>21</th>
<th>एनायाम सिस्टम्स - SEZ नियमावली 2006 के नियम 74A के तहत SEZ scheme से निकास तथा Plot No. 153-154, NSEZ पर स्थित भवन के साथ अपनी अस्तित्वों तथा दायित्वों के हस्तान्तरण हेतु प्रस्ताव</th>
</tr>
</thead>
</table>
It was informed to the Approval Committee that M/s. Anagram Systems (transferor) has submitted a proposal for exit from SEZ scheme and transfer of it’s assets at Plot No.153-154, NSEZ in favour of M/s Idemia Syscom India Pvt. Ltd. (transferee). A letter dated 18/03/2019 from transferee has also been submitted along with the above request wherein transferee has sought permission to buy all assets and liabilities of Anagram Systems at Plot No. 153-154, NSEZ from where they are operating on sharing basis since May, 2009 under their LOA No.03/06/2006-Proj/9539 dated 13.07.2006.

21.2 M/s. Idemia Syscom India Pvt. Ltd. has also submitted an undertaking regarding taking over assets & liabilities of M/s. Anagram Systems in terms of Rule 74A.

21.3 It was further informed that the proposal was considered by the Committee constituted to examine cases under Rule 74A of SEZ Rules, 2006 as per following details:

<table>
<thead>
<tr>
<th>1. Name of Transferor</th>
<th>M/s. Anagram Systems</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Address of Transferor</td>
<td>Plot No. 153-154, NSEZ</td>
</tr>
<tr>
<td></td>
<td>SDF No. H-2, NSEZ(surrendered on 21.11.2019)</td>
</tr>
<tr>
<td>3. Details of LOA of Transferor:</td>
<td></td>
</tr>
<tr>
<td>Date of LOA</td>
<td>02/09/2003</td>
</tr>
<tr>
<td>DCP</td>
<td>16/01/2004</td>
</tr>
<tr>
<td>Date of LOA validity</td>
<td>15/01/2020</td>
</tr>
<tr>
<td>5. Yearwise performance of Transferor unit during previous five years</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>FOB Value of Export</th>
<th>Physical Exports</th>
<th>Under Rule 53</th>
<th>Forex Outgo</th>
<th>NFE Earning</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-15</td>
<td>0</td>
<td>0.30</td>
<td>4.39</td>
<td>-3.09</td>
<td></td>
</tr>
<tr>
<td>2015-16</td>
<td>0</td>
<td>47.10</td>
<td>44.20</td>
<td>2.90</td>
<td></td>
</tr>
<tr>
<td>2016-17</td>
<td>0</td>
<td>74.53</td>
<td>68.60</td>
<td>5.93</td>
<td></td>
</tr>
<tr>
<td>2017-18</td>
<td>0</td>
<td>0.00</td>
<td>4.39</td>
<td>-4.39</td>
<td></td>
</tr>
<tr>
<td>2018-19</td>
<td>0</td>
<td>25.20</td>
<td>4.39</td>
<td>20.81</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>0</td>
<td>148.13</td>
<td>125.97</td>
<td>22.16</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Whether the unit (transferor) has held a valid LOA as on date.</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Whether the unit (transferor) has held a valid lease of land for not less than a period of five years on date of transfer.</td>
<td>Yes, possession was taken on 14/10/2004 and lease deed executed on 11/02/2005 for 15 years. Lease deed is valid upto 30/09/2020.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Whether the unit has been operational for a continuous period of minimum two years after the commencement of production as on the date of transfer.</td>
<td>Yes, as seen from S.No. 5 of table.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>a. Whether NOC for mortgage of building has been granted to any Bank/Financial institution.</td>
<td>Yes, permission for mortgage was given in favor of Canara Bank on 23/12/2005.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. If yes, whether No Dues Certificate has been received</td>
<td>NO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Whether No Dues Certificate from EM section received</td>
<td>Lease rent is cleared.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Whether any Show Cause Notice has been served to the</td>
<td>NO</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(i) As per APR, there is no pending Forex as on 31/03/2019.

(ii) Unit vide its letter dated 30/12/2019 received in this office on 07/01/2020 has submitted an invoice dated 27/11/2019 of Rs. 14,10,000/- against sale of goods within NSEZ to M/s. Idemia Syscom Corporation Pvt. Ltd.
| 12 | Whether any penalty under FTDR Act has been imposed | Yes, under Section 11(4) of FT(D&R) Act. for selling, Trading goods against INR. Penalty amount of Rs. 15,463/- has been deposited by the unit. |
| 13 | Whether any notice under P.P. Act, 1971 has been issued. | NO |
| 14 | Name & Address of Transferee | M/s. Idemia Syscom India Pvt. Ltd. |
| | | Plot No. 60-61, 153-154, NSEZ; SDF D-1 & 13, L-4, 13, 15-16, NSEZ |
| 15 | Whether the transferee fulfils all eligibility criteria applicable to a unit; if yes, details of LOA of transferee: | |
| | Date of LOA | 13/07/2006 |
| | DCP | 01/11/2006 |
| | Date of LOA Validity | 31/10/2021 |

<table>
<thead>
<tr>
<th>Performance of the transferee during last five year</th>
<th>Values in Rs. Lakhs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
<td>FOB Value of Export</td>
</tr>
<tr>
<td>Physical Exports</td>
<td>Under Rule 53</td>
</tr>
<tr>
<td>2014-15</td>
<td>73445.51</td>
</tr>
<tr>
<td>2015-16</td>
<td>63782.17</td>
</tr>
<tr>
<td>2016-17</td>
<td>99625.99</td>
</tr>
<tr>
<td>2017-18</td>
<td>77677.81</td>
</tr>
<tr>
<td>2018-19</td>
<td>53486.40</td>
</tr>
<tr>
<td>Total</td>
<td>368017.88</td>
</tr>
</tbody>
</table>

The pending Forex of Rs.1453.14 Lakhs as on 31/03/2019.

21.4 It was informed that Rule 74A of the said Rules 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 or SDF 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;

(iv). The transferee fulfills all eligibility criteria applicable to a unit; and

(v). The applicable duties and liabilities, if any, as calculated under rule 74, as well as export obligations of the transferor Unit, if any, shall stand transferred to the transferee Unit which shall be under obligation to discharge the same on the same terms and conditions as the transferor Unit.”

21.5 It was also informed that DOC vide its letter 13/09/2013 signed by Joint Secretary has issued clarification on transfer of assets by SEZ units upon their exit which is reproduced as under:

“Norms have been laid down in Rule 74A which allows a SEZ unit to opt out of a SEZ by transferring its assets and liabilities to another entity by way of transfer of ownership including sale subject to conditions enumerated in the Rule. These include that the Unit has held a valid Letter of Approval as well as lease of land for at least a period of five years and has been in operation in at least two years. The transfer will be approved by the Unit Approval Committee keeping in mind the fulfillment of all eligibility conditions by the new entity to be a SEZ unit. Furthermore, the applicable duty liabilities, if any, as calculated under Rule 74, as well as export obligations of the transferee company, if any, shall stand transferred to the new entity
who shall be under obligation to discharge the same on the same
term and conditions as the transeree company."

21.6 In view of above, the Committee observed that the transferor unit has
held a valid LOA and its lease deed is valid upto 30.09.2020. The Committee
further observed that transeree unit has also valid LOA and has given an
undertaking on Rs.100/- non-judicial stamp paper bearing No. ES 979909 to
take over all the assets & liabilities of transferor unit.

21.7 It was also brought to the notice of the Committee that M/s Anagram
Systems had two premises i.e. one at Plot No. 153-154 and other at SDF No.
H-02, NSEZ. It was also informed that the unit has since surrendered the SDF
No. H-02, NSEZ and possession of the said SDF has been taken over by NSEZ
Authority on 21.11.2019.

21.9 The said Committee met on 08/01/2020 and observed that the
transferor unit has done inter unit sale in NSEZ for four years i.e. during
2014-15, 2015-16, 2016-17 and 2018-19 during last block of 5 years. Only
during 2017-18, it has done no export/import/inter unit sale. In addition as
informed by transferor unit (along with invoice), it has done inter unit sale of
goods in NSEZ worth Rs. 14,10,000/- during 2019-20. In view of this, the
Committee observed that all the conditions for transfer of assets & liability
under Rule 74A of SEZ Rules, 2006 are met in this case. After due
deliberations, the Committee recommended the proposal of M/s. Anagram
Systems for transfer of assets & Building/Plot at Plot No. 153-154, NSEZ to
M/s. Idemia Syscom India Pvt. Ltd. in terms of Rule 74A of SEZ Rules, 2006.

21.10 Sh. Raghuveer Sharma appeared on behalf of M/s Anagram Systems
along with Shri Alok Mukherjee, M.D. of Idemia Syscom India Pvt. Ltd. Shri
Sharma informed the Approval Committee that his brother and proprietor of
M/s. Anagram Systems had suffered with Heart Attack and is undergoing
treatment and could not come for the meeting and deputed him to attend the
meeting. He requested for transfer of its assets at Plot No. 153-154, NSEZ to
M/s Idemia Syscom India Pvt. Ltd. Shri Sharma also requested for extension
of the validity of LOA beyond 15/01/2020 for further period of 3 months to complete the Exit formalities.

21.11 The Approval Committee, after due deliberations, approved the request of M/s. Anagram Systems for exit and transfer of assets & liabilities including building situated at Plot No. 153-154, NSEZ to M/s Idemia Syscom India Pvt. Ltd. subject to fulfilment of (i) exit formalities by transferor and (ii) payment of applicable transfer charges. The Approval Committee also extended validity of LOA of M/s. Anagram Systems for a period of three months beyond 15/01/2020 exclusively to complete exit formalities. The Approval Committee also directed Shri Sharma to submit a written request for LOA extension as granted by the Approval Committee.

It was informed to the Approval Committee that M/s. Amiga Informatics Pvt. Ltd. has been issued an LOA dated 20/02/2018 for IT Enabled Services and BPO. The unit is yet to commence its export activities. LOA of the unit was valid till 19/02/2019.

22.2 It was further informed that unit has applied for revision in its authorized operations and change in sector of business from ‘IT Enabled Services & BPO’ to “Manufacturing & Export of readymade garments” which was placed in the meeting of Approval Committee 03.12.2019 and the proposal was deferred for next meeting with a direction to the unit to submit some documents along with other information as asked vide this office earlier letters.

22.3 Shri Vipin Singh, director of the company appeared before the Approval Committee along with Sh. Ashish Pradhan COO of M/s E-shakti.com. Shri Pradhan informed to the Committee that they have entered into agreement with M/s Amiga Informatics. Sh. Vipin singh informed that he has completed
all necessary formalities and requested the Committee for permission.

22.4 It was informed to the Committee that following deficiencies have been observed in the application:-

(i) Reply letter dated 03/01/2020 has been signed by Mr. Vipin Singh but name of signatory has been mentioned as Nitin Singh.

(ii) Agreement with M/s. eShakti is signed by Mr. Sachin Singh, director on behalf of M/s. Amiga Informatics Pvt. Ltd. However, DIR-12 and other related documents/ details of new directors including Mr. Sachin Singh as requested vide letter dated 12/07/2018 and reminder dated 30/05/2019 are still awaited.

(iii) Production capacity of proposed manufacturing items has not been given.

(iv) Break-up of foreign exchange outgo of Rs. 1215 Lakhs has not been given.

(v) It has been observed that unit has still not given reasons for delayed submission of LOA extension request, documents related to change in directors as asked vide this office letter dated 12/07/2018, list of machineries etc.

22.5 The Approval Committee observed that the unit has not submitted certified copy of Amended MOA along with approval from MCA.

22.6 The Approval Committee, after due deliberations, decided to defer the proposal for its next meeting with a direction to the unit to rectify all deficiencies and submit all required documents including amended MOA, at the earliest.

Meeting ended with a vote of thanks to the Chair.

(S. S. Shukla)  
Jt. Development Commissioner

(Dr. L. B. Singhal)  
Development Commissioner