

भारत सरकार, वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग
विकास आयुक्त का कार्यालय
नौएडा विशेष आर्थिक क्षेत्र
नौएडा दादरी रोड, फेस-II, नौएडा.201305, जिला - गौतमबुद्ध नगर
Government of India, Min. of Commerce & Industry, Deptt. of Commerce,
Office of the Development Commissioner
NOIDA SPECIAL ECONOMIC ZONE
Noida Dadri Road, Phase-II, NOIDA-201305, Distt. Gautam Budh Nagar (UP)

फा. सं. 12/01/2019-प्रोज/

दिनांक:/06/2020

सेवा में,

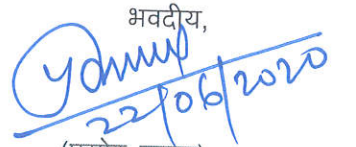
1. मुख्य कार्यपालक अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नौएडा।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली।
3. प्रधान आयकर आयुक्त, आयकर भवन, प्लॉट सं.- ए-2डी, सेक्टर 24, नौएडा।
4. आयुक्त,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

विषय: दिनांक 10/06/2020 को दोपहर 12:00 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

मुझे उपरोक्त विषय के सन्दर्भ में डॉ. एल बी सिंघल, विकास आयुक्त, नौएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 10/06/2020 को दोपहर 12:00 विडियो कांफेन्सिंग के माध्यम से सम्पन्न हुई नौएडा विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त अग्रेषित करने का निर्देश हुआ है।

संलग्नक: उपरोक्त

भवदीय,

22/06/2020
(प्रमोद कुमार)

सहायक विकास आयुक्त

प्रतिलिपि:

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


22/06/2020
सहायक विकास आयुक्त

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(दिनांक 10/06/2020 को आयोजित अनुमोदन समिति की बैठक का कार्यवृत्त)

Minutes of the meeting of the Approval Committee of Noida SEZ held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner (DC), Noida SEZ at 12:00 Noon on 10/06/2020 through Video Conferencing.

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

- 1) Shri S.S. Shukla, Jt. Development Commissioner, NSEZ.
- 2) Shri Sachin Jain, Asstt. Commissioner, DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.).
- 3) Shri Chaman Lal, FTDO, O/o Addl. DGFT, CLA, New Delhi.
- 4) Smt. Sandhya Maurya, Income Tax Officer, Income Tax Deptt., Noida.

2. Besides, during the meeting S/Shri (i) Nitin Gupta, Dy. Development Commissioner, NSEZ, (ii) S.K. Tyagi, Specified Officer, NSEZ, (iii) Pramod Kumar, Asstt. Development Commissioner, NSEZ, (iv) Arun Singh Parihar, Assistant, NSEZ, and (v) K.M. Srivastava, AEE, UPPCB, Noida (vi) P.P. Singh, J.E. UPPCB, Noida were also present to assist the Approval Committee.

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

(i) Ratification of Minutes of last meeting of the Approval Committee held on 13/05/2020.

It was informed that no reference against the decisions of the Approval Committee held on 13/05/2020 was received and, therefore, Minutes of the meeting held on 13/05/2020 were ratified.



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

1. प्राइमा टेलिकॉम लिमिटेड – नौएडा विशेष आर्थिक क्षेत्र में नई इकाई लगाने हेतु प्रस्ताव।
It was informed to the Approval Committee that the M/s. Prima telecom Limited has proposed to set up a new unit in NSEZ for Manufacturing of Transceiver (ITC HS Code 85176290)(Production capacity: 24000Nos/ annum) with projected exports of Rs. 11600.00 Lakhs and NFE earnings worth Rs. 5075.39 Lakhs and proposed investment of Rs. 25.00 Lakhs in indigenous plant & machinery/capital goods, over a period of five years.
- 1.2 Shri Ravi Shekhar, the authorized representative of the company appeared through video conferencing before the Approval Committee to explain the project. Shri Shekhar informed that Prima Telecom Limited is a group company of “Suri Group Companies”. It has been stated that Suri Group Companies are working in different sectors viz. Manufacturing & Auto Component, Telecom, Hospitality, Auto Retail and Education sector.
- 1.3 Shri Shekhar further informed that Prima Telecom Limited is an IMS certified company and have also in-house R&D unit recognized by DSIR, Govt. of India. The company has strong customer base covering Private operators, Government Institutions & Utilities. The company is engaged in business of Telecommunication and Data communication equipment Hardware & Software development, design, manufacture, services, buy, sell, trade, import and export.
- 1.4 It was informed to the Approval Committee that the name of proposed item i.e. “Transceiver” is reflected in Category 8 of SCOMET items which are regulated for export by DGFT. As per Rule 18(4)(e) and Rule 26 of SEZ Rules, 2006, no proposal for export of SCOMET items shall be considered by the Approval Committee unless it fulfils the conditions of export of such item in ITC (HS) Classification.
- 1.5 Shri Shekhar informed that they are already exporting Transceiver for last two years to African Countries like Uganda, Malawi etc. and they have never been stopped by Customs from exporting this product. Hence, it does

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not seem that the said product i.e. Transceiver falls under SCOMET list or any special permission is required.

1.6 The Approval Committee discussed the matter in detail and observed that in case the proposed item falls under SCOMET items as mentioned in Category 8 of SCOMET given in Appendix 3 of ITC(HS) Schedule 2, then export authorization from DGFT shall be needed as per provisions of ITC.

1.7 The Approval Committee, after due deliberations, deferred the proposal of M/s. Prima Telecom Limited for its next meeting and directed to seek a clarification from DGFT whether the proposed item i.e. "Transceiver (ITC HS Code 85176290)" fall under SCOMET item or any special permission is required for manufacture & export of "Transceiver".

2. ईशक्ति.कॉम प्राइवेट लिमिटेड - LOA में अतिरिक्त अधिकृत परिचालनों को शामिल करने हेतु दिए गये अनुमोदन के पुष्टिकरण हेतु प्रस्ताव।

It was informed to the Approval Committee that M/s. eShakti.com Pvt. Ltd. has been issued an LOA dated 18/08/2017 for following activities:

"1. Manufacturing of Cotton Woven Dress, Cotton Knits Dress, Polyester Woven Dress.

2. Manufacturing of: (i) Other Woven Dress (62044990); (ii) Other woven skirts (62045990); (iii) Polyester Knit Dress (61044300); (iv) Blended Woven Dress (62044990); (v) Blended Knit Dress (61044990); (vi) Other Woven Pants (62046990); (vii) Wool/Silk woven blend dress (62044220); (viii) Wool/Silk knit blend dress (61044100); (ix) Cotton Woven Jackets (62043200).

3. Manufacturing of: (i) Lab Coats made of cotton fabric (62011290) and Polyester Cotton blended fabric (62011390) (ii) Hospital Gowns made of cotton fabric (62079110), blended fabric(62079929) and SMS fabric (62101000) (iii) Protective face mask made of cotton woven fabric(62149090), cotton knitted fabric(61178030)

4. Manufacturing of (i) Fabric bags made of woven polyester and woven cotton (62171090) (ii) Fabric bags made of knitted polyester (61178040) (iii) Fabric bags made of knitted cotton (61178030)"

The unit commenced its export production w.e.f. 22/06/2018 and its LOA is

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valid till 21/06/2023.

2.2 It was further informed that the unit had submitted a proposal for inclusion of additional manufacturing activities in its authorized operations as follows:

“Manufacturing of

- 1. Face Masks made of woven Polyester and blended fabric (HS Code – 62149090)*
- 2. Face Masks made of knitted Polyester and blended fabric (HS Code – 61178040)*
- 3. Face Masks made of Knitted Silk (HS Code-61178010) and woven silk (HS Code – 62141090)*
- 4. Scarves and Bandanas made of Knitted cotton (HS Code – 61171030) and woven cotton (HS Code 62149040)*
- 5. Scarves and Bandanas made of Knitted Polyester and blended fabric (HS Code – 61171030)*
- 6. Scarves and Bandanas made of Knitted Silk (HS Code – 61171010) and woven silk (HS Code – 62141010)”*

2.3 It was further informed that for easing broad banding as a relief measure in the current pandemic situation caused by Covid-19, the DOC vide its letter No. K-43022/7/2020-SEZ (Part I) dated 31.03.2020 while referring the provisions of first proviso to Rule 19(2) of the SEZ Rules, 2006, mentioned that based on the urgency due to the outbreak of COVID-19, requests are being received from SEZ stakeholders involved in pharma sector for manufacturing of masks, hand sanitizers, lab gown and other preventive protective products/equipment. DOC has directed all the Development Commissioners that till 30th of June, 2020, such broad-banding, consistent with the such objective, shall be allowed, without prejudice, at the level of DC subject to subsequent ratification by Approval Committee.

2.4 Keeping in view the outbreak of Pandemic Noval Covid-19 and request made by the unit for inclusion of above proposed items, the proposal of M/s. Eshakti.com Pvt. Ltd. for inclusion of additional authorized operations in LOA of the company has been approved by DC subject to (i) its ratification by the

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Approval Committee; (ii) Restricted/ prohibited items of export shall NOT be allowed for export in terms of provision laid down in Rule 18 (3) of SEZ Rules; (iii) No import/procurement of any raw materials etc. falling under restricted/prohibited category of ITC(HS) Classification, shall be allowed; (iv) unit shall ensure that it possesses necessary licence/NOC from respective Authorities and ensure strict compliance with relevant statutes governing the production and sale of products authorized to it; and (v) compliance with provisions of SEZ Act/Rules, including achievement of positive NFE by the unit. Accordingly, the approval was conveyed to the unit vide this office letter dated 08/06/2020.

2.5 The Approval Committee, after due deliberations, ratified the permission dated 08/06/2020 granted to M/s. eShakti.Com Pvt. Ltd. for inclusion of additional manufacturing items in its authorized operations in terms of DOC's letter No. K-43022/7/2020-SEZ (Part I) dated 31.03.2020.

3. मैचलेस टेक्नोलॉजी - LOA में अतिरिक्त अधिकृत परिचालनों को शामिल करने हेतु दिए गये अनुमोदन के पुष्टिकरण हेतु प्रस्ताव।

It was informed to the Approval Committee that M/s. Matchless Technology has been issued an LOA dated 03/08/2006 for following activities:

"1. Manufacturing of Buckles, Complete Chin Straps (CCS), D-Rings, (DD Ring) and Brackets (2) Manufacturing of Parts of Safety Helmets and Carry Bag for Helmets. (3) Manufacturing of Coat, Jackets, Body Back Protectors/Armors, Breeches/ Jodhpurs/Jocky Pants/ Horse Riding Trousers/ Trousers/ Pullons, Shirt/ T-Shirt/ Polo, Rain Gears/ Rain Wears, Denim Pants, Laptop Bags/ Bags/ Backpacks etc."

The unit commenced its export production w.e.f. 27/02/2007 and its LOA is valid till 26/02/2022.

3.2 It was further informed that the unit had submitted a proposal for inclusion of additional manufacturing activities in its authorized operations as follows:

"Manufacturing of (1) Overall protective suits made of non-woven fabric (HS code 62101000) (2) Protective face masks"

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made of non-woven fabrics (HS code 62104090, 63079090, 90189099)

3.3 It was further informed that for easing broad banding as a relief measure in the current pandemic situation caused by Covid-19, the DOC vide its letter No. K-43022/7/2020-SEZ (Part I) dated 31.03.2020 while referring the provisions of first proviso to Rule 19(2) of the SEZ Rules, 2006, mentioned that based on the urgency due to the outbreak of COVID-19, requests are being received from SEZ stakeholders involved in pharma sector for manufacturing of masks, hand sanitizers, lab gown and other preventive protective products/equipment. DOC has directed all the Development Commissioners that till 30th of June, 2020, such broad-banding, consistent with the such objective, shall be allowed, without prejudice, at the level of DC subject to subsequent ratification by Approval Committee.

3.4 Keeping in view the outbreak of Pandemic Noval Covid-19 and request made by the unit for inclusion of above proposed items, the proposal of M/s. Matchless Technology for inclusion of additional authorized operations in LOA of the company has been approved by DC subject to (i) its ratification by the Approval Committee; (ii) Restricted/ prohibited items of export shall NOT be allowed for export in terms of provision laid down in Rule 18 (3) of SEZ Rules; (iii) No import/procurement of any raw materials etc. falling under restricted/prohibited category of ITC(HS) Classification, shall be allowed; (iv) unit shall ensure that it possesses necessary licence/NOC from respective Authorities and ensure strict compliance with relevant statutes governing the production and sale of products authorized to it; and (v) compliance with provisions of SEZ Act/Rules, including achievement of positive NFE by the unit. Accordingly, the approval was conveyed to the unit vide this office letter dated 19/05/2020.

3.5 The Approval Committee, after due deliberations, ratified the permission dated 19/05/2020 granted to M/s. Matchless Technology for inclusion of additional manufacturing items in its authorized operations in terms of DOC's letter No. K-43022/7/2020-SEZ (Part I) dated 31.03.2020.

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4.	<p>स्टालवार्ट ओवरसीज - LOA में अतिरिक्त अधिकृत परिचालनों को शामिल करने हेतु प्रस्ताव।</p> <p>It was informed to the Approval Committee that M/s. Stalwart Overseas has been issued an LOA dated 23/02/2010 for Manufacturing of Components for Leather Bags. The unit has commenced its export production w.e.f. 02/05/2012 and its LOA is valid till 01/05/2022.</p> <p>4.2 It was further informed that the unit has submitted a proposal for inclusion of service activities viz. Speciality design services including interior design, fashion design, industrial design and other speciality design services (SAC Code: 998391) in its authorized operations.</p> <p>4.3 Shri Mahendra Sharma, authorized representative of the company appeared before the Approval Committee through video conferencing. Shri Sharma informed that they want to start the additional business activities in form of Services (Design Service for Industrial Products – SAC Code 998391) related to new component designs of their running product ‘components for leather bags’ for their customers for improvement/ growth in their existing business volume in same premises.</p> <p>4.4 The Approval Committee directed Shri Sharma to submit (i) a detailed clarification as to exactly what activities shall be carried out from the services proposed for inclusion, (ii) details of clientele for these proposed services, (iii) details of separate NFE projections for manufacturing and service activities. The Approval Committee further directed that on receipt of the unit’s submission, the proposal shall be examined, including from SEIS perspective.</p> <p>4.5 The Approval Committee, after due deliberations, deferred the matter for its next meeting.</p>
5.	<p>नोवो टेक्नोलॉजीज प्राइवेट लिमिटेड – LOA के वैधता के नवीनीकरण हेतु प्रस्ताव।</p> <p>It was informed to the Approval Committee that M/s. Novo Technologies Private Limited has been issued an LOA dated 10/01/2006 for “(i) Manufacturing of Lighting Fixtures, Tubular Daylighting Systems, Lighting</p>

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Control Systems, Energy Saving Devices & Systems; (ii) Trading of Central Vacuum Cleaning Systems, CCS Machine & Accessories, Spares of CCS Machines, Parts of Lighting Fixtures, Spares of Lighting Fixtures, Lighting Fixtures, Tubular Daylighting Systems, Lighting Control Systems, Energy Saving Devices & Systems; (iii) Services of Product Design Development, Software Development, Outsource services regarding Data". The unit commenced its export production w.e.f. 27/12/2008 and its LOA is valid till 26/12/2019.

5.2 It was further informed that earlier in the year 2016 unit had applied for exit from SEZ scheme and transfer of its assets & liabilities at Plot No. 59-H(C), NSEZ to M/s. Saasfocus Consulting Pvt. Ltd. which was approved by the Approval Committee in its meeting held on 02/06/2016. However, unit did not complete exit formalities and applied for renewal of LOA on 26/11/2018. The Approval Committee in its meeting held on 05/12/2018 had decided to cancel the permission granted in its meeting held on 02/06/2016 for exit & transfer of assets & liabilities under Rule 74A of SEZ Rules, 2006 and renewed the LOA of the unit for one year i.e. upto 26/12/2019. It was also decided that further renewal shall be considered on the basis of performance of unit during the extended period of validity of LOA.

5.3 It was noted by the Committee that lease rent amounting to Rs. 8,19,757/- (upto 30.06.2020) is current outstanding against the unit in respect of Plot No. 59-H(C), NSEZ. Further, unit has neither submitted APR for the period 2018-19 nor has submitted Softex Forms. It was also informed that online application for renewal of LOA at SEZonline system is also awaited.

5.4 Shri Vinay Agarwal, Director of the company, appeared before Approval Committee through video conferencing. Shri Agarwal informed that they had started working with M/s. Microsens GmbH & Kg – Germany where they had executed their design support orders for Euro 72,570. Further, they have earned NFE of Rs. 67.37 Lakhs during 26/12/2018 to 23/12/2019.

5.5 Shri Agarwal further informed that they are assured to achieve export

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sales between Rs. 5-7 Crore in FY 2020-21 and generate employment for 20 people. He further stated that going forward in FY 2021-22, they are quite hopeful to triple the export sales and employment levels. Shri Agarwal further informed that they are working diligently on finding new opportunities and since now they have proper resources, suitable manpower, International business partners and unique products in their portfolio, they are confident of achieving performance.

5.6 With regard to outstanding lease rent amounting to Rs. 8,19,757/- (as on 30.06.2020), Shri Agarwal requested to permit them to clear the same in two instalments in second & third quarter i.e. first instalment in July-Sep' 2020 and 2nd instalment in Oct-Dec'2020. The Approval Committee did not agree to the request of unit. The Approval Committee directed Shri Agarwal to deposit first half of outstanding lease rent in June 2020 and remaining before September' 2020. Shri Agarwal agreed with the directions and assured to deposit 50% of due lease rent within this week and the remaining outstanding lease rent in the given time i.e. before September, 2020.

5.7 With regard to non-submission of APR for the year 2018-19 and Softex forms, Shri Agarwal assured to submit the APR for 2018-19 as well as online application for renewal of LOA at SEZonline system, at the earliest. Shri Agarwal further informed that they have filed their GSTR, however, their SOFTEX could not be filed as their SEZonline system was suspended due to expired LOA. Shri Agarwal assured to co-ordinate with this office to submit APR for last Financial Years, SOFTEX and any other documents required, by next week.

5.8 The Approval Committee, after due deliberations, decided to renew the validity of LOA for a period of two years i.e. upto 26/12/2021 subject to condition that letter to this effect will be issued only after receipt of (i) Online application for renewal of LOA at SEZonline system; (ii) APR for the year 2018-19 and (iii) deposit of 50% of total outstanding lease rent immediately and balance before September, 2020.

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6. आर.के. रिटेल ट्रेड प्राइवेट लिमिटेड – इकाई के पंजीकृत कार्यालय में बदलाव संबंधित प्रस्ताव।

It was informed to the Approval Committee that M/s. R. K. Retail Trade Pvt. Ltd. has been issued an LOA dated 22/02/2018 for Trading of flavoured chewing tobacco (24039910). The unit commenced its export activities w.e.f. 15/02/2019 and its LOA is valid till 14/02/2024.

6.2 It was further informed that while filing application for setting up an SEZ unit in Noida SEZ on 24.10.2017, in Form 'F', the project report and other documents, the unit had given the registered address as Ground Floor, 9C, Raja Katra, 167, Netaji Subhas Road, Kolkata-700007.

6.3 It was further informed that the unit vide its letter dated 26/08/2019 and subsequent letter dated 04/11/2019 & 19/02/2020 had informed this office that in Form-F, they mentioned registered office address of the Company as Ground Floor, 9C, Raja Katra, 167, Netaji Subhas Road, Kolkata-700007 by mistake which in fact was the registered office address of the Company as per the Certificate of incorporation dt. 15/11/2011 issued to the Company and the registered office of the company was situated at this address up to 30/06/2012. The registered office of the Company at the time of making the said application was 80, Girish Park North, Ground Floor, Room no. 02, Kolkata-700006 (shifted w.e.f. 01/07/2012).

6.4 Unit further informed that thereafter, the registered office has been shifted for the convenience of the importers to the Martin Burn Business Park, Unit No. 1705, 17th Floor, Plot No. 3, Sector-V, Salt Lake City, Kolkata-700091 with effect from 01/01/2018. However, the Administrative and Accounts office of the Company has been continued to be situated at 80, Girish Park North, Ground Floor, Room No. 02, Kolkata-700006.

6.5 In this connection, relevant provisions are as under:-

(A) "Undertaking in Form 'F':-

"I/We hereby declare that the above statements are true and correct to the best of my/our knowledge and belief. I/we shall

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abide by any other condition which may be stipulated by the Development Commissioner. I/We fully understand that any permission letter/Approval granted to me/us on the basis of the statement furnished is liable to cancellation or any other action that may be taken having regard to the circumstances of the case if it is found that any of the statements or facts therein furnished are incorrect or false.

An Affidavit duly sworn in support of the above information is enclosed”.

Further, the Form ‘F’ and other documents are duly supported by applicant with an Affidavit to the effect that statement/ information given in Form ‘F’ and other documents are correct and they understand that the permission letter/approval granted to them is liable to cancellation or any other action that may be taken having regard to the circumstances of the case if it is found that any of the statements/ information or facts therein furnished are incorrect or false.

(B) “Condition No. 14 of BLUT” :-

“We the obligors shall intimate any changes in the Board of Directors/Partners, telephone No. E-mail address, Website, Passport No., Bank address and Factory address, forthwith, to the Development Commissioner and the Specified Officer”.

6.6 No one from the unit was found to be connected with the Committee through video conferencing at the time of its turn.

6.7 The Committee observed that in the instant case, the unit has submitted wrong information in Form-F & other documents at the time of setting up of SEZ unit in NSEZ. Besides, further changes in registered office address took place on 01/01/2018, but was intimated to this office after approx. 20 months which have been intimated to this office forthwith in terms of condition No. 14 of Bond-cum-LUT.

6.8 The Approval Committee observed that unit has been frequently changing its registered office address, without intimation to this office.

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6.9 The Approval Committee directed the Member representatives from Income Tax Deptt. & DGFT, present in the meeting, to obtain a verification report on the company on its all given addresses from their regional office at Kolkata. The Approval Committee further directed that details of the case will be provided to the member representatives of Income Tax Deptt and DGFT for their information and necessary action.

6.10 The Approval Committee, after due deliberations, deferred the matter for its next meeting.

7. इंटरएक्टिविटी ब्रॉडबैंड टेलीकम्यूनिकेशंस लिमिटेड - LOA की समीक्षा तथा ईकाई के नाम में परिवर्तन सम्बंधित प्रस्ताव |

It was informed to the Approval Committee that M/s. Interactivity Broadband Telecommunications Ltd. has been issued an LOA dated 23/11/2005 for (1) Data Broadcast; (2) Movie merchandising; and (3) Assembly of Speciality vehicles having fuel cells and solid state batteries, as amended. The unit commenced its export activities w.e.f. 25/03/2008 and its LOA was valid till 24/03/2018.

7.2 It was further informed that the Approval Committee in the meeting dated 05/12/2018 had inter alia has taken following decision:

- (i). *In-principle approval for renewal of LOA for one year subject to deposition of entire lease rent by 31.03.2019.*
- (ii). *Formal LOA renewal letter will be issued only after payment of entire lease rent.*
- (iii). *Change of name of company from M/s. Interactivity Broadband Telecommunications Ltd. to "M/s. Ionique Technologies Ltd." was approved in terms of Instruction No. 89 dated 17/05/2018 and Instruction No. 90 dated 03/08/2018 and subject to submission of required documents for change of name.*

7.3 It was further informed that LOA of the unit could not be renewed for one year as unit failed to clear outstanding lease rent and hence LOA of the

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unit stands expired w.e.f. 24/03/2018.

7.4 It was also stated that unit has further informed that subsequent to approval received from this office they took immediate steps to implement change of name / objects with ROC and to induct a PE fund as partner in the company. The ROC reverted rejecting the application on 28/12/2018 informing that the proposed name resembled that of another company. They re-filed with some name option including "Ionique Research Limited" on 19/01/2019. The same was held back for processing as the MGT14 Form submitted had not come on online records. Finally after continuous follow up, they could only get the name change approval on 01/04/2019.

7.5 It was further informed that on the basis of above, the instant proposal includes following:

- (i) Renewal of LOA beyond 24/03/2018 [As LOA renewal upto 24/03/2019 as granted by Approval Committee in its meeting held on 05/12/2018 could not be issued due to non-deposition of lease rent]
- (ii) Change of name of company from M/s. Interactivity Broadband Telecommunications Ltd. to "M/s. Ionique Research Limited" [As change of name of unit to 'Ionique Technologies Limited' (as approved by UAC dated 05/12/2018) did not take place due to non-availability of name in ROC.]

7.6 It was also informed that unit vide this office letter dated 11/10/2019 was requested to clear entire lease rent and submit online application in Form-F1 for renewal of LOA along with other documents like amended IEC in the new name & shareholding pattern of the company pre & post change of name. However, unit has till date neither submitted Form-F1 at SEZonline system nor has submitted other documents/information. Currently, lease rent amounting to Rs. 58,66,898/- is outstanding against the unit.

7.7 Shri Satish Mehta, director appeared before the Approval Committee through video conferencing. Shri Mehta informed that he will comply with all



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necessary compliances including deposition of lease rent within a week.

7.8 The Approval Committee observed that LOA was valid upto 24/03/2018 and effect of its extension on 05/12/2018 for one year could not take place as the unit could not fulfil to conditions (including clearance of lease rent by 31/03/2019) subject to which in-principle approval for such extension was granted. After detailed deliberations, the Approval Committee decided to defer the case and directed the unit to clear entire outstanding lease rent and submit online application for renewal of LOA including other documents within a week as assured by it. The Approval Committee further directed to examine the case in detail and place complete facts along with the status of clearance of lease rent before the Approval Committee in its next meeting for further consideration.

8. हॉटज़ इंडस्ट्रीज लिमिटेड - ँँँ की वैध्यता के नवीनीकरण हेतु प्रस्ताव

It was informed to the Approval Committee that M/s. Hotz Industries Limited has been issued an LOA dated 26/04/2007 for (i) Manufacturing of Quilts [94049099] (40000pieces/annum), Cushion Covers [63021010] (60000 pieces/annum), Curtains [63031100](10000 pieces/annum), Table Cover [63049240] (8000 pieces/annum), Napkins [63049220] (60000pieces/annum) & Garments [62031910] (200000pieces/annum); (ii) Manufacturing of Knitted Fabric. The unit commenced its export production w.e.f. 10/12/2008 and its LOA is valid till 07/09/2020.

8.2 It was also informed that the Approval Committee in its meeting held on 06/09/2017 had extended the validity of LOA upto 07/07/2018 and decided that further renewal shall be considered on the basis of performance of unit during the extended period of validity of LOA. Later LOA of unit was extended for two months upto 07/09/2018 so that working of the unit does not suffer. Later, Approval Committee in its meeting held on 01/08/2018 had again extended the validity of LOA of M/s. Hotz Industries Ltd. for two years upto 07/09/2020. The Approval Committee also decided that after completion

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of one year, performance of the unit shall be monitored by Approval Committee.

8.3 Shri Arun Jain, director of the company appeared before the Approval Committee through video conferencing. Shri Jain informed that during previous two years, they have exported goods for over USD 200000 till 31.03.2020. The turnover in the year 2019-20 was affected due to Covid-19, as buyers from USA, Europe and Middle East put their orders on hold and new orders were not placed. In addition, the orders under work in progress were not shipped due to lockdown.

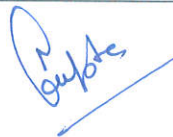
8.4 Shri Jain further informed that they have already installed approx. 130-140 machines worth Rs. 1 Crore in the unit and their production capacity is approx. 15000-20000 pieces/month. Shri Jain further informed that they have made exports worth Rs. 71,87,877.34/- & Rs. 56,80,712.85/- during 2018-19 & 2019-20 respectively.

8.5 It was informed that unit has also been approved manufacturing of Knitted Fabric in its authorized operations. However, the same has not been mentioned in proposed authorized operations in Form-F1. Hence, a clarification about whether they want to delete the said activity from their authorized operations or still want to do the same is needed. Besides, few other deficiencies have also been observed in the unit's application.

8.6 The Approval Committee, after due deliberations, decided to renew the LOA of M/s. Hotz Industries Limited for remaining period of current block of five years i.e. upto 09/12/2023 subject to submission of clarification & rectification of deficiencies observed in their application.

9. सहस्रा इलेक्ट्रॉनिक्स प्राइवेट लिमिटेड - ००० में अतिरिक्त अधिकृत परिचालनों को शामिल करने हेतु प्रस्ताव।

It was informed to the Approval Committee that M/s. Sahasra Electronics Pvt. Ltd. has been issued an LOA dated 09/07/2001 for Manufacturing of : (1) Population and Assembly of PCBs (2) Semiconductor Packaging & Assembly,



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Electronic/Electrical Assemblies, Electronic Toys, Toy Assembly and Parts (3) Manufacturing of LED Electronic Lighting Assembly and Parts with Metal Fixtures. (4) Manufacturing of Rugged Mobile Phones/Walkie Talkie with charger and accessories. (5) Manufacturing of USB Drives/Flash Memory/other removable storage device. The unit commenced its export production w.e.f. 01/11/2001 and its LOA is valid till 31/10/2021.

9.2 It was further informed that unit has submitted a proposal for inclusion of additional manufacturing activities in its authorized operations as follows:

“Manufacturing of Medical Electronics viz:

- (i) Thermometric Sensor Assembly & parts (ITC HS 90259000, Capacity 72000Nos/annum)
- (ii) Pressure Sensor Assembly & parts (90269000, Capacity 36000Nos/annum)
- (iii) Imaging Devices, Ultrasound machine-parts (90279020, Capacity- 36000Nos/annum)
- (iv) Parts of ventilators/respiration apparatus (90192010, Capacity- 36000Nos/annum)”

9.3 Shri Arun Manwani, director appeared before the Approval Committee through video conferencing. Shri Manwani informed that they are manufacturing electronic products in NSEZ since last 20 years. He further informed that in last few years manufacturing activity in electronics has grown rapidly due to new technology, bigger market and supportive policies by Government.

9.4 Shri Manwani further informed that there is huge market of medical electronics worldwide specially in Europe particularly in parts and assemblies segment. Post Covid-19 scenario has increased demand exponentially. Earlier, this sector was mainly catered by China due to less price and high volume. Now, there is anti-China sentiment in most of countries, so it opened up opportunity for Indian companies as well as other companies in this field. He further stated that he hope for a growth of approx. 10% in business.



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	<p>9.5 The Approval Committee, after due deliberations, approved the proposal of M/s. Sahasra Electronics Pvt. Ltd. for inclusion of additional manufacturing items as mentioned above subject to the condition that no Restricted/ Prohibited/SCOMET items shall be allowed for export/import.</p>
10.	<p>लक्ष्मण ओवरसीज - LOA में अतिरिक्त अधिकृत परिचालनों को शामिल करने हेतु प्रस्ताव।</p> <p>It was informed to the Approval Committee that M/s. Lakshman Overseas has been issued an LOA dated 25/10/2002 for Manufacturing & Export of Consumer electronics items such as Electronic Office Equipments, Calculators, Communicators, Palm Top & Computers, Electronic Time Piece/Electronic Wrist Watch/Electronic Movement & Modules (parts of Electronic Wrist Watch). The unit commenced its export production w.e.f. 01/03/2003 and its LOA is valid till 28/02/2023.</p> <p>10.2 It was also informed that lease rent amounting to Rs. 18,86,605/- is currently outstanding against the unit in respect of Plot No. 19 & 67, NSEZ.</p> <p>10.3 It was further informed that unit has submitted a proposal for inclusion of following activities:</p> <p>(i) Warehousing and Logistics Services - General Merchandising, Industrial Raw Material, Plant & Machinery, Fabrics and Garments, Components and Parts, Spare Parts</p> <p>(ii) Trading activities: - Medical related items such as Masks (9020), Diagnostics Medical Devices (901811), Cotton Masks (630790), Fabrics and Garments, Electronic Components, House Keeping items such as Bed Linens Sheets, Covers (6304/6302), Consumables for Hospitals (9402)</p> <p>10.4 Shri Vikas Aggarwal, authorized representative of the unit appeared before the Approval Committee through video conferencing. Shri Aggarwal informed that they are in possession of Industrial Buildings at Plot No. 19 and 67 admeasuring 9000 sq.mtrs. However, due to various reasons they have not been able to put the entire building for use. These two plots have different entrances and buildings which can also be used for different kinds of activity</p>

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and spaces can be earmarked separately as may be required for the purpose of Customs.

10.5 Shri Aggarwal further informed that it has been felt that warehousing and logistics are required at fast pace in order to continue production by manufacturing companies and by foreign factories for keeping their goods for India as well as International users. Multinational companies are interested in using Indian warehouses for International Customers as they get incentives on export in respective countries. He further stated that warehousing will also be used to re-export goods to neighbouring countries as may be decided by the suppliers with little work of labelling, repacking etc. to be done at their site.

10.6 It was informed 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.”

10.7 It was further informed that Rule 5(2) of SEZ Rules, 2006 has been substituted vide notification dated 17/12/2019 inter alia as under:

“5(2)(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

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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.”;

10.8 It was also informed that as per Section 2(z) of SEZ Act 2005, “services” means such tradable services which,-

(i) are covered under the General Agreement on Trade in Services annexed as IB to the Agreement establishing the World Trade Organisation concluded at Marrakes on the 15th day of April, 1994;

(ii) may be prescribed by the Central Government for the purposes of this Act; and

(iii) earn foreign exchange;

10.9 The Approval Committee observed that along with Warehousing, unit has also applied for trading and logistic services. Besides, unit is already allowed manufacturing activity in its LOA. The Approval Committee did not agree with the request of unit to include logistic services in the LOA as it can be undertaken by Developers only. Further, Approval Committee sought clarification from Shri Vikas Aggarwal regarding inclusion of Trading and Warehousing both. Shri Aggarwal requested to permit Warehousing activities only along with already allowed manufacturing activity. The Approval Committee agreed with the request of unit for not consideration of trading.

10.10 The Approval Committee decided to allow warehousing activity initially for 1 year and further extension shall be granted after monitoring of performance of warehousing activity during this period. However Shri Aggarwal requested to grant them Warehousing permission atleast for two years. The Approval Committee finally decided to grant the permission for warehousing for 18 months.

10.11 The Approval Committee, after due deliberations, approved the proposal of M/s. Lakshman Overseas for inclusion of warehousing of General



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Merchandising, Industrial Raw Material, Plant & Machinery, Fabrics and Garments, Components and Parts, Spare Parts in its authorized operations for 18 months from the date of issuance of approval letter for the same subject to following terms & conditions:-

- (i) All export/import/DTA clearance of Warehousing goods shall be subject to 100% examination by Customs in terms of quantity and value.
- (ii) The authorized operations of the unit will be strictly as per scope of Rule 18(5) of SEZ Rules, 2006.
- (iii) No export / import of any items will be allowed, which comes under Prohibited / Restricted items under prevalent Import policy given in latest ITC (HS) Classification or any other law and/or covered under SCOMET list as per DGFT Notifications/Public Notice /Instructions issued from time-to-time.
- (iv) Unit shall obtain necessary NOC from the concerned department, whenever required as per Import Policy of DGFT.
- (v) All transactions shall only be in free foreign currency in terms of proviso to Rule 18(5) of SEZ Rules, 2006.

10.12 The Approval Committee further agreed with the request of the unit for withdrawal of request regarding inclusion of trading & logistics services in the LOA. The Approval Committee also directed the representative of the unit to clear entire lease rent before September' 2020 and in any case deposit 50% of due lease rent before 30/06/2020.

Meeting ended with a vote of thanks to the Chair.

On Leave

(S. S. Shukla)
Jt. Development Commissioner



(Dr. L. B. Singhal)
Development Commissioner