

NOIDA SPECIAL ECONOMIC ZONE

Minutes of 4th meeting (2010 Series) of Unit Approval Committee for EOU Scheme held under the Chairmanship of Shri. S.C. Panda, Development Commissioner, NSEZ, Noida on 20.05.2010 at 11.30 AM at NSEZ, Noida.

4th meeting (2010 Series) of Unit Approval Committee for EOU scheme (UAC) was held on 20.05.2010 under the Chairmanship of Shri S.C. Panda, Development Commissioner, Noida SEZ. List of participants is enclosed at Annexure I. The Chairman welcomed all the participants of the UAC and thereafter agenda was taken up for discussion.

4.1 Confirmation of minutes of 3rd meeting (2010 series) of the UAC held on 12.04.2010

The Committee ratified the minutes of the 3rd UAC meeting (2010 Series).

4.2 Setting up of an 100%EOU by M/s. Meh India Overseas, E-10, Kuber (Ranpur) Industrial Area, Kota (Rajasthan) for manufacture and export of Marble (Star / Tiles), Sand Stone (Slab / Tiles) Slate (Slab / Tiles)

The Committee deliberated the proposal and noticed that the proposal for setting up 100%EOU is for the same premises for which a LOP was already granted to M/s. Mehta Export House. The company has changed the name as M/s. Meh India Overseas with the same set of persons as Directors who were partner in the erstwhile company. Since the LOP issued was not implemented by the firm and the jurisdictional Commissioner of Central Excise, Kota has not recommended the proposal, the Committee has decided to reject the proposal.

4.3 Partial conversion of existing DTA unit into 100% EOU by M/s Sun Pharmaceutical Industries, Jammu– (J&K) for manufacture & export of various Pharmaceuticals formulations

The Committee deliberated the proposal and noticed that jurisdictional Commissioner of Central Excise, Jammu & Kashmir had recommended the proposal. The Committee has also noticed that DC, SEEPZ has also issued two LOPs in 2008 to this company and their group company. The Dy. Commissioner of C.Ex., Jammu has also informed the Committee that they are satisfied with segregation made by the company in the existing DTA unit for EOU. Hence, the Committee approved the proposal.

While granting bonded licenses, the jurisdictional Commissioner may ensure proper segregation of the EOU & DTA unit and should also ensure proper stocking of the raw material, finished goods and maintenance of the records separately for the EOU and DTA unit.

4.4 Setting up of an 100%EOU by M/s Bathla Minerals Pvt Ltd, B-258, Road No.6 I.P. Industrial Area, Kota-324005 (Rajasthan) for manufacture and export Sand Stone and Lime Stone

The Committee noticed that the deficiencies observed in the proposal have not been complied with by the unit despite the reminders and personal persuasion by the ADC. The Committee felt that the promoter of the company may not be interested in the proposal for setting up of 100%EOU in view of the sunset clause of Income Tax w.e.f. 31.03.2011.

In view of the fact aforesaid and also in view that nobody has attended this meeting, the Committee decided to reject the proposal.

4.5 Setting up of an 100%EOU by M/s Dolphin Energy Pvt Ltd, B-155, Sector 63, NOIDA-201303 (U.P.) for manufacture and export of Solar Panel

The Committee noticed that the deficiencies observed in the proposal have not been complied with by the unit despite reminders and personal persuasion by the ADC. It is also noted that few essential documents have not been submitted by the company for consideration of their proposal. Further, the Addl. Commissioner of Central Excise, NOIDA informed the Committee that premises was visited by their officers but no activity was found in the premises.

In view of the fact aforesaid and also in view that nobody has attended this meeting, the Committee decided to reject the proposal.

4.6 Diversification of existing manufacturing line in EOU units by including product such as molded junction box, molded lighting products, molded LEDs, molded consumer electronics items, molded auto components, molded solar lanterns, molded ophthalmic/opto lense in terms of para 6.32 (5) of FTP by M/s Moser Baer India Ltd., Plot No. 66, Udyog Vihar, Greater Noida (U.P.).

The Committee deliberated the issue and heard the representatives of the company. The representatives informed that proposed broad banding of the products which are arising out of the existing line of manufacture. They have explained that the expansion of their goods would enable them to utilize their capacity optimally and economically in view of the fact that the demand in Optical media business is depleting and they have made capital investment of Rs. 350 crores in this line of manufacturing.

Since the proposed products are arising from the existing line of manufacture without any incremental cost in manufacture of the same, the Committee has decided to approve broad banding of the six items except molded auto components.

The Chairman directed that specific description of each product may be obtained for incorporating in the LOP.

4.7 Acceptance of Legal Undertaking (LUT) consequent upon extension of LOP, in the wake of various issues like fixation of SION and matter concerning revenue by M/s Marble Art, D-26, Sector-XI, Noida (U.P.).

The Committee deliberated the proposal. The Addl. Commissioner of Central Excise, NOIDA has informed the Committee that there are certain evasion cases of Excise duty against the unit which are pending in the Settlement Commission and the final verdict on the same yet to be received. She has mentioned that amount of duty evasion is of Rs 20 crores besides penalty and fine. She has also mentioned that they have launched prosecution in this case with the CJM, NOIDA. The concerned ADC informed that there are instances when the unit has taken LOP for the additional premises but these were not bonded by the jurisdictional Central Excise authorities in the past.

Representative of the company have informed the Committee that they are fighting their case and not undertaking any activity related to marble.

In view of the aforesaid facts, the Committee decided that the detailed report in the matter from the jurisdictional Commissioner of Central Excise may be obtained and deferred the proposal.

The meeting ended with the vote of thanks to the chair.

(S.C. Panda)
Development Commissioner

Encl : annexure- I

Annexure- I**List of Participants**

1. Shri S.C. Panda, Development Commissioner, NSEZ.....Chairman
2. Shri Sanjay Rastogi, Zonal DGFT, CLA
3. Shri C. P. S Bakshi, Joint Development Commissioner, Noida SEZ.
4. Mrs. Anice Joseph Chandra, Addl. Commissioner, C.Ex., Noida
5. Shri C.L. Dogra, Dy. Commissioner, Commissioner of C.Ex., Jammu & Kashmir.
6. Shri Virender Kumar, Asst. Commissioner, C.Ex., Noida
7. Shri Rakesh Agarwal, Asstt. Dev. Commissioner, NSEZ.....Convener
8. Shri A.K. Singh, Asst. Dev. Commissioner, NSEZ