

**NOIDA SPECIAL ECONOMIC ZONE**

**Minutes of 4<sup>th</sup> Meeting (2014 Series) of Unit Approval Committee for EOU Scheme held under the Chairmanship of Shri Sumeet Jerath, IAS, Development Commissioner, NSEZ, Noida on 18.12.2014 at 12.00 Noon at NSEZ, Noida.**

4<sup>th</sup> meeting (2014 Series) of Unit Approval Committee for EOU scheme (UAC) was held on 18.12.2014 under the Chairmanship of Shri Sumeet Jerath, IAS, Development Commissioner, Noida SEZ. The following members of UAC were present in the meeting:

1. Shri Sumeet Jerath, IAS, Development Commissioner, NSEZ .....Chairman
2. Shri Rakesh Gupta, Joint Commissioner, Noida-II, Central Excise, Greater Noida.
3. Smt. Mala Rangarajan, Deputy Development Commissioner, NSEZ, Noida.
4. Shri Mahabir, Deputy Commissioner, Central Excise, Noida-I.
5. Shri Ram Baboo, Assistant Development Commissioner, NSEZ
6. Dr. Sukhbir S. Badhel, Assistant DGFT, DGFT CLA New Delhi.
7. Shri D.P. Sharma, Assistant Commissioner, Central Excise, Division-I, Noida-II.
8. Shri S.M. Sharma, Assistant Commissioner, Division-II, Noida-II.

The Chairman welcomed all participants of the UAC and thereafter agenda was taken up for discussion.

**4.0(14) Confirmation of minutes of 3<sup>rd</sup> meeting (2014 series) of the UAC held on 14.08.2014**  
The Committee ratified the minutes of the 3<sup>rd</sup> UAC meeting (2014 Series).

**4.1(14) Proposal for setting up 100% EOU by M/s Neeru Menthol (P) Ltd., Panwaria Bareilly Road, Rampur-244901 (U.P.).**

The Committee, after due deliberation, approved the proposal.

**4.2(14) Proposal of M/s Indo Solar for adjudication of SCN in respect of Negative NFE in 1<sup>st</sup> block.**

The case of non-fulfillment of export obligation of m/s Indo Solar was taken up for adjudication. Authorized representatives of the Company admitted that the unit was unable to fulfill the stipulated export obligation. However, they sought a lenient view since the shortfall has been on account of genuine reason and reason beyond the control of the unit.

The Committee noted that as per minutes of BOA meeting 2014 series held on 24.07.2014, extension of LOP of the unit for next five years is contingent upon payment of duties and penalties in accordance with the notification No. 52/2003-Cus dated 31.03.2003. The Managing Director of the company submitted that they propose to file an appeal before the BOA against the decision and submit a legal undertaking in the matter to the concerned Central Excise as well as Development Commissioner Office.

DC, after carefully perusing the charges levied against the unit, oral submission made by the unit and documents made available, decided to impose a penalty of Rs.1 lakh for non-fulfillment of export obligation in the first block year period under FT(D&R) Act, 1992.

**4.3 (14) Proposal of M/s D & Y Technologies Ltd. for adjudication of SCN in respect of suppression of facts of EPCG License.**

The case of suppression of information regarding EPCG license of M/s D&Y Technologies Ltd. was taken up for adjudication. Authorized representative of the company made oral submission before the Committee.

The Committee, after carefully perusing the charges levied against the unit, oral submission made by the unit, observed that arguments put forth by the Company were not cogent enough.

DC, therefore, decided to impose a penalty of Rs. 2.00 lakhs for suppression of facts regarding EPCG license and also advised the unit to pay duty forgone along with interest on account of import of machinery under EPCG Scheme to the Custom authorities.

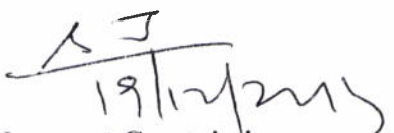
**4.4 (14) Proposal of M/s Elcomponics Sales (P) Ltd. for adjudication of SCN in respect of non-submission of prior intimation for DTA clearance/transfer of goods.**

The case regarding non-submission of prior intimation in respect of DTA clearance was taken up for adjudication. Authorized representative of the Company admitted that they had not furnished prior intimation in respect of DTA clearance. He, however, sought a lenient view since it was a minor procedural violation.

DC, after carefully perusing the charges levied against the unit, oral submission made by the unit, decided to impose a penalty of Rs.1 lakh for not complying with the procedural requirement of prior intimation in respect of DTA sale under FT (D&R) Act, 1992.

**4.5 (14) Proposal of M/s UOP India Ltd. for change in description of items of manufacture in Letter of Permission (LOP).**

The Committee deliberated the proposal and noted that the amendment sought would not in any manner change the nature of activities the EOU is engaged in. The Committee, therefore, decided to approve amendment sought in the LOP in respect of description of nature of activity from "R&D Services/ IT Enabled Services" to "IT enabled Services in the nature of Technical Assistance".

  
Development Commissioner