

मुरादाबाद विशेष आर्थिक क्षेत्र

(दिनांक 13/07/2023 को आयोजित अनुमोदन समिति की बैठक का कार्यवृत्त)

Minutes of meeting of the Approval Committee of Moradabad SEZ held under the Chairmanship of Shri A. Bipin Menon, Development Commissioner (DC), Noida SEZ at 11:00 AM on 13/07/2023 through video conferencing.

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

1. Shri Surender Malik, Joint Development Commissioner, NSEZ
(Nominee of Deptt. of Commerce in terms of letter dated 23/09/2008).
2. Shri Chaman Lal, Assistant DGFT, DGFT Delhi.
3. Shri Manish Kumar Pathak, Asstt. Commissioner (Industries), DIC, Moradabad.
4. Ms. Gesu Mourya, Area Manager, UPSIDA.
5. Shri Devendra Kumar Tomar, Superintendent, CGST Moradabad.
6. Shri Bhupendra Singh Martolia, Inspector, Customs, ICD Moradabad.
7. Shri Pankaj Khatri, Inspector, Income Tax Department, Moradabad.

B. Besides, during the meeting S/Shri (i) Nitin Gupta, Dy. Development Commissioner, Moradabad SEZ (ii) Kiran Mohan Mohadikar, Specified Officer (Customs), Moradabad SEZ, and (iii) Vikas, Assistant Development Commissioner, Moradabad SEZ were also present to assist the Approval Committee. It was informed that the stipulated quorum for holding the meeting was available and the meeting could proceed.

C. At the outset, the Chairman welcomed the participants. After a brief introduction, the agenda was taken up sequentially. After detailed deliberations amongst the members of the Approval Committee as well as interaction with the applicants/representatives of the units, the following decisions were unanimously taken:-

1.	<u>Ratification of Minutes of last meeting of the Approval Committee held on 08/06/2023.</u> As no reference against the decisions of the Approval Committee meeting held on 08/06/2023 has been received, the Approval Committee took note of the same and accordingly, Minutes of the meeting held on 08/06/2023 were unanimously ratified.
2.	<u>Proposal for expansion of area.</u>
2.1	M/s Dewan India



	<p>1. M/s Dewan India's proposal for expansion of area i.e. addition of plot No. J-06 along with enhancement of NFE projections was placed before the Approval Committee for consideration.</p> <p>2. The Committee was informed that M/s Dewan India was given allotment of Plot No. J-06, Pocket-'B', Moradabad SEZ measuring 7608.40 sq. metres by the developer vide letter No. SER20220527/1000/1262/52050/SIDC-IA/SEZ Moradabad/217 dated 21.06.2022.</p> <p>3. Shri Saket Karn, Authorised representative of the unit appeared before the Approval Committee and explained the proposal. Shri Saket informed that they need to expand their operations since their existing buyers and new buyers are placing more orders. He informed that their major export destinations were USA, UK and EU. Their major products were Handicraft including Kitchenwares, Christmas presents, Garden lights, Fireplace etc. He further informed that they mainly manufacture products using regular wood like Bamboo, Mango, Pine, Acacia etc.</p> <p>4. The Approval Committee, after due deliberations, approved the expansion of area i.e. addition of plot No. J-06, pocket- 'B' in LOA of M/s Dewan India along with enhancement of NFE projections. The approval is subject to submission of response to this office letter dated 11.07.2023.</p>
3.	<p>Monitoring of cases for Forex pending for realization beyond stipulated time:</p> <p>3.1 M/s Abhishek International</p> <p>1. Shri Abhishek Agarwal, partner of the unit tried to appear virtually through Webex before the Approval Committee but due to some technical issue at their end, was not able to connect audio/video and , therefore could not explain his proposal.</p> <p>2 . The Approval Committee, after due deliberations, took serious note of Forex of Rs. 1.83 Crores pending for realization by the unit and directed that a letter to be issued to the unit seeking status of Forex pending for realization along with copy of eBRC(s) w.r.t. remittances already received. The Committee further directed as under:</p> <ol style="list-style-type: none"> The unit's promoter(s) or authorised representative shall appear in person either in Moradabad SEZ or Noida SEZ during the next meeting of Approval Committee. The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.



3.2 M/s A & S International

1 . No-one from the unit appeared before the Approval Committee.

2 . The Approval Committee, after due deliberations, took serious note of Forex of Rs. 97.58 Lakhs pending for realization by the unit and directed that a letter to be issued to the unit seeking status of Forex pending for realization along with copy of eBRC(s) w.r.t. remittances already received. The Committee further directed as under:

- i. The unit's promoter(s) or authorised representative shall appear in person either in the administrative office of Moradabad SEZ or Noida SEZ during the next meeting of Approval Committee.
- ii. The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.
- iii. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.

3.3 M/s Bansal Inc.

1 . Shri Avinash Anand ,Representative of the unit tried to appear virtually through Webex before the Approval Committee but due to some technical issue at their end, he was not able to connect audio/video and explain his proposal.

2 . The Approval Committee, after due deliberations, took serious note of Forex of Rs. 2.15 Crores pending for realization by the unit and directed that a letter to be issued to the unit seeking status of Forex pending for realization along with copy of eBRC(s) w.r.t. remittances already received. The Committee further directed as under:

- i. The unit's promoter(s) or authorised representative shall appear in person either in the administrative office of Moradabad SEZ or Noida SEZ during the next meeting of Approval Committee.
- ii. The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.
- iii. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.

3.4 M/s Bright Star Impex

1 . No-one from the unit appeared before the Approval Committee.

2 . The Approval Committee, after due deliberations, took serious note of Forex of Rs. 61.56 Lakhs pending for realization by the unit and directed that a letter to be issued to the unit seeking status of Forex pending for realization along with copy of eBRC(s) w.r.t. remittances already received. The Committee further directed as under:

- i. The unit's promoter(s) or authorised representative shall appear in person either in the administrative office of Moradabad SEZ or Noida SEZ during the next meeting of Approval Committee.
- ii. The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.
- iii. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.

3.5 M/s Gemini Enterprises

1 . No-one from the unit appeared before the Approval Committee.

2 . The Approval Committee, after due deliberations, took serious note of Forex of Rs. 18.92 Crores pending for realization by the unit and directed that a letter to be issued to the unit seeking status of Forex pending for realization along with copy of eBRC(s) w.r.t. remittances already received. The Committee further directed as under:

- i. The unit's promoter(s) or authorised representative shall appear in person either in the administrative office of Moradabad SEZ or Noida SEZ during the next meeting of Approval Committee.
- ii. The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.
- iii. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.

3.6 M/s Global Export House

1. Shri Mohan Maheshwari, partner of the unit appeared before

the Approval Committee. He informed that payment Certificate issued by ICICI bank for Forex amounting to Rs. 2.67 Crores has been submitted to Moradabad SEZ office. He also informed that as on date unit has Rs. 3.63 Crores pending for realization out of which Rs. 41.31 Lakhs is pending for a long time on UAE buyer due to his health conditions and is expected to be remitted in parts in near future. Shri Maheshwari also informed that except for that approx. Rs. 80.00 Lakhs of Forex is pending in Dubai and remaining in Sudan which is expected to be realized soon and was stuck due to civil unrest in Sudan.

2. The Approval Committee, after due deliberations, directed that the unit shall submit copy of eBRC(s) w.r.t. remittances already received. The Committee also directed unit to take immediate steps to realize the remaining pending Forex at the earliest.

3.7 M/s JMD International

1. No-one from the unit appeared before the Approval Committee.

2. The Approval Committee, after due deliberations, took serious note of Forex of Rs. 25.33 Lakhs pending for realization by the unit and directed that a letter to be issued to the unit seeking status of Forex pending for realization along with copy of eBRC(s) w.r.t. remittances already received. The Committee further directed as under:

- i. The unit's promoter(s) or authorised representative shall appear in person either in the administrative office of Moradabad SEZ or Noida SEZ during the next meeting of Approval Committee.
- ii. The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.
- iii. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.

3.8 M/s Madhava Manufacturing Company

1. Shri Madhava Suri, authorised representative appeared before the Approval Committee and informed that the outstanding Forex is from a buyer in USA and expected to be cleared in next 10-15 days. He also informed that they export iron and brass products to buyers in USA and UK. He further informed that he will submit APRs for previous years at the earliest.

2. The Approval Committee, after due deliberations, directed as under:

	<ul style="list-style-type: none"> i. The case would be reviewed in the next meeting of Approval Committee. ii. The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit. iii. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.
	<p>3.9 M/s Shaila Exports</p> <p>1. No-one from the unit appeared before the Approval Committee.</p> <p>2. The Approval Committee, after due deliberations, took serious note of Forex of Rs. 10.28 Crores pending for realization by the unit and directed that a letter to be issued to the unit seeking status of Forex pending for realization along with copy of eBRC(s) w.r.t. remittances already received. The Committee further directed as under:</p> <ul style="list-style-type: none"> i. The unit's promoter(s) or authorised representative shall appear in person either in the administrative office of Moradabad SEZ or Noida SEZ during the next meeting of Approval Committee. ii. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.
	<p>3.10 M/s Guildart Unit-II</p> <p>1. No-one from the unit appeared before the Approval Committee.</p> <p>2. The Approval Committee, after due deliberations, took serious note of Forex of Rs. 2.21 Crores pending for realization by the unit and directed that a letter to be issued to the unit seeking status of Forex pending for realization along with copy of eBRC(s) w.r.t. remittances already received. The Committee further directed as under:</p> <ul style="list-style-type: none"> i. The unit's promoter(s) or authorised representative shall appear in person either in the administrative office of Moradabad SEZ or Noida SEZ during the next meeting of Approval Committee. ii. The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit. iii. The unit shall also get ITC(HS) codes updated for its

	authorised operations as per existent HS 2023 nomenclature.
	<p>3.11 M/s Indian Heritage Perfumers</p> <p>1. No-one from the unit appeared before the Approval Committee.</p> <p>2. The Approval Committee, after due deliberations, took serious note of non-submission of APRs for previous years by the unit. The Committee further decided as under:</p> <ol style="list-style-type: none"> The unit shall submit pending APR(s) for previous year(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit. The unit shall also get ITC(HS) codes updated for its authorised operations as per existent HS 2023 nomenclature.
4.	<p>Proposal for inclusion of additional authorised operations.</p> <p>4.1 M/s Sehar Overseas</p> <p>1. M/s Sehar Overseas's proposal for inclusion/revision of additional authorised operations in LOA was placed before Approval Committee for consideration.</p> <p>2. The Committee was informed that the unit appealed under Rule 55 of SEZ Rules before the Board of Approval against the decision of Approval Committee meeting held on 25.04.2023 in the matter. The appeal of unit was placed before BoA in its 115th meeting held on 17.06.2023 wherein <i>"the Board heard the appellant and, after deliberations, remanded the matter back to DC, Noida SEZ with direction to give a personal hearing to the appellant, take appropriate decision through UAC and pass a detailed speaking order based on findings."</i></p> <p>3. In view of directions of BoA, M/s Sehar Overseas was given personal hearing before Approval Committee in its meeting held on 13.07.2023 to explain their proposal.</p> <p>4. Mohd. Adnan Arif, partner of the unit appeared before the Approval Committee for personal hearing and explained their proposal. Shri Adnan informed that they are awaiting inclusion of additional items so that they can receive order for proposed items from overseas buyers. He informed that they have submitted revised proposal on 06.07.2023 w.r.t. proposed additional items since their earlier proposal dated 29.06.2022 had calculation issues in projections. Shri Adnan informed that</p>

they will arrange required funds from partner's own capital. He also informed that they will import the required raw-materials from Indonesia and export the finished products to Vietnam & Malaysia.

5. On being asked about experience of partner(s) of unit in the proposed products and market competitiveness in the field, Shri Adnan informed that he had done market survey and research but admitted that he had no previous experience of manufacturing or export of the said products. On being asked if there is any other unit involved in manufacturing of these products in and around Moradabad, Shri Adnan replied in the negative. The approval Committee asked why he is not interested in manufacturing of the products like textiles/garments or handicrafts, for which the Moradabad and neighboring area are popular; he was not able to give any satisfactory response. On being asked how the proposed business would be a profit making venture, particularly when the unit has proposed to source raw material through imports from the neighboring country of the proposed exporting destinations, Shri Adnan could not give any satisfactory reply.

6. The representative of UPSIDA informed that the unit has an amount of Rs. 96,681.00 due for payment which may be paid by the unit after logging in to the Nivesh Mitra website.

7. The Approval Committee, after detailed deliberations, observed the following:

- i. Promoter(s) of the unit does not have any ground level experience in the field of proposed products.
- ii. The proposed raw-materials are sensitive in nature and have high import duties. This is on account of imports of the product diverted to countries where customs duty benefits are available for exports to India under FTAs. Some investigations are also ongoing in CBIC of misdeclaration of the product in some ports.
- iii. There is a import tariff value on the product which is a barometer of the sensitivity with respect to customs valuation. DGFT has also imposed a minimum import price.
- iv. The proposed manufacturing process and the products are not a specialty of the region. The unit could not explain of there was anyone doing this in the DTA.
- v. The import of raw-materials from and export of finished products to the ASEAN region does not seem competitively feasible.
- vi. The unit's performance in the past is marginal since its commencement of production in 2018 and it did not work even after change of constitution & broad-banding of back LOA in 2019.

- vii. The unit is actually not doing or does not intend to export Handicraft products which is the specialty of the Moradabad region.

8. The Approval Committee, after due deliberations and in the light of the reasons above, decided to reject the proposal of M/s Sehar Overseas for inclusion/revision of additional authorised operations in respect to observations mentioned above. The Committee further directed that a speaking order in the matter may be issued to the unit intimating decision of UAC.

4.2 M/s Designers International

1. M/s Designers International's proposal for (i) ratification of one-time permission of Export and (ii) inclusion/revision of additional authorised operations in LOA was placed before Approval Committee for consideration.

2. The Committee was informed that M/s Designers International has been given one-time permission dated 17.06.2023 for following export by DC, NSEZ for fulfilling their urgent export obligations:

Sr. No.	Description of goods	ITC(HS) code	Value of consignment
01	Stone Artwares	68159990	Rs. 25,00,000.00

3. Shri Ghulam Samnani, partner of the unit appeared before the Approval Committee and explained their proposal. Shri Samnani informed that they proposed to include 01 additional product/ITC(HS) code in LOA and revise ITC(HS) codes of 02 existing products in view of HS 2023 nomenclature. He further informed that they will use existing Plant and Machinery for manufacturing of additional items. On being asked about details of proposed stone artwares, Shri Samnani informed that they use marble/stone as base for other metal crafts including Christmas trees and showcased the product to members of UAC. He also informed that they do not wish to import marble/stone and will procure the same from domestic markets in Moradabad. Shri Samnani further informed that their major export goes to Germany and other European countries.

4. The representative of UPSIDA informed that the unit has an amount of Rs. 55,152.00 due for payment which may be paid by the unit after logging in to the Nivesh Mitra website.

5. The Approval Committee, after due deliberations, decided the following:

- i. The unit shall pay the pending dues of developer UPSIDA at the earliest.

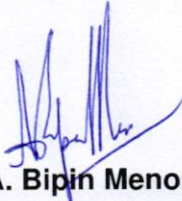
- ii. Ratified the permission dated 17.06.2023 w.r.t. one-time permission for export of Stone artwares (HS 68159990).
- iii. Adhere to all the norms for import of items restricted for imports including those having minimum import price or tariff value.
- iv. Approved inclusion/revision of following products/ITC(HS) codes as authorised operations in LOA dated 29.05.2019 :

Sr. No.	Description as per unit	ITC HS Code
1	Handicrafts of Brass artware	74198030
2	Handicrafts of Copper artware	74198040
3	Handicrafts of Stone artware	68159990

Meeting ended with a vote of thanks to the Chair.


(Surender Malik)

Jt. Development Commissioner


(A. Bipin Menon)

Zonal Development Commissioner