

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.10/13/2006 -प्रोज/

दिनांक: 07/03/2016

सेवा मे,

1. मुख्य कार्यपालक अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नोएडा।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली।
3. आयुक्त, आयकर, ए 2 डी, आयकर भवन, सेक्टर 24, नोएडा।
4. आयुक्त, सीमा शुल्क, नोएडा सीमा शुल्क आयुक्तालय, इनलैंड कंटेनर डिपो, तिलपता, दादरी, गौतम बुद्ध नगर, उत्तर प्रदेश - २०१३०६.
5. निदेशक, 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, नोएडा।

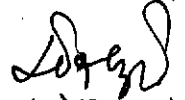
विषय: दिनांक 02/03/2016 को पूर्वाह्न 11:30 बजे आयोजित नोएडा विशेष आर्थिक क्षेत्र की यूनिट अनुमोदन समिति की बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

मुझे उपरोक्त विषय का सन्दर्भ लेने और डॉ. एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता मे दिनांक 02/03/2016 को पूर्वाह्न 11:30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा मे आयोजित नोएडा विशेष आर्थिक क्षेत्र की यूनिट अनुमोदन समिति की बैठक का कार्यवृत्त अग्रेषित करने का निर्देश हुआ है।

संलग्नक : उपरोक्त

भवदीय,

  
(राकेश कुमार)

उप विकास आयुक्त

प्रतिलिपि:

1. संयुक्त सचिव (एस.ई.जेड.), वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली - सूचनार्थ।
2. विशेष कार्याधिकारी - विकास आयुक्त के सूचनार्थ।
3. वेयक्तिक सहायक - संयुक्त विकास आयुक्त के सूचनार्थ।
4. निर्दिष्ट अधिकारी, नोएडा विशेष आर्थिक क्षेत्र - सूचनार्थ एवं आवश्यक कार्यवाही के लिए.
5. सहायक विकास आयुक्त, सम्पदा अनुभाग, नोएडा विशेष आर्थिक क्षेत्र, सूचनार्थ एवं आवश्यक कार्यवाही के लिए.

उप विकास आयुक्त

## **Noida Special Economic Zone**

(Minutes of Meeting of Approval Committee of Noida SEZ held on 02/03/2016)

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### **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 11:30 AM on 02/03/2016 in the Conference Hall of NSEZ.**

The following members of Unit Approval Committee (UAC) were present during the meeting:-

- 1) Shri S.S. Shukla, Jt. Development Commissioner, NSEZ.
- 2) Shri Sanjay Misra, Asstt. Commissioner, Customs, Noida Commissionerate.
- 3) Shri Sudhir Kumar, Income Tax Officer, Income Tax Deptt., Noida.
- 4) Shri Tribhuvan Nath Patel, Addl. Statistical Officer, DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.)

2. Besides, during the meeting S/Shri (i) Rakesh Kumar, Dy. Development Commissioner, NSEZ, (ii) R.K. Srivastava, Dy. Development Commissioner, NSEZ, (iii) A.K. Srivastava, Specified Officer, NSEZ, (iv) R.P. Verma, Asstt. Development Commissioner, NSEZ (v) Shyam Milan Yadav, SDO, UPPCL, and (vi) Kapil Muni, JE, UPPCL, Noida were also present to assist the UAC.

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:-**

It was informed that no reference against the decisions of the UAC held on 10/02/2016 was received and therefore, Minutes of the meeting held on 10/02/2016 were ratified.



**Item wise decisions on proposals included in agenda:**

**1. Proposal of M/s. Sugandhi Snuff King Pvt. Ltd. for setting up a new Unit in NSEZ.**

It was informed to UAC that the applicant has proposed to set up a new unit in NSEZ to undertake the manufacturing & export of i) Panchatani, ii) Gulkand, iii) Kimam, iv) Bell Powder, v) Chewing Tobacco and vi) Mouth Freshener with projected exports of Rs. 5953.28 Lakhs and the NFE of Rs. 5820.14 Lakhs over a period of five years.

Shri Vickey Chaurasia, Director appeared on behalf of the applicant. He informed that they will procure the raw material i.e. Tobacco from Gujarat and other items from Delhi and will export the manufactured products to Burma, Saudi Arabia, UAE etc.

It was informed to Shri Chaurasia that the Govt. of Uttar Pradesh vide Notification No. 6288/FSDA/FOOD/2012 dated 04/10/2012 in pursuance of Regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulation 2011, has prohibited, w.e.f. 1<sup>st</sup> April 2013, in the state of Uttar Pradesh, the manufacture, storage, sale or distribution of Gutkha and Pan Masala containing tobacco or nicotine as ingredients, by whatsoever name it is available in the market.

Shri Chaurasia informed that Chewing Tobacco is not prohibited by Govt. of U.P. and they have already been operating one partnership firm in the name of 'Sugandhi Snuff King' in Varanasi, Uttar Pradesh for last 25 years for manufacturing & sale in local market for chewing tobacco. He further informed that Chewing Tobacco will constitute 40-50% of total exports of items mentioned in their project application. Further Shri Chaurasia confirmed that they will do 100% export and no DTA sale will be carried out.

The UAC directed the applicant to submit details of their registration with Central Excise Deptt., copy of returns filed with Central Excise Deptt. and details of jurisdictional division of commissionerate so as to verify whether their activity is allowed after taking into account the Notification dated 04/10/2012 by Govt. of U.P.

After due deliberations, the Approval Committee approved the application of M/s. Sugandhi Snuff King Pvt. Ltd. for setting up a new unit in Noida SEZ for manufacture & export of i) Panchatani, ii) Gulkand, iii) Kimam, iv) Bell Powder, and v) Mouth Freshener



subject to condition that unit shall make 100% export and no DTA shall be allowed. The UAC further decided to include the manufacture of chewing tobacco in LOA on receipt of Copy of their registration with Central Excise Deptt.; copy of returns for last two years filed with Central Excise Deptt.; and verification report from Central Excise whether the unit has been manufacturing chewing tobacco even after issuance of said notification of Govt. of U.P. issued on 04/10/2012.

2. **Proposal of M/s. Jassal Impex Pvt. Ltd. for setting up a new Unit in NSEZ.**

It was informed to UAC that the applicant has proposed to set up a new unit in NSEZ to undertake manufacturing & export of Readymade Garments & Artificial Jewellery with projected exports of Rs. 35600 Lakhs and the NFE of Rs. 11600 Lakhs over a period of five years. It was also informed that some deficiencies have been observed in the application, which have been communicated to the Applicant for necessary rectification.

Shri Deepak Jassal, Director and Shri Gaurav Kirpal, GM appeared on behalf of the company. Shri Jassal informed that the company has been incorporated in July 2015 and it took over the business of M/s. Jassal Garment, which was doing trading activities since 2013. He further informed that in respect of manufacturing of garments, they will procure the raw material i.e. Fabric from Ludhiana and China and after manufacturing they will export the same to European countries.

Shri Jassal further informed that in respect of manufacturing of Artificial Jewellery the raw material will be imported from China/Hong Kong and products will be exported to European countries. He also informed that total export sale will constitute 25% readymade garments and 75% artificial jewellery.

It was informed to the representatives that their project does not seem viable as they have projected space requirement of 250 Sq. Mtrs. only against proposed employment of 100 persons. Shri Gaurav Kirpal submitted a layout plan and stated that for manufacturing of garments & artificial jewellery the above space requirement is enough. He also stated that he is already running a company namely M/s. Sai Bhakti Impex Pvt. Ltd. in Ludhiana where turn over in last year was approx. Rs. 117 Crores. Shri Kirpal informed that they are not aware of the labour laws in Noida and will apply for a bigger space of 500 Sq. mtrs. for their project. It was informed that area of one SDF is approx..



500 sq. mtrs. Promoters of the company agreed to apply for one full SDF.

The UAC directed the representatives to submit background of both representatives i.e. Shri Deepak Jassal and Shri Gaurav Kirpal along with balance-sheet of M/s. Sai Bhakti Impex Pvt. Ltd. for last three years in which Shri Kirpal is a Director.

After due deliberations, the Approval Committee approved the application of M/s. Jassal Impex Pvt. Ltd. for setting up a new unit in Noida SEZ subject to the following conditions and submission of above documents & rectification of deficiencies in their application:

1. Separate records of export/import in NSEZ w.r.t. Readymade Garments as well as Artificial Jewellery shall be maintained.
2. Unit will have to achieve positive NFE separately in respect of Readymade Garments and Artificial Jewellery.

**3. Proposal of M/s. Atlanta Systems Pvt. Ltd. for setting up a new Unit in NSEZ.**

The UAC noted that the applicant has requested for deferment of their proposal. The UAC accordingly decided to defer the proposal.

**4. Proposal of M/s. Royal Refinery Pvt. Ltd. for setting up a new Unit in NSEZ.**

It was informed to UAC that that the applicant has proposed to set up a new unit in NSEZ to undertake the manufacturing & export of Handcrafted/machine made Plain Gold Jewellery with projected exports of Rs. 197227.19 Lakhs and the NFE of Rs. 7723.19 Lakhs over a period of five years.

Shri Jayesh Parmar, Director appeared on behalf of the applicant. He informed that they are mainly into business of refining of gold Doré bar imported from Ghana, Libya etc. and selling into local market. He further informed that they were also engaged into manufacturing of gold jewellery from their unit in Mumbai.

Shri Parmar further informed that their proposed unit in NSEZ will manufacture Plain gold jewellery and they will do 100% export from the said unit. He also informed that against the company or any of its directors there has been no case from the DRI/Excise Deptt./Customs or Income Tax Deptt..



It was informed to Shri Parmar that their proposal for machine made jewellery could not be considered at this stage in view of the guidelines dated 19<sup>th</sup> July 2013 & subsequent letter dated 11<sup>th</sup> August 2015 issued by the Deptt. of Commerce.

The UAC directed the applicant to submit following documents:

1. Background of promoters.
2. Registration certificate of M/s. Royal Refinery Pvt. Ltd. with Central Excise Deptt.
3. Copy of returns filed with Central Excise Deptt.

The UAC directed to make a reference to Jurisdictional division of Central Excise Deptt., Mumbai to verify the background of M/s. Royal Refinery Pvt. Ltd.

The Approval Committee, after due deliberations, approved the application of M/s. Royal Refinery Pvt. Ltd. for setting up a new unit in Noida SEZ for manufacturing & export of Plain Gold Jewellery and firm will be required to achieve value addition of 3.5% as per Para 4.61(a) of Handbook of Procedure 2015-2020 subject to following conditions and on submission of above documents:

1. Unit will carry complete in-house manufacturing activities and no job work in DTA will be allowed.
2. Unit shall make 100% physical exports.

Shri Parmar agreed to the decision of UAC and stated to comply with the same.

**5. Proposal of M/s. Ian Macleod Distillers India Pvt. Ltd. for setting up a new Unit in NSEZ.**

It was informed to UAC that that the applicant has proposed to set up a new unit in NSEZ to undertake Trading of Bottled Single Malt Whisky and Blended Scotch Whisky with projected exports of Rs. 2700 Lakhs and the NFE of Rs. 930 Lakhs over a period of five years.

Shri R V Subramanian, Director appeared on behalf of the company. He informed that main promoter of the company is Ian Macleod Distillers Ltd., UK and they have two distilleries in Scotland. He further informed that earlier they were carrying out their



activities through Custom Warehouse, however later found it difficult to run their business from the same. Hence they have planned to establish a unit in NSEZ to broaden their customer base.

Shri Subramanian stated that Ministry of Commerce & Industry has reviewed FDI policy on various sectors and after para 6.2.16.4 of the FDI policy, following new para is added:

Sector/Activity	Foreign Investment Cap	Entry Route
<b>6.2.16.5</b> Duty Free Shops	100%	Automatic

(i) Duty Free Shops would mean shops set up in Custom bonded area at International Airports/International Seaports and Land Custom Stations where there is transit of international passengers.

(ii) Foreign investment in Duty Free Shops is subject to compliance of conditions stipulated under the Customs Act, 1962 and other laws, rules and regulations.

(iii) Duty Free Shops entity shall not engage into any retail trading activity in the Domestic Tariff Area of the country.

Shri Subramanian further informed that they are also planning to do trading of Gift Boxes, Printed Cardboard Cartons and Cardboard Canister for export. It was informed to him that they need to submit proposal for the same along with separate projections in respect of Gift Boxes, Printed Cardboard Cartons and Cardboard Canister. Shri Subramanian agreed and stated to submit the projection for the same.

The Approval Committee, after due deliberations, approved the application of M/s. Ian Macleod Distillers India Pvt. Ltd. for setting up a new unit in Noida SEZ for i) Trading of Bottled Single Malt Whisky and Blended Scotch Whisky and ii) Trading of Gift Boxes, Printed Cardboard Cartons and Cardboard Canister subject to submission of separate projections in respect of Gift Boxes, Printed Cardboard Cartons and Cardboard Canister. The UAC directed that the approval will be subject to following conditions:

1. They will supply to Duty Free Shops and no DTA sale will be allowed.



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	<p>2. Payment will be received in Free Foreign Exchange through EEFC account.</p> <p>3. Unit will strictly comply with Instruction No.63 issued by Deptt. of Commerce and Rule 46(13) of SEZ Rules, 2006.</p>
6.	<p><b>M/s. Jet Tech Systems, SDF No. C-6 (B), NSEZ, NOIDA - Monitoring of performance of the unit:</b></p> <p>It was informed to UAC that the case was placed before the UAC in its meeting held on 10/02/2016 but no one from the unit appeared for the last meeting. Accordingly, the matter was deferred to the instant meeting.</p> <p>Shri Rakesh Kumar, authorized representative of the firm appeared and informed that the promoters have decided to stop their activities &amp; close their NSEZ unit.</p> <p>The UAC directed the unit to apply for exit from SEZ scheme and surrender SDF No. C-6(B) to NSEZ.</p>
7.	<p><b>Review of compliance with Exit permission by M/s. Bullet International:-</b></p> <p>It was informed to the UAC that M/s. Bullet International were issued two LOAs in NSEZ for manufacturing and trading activities. It was further informed that in both LOAs, the units have been granted "in-principle" approval for exit from SEZ scheme on 15/01/2013 and 24/07/2012 respectively. For review of compliance with Exit formalities by the unit, the matter was heard by the UAC in its meeting held on 06.01.2016. In the said meeting Shri Prakash Sinha, authorized representative of the unit had appeared on behalf of the company who was directed by UAC to submit detailed future plan and proposal in respect of M/s. Bullet International and M/s. GSR Industries. Accordingly, the matter was deferred for the next meeting of UAC.</p> <p>It was further informed that M/s. GSR Industries has submitted a proposal to acquire the existing unit of Bullet International at above Plot Nos. 187, 188 &amp; 189, NSEZ in terms of Rule 74A of SEZ Rules 2006. However, no consent for transfer of its assets &amp; liabilities has been received from M/s. Bullet International. It was also informed to the UAC that M/s. Bullet International has been asked to submit their future plan and proposal in respect of above plots. Once complete information is received from the unit, the same would be placed before the Committee under the chairmanship of JDC, NSEZ constituted</p>





to examine the cases under Rule 74A of SEZ Rules, 2006.

Shri Prakash Sinha, authorized representative appeared on behalf of the company. He submitted a letter on behalf of M/s. Bullet International for transfer of assets & liabilities to M/s. GSR Industries. He also stated that LOA of M/s. Bullet International is going to expire on 31/03/2016 and requested to renew their LOA for six months so as to complete the formalities.

The UAC directed to examine the proposal for extension in the validity of LOA and place the case before next meeting of UAC.

**8. Monitoring of performance and request for extension of sharing permission to M/s Bikram Exports at Plot No. 129 G/51 & 52 with M/s B. S. Bikram Overseas.**

It was informed to the UAC that M/s. Bikram Exports was granted sharing permission with M/s B.S. Bikram Overseas at Plot No. 129 G/51 & 52, NSEZ on 20.04.2010 which was valid upto 31.12.2015. Now unit has applied for extension of sharing permission beyond 31.12.2015 for further period of one year.

It was observed that main unit namely M/s B.S. Bikram Overseas (Allottee) is not doing any export activity from the said premises since F.Y. 2011-12. However, another unit - M/s. Bikram Exports of the same promoters had been doing well since 2010 on sharing basis on above Plots.

Sh. Baldev Singh, Partner in both firm appeared on behalf of the unit. He informed that they could not make export during previous years due to lack of orders. He further informed that now they are getting orders from their buyers from overseas for export of gold jewellery and they will start export from M/s. B.S. Bikram Overseas shortly.

The UAC directed M/s. B.S. Bikram Overseas to start the export immediately and approved request of M/s Bikram Exports for extension of sharing permission beyond 31.12.2015 for a further period of one year at Plot No. 129 G/51 & 52 with M/s B. S. Bikram Overseas.

**9. Proposal of M/s. Medico Electrodes International Ltd. (Unit-II) for inclusion of Trading Activities in LOA.**



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It was informed to the UAC that M/s. Medico Electrodes International Ltd. (Unit-II) has requested for inclusion of trading activities as authorized operations in LOA. It was further informed to UAC that the unit has been issued LOA on 15/09/2015 and they have not yet started export production.

Shri Amit Mehra, CMD appeared on behalf of the company. He informed that in order to supplement their manufacturing product and running their machine, they need to do trading of some items which are required by their buyer. He also informed that he will import trading item his U.K. based firm as well as other sources. He further informed that they are in process of installation of machinery and will start export production from April 2016.

The UAC after due deliberations, approved the proposal of M/s. Medico Electrodes International Ltd. (Unit-II) for trading activities subject to condition that unit will maintain separate records of NFE for manufacturing & trading activities.

Meeting ended with thanks to the Chair.



(S.S. Shukla)

**Jt Development Commissioner**



(Dr. L.B. Singhal)

**Development Commissioner**