

भारत सरकार, वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग
विकास आयुक्त का कार्यालय
नोएडा विशेष आर्थिक क्षेत्र
नोएडा दादरी रोड, फेस-II, नोएडा.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. 12/01/2018-प्रोज/

दिनांक: 13/09/2018

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 05/09/2018 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 05/09/2018 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,
रवि कुमार शर्मा
(आर.के. श्रीवास्तव)
उप विकास आयुक्त

प्रतिलिपि:

1. विशेष कार्याधिकारी - विकास आयुक्त के सूचनार्थ।
2. वैयक्तिक सहायक - संयुक्त विकास आयुक्त के सूचनार्थ।
3. निर्दिष्ट अधिकारी, नोएडा विशेष आर्थिक क्षेत्र - सूचनार्थ एवं आवश्यक कार्यवाही के लिए।
4. उप विकास आयुक्त (सम्पदा), नोएडा विशेष आर्थिक क्षेत्र - सूचनार्थ।

उप विकास आयुक्त

Noida Special Economic Zone

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Minutes of 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 05/09/2018 in the Conference Hall of NSEZ.

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

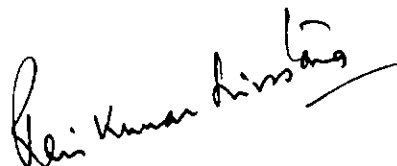
- 1) Shri S.S. Shukla, Jt. Development Commissioner, NSEZ.
- 2) Shri Rajesh Sharma, Asstt. Commissioner, Customs, Noida Commissionerate.
- 3) Shri R.L. Meena, Asstt. DGFT, O/o Addl. DGFT, CLA, New Delhi.
- 4) Smt. Durgesh Nandini, Income Tax Officer, Income Tax Deptt., Noida.
- 5) Shri Mukesh Goyal, Manager, (Rep. of Noida Authority).

2. Besides, during the meeting S/Shri (i) R.K. Srivastava, Dy. Development Commissioner, NSEZ, (ii) Rajesh Kumar, Dy. Development Commissioner, NSEZ (iii) Md. Salik Parwaiz, Specified Officer, NSEZ, (iv) Prakash Chand Upadhyay, OSD to DC, NSEZ, (v) Vijay Kumar, SDO, UPPCL, (vi) K M Srivastava, AEE, UPPCB, Noida, (vii) Kapil Muni, JE, UPPCL, Noida and (viii) Smt. Archana Bharti, Noida Authority 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 01/08/2018.

It was informed that no reference against the decisions of the Approval Committee held on 01/08/2018 was received and, therefore, Minutes of the meeting held on 01/08/2018 were ratified.



Item wise decisions on proposals included in agenda:

1.	<p>Proposal in respect of M/s. Virtual Employee Pvt. Ltd. for Monitoring of performance and renewal of LOA.</p> <p>It was informed to the Approval Committee that M/s. Virtual Employee Pvt. Ltd. had been issued LOA dated 06/09/2011 for IT Enabled Services (BPO Services). The unit commenced its export activities w.e.f. 30/04/2013 and LOA is valid till 29/09/2018.</p> <p>It was informed to the Approval Committee that unit has made exports worth Rs. 8994.15 Lakhs and achieved NFE earnings worth Rs. 8668.85 Lakhs during previous block of five years as per APRs for the year from 2013-14 to 2016-17. It was further informed that as per details received from unit vide its letter dated 25/06/2018, unit has made exports worth Rs. 5118.66 Lakhs and earned NFE worth Rs. 5004.18 Lakhs during 2017-18. The Approval Committee monitored the performance of the unit and noted achievement of positive NFE by the unit.</p> <p>It was also informed that the unit has not been submitting softex forms for attestation.</p> <p>Shri Narinder Singh Mahil, director of the company appeared before the Approval Committee. Shri Mahil informed that they are providing Manpower services with Good Infrastructure facilities from their premises under the concept of "Served from India" and enhancing India's strong reputation in skill and quality manpower as the best service provider of human resource. He further stated that they raise invoices to their clients for income on employee salary and infrastructure cost.</p> <p>Shri Mahil also informed that in their case Softex forms are not required as they do not provide services related Computer software, Audio or Video or Television Software.</p> <p>The Approval Committee, after due deliberations, directed the unit to submit all the details on the services being rendered by them along with their submission on softex forms. The Approval Committee decided to constitute a Committee under the chairmanship of JDC, NSEZ comprising of Shri R.K. Srivastava, DDC, Md. Salik Parwaiz, DC Customs, NSEZ and Shri Rajesh Sharma, Asstt. Commissioner, Noida Custom Commissionerate which will examine the matter related to submission of softex forms</p>
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inter alia in the light of Agreement between the unit and its overseas client as well as scope of services. It was also decided that the Committee will visit the unit, if required. Committee will submit its recommendations which will be placed before the Approval Committee in its next meeting for consideration and decision.

The Approval Committee meanwhile also decided to renew the LOA for a period of 3 months i.e. upto 29/12/2018 subject to the condition that unit shall comply with Section 2(z)(iii) of SEZ Act, 2005.

2. **Proposal in respect of M/s. Royal Exports for Monitoring of performance; Renewal of LOA and inclusion of additional authorized operations.**

It was informed to the Approval Committee that M/s. Royal Exports had been granted an LOA dated 15/03/2000 for Manufacturing & Export of Plain & Studded Gold, Silver, Platinum Jewellery. The unit has commenced its export activities w.e.f. 29/03/2000 and LOA of the unit was valid up to 31/03/2018.

It was informed that Approval Committee in its meeting held on 03/05/2017 had monitored the performance of the unit and extended the validity of LOA for one year upto 31/03/2018 subject to condition that no further extension may be allowed in case performance of the unit is not found to be satisfactory during the extended period.

The Approval Committee observed that unit has made exports worth Rs. 1.01 Crores and Rs. 1.49 Crores during the year 2016-17 & 2017-18 respectively. The Approval Committee also observed that lease rent amounting to Rs.2,98,379/- is currently outstanding against the unit.

It was informed that the Approval Committee in its meeting held on 06/06/2018 had deferred the matter with a direction to the unit to submit copies of proof of deposit of lease rent and documentary evidence for realization of pending foreign exchange amounting to Rs. 57.54 Lakhs. However, the unit has till date not complied with the directions of Approval Committee.

It was also informed that unit has also submitted a proposal for inclusion of export of loose diamond in its authorized operations.

Ravi Kumar Singh

Shri Prashant Soni, authorized representative of the unit appeared before the Approval Committee. He informed that due to imposition of duty on jewellery in Dubai, their export business was adversely affected. He accepted delay on their part for deposition of lease rent and informed that they will submit bank draft clearing entire lease rent on that day i.e. 05/09/2018. He further stated that they are in talk with their buyer for realization of pending forex. However, it will take some time to realize the same. Approval Committee directed Shri Soni to get the permission from AD Bank or from the RBI as the case may be, for extension of time for realization of pending forex.

Shri Soni further stated that now they have orders for exports and are expecting to make exports worth approx. 6-7 Crores per year. He also stated that around 20-30 employee are currently working in the unit. He further stated that they want to include export of loose diamonds in their authorized operations, for which they have better business plan. The Approval Committee observed that the proposal of unit is for trading of Diamonds.

The Approval Committee, after due deliberations, decided to extend the validity of LOA for a period of one year upto 31/08/2019 subject to payment of pending lease rent and directed the unit to increase its performance in the extended validity period. However, keeping in view the dismal performance of the unit during last few years, outstanding foreign exchange realization and pending lease rent, the Approval Committee deferred with the request of unit for inclusion of export of loose diamonds in its authorized operations.

3. Proposal in respect of M/s. Sage Exports for Monitoring of performance; Renewal of LOA and inclusion of additional manufacturing items in authorized operations.

It was informed to the Approval Committee that M/s. Sage Exports had been issued LOA dated 24/05/2006 for Manufacturing activities. The unit commenced its export production w.e.f. 19/08/2008 and LOA is valid till 18/10/2018.

It was informed to the Approval Committee that unit has made exports worth Rs. 2040.22 Lakhs and achieved NFE earnings worth Rs. 1864.75 Lakhs during previous block of five years as per APRs for the year from 2013-14 to 2016-17. It was further informed that as per details received from NSDL, unit has made exports worth Rs. 13.91 Crores during 2017-18. The Approval Committee monitored the performance of the unit and noted

Ran Kumar Dinsar

achievement of positive NFE by the unit.

It was informed to the Approval Committee that along with the request for renewal of LOA, unit has also submitted a proposal for inclusion of manufacturing of Table Runner, Placemat, Coaster, Napkin Ring (ITC HS 70181090 & 54071019) in its authorized operations.

Smt. Arti Kapoor, partner of the firm appeared before the Approval Committee. She informed that currently there are around 45-50 employees in the unit. Their main export markets are USA, Europe, Australia etc. She further informed that apart from the existing authorized operations, they are getting enquiries for Table Runner, Placemat, Coaster, Napkin Ring etc.

Smt. Kapoor informed that proposed additional items are hand made goods made with the help of wooden Addas and as such there is not any extra requirement of machinery. She further informed that they are projecting 15% increment in exports and will employ around 15 additional employees.

The Approval Committee, after due deliberations, decided to renew the LOA for remaining period of five years i.e. upto 18/08/2023. The Approval Committee also approved the proposal of unit for inclusion of Manufacturing of Table Runner, Placemat, Coaster, Napkin Ring (ITC HS 70181090 & 54071019) in its authorized operations.

4. Proposal in respect of M/s. Reliance Precitone Jewellers Pvt. Ltd. for inclusion of additional authorized operations.

It was informed to the Approval Committee that M/s. Reliance Precitone Jewellers Pvt. Ltd. had been issued LOA dated 13/01/2016 for Manufacturing & Export of Glass Beads, Costume Jewellery and Handicraft items falling under ITC HS 6101, 6102, 6103, 6104, 6105, 6106, 6107 & 6109. The unit has commenced its export production w.e.f. 01/12/1993 and its LOA is valid upto 31/03/2019.

It was informed to the Approval Committee that the unit has submitted a proposal for Manufacturing & Export of Readymade Garments including Ladies & Gents in its authorized operations. The Approval Committee observed that the export performance of

Rehman Hussain

the unit is very low. The unit could make exports worth Rs. 6.29 Lakhs only over a period during 2014-15 to 2017-18.

Shri R.K. Gupta and Shri Akash Gupta, directors appeared before the Approval Committee. Shri Gupta stated that they have received export order from Thailand for production, supply and export of the proposed products which also goes with their line. He further stated that they will procure fabric from overseas as well as from domestic market. He also informed that they will also undertake some job work outside the zone to speed up their production & to reduce cost in their existing LOA.

It was informed to the representatives that proposed additional items relate to altogether a different sector than the existing authorized operations of the unit and as per Instruction No. 69 issued by Deptt. of Commerce, unrelated items cannot be allowed.

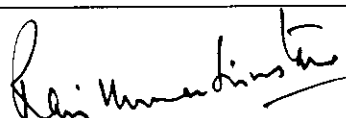
The Approval Committee asked Shri Gupta whether they want to do activities related to existing authorized operations or want to diversify their authorized operations to Garment Industry.

Shri Gupta stated that the garments they will manufacture will invariably use beads and other existing products in their authorized operations. Shri Gupta further stated that all the value additions in their products are due to beads, buttons and embellishments, glass or acrylic chatons and metal closings. He emphasized that new items will be in sync with existing items and will enable them to achieve high value addition. He requested to grant them approval for manufacturing & export of Garments using any one of their existing products as it also goes with their existing line of business.

The Approval Committee, after due deliberations, agreed to the request of unit for inclusion of additional authorized operations. Revised authorized operations of the unit shall be as under:

“Manufacturing & Export of Glass Beads, Costume Jewellery and Handicraft items falling under ITC HS 6101, 6102, 6103, 6104, 6105, 6106, 6107 & 6109 and Garments using any one of the above items.”

The Approval Committee also directed the unit to increase its export performance, as their exports were worth Rs. 6.29 Lakhs only over a period during 2014-15 to 2017-18.



5. **Proposal in respect of M/s. Knitpro International (Unit-II) for Addition of Silver/Silver alloy as raw material for authorized operations.**

It was informed to the Approval Committee that M/s. Knitpro International (Unit-II) had been issued LOA dated 13/01/2016 for manufacturing & export of (i) Handmade Accessories and parts thereof, (ii) Hobby and Craft Kits & parts thereof, (iii) Household & Furniture Products & parts thereof, (iv) Decorative Products & parts thereof and (v) Fashion & imitation Jewellery & parts thereof. The unit has commenced its export production w.e.f. 26/08/2016 and its LOA is valid upto 25/08/2021.

It was informed to the Approval Committee that unit has submitted a request for addition of silver/silver alloy as an input raw material in their project.

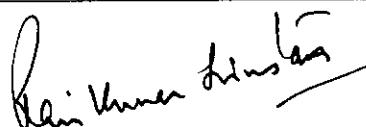
Shri R.C. Jain, partner in the firm appeared before the Approval Committee. Shri Jain informed that a few of their foreign buyers require the fashion & imitation jewellery to be fitted with silver/silver alloy components that would be in addition to usage of brass, stainless steel and other metals. This is required as in few countries like Japan, some customers have allergic tendencies towards stainless steel & brass components and therefore prefer to use silver/silver alloy components.

He further stated that their jewellery would primarily be made of wood and 50% of their jewellery would be in pure wood and remaining would be in wood with components made in stainless steel, brass, silver or silver alloy. He also stated that the silver/silver alloy usage would be limited and not exceed 10gms in most of the pieces where it is to be used.

The Approval Committee, after due deliberations, approved the request of unit for addition of silver/silver alloy as an input raw material in their project.

6. **Proposal in respect of M/s. Gold Craft International for Inclusion of additional authorized operations in LOA.**

It was informed to the Approval Committee that M/s. Gold Craft International had been issued LOA dated 31/05/2002 for Manufacturing & Export of Plain Gold/Platinum/Silver Jewellery, Plain Casted Items & Studded Jewellery. The unit commenced its export



production w.e.f. 14/12/2002 and LOA is valid till 13/12/2022.

It was informed to the Approval Committee that the unit has submitted a proposal for Annual permission of import upto 3 KG broken gold jewellery for repair/remaking in its authorized operations.

Shri S.K. Mittal, proprietor of the unit appeared before the Approval Committee. Shri Mittal informed that in their unit, out of total annual export of about 150 kgs, 2-3 kgs jewellery gets damaged which their buyer wants to get it repair/remake. Hence, they want to apply for annual permission for import upto 3 kgs broken jewellery, which were earlier exported by their unit. He further stated that their usual practice is to collect this accumulated broken jewellery once or twice in a year as they have asked their buyer to retain until it gets minimum 500gms to 1kg.

It was informed that DOC has issued an Instruction No. 51 dated 25/03/2010 vide which it has prescribed procedure to be followed by all G&J units in future for bringing in jewellery, broken jewellery etc. for remaking, remelting, repairing, etc.

The Approval Committee, after due deliberations, approved the proposal of unit for inclusion of annual permission of import upto 3 KG broken gold jewellery for repair/remaking in its authorized operations subject to compliance with Instruction No. 51 dated 25/03/2010.

7. Proposal in respect of M/s. Royal Refinery Pvt. Ltd. for inclusion of additional authorized operations.

It was informed to the Approval Committee that M/s. Royal Refinery Pvt. Ltd. Pvt. Ltd. has been issued LOA dated 21/03/2016 for Manufacturing & Export of Plain Gold Jewellery. Unit has commenced its export production w.e.f. 01/02/2016 and LOA is valid till 31/01/2023.

It was informed to the Approval Committee that the unit has submitted a proposal for inclusion of "Manufacturing & Export of Plain & Studded Handcrafted/ Machine made Silver Jewellery" in its authorized operations.

Shri Vishal Choudhary, Director appeared before the Approval Committee. He informed

Re: Kumar Anshu

that he had started as a gold trader and in 2012 joined Royal Refinery Pvt. Ltd. as a director. He further informed that M/s. Royal Refinery Pvt. Ltd. has DTA units in Mumbai where 25-30 employees are working and has annual turnover of approx. Rs. 550 Crores (out of which there is export of worth Rs. 150 Crores).

Shri Choudhary further stated that they have done the export of gold jewellery successfully. However, they got enquiries from their buyers and now they have orders for mainly silver jewellery. Hence, they have requested to include Manufacturing of Silver Jewellery in their authorized operations.

The Approval Committee observed that some observations have been made by the nominated CA firm of NSEZ in the balance sheet of the company and its main stakeholder M/s. Royal Global Resources Private Limited which need to be rectified by the unit.

The Approval Committee, after due deliberations, approved the proposal of unit for inclusion of Manufacturing & Export of Plain & Studded Handcrafted/ Machine made Silver Jewellery in its authorized operations. The Approval Committee also directed the representative of unit to sit down with CA of NSEZ and rectify the deficiencies as observed in their balance sheet and submit the same at the earliest.

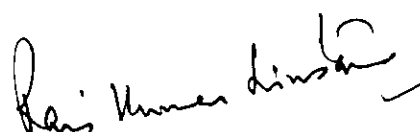
8. Proposal in respect of M/s. Harsh International for Change in partnership deed.

It was informed to the Approval Committee that M/s. Harsh International had been issued LOA dated 02/06/2006 for Manufacturing of Filter Khaini. The unit commenced its export production w.e.f. 06/09/2006 and LOA is valid till 05/09/2021.

It was informed that the unit has informed about addition of one more partner in the firm and change in shareholding pattern as under:

Name	% Shareholding prior to change	% Shareholding after change
1. Mr. R.K. Jain	50%	5%
2. Mr. Yogesh Jain	50%	50%
3. Mrs. Divya Jain (new partner)	--	45%
Change in Shareholding		45%

Shri Ashish Kumar, authorized representative of the unit appeared before the Approval Committee. He informed that Mrs. Divya Jain (incoming partner) is wife of Mr. Yogesh



Jain (existing partner). He further informed that that they have applied for registration of revised partnership deed on 13th July 2018. However, due to shifting of registrar office, their application is still under process. He stated that they will submit amended partnership deed as soon as it get registered and requested to take the change in partnership deed on records.

It was informed to the Approval Committee that DOC vide Instruction No. 89 dated 17/05/2018 has issued guidelines regarding change in shareholding pattern, name change of SEZ Developer and SEZ Units which inter alia states as under:

"5(ii) Re-organisation including Change of name, change in shareholding pattern, business transfer arrangements, court approved mergers and demergers, change in constitution of Units located in SEZs may be undertaken with the prior approval of Approval Committee in respect of Units subject to the condition that the unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on such reorganization.

6. Such reorganization shall be subject to the following safeguards:-

- i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;*
- ii) Fulfilment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;*
- iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. Acts/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.*
- iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.*
- v) The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.*
- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.*
- vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT."*

It was further informed that DOC vide Instruction No. 90 dated 03/08/2018 has also

Raj Kumar Dandia

clarified that "it may not be interpreted that prior approval of BOA/UAC is to be taken before approaching the Registrar of Companies or the National Company Law Tribunal as is being some in some cases came to the notice of this department".

The Approval Committee, after due deliberations, decided to take the intimation of unit for change in partners and shareholding pattern of the company on records in terms of Instruction No. 89 dated 17/05/2018 and Instruction No. 90 dated 03/08/2018 subject to submission of revised registered partnership deed.

9. **Proposal in respect of M/s. Lakeland Gloves & Safety Apparels Pvt. Ltd. for Non-intimation about Change in directors.**

It was informed to the Approval Committee that M/s. Lakeland Gloves & Safety Apparels Pvt. Ltd. had been issued LOA dated 18/01/2008 for Manufacture & Export of (1) Non-Woven fabric Safety Apparel for Dust Protection (Coverall, Coats, Pant, Jackets, Shoe Covers, Aprons, Hoods). (2) Non-Woven fabric Safety Apparel for Liquid Splash Protection (Coverall, Coats, Pant, Jackets, Shoe Covers, Aprons, Hoods). The unit has commenced its export production w.e.f. 23/10/2008 and its LOA is valid till 22/10/2018.

It was informed that unit in reply to this office letter dated 09/07/2018, vide its letter dated 17/07/2018 and subsequent letter dated 27/07/2018, has informed about change in directors of the company as under:

Directors before change	Directors after change
1. Mr. Chistopher James Ryan	1. Mr. Charles Detwiler Roberson
2. Mr. Vishal Kumar	2. Mr. Vishal Kumar
3. Mr. Anil Thomas	3. Mr. Anil Thomas

The Approval Committee observed that the change in directors took place in the year 2016. However, unit has intimated about the said changes to this office after delay of almost two year on 17/07/2018, which is a violation of condition No. 14 of Bond-cum-LUT executed by the Unit.

The Approval Committee further observed that earlier, in 2015 also there was a case of change in directors which was informed by the unit after delay of 2 months. The unit had

Rein Kumar Dinkar

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requested to condone the lapses on their part and assured that such delay/lapses will not occur in future. The Approval Committee in its meeting held on 10/02/2016 had considered the said case and warned the unit to ensure that such lapses do not occur in future. However, unit has again informed about change in directors after delay of two years.

Shri Vishal Kumar, director of the company appeared before the Approval Committee. Shri Kumar accepted the delay on their part and apologized for the same and assured that such mistake will not be repeated in future. He further informed that there is no change in shareholding pattern of the company due to the change in directors.

The Approval Committee informed Shri Vishal Kumar that as per section 11(4) of the Foreign Trade (Development & Regulation) Act, there is a provision to settle the cases where a person admits any contravention. The Approval Committee gave him the option to settle the matter as per section 11(4) of the FT(D&R) Act, 1992 for violation of SEZ Act and Rules by imposing penalty. Shri Kumar gave his consent to settle the case under section 11(4) of the Foreign Trade (Development & Regulation) Act. Shri Kumar, agreed for the same. However, he requested for a minimum penalty.

In light of facts & circumstances of the case, DC, NSEZ in consultation with the members of the Approval Committee, imposed a penalty of Rs. 10,000/- on the unit as per section 11(4) of the FT (D&R) Act, 1992.

The Approval Committee, after due deliberations, decided to take the intimation of unit for change in directors of the company on records subject to deposition of penalty of Rs. 10,000/-. The Approval Committee also warned the unit to be more careful in future for timely compliances.

10. **Proposal in respect of M/s. Bhayani Plastic India Pvt. Ltd. for Monitoring of performance and Review of LOA.**

No one from the unit appeared for the meeting. It was informed to the Approval Committee that unit vide its email dated 03/08/2018 has requested for deferment of the proposal. Accordingly, Approval Committee deferred the matter for its next meeting.

Ravi Kumar Dinsani

11. Proposal in respect of M/s. Jassal Impex Pvt. Ltd. for Review of LOA.

It was informed to the Approval Committee that M/s. Jassal Impex Pvt. Ltd. was issued LOA dated 21/03/2016 for manufacturing & export of Readymade Garments and Artificial Jewellery. The unit did not commence its export production. LOA of the unit was valid till 20/03/2017. The unit was allotted SDF No. G-7, NSEZ.

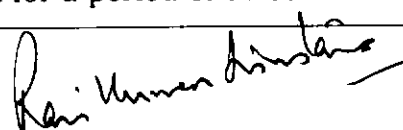
It was further informed that the Approval Committee in its meeting held on 07/03/2018 had directed the EM division, NSEZ to start the proceeding against the unit and its promoters for recovery of outstanding lease rent. The Approval Committee further directed NSEZ Custom to determine the amount to be remitted to the Government by the Unit in the form of Customs Duty on goods lying in the NSEZ premises and matter may be followed vigorously.

It was also informed that the EM Division, NSEZ has informed that they had adjusted the security Deposit amounting to Rs. 8,04,288/- in outstanding lease and also issued Recovery Certificate under Section 14 of P.P. Act, 1971 on 04/05/2018 to concerned collector for recovery of remaining lease rent. Reminder RC has also been issued on 21/08/2018. Currently, lease rent amounting to Rs. 14,68,155/- is outstanding as on date in respect of SDF No. G-07, NSEZ.

Shri Jeetender Singh Oberio, authorized representative of the company appeared before the Approval Committee. Shri Oberio informed that they want to close the factory and surrender the LOA & SDF. He assured to clear entire lease rent at the earliest.

Shri Oberio further stated the unit had imported some goods for manufacturing which are now lying in the factory premises. He requested to allow them permission to clear the lying goods in DTA. The Approval Committee observed that LOA of the unit has already expired on 20/03/2017.

The Approval Committee, after due deliberations, deferred the matter and directed the unit to first clear the outstanding lease rent and submit an application for extension of LOA for the purpose of clearing the lying goods and to complete exit formalities. Shri Oberio agreed to submit the application at the earliest. Further, Approval Committee agreed in-principle to extend the LOA for a period of three months from the date which



	<p>request is submitted for extension of LOA for the purpose of clearing the goods lying in its premises and also to complete exit formalities.</p>
12.	<p>Following cases for monitoring of performance/APRs under Rule 54 of SEZ Rules, 2006 were also placed before the Approval Committee. The unit wise decision of the Approval Committee are indicated below:-</p> <p>(i) M/s. Roto Pumps Ltd. - The Approval Committee monitored the performance of the unit on the basis of APRs up to 2016-17 and noted achievement of positive NFE by the unit.</p> <p>(ii) M/s. APK Identification (Delhi) - The Approval Committee monitored the performance of the unit on the basis of APRs up to 2016-17 and noted achievement of positive NFE by the unit.</p>
13.	<p>Proposal in respect of M/s. La Moda Eleganza for monitoring of performance and renewal of LOA.</p> <p>It was informed to the Approval Committee that M/s. La Moda Eleganza had been granted an LOA dated 02/02/2005 for (i) Manufacturing of Readymade Garments & Accessories, Unstitched Embroidered Fabrics and Made-ups. And (ii) Trading of Ladies Garments of All Kinds, Home Textiles Accessories such as Belts, Handbags, Scarves, Embroidered/Non Embroidered and Printed, Items made of Knitted Fabrics in Silk, Blends of Silk, Polyester and Blends, Linen & Blends, Cotton & Blends Fabrics Thereof. The unit commenced its export production w.e.f. 02/12/1997 and LOA of the unit was valid up to 01/12/2017.</p> <p>It was informed to the Approval Committee that unit has made exports worth Rs. 442.83 Lakhs and achieved NFE earnings worth Rs. 333.40 Lakhs during previous block of five years as per APRs for the year from 2012-13 to 2016-17. It was further informed that as per details received from unit vide its letter dated 25/06/2018/from NSDL, unit has made exports worth Rs. 0.02 Crores during 2017-18. The Approval Committee monitored the performance of the unit and noted achievement of positive NFE by the unit during previous block of five years.</p> <p>Shri Sharad Gupta, partner in the firm appeared before the Approval Committee. Shri</p>

Shri Sharad Gupta

Gupta stated that their production was slow during last few years as they had some problems with their US buyer. He further stated that there was delay in submission of LOA renewal application since there were no export orders in hand. He requested to condone the delay in submission of application of LOA renewal. He also informed that now they have sorted out their problems with existing buyers and also have approached to new buyers.

Shri Gupta further stated that although they had taken permission for the trading activities but they have not done any trading activity till date and in future also they would not be doing any trading activity. He requested to delete trading activities from their authorized operations and keep their LOA as a manufacturer exporter only.

The Approval Committee, after due deliberations, decided to renew the LOA for next five years beyond 01/12/2017 i.e. upto 01/12/2022. The Approval Committee decided to delete trading activities from existing authorized operations of the unit. Further, the Approval Committee also directed Shri Gupta to submit a write-up on his business plan for project in NSEZ.

14. Proposal in respect of M/s. Samsung Overseas Ltd. for monitoring of performance and renewal of LOA.

It was informed to the Approval Committee that M/s. Samsung Overseas Ltd. had been granted an LOA dated 05/10/2012 for (a) System Software Development, (b) Financial control and accounting system, (c) Production management and inventory control, (d) Project feasibility studies and project monitoring systems, (e) Back office/Remote data entry, and (f) IT Enabled services. The unit commenced its export activities w.e.f. 15/04/2013 and LOA of the unit is valid up to 30/09/2018.

It was informed to the Approval Committee that unit has made exports worth Rs. 175.14 Lakhs and achieved equal amount of NFE earnings during previous block of five years as per APRs for the year from 2013-14 to 2016-17. It was further informed that as per details received from NSDL, unit has made exports worth Rs. 0.05 Crores during 2017-18. The Approval Committee monitored the performance of the unit and noted achievement of positive NFE by the unit during previous block of five years.

Ravi Kumar Dinsar

The Approval Committee also observed that export performance of unit has declined since 2014-15 and unit could make exports worth Rs. 15.01 Lakhs, Rs. 13.31 Lakhs and Rs. 13.27 Lakhs during 2014-15, 2015-16 & 2016-17 respectively.

Shri Bhusan Kumar Chandna and Shri Rakesh Kumar Sharma, authorized representatives of the unit appeared before the Approval Committee. Shri Chandna informed that their export orders have declined in recent years. He further stated that currently there are 6 employees in the unit.

Shri Chandna informed that currently their main clients are from UAE. However, now they are looking to expand their market to African countries and have also acquired a project worth 100-150 thousand USD. He further stated that they will employ additional 10 employees for the new project. He also requested to renew their LOA for a block of five years.

The Approval Committee observed that unit has been allotted Plot No. 114, NSEZ admeasuring 1000 Sq. mtrs. However, employment generation and export performance of the unit in comparison to the space allotted is very low. The Approval Committee expressed its displeasure over the dismal performance.

Keeping in view the dismal performance of the unit during previous block of five years, the Approval Committee did not agree with the request of the unit for renewal of LOA for a period of five years in one go. The Approval Committee, after due deliberations, decided to renew the LOA for a period of one year upto 30/09/2019 and directed the unit to increase its export performance during extended validity of LOA.

15. **Proposal of M/s. Creatnet Services Ltd. for Setting up a new unit in NSEZ.**

It was informed to the Approval Committee that the applicant has proposed to set up a new unit in NSEZ to undertake IT/ITES Service activities viz. Other Business Services: to provide Designing, Digital Services, Marketing & Analytical Services to Fashion Industry with projected exports of Rs. 2600 Lakhs and NFE earnings worth Rs.2180 Lakhs over a period of five years.

Shri Darshan Bhat and Smt. Garima Bhat, directors of the company, appeared before the

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