

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)

No.10/13/2006-Proj/

Dated: 29/06/2015

To

1. The Chief Executive Officer, New Okhla Industrial Development Authority, Main Administrative Building, Sector-6, Noida.
2. The Zonal Addl. Director General of Foreign Trade, C.L.A., "A" Wing, I.P. Bhavan, I.P. Estate, New Delhi.
3. The Commissioner of Income Tax, A-2D, Aaykar Bhawan, Sector-24, Noida.
4. The Commissioner of Customs, Noida Custom Commissionerate, Inland Container Depot, Tilpata, Dadri, Gautam Budh Nagar (U.P.) 201306.
5. The Director, Department of Commerce (SEZ Section), Udyog Bhavan, New Delhi.
6. Shri Sanjeev Kumar Jindal, Deputy Secretary (IF-I), Ministry of Finance, Department of Financial Services, Jeevan Deep Building, Parliament Street, New Delhi- 110 001.
7. The General Manager, District Industry Centre, Sector-20, Noida, Dist: G.B. Nagar (Representative of Principal Secretary, Industries, Govt. of U.P. Lucknow).

Sub: Minutes of Meeting of the Approval Committee of Noida SEZ held on 22.06.2015.

Sir,

I am directed to refer to the subject cited above and to forward herewith a copy of minutes of the meeting of Approval Committee of Noida SEZ held on **22.06.2015**, for your information/necessary action.

Yours faithfully,

Encl: As above

(Rakesh Kumar)
Dy. Development Commissioner

Copy to:-

1. P.S. to Development Commissioner – for information.
2. The Specified Officer, NSEZ – (along with copy of minutes) for information & necessary action.
3. ADC, EM Section, NSEZ – (along with copy of minutes) for information & necessary action.

Dy. Development Commissioner

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The meeting of the Approval Committee of Noida SEZ was held at 11:30 AM on 22/06/2015 in the Conference Hall of NSEZ, Noida. The meeting was chaired by Shri Sumeet Jerath, Development Commissioner, Noida SEZ. Following members were present:

- 1 Shri Pramod Kumar Agarwal, ACEO, Noida.
- 2 Shri U. K. Acharya, Dy. DGFT, Delhi.
- 3 Shri Rohit Dwivedi, Dy. Commissioner, Customs, Noida Commissionerate.
- 4 Shri Veerabhadram, Asstt. Commissioner, Income Tax Deptt., Noida.
- 5 Shri Ajay Sharma, Asstt. Commissioner, DIC. Noida (Rep. of Principal Secretary, Industry, Govt. of UP.).
- 6 Shri A.K. Mishra, Sr. Town Planner, Noida.
- 7 Shri Bhuvan Yadav, AE, U.P.P.C.B., Noida

Besides, Shri Rakesh Kumar, Dy. Development Commissioner, NSEZ, Shri A.K. Srivastava, Specified Officer, NSEZ, Shri R.P. Verma, Asstt. Development Commissioner, NSEZ also attended the meeting.

Chairman welcomed all members and consented to the agenda being placed before the Approval Committee. The issues discussed and the decisions are as below:-

GIST OF THE MEETING:

Ratification of Minutes of last meeting of the Approval Committee:

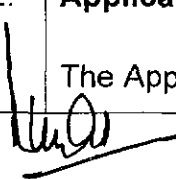
The Approval Committee ratified the minutes of the last meeting held on 07/05/2015.

Decisions on Proposals:

- | | |
|----|---|
| 1. | Application of M/s. Vintage Linen for setting up a unit in NSEZ.

The Committee deliberated on the agenda note and decided to approve the proposal for undertaking activities i.e. Manufacturing of Home Furnishing, Textiles made ups such as Cushion Covers, Curtains, Bed Linen, Table Linen & Accessories. |
| 2. | Application of M/s. Garmex India for setting up a unit in NSEZ.

The Approval Committee discussed the agenda at length and observed that the applicant is |



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now ready to pay required transfer charges under protest and the recommendation sent to DOC to waive off it is being recalled as withdrawn.

After due deliberations, the Committee approved the proposal of M/s. Garmex India for setting up a new unit in NSEZ on unconditional payment of the transfer charges as applicable in respect of Plot No. 142, NSEZ.

3. Application of M/s. Samtex Fashions Limited for setting up a unit in NSEZ.

The Approval Committee discussed the proposal for issuance of new LOA and transfer of assets & liabilities to M/s. iGate Global Solutions Ltd. and M/s. Samtex Fashions Limited (new LOA holder) as per details of Agenda No.14. A consensus could not take place on transfer of assets & liabilities to the same name viz. M/s. Samtex Fashions Limited. The Committee, however, agreed to in-principle to consider the proposal if different entities take over the assets & liabilities of M/s. Samtex Fashions Limited and M/s. Samtex Fashions Limited completes exit formalities. The Committee was also of the view that a legal opinion from Ministry of Law & Justice be obtained to transfer assets & liabilities to new LOA of the same promoters/same name.

4. Proposal in respect of M/s. Shahtootwale Industries Ltd. for adjudication of SCN & Renewal of LOA.

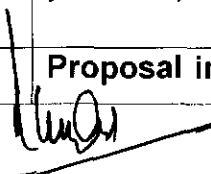
The Approval Committee discussed the agenda at length and observed that LOA was issued to the unit on 07/05/1987 and unit started its activities on 02/07/1990. Unit was functional upto the years 2008-09 and thereafter no business has been carried out from the allotted plot. An SCN was issued on 19/12/2014 for non-performance, non-payment of lease rent; and for being NFE negative. Unit submitted its reply on 21/01/2015, however the Committee did not find the reply satisfactory.

The Committee, after due deliberations, decided not to renew the LOA and cancel the allotment of Plot No.53. The LOA may be treated as cancelled. The Committee empowered the Development Commissioner, NSEZ to issue Order-in-Original accordingly.

5. Proposal in respect of M/s. Sahdev Jewellers for Renewal of LOA.

The Approval Committee approved renewal of LOA of M/s. Sahdev Jewellers for further five years as per projections submitted by them.

6. Proposal in respect of M/s. Sahdev International for adjudication of SCN & Renewal



of LOA.

The Committee discussed the agenda note containing inter alia reasons of issuance of SCN dated 24/04/2015. After due deliberations, the Committee imposed a penalty of Rs. 1 Lakh for lying non-functional. The Committee also agreed to renew the LOA dated 31/12/1991 for further five years subject to condition that no request for transfer of assets & liabilities including Plot No.161 shall be considered during next five years. The Committee empowered the DC, NSEZ to issue Adjudication Order as per decision above.

7. Proposal in respect of M/s. M. M. Knitwears for adjudication of SCN & Renewal of LOA.

The Committee discussed the agenda note containing inter alia reasons of issuance of SCN dated 16/04/2015. After due deliberations, the Committee imposed a penalty of Rs. 1 Lakh for non-performance. The Committee also agreed to renew the LOA dated 18/11/2003 for further five years subject to condition that no request for transfer of building at Plot No. 100 shall be considered during next five years. The Committee empowered the DC, NSEZ to issue Adjudication Order as per decision above.

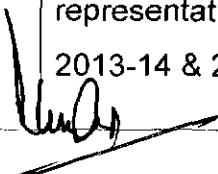
8. Proposal in respect of M/s. Metenere Ltd. for Renewal of LOA.

Unit representative produced a letter of RBI for netting off unrealized export proceedings. The Committee directed to examine the content of said letter and work out pending export proceeds. Unit representative also explained that their product falls under the Chapter 85 of ITC(HS) code and they have approached CESTAT to issue clarification in this regard. The Committee directed Asstt. Commissioner, Customs, NSEZ to examine the issue and obtain a copy of clarification, if it has been issued by CESTAT.

The Committee also renewed the LOA of unit for further five years as per projections submitted by them.

9. Proposal in respect of M/s. Bikram Exports for Renewal of LOA.

The Approval Committee, after due deliberation, renewed the LOA of unit for next five years as per projections submitted by them. The Committee further advised the unit representative to submit a CA certificate in respect of exact value addition achieved during 2013-14 & 2014-15 (from July, 2013 onwards).

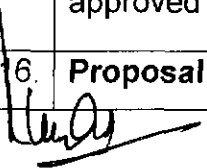


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10.	<p>Proposal in respect of M/s. Global Diamonds Pvt. Ltd. for adjudication of SCN & Renewal of LOA.</p> <p>The Approval Committee noted that projections given by the unit are not realistic as they have shown export of Rs. 29051 Lakhs against the indigenous raw material costing Rs. 198 Lakhs. The Committee, therefore, deferred the proposal and directed unit representative to submit revised projections along with credible business plan.</p>
11.	<p>Proposal in respect of M/s. Medico Electrodes International Ltd. for Enhancement in capacity and LOA Amendment.</p> <p>The Approval Committee discussed the agenda in detail and approved the same.</p>
12.	<p>Proposal in respect of M/s. Omnie Solutions India Pvt. Ltd. for diversification to include additional authorized operations in LOA.</p> <p>The Committee deferred the proposal for its next meeting as no one from the unit turned up for meeting.</p>
13.	<p>Proposal in respect of M/s. Regal Jewellery Mfg. Co. for exit & transfer of assets under Rule 74A of SEZ Rules, 2006.</p> <p>The Approval Committee after due deliberation, approved the proposal for transfer of assets of M/s. Regal Jewellery Mfg. Co. at Plot No. 159 & Plot No. 160, NSEZ in favour of M/s. S.I. Overseas Jewellers & M/s. Bera Enterprises respectively subject to fulfillment of exit formalities by M/s. Regal Jewellery Mfg. Co.; payment of applicable transfer charges and submission of an undertaking by incoming entrepreneurs regarding taking over the assets & liabilities of existing unit.</p>
14.	<p>Proposal in respect of M/s. Samtex Fashions Limited for exit & transfer of assets under Rule 74A of SEZ Rules, 2006.</p> <p>Same as the decision of the UAC made at Sl. No.3 above.</p>
15.	<p>Proposal in respect of M/s. Anagram Systems for change of name/constitution.</p> <p>The Approval Committee discussed the agenda in detail and after due deliberation, approved the proposal subject to clearance of outstanding lease rent by the unit.</p>
16.	<p>Proposal in respect of M/s. Apothecaries Clinical Research LLP for adjudication of</p>

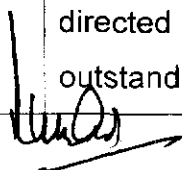


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	<p>SCN.</p> <p>No one from the unit turned up for meeting. The Committee decided to grant one last opportunity of being heard and directed to inform the unit to ensure their presence before the Approval Committee in its next meeting.</p>
17.	<p>Proposal in respect of M/s. Noida Plast Pvt. Ltd. for adjudication of SCN.</p> <p>No one from the unit turned up for meeting. The Committee decided to grant one last opportunity of being heard and directed to inform the unit to ensure their presence before the Approval Committee in its next meeting.</p>
18.	<p>Proposal in respect of M/s. Jagat Gems & Jewellery for adjudication of SCN.</p> <p>No one from the unit turned up for meeting. The Committee decided to grant one last opportunity of being heard and directed to inform the unit to ensure their presence before the Approval Committee in its next meeting.</p>
19.	<p>Proposal in respect of M/s. Glide Chem Pvt. Ltd. for adjudication of SCN.</p> <p>The Approval Committee perused the contents of the SCN dated 23/08/2012 and after due deliberations, decided to impose a penalty of Rs. 1 Lakh; recovery of duty involved in the goods utilized in respect of negative NFE plus 18% interest on duty, for failure to achieve positive NFE/non-fulfilment of terms & conditions of the LOA. The Committee empowered the Development Commissioner, NSEZ to issue Order-in-Original accordingly.</p>
20.	<p>Proposal in respect of appeal of M/s. Sterling Flatware Ltd. against order dated 19.11.2014 of UAC.</p> <p>The Committee deferred the proposal for its next meeting as no one from the unit turned up for meeting.</p>
21.	<p>Proposal in respect of M/s. NKB Hardware Products for adjudication of SCN.</p> <p>The Approval Committee discussed the agenda in detail. The unit representative explained the circumstances under which they could not commence the activities. The Committee directed the promoter to submit credible business plan for next five years and clear the outstanding lease rent against Plot No. 129G/13, so as to consider their request for renewal</p>



of LOA. The Committee, after due deliberation, also decided to withdraw the SCN dated 29/01/2015.

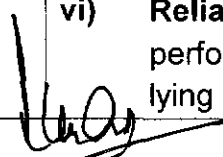
22. Proposal in respect of M/s SSA Infosystems (P) Ltd. for approval of additional list of services.

The Committee considered the proposal for approval of additional list of services in terms of guidelines laid down in Instruction No. 79 dated 19.11.2013 and DOC letter dated 24th June, 2014 (other than default services) as applied by M/s. SSA Infosystems Pvt. Ltd. and approved following services to the unit:-

1. Management or Business Consultant Services
2. Management Consultant
3. Business Auxiliary Services

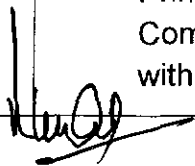
23. Following cases for monitoring of performance/APRs were also placed before the Approval Committee. The unit wise decision of UAC are indicated below:-

- i) **Rohit International** - The Committee monitored the performance of unit on the basis of APRs up to 2013-14 and noted that the unit is lying non-functional since 2010-11. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 129G/30 should not be cancelled.
- ii) **Advance Ispat (India) Ltd.** - The Committee monitored the performance of unit on the basis of APRs up to 2013-14 and noted that the unit is lying non-functional since 2010-11. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 129G/10,11,12 should not be cancelled.
- iii) **Surabhi International** - The Committee monitored the performance of unit on the basis of APRs up to 2013-14 and noted that the unit is lying non-functional since 2012-13. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 142-A/4 should not be cancelled.
- iv) **Jagdish data Systems Pvt. Ltd.**- The Committee noted that the unit has been issued In-Principle approval for Exit" on 22/12/2011 and compliance is still awaited. The Committee, hence, decided to issue a reminder to unit to complete exit formalities within one month time failing which their LOA and allotment of SDF No. C-06(B) shall be cancelled.
- v) **Jet Tech Systems** - The Committee monitored the performance of unit on the basis of APRs up to 2013-14 and noted that the unit is lying non-functional since 2012-13. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA should not be cancelled.
- vi) **Reliance Precitone Jewellers Pvt. Ltd.** - The Committee monitored the performance of unit on the basis of APRs up to 2013-14 and noted that the unit is lying non-functional since 2012-13. The Committee, hence, decided to issue a Show

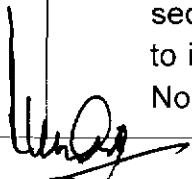


Cause Notice to the unit as to why their LOA and allotment of Plot No. JC-7,8 & 9 should not be cancelled.

- vii) **Hotz Industries Ltd.** - The Committee monitored the performance of unit and noted that the unit has not submitted APRs after 2009-10. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 25 & 26 should not be cancelled for non-submission of APRs, non-performance & non-compliance of terms & conditions of LOA.
- viii) **AMS Fashions Pvt. Ltd.** - The Committee monitored the performance of unit on the basis of APRs up to 2013-14 and noted dismal performance over the current block of five years. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 59G should not be cancelled.
- ix) **Meenakshi International** - The Committee monitored the performance of unit on the basis of APRs up to 2013-14 and noted that the unit is lying non-functional since 2011-12. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 163 should not be cancelled.
- x) **Jai Hanuman Exports** - The Committee monitored the performance of unit and noted negative NFE Earning during last block of five years. The unit Committee has further observed that unit has not deposited penalty of Rs. 50,000/- imposed vide order dated 06/09/2011 and lease rent of Rs. 14,58,138/- is outstanding. The Committee further noted that LOA has already expired on 10/12/2013 and unit has not applied for its renewal till date. The Committee, hence, directed the EM section to issue a notice under PP Act for recovery of lease rent and further decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of SDF No. H-3A&B should not be cancelled.
- xi) **R.A. International** - The Approval Committee discussed the agenda in detail and observed that unit has been lying non-functional since 2013-14. The Committee, after due deliberation, renewed LOA of unit upto March' 2016 and decided to monitor the performance in March' 2016.
- xii) **ShriRam Overseas** - The Committee noted that the unit has been issued In-Principle approval for Exit" on 21/04/2014 and compliance is still awaited. The Committee, hence, decided to issue a reminder to unit to complete exit formalities within one month time failing which their LOA shall be cancelled.
- xiii) **Encee International** - The Committee monitored the performance of unit on the basis of APRs up to 2013-14 and noted that the unit is lying non-functional since 2010-11. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 158 should not be cancelled.
- xiv) **Kohinoor International** - The Committee noted that the unit has been issued In-Principle approval for Exit" on 27/10/2014 and compliance is still awaited. The Committee, hence, decided to issue a reminder to unit to complete exit formalities within one month time failing which their LOA shall be cancelled.



- xv) **Pertech Exports Pvt. Ltd.** - The Committee monitored the performance of unit and noted that unit has not cleared penalty of Rs. 2,40,000/- and lease rent of Rs. 2,49,810/- in respect of SDF No. F-8A is currently outstanding. The Committee, hence, decided to issue a reminder to unit to deposit the penalty amount and clear outstanding lease rent at the earliest failing which recovery certificate shall be issued. The Committee further directed the EM section to issue notice under PP Act for recovery of lease rent.
- xvi) **Kewal Ram International Pvt. Ltd.** - The Committee noted that the unit has been issued In-Principle approval for Exit" on 16/06/2011 and compliance is still awaited. The Committee, hence, decided to issue a reminder to unit to complete exit formalities within one month time failing which their LOA shall be cancelled.
- xvii) **In Vogue Jewellers** - The Committee monitored the performance of unit on the basis of APRs up to 2012-13 and noted that the unit is lying non-functional since 2012-13 & lease rent amounting to Rs. 6,98,541/- is outstanding in respect of SDF No. C-03B. The Committee directed the EM section to issue notice under Section-7 of PP Act for recovery of lease rent and further decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No.158 should not be cancelled for non-performance & non-submission of APRs.
- xviii) **Windermere Exports Pvt. Ltd.** - The Committee monitored the performance of unit on the basis of APRs up to 2012-13 and noted that the unit is lying non-functional since 2011-12. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 129G/14 should not be cancelled for non-performance & non-submission of APRs.
- xix) **Ganpati Overseas** - The Committee monitored the performance of unit on the basis of APRs up to 2012-13 and noted that the unit has not submitted APRs after 2012-13. The Committee, hence, decided to issue a Show Cause Notice to the unit for non-submission of APRs & non-compliance with terms & conditions of LOA.
- xx) **Eneroil Offshore Drilling Ltd.** - The Committee monitored the performance of unit on the basis of APRs up to 2012-13 and noted that the unit is lying non-functional since 2011-12. The Committee further noted that LOA has already expired on 07/02/2011 and unit has not applied for its renewal till date. The Committee, hence, decided to issue a Show Cause Notice to the unit as to why their LOA should not be cancelled.
- xxi) **Ameks Techfab Pvt. Ltd.** - The Committee monitored the performance of unit and noted that the unit has not submitted APRs since inception. The Committee further noted that LOA has already expired on 21/09/2014 and unit has not applied for its renewal till date. Besides, lease rent amounting to Rs. 17,76,069/- is currently outstanding in respect of SDF No. H-14. The Committee, hence, directed the EM section to issue a notice under PP Act for recovery of lease rent and further decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of SDF No. H-14 should not be cancelled.



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xxii) Dwarka Das Seth SEZ India Incorporation - The Committee monitored the performance of unit on the basis of APRs up to 2012-13 and noted that the unit has not submitted APRs after 2012-13. Besides, lease rent amounting to Rs. 6,62,632.10/- is currently outstanding in respect of SDF No. I-9B. The Committee, hence, directed the EM section to issue a notice under PP Act for recovery of lease rent and further decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of SDF No. I-9B should not be cancelled.

xxiii) J.S. Designer – The Committee while monitoring observed that LOA of unit has already expired on 21/11/2014 & unit has not executed Bond-cum-LUT against issuance of LOA till date. The Committee further noted that unit was vide this office letter dated 11/12/2014 advised to clear lease rent first for consideration of LOA Extension, however compliance with same is still awaited and lease rent amounting to Rs. 8,70,764/- is currently outstanding in respect of Plot No. 150-B. The Committee, hence, directed the EM section to issue a notice under PP Act for recovery of lease rent and further decided to issue a Show Cause Notice to the unit as to why their LOA and allotment of Plot No. 150B should not be cancelled.

Supplementary Agenda:

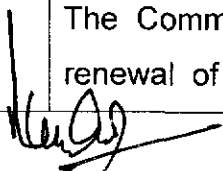
- 1. Application of M/s. IGATE Global Solutions Ltd. for setting up a unit in NSEZ.**

The Committee deliberated on the agenda note and approved the proposal of M/s. IGATE Global Solutions Ltd. for undertaking service activities i.e. IT/ITES (BPO).
- 2. Application of M/s. Indus Valley Partners (India) Pvt. Ltd. for setting up a unit in NSEZ.**

The Committee deliberated on the agenda note and approved the proposal of M/s. Indus Valley Partners (India) Pvt. Ltd. for undertaking service activities i.e. Software Development.
- 3. Proposal in respect of M/s BE Gold Pvt. Ltd. for revision in authorized operations and projections.**

The Approval Committee discussed the proposal for amendment in LOA for revision in manufacturing items and approved the same.
- 4. Proposal in respect of appeal of M/s. Backbay Clothing against Order dated 22.08.2014 of UAC.**

The Committee discussed the agenda in detail and after due deliberations, approved renewal of LOA of M/s. Backbay Clothing upto March' 2016 subject to submission of




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	projections for next five years along with credible business plan.
5.	Proposal in respect of M/s R.A. International for renewal of LOA. The Approval Committee discussed the agenda in detail and observed that unit has been lying non-functional since 2013-14. The Committee, after due deliberation, renewed LOA of unit upto March' 2016 and decided to monitor the performance in March' 2016.
6.	Proposal in respect of M/s. Romsons International for inclusion of additional trading items in LOA. The Committee deliberated on the matter and allowed trading of items up to 10% of FOB Value of export during preceding year subject to condition that items approved to unit for manufacturing activities shall not be traded.

Meeting ended with vote of thanks to the chair.


(Sumeet Jerath) 01/07/2015

Development Commissioner