

NOIDA SPECIAL ECONOMIC ZONE

Minutes of 8th meeting (2012 Series) of Unit Approval Committee for Joint Monitoring of EOUs under the Chairmanship of Shri Jayant Misra, Development Commissioner, NSEZ held on 11/12.01.2013 at 11.30 AM at Luckow.

8th meeting (2012 Series) of Unit Approval Committee (UAC) for Joint Monitoring of EOUs falling under jurisdiction of Central Excise Commissionerate, Allahabad, Kanpur & Lucknow was held on 11/12.01.2013 under the Chairmanship of Shri Jayant Misra, Development Commissioner, Noida SEZ in the Central Excise Commissionerate Office, 7-A, Ashok Marg, Lucknow. List of officers is enclosed at Annexure-I. The Chairman welcomed all participants of the UAC and thereafter joint monitoring of each unit was taken up.

8.1(12): Joint monitoring of EOUs falling under jurisdiction of C.Ex. Commissionerate, Allahabad in terms of Appendix 14-I-G of HBP.

1. ***M/s. Atlanta Rugs (P) Ltd.:*** The Committee noted that this unit had started production in 2004, and the LOP was valid up to 2009. In the meantime, on the request of the unit for exit from the EOU, "In-principle" exit was allowed on 02.08.2007. However, "No-Dues" certificate in respect of tax liabilities from the jurisdictional Central Excise authorities yet to be received, and thus final debonding of the unit is pending.

The Committee, therefore, directed that the jurisdictional Central Excise authorities may examine the matter and inform status of the unit alongwith report on the export, import, and duty free procurement etc undertaken by the unit during the period from 2004 to 2008. Further, they may issue NOC in respect of the tax liabilities, so as to finally debond of the unit from EOU scheme.

2. ***M/s. Bholanath Industries Ltd.:*** The Committee reviewed performance of the unit and noted that the APR for the year 2011-12 has not yet submitted by the unit. Further the Committee require Central Excise to examine the deemed export posted in the APR for the year 2009-10 and 2010-11 and also the DTA sale done by the unit vis-à-vis the permissions of such sale granted by the Development Commissioner.

3. ***M/s. Hi- Tech Needles Pvt. Ltd.:*** The Committee noted that this unit is reported closed but has not yet finally debonded. This unit started production in 1998 and the LOP was valid up to 2008. As per the records available with the NSEZ, certain show cause notices had been issued by the Central Excise to the unit demanding Custom & Central Excise duties.

Taking into account the above, the Committee directed that the jurisdictional Central Excise authorities may examine the matter and inform status of the unit alongwith a report on export, import, and duty free procurement etc during the period of validity of the LOP till 2008. Further, they may issue "No-Dues" certificate after safe guarding the interest of the revenue, so as to consider final debonding of the unit.

8.2 (12): Joint monitoring of EOUs falling under jurisdiction of C.Ex. Commissionerate, Kanpur in terms of Appendix 14-I-G of HBP.

1. **M/s. A & C Braid and Rope Co. Pvt. Ltd.:** The Committee reviewed performance of the unit and found it satisfactory. However, a foreign exchange of Rs. 30 lakhs has been shown pending in the year 2010-11. The Committee, therefore, directed NSEZ to obtain clarification and status in respect of the pending foreign exchange from the unit.
2. **M/s. B. B. Foods Private Ltd:** The Committee reviewed performance of the unit and noted that the unit has started production from April 2011. However, no performance report has since then filed by the unit. The Committee directed representative of the unit to submit APR/ QPR for the year 2011-12 & 2012-13 within a week.
3. **M/s. Dayal Sustainable Tech. Pvt. Ltd.:** The Committee noted that this unit is reported closed but has not yet finally debonded. This unit had started production in 1995, and its LOP was valid till 2000.
Taking into account the above, the Committee directed that the jurisdictional Central Excise authorities may examine the matter and inform the status of the unit alongwith a report on export, import, and duty free procurement etc during the period of validity of the LOP. Further, they may issue "No-Dues" certificate after safe guarding interest of the revenue, so as to consider final debonding of the unit.
4. **M/s. Equiplus (India):** The Committee has reviewed performance of the unit and found it satisfactory. The Committee, however, noted that the APR for the year 2011-12 has not been submitted by the unit. For this purpose, the Committee directed NSEZ to issue a notice to the unit for submitting APR within a week time.
5. **M/s. Equiplus (India) Unit- II:** The Committee has reviewed performance of the unit and found it satisfactory. The Committee, however, noted that the APR for the year 2011-12 has not been submitted by the unit. For this purpose, the Committee directed to NSEZ to issue a notice to the unit for submitting APR within a week time. Further, the Committee noticed the unit has not shown exports in the year 2009-10, which may also be examined.
6. **M/s. J.S. International :** The Committee noted that this unit had started production in 2000, and the LOP was valid up to 2010. The unit was granted "In-principle" exit from EOU scheme on 15.03.2011 for completing formalities of final debonding within a period of six months, which ended on 14.09.2011. However, "No-Dues" certificate in respect of tax liabilities has not been received from the jurisdictional Central Excise authorities.

The Committee, therefore, directed the jurisdictional Central Excise authorities may examine the matter in respect of the tax liabilities and inform status of the unit alongwith report on the export, import, and duty free procurement etc. Further, the unit needs to apply afresh for "In- principle" exit from EOU scheme to the Development Commissioner.

- 7. M/s. Kanpur Texel Pvt. Ltd.:** The Committee reviewed performance of the unit and found it satisfactory. However, the Committee noted that the APR for the year 2011-12 has not been submitted by the unit. For this purpose the Committee directed NSEZ to issue notice to the unit for submitting APR within a week time. Further, the Committee advised that the jurisdictional Central Excise authorities may examine DTA sale done by the unit vis-à-vis the permissions of such sale granted by the Development Commissioner.
- 8. M/s. Krishna Exports:** The Committee reviewed performance of the unit and found it satisfactory. The Committee, however, advised the jurisdictional Central Excise authorities to check value addition by the unit and the consumption of inputs as per the SION.
- 9. M/s. MKU Pvt. Ltd.:** The Committee reviewed performance of the unit and found it satisfactory. However, the Committee noticed that certain amount of foreign exchange has been shown pending in the year 2010-11 & 2011-12. The unit's representative clarified that this pending amount pertains within 180 days. The Committee directed NSEZ to examine correct status regarding pendency of the foreign exchange beyond 365 days as well as realization of pending foreign exchange as declared in the APRs.

8.3 (12): Joint monitoring of EOUs falling under jurisdiction of C.Ex. Commissionerate, Lucknow in terms of Appendix 14-I-G of HBP.

1. ***M/s. Angel Foods Pvt. Ltd.:*** The Committee noted that this unit is reported closed but yet to be finally debonded. This unit had started production in 1995, and its LOP was valid till 2000. The Central Excise authorities informed that some show cause notices were issued to the unit as well as some cases has been remanded by the CESTAT. It is also noted that the status of writ petition filed by the unit is not known.
The Committee, therefore, directed that the jurisdictional Central Excise authorities may examine the matter in respect of the tax liabilities and inform the status of the unit alongwith a report on the export, import and duty free procurement etc as well as may provide copies of all show cause notice issued to the unit. After considering the above, the jurisdictional Central Excise authorities may issue "No-Dues" certificate for considering debonding of the unit.
2. ***M/s. Argad Biotech Pvt. Ltd.:*** The Committee noted that the unit has not implemented project despite extension of the LOP granted till 23.10.2011. Consequently, the NSEZ authorities cancelled LOP in March, 2012. The Committee advised the jurisdictional Central Excise authorities to take necessary action to safeguard their revenue.
3. ***M/s. Datta Borough India Pvt. Ltd.:*** The Committee reviewed performance of the unit and found it satisfactory.
4. ***M/s. East West Exhausts Pvt Ltd.:*** The Committee noted that this unit is reported closed but yet to be finally debonded. On the aspect of NFE calculation, a hearing was held by the Development Commissioner recently, and the decision on the NFE achievement is being issued, enabling further necessary action by all concerned.
5. ***M/s. Esscee Biotech (I) Pvt. Ltd.:*** The Committee reviewed performance of the unit and found it satisfactory. However, the Committee advised that the jurisdictional Central Excise authorities may examine DTA sale done by the unit vis-à-vis the permissions of such sale granted by the Development Commissioner.
6. ***M/s. Madhu India Deco Ltd.:*** The Committee reviewed performance of the unit and found it satisfactory. However, the Committee advised that the jurisdictional Central Excise authorities may examine DTA sale done by the unit vis-à-vis the permissions of such sale granted by the Development Commissioner.
7. ***M/s. Microlit :*** The Committee reviewed performance of the unit and found it satisfactory. However, the Committee advised that the jurisdictional Central Excise authorities may examine DTA sale done by the unit vis-à-vis the permissions of such sale granted by the Development Commissioner. Regarding some foreign exchange shown pending, the committee directed unit's representative to submit the BRC for the same.

8. *M/s. P. N. international :* The Committee reviewed performance of the unit and found it satisfactory. However, the Committee noted that the APR for the year 2011-12 has not been submitted by the unit. The unit's representative informed that they will submit the APR within a week. Further the Committee requires unit to clarify deemed export posted in the APR for the year 2008-09 and 2009-10.

9. *M/s. Runeecha Textiles Ltd.:* The Committee noted that this unit is reported closed but yet to be finally debonded. This unit had started production in 1993, and it's LOP was last extended for next five years from 1998-99. Also, an advance DTA sale permission of Rs.5 crore was granted on 14.09.2001. In the meantime, the unit was granted "In-principle" exit from EOU scheme on 21.07.2004. The jurisdictional Central Excise authorities has informed that the unit has deposited dues of duties but the interest on the duty is to be worked out for recovery from the unit.

The Committee, therefore, directed that the jurisdictional Central Excise authorities may examine the matter in respect of the tax liabilities and inform the status of the unit alongwith a report on the export, import, and duty free procurement etc as well as may provide copies of all show cause notices issued to the unit. After considering the above, they may issue "No-Dues" certificate for considering debonding of the unit.

10. *M/s. Shamken Spinners Ltd.:* The Committee noted that the present status of the unit is not known. Unit was granted "In-principle" exit on 03.02.2009, which was valid upto 15.08.2010. Unit did not complete final debonding within specified time and later requested for extension of LOP for next five years, beyond 31.03.2011. For this purpose certain data and the applications was called from the unit. The unit did not comply with the same. The jurisdictional Central Excise authorities informed that the unit is sick and in BIFR as well as CESTAT has passed order in respect of the unit.

The Committee, therefore, directed that the jurisdictional Central Excise authorities may examine the matter in respect of the tax liabilities as there were substantial amount of import of capital goods and inform status of the unit alongwith a report on the export, import, and duty free procurement etc as well as may provide copies of all orders issued by any authorities relating to the unit.

11. *M/s. Unilever India Exports Limited:* The Committee reviewed performance of the unit and found it satisfactory.

12. *M/s. Universal Trading Co.:* The Committee noted that the LOP of the unit is valid till 13.05.2014. However, Unit is not able to operate due to non renewal of the bonding license by the Central Excise authorities. The Committee accordingly advised them to examine the matter, enabling resumption of operations of the unit.

Development Commissioner

Encl: annexure- I

Annexure- I**List of Participants**

1. Shri Jayant Misra, Development Commissioner , NSEZChairman
2. Shri Himanshu Gupta, Commissioner, Central Excise & Service Tax, Lucknow.
3. Ms. Vandana Jain, Commissioner, Central Excise & Service Tax, Kanpur.
4. Shri S.B. Misra, Commissioner, Central Excise & Service Tax, Allahabad.
5. Smt Mala Rangarajan, Dy. Development Commissioner, NSEZ, Noida
6. Shri Bipin Kumar, Dy. Commissioner, Central Excise & Service Tax, Lucknow.
7. Shri Anil Prasad , Asstt. Commissioner , Central Excise & Service Tax, Division-I, Lucknow.
8. Shri V.K. Nanda,Asstt. Commissioner, Central Excise Division-Rai Bareli.
9. Shri Amit Misra, Asstt. Commissioner, Central Excise & Service Tax, Division-II, Lucknow
10. Shri Shashank Kumar Yadav, Asstt. Commissioner, Division-III, Kanpur.
11. Shri Dinesh Singh Dewan, Asstt. Commissioner, Central Excise, Varanasi.
12. Shri S.A.Khan, Supdt. , Central Excise, Range Barabanki-I, Lucknow.
13. Shri N.K.Srivastava, Supdt. , Central Excise, Division-I.
14. Shri R.K.Shukla, Supdt. , Central Excise Range Kosi-kalan, Division-Aligarh, Lucknow.
15. Shri Mahendra Singh, Supdt. , Central Excise Range Kasganj, Division-Aligarh.
16. Shri S.K.Singh, Supdt. , Central Excise Range Amausi, Lucknow-I.
17. Shri Jai Nigam, Supdt. , Central Excise Range Sarojini Nagar, Division-I, Lucknow.
18. Shri S.C.Bhatnagar, Supdt. , Central Excise Sitapur.
19. Shri Rakesh Agarwal, Asstt. Development Commissioner, NSEZ.....Convener