

## मुरादाबाद विशेष आर्थिक क्षेत्र

(09/09/2021 को आयोजित मुरादाबाद विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त)

श्री अ० बिपिन मैन्न, क्षेत्रीय विकास आयुक्त, नाँएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में  
दिनांक 09/09/2021 को सुबह 11:00 बजे वीडियो कॉन्फ्रेंसिंग द्वारा आयोजित मुरादाबाद  
विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त

The following members of the Approval Committee participated in the meeting through Video Conferencing :-

1. Shri Kiran Mohan Mohadikar, Dy. Development Commissioner, NSEZ, Noida (Nominee of Deptt. Of Commerce in terms of letter dated 23/09/2008).
2. Shri Sumit Kumar, Dy. Commissioner, ICD Moradabad.
3. Shri Shobhit Sinha, Dy. Commissioner, CGST Moradabad.
4. Shri Manish Pathak, Asst. Commissioner, O/o Jt. Comm. Industries, Moradabad.
5. Shri Rakesh Kumar Singh, FTDO, DGFT, New Delhi.
6. Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA, Moradabad SEZ.

Besides, during the meeting Dr. Ved Prakash Sharma, Asstt. Development Commissioner, Moradabad SEZ also participated in the meeting through Video Conferencing to assist the Approval Committee. It was informed that the Quorum is complete and the meeting can be convened.

At the outset, the chairman welcomed the participants. After brief introduction, each items included in the agenda were taken up for deliberation one by one. After detailed deliberations among the members of the Approval Committee as well as interaction with the applicants/ representatives of the units, the following decisions were taken:-

1	<b>Ratification of Minutes of last meeting of the Approval Committee held on 12/08/2021</b>  As no reference in respect of the decisions of the Approval Committee held on 12/08/2021 was received from any of the members of the Approval Committee or Trade, Minutes of the meeting held on 12/08/2021 were unanimously ratified.
2	<b>Monitoring of non-realization of Foreign Exchange beyond stipulated time period and</b>

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action under FTDR Act, 1992

2.1 M/s Superior Metal Overseas :-

- i. Approval Committee was informed that M/s Superior Metal Overseas having LOA No. NSEZ/4-321/2003-MBD/5201 dated 12.07.2012 for manufacturing and export of Handicrafts made of Brass, Aluminium, Cooper, Zinc, Iron & Alloy products. The LOA of the unit expired on 30.09.2020.
- ii. It was also informed that the case of unit was last placed before Approval Committee in its meeting held on 08.07.2021 wherein Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 48,852.00 pending dues of the developer which they must clear immediately.
- iii. Shri Ghazi Arif, partner from M/s Superior Metal Overseas appeared before Approval Committee in its meeting held on 08.07.2021. He informed the committee that due to COVID he is not able to realize the pending Forex but his buyers have given him time up to Dec. 2021 for releasing all the forex pending. When asked about extension from RBI/ AD Bank, Shri Ghazi informed that RBI was approached by them for seeking time extension on the pending forex but their request was turned down stating that they have already barred the time limit by which they had to apply for time-extension. Hence no extension was given by RBI. When asked about ongoing investigation by DGGI, Shri Ghazi informed that the investigation is being carried out by DGGI on M/s Dollar Impex, a DTA unit in Moradabad. Since M/s Dollar Impex has made sale/ purchase transaction in past with M/s Superior Metal Overseas and M/s Modern Metals Overseas, both SEZ units were investigated by DGGI and no outcome has yet come out of that investigation. When asked about his involvement with any other SEZ unit, Shri Ghazi informed that his father Shri Mohammad Arif is one of the two partners in M/s Modern Metals Overseas.
- iv. It was further informed that the Approval Committee in its meeting held on 08.07.2021, after due deliberations, took a serious view on non-realization of large Forex amount pending beyond stipulated time period. Approval Committee further decided to give one final chance to the unit to show substantial progress in the matter of realization of pending Forex. The case is to be placed before Approval Committee in its September 2021 meeting for monitoring of pending Forex and if the unit fails to show any progress, then suitable action will be initiated against the unit without any further delay including Exit from SEZ scheme. Approval committee also directed the representative of unit i.e., Shri Ghazi to (i) give complete detailed information to the ADC, Moradabad SEZ in the matter of investigation by DGGI and (ii) clear all the dues of developer i.e., UPSIDA at the earliest.
- v. Thereafter as per direction of Approval Committee, the case was placed before the committee in its meeting held on 09.09.2021 wherein it was informed that the unit has not submitted any documents to ADC, Moradabad SEZ as directed by Approval Committee in its meeting held on 08.07.2021. It was further informed that the unit has shown nominal progress in realization of pending Forex in last 02 months and Rs. 50,54,20,670.00 (i.e. Rs. 50.54 Crores) is still pending for realization as on 01.09.2021.
- vi. Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 49,852.00 pending dues of the developer which they must clear immediately.
- vii. Shri Ghazi Arif, partner from M/s Superior Metal Overseas appeared before Approval Committee in its meeting held on 09.09.2021. He informed the Committee that approx. 2.00 Crores from the pending Forex is realized and documents have been submitted to their AD Bank i.e. Bank of Baroda for issuance of BRC which are not issued till date. He also informed that more time is needed so as to realize the pending Forex completely.

When asked about action he has taken so far for realization, he informed that his buyers are based in Gulf countries (UAE, Oman, Dubai, Saudi Arabia) who are residents of UAE, Pakistan and India. He has initiated legal action in the matter by filing complaint with the Moradabad Civil court wherein Embassy would also be involved in the matter if need arises. Shri Ghazi was further asked about DGGI investigation wherein he informed the Committee that the investigation by DDGI was related to a DTA unit Dollar Impex and in the matter premises of Superior Metal Overseas was visited by investigation team and needed documents were asked which have been provided by unit to DGGI. It was further asked that since they have procured more goods through DTA procurement & Import but made exports of less value wherein Shri Ghazi informed that they have also made InterSEZ transfers to units in Moradabad SEZ. He further requested for giving some more time so as to realize the pending Forex.

viii. The Approval Committee, after due deliberations, took serious view on the fact that large Forex amount is still pending for realization for a very long time and despite a number of personal hearings given over the last year, no ground level action seems to have been taken by the unit for realization of the export receivables which is now well beyond the stipulated time. The Approval Committee also directed that stock taking exercise to be done for the unit by Customs. The Committee further directed Shri Ghazi Arif to submit (i) complete detailed report of DGGI investigation in their unit, (ii) Details of all Inter/ Intra SEZ transfers including transferring/ receiving entity's name & address, date of transaction, its value and description of goods transferred or received by the unit till date and (iii) clear all the dues of developer i.e., UPSIDA at the earliest. The Committee also decided that an SCN be subsequently issued to the unit indicating the outstanding indirect tax dues seeking them to deposit the same based on the imports and exports actually realised as well as the NFE shortfall thereof. The Approval Committee directed that suitable action as deems fit may be initiated by the Development Commissioner, NSEZ against the unit under FTDR Act 1992.

**4.2 M/s S. F. Star International :-**

- i. Approval Committee was informed that M/s S. F. Star International having LOA No. NSEZ/4-283/2003-MBD/3154 dated 22.02.2010 for manufacturing and export of Handicrafts made of Brass, Aluminium, Cooper, Zinc, Iron & Alloy products and other Indian Handicrafts. The LOA of the unit was valid up to 27.10.2021 but was suspended on 06.08.2021 on direction of Approval Committee in its meeting held on 08.07.2021.
- ii. It was also informed that the case of unit was last placed before Approval Committee in its meeting held on 08.07.2021. No-one from the unit appeared before the Approval Committee in its meeting held on 08.07.2021. Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 2,23,630.00 pending dues of the developer which they must clear immediately.
- iii. It was further informed that the Approval Committee in its meeting held on 08.07.2021, after due deliberations, took a serious view of absence of promoter of unit from personal hearings convened by the DC, NSEZ & Approval Committee meeting and non-realization of large Forex amount pending beyond stipulated time period. Approval Committee further decided to give one final chance to the unit to show substantial progress in the matter of realization of pending Forex. Since, LOA of the unit is still valid, Approval Committee decided to suspend the LOA of the unit and directed to place the case before its September 2021 meeting for monitoring of pending Forex and if the unit fails to show any progress, then suitable action will be initiated against the unit without any further

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	<p>delay including Exit from SEZ scheme. Approval committee also directed that the unit must clear all the dues of developer i.e., UPSIDA at the earliest.</p> <p>iv. Thereafter as per direction of Approval Committee, the case was again placed before the committee in its meeting held on 09.09.2021 wherein it was informed that the unit has not submitted any documents to ADC, Moradabad SEZ which shows that the pending dues of developer are paid as directed by Approval Committee in its meeting held on 08.07.2021. It was further informed that the unit has not shown any progress in realization of pending Forex in last 02 months and Rs. 48,40,67,364.00 (i.e. Rs. 48.41 Crores) is still pending for realization as on 01.09.2021.</p> <p>v. No-one from the unit appeared before the Approval Committee in its meeting held on 09.09.2021. Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 2,23,630.00 pending dues of the developer which they must clear immediately.</p> <p>vi. The Approval Committee, after due deliberations, took serious view of absence of promoter of unit from personal hearings convened by the DC, NSEZ as well as Approval Committee meetings and the fact that large Forex amount is still pending for realization for a very long time and also no stern action seems to have been taken by the unit regarding realization of same within stipulated time. The Approval Committee also directed that stock taking exercise to be done by Customs. The Committee also decided that an SCN be subsequently issued to the unit indicating the outstanding indirect tax dues seeking them to deposit the same based on the imports and exports actually realised as well as the NFE shortfall thereof. The Approval Committee directed that suitable action as deems fit may be initiated by the Development Commissioner, NSEZ against the unit under FTDR Act 1992.</p>
<p><b>4.3 M/s Indian Allied Exports :-</b></p>	<p>i. Approval Committee was informed that M/s Indian Allied Exports having LOA No. NSEZ/4-348/2003-MBD/8109 dated 31.01.2014 for manufacturing and export of Handicrafts made of Brass, Glass, Aluminium, Cooper, Iron, Wood, Stainless Steel &amp; Hand crafted Home décor &amp; Home furnishing. The LOA of the unit expired on 30.09.2020.</p> <p>ii. It was also informed that the case of unit was last placed before Approval Committee in its meeting held on 08.07.2021 wherein Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 15,771.00 pending dues of the developer which they must clear immediately.</p> <p>iii. Shri Shantam Goel, proprietor from M/s Indian Allied Exports appeared before Approval Committee in its meeting held on 08.07.2021. He informed that he has realised approx. 10-12 Lakh USD but GR for the same are not closed by the bank yet. He also informed that the Bank have agreed to close GRs and upload e-BRC for the third-party payment received but the whole process would take about 1-2 months at bank end for uploading 15 BRCs. When asked about his future business plans, he informed that his SEZ business is completely closed and is most unlikely to revive the business again since he is facing court cases from multiple individuals as well as Banks. He is very much burdened with loans, so he is trying to settle all the cases as well as realize the forex and make payment to suppliers.</p> <p>iv. It was further informed that the Approval Committee in its meeting held on 08.07.2021,</p>

	<p>after due deliberations, took a serious view on non-realization of large Forex amount pending beyond stipulated time period. Approval Committee further decided to give one final chance to the unit to show substantial progress in the matter of realization of pending Forex. Approval Committee further directed to place the case before its September 2021 meeting for monitoring of pending Forex and if the unit fails to show any progress, then suitable action will be initiated against the unit without any further delay including Exit from SEZ scheme. Approval committee also directed that the unit must clear all the dues of developer i.e., UPSIDA at the earliest.</p> <p>v. Thereafter as per direction of Approval Committee, the case was placed before the committee in its meeting held on 09.09.2021 wherein it was informed that the unit has not submitted any documents to ADC, Moradabad SEZ as directed by Approval Committee in its meeting held on 08.07.2021. It was further informed that the unit has not shown any progress in realization of pending Forex in last 02 months and Rs. 44,91,05,893.00 (i.e. Rs. 44.91 Crores) is still pending for realization as on 01.09.2021.</p> <p>vi. Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 15,771.00 pending dues of the developer which they must clear immediately.</p> <p>vii. Shri Shantam Goel, proprietor from M/s Indian Allied Exports appeared before Approval Committee in its meeting held on 09.09.2021. He informed that he has realised approx. 10.00 Crores of Forex but AD Bank i.e. Corporation Bank is not generating BRC as his another Loan Account with Bank is NPA. He further informed that he has requested bank for OTS (One Time Settlement) of the Loan account which is under consideration at Bank end, as soon as the OTS is processed, Bank will generate BRCs. He also informed that he will be initiating legal action against the buyers soon. He further requested for giving some more time so as to realize the pending Forex.</p> <p>viii. The Approval Committee, after due deliberations, took serious view on the fact that large Forex amount is still pending for realization for a very long time and also no stern action seems to have been taken by the unit regarding realization of same within stipulated time. The Committee further directed that the unit must clear all the dues of developer i.e., UPSIDA at the earliest. The Approval Committee also directed that stock taking exercise to be done by Customs. The Committee also decided that an SCN be subsequently issued to the unit indicating the outstanding indirect tax dues seeking them to deposit the same based on the imports and exports actually realised as well as the NFE shortfall thereof. The Approval Committee directed that suitable action as deems fit may be initiated by the Development Commissioner, NSEZ against the unit under FTDR Act 1992.</p>
4.4	<p><b>M/s OSR International :-</b></p> <p>i. Approval Committee was informed that M/s OSR International is having LOA No. NSEZ/4-350/2003-MBD/8102 dated 31.01.2014 for manufacturing and export of Handicrafts made of Brass, Glass, Aluminium, Cooper, Iron, Wood, Tin, Textile, Rugs &amp; Druggets, Leather, Home décor, Home furnishing, Imitation Jewelry &amp; Fashion Accessories. The LOA of the unit expired on 30.06.2020.</p> <p>ii. It was also informed that the case of unit was last placed before Approval Committee in its meeting held on 08.07.2021. No-one from the unit appeared before the Approval Committee in its meeting held on 08.07.2021. Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 78,257.00 pending dues of the developer which they must clear immediately.</p> <p>iii. It was further informed that the Approval Committee in its meeting held on 08.07.2021, after due deliberations, took a serious view of absence of promoter of unit from personal hearings convened by the DC, NSEZ &amp; Approval Committee meeting and non-realization of large Forex amount pending beyond stipulated time period. Approval Committee further decided to give one final chance to the unit to show substantial progress in the matter of realization of pending Forex. Approval Committee further directed to place the case before its September 2021 meeting for monitoring of pending Forex and if the unit</p>

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	<p>fails to show any progress, then suitable action will be initiated against the unit without any further delay including Exit from SEZ scheme. Approval committee also directed that the unit must clear all the dues of developer i.e., UPSIDA at the earliest.</p> <p>iv. Thereafter as per direction of Approval Committee, the case was again placed before the committee in its meeting held on 09.09.2021 wherein it was informed that the unit has not submitted any documents to ADC, Moradabad SEZ which shows that the pending dues of developer are paid as directed by Approval Committee in its meeting held on 08.07.2021. It was further informed that the unit has not shown any progress in realization of pending Forex in last 02 months and Rs. 51,50,72,659.00 (i.e., Rs. 51.51 crores) is still pending for realization as on 01.09.2021.</p> <p>v. No-one from the unit appeared before the Approval Committee in its meeting held on 09.09.2021. Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 78,257.00 pending dues of the developer which they must clear immediately.</p> <p>vi. The Approval Committee, after due deliberations, took serious view of absence of promoter of unit from personal hearings convened by the DC, NSEZ as well as Approval Committee meetings. It also noted that fact that large Forex amount is still pending for realization for a very long time and despite a number of personal hearings given over the last year, no ground level action seems to have been taken by the unit for realization of the export receivables which is now well beyond the stipulated time. The Approval Committee also directed that stock taking exercise to be done by Customs. The Committee also decided that an SCN be subsequently issued to the unit indicating the outstanding indirect tax dues seeking them to deposit the same based on the imports and exports actually realised as well as the NFE shortfall thereof. The Approval Committee directed that suitable action as deems fit may be initiated by the Development Commissioner, NSEZ against the unit under FTDR Act 1992.</p>
<p>4.5</p>	<p><b>M/s Enn Bee Enterprises :-</b></p> <p>i. Approval Committee was informed that M/s Enn Bee Enterprises is having LOA No. NSEZ/4-218/2003-MBD/1260 dated 26.06.2007 for manufacturing and export of Handicrafts made of Metal sheets including Brass, Iron, Iron, EPNS, Copper, Zinc, Fashion Jewelry &amp; accessories. The LOA of the unit expired on 31.12.2019.</p> <p>ii. It was also informed that the case of unit was last placed before the Approval Committee in its meeting held on 08.07.2021 wherein Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 2,65,663.00 pending dues of the developer which they must clear immediately.</p> <p>iii. It was further informed that the Approval Committee in its meeting held on 08.07.2021, after due deliberations, took a very serious view of absence of promoter of unit from personal hearings convened by the DC, NSEZ &amp; Approval Committee meeting and non-realization of large Forex amount pending beyond stipulated time period. Approval Committee further decided to give one final chance to the unit to show substantial progress in the matter of realization of pending Forex. Approval Committee further directed to place the case before its September 2021 meeting for monitoring of pending Forex and if the unit fails to show any progress, then suitable action will be initiated against the unit without any further delay including Exit from SEZ scheme. Approval committee also directed that the unit must clear all the dues of developer i.e., UPSIDA at</p>

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the earliest.

- iv. Thereafter as per direction of Approval Committee, the case was again placed before the committee in its meeting held on 09.09.2021 wherein it was informed that the unit has not submitted any documents to ADC, Moradabad SEZ which shows that the pending dues of developer are paid as directed by Approval Committee in its meeting held on 08.07.2021. It was further informed that the unit has not shown any progress in realization of pending Forex in last 02 months and Rs. 3,29,24,348.00 (i.e., Rs. 3.29 crores) is still pending for realization as on 01.09.2021.
- v. No-one from the unit appeared before the Approval Committee in its meeting held on 09.09.2021. Shri Sanjeev Kumar Bedi, Area Manager, UPSIDA informed the committee that the unit has Rs. 2,65,663.00 pending dues of the developer which they must clear immediately.
- vi. The Approval Committee, after due deliberations, took serious view of absence of promoter of unit from personal hearings convened by the DC, NSEZ as well as Approval Committee meetings. It also noted that fact that large Forex amount is still pending for realization for a very long time and despite a number of personal hearings given over the last year, no ground level action seems to have been taken by the unit for realization of the export receivables which is now well beyond the stipulated time. The Approval Committee also directed that stock taking exercise to be done by Customs. The Committee also decided that an SCN be subsequently issued to the unit indicating the outstanding indirect tax dues seeking them to deposit the same based on the imports and exports actually realised as well as the NFE shortfall thereof. The Approval Committee directed that suitable action as deems fit may be initiated by the Development Commissioner, NSEZ against the unit under FTDR Act 1992.

**4.6 M/s Naaz Exports :-**


- i. Approval Committee was informed that M/s Naaz Exports having LOA No. NSEZ/4-378/2003-MBD/9413 dated 07.03.2016 for manufacturing and export of Handicrafts made of Brass, Aluminium, Textile (except for scarves, shawls & mufflers), Iron, Glass, Tin & Articles there-of, Fashion accessories (except for scarves, shawls & mufflers), Leather, Home Décor, Home furnishing and Handmade Rugs & Druggets. The LOA of the unit is valid up to 08.11.2021.
- ii. It was also informed that the case of unit was last placed before Approval Committee in its meeting held on 08.07.2021 wherein Ms. Naazo, proprietor from M/s Naaz Exports appeared before Approval Committee and informed the committee that due to COVID she is not able to realize the pending Forex but as per her negotiations with overseas buyers she will be able to realize the pending Forex in next 02 months. When asked about name, country and other details of her overseas buyers, she was not able to answer properly. Ms. Naazo further informed the committee that although she had made imports in 2020-21, she has not made any export in 2020-21.
- iii. It was further informed that the Approval Committee in its meeting held on 08.07.2021, after due deliberations, took a serious view on non-realization of large Forex amount pending beyond stipulated time period. Approval Committee further decided to give one final chance to the unit to show substantial progress in the matter of realization of pending Forex. Since, LOA of the unit is still valid, Approval Committee decided to suspend the LOA of the unit and directed to place the case before its September 2021

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meeting for monitoring of pending Forex and if the unit fails to show any progress, then suitable action will be initiated against the unit without any further delay including Exit from SEZ scheme.

- iv. Thereafter as per direction of Approval Committee, the case was again placed before the committee in its meeting held on 09.09.2021 wherein it was informed that the unit has not submitted any documents to ADC, Moradabad SEZ which shows that the pending dues of developer are paid as directed by Approval Committee in its meeting held on 08.07.2021. It was further informed that the unit has not shown any progress in realization of pending Forex in last 02 months and Rs. 35,98,44,457.00 (i.e., Rs. 35.98 crores) is still pending for realization as on 01.09.2021.
- v. No-one from the unit appeared before the Approval Committee in its meeting held on 09.09.2021.
- vi. The Approval Committee, after due deliberations, took serious view of absence of promoter of unit from personal hearings convened by the DC, NSEZ as well as Approval Committee meetings. It also noted that fact that large Forex amount is still pending for realization for a very long time and despite a number of personal hearings given over the last year, no ground level action seems to have been taken by the unit for realization of the export receivables which is now well beyond the stipulated time. The Approval Committee also directed that stock taking exercise to be done by Customs. The Committee also decided that an SCN be subsequently issued to the unit indicating the outstanding indirect tax dues seeking them to deposit the same based on the imports and exports actually realised as well as the NFE shortfall thereof. The Approval Committee directed that suitable action as deems fit may be initiated by the Development Commissioner, NSEZ against the unit under FTDR Act 1992.

Meeting ended with thanks to the Chair.

  
(Kiran M. Mohadikar)

Dy. Development Commissioner

(A. Bipin Menon)

Zonal Development Commissioner