

मुरादाबाद विशेष आर्थिक क्षेत्र
**(दिनांक 27/07/2022 को आयोजित अनुमोदन समिति की बैठक का
कार्यवृत्त)**

**Minutes of meeting of the Approval Committee of Moradabad SEZ held under the
Chairmanship of Shri A Bipin Menon, Development Commissioner (DC), Noida SEZ at
11:00 AM on 27/07/2022 through video conferencing.**

A. The following members of the Approval Committee were present through video conferencing during the meeting:-

1. Shri Kiran M. Mohadikar, Dy. Development Commissioner, NSEZ (Nominee of Deptt. of Commerce in terms of letter dated 23/09/2008) and also Specified Officer of the SEZ.
2. Shri Sumit Kumar, Dy. Commissioner, Customs, ICD Moradabad.
3. Shri Chaman Lal, ADG (FT) O/o Addl. DGFT, CLA, New Delhi
4. Shri Nagendra Sirohi, Supdt., CGST Moradabad.
5. Shri Abhishek Verma, ASO, DIC, Moradabad (Rep. of Principal Secretary, Industry, Govt. of UP.).
6. Shri Pankaj Khatri, Income Tax Officer, Income Tax Deptt., Moradabad.
7. Shri Santosh Kumar, Regional Manager, UPSIDA, Moradabad SEZ (Rep. of CEO, UPSIDA, Govt. of U.P.).

B. Besides, during the meeting S/Shri (i) Pramod Kumar, Assistant Development Commissioner (in-charge), MSEZ (ii) Lal Babu Prasad, Supdt. (in-charge), MSEZ and (iii) Arun Singh Parihar, Stenographer, Project Section, NSEZ were also present to assist the Approval Committee. It was informed that the stipulated quorum for holding the meeting is available and meeting can proceed.

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

D. Item wise decisions on proposals included in agenda:

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01.	Ratification of Minutes of last meeting of the Approval Committee held on 07/02/2022. It was informed that no reference against the decisions of the Approval Committee meeting held on 07/02/2022 has been received. The Approval Committee took note of the same and accordingly, Minutes of the meeting held on 07/02/2022 were unanimously ratified by the Approval Committee.
02.	Proposal of M/s East Elm for review of New Unit application with complete facts of case. 1. Shri Shailendra Pal Singh, Partner of unit appeared before the Approval Committee since he was not able to join the meeting virtually through Webex. He mentioned that he still wished to setup up unit in Moradabad SEZ. 2. The Approval Committee, discussed the agenda in detail and after due deliberations, granted 'in-principle' approval to the proposal of the applicant for setting up a unit in MSEZ subject to resolution of issue between UPSIDA on the payment of time extension fees. The Committee further decided that Letter of Approval shall be issued to the applicant only on receipt of time extension letter from UPSIDA. The office of DC, NSEZ would also write to the applicant asking them to seek the said extension and endorse a copy of the same to the Head Office of UPSIDA for expeditious resolution of time extension issue.
03.	Proposal of M/s C L Gupta Overseas LLP for :- i. Expansion of Area i.e. additional of Plot No. C-04 (Ratification). ii. Addition of ITC(HS) Codes in LOA dated 17.11.2016. iii. Enhancement of imported Capital Goods & revision of NFE projections. 1. Shri Kala Mukundan, Authorised Signatory for the unit appeared before the Approval Committee and explained his proposal. 2. The Approval Committee, discussed the agenda in detail and after due deliberations, decided on the following: i. Ratified the permission dated 05.04.2022 w.r.t. inclusion of additional place of work i.e. Plot No. C-04, Pocket-'A' and enhancement of production capacity. ii. Approved enhancement of capital goods (including imported capital goods like Solar panels & solar inverters subject to provisions of DoC OM dated 07.06.2021 viz no tax/duty benefits on respective items falling under said OM). iii. Approved inclusion of proposed ITC(HS) codes of authorized operations in LOA dated 17.11.2016 This approval is subject to satisfactory response of shortcomings observed and intimated vide this office letter dated 08.06.2022. Moreover, the unit shall seek prior approval of competent authority, wherever products that are restricted or prohibited for imports are either imported or procured from DTA.
04.	Proposal of M/s Tulip D Inox for extension of LOA and expansion of area i.e. additional of Plot No. H-21 along with enhancement of NFE projections.

P. S. D.

	<ol style="list-style-type: none"> 1. Shri Hemant Rana, Proprietor of unit appeared before the Approval Committee and explained his proposal. 2. The Approval Committee, discussed the agenda in detail and after due deliberations, approved the proposal of unit for (i) proposed extension of LOA upto 6.6.2023, (ii) expansion of area with addition of Plot No. H-21 and (iii) enhancement of NFE projections. The approval is subject to amalgamation of allotted plots by competent authority/UPSIDA.
05.	<p>Proposal of M/s Global Export House for :-</p> <ol style="list-style-type: none"> i. Import of 350.00 M. Tons of Sandalwood (44039922) from Mauritius ii. One-time permission for export of 150.00 Kgs. of Sandalwood Oil iii. Renewal of LOA & inclusion of additional authorised operations. <ol style="list-style-type: none"> 1. Shri Mohan Maheshwari, Authorised Signatory for the unit appeared before the Approval Committee and explained his proposal. 2. The Approval Committee, discussed the agenda in detail and after due deliberations, approved the extension of LOA of the unit up to 31.12.2022 as per the proposed authorised operations namely "Manufacturing & Export of Handicrafts of Sandalwood and other species (44219990), All type of incense attars (33019031), Agarbatti & odoriferous powder (33074100), Sandalwood finger chips (12119050) and Sandalwood oil (33012937)" which is however subject to the following conditions: <ol style="list-style-type: none"> i. Unit shall apply and obtain Import or Export license from office of DGFT for the products (including inputs) which are restricted for imports or exports respectively. For goods prohibited for exports or imports, the approval of the competent authority would be taken. ii. Sub contracting or jobwork shall <u>not</u> be allowed for goods restricted for imports. iii. No objection certificate (NOC) from the developer namely UPSIDA. 3. The Approval Committee also directed that a separate letter may be issued to unit regarding difference in the allowed import quantity and actual import made by the unit. Further it directed that the matter shall be taken up with DGFT informing them about the discussions held regarding import/export licence requirement and decision taken by UAC with a copy endorsed to DOC.
06.	<p>Proposal of M/s Shaila Exports for monitoring of NFE/performance and renewal of LOA in terms of Rule 19 of SEZ Rules, 2006.</p> <ol style="list-style-type: none"> 1. Shri Nitin Aima, proprietor of the unit appeared before the Approval Committee and explained his proposal. Shri Aima informed that due to the pandemic his principal buyer went out of business on account of which he did not receive payments for previous orders and hence could not function in the last two years. Now since the global restrictions have eased, he has received some new orders. Once he starts shipping new orders, his previous pending remittance will be released simultaneously. 2. The Approval Committee, discussed the agenda in detail and after due

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deliberations, noted the performance of the unit in terms of the positive NFE as on 31.03.2021 during previous block of 5 years. It directed the unit to take appropriate measures to realize the pending foreign exchange at the earliest. The Approval Committee further approved extension of LOA for two years from its expiry namely up to 24.01.2024. This approval is subject to the following condition:

- i. Unit shall submit no objections certification ('NOC') from the developer namely UPSIDA.
- ii. Unit shall submit copy of recent purchase orders as informed by proprietor during the UAC.
- iii. Unit shall apply to EPCH for seeking 'Certificate of Handicraft' for the products which are not already in the list of Handicrafts published by EPCH with a copy of same to this office.
- iv. Application for updation of ITC(HS) codes as per the updated HS2002 nomenclature.

On receipt of above documents/information, from the unit, the same shall be examined on file for renewal of LOA with the approval of Development Commissioner.

07. Proposal of M/s Nodi Exports Incorporation for change in Partnership (addition & deletion of partners).

1. Shri Neeraj Khanna, partner of unit appeared before the Approval Committee and explained his proposal.
2. The Approval Committee, discussed the agenda in detail and after due deliberations, approved in principle and took note of change in partners of firm in terms of DOC Instruction No. 109. This approval is however subject to
 - i. submission of Affidavit from retiring partners namely Smt. Suman Khanna & Smt. Prachi Khanna to the effect of their wilful retirement from the firm and no objection for reconstitution of the partnership firm by continuing partner(s); and
 - ii. satisfactory response to the shortcomings observed and intimated vide this office letter dated 19.07.2022; and
 - iii. update from UPSIDA on any pending compliances, if any, on the part of unit.

08. Proposal of M/s Zam Zam Exim Private Limited for monitoring in terms of Rule 54 and review of matter related to case of DRI & ED.

1. No one from the unit appeared in the meeting.
2. The Approval Committee, discussed the agenda in detail and after due deliberations, took serious note of the fact that the pending forex on the unit has increased from Rs. 47.75 Crores (at time of issuance of SCN dated 27.11.2020) to Rs. 100.59 Crores as on 10.07.2022.
3. The Approval Committee also directed that revised SCN under FTDR Act, 1992 to be issued to the unit indicating the actual outstanding forex realization as on date. The Committee further authorized DC, NSEZ to take appropriate necessary action as deems fit after providing the unit an opportunity of being heard.

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<p>09. Monitoring of cases for Forex pending for realization beyond stipulated time:</p> <p>i. M/s Acube Kraft Concepts Pvt. Ltd.</p> <p>1. The Approval Committee discussed the agenda and noted that unit did not submit APR(s) for previous year(s) . It directed the unit to submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p>
<p>ii. M/s Abhishek International.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, took serious note of the foreign exchange pending for realization by the unit and directed that a letter be issued to the unit regarding Forex pending for realization for the same. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy failing which action, as deems fit, shall be taken against the unit. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p>
<p>iii. M/s A & S International.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and directed that a letter be issued to the unit regarding foreign exchange pending for realization. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p>
<p>iv. M/s Bansal Inc.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, directed that a letter be issued to the unit regarding Forex pending for realization. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p>
<p>V Bright Star Impex</p> <p>1. The Approval Committee discussed the agenda in detail, took serious view on the pending forex for realization and after due deliberations, directed that a letter be issued to the unit regarding Forex pending for realization. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p>
<p>vi. M/s Craft Exim.</p> <p>1. The Approval Committee discussed the agenda in detail, took serious view on the pending forex for realization and after due deliberations, directed that a letter be issued to the unit regarding Forex pending for realization. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p>

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<p>vii. M/s C.L Gupta Overseas LLP</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and achievement of positive NFE by unit as on 31.03.2021.</p>
<p>viii. M/s Connect India Inc.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p>
<p>ix. M/s Designers International.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, took serious note of the forex pending for realization by the unit and directed that a letter be issued to the unit regarding Forex pending for realization. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p>
<p>x. M/s Dewan India.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, directed that a letter be issued to the unit regarding Forex pending for realization. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy. The unit would also be asked to get its HS codes updated in HS 2022 nomenclature.</p> <p>2. The Committee also directed that the status of Customs case against the unit regarding clandestine removal of finished goods from SEZ premises may be ascertained and placed on file for review by NSEZ competent authority.</p>
<p>xi. M/s Gemini Enterprises.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, took serious note of the forex pending for realization by the unit and directed that a letter be issued to the unit regarding Forex pending for realization. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.</p>
<p>xii. M/s Guild Art Unit-II.</p> <p>1. The Approval Committee discussed the agenda in detail and after due</p>

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deliberations, monitored the performance of the unit.

2. The committee further noted that the value of procurement of raw material (from overseas & DTA) as per NSDL data, is negligible as compared to exports during the same period. It was informed by Shri Lal Babu Prasad, Superintendent (customs), Moradabad SEZ that the SEZ units are reluctant in filing of transactions on SEZ Online system due to transaction charges of NSDL. Moreover, these are cases where no incentives are being claimed.
3. The Committee directed that the correctness of data may be confirmed through NSDL and necessary directions be issued to all SEZ units to adhere to the Rule 78 of SEZ Rules 2006 and file all transactions on SEZ Online system without fail for import/export/DTA Procurement/DTA Sale of all goods. The Committee further directed that Customs officials shall ensure that no goods (capital goods or raw materials) shall enter or leave SEZ without proper filing/ processing of transaction on SEZ Online system.

xiii.M/s Global Exports House.

1. The Approval Committee discussed the agenda in detail and after due deliberations, took serious note of the foreign exchange pending for realization by the unit. It directed that a letter be issued to the unit regarding foreign exchange pending for realization.

xiv.M/s JMD International.

1. The Approval Committee discussed the agenda in detail and after due deliberations, took serious note of the foreign exchange pending for realization by the unit and directed that a letter be issued to the unit regarding Forex pending for realization. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.
2. Shri Santosh Kumar, Regional Manager, UPSIDA informed that an amount of around Rs. 8.00 Lakhs is pending against the unit in relation to plot No. G-13 & G-14, Pocket-'A', Moradabad SEZ.
3. The Committee also directed that the status of DRI case against the unit may be ascertained and placed on file for review by NSEZ competent authority. It was also directed that SCN be issued against the unit under FTDR Act, 1992 for suspension of LOA after giving the unit an opportunity of being heard.

xv.M/s K.K International.

1. The Approval Committee discussed the agenda in detail and after due deliberations, took serious note of the foreign exchange pending for realization by the unit and directed that a letter be issued to the unit on the same. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.

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<p>2. The Committee also directed that since the LOA has already expired for the unit and renewal request has not been received, the unit may be asked for their future business plan, if they intend to continue business, else necessary action may be taken in the matter by DC, NSEZ.</p>
<p>xvi.M/s Madhava Manufacturing Co.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, directed that a letter be issued to the unit regarding foreign exchange pending for realization. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.</p>
<p>xvii.M/s Neeraj Handicrafts & Packaging Industries.</p> <p>1. Shri Dheeraj Rathore, partner of the unit tried to connect through video conferencing but due to some technical issue at his end, he was not able to connect in the meeting.</p> <p>2. Shri Santosh Kumar, Regional Manager, UPSIDA informed that an amount of approx. Rs. 14.00 Lakhs is pending on unit against its plot No. G-85, Pocket-'A', Moradabad SEZ.</p> <p>3. The Approval Committee discussed the agenda in detail and after due deliberations, took serious note of the foreign exchange pending for realization by the unit and directed that a letter be issued to the unit regarding Forex pending for realization. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deemed fit, shall be taken against the unit.</p> <p>4. The Committee also directed that SCN be issued to the unit under FTDR Act, 1992 for cancellation LOA after giving the unit an opportunity of being heard.</p>
<p>xviii.M/s Nodi Exports Inc.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and directed that a letter be issued to the unit regarding foreign exchange pending for realization.</p>
<p>xix.M/s Parth Exports.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and directed that a letter be issued to the unit regarding foreign exchange pending for realization.</p>
<p>xx.M/s Pooja Overseas.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and directed that a letter be issued to the unit regarding foreign exchange pending for realization. The</p>

<p>Committee directed that the actual procurement data may be sought from the unit and NSDL data may be confirmed for correctness.</p>
<p>xxi.M/s Rajkamal International.</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and directed that a letter be issued to the unit regarding foreign exchange pending for realization.</p>
<p>xxii.M/s Rishi International</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and directed that a letter be issued to the unit regarding foreign exchange pending for realization. The Committee further noted that unit did not submit APR(s) for previous year(s) and directed that the unit must submit pending APR(s) in SEZ Online system and attach a CA certified copy at the earliest failing which action, as deems fit, shall be taken against the unit.</p>
<p>xxiii.M/s Shaila Exports</p> <p>1. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and directed that a letter be issued to the unit regarding foreign exchange pending for realization.</p>
<p>xxiv.M/s Sainik Lifestyle Pvt. Ltd.</p> <p>1. Shri Vinay Mangla, Managing Director of the unit appeared in the meeting and explained his proposal. Shri Mangle also emphasized that there is a need for Metallurgy School/ Skill Enhancement Centre in the zone so that unskilled Labour can be trained which will greatly benefit the trade.</p> <p>2. The Approval Committee discussed the agenda in detail and after due deliberations, monitored the performance of the unit and directed that a letter be issued to the unit regarding foreign exchange pending for realization.</p>
<p>10. M/s RMD International - proposal for (a) issuance of LOA and (b) revision of ITC(HS) codes.</p> <p>1. Shri Mohit Dubey, Partner of unit appeared before the Approval Committee and explained his proposal. Shri Dubey informed that he will</p> <p>2. The Approval Committee, discussed the agenda in detail and after due deliberations/ review, approved the proposal of unit for setting up a new unit in Moradabad SEZ for manufacturing and export of Handicrafts of Brass Artware, Aluminium Artwares, Iron & Steel Artware and Copper Artwares (mentioned at Sr. No. 1 to Sr. No. 4 in the list of ITC(HS) codes submitted by the unit). The Approval Committee further recommended that SO (Customs) may implement stricter RMS system for monitoring.</p>

Meeting ended with a vote of thanks to the Chair.

(Kiran M. Mohadikar)
Dy. Development Commissioner

(A. Bipin Menon)
Development Commissioner