

MINUTES OF THE MEETING OF THE APPROVAL COMMITTEE HELD UNDER THE CHAIRMANSHIP OF DEVELOPMENT COMMISSIONER FOR SEEPZ-SEZ ON 30TH NOVEMBER, 2018.

-
1. Name of the SEZ : SEEPZ-SEZ
2. Meeting No. : 131st
3. Date : 30th November, 2018

Members Present:-

1. Shri. V P Shukla : Member
Joint Development Commissioner
2. Shri. Rajeev Kesarwani : Nominee of Income Tax, Mumbai
Chief Commissioner
3. Shri. Vishnu Kant : Nominee of the Zonal DGFT,
Asstt. DGFT, Mumbai
4. Shri. M.H. Hingorani : Nominee of Air Cargo Complex
Asstt. Commissioner of Customs Mumbai
5. Shri. N R Sakpal : Nominee of Directorate of Industries
Industrial Inspector

Special Invitee:-

6. Shri. Ashish Mishra, Specified Officer, SEEPZ-SEZ

Agenda Item No. 01:-

Confirmation of the Minutes of the 130th Meeting held on 30.10.2018.

The Minutes of the meeting held on 30.10.2018 were confirmed.

Agenda Item No. 02:-

Application for regularization of LOA for the period 2013-14 to 2018-19 and Renewal of LOA for further period of 5 years w.e.f. 2018-19 to 2022-23 - M/s. Webify Services (India) Pvt. Ltd.

Decision :- *The Committee examined that proposal and observed that, though, the unit had submitted the application for renewal of LOA for further period of 5 years w.e.f. 01.04.2013, they had not submitted the APR for the period 2008-09 to 2012-2013. It was also noticed that the unit had made export during the year 2014-15 i.e. after the expiry of validity of LOA and also not filed the softex forms against the said exports and not paid the outstanding rental dues.*

Accordingly a Show Cause Notice was issued to the unit by Specified Officer, for failure to fulfill the export obligation for the block period 2008-09 to 2012-13 and for carrying out unauthorized operations beyond the validity period of LOA during the year 2014-15 The Competent Authority adjudicated the Show Cause notice and imposed a penalty of Rs. 20,000/-. The unit has paid the penalty of Rs. 20,000/- on 15.05.2018.

Committee also observed that the Unit had not executed the sub-lease agreement for the period beyond 15.10.1998 for which penalty was levied amounting to Rs. 1,53,265/- for non-execution of the agreement. The Unit has paid the same on 17.02.2016 and also cleared all the rental dues as on 30.09.2018.

In the light of the aforesaid facts where the Unit cleared all the outstanding dues and paid all the penalties levied on it, the Committee considered the proposal of the unit for regularization of LOA for the block period 2013-14 to 2018-19 and also renew of LOA for further period of 5 years w.e.f. 2018-19 to 2022-23.

The Committee also directed:

- Legal Section to initiate action for renewal of the sub-lease agreement since 15.10.1998.

Agenda Item No. 03:-

Application for Capacity Enhancement with Revision of Projection for remaining period of 3 years i.e. 2018-19 to 2020-21 - M/s. Kiara Jewellery Pvt. Ltd.

Decision :- The unit representative justified that they wish to enhance the capacity, however, they do not wish to import additional capital goods, instead would import raw materials and thus would increase the exports.

Hence the Committee after deliberation approved the proposal of M/s. Kiara Jewellery Pvt. Ltd., for enhancement in the capacity of items of manufacture i.e. "Gold/Platinum/Silver Jewellery Studded with Diamonds, Precious Stones & Combination Jewellery from 1,00,000 PCS to 1,50,000 PCS with mid-term revision of projections for the remaining period of 3 years i.e. 2018-19 to 2020-21.

Agenda Item No. 04 :-

Application for Change of Name of the Company - Cross-Tab Marketing Services Pvt. Ltd. to Course5 Intelligence Pvt. Ltd.

Decision :- After deliberation, the Committee approved the proposal of the unit for change of Name of the Company from M/s. Cross-Tab Marketing Services Pvt. Ltd. to M/s. Course5 Intelligence Pvt. Ltd., as per ROC dated 31.10.2018 issued by the Registrar of Company & Hon'ble National Company Law Tribunal, Mumbai Branch Order dt. 05.09.2018 in terms of Instruction no. 89 dt. 17.05.2018 read with Instruction No. 90 dated 03.08.2018.

Agenda Item No. 05 :-

Application for Broad Banding of Items - M/s. Aplab Ltd.

Decision :- After deliberation, the Committee approved the proposal of the unit for Broad Banding of items viz. "Test and Measuring Instruments, Solar Charge Controller/Solar Power Source, PCB Sub Assembly and Electrical/Electronics Cable Sub Assemblies" in terms of Rule 19 (2) of SEZ Rule, 2006.

Agenda Item No. 06:-

Application for Broad Banding of Items - M/s. KBS Jewels Pvt. Ltd.

Decision :- After deliberation, Committee asked the Unit representative to justify and give a detailed projections and exports on addition of the proposed broad banding item viz. Plain and Studded Titanium Jewellery AND Combination of Titanium Jewellery with Gold & Silver in the LOA.

The Committee also directed :

- Specified Officer to examine the proposed broad banding item i.r.o. new projections, investment, employment generation and policy provisions.

Agenda Item No. 07 :-

Application for Broad Banding of Consumables - M/s. RT Star Jewellery Pvt. Ltd., Trading

Decision :- The Committee examined the proposal of the unit for trading of consumables in detail and noticed that the LOA expired on 31.03.2013 and the Unit had not approached this office for renewal.

After deliberation, the Committee held the view that as the LOA has lapsed, their proposal for trading of consumables thus stands rejected. The Committee also directed to issue a Show Cause Notice for non-performance of the Unit under FT(D&R) Act, 1992.

Agenda Item No. 08 :-

Application for Broad Banding of Items - M/s. K.P. Sanghavi Intl. Ltd.

Decision :- After deliberation, the Committee asked the Unit representative to justify and give a detailed projections and exports on addition of the proposed broad banding item viz. Jewellery in Titanium base studded and plain jewellery and carbon fibr studded jewellery in the LOA. The Unit conveyed during the meeting that they wish to withdraw their proposal at present and would furnish the detailed concrete plan of action with the revised proposal.

The Committee also directed :

- Specified Officer to examine the proposed broad banding item i.r.o. new projections, investment, employment generation and policy provisions.

Agenda Item No. 09 :-

Application received for Monitoring of Performance - M/s. Laxmi Dia Jewels Pvt. Ltd.

Decision :- After deliberation, the Committee directed to issue a Consolidated SCN to the unit for outstanding Govt. dues, non execution of sub-lease agreement and non-performance of the Unit and customs duty liability if any.

Agenda Item No. 10:-

Application received for Monitoring of Performance- M/s. Nuance Jewels Pvt. Ltd.,

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2015-16 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed:

- Unit to furnish the revised projections as their exports have increased beyond the projections for the year 2015-16 & 2016-17.

Agenda Item No. 11 :-

Application received for Monitoring of Performance- M/s. Maxx Mobile Communications Ltd.,

Decision :- After deliberation, the Committee directed to place the proposal before Next UAC after detailed examination by the Customs and Estate section.

The Committee also directed:

- IA-I Section to initiate action for debonding of the unit.
- Estate Section to write letter to Collector for recovery of outstanding rental dues for arrears of land revenue
- Issue consolidated SCN for outstanding Govt. dues, non execution of sub-lease agreement, and non-performance.
- Obtain legal opinion w.r.t. first charge on the current and fixed assets with Govt. so as to initiate action for auction proceedings for recovery of the govt. dues.

Agenda Item No. 12 :-

Application received for Monitoring of Performance- M/s. Indigo Jewellery India Mfg. Pvt. Ltd., Unit I

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2013-14 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

Agenda Item No. 13 :-

Application received for Monitoring of Performance- M/s. Indigo Jewellery India Mfg. Pvt. Ltd., Unit II

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2010-11 to 2014-15, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed:

- IA-I Section to seek comments from Specified Officer for granting one-time permission for IUT as sought by the Unit, before debonding of their LOA as the same expired on 31.03.2015.

Agenda Item No. 14 :-

Application received for Monitoring of Performance- M/s. Creation Jewellery MFG. Pvt. Ltd. Unit I

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2013-14 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed to :

- Issue Consolidated SCN for non-execution of agreement and contravention of the conditions of the BLUT and provisions of SEZ Act & Rules 2006.

Agenda Item No. 15 :-

Application received for Monitoring of Performance- M/s. Creation Jewellery MFG. Pvt. Ltd. Unit II

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2015-16 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed to :

- Issue Consolidated SCN for non-execution of agreement and contravention of the conditions of the BLUT and provisions of SEZ Act & Rules 2006.

Agenda Item No. 16 :-

Application received for Monitoring of Performance- M/s. Hari Krishna Exports Pvt. Ltd.

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

Further, the Unit representative assured the Committee that they would clear the outstanding govt. dues within a week's time. The Committee agreed for the same subject to the condition that if the payment is not received within a week's time, action will be initiated under Public Premises Act, 1971.

Agenda Item No. 17 :-

Application received for Monitoring of Performance- M/s. Jasani Jewellery Unit II

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2013-14 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed:

- Legal Section to examine the pending execution of the agreement.

Agenda Item No. 18 :-

Application received for Monitoring of Performance- M/s. Jewel Art-II

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2013-14 to 2017-18, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed:

- Unit representative to expedite the action for adjudication/ execution of the agreement

Agenda Item No. 19 :-

Application received for Monitoring of Performance M/s. Octaware Information Technologies Pvt. Ltd.

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2015-16 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed:

- Legal section to initiate action for adjudication/execution of the agreement for unit no. 02 & 03, Tower-II.
- Specified Officer to update the current position of the pending foreign exchange realization
- IA(I) section to write letter to RBI .w.r.t. pending foreign exchange realization
- Estate section to initiate action for recovery of rental dues for unit no. 02 & 03, Tower-II

Agenda Item No. 20 :-

Application received for Monitoring of Performance- M/s. Praxis Interactive Services Pvt. Ltd.

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2013-14 to 2017-18, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

Agenda Item No. 21 :-

Application received for Monitoring of Performance- M/s. Infinity Jewellery Pvt. Ltd.,

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2015-16 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed that the performance of the Unit may be kept under watch.

Agenda Item No. 22 :-

Application received for Monitoring of Performance M/s. Shangold India Ltd

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2013-14 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed :

- To issue Consolidated SCN for non-payment of Govt. dues and non execution of sub-lease agreement
- Specified Officer to update the current position of the pending foreign exchange realization
- IA (I) Section to write letter to RBI. w.r.t. pending foreign exchange realization.
- Unit to furnish the revised projections as their exports have increased beyond the projections for the year 2015-16 & 2016-17.

Agenda Item No. 23 :-

Application received for Monitoring of Performance- M/s. Rank International., Trading

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2013-14 to 2016-17, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed :

- The performance of the Unit to be kept under watch .
- Issue SCN to the unit for non-execution of Bond-cum-Legal Undertaking for the current block i.e. 2016-17 to 2020-21.

Agenda Item No. 24 :-

Application received for Monitoring of Performance- M/s. Goldiam International Ltd., Trading

Decision :- After deliberation, the Committee noted the performance of the unit for the period 2013-14 to 2015-16, that the unit has achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

The Committee also directed:

- IA(I) to initiate action for compliance of debonding procedure.
- To issue SCN for non-execution of Bond-cum-Legal Undertaking for the earlier block i.e. 2013-14 to 2017-18.

The Committee also directed Specified Officer to identify the non-performing Units in terms of Rule 54 of SEZ Rules 2006 and take necessary action if any as required



Chairperson-cum-Development Commissioner

