

**MINUTES OF THE MEETING OF THE APPROVAL COMMITTEE HELD UNDER THE CHAIRMANSHIP OF DEVELOPMENT COMMISSIONER FOR SEEPZ-SEZ ON 23<sup>RD</sup> AUGUST, 2018.**

- 1. Name of the SEZ : SEEPZ-SEZ  
2. Meeting No. : 128<sup>th</sup>  
3. Date : 23<sup>rd</sup> August, 2018

**Members Present:-**

1. Shri. V P Shukla : Member  
Joint Development Commissioner
2. Shri. Milind V. Patil : Nominee of Income Tax, Mumbai  
Joint Commissioner
3. Smt. S.R. Motwani : Nominee of the Zonal DGFT,  
Dy. DGFT, Mumbai
4. Shri. M.H. Hingorani : Nominee of Air Cargo Complex  
Asstt. Commissioner of Customs Mumbai

**Special Invitee:-**

5. **Shri. Pravin Chandra, Joint Development Commissioner, Pune.**
6. Shri. Ashish Mishra, Specified Officer, SEEPZ-SEZ

**Agenda Item No. 01:-**

**Confirmation of the Minutes of the 127<sup>th</sup> Meeting held on 26.07.2018.**

The Minutes of the meeting held on 26.07.2018 were confirmed.

**Agenda Item No. 02:-**

**Application received for Change of Company Name of M/s. JE Exports**

**Decision :-** The Committee examined the proposal and the non-compliance of the Unit thus made and asked the Unit representative to give a detailed clarification/ reason for the following :-

- (i) Non-execution of Bond-cum-LUT
- (ii) Non-execution of the Sub-lease agreement
- (iii) Non-payment of the rental dues
- (iv) Status of appeal filed before the DGFT and the reason for non-payment of the penalty

**Agenda Item No. 03:-**

**Application received for Change of Company Name of M/s. Tache Jewelry Pvt. Ltd.**

**Decision :-** After deliberation, the Committee approved the proposal of the unit for Change of Company name from M/s. Tache Jewelry Pvt. Ltd. to M/s. Trio Jewels Pvt. Ltd., as per the ROC permission dated 21.03.2018 issued by Registrar of Company and in terms of Rule 19 (2) of SEZ Rules 2006 read with Instruction no. 89 (5) (ii) dated 17.05.2018 of MOC&I.

**Agenda Item No. 04 :-**

**Application received for Monitoring of Performance- Tache Jewelry Pvt. 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.

**Agenda Item No. 05 :-**

**Application received for Monitoring of Performance - M/s. Yash Jewellery Pvt. 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

**Committee observed that the Court Commissioner appointed by CMM Court has conveyed that they would take possession of the Unit no. 603 under SARFAESI Act, .**

Hence, Committee directed Specified Officer to examine and work out the total customs duty liability against the Unit and also carry out the physical inspection of the Unit.

The Committee also directed:

- Estate Section to initiate action for speedy clearance of dues amounting to Rs. 47,18,096.37/- immediately.
- Legal Section to execute the agreement for Unit no. 504 and also file an Intervener application covering all the govt. dues.
- S.O. was directed to examine the said matter and work out the customs dues
- the Unit representative to furnish a detailed schedule w.r.t. the settlement of labour/ estate dues within 15 days time of his group companies.

**Agenda Item No. 06:-**

**Application received for Monitoring of Performance- M/s. Say India Jewellers Pvt. Ltd. (Manufacturing Unit)**

**Decision :-** After deliberation, the Committee noted that the Unit has achieved positive NFE during the year 2013-14 (block period 2009-10 to 2013-14) on cumulative basis in terms of Rule 54 of SEZ Rules, 2006 & negative NFE for the year 2014-15 (block period 2014-15 to 2018-19) due to amortization of capital goods.

The Committee observed that the Unit is non-functional since 2014-15 and has not furnished the APR after 2014-15.

The Committee also directed for a **consolidated Show Cause Notice** to the Unit non-functionality since 2014-15 for non-filing of APRs, under performance and govt. dues and labour issues.

**Agenda Item No. 07 :-**

**Application received for Monitoring of Performance- M/s. Say India Jewellers Pvt. Ltd., (Trading Unit)**

**Decision :-** After deliberation, the Committee noted the performance of the unit for the period 2013-14 and 2014-15, that the unit has achieved Positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

Further Unit is non-functional from the year 2014-15 onwards as the trading activity has been withdrawn by the Ministry, therefore, the Committee directed the Unit to apply for exit.

**Agenda Item No. 08 :-**

**Application received for Monitoring of Performance- M/s. Dania Oro Jewellery Pvt. Ltd.,**

**Decision :-** After deliberation, the Committee noted that the Unit has achieved positive NFE during the year 2013-14 to 2015-16 (block period 2011-12 to 2015-16) and during the year 2016-17 (block period 2016-17 to 2020-21) on cumulative basis in terms of Rule 54 of SEZ Rules, 2006.

Further the Committee observed that the Unit is non-functional since last 1 year.

The Committee also directed:

- Estate Section to initiate action for Clearance of dues amounting to Rs. 33,70,542/- immediately.
- Recovery Section to initiate action for execution of the agreement of both the Units.
- S.O. was directed to examine the said matter and work out the customs dues
- the Unit representative to furnish a detailed schedule w.r.t. the settlement of labour/ estate dues within 15 days time

**Agenda Item No. 09 :-**

**Application received for Monitoring of Performance- M/s. Sidd's Jewels India LLP**

**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.

The Committee also directed the section to issue Caution letter for low performance. The Unit representative was also asked to pay the rental dues and execute the agreement within 20 days, failing which action will be initiated under Public Premises Act, 1971.

**Agenda Item No. 10:-**

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

**Decision :-** After deliberation, the Committee asked Specified Officer to obtain the revised APRs with corrected figures immediately from the Unit and then place the performance of the Unit in the next UAC.

**Agenda Item No. 11 :-**

**Application received for Monitoring of Performance- M/s. Anchorcert Analytical India Pvt. Ltd.,**

**Decision :-** After deliberation, the Committee observed that the NFE for the year 2016-17 (2016-17 to 2020-21) is negative due to amortization of capital goods and directed the Unit representative to furnish the revised APRs with corrected figures based on the monitoring report

The Committee also directed the Unit representative to initiate action for execution of the agreement.

The Committee also directed Specified Officer to issue caution letter for anomalies in the APR and excess imports.

The Unit representative was directed by the Committee to submit revised projections.

**The Committee during the monitoring of all the cases, has observed that in most of the cases, Unit has made mistakes in filing of APR data which needs to be rectified and file revised APR. In this regard, the UAC also directed the Specified Officer henceforth to follow the below mentioned procedure in all cases :-**

- (i) Scrutiny of all the data of the APR submitted by the Unit with the NSDL data ;
- (ii) if any anomalies observed in the APR data, obtain the approval on file for revised APR ;
- (iii) Unit may be asked to furnish the revised APR as approved ;
- (iv) After filing the revised APR submit the monitoring performance to the UAC

**Agenda Item No. 12 :-**

**Application received for Monitoring of Performance- M/s. Bombay Jewellery Manufacturers, 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 the Unit representative to initiate action for execution of the agreement for unit no. G-47 within 1 months time

**Agenda Item No. 13 :-**

**Application received for Monitoring of Performance- M/s. Precient Infotech Pvt. 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 Show Cause Notice for non-execution of Bond-cum-LUT, mis-declaration in the APR and under performance of the unit.

**Agenda Item No. 14 :-**

**Application received for Monitoring of Performance- M/s. Vaibhav Global 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 Show Cause Notice for non-execution of Bond-cum-LUT.

**Agenda Item No. 15 :-**

**Application received for Monitoring of Performance- M/s. Azure Jouel Pvt. 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 the section to convey the Unit to execute revised projection and revised Bond-cum-LUT.

**Agenda Item No. 16 :-**

**Application received for Monitoring of Performance- M/s. Techatalyst Software Pvt. 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 :-

- (i) to issue Show Cause Notice for non-execution of Bond-cum-LUT and
- (ii) Unit to file revised APR within 30 days.

**Agenda Item No. 17 :-**

**Application received for Monitoring of Performance- M/s. Infinix Services Pvt. Ltd., (LOA No. NUS/APL/513/96/776 dated 16.04.1996)**

**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:

- Estate Section to initiate action for Clearance of dues amounting to Rs. 4,38,272/- immediately
- Legal Section to initiate action for execution of Sub-lease agreement as per the validity of the LOA
- Specified Officer to follow up w.r.t. pending foreign exchange realization for write off as per the RBI guidelines

**Agenda Item No. 18 :-**

**Application received for Monitoring of Performance- M/s. Infinix Services Pvt. Ltd., (LOA No. SEEPZ-SEZ/NUS/APL/SW/18/05-06/1519 dated 06.03.2006)**

**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 initiate action for execution of agreement as per the validity of the LOA.*
- *Estate Section to initiate action for Clearance of dues amounting to Rs. 17,60,481/- immediately*

**Agenda Item No. 19 :-**

**Application received for Monitoring of Performance- M/s. Infasoft Technologies Ltd.,**

**Decision :-** After deliberation, the Committee noted the performance of the unit for the period 2010-11 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 execution of agreement as per the validity of the LOA*

**Agenda Item No. 20 :-**

**Application received for Monitoring of Performance- M/s. Neysa Jewellery 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:*

- *Estate Section to initiate action for Clearance of dues amounting to Rs. 15,11,545/- immediately*
- *Specified Officer to follow up w.r.t. pending foreign exchange realization.*

**Agenda Item No. 21 :-**

**Application received for Monitoring of Performance- M/s. Neysa Jewellery Ltd., 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:*

- *Recovery Section to initiate action for Clearance of dues amounting to Rs. 6,48,918/- immediately*

**Agenda Item No. 22 :-**

**Application received for Monitoring of Performance- M/s. EOS Power India Pvt. 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:

- Recovery Section to initiate action for Clearance of dues amounting to Rs. 7,84,852/- immediately
- Legal Section to initiate action for execution of Sub-lease agreement as per the validity of the LOA

**Agenda Item No. 23 :-**

**Application received for Monitoring of Performance- M/s. EOS Power India Pvt. Ltd., Trading**

**Decision :-** After deliberation, the Committee noted the performance of the unit for the period 2014-15 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:

- Estate Section to initiate action for Clearance of dues amounting to Rs. 66,437/- immediately
- Legal Section to initiate action for execution of Sub-lease agreement
- Consolidated Show cause notice for under performance for the period 2014-15 to 2016-17

**Agenda Item No. 24 :-**

**Application received for Monitoring of Performance- M/s. Shantivijay Jewels 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.

**Agenda Item No. 25 :-**

**Application received for Monitoring of Performance- M/s. Sanghvi Jewels Pvt. 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.

**Agenda Item No. 26 :-**

**Application received for Monitoring of Performance- M/s. Indus Valley Partners (India) 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.

The Committee also directed Specified Officer to obtain the revised APRs with corrected figures from the Unit within 30 days.

**Application received for Monitoring of Performance- M/s. Kaprisa International Pvt. Ltd.,**

**Decision :-** After deliberation, the Committee observed that the Unit has failed to submit the APR for the block period 2013-14 to 2017-18 since inception, hence could not be monitored.

The Committee also observed that the Unit failed to undertake any authorized operations after Jan. 2014

As the manufacturing Unit in the said premises viz. Unit no. GJ-15, SDF-VII was declared NPA by Punjab National Bank and hence the possession of the Unit was taken by the Hon'ble Chief Metropolitan Magistrate under SARFAESI Act. A decision has been taken in the UAC meeting held on 28.06.2018 to issue a consolidated SCN to the Unit.

Hence the Committee directed the section to issue consolidated SCN for trading activity mentioning the facts of the case.

**TABLE AGENDA ITEM NO. 01**

**Application received for setting up of new SEZ unit - M/s. Carat Lane Trading Pvt. Ltd.**

**Decision :** After deliberation, the Committee observed that there are deficiencies to be complied with by the applicant. The Committee also observed that the letter of the applicant amounts to transfer of the space and for which necessary approval in terms of Rule 18 (2) (ii) has not been obtained. Therefore Committee directed that after compliance of all the deficiencies and after following due procedure, the matter will be taken up in the UAC. Accordingly the Committee deferred the proposal



**Chairperson-cum-Development Commissioner**