



भारत सरकार
वाणिज्य और उद्योग मंत्रालय
विकास आयुक्त का कार्यालय
सूरत विशेष आर्थिक क्षेत्र
सचिन, सूरत - 394230

टेली फैक्स नंबर (0261) 23 99445; फोन नंबर 2399911;

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एसएसईजेड / बी / एसी / 30 / 2014-15 / वॉल्यूम IV

दिनांक: - 04 जून, 2019

स्वीकृति समिति के सदस्यों के लिए: -

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|---|-----------------------------|
| 1) संयुक्त सचिव (एसईजेड), एमओसी और आई, नई दिल्ली; | फैक्स नंबर (011) 2306-3418 |
| 2) निदेशक, एमओसी और आई, नई दिल्ली; | फैक्स नंबर (0261) 245-2216 |
| 3) संयुक्त डीजीएफटी, सूरत; | फैक्स नंबर (07 9) 27542343 |
| 4) सीमा शुल्क आयुक्त, अहमदाबाद; | फैक्स नंबर (0261) 265-0102 |
| 5) आयकर आयुक्त: -1, सूरत; | फैक्स नंबर (011) 2336-7702 |
| 6) निदेशक (बैंकिंग), बैंकिंग डिवीजन एमओएफ, नई दिल्ली; | फैक्स नंबर (0261) 246-5116 |
| 7) जिला कलेक्टर, सूरत जिला; | फैक्स नंबर (0261) 246-5929 |
| 8) महाप्रबंधक, डीआईसी, सूरत; | फैक्स नंबर (0261) 23 9-7664 |
| 9) डेवलपर (डीजीडीसी), सूरत. | |

विषय: - सूरत के लिए स्वीकृति समिति की 82 वीं बैठक - एसईजेड

महोदय,

सूरत विशेष आर्थिक क्षेत्र के लिए स्वीकृति समिति की 82 वीं बैठक के अजेंडे को फॉरवर्ड किया जा रहा है, जो 12 जून, 2019 को सूरत विशेष आर्थिक क्षेत्र के विकास आयुक्त श्री वीरेंद्र सिंह की अध्यक्षता में 12:00 बजे, सूरत विशेष आर्थिक क्षेत्र, सचिन, सूरत के सभा कक्ष में आयोजित किया जाएगा.

संलग्न: उपर्युक्त

आपका आभारी,

सहायक विकास आयुक्त,
सूरत विशेष आर्थिक क्षेत्र,
सचिन, सूरत - 394230.

**AGENDA FOR 82nd (EIGHTY SECOND) MEETING OF THE APPROVAL COMMITTEE
FOR SURAT - SEZ TO BE HELD ON 12.06.2019, AT 12:00 HOURS, IN THE
CONFERENCE ROOM OF SURAT SPECIAL ECONOMIC ZONE, SACHIN, SURAT.**

Confirmation of the Minutes of the 81st Meeting held on 30.04.2019 by the Approval Committee Members.

82-A - Fresh Proposals for Surat - SEZ (SSEZ):-

Sr. No	Name of the Applicant	Brief Subject
01	M/s MB Diamonds LLP, Mumbai	Proposal for setting up SEZ unit for Manufacturing of (1) Polished Diamonds from Rough Diamonds (ITC[HS] Code-71023910) (2) Polished Diamonds by Re-cutting Polished Diamonds (ITC[HS] Code-71023910).

82-B- Other cases

- (1) Request made by M/s Dindayal Commodities Pvt. Ltd, Surat SEZ for Enhancement of Annual Capacity in manufacturing activity in their existing LOA.
- (2) Request made by M/s Kalyan Exim Gold Jewellery Pvt. Ltd for addition of additional space as Unit No. 11-N on Plot No. 222-A in Surat SEZ from their existing LOA.
- (3) Request made by M/s Evergreen Technologies for change of partners in Surat SEZ from their existing LOA.
- (4) Request made by M/s Shubharatna Gems & Jewels Pvt. Ltd, Surat SEZ for Enhancement of Annual Capacity in manufacturing activity and required additional Plot in Surat SEZ in their existing LOA.
- (5) Request made by M/s Sagar Diamonds Ltd, Surat SEZ for Enhancement of Annual Capacity in manufacturing activity and required additional Plot in Surat SEZ in their existing LOA.
- (6) Intimation of by M/s Marshal Technologies, Surat SEZ for change in constitution of Partnership Deed of Firm.
- (7) Request Application for renewal of Letter of Approval of M/s. Purple Medical Solution Pvt. Ltd.(earlier known as M/s MIV Therapeutics (India) Pvt. Ltd.) for further period of 05 years w.e.f. 03.06.2019 to 02.06.2024
- (8) Request for revoke of Suspension of Letter of Approval issued to M/s. D. Jewels, Plot No. 183, Surat SEZ.
- (9) Post facto approval of Exit Order of M/s Jindal Dyechem Industries Pvt. Ltd., Unit No. 06 on Plot No. 296, Surat SEZ
- (10) Monitoring of audited APRs of the Units of Surat SEZ.

**AGENDA NOTE FOR 82nd (EIGHTY SECOND) MEETING OF THE APPROVAL
COMMITTEE FOR SURAT SPECIAL ECONOMIC ZONE**

Fresh Case No. 82-A-01

Name of the applicant.	M/s MB Diamonds LLP. (PAN: ABBFM6518K)
Sector	Gems & Jewellery
Address (Regd. Office)	611, Panchratna, Mama Parmanand Marg, Opera House, Mumbai-400 004.
Factory address (Proposed)	Plot No. 101 in Surat SEZ
Type of firm	Limited Liability Partnership Firm
Details of property	NA
Details of documents of () above	NA
Whether adjudicated or not, if so details of adjudicating authority	NA
Area of land/factory	1000 Sq. Mtr.
Proposed items of manufacturing	Manufacturing of (1) Polished Diamonds from Rough Diamonds (ITC[HS] Code-71023910) (2) Polished Diamonds by Re-cutting Polished Diamonds (ITC[HS] Code-71023910).
Proposed Annual Capacity:	(1) 3000 Carats (2) 2000 Carats
Whether conversion from existing DTA unit into EOU/SEZ	New undertaking.
Name of the Promoter:- (Proprietor/ Partners /Directors)	Name of Partners:- (1) Smaran Enterprises LLP; (2) Accendo Enterprises LLP
Proposed Import of Capital goods	Rs. 37.40 lakhs (in 5 yrs period)
Proposed Import of Raw material components, packing material, fuel etc.	Rs. 23605.15 lakhs (in 5 yrs period)
Other FE outgo.(Foreign Travels + SC	Rs. 0.00 (in 5 yrs period)
FOB value of Exports	Rs. 29925.80 lakhs (in 5 yrs period)
DTA Sales	Rs. Nil (in 5 yrs period)
NFE	Rs. 6250.29 lakhs (in 5 yrs period)(26.44%)
Proposed Indigenous Raw material Components, Packing Material etc.	Rs. 4469.92 lakhs (in 5 yrs period)
Indigenous Capital Goods	Rs. 41.82 lakhs (in 5 yrs period)
Cost of Project (Rs. In lakhs)	
Land & Building	Rs. 295.00
Plant & Machinery (Imported)	Rs. 37.40
Plant & Machinery (Indigenous)	Rs. 41.82
Working capital	Rs. 44.38
Miscellaneous & Contingency	Rs. 418.60 Lakhs
Total Cost	
Sources of funds	
Own Fund	Rs. 418.60
Total: - (Rs. In Lakhs)	Rs. 418.60 Lakhs
Marketing arrangements as given in the proposal.	The Partners of the unit has vast experience in Diamond manufacturing and trading. The firm proposes to buy recuttable Polished Diamonds to Hong Kong, USA and Belgium.
Whether the items of manufacture and export are restricted or not Remarks as per Exim Policy	No
Whether the unit falls under fraudulent list	Affidavit filed by the applicant that no case is booked against the unit/directors for illegal diversion of goods.
Jurisdiction of Customs/Central Excise(Specify Commissionerate and Range)	SO, SSEZ, Sachin.
Employment	25 Persons (20 Men, 5 Women)

Brief Note

The proposal of M/s MB Diamonds LLP, Mumbai is for setting up a new unit in the Surat-SEZ, for "Manufacturing of (1) Polished Diamonds from Rough Diamonds (ITC[HS] Code-71023910) (2) Polished Diamonds by Re-cutting Polished Diamonds (ITC[HS] Code-71023910)". For the proposed project, FOB value of exports for the 5 years period is projected as Rs. 29925.80 Lakhs, with outgo of foreign exchange as Rs. 23675.51 Lakhs, resulting NFE of Rs. 6250.29 Lakhs (26.44%), from manufacturing activity. The Developer (M/s. DGDC Ltd.) vide letter dated 17.04.2019 has earmarked the Plot No. 101 with area admeasuring 1000 Sq. Mtr. for the proposed project in the SEZ and also confirm the space. On scrutiny of the application form submitted by the applicants, it appears that the total investment is amounting to Rs. 418.60 Lakhs, which will be arranged from their own funds.

In view of the above, the proposal for setting up of the unit is placed before Approval Committee for consideration, and personal interview of the Partner. The same is recommended for approval in terms of the Rule-18 of the SEZ Rules, 2006.

82-B- Other cases

(1) Request made by M/s Dindayal Commodities Pvt. Ltd, Surat SEZ for Enhancement of Annual Capacity in manufacturing activity in their existing LOA.

M/s Dindayal Commodities Pvt. Ltd., Surat SEZ vide letter dated 02.05.2019 have submitted Form F for enhancement of Annual Capacity of Production from **500 Kgs. To 2000 Kgs. Per annum.**

M/s Dindayal Commodities Pvt. Ltd., Surat SEZ have been granted LOA bearing No. SSEZ/II/14/2009-10/1037 dated 08.01.2010 on Unit at 122, Plot No. 295, Surat SEZ as amended from time to time for manufacturing Jewellery Articles, Medallions & Bars of All shapes and sizes of any precious metal under Ch-71 of ITC (HS) viz Gold, Silver, Platinum, Palladium and Diamond/colour Stones, precious & Semi Precious stone in loose and or studded form.

The Unit in his request letter dated 02.05.2019 have stated that they have already exported approximately 95 Kgs. Jewellery in the calendar year till date(i.e. 02.05.2019). Further, they expect demand for manufactured Jewellery, hence, they requested to consider request for enhancement of Annual Capacity of production to 2000 Kgs. for items mentioned in their LOA and with noting that no additional unit area is required for the same.

The Unit have submit Online request vide ID 421900096590 dated 11.04.2019 and duly filled in Form 'F'.

Hence, the matter is put up before the Approval Committee for consideration and suitable decision.

(2) Request made by M/s Kalyan Exim Gold Jewellery Pvt. Ltd for addition of additional space as Unit No. 11-N on Plot No. 222-A in Surat SEZ from their existing LOA.

M/s Kalyan Exim Gold Jewellery Pvt. Ltd., Unit No. 10-N on Plot No. 222-A, Surat Special Economic Zone, Sachin, Surat vide letter dated 23.05.2019 have requested **to add additional area 1000 Sq. Feet in their existing LOA.**

M/s Kalyan Exim Gold Jewellery Pvt. Ltd., Unit No. 10-N on Plot No. 222-A, Surat Special Economic Zone, Sachin, Surat have been granted Letter of Approval bearing NO. SSEZ/II/009/2016-17/771 dated 22.06.2016 for setting up a Unit at Unit No. 10-N on Plot No. 222-A, Surat Special Economic Zone, Sachin, Surat for manufacturing of following items:

1. Plain Gold Jewellery,
2. Diamond studded Gold Jewellery,
3. Precious and semi precious stone studded and CZ studded gold jewellery,
4. Diamond studded silver jewellery & pearl silver jewellery
5. Plain silver jewellery
6. Precious & Semi precious stone and CZ diamond studded silver jewellery.

The Developer M/s DGDC Ltd. vide letter Ref 0103/2018-19/0148 dated 18.05.2019 have earmarked Unit No. 11-N on Plot No. 222-A admeasuring 1000 Sq. Ft. to M/s Kalyan Exim Gold Jewellery Pvt. Ltd. The Unit have filed online system generated change in Area (Addition) form with Request ID 421900134132 dated 22.05.2019.

Hence, the matter is put up before the Approval Committee for consideration and suitable decision.

(3) Request made by M/s Evergreen Technologies for change of partners in Surat SEZ from their existing LOA.

This office vide letter of even No. dated 23.08.2018 had conveyed the approval of renewal of LOA accorded by the Development Commissioner to M/s Evergreen Technologies for further period of 05 years i.e. upto 14.07.2023 with a direction to furnish a fresh Bond-cum-Legal Undertaking in terms of Rule-22 of the SEZ Rules, 2006.

M/s Evergreen Technologies vide letter dated 10.09.2018 had submitted the Bond-cum-Legal Undertaking for acceptance of competent Authority. On perusal of the Bond-cum-Legal Undertaking, it was noticed that the same has not been signed by all partners on each page and also partners details are not available on last page of Bond-cum-Legal Undertaking. The above discrepancies were brought to the notice of the Unit and directed to submit the reply. The Unit vide letter dated 19.03.2019 have submitted that a change in constitution of Partnership has taken place in the firm i.e. M/s Evergreen Technologies whereby one Partner Shri Parimal N. Gajjar has retired from the Partnership. In this regard, a copy of Partnership Deed has been submitted by the Unit. Now, the said Partnership Firm have remained two Partners i.e. Shri Bharatkumr R. Chaudhary and Shri Suarabh S. Srivastava. And hence, these two partners have signed the Bond-cum-Legal Undertaking.

M/s Evergreen Technologies, Unit No. 358 on Plot No. 239, Surat Special Economic Zone, Sachin, Surat have been granted Letter of Approval bearing No. SSEZ/II/18/2012-13/1453, dated 12.03.2013 for manufacturing of following items:

1. Diamond processing(cutting) Machines,
2. Diamond polishing Machines,
3. Diamond planning and marking machines,
4. Diamond brutting machines,
5. Trading of Components and Parts.

In terms of Instruction No. 89 dated 17.05.2018 issued by the Ministry, change of constitution of Unit in SEZ may be undertaken prior approval of the Approval Committee.

Hence, matter is put up before the Approval Committee for consideration and suitable decision.

(4) Request made by M/s Shubharatna Gems & Jewels Pvt. Ltd, Surat SEZ for Enhancement of Annual Capacity in manufacturing activity and required additional Plot in Surat SEZ in their existing LOA.

M/s Subharatna Gems & Jewels Pvt. Ltd, Surat SEZ vide letter dated 28.05.2019 have submitted Form F for enhancement of Annual Capacity of Production from 945 Kgs. To 5200 Kgs. Per annum. The Unit has also intended to add more area i.e. 4000 Sq. Feet in their existing LOA.

M/s Subharatna Gems & Jewels Pvt. Ltd., Surat SEZ have been granted LOA bearing No. SSEZ/II/007/2016-17/637 dated 24.10.2016 on Unit at 359, Plot No. 239, Surat SEZ as amended from time to time for manufacturing Plain Gold Jewellery, Diamond studded Gold Jewellery, precious & Semi Precious stone studded gold

jewellery CZ studded gold jewellery, diamond studded silvery jewellery plain silver jewellery, precious & semi precious stone and CZ diamond studded silvery jewellery.

The Unit in his request letter dated 28.05.2019 have stated that they have already exported approximately 2571 Kgs. Jewellery in the Financial Year 2018-19. Further, they expect demand for manufactured Jewellery, hence, they requested to consider request for enhancement of Annual Capacity of production to 5200 Kgs. for items mentioned in their LOA.

The Unit have submit Online request vide ID 421900137551 dated 28.05.2019 and duly filled in Form 'F'. In respect of addition of Area in their LOA, earmarking of Unit has been provided by the Unit.

Product for which enhancement of annual capacity sought	Annual Capacity before request	Request for Annual Capacity	Employment projection	Area projection
precious & semi precious stone studded in Silver from	350 Kgs. (Capacity for all product: 945 Kgs.)	5200 Kgs.	From 12 to 19	From 1000 Sq. Feet to 4000 Sq. Feet.

Hence, matter is put up before the Approval Committee for consideration and suitable decision.

(5) Request made by M/s Sagar Diamonds Ltd, Surat SEZ for Enhancement of Annual Capacity in manufacturing activity and required additional Plot in Surat SEZ in their existing LOA.

M/s Sagar Diamonds Ltd., Surat SEZ vide letter dated 29.05.2019 have submitted Form F for enhancement of Annual Capacity of Production (Precious and semi precious stone and CZ diamond studded silver jewellery) from 1000 Kgs. To 4000 Kgs. Per annum. The Unit has also intended for Broad Banding of 15000 carats of Cut & Polished Diamond in their existing LOA.

M/s Sagar Diamonds Ltd., Surat SEZ have been granted LOA bearing No. SSEZ/II/006/2016-17/624 dated 24.10.2016 on Unit at 101, Plot No. 193, Surat SEZ as amended from time to time for manufacturing of Plain Gold Jewellery, Diamond studded Gold Jewellery, precious & Semi Precious stone studded gold jewellery CZ studded gold jewellery, diamond studded silvery jewellery, plain silver jewellery, precious & semi precious stone and CZ diamond studded silvery jewellery.

The Unit in his request letter dated 29.05.2019 have stated that they have already exported approximately 3200 Kgs. Jewellery in the Financial Year 2018-19. Further, they expect demand for manufactured Jewellery, hence, they requested to consider request for enhancement of Annual Capacity of production to 4000 Kgs. for items mentioned in their LOA with the information that they intend to add more area in their LOA and increase in employment.

The Unit have submitted Online request vide ID 4219000138575 dated 29.05.2019 and duly filled in Form 'F'.

Product for which enhancement of annual capacity sought	Annual Capacity before request	Request for Annual Capacity	Employment projection	Area projection

Precious and semi precious stone and CZ diamond studded silver jewellery	1000 Kgs. (Capacity for all product: 15000 Kgs.)	4000 Kgs.	From 09 to 50	From 1000 Sq. Feet to 5500 Sq. Feet.(already taken 1338.58 Sq. feet)
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Hence, matter is put up before the Approval Committee for consideration and suitable decision.

(6) Intimation of by M/s Marshal Technologies, Surat SEZ for change in constitution of Partnership Deed of Firm.

The Unit vide letter dated 29.05.2019 have informed that there are change in constitution of Partnership Deep of the Firm as under:

DEED OF PARTNERSHIP DATED 15.02.2019					
Sr. No.	Name of the Partner		Profit/loss sharing ratio		Remarks
			Previous upto 31.01.2019	New w.e.f. 01.02.2019	
1	Bakulbhai	Chaturbhai	30%	72%	Continuing Partner
2	Sunilbhai	Bhogibhai	12%	14%	Continuing Partner
3	Shaileshbhai	Bhogibhai	14%	14%	Continuing Partner
4	Kamlaben	Bakulbhai	06%	--	Retiring Partner
5	Niranjanaben	Sunilbhai	02%	--	Retiring Partner
6	Rajesh	Chaturbhai	30%	--	Retiring Partner
7	Bharatiben	Rajeshbhai	06%	--	Retiring Partner

For the said purpose, the Unit have submitted following documents:

1. Duly certified copy of new Partnership Deed,
2. Registration Firm in ROF(Registrar of Firm),
3. PAN Card of the Firm,
4. Partners' Profit sharing Ratio,
5. Residence Proof and PAN of Partners.

M/s Bhathwari Technologies, Surat SEZ have been granted LOA bearing No. SSEZ/II/011/2016-17/45 dated 19.04.2019 for establishment of New Unit in Surat SEZ for manufacturing of (1) Microwave Plasma CVD System (2) Spare Parts of Microwave Plasma CVD System.

In terms of Instruction No. 89 dated 17.05.2018 issued by the Ministry, change of constitution of Unit in SEZ may be undertaken prior approval of the Approval Committee.

Hence, matter is put up before the Approval Committee for consideration and suitable decision.

(7) Request Application for renewal of Letter of Approval of M/s. Purple Medical Solution Pvt. Ltd.(earlier known as M/s MIV Therapeutics (India) Pvt. Ltd.) for further period of 05 years w.e.f. 03.06.2019 to 02.06.2024.

M/s. Purple Medical Solution Pvt. Ltd.(earlier known as M/s MIV Therapeutics (India) Pvt. Ltd.) vide their letter dated 11.04.2019 had applied for renewal of LOA(expiring on 02.06.2019) as well as Merger(Amalgamation) of Company's assets and liabilities of M/s MIV Therapeutics (India) Pvt. Ltd. to M/s Purple Medical Solution Pvt. Ltd. by way of transfer of ownership under Rule 74A of SEZ Rules, 2006.

Merger(Amalgamation) of Company's assets and liabilities of M/s MIV Therapeutics (India) Pvt. Ltd. to M/s Purple Medical Solution Pvt. Ltd. by way of

transfer of ownership under Rule 74A of SEZ Rules, 2006 was approved by the UAC in its 81st Meeting held on 30.04.2019. The approval of Committee was conveyed to the Unit vide this office letter of even No. dated 02.05.2019. However, as the renewal of LOA comes under the purview of Development Commissioner, the same was taken up later after the said Meeting.

At the time of renewal of LOA, export/import data from Customs wing of the Surat SEZ is called for. In this case also, the data was called for from Customs. The same is as under:

Year	Import	Export	Figures in Lakhs	
			DTA Sale in foreign currency	NFE
03.06.2014 to 31.03.2015	297.23	26.5	92.09.	-178.64
2015-16	554.27	3.64	604.39	53.76
2016-17	503.61	28.66	971.86	496.91
2017-18	545.75	50.43	00	-495.32
2018-19	718.75	32.02	00	-686.73
TOTAL	2619.61	141.25	1668.34	-810.02

However, as per the APRs submitted by the Unit for the last block of five from 2014-15 to 31.03.2019 duly certified by the Chartered Accountant, the NFE of the Unit for the block is shown Rs. 3.29 Lakhs. As the data from Customs Wing and in the APRs is not matching, a clarification in this regard was sought for from the Unit vide this office letter. dated 10.05.2019.

The Unit vide letter dated 29.05.2019 have submitted that they had crossed verified their data and found that there is some major mismatch in data shown. To put it everything on letter, they need some time to consolidate total data along with supporting documents so that same can be cross verified. However, the Unit have claimed that they are not having negative NFE as shown in our letter but to prove their selves they need time of 15 days. As their LOA is expiring on 02.06.2019, they requested to extend the validity of their LOA for the time being till the date they submit their reply so that their routing work is not hampered.

Further, 'No Dues' from the Developer whether the Unit is paying the Fee and Charges regularly and timely as per terms and Condition of the Lease Deed executed by the Developer and the concerned Unit was sought for. The Developer in its reply dated 09.05.2019 has reported that M/s Biosync Scientific Pvt. Ltd.(Later known as M/s. MIV Therapeutics (I) Pvt. Ltd.) had executed the Lease Deed on 20.09.2006 which is valid upto 19.09.2021. The representative of the Unit met the General Manager (Mr. B.G. Tamakuwala) of the Developer with a request letter dated 24.04.2019 that their LOP is due for renewal for further period of 5 years (From 02.06.2019 to 01.06.2024). As their Lease period is valid only up to 19.09.2021 and therefore they are required to extend the lease period for further beyond the existing lease period i.e. 19.09.2021. The Developer further added that the Unit were informed to deposit renewal fee for extending the period however the Unit have not yet deposited the Lease Renewal Fees. On receipt of the payment, the Developer will extend the Lease period and this office will be informed accordingly.

In this regard, the Unit vide above cited reply submitted that their lease deed is valid upto 19.09.2021 and they have requested Developer for renewal of their lease deed but as on date they have not received any written confirmation from their end about the charges/deposit amount for renewal. The moment they receive the same, they will pay the same.

As stated above, in terms of APRs submitted by the Unit, NFE is positive to tune of Rs. 3.29 Lakhs whereas as per data provided by the Customs Wing, the NFE comes Negative of Rs. 8.10 Crores. Until the clarification from the Unit side comes, it could not be ascertained whether the NFE is positive or negative and if NFE is negative, how much it is.

In this case, as per the Rule 54 of the SEZ Rules, 2006, (1) performance of the Unit shall be monitored by the Approval Committee as per the guidelines in Annexure appended to these rules.

(2) In case the Approval Committee come to the conclusion that a Unit has not achieved positive NFE, the said Unit shall be liable for penal action under the provisions of FTDR Act 1992.

As the LOA of the Unit is expiring w.e.f. 03.06.2019, the Development Commissioner has approved extension of LOA till the decision of the Approval Committee in the next Meeting to be taken in the matter.

Hence, matter is put up before the Approval Committee for consideration and suitable decision.

(8) Request for revoke of Suspension of Letter of Approval issued to M/s. D. Jewels, Plot No. 183, Surat SEZ.

M/s. D. Jewels, Surat SEZ, Sachin, Surat vide letter dated 06.05.2019 have informed that the goods seized by the Customs Authorities(DRI) on 28.09.2016 from their factory in Surat SEZ have been released on 03.05.2019 vide Panchnama dated 03.05.2019 in light of the Order No. 1 of 2018 in R/Tax Appeal No. 1303 of 2018 dated 14.02.2019 of Hon'ble High Court of Gujarat. The Unit in the context of the direction of the Court have requested that they are permitted to sell their goods lying in their SEZ Unit into DTA on payment of applicable Duty. Alternatively, they requested to revoke the suspension order of their LOA and grant them formal permission to commence manufacturing operations and grant specific permission to bring the released goods back to SEZ and keep the same in their Unit.

In view of the order of Hon'ble High Court of Gujarat and release of goods by the Customs Authority, this office granted permission to the Unit vide letter dated 07.05.2019 to take the goods into the SEZ in their premises.

Brief of the case is submitted as under:

- The Directorate of Revenue Intelligence on specified information Seized the following goods under Panchnama dated 13.10.2016
- 1. 8069.63 grams Gold Bars valued at Rs. 2,34,03,754/-.,
- 2. 3064.22 carats diamonds/precious stones/moti valued at Rs. 36,08,956/- and
- 3. 8676.553 grams valuing Rs. 3,20,96,437/- unaccounted gold jewellery was found in D. Jewels premises.

- M/s. D. Jewels, Surat SEZ, Sachin, Surat and others were issued Show Cause Notice dated 27.03.2019 for confiscation of goods and imposition of penalty.
- The Commissioner, GST & Central Excise, Surat vide OIO dated 13.10.2017 confirmed the confiscation of the goods as demanded by the above said SCN.
- The Appeal filed by M/s D. Jewels & Choksi Vachhraj Makanji & Co. Before CESTAT against the OIO was dismissed by the CETAT.
- M/s D. Jewels & Choksi Vachhraj Makanji & Co. Challenged the order of CESTAT before the Hon'ble High Court of Gujarat. The HC in its judgement dated 14.02.2019 passed the order that upon paying redemption fine to the extent of 10% of the value of the confiscated goods and penalty to the extent of 1% of the value of the confiscated goods and furnishing bank guarantees of Rs. 50 Lakh by each of the applicants, to be kept alive till the final disposal of the appeal, before the Commissioner of Customs, Surat, the authority is directed to release in favour of the applicants all the confiscated goods at the earliest.
- In compliance of the Court's above order, the Customs Authority vide Panchnama dated 03.05.2019 have released the seized goods.

Hence, matter is put up before the Approval Committee for consideration and suitable decision.

(9) Post facto approval of Exit Order of M/s Jindal Dyechem Industries Pvt. Ltd., Unit No. 06 on Plot No. 296, Surat SEZ

M/s. Jindal Dyechem Industries Pvt. Ltd., Unit No. 06 on Plot No. 296, Surat SEZ vide their letter dated 16.01.2017 had requested for exit from SEZ Scheme.

The request was placed before the UAC. The Committee in its 80th Meeting held on 12.03.2019 had directed to regularize the minimum specified Net Foreign Exchange in terms of Rule 80 of the SEZ Rules, 2006 which says that if an Special Economic Zone Unit, in case of bona fide default, fails to achieve the minimum specified Net Foreign Exchange or specified value addition, then such shortfall may be regularized after the Unit deposits an amount equal to one per cent of shortfall in Free on Board of Approval Value.

The Unit holder vide letter dated 24.04.2019 and dated 26.04.2019 requested to review of the decision taken in the 80th Meeting by the UAC on the grounds mentioned in the letter and new facts came into light.

The above facts and request of the Unit were placed before the Approval Committee in its 81st Meeting held on 30.04.2019. As per the Minutes of the Meeting, the Approval Committee **after due deliberations noted that since the new facts have come to notice of the Committee and the Unit have achieved positive NFE as per Bank Computation Certificate as endorsed by the respective Banks. The case was reviewed and a view was taken that if the firm achieve positive NFE as per Instructions No. 41, the case will be considered for exit subject to verification of all Bank Computation Certificate by the respective Banks.**

As directed above by the UAC, all the respective Banks were written letters to confirm the genuineness of the verification report made by the Banks. As the confirmation of genuineness received from all the Banks, the details of Import and Export as well as realization of export proceeds in terms of Foreign Exchange and INR is furnished as under:

Jindal Dyechem Industries Pvt. Ltd.

HDFC Bank Ltd.						
Year	Import (in \$)	Import (in INR)	Lou interest (in \$)	Lou interest (in INR)	Exports(in \$)	Exports(in INR)
2012-13	1153,15,005.00	62599,96,124.55	3,31,621.29	180,16,500.64	112,23,667.00	6149,90,731.96
2013-14	2211,17,942.00	134735,63,663.82	457374.4	275,71,406.08	230,42,502.00	13508,02,644.29
Total	3364,32,947.00	197335,59,788.37	7,88,995.69	455,87,906.72	342,66,169.00	19657,93,376.25
Jammu and Kashmir Bank.						
Year	Import (in \$)	Import (in INR)	Lou interest (in \$)	Lou interest (in INR)	Exports(in \$)	Exports(in INR)
2012-13	22,172.00	12,70,784.00	99,981.78	56,06,851.00	512,98,333.00	28805,82,100.00
2013-14	1462,38,457.00	86036,38,718.61	13,43,005.20	739,86,797.39	-	-
Total	1462,60,629.00	86049,09,502.61	14,42,986.98	795,93,648.39	512,98,333.00	28805,82,100.00
IndusInd Bank Ltd.						
Year	Import (in \$)	Import (in INR)	Lou interest (in \$)	Lou interest (in INR)	Exports(in \$)	Exports(in INR)
2012-13	-	-	-	-	599,42,066.00	33780,05,492.00
2013-14	368,50,723.00	21914,98,706.86	7,01,703.80	396,36,357.14	-	-
Total	368,50,723.00	21914,98,706.86	7,01,703.80	396,36,357.14	599,42,066.00	33780,05,492.00
Kotak Mahindra Bank Ltd.						
Year	Import (in \$)	Import (in INR)	Lou interest (in \$)	Lou interest (in INR)	Exports(in \$)	Exports(in INR)
2012-13	-	-	72,204.54	39,72,616.55	1624,71,855.00	88162,48,136.62
2013-14	72,65,000.00	4097,49,814.13	63,476.93	33,79,480.50	673,54,916.00	39444,26,431.59
Total	72,65,000.00	4097,49,814.13	1,35,681.47	73,52,097.05	2298,26,771.00	127606,74,568.21
Ratnakar Bank Ltd.						

	Import (in \$)	Import (in INR)	Lou interest (in \$)	Lou interest (in INR)	Exports(in \$)	Exports(in INR)
2012-13	-	-	-	-	-	-
2013-14	657,40,508.00	41111,51,280.37	1,40,360.54	86,98,533.71	212,79,940.00	13311,18,363.59
Total	657,40,508.00	41111,51,280.37	1,40,360.54	86,98,533.71	212,79,940.00	13311,18,363.59

Yes Bank Ltd.

Year	Import (in \$)	Import (in INR)	Lou interest (in \$)	Lou interest (in INR)	Exports(in \$)	Exports(in INR)
2012-13	-	-	-	-	494,98,684.00	26848,74,316.31
2013-14	390,73,687.00	231,96,186.36	77,135.90	45,78,625.70	1858,40,666.00	108413,06,515.06
Total	390,73,687.00	231,96,186.36	77,135.90	45,78,625.70	2353,39,350.00	135261,80,831.37

All Banks Total

Import (in \$)	Import (in INR)	Lou interest (in \$)	Lou interest (in INR)	Exports(in \$)	Exports(in INR)
6316,23,494.00	350740,65,278.70	32,86,864.38	1854,47,168.71	6319,52,629.00	358423,54,731.42

	IN US \$	IN INR
NFE	3,29,135.00	76,82,89,452.72

In view of the Bank Computation details, the NFE position of the Unit come positive in terms of INR as well as in US Dollar also.

Looking to the above facts, the Development Commissioner, Surat SEZ has accorded permission to exit from SEZ Scheme in terms of Rule 74 of the SEZ Rules, 2006.

Hence, the matter is placed before the Approval Committee for post facto approval and consideration.

(10) Monitoring of audited APRs of the Units of Surat SEZ.

As per the Rule 54 of the SEZ Rules, 2006,

- (1) Performance of the Unit shall be monitored by the Approval Committee as per the guidelines in Annexure appended to these rules.**
- (2) In case the Approval Committee come to the conclusion that a Unit has not achieved positive NFE, the said Unit shall be liable for penal action under the provisions of FTDR Act 1992.**

The Approval Committee in its Meetings held from time to time has monitored the APRs of the Units of Surat SEZ till the year 2014-15. The APRs for the year 2015-16 and onwards of the following Units have been audited by the Chartered Accountant appointed by this office as per the direction of the Zonal Development Commissioner: The Details are furnished in the Annexure.

Sr. No.	Name Of The SEZ Units	Date of Commencement of production	Total (figure of FY 2015-16 to 2017-18)		
			Export	Import	Total
1	Artek Exports LLP.	01.08.2007	4583.08	1230.15	3352.93
2	C Tech Corporation. (Mfg.)	01.04.2004	44.41	0	44.41
3	Dimple Diamonds. (Mfg.)	25.06.2013	2267.48	1870.53	396.95
	Dimple Diamonds. (Trading)	25.06.2013	0	0	0
4	Gautam Jewels Pvt. Ltd.	20.08.2004	850.44	234.77	615.67
5	Gopal Jewels Pvt. Ltd.	02.07.2012	0	0	0
6	Harmony Plastics Pvt. Ltd. (Mfg)	01.04.2011	1870.49	1196.2	674.29
	Harmony Plastics Pvt. Ltd. (Trading)	18.07.2011	0	0	0
7	K. K. Jewels Pvt. Ltd.	10.08.2004	4149.87	76.46	4073.41
8	Kalika International. (Mfg.)	13.04.2006	7263.53	2752	4511.53
	Kalika International. (Trading)	13.04.2006	14.07	0	14.07
9	Kiran Jewellery. (Mfg.)	01.12.2007	184691.69	49618.05	135073.64
10	Marvel India.	02.12.2011	24.21	17.36	6.85
11	Marvel International.	01.04.2005	8039.22	6255.57	1783.65
12	Mercantile Shipping Agencies. (Mfg.)	01.04.2011	318.1	87.48	230.62
	Mercantile Shipping Agencies. (Trading)	03.12.2010	0	0	0
13	Mukta Enterprise. (Mfg.)	11.12.2011	113.1	106.68	6.42
	Mukta Enterprise. (Trading)	11.12.2011	0	0	0
14	Narola Machines.	22.02.2016	2554.51	678.69	1875.82
15	New Nirmal Industries	24.12.2012	0	0	0
16	Parvati Impex.	13.11.2009	7119.78	6248.56	871.22
17	Picus Tech Software.	04.01.2010	1441.22	40.16	1401.06
18	Athreyas Wellness Pvt. Ltd. (Quest)	24.03.2007	0	2.34	-2.34
19	Runi Impex.	20.10.2010	0	0	0
20	Shree Ganesh Exports.	10.04.2003	979.17	904.57	74.6
21	Shree Nnansharda Jewellery. (Mfg.)	26.07.2011	12683.07	8070.74	4612.33
	Shree Nnansharda Jewellery. (Trading)	17.05.2012	0	0	0
22	Shreyanshu Gems & Jewellery. (Mfg.)	22.05.2014	14267.35	4252.26	10015.09
	Shreyanshu Gems & Jewellery. (Trading)	22.05.2014	0	0	0
23	SMD Rays.	27.08.2015	1031.53	398.38	633.15
24	Universal Packaging.	18.10.2012	1160.96	0	1160.96
25	Vivah Classique. (Mfg.)	20.03.2007	201.17	189.16	12.01
	Vivah Classique. (Trading)	16.07.2008	0	0	0

> Post facto Monitoring of APRs of the following Units whom Exit Order from the SEZ Scheme have been granted under Rule 74 of the SEZ Rules, 2006 from time to time:

Name of the Unit	Activity	Export	Import	Total	Remarks
Ausom Enterprise Ltd.	Mfg.	9014	0	9014	In terms of Ministry's clarification, after clubbing of NFE from trading and Mfg., NFE of the Unit comes positive.
	Trading	128009	136362	-8353	
Chemsworth Jindal Dychem Industries	Mfg.	8.84	7.68	1.16	The Exit request of the Unit was placed before the UAC from time to time regarding negative NFE in INR as in terms of US dollar, the NFE of the
	Trading	353192.95	359134.98	-5942.03	

					Unit comes positive. However, as directed by the UAC in the last Meeting, as per the Bank Computation duly certified by the respective Banks, the NFE of the Unit comes positive both in terms of INR and USD.
Khandwala Enterprise Pvt. Ltd.	Trading	476889.74	478864.35	-	In terms of Ministry's clarification, after clubbing of NFE from trading and Mfg., NFE of the Unit comes positive.
	Mfg.	2464	0	1974.61 2464	
PMK Impex Pvt. Ltd.	Mfg.	29896	27595	2301	In terms of Ministry's clarification, after clubbing of NFE from trading and Mfg., NFE of the Unit comes positive.
	Trading	72082	73504	-1422	
RBZ Jewellers Pvt.	Mfg.	00	00	00	--
Yashi Mfg. Co.	Mfg.	9826.79	6260.79	3566	--

Hence, matter is put up before the Approval Committee for consideration and suitable decision.