

Minutes of the 144<sup>th</sup> Unit Approval Committee Meeting of Kandla SEZ held on 16.05.2019 at 11:30 hrs. under the Chairmanship of Dr. Amiya Chandra, Development Commissioner, Kandla Special Economic Zone.

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**Following were present:**

1. Shri. Satyadeep Mahapatra : Joint Development Commissioner, KASEZ.
2. Shri. Sanjay Kumar : Joint Commissioner of Income Tax, Gandhidham.
3. Shri. A. K. Moria : Assistant Commissioner, Customs, Kandla, Gandhidham-Representative of Commissioner of Customs Kandla.

**Absentees:-**

1. Director (Banking)
2. SDM
3. DGFT
4. DIC

**Review/Confirmation of the minutes of last meeting (143<sup>rd</sup> UAC) of the Approval Committee: -**

Minutes of the last meeting of Approval Committee was confirmed.



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### **144.1 NEW UNIT APPLICATION**

#### **AGENDA ITEM NO. 144.1.1**

**Application for setting up of a unit in KASEZ namely M/s. Zaux International Pvt. Ltd., A-8 C, 2<sup>nd</sup> Floor, Vishwakarma Colony, New Delhi - 110 044.**

Their proposal was for setting up a unit in Kandla SEZ for manufacturing activity of Sweet Betel Nut, Mouth Freshner, Pan Masala, Pan Chutney, Tobacco (Shesha), Tobacco (Chewing) Flavour & Extracts, Tobacco Extract and Gutkha.

Ms. Nidhi Khullar, Director and Shri Yogesh Kumar, CEO of the company appeared before the Approval Committee and explained their proposal.

Shri Kumar stated that one of the Director Shri Bhasin's Uncle is running a unit in the name of M/s. Mrudal Perfumery which is supplying perfumery compounds to pan masala manufacturing units and Shri Bhasin is associated with him for the last 5-6 years. He further stated that Ms. Khullar, Director is running a unit in Noida SEZ from last 20 years in the name of M/s. Pertech Exports Pvt. Ltd..

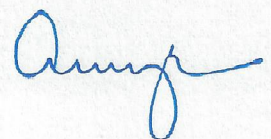
The Chairman asked the applicant to submit adequate proof regarding expertise in the field of Pan Masala and whether they have any marketing arrangements for export of their finished products, as they have not submitted any proof for the same.

Therefore, the Approval Committee after due deliberation decided to defer their proposal with the direction to the applicant to furnish sufficient evidence of having expertise this related field and regarding marketing arrangements.

#### **AGENDA ITEM NO. 144.1.2**

**Application for setting up of a unit in KASEZ namely M/s. Everex Infotech Pvt. Ltd., 26, Champa Gally, M. J. Market Lane, Mumbai - 400 002.**

Their proposal was for setting up a unit in Kandla SEZ for manufacturing activity of IT Software - Internet Telecommunication





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Services, Maintenance, Repair & Installation Services and Other Types of IT Services.

Shri Mayank Parekh, Director of the company appeared before the Approval Committee and explained their proposal.

Shri Parekh stated that he is in the IT Industry since the last 24 years and has started the company M/s. Everex Infotech Pvt. Ltd. in 1994 for IT Software Product Development and Customer Support Management. Further, to expand their business they want to set up a unit in Kandla SEZ for Information Technology Computer Software.

On being asked by the Chairman about whether they will concentrate mainly on international market or domestic market, Shri Parekh stated that they will predominantly focus on the international market.

The Approval Committee after due deliberation approved the proposal subject to standard terms and conditions and also subject to the conditions. Unit will also maintain separate accounts for international sales and domestic sales.

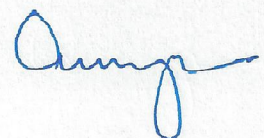
**AGENDA ITEM NO. 144.1.3**

**Application for setting up of a unit in KASEZ namely M/s. Universal Confectionary and Food Products Pvt. Ltd (Unit-II), Hotel Aitrlink 75, Off Nehru Road, Nr. Santacruz Airport, Vile Parle Mumbai, Maharashtra - 400099.**

Their proposal was for setting up a unit in Kandla SEZ for manufacturing activity (Unit-II) of Double Edged Shaving Blades.

Shri Suresh Bherwani, Director of the company appeared before the Approval Committee and explained their proposal.

Shri Bherwani stated that as discussed in the last UAC meeting, they have submitted a new application as Unit-II for Double Edged Shaving Blades. They stated that they have ready export orders for exports to African countries and Middle East. Shri Bherwani stated that their group company is already in business of blade manufacturing since 2011 at Dholka, Gujarat in DTA area and now to cater to the needs of foreign buyers, they want to





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expand their business for blade manufacturing in Kandla SEZ as they are already having a unit in KASEZ.

The Committee noted that UAC in its 143<sup>rd</sup> meeting held on 05.04.2019 had directed the applicant to apply afresh for setting up a separate unit for manufacturing of Double Edged Shaving Blade as Unit-II with separate demarcation of space from the existing unit. The Committee also noted that the applicant has furnished separate demarcation of space for Unit-II in their existing premises of Unit-I and directed the Deputy Commissioner of Customs, KASEZ to inspect the unit's premises for the proposed demarcation made in their existing premises.

The Approval Committee after due deliberation approved the proposal subject to standard terms and conditions.

**AGENDA ITEM NO. 144.1.4**

**Application for setting up of a unit in KASEZ namely M/s. Sea Shore Logistics, House No. A-36, Sector-61, Noida Gautam Buddha Nagar, Uttar Pradesh - 201 301.**

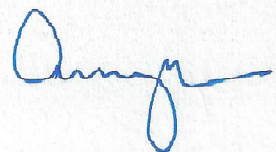
Their proposal was for setting up a unit in Kandla SEZ for warehousing service activity at FTWZ developed by M/s Kandla Free Trade Warehousing Private Limited in KASEZ.

The Proprietor of the firm Shri Deepak Mittal was interviewed through Video Conferencing.

Shri Mittal stated that he want to set up warehousing service unit at FTWZ of KASEZ and that he is already having a warehousing unit in Adani SEZ at Mundra. He further stated that the items proposed for warehousing will be all goods except prohibited items, arms and ammunitions, hazardous wastes and SCOMET items.

The Committee noted that the applicant has requested for warehousing of all goods and directed the applicant to furnish specific items to be warehoused.

The Committee also noted that the unit has already obtained NOC from M/s. Kandla Free Trade Warehousing Pvt. Ltd., Co-Developer of FTWZ in Kandla SEZ regarding space availability.





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The Committee noted that the MMTC which is a Co-Developer for the Kandla SEZ has informed that the unit will be directly depositing the rent with Kandla SEZ Authority and the Secretary, KASEZ Authority will ensure proper depositing of rent in the Authority Account.

The Approval Committee after due deliberation decided to approve the proposal subject to standard terms and conditions & the applicant furnishing specific list of items to be warehoused and also subject to additional condition that the unit should seek a prior approval of any additional items they intent to warehouse and submit KYC details of clients to the Office of the Development Commissioner before undertaking the authorised activity.

**AGENDA ITEM NO. 144.1.5**

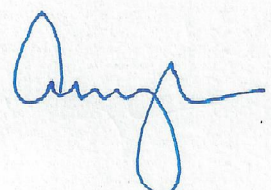
**Application for setting up of a unit in KASEZ namely M/s. Ashwani Global Exports, 64, Digvijay Plot, Jamnagar, Gujarat - 361 005.**

Their proposal was for setting up a unit in Kandla SEZ for manufacturing activity of Machined Components - Brass Electrical and Wiring Accessories parts, Brass Electrical & Wiring Assy, etc.

Shri Ashwin Gajara, Partner of the firm appeared before the Approval Committee and explained their proposal.

Shri Gajara stated that their group company was established in DTA since last 55 years and are in the business of copper alloy and steel alloy based turned and machine parts and components. He is looking after the work of their group company since last 25 years. M/s. ABB, M/s. CEE, M/s. SIEMENS etc. are their customers and are doing assembling of machine components for them. Copper and brass electrical items are their main business lines and they have expertise in this field.

The Approval Committee after due deliberation approved the proposal subject to standard terms and conditions and subject to the unit furnishing a declaration that they will not import any scrap or anything and any material that shall be procured from DTA does not require any environmental clearance.





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**AGENDA ITEM NO. 144.2.1**

**Request for broad banding of additional items for Manufacturing activity in their existing Letter of Approval/Permission No. KASEZ/IA/20/2018-19 dated 26.12.2018 of M/s Pandokhar Food LLP, KASEZ.**

M/s. Pandokhar Food LLP, KASEZ is an approved unit for manufacturing activity of Guthka, Khaini, Zarda, Pan Masala, Chewing Tobacco, etc. vide Letter of Approval F.No. KASEZ/IA/20/2018-19/10601 dated 26.12.2018.

Now the said unit has requested for Broad Banding of their LoA for addition of following items for manufacturing activity: -

Sl. No.	Item	ITC (HS) Code
1.	Different Flavors Molasses Tobacco	2403 1110
2.	Herbal Molasses Flavored Non-Tobacco	2403 1990

Shri Prakash Kaknani, Partner of the firm appeared before the Approval Committee and explained their proposal.

Shri Kaknani stated that recently they attended the trade fair at Dubai in April, 2019 for marketing their tobacco products and looking to the international buyer requirements they have got huge demands for the above two products and requested to allow them permission for manufacturing the above two products for exports from KASEZ.

The Approval Committee after due deliberation decided to approve the broad-banding of manufacturing activity of above two items in their existing LoA subject to the condition that the said items will be 100% exported & no import of any raw materials for the said broad-banded items and no DTA sale will be allowed.



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**AGENDA ITEM NO. 144.2.2**

**Request of M/s. Unique Tobacco Products, KASEZ for Broad-banding of Trading activity in their existing LoA for Manufacturing activity.**

M/s Unique Tobacco Products, KASEZ is an approved unit for manufacturing of Scented Supari, Mouth Fresheners, Pan Masala, Pan Masala Containing Tobacco and Zarda (Gutkha) in Kandla Special Economic Zone, Gandhidham vide LoA No. KASEZ/IA/03/2016-17 dated 11.04.2016, as amended.

Now the said unit has requested for broad-banding of their LoA for trading activity for following items: -

Sl. No.	Item	ITC (HS) Code
1.	Areca nut	08028090 08028010 08028020
2.	Katha	14049050
3.	Tobacco	24039930
4.	Elaichi	09083120
5.	Lime Powder	25221000
6.	Perfume	33029090
7.	Menthol	33039021

Shri Sanjeev Sharma, Authorised Signatory of the firm appeared before the Approval Committee and explained their proposal.

Shri Sharma stated that they will procure the traded items from domestic market and will do 100% export in the above trading activity.

The Approval Committee after due deliberation decided to approve the broad-banding of trading activity of above seven items in their existing LoA for manufacturing activity subject to the condition that the said items will be 100% exported on net to net basis and no wastage/reject of any traded items will be allowed and no import of any raw materials for the said traded items & no DTA sale will be allowed. Further, the unit will maintain separate accounts for manufacturing and trading activity.



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**AGENDA ITEM NO. 144.2.3**

**Request of M/s Zip Zap Exim Pvt. Ltd., KASEZ for Broad Banding of their LoA for addition of one item for trading activity.**

M/s. Zip Zap Exim Pvt. Ltd., KASEZ is an approved Unit for trading activity vide LoA dated 12.01.2017, as amended.

Now the said unit has requested for broad-banding of their LoA for trading activity for following item: -

Sl. No.	Item	ITC (HS) Code
1	Men Dry Fit Track Pant	61031030

The Approval Committee after due deliberation decided to approve the broad-banding of above trading activity and also ratified the one time permission granted for allowing the above goods in their unit in KASEZ for further exports.

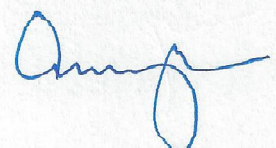
**AGENDA ITEM NO. 144.2.4**

**Request for broad banding of additional items and also to set up plastic cans/jars manufacturing plant in their existing Letter of Approval/Permission No. KASEZ/IA/17/2015-16 dated 29.01.2016 of M/s Royal Petro Oil Refinery LLP, KASEZ.**

M/s. Royal Petro Oil Refinery LLP, KASEZ is an approved unit for manufacturing of recycling of used lubricating oil and gas oil vide letter F.No. KASEZ/IA/17/2015-16/1665 dated 29.01.2016.

The said unit request is for Broad Banding of their LoA for manufacturing activity for following additional items and for setting up a plastic cans/jars manufacturing captive plant for packing of their finished goods meant for export: -

Sl. No.	Item	ITC (HS) Code	Description of the goods as per DGFT's Import Policy	Import / Export Policy
1.	Engine Oil/Hydraulic Oil/Gear Oil/Greases/Speciality	2710 1990	Other	Free





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	Lubricants			
2.	Brake Fluid	3819 0010	Hydraulic Brake Fluids	Free

Shri Pramesh Ved, Partner of the firm appeared before the Approval Committee and explained their proposal.

Shri Ved stated that they are already an approved unit for export of base oil from used oil and to further expand their activity they want to include two additional items in their existing LoA for exports and there will be 0% wastage for the proposed products. Further they want to set up a plastic cans/jars manufacturing plant for captive consumption for packing their finished products. The cans/jars to be manufactured will be between sizes of 200 grams to 25 litres.

The Committee noted that their proposal was earlier discussed in the 142<sup>nd</sup> UAC meeting held on 04.03.2019 and also in the 143<sup>rd</sup> UAC meeting held on 05.04.2019 and the Committee directed the unit to comply with environmental norms with regard to incinerator installed and submit specific order/consent of the GPCB that the installed incinerator fulfils all the criteria laid down by the GPCB and can go into operation. The Committee further noted that the unit has submitted clarification on the issue of Incinerator installed.

The Approval Committee after due deliberation decided to approve the broad-banding of above two items in their existing LoA for manufacturing activity and also approved setting up of plastic cans/jars manufacturing plant for their own captive consumption and subject to the unit furnishing an undertaking that the HDPE Polymers proposed to be imported by them is in the free list, they will install machinery for plastic cans/jars manufacturing before import of HDPE Polymers and the same will be used only for captive consumption & not to be sold to other units of KASEZ. Further, no wastage will be allowed for the proposed items and for all the items permitted in their original LoA, no wastage will be permitted to go into DTA area under any circumstances.



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### **144.3 MISCELLANEOUS ITEMS**

#### **AGENDA ITEM NO. 144.3.1**

#### **Request of M/s. Shivam Betelnut Pvt. Ltd., KASEZ for permission for import of Betel Nut.**

M/s Shivam Betelnut Pvt. Ltd., KASEZ is an approved unit for manufacturing of Pan Masala and Pan Masala Containing Tobacco, Zarda (Gutkha) in Kandla Special Economic Zone, Gandhidham vide LoA No. KASEZ/IA/12/2016-17 dated 10.08.2016.

Now the said unit has requested for permission for import of Betel Nut in their existing LoA.

Shri B. Kumar, Director of the company appeared before the Approval Committee and explained their proposal.

Shri Kumar stated that they have got export orders of about Rs. 75 lakh US Dollar in hand and to execute the said orders they want permission to import betel nut as good quality betel nut are not available locally sometimes and to execute the said export orders they want to import betel nut and requested to grant them one time permission to import betel nut.

The Approval Committee after due deliberation rejected the request of the unit for import of betel nut.

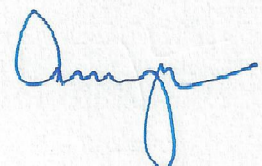
#### **AGENDA ITEM NO. 144.3.2**

#### **Intimation for change in Partnership of M/s Babu International, KASEZ**

M/s Babu International is an approved unit for manufacturing activity vide LoA No. KASEZ/IA/1922/2003-04/Part-I dated 16-06-2003. The LoA is valid till 30.11.2019.

Now the unit has intimated regarding change of constitution wherein the existing one partner has retired and one new partner has joined the firm and submitted copy of deed of retirement cum Admission/Reconstitution of Partnership firm dated 01.04.2019.

The Committee noted that the share in profit/loss of the firm before change in partnership is as under:





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Sl. No.	Name of the Partners	Share in Profit/Loss
1.	Mr. Mohinder Bajaj	12.50%
2.	Mr. Ashish Bajaj	12.50%
3.	Mr. Anish Gaffar Sharif	18.75%
4.	Mr. Akhtar Yunus Kachhi	18.75%
5.	Mr. Mohd. Faizan Chotawala	18.75%
6.	Mr. Yashu Garg	18.75%
	<b>TOTAL</b>	<b>100%</b>

Now, after change in Partnership of the firm, the share in profit/loss is as under:

Sl. No.	Name of the Partners	Share in Profit/Loss
1.	Mr. Mohinder Bajaj	12.50%
2.	Mr. Akhil Bajaj	12.50%
3.	Mr. Anish Gaffar Sharif	18.75%
4.	Mr. Akhtar Yunus Kachhi	18.75%
5.	Mr. Mohd. Faizan Chotawala	18.75%
6.	Mr. Yashu Garg	18.75%
	<b>TOTAL</b>	<b>100%</b>

The Committee noted that Department of Commerce vide Instruction No. 89 dated 17.05.2018 had issued guidelines regarding change in shareholding pattern, name change pertaining to SEZ units wherein change of name, change of shareholding pattern, etc. may be undertaken with the prior approval of Approval Committee in respect of units.

The Committee noted that the changes in share in profit/loss of the firm is to the extent of 12.50%. Therefore, the Approval Committee after due deliberation decided to approve and take on record the proposal of change in profit/loss sharing ratio of the firm as above subject to following conditions:

1. Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered unit entity.
2. Fulfillment of all eligibility criteria applicable to unit, including security clearances etc. by the altered unit entity and its constituents.



3. Applicability of and compliance with all Revenue/Company Affairs/ SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
4. Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member(IT), CBDT, Department of Revenue and to the Jurisdictional Authority.
5. The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
6. The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
7. The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.

**AGENDA ITEM NO. 144.3.3**

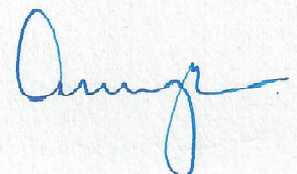
**Intimation for Retirement of Directors of M/s Kandla Exim Pvt. Ltd., KASEZ**

M/s Kandla Exim Private Limited, Plot No. 294, 295 & 296, Sector- III, KASEZ, Gandhidham is an approved unit for manufacturing activity of 1) all types of shoddy yarn, Carpet, Yarn, worsted/Non worsted yarn 2) Blankets & home furnishing articles (all above products manufactured out of raw material recovered) vide Letter of Approval F. No. KFTZ/IA/1888/2002-03 dated 14.10.2002, as amended/extended from time to time.

Now the said company has intimated regarding Retirement of Directors.

The Committee noted that the company were having following Directors on Board:-

1. Mr. Satyen Kanubhai Vyas





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2. Mr. Harin Kanubhai Vyas
  3. Mr. Rameez Aziz Rehman
  4. Mr. Mohd Faizan Mohd Hanif Coatwala

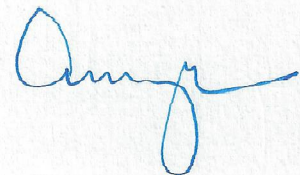
Out of the above following two Directors have retired: -

1. Mr. Satyen Kanubhai Vyas
2. Mr. Harin Kanubhai Vyas

The Committee noted that Department of Commerce vide Instruction No. 89 dated 17.05.2018 had issued guidelines regarding change in shareholding pattern, name change pertaining to SEZ units wherein change of name, change of shareholding pattern, etc. may be undertaken with the prior approval of Approval Committee in respect of units.

Therefore, the Approval Committee after due deliberation decided to approve and take on record the proposal of retirement of Directors of the company subject to following conditions: -

1. Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered unit entity.
2. Fulfillment of all eligibility criteria applicable to unit, including security clearances etc. by the altered unit entity and its constituents.
3. Applicability of and compliance with all Revenue/Company Affairs/SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
4. Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member(IT), CBDT, Department of Revenue and to the Jurisdictional Authority.
5. The Assessing Officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.





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6. The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
7. The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.

**AGENDA ITEM NO. 144.3.4**

**Permission to warehouse goods on behalf of DTA client - Request of M/s. Srikaram Prescience Pvt. Ltd., KASEZ.**

M/s Srikaram Prescience Pvt. Ltd., KASEZ has requested for permission to warehouse goods on behalf of their DTA client for 2 warehousing items.

The Approval Committee after due deliberation decided to defer the proposal with the request to the unit to appear before the next Approval Committee meeting and explain whether there is any environmental issue for the two items proposed to be warehoused since the items are sought to be warehoused are refrigerants and therefore there is a need to ensure that they are compliant with environmental laws..

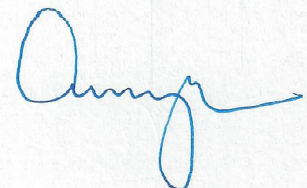
**AGENDA ITEM NO. 144.3.5**

**Permission to warehouse goods on behalf of DTA client - Request of M/s. Flamingo Logistics, KASEZ.**

In the 116<sup>th</sup> UAC meeting held on 19.07.2017, it was decided that the warehousing units in KASEZ will have to seek permission for any new items which they intend to warehouse on behalf of foreign clients as well as DTA clients and submit KYC of the client before warehousing the items.

The Committee noted that M/s. Flamingo Logistics requested for permission to warehouse goods on behalf of DTA client and submitted list of 4 items to be warehoused in KASEZ alongwith KYC of client.

The Committee after due deliberation decided to take on records the items to be warehoused by the above unit for their DTA client as submitted by the unit subject to the condition that none of the items which are restricted or under negative list will be allowed to be warehoused.





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**AGENDA ITEM NO. 144.3.6**

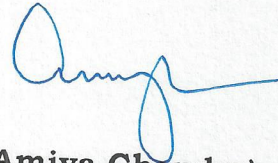
**Permission to warehouse goods on behalf of DTA client - Request of M/s. Zest Marine Services Pvt. Ltd. (Unit-II), KASEZ.**

In the 116<sup>th</sup> UAC meeting held on 19.07.2017, it was decided that the warehousing units in KASEZ will have to seek permission for any new items which they intend to warehouse on behalf of foreign clients as well as DTA clients and submit KYC of the client before warehousing the items.

The Committee noted that M/s. Zest Marine Services Pvt. Ltd. (Unit-II) requested for permission to warehouse goods on behalf of DTA clients and submitted list of 9 items to be warehoused in KASEZ alongwith KYC of clients.

The Committee after due deliberation decided to take on records the items to be warehoused by the above unit for their DTA clients as submitted by the unit subject to the condition that none of the items which are restricted or under negative list will be allowed to be warehoused and any restrictions on import/export of any items will apply.

The meeting ended with vote of thanks of the chair.



**(Dr. Amiya Chandra)**  
Development Commissioner