

Minutes of 69th meeting of the Approval Committee for the multi-product Dahej-Special Economic Zone held on 19.08.2016, at 11.30 hours under the Chairmanship of Smt. Lata Shukla, ITS, Development Commissioner, Dahej Special Economic Zone, in the Conference Room, of M/s. ONGC Petro Additions Ltd. (OPAL), Ground Floor, Omkara Building, Near Sai Chowkadi, Manjalpur, Vadodara-390 011.

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Review/Confirmation of the Minutes of last meeting of the Approval Committee.

As no comments/observation on the last minutes of the 68<sup>th</sup> meeting of the Approval Committee of the Dahej SEZ held on 14-06-2016 were received from any member, the same were confirmed.

List of participants is annexed as Annexure-A.

**Item No. 69.01.01**      **Fresh Cases for Dahej -SEZ:- NIL**

**Item No. 69.02.01**      **Deferred cases for Dahej -SEZ:- NIL**

**Item No. 69.03.01**      **M/s Panama Petrochem Ltd Request for broad-banding of Letter of Approval.**

Shri P V Nikam, Vice President of the applicant company appeared before the Committee and explained their request for broad-banding of LOA. They intend to include new product for manufacture and export of (1) Methyl Esters (Bio diesels) (ITC (HS)- Code- 38260000) - 50000 MT PA (2) Glycerol/Glycerin (ITC (HS)- Code- 29054500) – 15000 MT PA, (3) Methyl esters derivatives (ITC (HS)- Code- 29182900) – 50000 MT PA, (4) Glycerol derivatives (ITC (HS)- Code- 29054500) – 15000 Mt PA, (5) Bio Fertilizers (ITC (HS)- Code- 31010099) – 15000 MT PA.

The committee after discussion approved the request for broad banding of LOA. All other terms and conditions mentioned in the Letter of Approval shall remain unaltered. The approval is subject to compliance of the SEZ Act, 2005 and SEZ Rules, 2006.

**Item No. 69.03.02.**      **M/s. Sigachi Cellulos Pvt. Ltd., Dahej – SEZ - Request for broad banding of LoA to include additional items for trading.**

Shri H. Satyanarayana, Dy. General Manager (Commercial) of the applicant company appeared before the Committee and explained their request for trading activities. The unit has requested to broad-banding of LoA to grant approval of trading for (1) Croscarmellouse Sodium (ITC (HS)- Code- 39123100) in addition to existing trading items.

The committee after detailed discussion deferred the case for proper clarification from the unit. The unit was also directed to submit two separate APRs for manufacturing and trading activities.

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**Item No. 69.03.03.**

**M/s. Torrent Pharmaceuticals Limited  
Request for HDFC Bank ATM facility in company premises**

None of the promoter/director or any authorized representative of the unit appeared before the Approval Committee to explain their request.

The Approval Committee after detailed discussion asked the Developer, Dahej SEZ Ltd to study the feasibility of opening ATM of HDFC Bank for the benefit of all employees of units in Dahej SEZ Part -II area and appraise the office of Development Commissioner / Unit Approval Committee .

**Item No. 69.03.04.**

**Approval of list of services in respect of  
units in Dahej - SEZ.**

Shri M. Krishnakanth, Manager Accounts & Shri Raju Barse, Asstt. Manager Account of the Coromandel International Limited. Dahej-SEZ., appeared before the Approval Committee and explained their request regarding permission of new additional taxable service i.e. Transport of Goods by Pipe Line.

Shri B. Panchal H R Manager & Shri S. S. Sharma, Dy. Manager of the Thermax Limited. Dahej-SEZ., appeared before the Approval Committee and explained their request regarding permission of new additional taxable service i.e. Transport of Goods by Pipe Line or other conduit.

The committee after detailed discussion deferred both the cases for detailed information and clarification regarding length and area of pipeline, and its permission/agreement with Developer & GSPL, details of any duty benefits availed on the construction of pipeline. The committee also directed the Specified Officer, Dahej SEZ to submit detailed report to DC, Dahej for both the cases

**Item No. 69.03.05. & 69.03.07**

**M/s. Sterling Vinnyl Aditives LLP., Dahej - SEZ -**

**Request for cancellation of LoA & Exit Order under  
Section Rule 74 SEZ Act. and Monitoring of  
Performance from 2013-14 to 2016-17 upto  
July,2016.**

Shri Govind K Saliyan, Vice President, Finance, Corporate appeared before the committee and explained their request for cancellation/surrendered of LoA & Exit under Rule 74 of SEZ Act and export performance from 2013-14 to 2016-17 (upto July,2016).

The Committee monitored the export performance of the unit and found that their cumulative export performance is NIL. The unit have not earned positive NFE from the date of commercial production i.e. 23/12/2013 upto July 31, 2016. The unit has made DTA sale of Rs.6.06 lakhs only. It was also observed that the unit has not submitted APRs in time.



The committee, after detailed discussion, decided that the request for cancellation/surrendered of LoA will be considered by Development Commissioner, Dahej SEZ after obtaining the reason for late submission of APRs and no due certificates from Specified Officer, Dahej SEZ .

**Item No.69.03.06**

**M/s Rockwood Lithium India Pvt. Ltd.**

**Final exit and surrendering of LoA with transfer of Unit under Rule 74A of SEZ Rules, 2006**

Shri Siddhan Subramanian, Managing Director & Shri Ashwani Chalu, Financial Consultant of M/s Rockwood Lithium India Pvt. Ltd and Shri Anil Merchant, Director, Shri Shashank Merchant, Director & Shri Uday Mehta, Consultant of M/s Hema Dyechem Pvt. Ltd. appeared before the Committee and explained the matter.

The Approval Committee discussed the request of M/s Rockwood Lithium India Pvt. Ltd. for exit and transfer of assets and liabilities to M/s Hema Dyechem Pvt. Ltd under Rule 74A of the SEZ Rules.

**The abstract of Rule 74 A of the SEZ Rules, 2006 is as under:**

“Transfer of Assets by SEZ Units upon their exit: Norms have been laid down in Rule 74A which allow a SEZ Unit to opt Out of a SEZ by transferring its assets and liabilities to another entity by way of transfer of ownership including sale of SEZ units subject to the conditions enumerated in the Rule.

1. The Unit has held a valid Letter of Approval as well as lease of land for at least period of five years.
2. The Unit has been in operations for a minimum period of two years after the Commencement of production on the date of transfer.
3. Such sale or transfer transactions shall be approved by the Unit Approval Committee keeping in mind the fulfillment of all eligibility conditions by the new entity to be a SEZ Unit.
4. Furthermore the applicable duty liabilities, if any, as calculated under Rule 74, as well as export obligations of the transferee company, if any, shall stand transferred to the new entity who shall be under obligation to discharge the same on the same term and conditions as the transferee company.

The Approval Committee observed that M/s Rockwood Lithium India Pvt. Ltd. have valid letter of approval as well as lease deed of land for more than five years and the unit has been in operations for more than two years after commencement of production on the date of transfer. As per agreement between M/s Rockwood Lithium India Pvt. Ltd (RLIPL) and M/s. Hema Dyechem India Private Limited (HDIPL), the HDIPL has undertaken to fulfill all eligibility criteria and discharge penalty, if any for the negative Net Foreign Exchange earnings of RLIPL.



The Approval Committee after detailed discussion approved the request of M/s Rockwood Lithium India Pvt. Ltd regarding exit and transfer of assets and liabilities to M/s HDIPL under Rule 74A of the SEZ Rules, 2006.

The Approval Committee also approved the request of M/s HDIPL as new transferee unit as they have submitted undertaking to take over 1. Assets & liabilities 2. fulfil all eligible obligations of transfer unit i.e. M/s RILIPL in Dahej SEZ under Rule 74A of the SEZ Rules, 2006.

*Lata Shukla*

( Lata Shukla)

Chairperson of Approval Committee  
& Development Commissioner  
Dahej Special Economic Zone.

Annexure-A

List of Participants of the Approval Committee meeting:-

The following were present:-

01.	Smt. Lata Shukla, ITS Development Commissioner, Dahej Special Economic Zone.	Chairperson
02.	Shri U.K.Solanki, Jt. DGFT	Jt. DGFT, Vadodara
03.	Shri J.P.Meena Asstt. Commissioner of Central Excise, Bharuch.	Nominee of the Commissioner of Central Excise, Bharuch.
04.	Shri Abanish Kumar, ITO Ward-I, Bharuch	Nominee of the Commissioner of Income Tax, Vadodara-III
04.	Shri B.P.Sangod, Manager, RM, DIC, Bharuch.	Member
05.	Shri V.K.Patel, Resident Officer, GPCB, Bharuch.	Special Invitee
06.	Shri S. N. Patil, CEO, Dahej SEZ Ltd., Developer.	Special Invitee – representing Developer (DSL).