

**MINUTES OF 1<sup>st</sup> MEETING (2012 SERIES) OF BOARD OF APPROVAL FOR EOU SCHEME HELD UNDER THE CHAIRMANSHIP OF COMMERCE SECRETARY ON 24<sup>th</sup> JANUARY, 2012 AT 10.00 HOURS IN ROOM NO.47, UDYOG BHAWAN, NEW DELHI.**

The 1<sup>st</sup> Meeting (2012 Series) of the Board of Approval for EOU was held on 24.1.2012 under the Chairmanship of Shri Rahul Khullar, Commerce Secretary in Room No.47, Udyog Bhawan, New Delhi. The list of participants is enclosed at Annexure-I. The Chairman welcomed all the members of the BOA and thereafter agenda was taken up for discussion.

**1.1(12) Confirmation of Minutes of the 6<sup>th</sup> BOA (2011 Series) meeting held on 28.11.2011.**

The Board ratified the minutes of the 6<sup>th</sup> Meeting (2011 Series) with an amendment to item No. 6.17(11) related to M/s. G.M. Technical Centre India Private limited, as proposed by DGEP. The BOA approved the unit's request to amend LOP to incorporate additional services activities subject to the condition that no import of cars or commercial vehicles will be allowed. The Minutes were ratified with this change.

**1.2(12) M/s. Brady Company India Pvt. Ltd - Approval for destruction of imported raw materials and finished products.**

The representative of DOR stated that as per para 1(3)(d)(i)(ii) of notification 52/2003-Cus dated 31.3.2003, duty can be demanded if goods, other than capital goods, are neither used for manufacture of export goods nor cleared for home consumption within 3 years of their import. The Board observed that para 6.14 (b) of FTP provides no duty shall be payable for destruction of imported raw materials and finished products within the EOU after intimation to Customs. In view of the conflicting provisions in FTP and DOR's enabling notification on this issue, the Board deferred the proposal and directed all DCs to report on the practice in the matter and past instances in this regard.

**1.3(12) M/s. Pilkington Automotive India Pvt. Ltd., - Request for ex-post facto approval for procurement of 'pre-engineered building structure'**

The representative of DOR stated that pre-fabricated structure is a building structure and the same is not covered under the definition of 'capital goods'. The DC, VSEZ however, stated that the structure being considered is essential for maintaining dust free environment to produce the finished goods. Further, it was informed that in terms of Para 6.5.1.(f) of HBP, BOA had granted such permission for procurement of such building structures for maintaining dust free environment and aseptic conditions for production



