



भारत सरकार
वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग
विकास आयुक्त का कार्यालय
नौएडा विशेष आर्थिक क्षेत्र
नौएडा दादरी रोड, फेज-II, नौएडा - 201305
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दिनांक: 09/05/2022

सेवा में,

1. मुख्य कार्यपालक अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नौएडा।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली।
3. प्रधान आयकर आयुक्त, आयकर भवन, प्लाट सं.- ए-2डी, सेक्टर 24, नौएडा।
4. आयुक्त, सीमा शुल्क, नौएडा सीमा शुल्क आयुक्तालय, इनलैंड कंटेनर डिपो, तिलपता, दादरी, गौतम बुद्ध नगर, उत्तर प्रदेश - 201306.
5. निदेशक, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001
6. उप सचिव (आई एफ-1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
7. महाप्रबंधक, जिला उद्योग केंद्र, कलेक्ट्रेट के पास, सूरजपुर, ग्रेटर नौएडा।

विषय: दिनांक 04/05/2022 को पूर्वाह्न 11:30 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की यूनिट अनुमोदन समिति की बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

मुझे उपरोक्त विषय का सन्दर्भ लेने और श्री ए. बिपिन मेनन, विकास आयुक्त, नौएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 04/05/2022 को पूर्वाह्न 11:30 बजे विडियो कॉन्फ्रेंसिंग द्वारा आयोजित नौएडा विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त अग्रेषित करने का निर्देश हुआ है।

भवदीय,

(नितिन गुप्ता)

उप विकास आयुक्त

संलग्नक: उपरोक्त

प्रतिलिपि:

1. विशेष कार्याधिकारी - विकास आयुक्त, नौएडा विशेष आर्थिक क्षेत्र - - सूचनार्थ।
2. निर्दिष्ट अधिकारी, नौएडा विशेष आर्थिक क्षेत्र - सूचनार्थ एवं आवश्यक कार्यवाही के लिए।
3. सचिव, नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण - सूचनार्थ एवं आवश्यक कार्यवाही के लिए।
4. उप विकास आयुक्त (एडमिन) - सूचनार्थ एवं कार्यवृत्त के हिंदी अनुवाद के लिए।
5. कार्यपालक अभियंता, उत्तर प्रदेश पॉवर कारपोरेशन लिमिटेड, इ.यु.डी.डी.-II, सेक्टर - 18, नौएडा।
6. उप आयुक्त, व्यापार कर, खण्ड-14, सेक्टर -18, नौएडा।
7. क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, इ-12/1, सेक्टर -1, नौएडा।

: सूचनार्थ

उप विकास आयुक्त

नौएडा विशेष आर्थिक क्षेत्र

(दिनांक 04/05/2022 को आयोजित अनुमोदन समिति की बैठक का कार्यवृत्त)

Minutes of meeting of the Approval Committee of Noida SEZ held under the Chairmanship of Shri A. Bipin Menon, Development Commissioner (DC), Noida SEZ at 11:30 AM on 04/05/2022 through video conferencing.

A. The following members of the Approval Committee were present through video conferencing during the meeting:-

1. Shri Nitin Gupta, Dy. Development Commissioner, NSEZ (Nominee of Deptt. of Commerce in terms of letter dated 23/09/2008).
2. Shri Sunil Kumar, Superintendent, Customs, Noida Commissionerate.
3. Smt. Pompe Das, Asstt. Commissioner, DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.).
4. Shri Chaman Lal, FTDO, O/o Addl. DGFT, CLA, New Delhi
5. Shri Amit Kumar Verma, Income Tax Officer, Income Tax Deptt., Noida.
6. Smt. Minakshi Narang, Manager, New Okhla Industrial Development Authority, Noida.

B. Besides, during the meeting S/Shri (i) Amit Gupta, Specified Officer, NSEZ, (ii) Pramod Kumar, Asstt. Development Commissioner, NSEZ, (iii) Arun Singh Parihar, Stenographer, Project Section, NSEZ, (iv) Satya Vijay Verma, AEE, UPPCB, Noida and (v) S.K. Bharti, JE, UPPCL, Noida were also present to assist the Approval Committee. It was informed that the stipulated quorum for holding the meeting is available and meeting can proceed.

C. At the outset, the Chairman welcomed the participants. After brief introduction, items included in the agenda were taken up for deliberation one by one. After detailed deliberations amongst the members of the Approval Committee as well as interaction with the applicants / representatives of the units, the following decisions were unanimously taken:-

D. Item wise decisions on proposals included in agenda:

(1) Ratification of Minutes of last meeting of the Approval Committee held on 05/04/2022.



It was informed that no reference against the decisions of the Approval Committee held on 05/04/2022 has been received. The Approval Committee took note of the same and accordingly, Minutes of the meeting held on 05/04/2022 were unanimously ratified by the Approval Committee.

(2) Zorb Industries - Setting up a new unit in NSEZ.

2.1 Shri Ritesh Kapoor, Authorized representative of the firm appeared before the Approval Committee and explained their proposal. Shri Kapoor informed that they are actually looking for setting up this proposed trading unit at Plot No. 128, NSEZ on space sharing with M/s. Groz Engineering Tools Pvt. Ltd.

2.2 It was informed that in terms of Deptt. of Commerce's clarification no application for fresh sharing permission shall be considered. The Approval Committee observed that in its application, applicant has mentioned that they will apply for separate SDF for new project whereas during the meeting the representative of the firm clearly indicated for sharing permission which cannot be granted. Shri Kapoor indicated that if sharing of space is not allowed, they would not be able to implement the LoA

2.3 The Approval Committee discussed the agenda in detail and the after due deliberations including in light of the instructions of the Department of Commerce, rejected the proposal of M/s. Zorb Industries for setting up a unit in NSEZ in terms of provisions of Section 15 of SEZ Act, 2005.

(3) Aarshi Overseas Private Limited - Setting up a new unit in NSEZ.

3.1 Shri Raghav Jhunjhunwala, Director appeared before the Approval Committee and explained their proposal. He informed the Committee that they have an agreement with a warehousing unit namely M/s Arihant Worldwide Ltd. in Falta SEZ and have been working with it.

3.2 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of M/s. Aarshi Overseas Private Limited for setting up a new unit subject to submission of complete 8 digit ITC(HS) Code in HS 2022 nomenclature of proposed items and receipt of report from DC, Falta SEZ about the working of the SEZ unit M/s Arihant Worldwide Ltd. Besides, no sale of



warehousing goods shall be allowed in DTA.

(4) Sterling Fragrances LLP – Setting up a new unit in NSEZ.

4.1 Shri Himanshu Garg, partner appeared before the Approval Committee and explained their proposal. He informed the Committee that he does not have any experience in this line and he in fact runs a blade manufacturing unit in DTA in Haryana and second Partner Mr. Pawan Garg is the right person who can better explain the proposal and is having experience in the proposed activities. He also informed the Committee that Mr. Pawan is already handling a company namely Shivshakti Portfolio in Nepal engaged in similar products. The Approval Committee observed that ITC(HS) Code of proposed authorized operations have been incorrectly given. Besides, many shortcomings have been observed in the application which have been conveyed to the applicant for rectification and reply is awaited.

4.2 The Approval Committee discussed the agenda in detail and after due deliberations, deferred the proposal with a direction to place the proposal on receipt of reply from the applicant and examination thereof. The Committee also directed to seek details in respect existing business being handled by Mr. Pawan Garg and a report from respective authorities before placing the matter again before it. The Committee also directed to invite both Partners in the meeting when the proposal is again placed before it.

(5) AC Impex – Renewal of LOA.

5.1 Shri Amit Garg, partner appeared before the Approval Committee and explained their proposal. Shri Garg informed that they have procured some export orders initially for Plain Gold jewellery and will soon start the export production.

5.2 The Approval Committee discussed the agenda in detail and after due deliberations, decided to renew the LOA of M/s. AC Impex for a period upto 31/10/2022 for “manufacturing and export of Plain Gold Jewellery (71131910) (1810Kgs/annum) subject to submission of copy of export orders in hand.

(6) Attar Mohd. Saeed Dawood & Bros. – Requirement of guidance under Rule



27(2) of SEZ Rules 2006 regarding services utilised by the unit is part of authorised operations or not.

6.1 Shri Akshay Mathur, representative of firm appeared before the Approval Committee. He informed the Committee that there is no written/formal communication with respect to provision of services abroad and all this has happened on verbal commitments. The Committee did not find his answers to be convincing enough to consider the proposal of unit in the absence of written communication with the parties involved in provision of said services abroad on the subject matter.

6.2 The Approval Committee discussed the agenda in detail and after due deliberations, deferred the proposal with a direction to the unit to submit following details:

(i) Details of total promotional activities held i.e. total number of seminars/buyer-seller meets/conferences/outreaches, date, venue & subject of each promotional activity held.

(ii) Number of people involved in these promotional activities

(iii) Names/ Number of employees/representatives of the NSEZ unit or any other legal entity who participated in these promotional activities along with documentary evidence viz. copy of ticket, passports/visa and bills of foreign venue where the services were availed etc.

(7) Idemia Syscom India Pvt. Ltd. - Permission for import of Gold and Silver Wire for authorized operations to manufacture Integrated Circuits for SIM Cards and Smart cards.

7.1 Shri N K Prusty, authorized representative of the company appeared for the meeting and explained the proposal. Shri Prusty informed that they will import these materials as direct outright purchase.

7.2 The Committee noted that non-applicability of DOC's Circular dated 28/08/2017 & 19/09/2017 as it is pertained to Gems & jewellery units in SEZ. The Approval

Committee discussed the agenda in detail and after due deliberations granted permission for import of gold & silver wire as raw material as proposed by the unit in light of the co-relation of the imported inputs with exports. This is however, subject to applicable provisions /conditions of the Foreign Trade Policy (FTP) and any clarifications of Department of Commerce, if any. The Committee also directed that this decision may be informed to Department of Commerce for their information and any observations .

(8) Magnum Aviation Pvt. Ltd. – Renewal of LOA and monitoring of performance.

8.1 Shri D.V. Khera and Shri Manish Kumar, authorized representative of unit appeared before the Approval Committee and explained their proposal. Shri Khera informed that they have made physical exports as well as Deemed export under Rule 53(A)(e), (m) & (n) of SEZ Rules, 2006. He also claimed that their activities fall under 'manufacturing' and they fulfill the definition of manufacture as given in section 2(r) of SEZ Act, 2005. The Approval Committee was of the view that the supplies made by the unit should fall under Rule 53(A)(d) of SEZ Rules, 2006 in the light of Customs Notification 50/2017 wherein imports for repair and maintenance of aircraft are covered. The Committee also took note of the SEZ amendments in Rule 53 .

8.2 Shri Khera requested to consider their request for renewal of complete block keeping in their export performance, pending orders and in view of their decade long association with office.

8.3 The Approval Committee discussed the agenda in detail and after due deliberations and keeping in view the submission of unit, provisions of Rule 53A(d) and Customs Notification 50/2017, NFE performance and pending orders, decided to renew the validity of LOA for remaining period of current block of five years i.e. upto 31/01/2025. The Approval Committee further directed to examine other issues related to monitoring of performance/NFE as per practice adopted in other SEZs and place the same before it after detailed examination.

(9) On-graph Technologies Pvt. Ltd. – Revision in projections and monitoring of

performance.

9.1 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal and took note of revised projections submitted by M/s. On-graph Technologies Pvt. Ltd.

(10) Aditya Enterprises - Date of commencement of production.

10.1 The Approval Committee discussed the agenda in detail and after due deliberations, decided to take note of the date of commencement of production (DCP) as 05/10/2021 (date of first job-work invoice in foreign exchange) subject to examination that the unit has actually made supplies. The Approval Committee also directed the unit to ensure that all future invoices should be filed online through SEZonline system.

(11) KGN Embroidery - Date of commencement of production.

11.1 The Approval Committee discussed the agenda in detail and after due deliberations, decided to take note of the date of commencement of production (DCP) as 06/11/2021 (date of first job-work invoice in foreign exchange) subject to examination that the unit has actually made supplies. The Approval Committee also directed the unit to ensure that all future invoices should be filed online through SEZonline system.

(12) J & S Exports - Review of LOA.

12.1 No one from the unit appeared for the meeting. The Approval Committee observed that unit has not complied with its decision.

12.2 The Approval Committee took a serious view of the non-compliance and after due deliberations, decided to grant one last opportunity to the unit and deferred the proposal with the direction to the unit to ensure that promoters of the firm must appear before the Approval Committee failing which the Committee shall take a decision as per available records. The Committee also directed that meanwhile Estate Division should take action against the unit as per the P.P. Act.

(13) Royalux Exports - change in constitution, inclusion of additional items/



updation of ITC(HS) Code.

13.1 Shri Rajat Behal and Shri Amit Gupta, authorized representative of the firm appeared before the Approval Committee and explained their proposal. Shri Behal informed that in respect of proposed additional items, they will do trading only of parts of solar panel which cannot be manufactured by them.

13.2 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of unit for change of constitution, inclusion of additional authorized operations for manufacturing of Solar Panel & Parts thereof (as per list in agenda) and trading of Parts (85419000) and updation of ITC(HS) Code in HS 2022 nomenclature of existing authorized operations subject to submission of all necessary documents/ information and examination of the same on file.

(14) Amiga Informatics - Revision in the authorized operations & change in sector of business and extension in the validity of LOA.

14.1 No one from the unit appeared for the meeting. The Approval Committee, after due deliberations, deferred the matter for its next meeting.

(15) Aap ki Pasand - Inclusion of additional authorized operations in LOA.

15.1 Shri Sanjay Kapoor, proprietor appeared before the Approval Committee and explained their proposal.

15.2 The Approval Committee discussed the agenda in detail and after due deliberations, decided to approve the proposal of M/s. Aap Ki Pasand for inclusion of additional authorized operations as proposed by unit with following amendment:

(i) 'Glittering Mirror Pen & handmade Pencil (96081019)' and 'Packaged Artificial Jewellery (71171990)', both without any precious metals.

(ii) ITC(HS) Code 44209090 i.e. "Inlaid wood: Caskets, cases & figurines and Miscellaneous handicraft products" are not allowed.

15.3 The Approval Committee further directed that the above approval is subject to submission of documents/ rectification of deficiencies as observed on file/agenda.



(16) eShakti.com Pvt. Ltd. - Permission for one time approval for re-import of Customers' sale-returns exported originally from SEZ, Noida.

16.1 It was informed that Deptt. of Commerce vide its letter dated 29/04/2022 has stated that Rule 29(7) of SEZ Rules, 2006 permits the re-import of goods within the warranty period. In the instant case, M/s eShakti.com Pvt. Ltd had extended their return window which is like warranty period, which implies unit is re-importing goods within the warranty period. Accordingly, the proposal is returned to UAC for re-consideration.

16.2 The Approval Committee discussed the agenda in detail and after due deliberations, empowered the Development Commissioner, NSEZ to take decision on file in terms of comments received from DOC. The matter would be placed in the UAC post facto for information.

(17) Indo Aerospace Solutions Pvt. Ltd. - Ratification of permission granted for Inclusion of additional authorized operations in LOA.

17.1 The Approval Committee discussed the agenda in detail and after due deliberations, ratified the permission granted to M/s. Indo Aerospace Solutions Pvt. Ltd. for inclusion of 'Manufacturing & Trading of Nickel Alloys Plates, Sheets (75062000)' in authorized operations.

(18) Cooper Pharma Limited - Inclusion of additional authorized operations in LOA.

18.1 Due to paucity of time, the Approval Committee could not discuss the agenda in detail and deferred the proposal for its next meeting.

Meeting ended with a vote of thanks to the Chair.

(Nitin Gupta)
Dy. Development Commissioner

(A. Bipin Menon)
Development Commissioner