



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: 11/10/2022

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 04/10/2022 को पूर्वाह्न 10:30 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की 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 04/10/2022 को पूर्वाह्न 10:30 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त अग्रेषित करने का निर्देश हुआ है।

भवदीय,

संलग्नक: उपरोक्त

(नितिन गुप्ता)

उप विकास आयुक्त

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 पावर 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 प्रदुषण नियंत्रण बोर्ड, इ-12/1, सेक्टर -1, नौएडा।

: सूचनार्थ

उप विकास आयुक्त

**नौएडा विशेष आर्थिक क्षेत्र**

(दिनांक 04/10/2022 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 10:30 AM on 04/10/2022 through hybrid mode.**

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

1. Shri Nitin Gupta, Dy. Development Commissioner, NSEZ (Nominee of Department of Commerce in terms of letter dated 23/09/2008).
2. Shri Sunil Tripathi, Superintendent, Customs, Noida Commissionerate.
3. Smt. Garima Mishra, Assistant Manager DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.).
4. Shri Chaman Lal, Assistant DGFT, O/o Addl. DGFT, CLA, New Delhi.
5. Ms. Anjali Meena, 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) Rajeev Kumar, 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 06/09/2022.**



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It was informed that no reference against the decisions of the Approval Committee held on 06/09/2022 has been received. The Approval Committee took note of the same and accordingly, Minutes of the meeting held on 06/09/2022 were unanimously ratified by the Approval Committee.

**(2) Maya Craft Pvt. Ltd. - Renewal of LOA and Monitoring of performance.**

2.1 Shri Ajay Dubey, authorized representative of the company appeared before the Approval Committee through video conferencing to explain the proposal. The Approval Committee observed that as per APR data, value addition achievement is less than prescribed norms. Further, the details submitted by unit also do not match with their APR data. Shiri Dubey could not explain the reasons for mismatch in data to the Committee. The Committee expressed its displeasure on the unit's representative coming unprepared/without unit's data to attend the meeting.

2.2 The Approval Committee discussed the agenda in detail and took a serious view that unit representative failed to explain the reasons for achieving less value addition against the prescribed norms. The Committee after due deliberations, deferred the proposal with a direction to the unit to submit correct details of value addition achievement during last block of five years separately in respect of Plain & Studded Gold Jewellery inline with APR data. The Committee also directed the promoter /director of unit to attend the next meeting after submission of necessary data.

**(3) M.R. Utility Products Pvt. Ltd. - Renewal of LOA and Monitoring of performance.**

3.1 Shri Ramesh Wadhwa, Director and Shri Pradeep Debnath, representative appeared before the Approval Committee and explained the proposal. The Approval Committee observed that there is huge difference in APR data and NSDL Data. Shri Debnath informed that they are making deemed export to other SEZ unit namely M/s. Global Dent Aids Pvt. Ltd. He further informed that since all the sales transactions were done within same SEZ, they had not filed any shipping bills due to which NSDL data is Nil. However, now they have started to file the transactions at SEZonline system.





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3.2 The Approval Committee, discussed the agenda in detail and after due deliberations, deferred the proposal for its next meeting with a direction to the unit to submit invoice wise excel summary sheet of all supplies made under Rule 53A in support of filed APRs, during last block of five years. The Approval Committee further directed the unit to ensure filing of all SEZ transactions through SEZ online system. The Approval Committee further directed the administrative office to examine the matter related to FOC supply/value addition between M/s. M.R. Utility and M/s Global Dent Aids in consultation with Customs.

**(4) Jagat Gems & Jewellery - Renewal of LOA and Monitoring of performance.**

4.1 Shri Sharabjit Singh Chadha, Proprietor and Shri Manav Oberoi, representative appeared before the Approval Committee and explained the proposal. Shri Chadha informed that although they could not commence the export activity immediately after getting LOA renewal due to Corona lockdown. However, now they have recommenced the export activity and have achieved more than the projected export turnover.

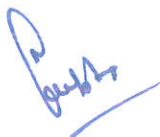
4.2 The Approval Committee monitored the performance observed that unit has made exports worth Rs. 768.04 Lakhs during 11/04/2022 to 12/08/2022.

4.3 The Approval Committee discussed the agenda in detail and after due deliberations, decided to renew the LOA for remaining period of current block of five years i.e. upto 31/03/2025 subject to submission of revised/correct Form-F1 mentioning complete authorized operations and details of separate value addition achieved in plain and studded gold jewellery.

**(5) Aqua Plus Global - Inclusion of additional authorized operations in LOA.**

5.1 Shri Vinay Gupta, Partner appeared before the Approval Committee and explained the proposal.

5.2 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of unit for inclusion of "Trading of Acrylic Sheet (39205119)" in the authorized operations.



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**(6) La Moda Eleganza - Review of LOA and Monitoring of performance.**

6.1 Shri Sharad Gupta, partner appeared before the Approval Committee. Shri Gupta apologized for non-submission of APR and non-deposition of lease rent on time and informed that the same happened as he was out of the country. He further assured to deposit the outstanding lease rent and APRs immediately.

6.2 The Approval Committee discussed the agenda in detail and after due deliberations, deferred the matter with a direction to the unit to deposit entire outstanding lease rent and submit APRs for the year 2020-21 & 2021-22 immediately.

**(7) UUDS Magnum Aero Pvt. Ltd. - Review of LOA and Monitoring of performance.**

7.1 Shri Manish Varshney and Shri D.V. Khera, authorized representatives appeared before the Approval Committee and informed that they have deposited lease rent amounting of Rs. 6,93,743/- on 28/09/2022. Shri Varshney further informed that they are now planning to close this unit and he has also submitted an email in this regard.

7.2 The Approval Committee discussed the agenda in detail and after due deliberations, directed the unit to submit their proposal for exit from SEZ scheme in terms of Rule 74 of SEZ Rules, 2006 and clear remaining outstanding lease rent.

**(8) Futronics World - Review of LOA and Monitoring of performance.**

8.1 No one from the unit appeared before the Approval Committee. The Approval Committee observed that LOA of the unit has expired on 08/08/2021 and no application for further renewal has been received. Besides, unit has not been depositing lease rent and also not submitted APRs for the period 2019-20 onwards. Further, unit has also not made any export since 2016-17.

8.2 The Approval Committee directed EM Section, NSEZ to initiate strict action under P.P. Act, 1971 against the unit. The Approval Committee further directed to suspend all the module of unit at SEZonline system. The Committee further empowered DC to review the case on file, being NFE negative/non submission of





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APRs, and give PH to the unit, before taking further decision in the matter.

**(9) SI Overseas Jewellers – Monitoring of performance.**

9.1 Shri Shamsuddin Molla, partner of the unit appeared before the Approval Committee. The Approval Committee observed that unit has not been depositing lease rent and also not submitted APR for the period 2018-19 onwards. Further, unit has also not made any export since 2019-20.

9.2 The Approval Committee further observed that unit has been issued an notice dated 26/05/2020 in the matter of mis-declaration of imported goods. However, unit has not submitted any reply to the said notice.

9.3 Shri Molla informed that he will deposit entire lease rent within this month. He further stated that he is trying to re-commence the export activities and also assured to provide copy of Appeal filed/to be filed by them in the Customs case.

9.4 The Approval Committee discussed the agenda in detail and after due deliberations decided to stop the Import, DTA Procurement, DTA Sale, Intra SEZ Transfer, Intra SEZ procurement and deemed export with immediate effect and also deferred the proposal with a direction to unit to immediately comply with following:

- (i) Deposit entire lease rent outstanding against the unit in respect of Plot No. 159, NSEZ upto 31/10/2022.
- (ii) Submit pending APRs for the period 2018-19 to 2021-22 immediately.
- (iii) Submit reply to the notice dated 26/05/2022 (*a copy of said notice dated 26/05/2022 was also provided to Shri Shamsuddin Molla during the meeting*) along with copy of Appeal filed, if any against Customs case.

**(10) MMTC Limited – Review of LOA and exit from SEZ scheme.**

10.1 No one from the unit appeared for the meeting. The Approval Committee noted that recently DOC had forwarded a representation of GJEPC wherein it was informed that MMTC has stopped supplying precious metals to exporters leading to short supply of precious metals for small exporters as MMTC had pan India presence and was supplying gold/silver to exporter across India. GJEPC has requested the

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MOC to instruct MMTC to discharge their function of nominated agency in SEZS and DTA till such time alternate arrangement is made.

10.2 The Approval Committee further observed that MMTC has been declared as the Nominated Agency in terms of Rule 2(t) of SEZ Rules, 2006. Further, many gems and jewellery units in NSEZ and Jaipur SEZs have also been complaining on the non-availability of input precious metals from the nominated agencies. The Approval Committee also noted that SEZ Rules list out only four specific nominated agencies (MMTC, HHEPC, STC, PEC) along with any other agency authorised by the RBI, while the FTP has a list of six nominated agencies. Moreover, the FTP (Appendix 4B) also lists out 36 banks out of which one of the branches is in SEEPZ SEZ too. These banks are also listed as nominated agencies to supply input precious metals.

10.3 The Approval Committee discussed the agenda in detail and after due deliberations, directed to make a reference to Department of Commerce for more clarity on Nominated agencies for supply of precious metals to SEZ units, including the banks notified for such transaction/supply by RBI. Besides, the Committee also directed that clarity may be sought from DOC on the decision taken for exit of MMTCs in all SEZs including those under the jurisdiction of NSEZ. Based on this clarity, the office would process for exit.

**(11) Bullet International - Exit and Transfer of assets & liabilities including building at Plot No. 187,188,189, NSEZ to M/s. GSR Industries.**

11.1 Shri Rajdip Singh, Partner and Shri Prakash Kumar Sinha, authorized representative of the unit appeared before the Approval Committee and explained the proposal. Shri Sinha informed that the income tax matter relates to refund not allowed by Income Tax authorities. He further informed that CIT(A) has allowed their appeal against Income Tax Department therefore there is no demand from Income Tax.

11.2 The Approval Committee discussed the agenda in detail and after due deliberations, observed that M/s Bullet International fulfils the conditions of Rule 74A of SEZ Rules. The Committee decided to grant in-principle approval for exit & transfer of assets & liabilities including building at Plot No. 187,188,189, NSEZ to M/



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s. GSR Industries subject to (i) fulfilment of exit formalities (ii) payment of applicable transfer charges (iii) submission of an undertaking by transferee reg. taking over the assets and liabilities of transferor. The unit was also directed to submit an undertaking on letter about no liability of Income Tax Department.; and obtain No Objection Certificate from UPPCL regarding transfer of Electric connection in the name of M/s. GSR Industries from Bullet International. The unit would also submit the copy of latest paid bill or submit No Dues from UPPCL after permanent disconnection of electricity connection of Bullet International.

**(12) GSR Industries - Renewal of LOA and Monitoring of performance.**

12.1 Shri Rajdip Singh, Partner and Shri Prakash Kumar Sinha, authorized representative of the unit appeared before the Approval Committee and explained the proposal.

12.2 The Approval Committee, discussed the agenda in detail and after due deliberations, decided to renew the LOA of unit for remaining period of current block of five years i.e. upto 15/07/2026 for proposed authorized operations/production capacity. The Approval Committee also took note of change in partners & profit/loss share ratio and warned the unit for timely compliance with SEZ Rules/Act in future. The Committee also monitored the performance of the unit and took note of achievement of positive NFE by unit as on 31.03.2020. Further The unit was also directed by the Committee to file its pending APRs for 2020-21 and 2021-22 immediately. The Committee directed that above approvals shall be subject to submission of pending documents by the unit.

**(13) Market Movers & Exporter Pvt. Ltd. - Monitoring of performance.**

13.1 Shri Vivek Chandra, MD, appeared before the Approval Committee and explained the proposal.

13.2 The Approval Committee monitored the performance of unit in terms of SEZ Rule 54 for 2<sup>nd</sup> & 3<sup>rd</sup> block period i.e. 31/01/2014-30/01/2019 & 31/01/2019-30/01/2024 on the basis of APRs submitted upto 2022-23 and noted achievement of positive NFE Earnings by the unit during the above said period. The Approval



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Committee also noted that no export proceeds have been shown pending for realization as per APRs.

13.3 The Approval Committee, further directed the unit to submit an Indemnity Bond on Rs. 100/- stamp paper duly notarized giving therein list of all documents which unit claims to have lost/destroyed in NSEZ by rodents in its factory, and indemnifying NSEZ Authorities against loss/any misuse of such document. The Committee also directed the unit to submit copy of amended IEC after removal of NSEZ address from it. The Approval Committee further directed the Project Section, NSEZ to examine the matter of final exit on file on receipt of said documents from the unit.

**(14) Novo Technologies Pvt. Ltd. - Renewal of LOA and Inclusion of additional authorized operations in LOA.**

14.1 Shri Vinay Agarwal & Shri Deepak Singh appeared before the Approval Committee and explained the proposal. The Approval Committee observed that in manual Form-F1, unit has not mentioned correct ITC(HS) Codes of authorized operations. Further, all the details have not been mentioned in online Form-F1.

14.2 The Approval Committee, discussed the agenda in detail and after due deliberations, approved the proposal of unit for renewal of LOA upto 26/12/2023 for proposed authorized operations subject to submission of corrected Form-F1 mentioning proposed additional products and correct ITC(HS) Codes in HS 2022 nomenclature/submission of pending documents/APRs, if any.

**(15) Uniperm International Pvt. Ltd. - Review of LOA and Exit from SEZ Scheme.**

15.1 Shri Kali Charan Sharma, Director appeared before the Approval Committee. The Approval Committee observed that unit has not been depositing lease rent and also not submitted any APRs till date. Shri Sharma assured that they will deposit entire lease rent and also submit APRs immediately.

15.2 The Approval Committee, discussed the agenda in detail and after due deliberations, directed the unit to deposit entire lease rent outstanding against the unit and submit APRs immediately. The Approval Committee further directed Project Section to examine matter related to exit on compliance with above directions by the unit.

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(16) Panna Jewellery - (i) Request for Extension of LOA to complete formalities related to exit & transfer of assets & liabilities and (ii) Relaxation of provisions of Rule 74(3) of SEZ rules completing with Exit formalities.

16.1 Shri Nikhil Jain, partner appeared before the Approval Committee and explained the proposal. Shri Jain informed that they are having problems taking out Raw materials, i.e., Gold, Silver and semi-precious stones as no nominated agency is willing to buy gold, silver, and semi-precious stones which they have in stock and till such time the stock is purchased by a nominated agency, they cannot exit from the SEZ scheme. He further stated that all the raw material in stock is duty paid as it was procured from DTA and no duty drawback or any other incentive was availed.

16.2 The Approval Committee observed that SEZ Rules list out only four specific nominated agencies (MMTC, HHEPC, STC, PEC) along with any other agency authorised by the RBI, while the FTP has a list of six nominated agencies. Moreover, the FTP (Appendix 4B) also lists out 36 banks out of which one of the branches is in SEEPZ SEZ too. These banks are also listed as nominated agencies to supply input precious metals.

16.3 The Approval Committee, discussed the agenda in detail and after due deliberations, (i) advised the unit to contact other nominated agencies & Banks as per SEZ Rule 2(t) to sell their raw material; (ii) directed the Project Division, NSEZ to make a reference to Department of Commerce taking into account the issue being faced by unit in selling its precious material in stock to nominated agency as per sector specific provision of Rule 74(3) of SEZ Rules. The Approval Committee further extended validity of LOA upto 31/12/2022 exclusively for compliance with exit formalities. The Committee decided that only physical export of jewellery made from the remaining raw material as per authorised operations would be allowed to unit, subject to terms and conditions of the LOA.

Meeting ended with a vote of thanks to the Chair.

(Nitin Gupta)  
Dy. Development Commissioner

(A. Bipin Menon)  
Development Commissioner