



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:...../02/2024

सेवा मे,

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, प्लॉट 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 06/02/2024 को अपराह्न 05:00 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 06/02/2024 को अपराह्न 05:00 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त अग्रोषित करने का निर्देश हुआ है।

भवदीय,

संलग्नक: उपरोक्त

(किरण मोहन मोहाडीकर)
उप विकास आयुक्त

प्रतिलिपि:

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

: सूचनार्थ

उप विकास आयुक्त

Minutes of meeting of the Approval Committee, NSEZ held on 06/02/2024**नौएडा विशेष आर्थिक क्षेत्र**

(दिनांक 06/02/2024 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 05:00 PM on 06/02/2024 through hybrid mode.

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

- (1) Shri Surender Malik, Joint Development Commissioner, NSEZ (Nominee of Deptt. of Commerce in terms of letter dated 23/09/2008).
- (2) Shri S.K. Rao, Assistant Commissioner, Customs, Noida Commissionerate.
- (3) Shri Mayank Kumar, Assistant Manager, DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.).
- (4) Shri Jagdish Chander, O/o Additional DGFT, CLA, New Delhi.
- (5) Shri K C Taneja, Income Tax Officer, Income Tax Deptt., Noida.
- (6) Shri Vinay Kumar, Representative of New Okhla Industrial Development Authority, Noida.

B. Besides, during the meeting S/Shri (i) Kiran Mohan Mohadikar, Deputy Development Commissioner, NSEZ, (ii) Amit Gupta, Specified Officer, NSEZ., (iii) Prakash Chand Upadhyay, Assistant Development Commissioner, NSEZ, (iv) Bharat Bhushan, Assistant, Project Section, NSEZ, and (v) Rajeev Kumar, J.E., UPPCL 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 a brief introduction, the agenda was taken up sequentially. 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 15/01/2024 & 16/01/2024.**

There were neither any references nor objections against the decisions of the Approval Committee held on 15/01/2024 & 16/01/2024. Hence, the Approval

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Committee took note of the same and accordingly, the Minutes of the meeting held on 15/01/2024 & 16/01/2024 were unanimously ratified by the Approval Committee.

(2) GKB Eyecare Private Limited – Setting up a new unit in NSEZ.

2.1 M/s. GKB Eyecare Private Limited submitted a proposal for setting up a new unit in NSEZ for “**Manufacturing of:** (i) Sunglass lenses (90014090)(22000 Pcs./annum) (ii) Spectacles lenses, Plastic Ophthalmic lenses, Edged plastic Ophthalmic lenses (90015000) (1,00,000 pieces/ annum) (iii) Plastic Spectacles frames fitted with lenses (90031100) (25000 pieces/annum) (iv) Other material spectacles frames fitted with lenses (90031900) (25000 Pcs./annum); **2. Trading of** (i) Plastic Spectacles frames fitted with lenses (90031100) (ii) Other material spectacles frames fitted with lenses (90031900) (iii) Sunglasses of plastic (90041000) (iv) Sunglass of other material (90049090)”.

2.2 Shri Vivek Gupta, Director appeared before the Approval Committee through video conferencing and explained the proposal. Shri Gupta informed that this is a separate unit from their other group companies for different kinds of spectacle lenses and sunglasses.

2.3 It was observed that the applicant unit has classified Spectacles frames fitted with lenses' under ITC HS Heading 9003 which should have been classified under ITC HS heading 9004.

The Approval Committee observed the following shortcomings in the application:

- (i) The verification part of Affidavit has not been filled in.
- (ii) The projections of imported machinery/ raw material mentioned in break-up of forex outgo does not match with the same mentioned in Form-F.
- (iii) Applicant has not signed & affixed the official seal/stamp at proper place at last page of Form-F.
- (iv) Copy of Incorporation certificate has not been given.
- (v) Complete copy of Memorandum and Article of Association has not been given.
- (vi) Undertaking to fulfil the applicable environmental and pollution control norms has not been given.
- (vii) Separate lists of imported & indigenous capital goods and raw material with cost break up corresponding to the requirement shown in application has not been given.



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(viii) whether any exemption is being claimed and if yes, under which section and whether Income Tax Deptt. has disallowed exemption at any time, not given

(ix) whether any penalty imposed by the Income Tax Deptt.? If yes, give complete details, not given

(x) Details of transaction with sister concerns raising issue of transfer pricing not given.

(xi) Complete copy of balance sheet of the company for last three years has not been given.

(xii) In Form F against Col. No. XII(ii) unit has mentioned 'No' whereas unit has to mention the details of existing unit.

(xiii) As per Balance Sheet of M/s GKB Eyecare Pvt. Ltd. for FY 2022-23, 2021-22 2020-21 losses have been shown to the tune of Rs. 12,742/-, Rs. 16,965/- & Rs. 996,127.19/- respectively. Hence, a clarification in this regard needs to be given.

(xiv) Address mentioned in the Form-F does not match with address proof i.e. Aadhar card in r/o both the Directors.

(xv) DIR-12 for both the Directors have not been submitted.

(xvi) The value of plant & machinery shown in project report does not match with the values mentioned in Form-F.

(xvii) Copy of board resolution in favour of Mr. Vivek Gupta, Director.

(xviii) In the Profit & loss statement of proposed unit, the values of sales have been given as Domestic sale only. Further, the values also do not match with the projections mentioned in Form-F.

(xix) Copy of board resolution in favour of Mr. Vivek Gupta, Director.

2.4 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of M/s GKB Eyecare Private Limited for setting up a new unit in NSEZ subject to submission of revised & correct ITC(HS) Codes of proposed products and rectification of deficiencies observed at para 2.3 above. The Approval shall be further subject to the following conditions:

(i) Unit will maintain separate area earmarked for manufacturing, trading & service activities and maintain separate records/accounts of NFE for manufacturing, trading & service activities as per SEZ provisions.



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(ii) NFE status for manufacturing, trading & service activities will be monitored separately.

(iii) It shall comply with the definition of services as given in Section 2(z) of SEZ Act, 2005.

(3) Aarshi Overseas Pvt. Ltd. – Inclusion of additional warehousing items in LOA.

3.1 M/s. M/s. Aarshi Overseas Pvt. Ltd. submitted a proposal for inclusion of additional warehousing goods including Liquor under chapter 22 viz. 2201 (22011010, 22011020, 22019010, 22019090); 2202 (22021010, 22021020, 22021090, 22029100, 22029910, 22029920, 22029930, 22029990); 22030000, 2204 (22041000, 22042110, 22042120, 22042190, 22042210, 22042220, 22042290, 22042910, 22042920, 22042990, 22043000); 2205 (22051000, 22059000); 22060000; 2207 (22071011, 22071019, 22071090, 22072000); 2208 (22082011, 22082019, 22082091, 22082099, 22083011, 22083012, 22083013, 22083019, 22083091, 22083092, 22083093, 22083099, 22084011, 22084012, 22084091, 22084092, 22085011, 22085012, 22085091, 22085092, 22086000, 22087011, 22087012, 22087091, 22087092, 22089011, 22089012, 22089019, 22089091, 22089092, 22089099); 2209 (22090010, 22090020, 22090090).

3.2 Shri Raghav Jhunjunwala, Director appeared before the Approval Committee and explained the proposal. He informed that presently they intend to provide services to some firms who are authorized for Distribution, Marketing and Sales etc. of original Manufacturer or Brand Owners. He further stated that they will only be providing the warehousing services and there shall not be any other activities like bottling packing or repacking etc. However, there shall be labelling of MRP and other information which is mandatory as per the State Excise laws and FSSAI rules before clearance into DTA.

3.3 Shri Jhunjunwala further informed that they are getting a business proposal for warehousing of Sunglasses (90041000) and have submitted request for inclusion of the same on 05/02/2024. He requested to include the said product also in their LOA.

3.4 The Approval Committee observed that Import Policy as well as Export Policy of 22072000 (Ethyl Alcohol and other spirits, denatured, of any strength) is RESTRICTED. The Approval Committee further observed that a high level meeting was held in Department of Commerce on 29.12.2023 which went into the specifics of FTWZ including the documentation filed (and whether this was manual or



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online), customs procedures including the method of valuation, relationship of the unit with the clients, measures to streamline operations and the scope of products covered under FTWZs. As an outcome of this meeting, the office of Zonal NSEZ was reviewing various parameters of FTWZ including the product coverage.

3.5 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of unit for inclusion of Warehousing of goods under ITC(HS) Heading 2201 (22011010, 22011020, 22019010, 22019090); 2202 (22021010, 22021020, 22021090, 22029100, 22029910, 22029920, 22029930, 22029990); 2209 (22090010, 22090020, 22090090) and Sunglasses (90041000). The Approval Committee further decided to keep on hold the decision regarding the other proposed items.

(4) Lakshman Overseas - Inclusion of additional warehousing items in LOA and request for removing condition of examination of 10% of goods.

4.1 It was informed that M/s. Lakshman Overseas has submitted following proposals:

“(A) Inclusion of following additional Warehousing goods: (i) Other Nuts, Fresh or Dried, whether or not shelled or peeled (0802); (ii) Grapes, Fresh or Dried (0806); (iii) Ginger, Saffron, Turmeric (Curcuma), Thyme, Bay Leaves, Curry and other spices (0910); (iv) Food Preparations not elsewhere specified or included (2106); (v) Wine of fresh Grapes, including fortified Wines; Grape must other than that of heading 2009 (2204); (vi) Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances (2205); (vii) Undenatured Ethyl Alcohol of an Alcoholic strength by volume of 80% Vol. or higher; Ethyl Alcohol And Other Spirits, Denatured, Of Any Strength (2207); (viii) Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol.; spirit, liqueurs and other spirituous beverages (2208); (ix) Electric Motors And Generators (Excluding Generating Sets) (8501); (x) Electro-Magnets; Permanent Magnets And Articles Intended To Become Permanent Magnets After Magnetisation; Electro-Magnetic Or Permanent Magnet Chucks, Clamps And Similar Holding Devices; Electro-Magnetic Couplings, Clutches And Brakes; Electromagnetic Lifting Heads (8505); (xi) Orthopaedic Appliances, Including Crutches, Surgical Belts And Trusses; Splints And Other Fracture Appliances; Artificial Parts Of The Body; Hearing Aids And Other Appliances Which Are Worn Or Carried, Or Imp Lanted In The Body, To Compensate For A Defect Or Disability (9021); (xii) Other Furniture and Parts thereof (9403); (xiii) Vacuum Flasks And Other Vacuum Vessels, Complete; Parts Thereof Other Than Glass Inners (9617); (xiv) Coffee, Whether Or Not Roasted Or Dacaffeinated; Coffee Husks And Skins; Coffee Substitutes Containing Coffee In Any Proportion (0901)



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4.2 Shri Vipul Agarwal, proprietor appeared before the Approval Committee and explained the proposal. Shri Agarwal stated that they want to include more HSN in their warehouse services so that they can increase their business. He further stated that a condition for examining of 10% of goods is imposed on their firm at the time of export or import through their warehouse and it is causing lot of trouble to their customers and they are losing significant business due to this. He requested to remove this condition of 10% examination so that they can run their business hassle-free.

4.3 The Approval Committee observed that Import Policy as well as Export Policy of 22072000 (Ethyl Alcohol and other spirits, denatured, of any strength) is RESTRICTED. The Approval Committee further observed that a high level meeting was held in Department of Commerce on 29.12.2023 which went into the specifics of FTWZ including the documentation filed (and whether this was manual or online), customs procedures including the method of valuation, relationship of the unit with the clients, measures to streamline operations and the scope of products covered under FTWZs. As an outcome of this meeting, the office of Zonal NSEZ was reviewing various parameters of FTWZ including the product coverage.

4.4 The Approval Committee further observed that unit has submitted 4 digit HS Code of proposed additional goods instead of 8 digits.

4.5 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of unit for inclusion of Warehousing of goods under ITC(HS) Heading 8501, 8505, 9021, 9403, 9617 subject to submission of 8 digit HS Codes of the products. The Approval Committee further decided to keep on hold the decision regarding the other proposed items. The Approval Committee also decided to remove the condition of 10% examination of goods from the LOA of the unit.

(5) Taurus Englobe Private Limited -Inclusion of additional warehousing items in LOA.

5.1 No one from the unit appeared for the meeting. It was informed that the unit vide its email dated 06/02/2024 has requested for deferment of their proposal. The Approval Committee acceded to the request of the unit and deferred the proposal.

(6) AAC Protec India Pvt. Ltd. – Change in Directors & shareholding pattern of the company.

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6.1 The Approval Committee discussed the agenda in detail and after due deliberations, took note of following changes in Directors w.e.f. 21/09/2023 and change in shareholding pattern of the unit in terms of Instruction No. 109 dated 18/10/2021:

(A) Change in Directors:

Previous Directors	Present Directors
1. Mr. Sunil Grover 2. Mrs. Jody Beth Violeta Richards Srivastava	1. Mr. Sunil Grover 2. Mrs. Jody Beth Violeta Richards Srivastava 3. Mr. Kedan Nath Srivastava 4. Mrs. Neelam Srivastava

(B) Details of pre & post shareholding pattern of the company

Name of shareholder	Shareholding pattern as on 29/01/2021		Current shareholding as on 29/09/2023	
	No. of shares	%shareholding	No. of shares	%shareholding
1. AAC International LLC (foreign body corporate)	1,96,000	98%	3516000	99.88%
2. Jody Beth-Violeta Richards-Srivastav (foreign individual)	4,000	2%	4000	0.12%
Change in shareholding	1.88% (within existing shareholders)			

6.2 The Approval Committee further directed EM Division, NSEZ to examine the matter regarding levy of transfer charges in respect of change in shareholding pattern, as per the decision of Noida SEZ Authority.

(7) Proteam Computer – Renewal of LOA and updation of authorized operations.

7.1 It was informed that M/s Proteam Computer has submitted a request for renewal of LOA for remaining period of 4th block of five years i.e. upto 18/10/2025. It was further informed that the Approval Committee in its meeting held on 07/11/2023 deferred the proposal with a direction to the unit to submit the specific/separate list of items for manufacturing activity and those for Re-Engineering/Re-Conditioning/Refurbishing/Remaking activity. Accordingly, unit vide this office letter dated 12/12/2023 was requested to comply with the decision of UAC.

7.2 It was also informed that the unit has now applied for renewal of LOA for following activities:

Existing	:	Proposed for renewed period

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<p>Manufacturing of Mother Boards, Add On Card, Bare Bone PC, Skype Phone, O.D.D., Memory (DDR 1 & 2) and Accessories of PC. (8471) (852000 pieces/annum);</p> <p>(2) Manufacture of Software and Re-Engineering, Re-Conditioning, Refurbishing, Upgrading, Retrieving of Components, Repacking, Remaking of Computer Peripherals (8473)</p> <p><i>Conditions:</i></p> <p>1. Unit shall comply with the provisions of Rule 18(4)d) of SEZ Rules, 2006 in respect of Reconditioning, refurbishing and re-engineering activities.</p> <p>2. Activities relating to reconditioning, refurbishing, and re-engineering shall be subject to the condition that exports shall have one to one correlation with imports and all the reconditioned or repaired or reengineered products and scrap or remnants or waste shall be exported and none of these goods shall be allowed to be sold in the Domestic Tariff Area or destroyed.</p>	<p>1. Manufacturing of:</p> <p>(i) Mining Rig, Personal Computer (84713010) (2000 pieces/annum)</p> <p>(ii) Crypto Mining Board Mother Board (84733020) (25000 pieces/annum)</p> <p>(iii) Populated PCB Riser card, Add on Card, Other Mounted PCB (84733030) (25000 piece/annum)</p> <p>(iv) SMPS, Charger (85044030) (50000 pieces/annum)</p> <p>(v) Other Static Converter (85044029) (50000 pieces/annum)</p> <p>(vi) Computer Case, PC Cabinet, Other Parts and Accessories of heading 8471 (84733099) (25000 pieces/annum)</p> <p>(vii) Storage Rig, Hard Disk Drive (84717020) (2000 pieces/annum)</p> <p>(viii) Ext Storage System, Other Storage Unit (84719000) (2000 pieces/annum)</p> <p>(i x) Accumulator (85078000) (25000 pieces/annum)</p> <p>2. Reengineering & Up gradation of</p> <p>(i) Battery Management System, other Parts (85049090) (65000 pieces/annum).</p> <p>(ii) Main Board of PC, Mother Board (84733020) (15000 pieces/annum).</p> <p>(iii) Other PPCB, Mounted Board (84733030) (15000 pieces/annum).</p> <p>(iv) Static Converter (85044030) (10000 pieces/annum).</p> <p>(v) Micro and Mini PC (84713010) (5000 pieces/annum).</p> <p>(vi) Other Storage Unit (84719000) (5000 pieces/annum).</p>
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7.3 Shri Munish Sharma, Partner of the firm appeared before the Approval Committee and explained the proposal. He stated that at present they have export orders for BMS (Battery management system) and other add on cards for re-engineering/up gradation so as to operate graphic rigs or other data processing machines with solar power by using LFP batteries.

7.4 The Approval Committee discussed the agenda in detail and after due deliberations, approved in-principle the proposal of unit for renewal of LOA for remaining period of 4th block of five years i.e. upto 18/10/2025 for proposed authorized operations subject to submission of copy of export orders, business plan and list of raw material with 8 digit ITC(HS) Code. The Approval Committee further directed JC(Customs) for examination of capital goods in the unit. The Approval Committee empowered office of DC, NSEZ to examine the reply of unit and grant final approval on file.

(8) Jayshree General Trading Co. – Inclusion of additional authorized operations.

8.1 No one from the unit appeared for the meeting. The Approval Committee

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decided to defer the proposal.

(9) Attar Mohd. Saeed Dawood & Bros. – Renewal of LOA, updation of production capacity and monitoring of performance.

9.1 M/s Attar Mohd Saeed Dawood & Brothers was issued an LOA dated 12/06/2013. The unit commenced its export production w.e.f. 18/10/2013 and previous block of five years was valid till 17/10/2023. The LOA was extended for a short period upto 31/03/2024 so that work of the unit did not suffer.

9.2 It was informed that the unit has applied for renewal of LOA for 3^d block of five years i.e. upto 17/10/2028 as per the following details:

Existing	Proposed for renewed period
Manufacturing of: (i) Attar (33019031) (ii) Perfumes & Perfumery Compounds (33030010, 33029090); (iii) Agarbathi & Bakhoor (33074100); (iv) Sandal Wood Handicraft Article for packing (44219090); (v) Sandal Wood Oil (33012937); (vi) Agar Wood & Oil (33013010); (vii) Refuse Dust (33074900); (viii) Hair Oil (33059030); (ix) Packing Material for perfumery products (96161010) (Total Production Capacity: 50000 kgs/annum) However, LOA was renewed for shorter period upto 31/03/2024 vide this office letter dated 11/10/2023 for items mentioned above except 'Sandal Wood Handicraft Article for packing (44219090)' Further, the authorized operations allowed to unit were subject to following conditions: (a) For any input restricted for imports or products restricted for exports, either an import or export license would be required or meeting the condition which would make it free. No inputs or final product prohibited for imports or exports respectively shall be allowed. (b) If Export Policy is restricted, then an export authorisation would need to taken. No exports of products prohibited for exports would be allowed. (c) If Import Policy for imports is restricted and mandates adherence to the CITES convention, the same should be adhered to. (d) If Import Policy is restricted for an input, then an import licence would need to be taken.	Manufacturing of (i) Attar (33019031) (Capacity:16125.00 kgs/annum), (ii) Perfumes & Perfumery Compounds (33030010, 33029090) (Capacity: 0.20 kgs/annum in r/o each code), (iii) Agarbathi & Bakhoor (33074100) (Capacity:0.20 kgs/annum), (iv) Sandal Wood Handicraft Article for packing (44219990) (Capacity: 0.20 kgs/annum), (v) Sandal Wood Oil (33012937) (Capacity:0.04 kgs/annum), (vi) Agar Wood & Oil (33013010) (Capacity:0.04 kgs/annum), (vii) Refuse Dust (33074900) (Capacity:0.20 kgs/annum), (viii) Hair Oil (33059019) (Capacity:0.20 kgs/annum), (ix) Packing Material for perfumery products (96161010) (Capacity:0.20 kgs/annum).

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No domestic procurement of such inputs would be allowed.
(e) No products prohibited for imports would be allowed.

9.3 It was further informed that performance of the unit during previous block of five years are as under:

Values in Rs. Lakhs					
Year	Export	Forex Outgo	NFE Earning	DTA Sale of Finished Goods	Pending NFE
2018-19 (18.10.18 to 31.03.19)	579.47	862.73	-283.26	0.00	0.00
2019-20	1382.83	1258.06	124.77	0.00	0.00
2020-21	948.77	658.95	289.82	0.00	0.00
2021-22	1086.97	859.45	227.52	0.00	0.00
2022-23	1346.03	1111.91	234.12	0.00	0.00
Total	5344.07	4751.10	592.97	0.00	0.00

9.4 Shri Rehan Ahmed, Partner in the firm appeared before the Approval Committee and explained the proposal.

9.5 The Approval Committee monitored the performance of unit and noted achievement of positive NFE Earnings by the unit during 2018-19 (18.10.18-31.03.19) to 2022-23. The Approval Committee also noted that no foreign exchange is pending for realization during previous block. The Approval Committee further observed that as per CA sheet, there has been change in values of exports mentioned earlier and in current APRs.

9.6 The Approval Committee discussed the agenda in detail and after due deliberations, decided to renew the validity of LOA for remaining period of 3rd block of five years i.e. upto 17/10/2028 for proposed authorized operations and production capacity. The Approval Committee also directed the unit to submit a clarification regarding the difference in the values of exports mentioned in old APRs vis-à-vis revised APRs.

(10) Agra Products Pvt. Ltd. – Request for permission to re-import of the personal baggage return under Rule 46(9) of SEZ Rules, 2006.

10.1 It was informed to the Committee that the unit has requested to grant them permission to re-import the silver & imitation jewellery goods which was dispatched

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under personal baggage as per Invoice No. AGRA/R/006/22-23 in 3 bags under SB No. 4001322 dated 13/01/2023. These were for FOC Trade Sample for export promotion purpose on returnable basis under Rule 46(9) of SEZ Rules, 2006.

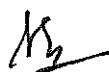
10.2 It was further informed that Rule 46(9) of SEZ Rules, 2006 provides that **(iv) goods unsold in the exhibition or display tour shall be imported within forty-five days from the completion of the exhibition or within such days as may be notified by the Central Government.** However, in the instant case, unit has not imported the goods within 45 days.

10.3 Shri Rohit Gupta, Director appeared before the Approval Committee and explained the proposal. He informed that they had applied for CARNET and after completing all the formalities, CARNET IN22/2023/DE was issued for the Business Promotion Tour/Exhibitions in various countries valid for one year (validation date up to 10/01/2024) by the competent authority (FICCI, Delhi). It was stated that they were unable to do business without the CARNET approval, Shri Gupta requested to grant them approval to re-import the goods within 365 days as per CARNET instead of the period of 45 days (*as prescribed under Rule 46(9) of SEZ Rules, 2006*).

10.4 The Approval Committee discussed the agenda in detail and after due deliberations, unanimously decided to constitute a Committee comprising JDC, DDC(KM) & JC(Cus) and directed to examine the matter internally. The Approval Committee further directed the unit to strictly comply with the conditions prescribed under Rule 46(6)(x) and 46(9) of SEZ Rules, 2006 till the clarification in this regard is received.

(11) Review of Warehousing units in NSEZ and ratification of letter dated 05/02/2024 issued to M/s. Saanvre FTWZ Services for amendment in authorized operations.

11.1 It was informed that in NSEZ, many units have been allowed warehousing activities as authorized operations along with other authorized operations. It was further informed that a high level meeting was held in Department of Commerce on 29.12.2023 which went into the specifics of FTWZ including the documentation filed (and whether this was manual or online), customs procedures including the method of valuation, relationship of the unit with the clients, measures to streamline operations and the scope of products covered under FTWZs. As an outcome of this meeting, the office of Zonal NSEZ is reviewing various parameters of FTWZ including the product coverage.



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11.2 It was further informed that the Approval Committee in its meeting held on 15.01.2024/ 16.01.2024 had reviewed the authorized operations of some warehousing units in NSEZ. However, name of some units were inadvertently left out. Further, keeping in view the decision of Approval Committee held on 15.01.2024/16.01.2024, the authorized operations of M/s. Saanvre FTWZ Services were amended vide this office letter dated 05/02/2024 and the item namely "**Fruits (8)**" was amended to "**Fruits (8) (except 080132, 080280)**" subject to ratification by the Approval Committee.

11.3 The Approval Committee discussed the agenda in detail. After due deliberations and taking into account the discussions on this issue in the Department of Commerce, the Approval Committee took the following decisions for all units which have been allowed warehousing:-

(1) **All transactions in SEZs shall be undertaken only by online mode** In case due to any unavoidable reasons any manual transaction is to be done by the Customs, the approval of Specified Officer or Commissioner of Customs, as applicable, should be obtained by the Authorised Officer. Subsequently, the transaction should be reported online as soon as possible for proper accounting and all documents related with such transaction should be uploaded on the SEZonline system. The Authorised Officers of the SEZs shall take all necessary actions for correct valuation of goods and services. They would be provided access to NIDB database for ensuring proper valuation of goods.

(2) **Product Coverage:**

All LoAs of the existing warehousing units (including those who have been allowed warehousing along with other activities) having precious metals and related goods and other sensitive goods for warehousing activities shall be amended to the following extent:-

(a) Warehousing of all precious metals and related goods falling under Harmonised System (HS) Chapter 71, HS 2616, 9101, 9111, 91149030 and HS 9608 shall be removed, However this would not apply to the storage/vaulting of precious metals as per the clarificatory letter No D.12/4/2013-SEZ(Vol.II) dated 3 March, 2016 from Department of Commerce ;

(b) Goods under ITC HS Codes 080132, 080280, 0904 shall be removed from LOAs of all such existing warehousing units.

(c) However, precious metals goods in stock of the Unit at NSEZ may be allowed to be re-exported by the unit. Goods other than precious metal which are in stock of the Unit at NSEZ and being excluded herewith may be allowed transaction as



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per existing policy condition of DGFT and/or any other Government agency.

(3) In case of warehousing units, each unit will exercise due diligence and shall ensure KYC in respect of its clients wherein copies of following documents shall be invariably ensured:-

- (a) Copy of Business Agreement
- (b) Copy of Passport / valid ID of the promoter/Director
- (c) Copy of Undertaking to the effect that the warehousing unit has verified the KYC, antecedents and financial standing of their clients.
- (d) Copy of Bank Statement and financial credentials.

(4) The Unit will monitor the remittances received against the supply of goods.

11.4 The Approval Committee further directed to examine other goods under ITC(HS) Classification which are sensitive in nature in order to streamline operations and the scope of products covered under FTWZs.

The meeting ended with a vote of thanks to the Chair.



(Surender Malik)
Joint Development Commissioner



(A. Bipin Menon)
Development Commissioner