



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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वेबसाइट: www.nsez.gov.in

दिनांक 29/09/2023

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, 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, गेट नौएडा।

विषय: दिनांक 19/09/2023 को पूर्वाह्न 11:00 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 19/09/2023 को पूर्वाह्न 11:00 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त अग्रेषित करने का निर्देश हुआ है।

संलग्नक: उपरोक्त

भवदीय,

(नितिन गुसा)

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

नौएडा विशेष आर्थिक क्षेत्र
(दिनांक 19/09/2023 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 11:00 AM on 19/09/2023 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 Department of Commerce in terms of letter dated 23/09/2008).
- (2) Shri S. K. Rao, Assistant Commissioner, 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 Additional DGFT, CLA, New Delhi.
- (5) Shri Vishambhar Jha, Income Tax Officer, Income Tax Department, Noida.

B. Besides, during the meeting S/Shri (i) Nitin Gupta, 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, (v) P.P. Singh, AEE, UPPCB and (vi) Rajeev Kumar, JE, UPPCL, Noida were also present to assist the Approval Committee. It was informed that the stipulated quorum for holding the meeting was available and meeting could proceed.

C. At the outset, the Chairman welcomed the participants. After a brief introduction, the agenda was taken . 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 05/09/2023.

There were neither any references nor objections against the decisions of the Approval Committee held on 05/09/2023. Hence, the Approval Committee took note of the same and accordingly, the Minutes of the meeting held on 05/09/2023 were unanimously ratified by the Approval Committee.



(2) Aksasia Creations Pvt. Ltd. – Renewal of LOA and Monitoring of performance.

2.1 No one from the unit appeared for the meeting. The Approval Committee observed that unit has made exports worth Rs. 33.32 Lakhs only & earned equal amount of NFE Earnings during the previous block of five years i.e. from 2018-19 to 2022-23. Besides, no exports have been made since 2020-21.

2.2 The Approval Committee further observed that another unit namely M/s. Prabhat Zarda Factory (Overseas) is working on sharing basis with M/s. Aksasia Creation at Plot No. 142-I, NSEZ and the same was valid till 30.07.2023. The unit has submitted application for extension of sharing permission which could not be considered as LOA of M/s. Aksasia Creations Pvt. Ltd. is not valid.

2.3 It was further informed to the Approval Committee that unit vide this office letter dated 15/09/2023 has been requested to submit some information along with correct Form-F1. The same is awaited.

2.4 The Approval Committee discussed the agenda in detail and after due deliberations, deferred the proposal and directed the applicant to submit reply to this office letter dated 15/09/2023. The Approval Committee further directed to suspend the SEZonline facility of sharing unit i.e. M/s Prabhat Zarda Factory (Overseas) as the sharing is not currently valid.

(3) Ganpati Overseas – Change in partners & profit/loss share ratio of the firm.

3.1 The Approval Committee discussed the agenda in detail and after due deliberations, took note of following changes in partners and profit/loss share ratio of firm in terms of Instruction No. 109 dated 18/10/2021:

(i) Change in partners:

Previous partners	Present partners
1. Mr. Deepak Shingla 2. Mr. Kunal Shingla 3. Mr. Kanav Shingla	1. Mr. Deepak Shingla 2. Mr. Kunal Shingla 3. Mr. Kanav Shingla 4. Mrs. Amla Shingla

(ii) Change in profit/ loss share ratio:

Name of shareholder	Previous profit/loss share ratio	New profit/loss share ratio
Mr. Deepak Shingla	40%	08%

Mr. Kunal Shingla	30%	42%
Mr. Kanav Shingla	30%	42%
Smt. Amla Shingla	---	08%
Change in shareholding	Within existing shareholders – 24% New shareholder – 8%	

3.2 The Approval Committee further directed Estate Management 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. The Approval Committee further directed the unit to submit; (i) copy of bio-data & ITRs for last three years in respect of Mrs. Amla Shingla & (ii) copy of proof of registration of partnership deed as soon as they get the same from registrar of firms.

(4) Ionique research Limited – Renewal of LOA, inclusion of ITC(HS) Code and monitoring of performance.

4.1 Shri Kajal Sarkar and Smt. Mrinalini Gupta, authorized representatives appeared before the Approval Committee and explained the proposal. Shri Sarkar informed that the items covered under Movie Merchandising are not road worthy or commercial use vehicles but one off vehicles that are used for movie production. For example a helicopter made for movie production would look like a full helicopter (and be of the same size) but would only be capable of a two minute flight. He informed that usually toy replicas of these vehicles are mass manufactured and sold.

4.2 Shri Sarkar further informed that the final product under the category “Specialty Vehicles having fuel cells and solid state batteries” is electric vehicles of various types. He further stated that related products were proprietary consumables that were required for smooth working of the vehicle. It was also mentioned that depending on the application an entire range of specific fitments may be required. For example, a bus configured to be an Ambulance or a hospital will have very specific interiors and equipment. Similarly, it was informed that a bus configured to be amphibian will have other requirements especially those related to safety of passengers in water as life jackets. Moreover the representative mentioned that a flying vehicle may need parachutes and so on.

4.3 The Approval Committee observed that unit is required to rectify following shortcomings:

(i) CPC Codes 85250 & 85106 given against authorized operations “Data Broadcast” do not exist.

(ii) Descriptions of some of the ITC(HS) Codes of raw materials/ consumables and

intermediate products viz. "85437029, 84679900, 85079090, 85065000, 73181500, 87142090, 84152010, 85030010, 27112900, 95299090, 96162000, 33049910, 90131090, 84819090" have not been given correctly.

(iii) In the Forex Balance Sheet proposed for the next block period, proposed NFE earnings for 1st & 2nd Year have been mentioned in negative which needs to be clarified by the unit.

4.4 The Approval Committee discussed the agenda in detail and after due deliberations, decided to renew the validity of LOA for a period upto 31.03.2024 for the following authorized operations:

(i) Data Broadcast (CPC Code: 84100, 84210, 84220, 84230, 84240, 85101, 85102, 85103, 85105, 85109, 75221, 75222, 75232, 75292, 75299, 96114)

(ii) Movie Merchandising (HS Code: 87031090, 87022029, 84819090, 35079079, 39249090, 69120090, 95030010, 96162000, 33019090, 33049910) (Capacity: 1000000 Units/annum)

(iii) Assembly of Specialty Vehicles having Fuel Cells and Solid State Batteries (HS Code: 87091100, 87036030, 87033299, 87161000, 87169090, 87163900, 85068010, 85068090, 84679900, 85433000) (Capacity: 535 Units/annum)

This permission is however subject to submission of documents/ information mentioned at Para 4.3 above.

(5) Jayshree General Trading Co. – Renewal of LOA and Monitoring of performance.

5.1 Shri B.P. Sharma, authorized representative of the unit appeared before the Approval Committee and explained the proposal. The Approval Committee observed that details of value addition achievement by the unit during previous block of five years in USD are as under:-

Year	Item	Export (FOB in USD)	Cost of Input (CIF in USD)	Value Addition%
2016-17	Gold	2248474	2173159	3.46%
2017-18	Silver	9619	6172	55.84%
	Gold	3074914	2972217	3.45%
2018-19	Gold	2294550	2218035	3.44%
2019-20	Gold	689750	666971	3.41%
2020-21	Gold	Nil	Nil	

5.2 The Approval Committee observed that the unit has not achieved prescribed VA of 3.5% in respect of plain gold jewellery during previous block of five years. Shri Sharma informed that they were not aware of the value addition rule (i.e.



Insurance & Freight charges will also be included in the goods value) for calculation of VA. However, now they are following the value addition rules.

5.3 It was further informed that in Form-F1, one of the trading items i.e. "(xxxiii) *Knitted or Crocheted fabrics of a width exceeding 30cm, Containing by weight 5% or more of elastomeric yarn but not containing rubber thread (60041000)*" has been mentioned as "Knitted or Crocheted fabrics of a width exceeding 30cm, Containing by weight 5% or more of elastomeric yarn or rubber thread" which is incorrect as per the description of HS Code.

5.4 The Approval Committee discussed the agenda in detail and after due deliberations, decided to renew the validity of LOA for a period upto 30/09/2025 subject to submission of revised Form-F1 with correct description of proposed product as mentioned at para 5.3 above. This permission is further subject to following conditions:

(a) *No DTA Sale of Trading goods shall be allowed.*

(b) *All the payment against sale of trading goods shall be received in Free Foreign exchange.*

(c) *Unit will maintain separate area earmarked for manufacturing and trading activities and maintain separate records/accounts of NFE for manufacturing and trading activities as per SEZ provisions.*

(d) *NFE status for manufacturing activity and trading activity will be monitored separately.*

5.5 The Approval Committee further empowered the office of DC, NSEZ to take decision on shortfall in value addition achievement in terms of Rule 80 of SEZ Rules, 2006 on file.

(6) Jayashree Jewellers - Renewal of LOA; enhancement in production capacity of authorized operations and Monitoring of performance.

6.1 Shri B.P. Sharma, authorized representative of the unit appeared before the Approval Committee and explained the proposal. The Approval Committee observed that details of value addition achievement by the unit during previous block of five years in USD are as under:-

Year	Export (FOB in USD)	Cost of Input (CIF in USD)	Value Addition%
2017-18	36968404	35730471	3.46%
2018-19	36266541	35051440	3.47%
2019-20	22740769	21943047	3.64%

2020-21	17426468	16693368	4.39%
2021-22	7089765	6847155	3.54%

6.2 The Approval Committee observed that unit has not achieved prescribed VA of 3.5% in respect of plain gold jewellery during 2017-18 & 2018-19. Shri Sharma informed that they were not aware of the value addition rule (i.e. Insurance & Freight charges will also be included in the goods value) for calculation of VA. However, now they are following the value addition rules.

6.3 The Approval Committee discussed the agenda in detail and after due deliberations, decided to renew the validity of LOA for remaining period of current block of five years i.e. upto 11/04/2027 and also approve the proposal of unit for enhancement in production capacity. The authorized operations shall be as under:

“Manufacturing of:

- 1. Plain Gold Jewellery (71131911) (1635 Kgs/ annum)*
- 2. Gold Jewellery studded with Coloured gem Stone (7113915)(20.00 Kgs/ annum)*
- 3. Gold Jewellery studded with Diamond (71131913) (20.00 Kgs/annum)*
- 4. Plain Silver Jewellery (71131141)(35.00 Kgs/annum)”*

6.4 The Approval Committee further empowered the office of DC, NSEZ to take decision on shortfall in value addition achievement in terms of Rule 80 of SEZ Rules, 2006 on file.

(7) Sahasra Electronic Solutions Limited - Inclusion of additional authorized operations in LOA and revision in projections.

7.1 Shri Amrit Lal Manwani, Director and Shri Sushil Kumar, representative of the unit appeared before the Approval Committee and explained the proposal. Shri Manwani informed that they had customers with technology arrangements. It was informed that they were manufacturing server and desktop mother boards . It was stated that they would install machines with state of art technology in addition to existing machines and equipment.

7.2 The Approval Committee observed the following:

(i) Unit has mentioned ITC(HS) Code of RAM as 84733030/84717060/85235220. However, except 85235220 the other two ITC(HS) codes do not match with the latest tariff nomenclature.

(ii) ITC(HS) code of Antenna - 85291000 does not exist.

(iii) Value of indigenous input services has been shown as Rs.50.00 Lakhs for which unit is required to submit the valuwise list of indigenous input services

amounting to Rs.50.00 lakhs as per Sl.No. & description of default list of services.

7.3 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of unit for inclusion of additional authorized operations viz. "(i) Laptop (84713010) (20000 units/annum), (ii) Tablet PC (84713090) (10000 units/annum) ; (iii) Server (84714120) (200 units/annum); (iv) All-in-one PC (84713090) (3000 units/annum); (v) Desktop (84714190) (4000 units/annum); (vi) Ultra small Form factor (USFF) (84714110) (1000 units/annum); (vii) Cable Assembly (85444220) (50000 units/annum); (viii) Charger (85044030) (50000 units/annum)" in LOA. The Approval Committee also approved the proposal for revision in projections as per following details:

	Rs. in Lakhs	
	Existing	Revised
FOB Value of Export	13500	29450.00
Forex Outgo	8937	19185.50
NFE Earnings	4563	10264.50
Imported Capital goods	400	600.00
Indigenous Capital goods	300	300.00
Imported raw material	8120	17690.00
Indigenous raw material	1350	2945.00
Imported input Services	0.00	0.00
Indigenous Input Services	50	50.00
Employment	125	275

The Approval Committee further directed the unit to submit correct ITC(HS) Code/ Description & list of input services as observed at para 7.2 above.

(8) Sahasra Electronics Pvt. Ltd. - Inclusion of additional authorized operations in LOA and revision in projections.

8.1 Shri Amrit Lal Manwani, director and Shri Sushil Kumar, representative of the unit appeared before the Approval Committee and explain the proposal. Shri Manwani informed that the unit had customer with technology arrangements. It was informed that they are manufacturing server and desktop mother boards. It was mentioned that they would install machines with state of art technology in addition to existing machines and equipment.

8.2 The Approval Committee observed the following:

(i) Unit has mentioned ITC(HS) Code of RAM as 84733030/84717060/85235220. However, except 85235220 the other two ITC(HS) codes do not match with the latest tariff nomenclature.

(ii) ITC(HS) code of Antenna - 85291000 does not exist.

(iii) Unit is required to submit the valuewise list of indigenous input services amounting to Rs. 100.00 lakhs as per S. No. & description of default list of services.

8.3 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of unit for inclusion of additional authorized operations viz. "(i) Laptop (84713010) (20000 Nos./annum), (ii) Tablet PC (84713090) (10000 Nos./annum) ; (iii) Server (84714120) (200 Nos./annum); (iv) All-in-one PC (84713090) (3000 Nos./annum); (v) Desktop (84714190) (4000 Nos./annum); (vi) Ultra small Form factor (USFF) (84714110) (1000 Nos./annum); (vii) Cable Assembly (85444220) (50000 Nos./annum); (viii) Charger (85044030) (50000 Nos./annum)." in LOA. The Approval Committee also approved the proposal for revision in projections as per following details:

	Rs. in Lakhs	
	Existing	Revised
FOB Value of Export	53000.00	55500.00
Forex Outgo	27175.00	28500.00
NFE Earnings	25825.00	27000.00
Imported Capital goods	900.00	1000.00
Indigenous Capital goods	100.00	100.00
Imported raw material	25690.00	26890.00
Indigenous raw material	6360.00	6660.00
Imported input Services	0.00	0.00
Indigenous Input Services	50.00	100.00
Employment	246	325

The Approval Committee further directed the unit to submit correct ITC(HS) Code/ Description & list of input services as observed at para 8.2 above.

(9) Kundan Refinery Private Limited – Setting up a new unit in NSEZ.

9.1 It was informed that M/s. Kundan Refinery Private Limited has submitted a proposal for setting up a new unit in NSEZ for "Manufacturing of Plain Gold Jewellery (71131911)(1200 Kgs/annum)".

9.2 Shri Deepak Vidyasagar Katiyar, Director, along with Shri Deepak Gupta, Shri Sanjay Singh Jadon and Ms. Nalni, representatives appeared before the Approval Committee and explained the proposal. Shri Katiyar informed that earlier they had a unit in NSEZ namely M/s. Kundan Rice Mills Ltd. (a group company) which is under exit process. However, final exit permission has not been issued till date. As they want to work from NSEZ again, they have options to either revive the LOA of 'M/s. Kundan Rice Mills Ltd.' or set up a new unit in NSEZ. Hence, they have applied for setting up a new unit in NSEZ.

9.3 The Approval Committee observed that the following shortcomings were observed in the application:

- (i) Copy of DIR-12 regarding cessation of all first directors i.e. Mr. Sanjay Bhargava, Mr. Deepak Gupta, Mr. Ravindra Chawla has not been given.
- (ii) Complete details of yearwise value addition projections giving therein values of export & input (imported & indigenous) in respect of Plain Gold Jewellery has not been given.
- (iii) While perusal of break-up of foreign exchange outgo sheet submitted by the applicant unit total value of import of raw materials & components for 5 years has been shown as Rs.314119.94 lakhs whereas in Form-F the same has been shown as Rs.308174.20 lakhs, which needed to be clarified.
- (iv) Valuwise list of indigenous input services amounting to Rs.10.00 lakhs as per S.No. & description of list of default services needs to be submitted.
- (v) The applicant had not signed Form-F.
- (vi) In the MOA "manufacturing" had not been mentioned.

9.4 The Approval Committee discussed the agenda in detail and after due deliberations, deferred the proposal and directed the applicant to submit revised Form-F duly signed by the authorized Director along with rectification of deficiencies as observed above. The Approval Committee further directed that it would be placed in the Approval Committee only after receipt of complete documents/ information, their examination and after carrying out due diligence/internal checks.

(10) Kundan Rice Mills Limited – Reinstatement of LOA.

10.1 It was informed that M/s. Kundan Rice Mills Limited was issued an LOA No. 09/16/2008-Proj/1106 dated 22/02/2008 initially for "Trading in Gold, Silver, Platinum and other Precious Metals" which was amended from time to time as per following details:

Date of LOA Amendment	Amended Authorized operations	Remarks
06/07/2009	(i) Trading in Gold, Silver, Platinum and other Precious Metals (ii) Trading in Diamond (cut and polish) and other precious stones.	Approved by UAC dated 25/06/2019 on the request of unit.
23/11/2011	(i) Trading in Gold & Silver only.	UAC dated 09/11/2011 reviewed the authorized operations

27/02/2012	(i) Trading in Gold & Silver (ii) Manufacturing of Gold Medallions (iii) Manufacturing of Gold/ Silver jewellery studded with diamond. *Condition: Trading of Diamond alone is not allowed.	Approved by UAC dated 15/02/2012 on the request of unit.
06/05/2013	(i) Manufacturing of Gold/ Silver jewellery studded with diamond.	UAC dated 09/04/2013 reviewed the authorized operations

10.2 Unit has commenced its export production w.e.f. 11/03/2008 from SDF No. 11, Trading Block, NSEZ and its LOA was valid till 10/03/2018. Unit vide its letter dated 17/02/2018 had applied for exit from SEZ Scheme. Accordingly, unit vide this office letter dated 14/05/2018 & subsequent letter dated 14/08/2019 was requested to comply with exit formalities for consideration of final exit from SEZ Scheme. Unit has till date not completed the exit formalities. Final exit order has not been issued.

10.3 Now, unit vide its letter dated 06/09/2023 has stated that they understand that their request for exit from SEZ scheme has not yet been accepted and now they want to withdraw that letter. Unit has requested to reinstate their LOA.

10.4 Shri Deepak Vidyasagar Katiyar, director along with Shri Deepak Gupta, Shri Sanjay Singh Jadon and Ms. Nalni, representatives appeared before the Approval Committee and explained the proposal. Shri Katiyar informed that final exit permission has not been issued to them till date. As they want to work from NSEZ again, they have options to either revive the LOA of 'M/s. Kundan Rice Mills Ltd.' or set up a new unit in NSEZ. Hence, they have applied for both i.e. reinstatement of old LOA as well as setting up a new unit in NSEZ in the name of M/s. Kundan Refinery Private Limited.

10.5 It was informed that there was a case filed against the unit by the DRI in the matter of mis-declaration in import consignment. Brief details are as under:

(a) DRI, Delhi Zonal Unit has conducted search at the premises of M/s Kundan Rice Mills Ltd., SDF-11, Trading Block, NSEZ, Noida on 17th and 18th March 2012. The consignment of gold covered under three bill of entries (00001685 dated 15.03.2012, 00001721 dated 16.03.2012 and 00001722 dated 16.03.2012) declared as semi-finished gold bangle jewellery unstudded having a gross weight of 258.9 kgs valued at 668169767/- was detained for further investigation and subsequently seized as it was felt that impugned goods mis-declared and imported for unauthorized operations.

(b) *The Jurisdictional Adjudicating Authority vide order dated 18.04.2012 allowed provisional release of the seized goods, subject to furnishing a bank guarantee equal to 25% of the value of the goods. The party filed a writ before the Hon'ble High Court, Allahabad, which vide its interim order dated 27.04.2012 directed release of the goods, subject to furnishing of bank guarantee of 30% of the differential duty and bond for the value of the goods. The goods were released as per the directive of Hon'ble High Court.*

(c) *M/s Kundan Rice Mills Ltd. vide letter dated 29.06.2012 requested the Development Commissioner, NSEZ for re-export of unused semi-finished gold bangle jewellery unstudded of purity 0.995 under Rule 34 of SEZ Rules,2006, which was allowed by the Development Commissioner, NSEZ subject to the NOC from DRI for re-export, DRI DZU vide letter dated 27/09/2012 conveyed it's no objection if the unused goods were exported as such under relevant provisions of SEZ Act/Rules, with the rider that no benefit whatsoever including counting the same in export earning be allowed on such export, thereafter, vide letter dated 28.12.2016, The DRI informed that the Adjudicating Authority that the charge of mis-declaration of impugned consignment did not sustain and asked to release the bond / bank guarantee.*

10.6 Specified Officer, NSEZ informed that the unit has been requested to submit some documents for issuance of No Objection Certificate which are still awaited from the unit due to which NOC could not be issued so far.

10.6 The Approval Committee observed that in January 2012, the unit had applied for amendment of its LOA by inclusion of manufacture of Gold / Silver Jewellery studded with Diamond and Gold medallions. The application was approved by the Approval Committee with the condition that diamonds shall not be allowed to be traded separately. The Approval Committee further observed that in its application for inclusion of manufacturing activity, the raw material for the manufactured of gold jewellery was stated to be gold in bar form and diamonds. Further as per the flow chart of the manufacturing process submitted by the unit, the raw material was shown as the gold in bar form.

10.7 The Approval Committee discussed the agenda in detail and after due deliberations, deferred the proposal with a directions to the unit to submit reply to the letter issued by NSEZ Customs, at the earliest. The Approval Committee further directed to examine as to why the import made by the unit should have been part of authorized operations. The Approval Committee further directed that only after receipt of reply from unit, the matter may be internally examined based

on the letter of DRI and facts provided by NSEZ Customs and after deliberations, the proposal may again be placed before it for consideration.

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



(Surender Malik)
Jt. Development Commissioner



(A. Bipin Menon)
Development Commissioner