

F.No. 12/01/2019-Proj/ 5776
26/7/2023



भारत सरकार
वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग
विकास आयुक्त का कार्यालय
नौएडा विशेष आर्थिक क्षेत्र
नौएडा दादरी रोड, फेज-II, नौएडा - 201305
टेलीफोन: 0120-2567268/69/70 ईमेल: dc@nsez.gov.in
वेबसाइट: www.nsez.gov.in

दिनांक:/07/2023

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, 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 20/07/2023 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 20/07/2023 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,
य क 121
20/07/23
(प्रकाश चंद उपाध्याय)
सहायक 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

य क 121
20/07/23
सहायक विकास आयुक्त

नौएडा विशेष आर्थिक क्षेत्र
(दिनांक 20/07/2023 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 20/07/2023 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 Deptt. 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 Addl. DGFT, CLA, New Delhi.
- (5) Shri Neeraj Kumar, Income Tax Officer, Income Tax Deptt., Noida.

B. Besides, during the meeting S/Shri (i) Kiran Mohan Mohadikar, Dy. Development Commissioner, NSEZ, (ii) Amit Gupta, Specified Officer, NSEZ, (iii) Prakash Chand Upadhyay, Asstt. Development Commissioner, NSEZ, (iv) Bharat Bhushan, Assistant, Project Section, NSEZ, (v) Satya Vijay Verma, AEE, UPPCB, Noida 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 is available and meeting can proceed.

C. At the outset, the Chairman welcomed the participants. After a brief introduction, the. After detailed deliberations amongst the members of the Approval the agenda was taken up sequentially. The 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 07/07/2023.

There were neither any references nor any objections against the decisions of the Approval Committee held on 07/07/2023. Hence, the Approval Committee took note of the same and accordingly, the Minutes of the meeting held on 07/07/2023 were unanimously ratified by the Approval Committee.

(2) Elite Basket Private Limited – Setting up a Trading unit in NSEZ

2.1 Shri Kushagra Tiwary, Director appeared before the Approval Committee and explained the proposal. He informed that they have been doing business in DTA since 2015 for trading of Saffron, Pistachio, Dry dates etc. He further informed that Saffron & Asafoetida will be the main products of focus of their business in SEZ.

2.2 The following shortcomings have been observed in the application which has been communicated to the applicant unit vide letter dated 18/07/2023 for rectification:

- (i) There is no mention of source of funds at Col. VI(b) of Form-F.
- (ii) The requirement of Built-up area is 300 sq.mtrs in project report whereas the same has been mentioned as 100 sq.mtrs in Form-F.
- (iii) No projections have been given for Plant & machinery/ capital goods.
- (iv) ITC(HS) Code of Other Henna Powder has been given as 33051099. However, as per CBIC the same relates to Shampoo. Hence, Correct HS Code of Henna Powder needs to be given.
- (v) Applicant has stated that 'Other' as mentioned for proposed items in Form-F refer to soap-nuts and Raw Henna whereas the same has not been mentioned in the Form-F which needs to be clarified

2.3 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal for "Trading of (i) Saffron Stigma (09102010), (ii) Saffron Stamen (09102020), (iii) Natural Gums, Asafoetida (13019013), (iv) Mixture of Aromatic Chemicals and essential Oils as perfume base: Synthetic Perfumery Compound (33029011) and (v) Other Henna Powder subject to submission of documents as pointed out at Para 2.2 above along with revised Form-F1 and copy of orders received for export.

(3) Shinoak Decor – Setting up a Warehousing unit in NSEZ

3.1 Shri Kanav Shingla, Partner in the applicant firm appeared before the Approval Committee and explained the proposal. Shri Shingla informed that they already have two units in NSEZ. Now, they have established contacts with foreign suppliers who are willing to store their material in their proposed warehouse. He informed that they have got proposal mainly for furniture, light fixtures & other related decorative articles.

3.2 The proposed products in Form-F & ITC(HS) Codes are also different than

furniture & decorative articles. Further, following shortcomings have been observed in the application which has been communicated to the applicant unit vide letter dated 19/07/2023 for rectification:

- (i) Partnership deed is not registered from Registrar of Firms.
- (ii) ITC(HS) Code 94051090 does not exist.
- (iii) Fund flow statement in support of the project needs to be given in prescribed format.
- (iv) Projected profitability statement for the proposed project has not been given.
- (v) Undertaking to fulfill the applicable environmental and pollution control norms has not been given.
- (vi) Copy of power of attorney/authorization letter in favour of authorized partner to sign & submit documents.
- (vii) Whether any exemption from Income Tax Department is being claimed? If yes, the details under which section and whether Income Tax Department has disallowed exemption at any time?
- (viii) Whether any penalty imposed by the Income Tax Department? If yes, complete details are to be furnished.
- (ix) Details of transaction with sister concerns raising issue of transfer pricing, if any, has not been given.
- (x) It has been observed that the firm was formed in 2021. However, no details of existing business being undertaken by the firm have been given. Hence, a clarification regarding the same along with balance sheet of firm needs to be given.
- (xi) Applicant unit has mentioned the item of description in Form-F as "Metal decoration article" -ITC(HS) code - 39269099 whereas per CBIC the same is shown as plastic or nylon tipped hammers; insulating liner of nylon, HDPE, which needs to be clarified by the unit.
- (xii) Applicant unit has mentioned as "Decoration Article" - ITC(HS) Code- 73269099. Applicant unit needs to specify the nomenclature of decoration articles.
- (xiii) Applicant unit has mentioned that value of indigenous input services amounting to Rs.90.00 lakhs for which unit is required to submit the list of indigenous input services as per the Sl.No. & description of the default list of services.

3.3 The Approval Committee discussed the agenda in detail and after due deliberations, approved in-principle the proposal for "Warehousing activities" subject to submission of documents as pointed out at Para 3.2 above

- (i) Revised Form-F1 mentioning exact/specific description of proposed products

along with their 8 digit ITC(HS) Code.

(iii) KYC details of clients.

3.4 The Approval Committee also empowered office of Development Commissioner to examine the reply of applicant and grant final approval on file. The Approval shall be further subject to following conditions among others, if any:

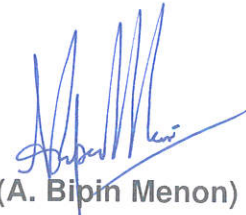
(a) The activities of the warehousing would be only in accordance with scope and extent of Rule 18(5) of SEZ Rules, 2006 and Instruction No. 49 and other relevant Instructions/ Guidelines on the subject issued by Deptt. of Commerce from time to time. This would include all transactions by the unit shall only be in foreign currency.

(b) No prohibited or restricted items shall be allowed. All Export & Import Policy conditions as per DGFT shall be fulfilled.

Meeting ended with a vote of thanks to the Chair.



(Surender Malik)
Jt. Development Commissioner



(A. Bipin Menon)
Development Commissioner