

NOIDA SPECIAL ECONOMIC ZONE

Minutes of the Unit Approval Committee meeting in respect of EOUs located under the jurisdiction of Zonal Development Commissioner, NSEZ, held under the Chairmanship of Shri Gopal Meena, Zonal Development Commissioner, NSEZ at 11.00 AM on 03.06.2026.

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

1. Shri Paras Mani Tripathi, Joint Development Commissioner, NSEZ
2. Dr. Ayush Katheria, Joint Commissioner of Customs, Ludhiana.
3. Smt. Aashima Chawla, Asstt. DGFT, Office of the Additional DGFT, Central Licensing Authority, New Delhi.
4. Shri Jeevan Ram Dhaka, Assistant Commissioner of Customs (Preventive), Jodhpur, Jaipur.
5. Shri Jagan Mohan Thota, Assistant Commissioner of Customs (Preventive), Lucknow.
6. Shri Rajeev Ranjan, Assistant Commissioner of Customs (Preventive), Delhi.
7. Shri Rakesh Kumar, Superintendent, Customs (Preventive), Delhi.

B. Besides, during the meeting (i) Shri Gya Prasad, DDC; (ii) Shri Noman Hafiz, DDC, (iii) Shri Sushil Kumar, ADC & (iv) Shri Pramod Kumar, ADC were also present to assist the Approval Committee. It was informed that the quorum was available and the meeting could proceed.

C. At the outset, the Chairman welcomed the participants. After brief introduction, the agenda was taken up sequentially. After detailed deliberations amongst the members of the Unit Approval Committee as well as interaction with the applicants / representatives of the units/applicants, the following decisions were taken unanimously: -

D. New initiatives / reforms in view of good governance for Viksit Bharat 2047 were taken:-

- Approvals shall be issued during the meeting itself, immediately after the approval of the Unit Approval Committee.
- Calendar for conducting the Unit Approval Committee meeting has been issued.
- The scheduled date of next meeting of **Unit Approval Committee is 09.07.2026.**

2

- Only those proposal which are received before five working days of the next scheduled date of the Unit Approval Committee, shall be placed before the Unit Approval Committee.
- In case of new EOU application, following parameters may be considered:
 - The proposal should be sent immediately to Jurisdictional Customs and Other SEZs for site inspection/ antecedent verification at the level of ADC.
 - Master checklist in terms of Annexure-6A including required details viz. Marketing Tie-ups, ITRs and KYC documents of promoters, minimum investment criteria duly supported with list of machinery & a chartered engineer's certificate along with any other necessary additional details should be prepared and also published on website for better resolution.
- The cases in which the Unit Approval Committee has communicated the observations to the representative of the unit and the matter has been deferred due to that, in those cases the unit is required to comply with the observations within 5 working days (from the date of issue of the minutes) failing which the proposal may be treated as withdrawn.
- Officers/ Staff will issue all LOPs immediately and email to concerned units.

E. The following references were taken into the account by the Unit Approval Committee while considering the proposals:-

- (i) Appendix-6A issued by DGFT.
- (ii) Chapter 6 of Foreign Trade Policy, 2023.
- (iii) Chapter 6 of Handbook of Procedures, 2023.

F. Status of agenda discussed & decisions of the Approval Committee:-

S. No.	Subject	No. of proposals	Proposals approved	Proposal deferred	Proposal Rejected
1.	Proposal for setting up of 100% EOUs	03	02	01	00
2.	Proposal for conversion of existing DTA unit into 100%EOU	02	00	01	01
3.	Miscellaneous	01	00	00	01
	Total:	06	02	02	02

H. Item wise decisions on proposals included in agenda:

1. Ratification of the Minutes of the Approval Committee meeting held on 13.02.2026:-

It was informed that there were neither any references nor objections against the decisions of the Unit Approval Committee held on 13.02.2026. Hence, the Minutes of the Unit Approval Committee meeting dated 13.02.2026 were unanimously ratified by the Unit Approval Committee.

Item No. 2: Setting up a new 100% EOU:

2.1: **M/s. Nikko Acoustic Solutions Pvt. Ltd. - setting up of 100% Export Oriented Unit (EOU) at IMT Bawal, Rewari, Haryana.**

2.1.1 It was informed to the Approval Committee that M/s. Nikko Acoustic Solutions Pvt. Ltd. has submitted a proposal for setting up of a 100%EOU at "Plot No. 162, Sector-9, Phase-3, IMT Bawal, Rewari, Haryana – 123501" for manufacture and export of "*Buzzer Assy 38720-KOW-T011-M1 (HSN Code 851230)*". The applicant has proposed export of Rs.4178.00 lakh and cumulative NFE of Rs.1607.00 lakh over a period of five years. The cumulative projected investment in Plant & Machinery has been proposed as Rs. 340 Lakhs.

2.1.2 Shri Nitin Kumar, authorized representative of M/s. Nikko Acoustic Solutions Pvt. Ltd. appeared before the Approval Committee through video conferencing and explained the proposal in detail.

2.1.3 It was informed that as per Site Inspection report received from Jurisdictional Customs, The Customs Authority has opined that the request of M/s Nikko Acoustic Solutions Pvt. Ltd. for grant of 100% EOU status may be considered for approval.

2.1.4 It was observed that the applicant has not submitted copies of ITRs of Indian Director as required under Appendix -6A. Further, KYC Details of its foreign directors viz. supporting financial documents, Passport etc. also needs to be given.

2.1.5 The Approval Committee discussed the proposal in detail and after due deliberations, **unanimously approved** the proposal of M/s. Nikko Acoustic Solutions Pvt. Ltd. for for setting up of a 100%EOU at "Plot No. 162, Sector-9, Phase-3, IMT Bawal, Rewari, Haryana – 123501" for manufacture and export of "*Buzzer Assy 38720-KOW-T011-M1 (HSN Code 851230)*". This would be subject to submission of following:

(i) Copy of ITR of Mr. Luv Kumar Malhotra.

(ii) KYC documents of foreign directors viz. copy of financial report & passport etc.

(iii) Copy of Marketing Tie-ups/ export orders.

2.2: M/s. Medsoria Healthcare Solutions Pvt. Ltd. - Application for setting up a new 100% EOU Unit at Plot No. 195, Udyog Vihar, Ph-I, Gurgaon, Haryana-122016

2.2.1 It was informed to the Approval Committee that M/s. Medsoria Healthcare Solutions Pvt. Ltd. has submitted a proposal for setting up a 100% EOU at Plot No. 195, Udyog Vihar, Ph-I, Gurgaon, Haryana-122016 for manufacture and export of "Disposable Medical Devices – HSN code - 90183930, 90183990, 90330000, 39172190, and 39172990". The applicant has proposed export of Rs.66049.00 lakh and cumulative NFE of Rs.37366.97 lakh over a period of five years. The cumulative projected investment in Plant & Machinery has been proposed as Rs. 8996 Lakhs.

2.2.2 Dr. Nitin Gupta and Shri Neeraj Gupta, Directors of M/s. Medsoria Healthcare Solutions Pvt. Ltd. appeared before the Approval Committee through video conferencing and explained the proposal in detail. Dr. Nitin Gupta informed that this is joint venture between Harsoria Healthcare Pvt. Ltd., India and Medsource Labs LLC (USA) with 51% & 49% shareholding respectively.

2.2.3 It was informed that Asstt. Commissioner of Customs (Preventive), EPC Gurugram vide letter dated 29.04.2026 has informed that "During the course of verification, it has been observed that the premises is properly secured and suitable for the setting up a 100% Export oriented Unit. The site appears feasible for carrying out the intended operations under the EOU Scheme".

2.2.4 It was informed that from the list of raw materials that ITC HS Code 84559090 given for raw material i.e. does not exist. Besides, applicant is also required to submit copy of sanction letter from bank/ financial institution in support of loan/ financial assistance.

2.2.5 Shri Gupta stated that the said item may be removed and in future if they will require the same, they will apply with correct HS Code. He further stated that they will send the bank documents immediately through email.

2.2.6 The Approval Committee discussed the proposal in detail and after due deliberations, **unanimously approved** the proposal of M/s. Medsoria Healthcare Solutions Pvt. Ltd. for setting up a 100% EOU at Plot No. 195, Udyog Vihar, Ph-I,

P

Gurgaon, Haryana-122016 for manufacture and export of "Disposable Medical Devices – HSN code - 90183930, 90183990, 90330000, 39172190, and 39172990".

2.3: Application of M/s Quarkcity Medtech Private Limited for setting up a new 100%EOU unit at at 'Plot No. 61, Vividha Industrial Estate, Village Chamaru, Tehsil Rajpura, Patiala, Punjab - 140401'

2.3.1 It was informed to the Approval Committee that M/s. Quarkcity Medtech Pvt. Ltd. has submitted a **proposal for setting up a new 100%EOU** at 'Plot No. 61, Vividha Industrial Estate, Village Chamaru, Tehsil Rajpura, Patiala, Punjab - 140401' for manufacture and export of "Medical Equipments viz. (i) **MRIdian** (Electro-diagnostic apparatus used in medical/ surgical sciences) (90181300)(10 Nos/annum); (ii) **Naked Linac System** (Apparatus based on the use of X-rays for medical/ surgical uses)(90222100)(10 Nos/annum); (iii) **CT-guided MRI Machine** (electro- diagnostic apparatus used in medical/ surgical sciences) (90181300)(10 Nos/annum); (iv) **Photom CT Linac Machine** (Apparatus based on the use of X-rays for Medical/ surgical uses) (90222100)(10 Nos/annum)". The applicant has proposed export of Rs.86719.00 lakh and cumulative NFE of Rs.45996.00 lakh over a period of five years. The cumulative projected investment in Plant & Machinery has been proposed as Rs. 10400.00 Lakhs.

2.3.2 Shri Rajesh Sharma, Vice President of M/s. Quarkcity Medtech Pvt. Ltd. appeared before the Approval Committee through video conferencing and explained the proposal in detail.

2.3.3 It was further informed that there are few shortcomings observed in the application. Besides, in terms of Appendix-6A, inspection of the project site by an Officer; and a report from other DCs as to whether any case under EOU Scheme in regard to diversion of goods etc. is pending; are also required.

2.3.4 The Committee discussed the agenda in detail and after due deliberations, **deferred** the proposal and directed the representative of the applicant to submit followings:-

- i) In manual application, proposed location of EOU has been mentioned as "**Plot No. 61**, Vividha Industrial Estate, Village Chamaru, Tehsil Rajpura, Patiala, Punjab – 140401" whereas in online application. The same has been mentioned as "**Plot No. 27**, Vividha Industrial Estate, Village Chamaru, Tehsil Rajpura, Patiala, Punjab – 140401". Hence, a clarification in this regard along with correct application needs to be given.
- ii) Copy of initial Certificate of Incorporation of the company (F E Industries Pvt. Ltd.) has not been given.



- iii) Details of shareholding pattern of the company duly certified by the chartered accountant have not been given.
- iv) Copy of balance sheet of the company for last three years has not been given.
- v) Details of present activities of the applicant company needs to be given.
- vi) Copy of Layout Plan/ Site Plan enclosed in the application is not clear. Hence, a clear copy of Layout plan needs to be given.
- vii) Separate list of proposed imported & indigenous raw material/consumables and plant & machinery along with proper 8-digit HSN code needs to be given.
- viii) Details of equity including foreign investment have been given incorrectly in online application at NSWS portal.
- ix) Applicant has mentioned "NA" at 'Other information' in ANF-6A, which should have been mentioned as YES or NO as the case may be.
- x) Copy of sanction letter from bank / financial institution, in support of loan / financial assistance, if any, for the proposed project.
- xi) Copy of Marketing tie-ups/ export orders, If any, needs to be given.

2.3.5 The Committee further directed the UDC Shri Anuj Dixit that the proposal should be sent immediately to Jurisdictional Customs and Other SEZs for site inspection/ antecedent verification. He kept it pending without any reason since 19th May 2026. He was warned not to delay such matters in future.

2.3.6 Joint Commissioner of Customs, Ludhiana was also requested to submit site inspection report within a week.

Item no. 3: Conversion of existing DTA unit into 100%EOU

3.1 M/s Green Shield Protective Pvt. Ltd. for conversion of existing DTA unit into 100%EOU at Floor No. 1st & 2nd (New Building), E-1007, Phase-III, Sitapura Industrial Area, Sanganer, Jaipur -302022.

3.1.1 It was informed to the Approval Committee that M/s. Green Shield Protective Pvt. Ltd. has submitted a proposal for conversion of existing DTA unit into 100%EOU at Floor No. 1st & 2nd (New Building), E-1007, Phase-III, Sitapura Industrial Area, Sanganer, Jaipur -302022, to manufacture items below mentioned table.

S.No.	Items Name	Annual Capacity in Nos)	Items Code
1.	Coverall	12,000.	62034300, 62034290, 62113200, 62059090
2.	Shirt	12000.00	62059090
3.	Trouser	2000.00	62034300, 62034290
4.	Jacket	2000.00	62033200, 62033300, 62171090

2

5.	Winter Jacket	2000.00	62033200
6.	Winter Coverall	2000.00	62034290
7.	T-shirt	6000.00	61099090
8.	Hoodie Jacket	2000.00	61109000
9.	Sweater	2000.00	61109000, 61033200

3.1.2 It was also informed that the applicant has proposed export of Rs. 4943.00 lakh and cumulative NFE of Rs.989.00 lakh over a period of five years.

3.1.3 The applicant initially submitted investment about Rs. 74.88 lakhs against which CE certificate was submitted. As per para 6.06 of FTP 2023, only projects having a minimum investment of Rs.1 Crore in plant & machinery shall be considered for establishment as EOUs. The applicant subsequently revised to Rs. 108.64 lakhs however, no Chartered Engineer's valuation certificate/supporting documentary evidence in support of the installed machinery value was given.

3.1.4 It was informed that the proposal was earlier placed before the Unit Approval Committee (UAC) in its meeting held on 18.07.2024 wherein the Committee deliberated upon the proposal and accorded "in-principle approval" subject to receipt of favourable site inspection/feasibility report from jurisdictional Customs Authorities and submission of Net Worth statements of all Directors to verify the financial soundness of the project. Accordingly, this office decided to pursue the matter with Customs Authorities and the unit.

3.1.5 Subsequently, Jurisdictional Customs Authorities, Jodhpur vide letter dated 26.09.2024 furnished the site inspection/feasibility report wherein it was stated that "unit's activities are found suspicious" and accordingly the proposal for setting up of 100% EOU was not recommended by Customs Authorities. Jurisdictional Customs Authorities further informed as under:

"(i) The premises have been taken on lease from M/s. Chirau Hospital & Research Center Pvt. Ltd. for a period of five years commencing from 01.04.2024.

(ii) The factory premises is situated at the first and second floors of the said plot. The second floor is covered with a tin shed. At both floors machines are installed. At present, they are carrying out job work activities for M/s. RKM International LLP. The directors of both entities are common, as already informed by the GST authorities in their verification report.

(iii) The basement and ground floor of the said plot are occupied by M/s. RKM International LLP.

7

(iv) It is further observed that a Show Cause Notice was issued to M/s. RKM International LLP for wrongful availment of ITC on invoices without actual receipt of goods. The matter has been adjudicated vide Order-in-Original No. 138/GST(CGST-Div F)/2025 dated 05.12.2025, wherein the demand of Rs. 89,75,618/- was confirmed and appropriated, and the demand of Rs. 86,67,653/- was dropped.

(v) The applicant has submitted the site layout plan indicating the entrance gate at the ground floor, which is monitored by a security guard and covered under CCTV surveillance.”

3.1.6 Further, Assistant Commissioner, CGST Division-F, Sitapura vide letter no. V(CGST Div-F) 34/MISC/2024/1318 dated 24.11.2025, informed that a Show Cause Notice had been issued to M/s RKM International for alleged wrongful availment of Input Tax Credit without receipt of goods. Further, the Director of M/s RKM International LLP and M/s Green Shield Protective Pvt. Ltd. is common.

3.1.7 Shri Raj Kishore Malpani, Director of the company of M/s Green Shield Protective Private limited appeared virtually before the Approval Committee and explained the proposal in detail. He informed that M/s. both the companies are into manufacturing of different type of garments. M/s. RKM International produce fancy garments whereas the proposed EOU shall manufacture protective clothing items. It was also informed that the unit had purchased most of the plant & machinery from RKM International.

3.1.8 The Committee observed as under:

(i) The applicant initially submitted investment about Rs. 74.88 lakhs and then revised it to Rs. 108.64 lakhs however, no Chartered Engineer's valuation certificate or supporting documentary evidence was given, raising doubts regarding actual capital deployment.

(ii) In ANF-6A, at Para XVIII (iii) whether the applicant or any of the partners/ Directors who are also partners/ Directors of another company or its associate concerns are being proceeded against or have been debarred from getting license/ LOI/LOP under the Export and Import Control Act, 1947/ FTDR Act, 1992 as amended/FEMA/Customs/ Central Excise Act, the applicant has mentioned 'NO', Which is a wrong declaration.

(iii) There are pending appeal proceedings against M/s RKM International LLP for alleged irregular availment of Input Tax Credit, indicating regulatory and compliance concerns.

P

(iv) M/s. RKM International and M/s. Green Shield Protective Pvt. Ltd. (proposed EOU) are on same premises. The basement and ground floor of the said plot are occupied by M/s. RKM International LLP whereas M/s. Green Shield Protective Pvt. Ltd. has proposed to set up EOU at 1st & 2nd Floor of same building with common entrance, due to which the separation of DTA business and EOU business will be difficult to monitor.

(v) There exists direct interlinkage between the entities, including common Directors and transfer/procurement of plant and machinery from the existing DTA unit to the proposed EOU.

(vi) The jurisdictional Customs Authorities have specifically reported the unit's activities as "suspicious", which raises concerns regarding genuineness and operational transparency of the proposal.

(vii) The antecedents of the Directors are not found satisfactory in view of pending proceedings and interlinked business operations.

(viii) The Approval Committee also deliberated that EOU being standalone unit, it is not possible for the Customs to deploy permanent Custom Officer for the unit. Further, as the premises of both companies are common having common entrance, effective supervision and segregation of DTA and EOU activities would be difficult.

(ix) The possibility of diversion of goods and difficulty in enforcement/monitoring due to common premises and shared access cannot be ruled out.

3.1.9 The Approval Committee discussed the proposal and after due deliberations, **rejected** the proposal of M/s. Green Shield Protective Private limited for conversion of existing DTA unit into 100% at Floor No. 1st & 2nd (New Building), E-1007, Phase-III, Sitapura Industrial Area, Sanganer, Jaipur -302022. If the unit is aggrieved by the decision, the Unit may file appeal before the Board of Approvals.

3.2 M/s Panicle Worldwide Private Limited for conversion of existing DTA unit into 100%EOU unit at 'Plot No. 18-B, Indra Complex, Baselwa Village, Faridabad, Haryana – 121002'.

3.2.1 It was informed to the Approval Committee that M/s. Panicle Worldwide Private Limited has submitted a proposal for conversion of their existing DTA unit at 'Plot No. 18-B, Indra Complex, Baselwa Village, Faridabad, Haryana – 121002' to 100%EOU

for manufacture and export of "Instant Coffee (Flavoured/Non-flavoured) (ITC HS Code: 21011120, 21011110) (Capacity: 330000 Nos/month)". The applicant has proposed export of Rs.29869.00 lakh and cumulative NFE of Rs.29582.00 lakh over a period of five years. The cumulative projected investment in Plant & Machinery has been proposed as Rs. 120.00 Lakhs.

3.2.2 Shri Saket Sharma, Director of M/s. Panicle Worldwide Private Limited appeared before the Approval Committee through video conferencing and explained the proposal in detail.

3.2.3 It was further informed that there are few shortcomings observed in the application. It was observed that the applicant has been doing business of other products from the said premises. Hence, the separation of DTA business and EOU business will be difficult to monitor. Besides, in terms of Appendix-6A, inspection of the project site by an Officer; and a report from other DCs as to whether any case under EOU Scheme in regard to diversion of goods etc. is pending; are also required.

3.2.3 Shri Sharma informed that they will only manufacture & export 'Instant Coffee' from the said EOU and will not do any other business from the said premises location. Shri Sharma further informed that they have submitted their reply on 01.06.2026.

3.2.4 The Committee discussed the agenda in detail and after due deliberations, **deferred** the proposal with a direction to the applicant to submit the following documents:

- i) Manufacturing process flow chart of proposed manufacturing item has not been given.
- ii) List of exempted raw material/consumables and plant & machinery along with proper 8-digit HSN code needs to be given.
- iii) Destination of exports (in percentage terms) has not been mentioned in ANF-6A.
- iv) License from Food Safety and Standards Authority of India may be submitted, if already obtained.
- v) Applicant has mentioned "NA" at 'Other information' in ANF-6A, which should have been mentioned as YES or NO as the case may be.
- vi) Details of existing stock of raw materials, finished goods and capital goods as on date of conversion not provided.
- vii) Destination of exports (in percentage) in GCA & RPA has not been mentioned in ANF-6A.

Further, it was directed to examine the reply of the unit and also send a reminder to Jurisdictional Customs for immediate site inspection report.



authorities, the appeals filed before the High Court against the rulings of the Customs Authority for Advance Rulings (CAAR), and the related orders, while also obtaining a legal opinion on the matter.

4.1.4 The unit subsequently submitted a copy of the High Court order dated 30.05.2025 relating to the ruling of the Customs Authority for Advance Rulings (CAAR).

4.1.5 Shri Shivendu Shukla, Director of Rawder Petroleum Private Limited, attended the meeting in person and explained the matter in detail. He stated that the project would not be commercially viable without the inclusion of (i) Processed Betel Nut Powder and (ii) Roasted Areca Nut Powder in the approved list of products. He further submitted that the matter relating to the ruling of the Customs Authority for Advance Rulings (CAAR) was not connected with the EOU proposal under consideration. He also informed the Committee that the matter had been decided in favour of the unit by the Hon'ble Supreme Court.

4.1.6 The Committee noted that, as per Condition No. (x) of the LOP dated 08.08.2024, the unit was required to communicate its acceptance of the terms and conditions of the LOP within 45 days. However, the unit had not submitted its acceptance even after the expiry of the stipulated period, resulting in the lapse of the LOP. Even the representation was submitted on 17.10.2024 i.e. after the lapse of LOP (beyond 45 days).

4.1.7 The Committee further observed that in spite of issuance of LOP to the unit after the approval of UAC dated 20.05.2024, it has not started any activity and in fact has made representation for addition of highly sensitive & evasion prone commodities viz. (i) Processed Betel Nut Powder and (ii) Roasted Areca Nut Powder.

4.1.8 Further, the jurisdictional Customs authority had also submitted an adverse report on the proposal. The representative of the jurisdictional Customs authority, Shri Jagan Mohan Thota, Assistant Commissioner, Lucknow Commissionerate, nominee of the Commissioner of Customs, Lucknow Division, stated that areca nut is a natural product with significant demand in the domestic market. He further stated that the country has been facing substantial instances of smuggling of areca nut through SEZs, land customs stations, seaports, and other routes. Since areca nut is a high-duty commodity, it is particularly vulnerable to diversion into the domestic market. He also stated that it is difficult for Customs authorities to establish a correlation between the imported raw material and the exported finished products. Similar cases involving diversion of imported areca nut into the Domestic Tariff Area (DTA) have been detected by the Directorate of Revenue Intelligence (DRI) in Chennai, Hyderabad, and other parts of the country. Further, Lucknow Customs has also reported similar cases. He further stated that EOU being standalone unit, it is

not possible for the Customs to accommodate permanent Custom Officer for the unit. Further, in absence of staff and also looking into nature of product & processing thereof, the whole case became evasion prone keeping in view highly sensitive item. Therefore, it will be very difficult to supervise the unit. He strongly proposed that the proposal be rejected.

4.1.9 Jurisdictional Customs further informed as under:

(i) M/s Rawder Petroleum Pvt. Ltd. applied for obtaining an 'advance ruling' under Section 28H of the Customs Act, 1962 on the basis of information provided by their overseas suppliers that the production and processing of 'roasted areca nuts' is carried out by roasting in the oven. The CAAR vide order dated 19th of September, 2024 ruled that the 'roasted areca nut' obtained from the process flow would be falling under Chapter 20 of the Customs Tariff Act, 1975.

(ii) M/s Rawder Petroleum Pvt. Ltd placed orders to an Indonesian Company for supply of 'roasted areca nuts', which is cleared by the customs authorities of Indonesia under HSN 2008 19 20 and imported under Bill or Entry dated 06/11/2024, at ICD Panki, Kanpur.

(ii) During investigation, samples of the imported goods were tested by M/s Fare Labs Pvt. Ltd. and CRCL, New Delhi, yielding divergent findings. While Fare Labs reported the goods as roasted areca nuts fit for human consumption, CRCL, the notified government laboratory, reported the goods as dry areca nuts and not fit for human consumption. Further, on re-testing at the request of the importer, CRCL again concluded that the goods were other than roasted areca nuts, thereby raising serious doubts regarding the true nature and character of the imported goods. Thereafter, the goods were seized by Customs against which the applicant filed an appeal before the Hon'ble High Court.

(iii) The Hon'ble High Court, vide order dated 30.05.2025, confined its findings to the issue of classification of the imported goods as "roasted areca nuts" under CTH 2008 19 20. The Hon'ble Court specifically observed that it had not expressed any opinion on any other aspect of the import or issues not raised before it. The release of the goods was made subject to Gamma Irradiation treatment and satisfaction of the competent authority.

(iv) The Department filed an SLP before the Hon'ble Supreme Court.

(v) The Hon'ble Supreme Court, vide order dated 05.05.2026, directed that the goods may undergo irradiation, followed by fresh testing by CRCL regarding contamination status and compliance with applicable standards. The Hon'ble

Supreme Court further clarified that Gamma Irradiation does not confer an automatic right of clearance and that final release, re-export, confiscation or any further action would remain subject to adjudication proceedings, court orders and satisfaction of the competent authority.

(vi) Pursuant to the directions of the Hon'ble Supreme Court, the goods were irradiated and tested by CRCL, which vide report dated 02.06.2026 reported that the goods are not fit for human consumption.

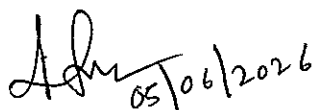
4.1.10 The Committee observed that the unit's contention that the matter has attained finality in its favour is not sustainable. The Hon'ble High Court's order is limited to classification, while the Hon'ble Supreme Court has expressly kept the issue of clearance open subject to post-irradiation testing, adjudication and satisfaction of the competent authority. Previous two tests by CRCL (dated 16.12.2024 & 10.03.2025) have confirmed that goods are 'dried areca nuts' & not Roasted. Further, the CRCL report dated 02.06.2026 has confirmed that the goods are not fit for human consumption, which is a material factor for consideration.

4.1.11 The representative of DGFT also supported the views expressed by the representative of Jurisdictional Customs. Further, looking to antecedent and nature of the commodities, she recommended that the proposal should be rejected.

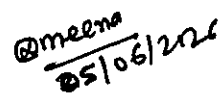
4.1.12 The Committee discussed the agenda in details and after due deliberations, unanimously decided to **reject** the request of unit for grant permission for manufacture and export of (i) Processed Betel Nut Powder and (ii) Roasted Areca Nut Powder. In case the unit is aggrieved by this decision, it may prefer an appeal before the **Board of Approval (BoA)** in accordance with the applicable provisions.

4.1.12 The Committee further decided to treat the LOA No. 10-22/2024-100%EOU/6527 dated 08.08.2024 issued for other item as Lapsed in view of non-submission of acceptance of the terms & conditions of LOP within 45 days.

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


05/06/2026

(Paras Mani Tripathi)
Joint Development Commissioner


05/06/2026

(Gopal Meena)
Development Commissioner