



GOVERNMENT OF INDIA  
MIN. OF COMMERCE & INDUSTRY, DEPTT. OF COMMERCE  
OFFICE OF THE DEVELOPMENT COMMISSIONER  
NOIDA SPECIAL ECONOMIC ZONE  
NOIDA DADRI ROAD, PHASE-II, NOIDA-201305  
DISTT. GAUTAM BUDH NAGAR (UP)

F. No. 10/20/2011-SEZ/

Date: 01.04.2013

To

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8. The Dy. Secretary (IF-I), Banking Division, Department of Economic Affairs, Ministry of Finance, Govt. of India, 3<sup>rd</sup> Floor, Jeevan Deep Building, Parliament Street, New Delhi-110001.
9. The General Manager, District Industry Centre, Sector – 20, Noida (Representative of Principal Secretary, Industries, Govt. of U.P.) Email: [gmdicgbn@nic.in](mailto:gmdicgbn@nic.in)
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11. Concerned SEZ Developers / Units.

**Sub: Minutes of the meeting of Unit Approval Committee in respect of SEZs located in Noida, Gr. Noida & Khurja held on 12.03.2013 at NSEZ, Noida – Reg.**

Sir,

I am directed to forward herewith minutes of the meeting of the Unit Approval Committee in respect of SEZs located in Noida, Greater Noida & Khurja held on 12.03.2013 at NSEZ, Noida.

This issues with the approval of the Development Commissioner, NSEZ.

Yours faithfully,

  
(Rakesh Kumar)

Deputy Development Commissioner

Encl: As above.

**NOIDA SPECIAL ECONOMIC ZONE**

**Minutes of the meeting of Unit Approval Committee in respect of SEZs located in Noida, Gr. Noida & Khurja (U.P.) held on 12.03.2013 at Conference Hall, NSEZ, Noida.**

The meeting was chaired by Shri Jayant Misra, Development Commissioner. The following officers / representatives also attended the UAC meeting:-

1. Shri K.K. Katheria, Addl. Commissioner, Air Cargo Customs, New Delhi
2. Shri B.K. Dixit, Jt. Commissioner, Income Tax, Noida.
3. Shri Rakesh Kumar, DDC, NSEZ.
4. Shri V.K. Singh, DC, Central Excise, Noida.
5. Shri Sharad Shrivastava, DC (Customs), NSEZ
6. Shri Utsav Sharma, AEE, UPPCB
7. Ms. Nimisha Sharma, Sr. Manager, GNIDA
8. Shri S.N. Paswan, Manager, DIC, Noida
9. Ms. Jyoti Wadhawan, Specified Officer
10. Shri R.K. Chauhan, Specified Officer

1. UAC ratified the minutes of meeting held on 12.02.2013.

2. **M/s. Aachvis Softech Pvt. Ltd., IT/ITES SEZ at Sector-144, Noida.**

(i). Proposal of M/s. Dell International Services Pvt. Ltd. for approval of list of services.

After due deliberations, UAC rejected the services proposed under Category-I and deferred the services proposed under Category-III with the direction to the unit to justify the proposed services with the approved authorized operation.

3. **M/s. Artha Infratech Pvt. Ltd., IT/ITES SEZ at Greater Noida**

(i) Proposal of M/s. Artha Infratech Pvt. Ltd., developer for approval of list of goods.

After due deliberations, UAC approved the list of goods required by the developer, for a period of six months, to carry on following authorized operations in the IT/ITES SEZ at Plot No. 21, Sector-Tech Zone IV, Greater Noida:-

List. No.	Name of Authorized Operation	Estimated Value of the goods (Rs. in lacs)		
		Indigenous	Import	Total
1.	Construction of all types of building in processing area.	37.40	15.75	53.15
2.	Electrical, Gas and petroleum natural gas distribution network including necessary sub-station of appropriate capacity, pipeline network etc.	5.00	-	5.00
	Total:	42.40	15.75	58.15

(ii). Ratification of the approval of the duty free import of 'False Ceiling Tiles' granted to the developer M/s. Artha Infratech Pvt. Ltd. for authorized operation in IT/ITES SEZ at Gr. Noida.

UAC ratified the interim permission granted by DC, NSEZ, Noida to the developer, M/s. Artha Infratech Pvt. Ltd. vide letter dated 20.02.2013 for duty free import of '4500 Sqmt False Ceiling Tiles' for a value of Rs.15.75 lacs to carry on authorized operation namely 'Construction of all types of building in processing area as approved by UAC' in IT/ITES SEZ at Plot No.21, Sector- Techzone IV, Greater Noida.



**4. M/s. Ansal IT City & Parks Ltd., IT/ITES SEZ at Gr. Noida.**

(i) Approval of layout plan of SEZ.

As decided by the UAC in its meeting held on 12.02.2013, the examination report submitted by M/s. KCKV Consultants Pvt. Ltd. in respect of revised layout plan of the IT/ITES SEZ at Plot No. TZ-06, Techzone, Greater Noida to be developed by M/s. Ansal IT City & Parks Ltd. was placed before the UAC. Representative of GNIDA informed that as per the practice of GNIDA the FAR to the extent of 25% (green area and other common facilities) of the total plot area is not admissible. Apart from this a sum of Rs. 13 Crores is also due from the developer. In response, the representative of the developer placed a 'No Dues Certificate' issued by GNIDA. As regard reduction of 25% area in FAR is concerned, the representative pointed out that NOIDA had approved 100% area without 25% reduction in respect of Seaview SEZ and Aachvis SEZ. Further, SEZ Policy of U.P. Govt. applies equally to Gr. Noida and NOIDA. In NOIDA, two projects have been approved in recent past with 100% area taken for FAR calculation. Thus the stand of GNIDA is inconsistent and is delaying the project. The representative of M/s. KCKV Consultants explained that they have not recommended FAR on 14% of the plot area utilized by road and common area, and that the stand of GNIDA is not correct.

After due deliberations, UAC approved the layout plan subject to complying observations made by M/s. KCKV. It also directed the developer to obtain approval of UAC prior to utilisation of balance FAR of 11% for which GNIDA is yet to take a final view.

**5. M/s. NIIT Technologies Ltd., IT/ITES SEZ at Greater Noida**

(i) Approval of Building plan

Representative of GNIDA informed that the building plan of NIIT SEZ has already been approved by them. UAC advised the representative of GNIDA to forward the approved building plan to UAC for ratification.

**6. Monitoring of performance / APR of SEZ units:-**

(i) M/s. iYogi Technical Services Pvt. Ltd., Unit in Aachvis Softech Pvt. Ltd. at Sector-144, Noida.

UAC monitored the performance of the unit on the basis of APR for the year 2011-12 and noted achievement of positive NFE.

**Supplementary agenda items.**


1. Issue regarding SAD exemption to the clearance to the clients of FTWZ Units.

On a representation made by M/s Arshiya Supply Chain Management Pvt. Ltd., a Unit at FTWZ, Khurja, the issue regarding exemption under Notification No. 45/2005-Cus dated 16.05.2005, as amended, to raw materials, intermediate products, components, consumables imported by manufacturer for consumption came up for discussion. It was pointed out that the Notification No. 45/2005-Cus grants exemption from payment of SAD to the goods cleared from Special Economic Zone subject to the condition that the goods when sold are not exempt from payment of Sales Tax/VAT by the State government. The DTA clearance (stock transfer) of goods imported by the clients of FTWZ Units is being allowed in terms of clarification issued by the DoC (SEZ Section) vide letter dated 31<sup>st</sup> May'2011 and on submission of an undertaking from the DTA Buyer to the effect that proof of payment of sales tax/VAT will be submitted to the SEZ Customs within the stipulated period of three months. The UAC decided that the said practice shall continue till further orders. Further, the Unit's said request for allowing exemption from SAD to the goods cleared from FTWZ and to be used in the manufacture of other goods was discussed and after due deliberations, the UAC decided as follows :-

The benefit of SAD exemption in respect of the goods imported and stock-transferred by such Units or clients who have manufacturing operations in DTA or by other Units or clients who sell such goods to other manufacturers in DTA shall be available subject to the condition that the Unit or client or the DTA buyer shall file the BOE (for FTWZ to DTA transfer) along with the following declaration/documents (apart from the documents as prescribed under the SEZ Rules, 2006).

- (a) A declaration by the DTA buyer to the effect that (i) the goods being cleared into DTA under the BOE from FTWZ, when sold are not exempt from payment of Sales Tax/VAT by the State government. (ii) the DTA buyer is registered with the Sales tax / VAT department (iii) the DTA buyer is registered with the Central Excise Department under the Central Excise Act,1944 and CE Rules,2002. (iv) the DTA buyer is eligible for or is availing Cenvat Credit facility of duty paid on inputs under Cenvat Credit Rules,2004 (v) the goods imported vide the said BOE are to be used in the manufacture of goods on which Sales Tax / VAT, as applicable shall be paid in due course.
- (b) A self-certified copy of Central Excise Registration Certificate issued by the Central Excise department under Central Excise Rules,2002 in respect of the unit of manufacture in DTA; and
- (c) An Undertaking to the effect that the DTA Buyer/client shall submit a CA certificate to the Specified Officer within 3 months of clearance of goods from FTWZ to the effect that the goods cleared have been utilised in the manufacture of goods payable to VAT / Sales Tax. In case the DTA Buyer / client fails to submit the CA certificate within the stipulated time, the Unit shall pay the duty (SAD) as applicable.

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



(Jayant Misra)  
Development Commissioner