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07/07/२२

आज़ादी का अमृत महोत्सव

नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण

(अधीनस्थ भारत सरकार)

वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग

नौएडा दादरी रोड, फेस-2, नौएडा जिला गौतम बुद्ध नगर(उ०प्र०)

ईमेल: dc@nsez.gov.in, वेबसाइट:www.nsez.gov.in

टेलीफोन 120-2567268/69/70

दिनांक:……...06.2022

सेवा में,

1. संयुक्त सचिव(एस.ई.जेड्स/ई.ओ.यू.), भारत सरकार, वाणिज्य एवं उद्योग मंत्रालय, उद्योग भवन, नई दिल्ली ।
2. संयुक्त डी.जी.एफ.टी.,117/एल-444, काकादेव, कानपुर-208025|
3. श्री अमित मेहरा, अध्यक्ष एवं प्रबंध निदेशक, मैसर्स मेडिको इलेक्ट्रोड्स इंटरनेशनल लिमिटेड, प्लॉट संख्या 142 ए/11 व 12, एनएसईजेड, नौएडा-201305 |
4. श्री अलोक मुखर्जी, निदेशक, मैसर्स आईडिमिया सिसकॉम इंडिया प्रा. लि., प्लॉट संख्या 60-61, एनएसईजेड, नौएडा-201305|

विषय:एन.एस.ई.जेड़. प्राधिकरण की दिनांक 27.06.2022 को पूर्वाहन 10:00 बजे आयोजित की गई बैठक का कार्यवृत अग्रेषित करने के सम्बन्ध मे |

महोदय,

उपरोक्त विषय के सन्दर्भ में, मुझे एन.एस.ई.जेड़. प्राधिकरण की दिनांक 27.06.2022 को पूर्वाहन 10:00 बजे आयोजित की गई बैठक का कार्यवृत आपके अवलोकनार्थ एवं आवश्यक कार्यवाही हेतु अग्रेषित करने का निर्देश हुआ है |

भवदीय,

नितिन

(नितिन गुप्ता)

उप विकास आयुक्त

एवं

सचिव, नौ. वि.आ.क्षे. प्राधिकरण

संलग्नक:उपरोक्त

का: प्रति.

प्रतिलिपि:-

1. निदेशक(एस.ई.जेड्स), भारत सरकार, वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग, उद्योग भवन, नई दिल्ली ।

2. ओ.एस.डी., अध्यक्ष एवं मुख्य कार्यपालक अधिकारी, एन.एस.ई.जेड़. प्राधिकरण, एनएसईजेड़, नौएडा |
3. निर्दिष्ट अधिकारी(सीमाशुल्क), एनएसईजेड़, नौएडा |
4. वरिष्ठ लेखाधिकारी, एनएसईजेड़, नौएडा |
5. मैसर्स राजीव शर्मा एंड एसोसिएट्स, ऑफिस संख्या 1014-1015, लोजिक्स ऑफिस टावर, सेक्टर-32, नौएडा-201301 |
6. श्री ए० स्टीफन लिओ, जनरल मैनेजर, मैसर्स वाप्कोस लिमिटेड, 76 सी, इंस्टीट्यूटनल एरिया, सेक्टर-18, गुरुग्राम-122015
7. सम्बंधित पत्रावली |

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उप विकास आयुक्त

एवं

सचिव, नौ. वि.आ.क्षे. प्राधिकरण

Minutes of meeting of NSEZ Authority held on 27.06.2022

नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण, नौएडा

दिनांक 27.06.2022 को पूर्वाहन 10:00 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण की बैठक का कार्यवृत

Minutes of meeting of NSEZ Authority(NSEZA) held under the Chairmanship of Shri. A. Bipin Menon, Chairman & CEO, NSEZ Authority at 10:00 AM on 27.06.2022 through video conferencing.

The following members of the NSEZ Authority were present through video conferencing during the meeting:-

1. Shri Nitin Gupta, Deputy Development Commissioner [Joint Development Commissioner (In charge) & Secretary, NSEZ Authority].
2. Shri Rakesh Kumar, FTDO, DGFT, Kanpur.
3. Shri. Amit Mehra, CMD, M/s Medico Electrodes International Ltd.
4. Shri. Alok Mukherjee, Director, M/s Idemia Syscom India Pvt. Ltd.

Besides, during the meeting i) Shri Amit Kumar Gupta, Deputy Commissioner (Customs), NSEZ, ii) Shri Ajay Kumar Mishra, Sr. Account Officer, NSEZ, iii) and Shri Pramod Kumar, Asstt. Development Commissioner, NSEZ, iv) Shri Bharat Bhushan, Assistant, and v.) Shri Rajeev Sharma, FCA, M/s Rajeev Sharma & Associates were also present to assist the Authority.

It was informed that quorum is there and meeting can proceed.

At the outset, the Chairman & CEO, NSEZA welcomed the participants and after brief introduction, each item included in the agenda were taken up for deliberations one by one and decided unanimously as under.

1. दिनांक 15.03.2022 एवं 25.03.2022 को आयोजित नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण की बैठक के कार्यवृत्त का अनुसमर्थन:

1.1 NSEZ Authority was informed that no reference was received against any of decisions taken in its meeting held on 15.03.2022 & 25.03.2022. It was also informed to Authority that in Minutes of the NSEZ Authority meeting held on 15.03.2022, at serial no. 02 i.e. regarding review of the approved annual budget for the year 2021-22, in the 'decision' part of said minutes due to typo "year 2020-21" was mentioned in place of "year 2021-22". The Authority took note of the same and accordingly, the Minutes of meeting held on 15.03.2022 and 25.03.2022 were ratified.

1.2 Further, NSEZ Authority reviewed the compliance of decisions taken in its meeting held on 15.03.2022 and 25.03.2022 in terms of sub-Rule 14 of Rule 10 of SEZ Authority Rules, 2009 and expressed satisfaction over progress made in implementation of decisions taken by the Authority in its meeting held on 15.03.2022 & 25.03.2022.

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2. नियम 6 (1) (IV), 11(2), 12 (1) और विशेष आर्थिक क्षेत्र प्राधिकरण नियम, 09 की अनुसूची II और III के अनुसार, वित्तीय विवरण (बैलेंस शीट) और वार्षिक रिपोर्ट 2021-22 की स्वीकृति |

2.1 The Draft Balance sheet and Annual Report for the year 2021-22 finalized by nominated CA firm viz. M/s. Rajeev Sharma & Associates was placed before NSEZ Authority in its meeting held on 27.06.2022 for approval in terms of Rules 6(1)(IV), 11(2), 12(1) of SEZ Authority Rules, 2009.

2.2 Sh. Rajeev Sharma, FCA, M/s. Rajeev Sharma & Associates briefed the presented the financial statements (Balance Sheet) and notes on accounts. Shri. Rajeev Sharma was requested to give his views in the matter of outstanding lease rent of Sick/Non-functional units. Sh. Sharma suggested that actual outstanding lease rent of Sick/Non-functional units may be reflected in the accounts and the following Resolution may be mentioned in Notes of Accounts under the heading sick units dues:
"*The Provision of Rs. --------------------- is being created for the dues of the sick units, which were not charged to Revenue A/c after the filing of the Court Cases of such defaulting units. The provision shall be reduced as and when the realization of such dues is made and consequently shall be shifted to the Revenue on realization basis.*"

2.3 Sh. Alok Mukherjee, Member suggested that outstanding lease rent of units wherein matters are pending in NCLT may be frozen as per claim filed by NSEZA.
2.4 It was also informed to the Authority that the export data for the year 2021-22 has been taken from the report already sent to DOC based on manual data collection which needs to be updated with data from NSDL. The Authority directed to mention the export data as per NSDL data.
2.5 The Authority directed that annual accounts (Balance Sheet) and annual report for the year 2021-22 may be amended/updated with unrealized dues against sick units as per suggestions by CA Firm and export data from NSDL. The Authority, after due deliberation approved the Balance Sheet and annual report for the year 2021-22 subject to incorporation of above amendments/updates in annual accounts and annual report for the year 2021-22. The Chairman & CEO directed Estate Division, NSEZ to forward the copies of Annual Accounts/ Reports for the year 2021-22 to CAG for statutory audit and DoC for information.

3. बैंकों को आवंटित जगह हेतु किराये की दरें निर्धारण एवं किराये पर GST लगाने के सम्बन्ध में |

3.1 The Authority discussed the agenda in detail. The Authority after due deliberation decided that the following changes as suggested by CA may be put in the demand notices, showing the liability of the allottees for deposit of GST under "Reverse Charge Mechanism". Further the allottees may also be informed about depositing the GST.

वकाया राशि पर ब्याज@ 12.00% प्रति वर्ष (IGST (EXEMPT)"

LUT No.AD090422006424G Date:05.04.2022
GST payable under Reverse Charge - NO/ YES as per notification no. 3/2018 - Central Tax (Rate) dated 25th January 2018

Minutes of meeting of NSEZ Authority held on 27.06.2022

-:टिप्पणी

जीरो रेटेड सप्लाई अथार्त वह सप्लाई जो विशेष आर्थिक क्षेत्र को बांड के साथ बिना IGST का भुगतान | किये सेक्शन 16-IGST एक्ट -2017 के अंतर्गत की जाती है

उपरोक्त पट्टा किराया/वकाया राशि का भुगतान वेबसाइट www.nsez.gov.in पर जाकर ऑनलाइन कर सकते है अथवा "नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण" या "NSEZ Authority" के पक्ष में डिमांड ड्राफ्ट/ पे आडर्र/बैंकर चैक के माध्यम से किया जा सकता है | अग्रिम किराया और बकाया राशी का भुगतान "| तिमाही के पहले महीने में न होने पर, दंडात्मक ब्याज प्रभारित किया जाएगा

3.2 The Authority empowered Chairman & CEO, NSEZ Authority to take a view in the matter of rates of lease rent to be charged from Banks on file.

4. सुरक्षा रक्षकों हेतु अस्थाई शेड्स बनाने एवं रात्रि ड्यूटी वाले सुरक्षा रक्षकों हेतु मेडिकल किट्स के सम्बन्ध में |

4.1 The report of Committee constituted by NSEZ Authority in its meeting held on 17.12.2021 was placed before NSEZ Authority for further deliberation. It was informed to the Authority that the committee physically inspected all the locations and recommended the 06 locations for High rise Security Tower and 09 locations for porta cabin with Solar Light at its roof:

4.2 The Authority discussed the agenda in detail. The Authority after due deliberation approved the recommendation of Committee. The Authority directed that estimate for installation of 06 nos. High rise Security Tower and 09 nos. porta cabin with Solar Light at their roofs may be asked from M/s WAPCOS Ltd., NBCC and NPCC Ltd.

5. प्लाट संख्या 183, एन०एस०ई०जेड़० पर निर्मित ईमारत मैसर्स एसोसिएटेड लाइटिंग कम्पनी को ट्रान्सफर करने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation decided to obtain legal opinion regarding payment of outstanding lease rent for the period 2009 to 2014, 2014 to 2016 and 2016 to 2021 and place the facts before next Authority meeting for further deliberation and decision.

6. मॉर्गेज अनुमति के लिए एनओसी के प्रारूप की समीक्षा के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation decided that Private Ltd. and Public Ltd. companies will be exempted for execution of indemnity bond. In case of non-availability of Completion/Occupancy Certificate, a copy of application made to Noida Authority shall be submitted by applicant unit. The Authority also directed the Estate Division to write a letter to Noida Authority for facilitating issuance of Completion/Occupancy certificate to NSEZ units as per building bye laws of Noida Authority.

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7. मुकदमेबाजी के तहत अप्रयुक्त एसईजेड कारखानों के साथ अदालत के बाहर समझौता करने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation decided to refer the matter to Department of Commerce.

8. एन०एस०ई०जेड़० में नए शौचालयों के निर्माण और पुराने सभी शौचालयों के नवीनीकरण हेतु प्राक्कलन प्रस्तुत करने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority observed that the estimated cost for construction of new toilets and renovation of all toilets in NSEZ, Noida appeared to be on higher side. The Authority directed the Sh. Nitin Gupta, DDC to examine the estimate and place the report before next Authority meeting for further deliberation.

9. स्टाफ क्वार्टर ब्लॉक 'ए' एवं 'सी' में नवीनीकरण कार्य के सम्बन्ध में |

The Authority discussed the agenda in detail. It was informed by representative of M/s WAPCOS Ltd. to the Authority that the estimated cost for renovation of Staff quarter 'A' & 'C' Blcok, NSEZ, Noida has increased as building need retrofitting and strengthening to increase stability and life of building as per structure Audit report. The Authority after due deliberations approved the revised estimated cost of Rs.69,53,297/- submitted by M/s WAPCOS Ltd. for renovation of Staff quarters'A' & 'C' Blcok, NSEZ, Noida. Wapcos Ltd. was also directed to submit a signed copy of the report immediately.

10. प्लॉट्स पर बने भवन की नीलामी के लिए आरक्षित मूल्य का निर्धारण करने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation decided that reserve price of Building, Plant & Machinery/goods erected at Plot No.129G/09, NSEZ may be fixed as per components decided for fixation of reserve price by NSEZ Authority in its meeting held on 26.10.2015 except component "Liability of Customs duty" and take further necessary action for placing the building in e-auction at the earliest.

11. सम्पदा विभाग के लिए सुविधा केंद्र में एक कार्यालय का भवन स्थापित करने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation approved the proposal of establishment of an office building in 1st Floor, Facilitation Centre, NSEZ. The Authority directed that the proposed office building in 1st Floor, Facilitation Centre, NSEZ should be state of the art with an IT enabled conference room. The Authoriy directed to take further action reg. various aspects with regard to development of Authority office in facilitation centre, on file and place the progress in its next meeting for further review/directions.

12. सुरक्षा व्यवस्था को मजबूत करने के लिए आरएफआईडी आधारित प्रवेश/संग्रह प्रणाली के सम्बन्ध में |

The Authority discussed the agenda in detail. The representative of Park+ gave a detailed

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presentation before Authority. The Authority after due deliberation decided that follow up meetings will be fixed later.

13. मैसर्स वाप्कोस लिमिटेड द्वारा दी जा रही सेवाओं के प्रदर्शन की समीक्षा |

Progress report in respect of services provided by M/s WAPCOS Ltd. was placed before the Authority. The Authority reviewed the services one by one and took note of progress made.

अध्यक्ष को धन्यवाद के साथ बैठक समाप्त हुई।

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(नितिन गुप्ता)
उप विकास आयुक्त

अ. बिपिन मेनन

(अ. बिपिन मेनन)
अध्यक्ष एवं सीईओ

नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण

दिनांक 27.06.2022 को पूर्वाहन 10:00 बजे आयोजित होने वाली नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण की बैठक की कार्यसूची

Minutes of meeting of NSEZ Authority held on 15-03-2022.

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नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण, नौएडा

दिनांक 15.03.2022 को पूर्वाह्न 11:00 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण की बैठक का कार्यवृत

Minutes of meeting of NSEZ Authority(NSEZA) held under the Chairmanship of Shri. A. Bipin Menon, Chairman & CEO, NSEZ Authority at 11:00 AM on 15.03.2022 through video conferencing.

The following members of the NSEZ Authority were present through video conferencing during the meeting:-

1. Shri Nitin Gupta, Deputy Development Commissioner [Joint Development Commissioner (In charge) & Secretary, NSEZ Authority].
2. Shri Rakesh Kumar, FTDO, DGFT, Kanpur.
3. Shri. Amit Mehra, Chief Managing Director, M/s Medico Electrodes International Ltd.
4. Shri. Alok Mukherjee, Director, M/s Idemia Syscom India Pvt. Ltd.

Besides, during the meeting i) Shri Amit Kumar Gupta, Deputy Commissioner (Customs), NSEZ, ii) Shri Ajay Kumar Mishra, Sr. Account Officer, NSEZ, iii) and Shri Pramod Kumar, Asstt. Development Commissioner, NSEZ, iv) Shri Bharat Bhushan, Assistant, and v.) Shri Kshitij Sharma, CA, M/s Rajeev Sharma & Associates were also present through video conferencing to assist the Authority.

It was informed that quorum is there and meeting can proceed.

At the outset, the Chairman & CEO, NSEZA welcomed the participants and after brief introduction, each item included in the agenda were taken up for deliberations one by one and decided unanimously as under.

1. दिनांक 17.12.2021 को आयोजित नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण की बैठक के कार्यवृत्त का अनुसमर्थन:

1.1 NSEZ Authority was informed that no reference was received against any of decisions taken in its meeting held on 17.12.2021. Accordingly, the Minutes of meeting held on 17.12.2021 were ratified.

1.2 Further, NSEZ Authority reviewed the compliance of decisions taken in its meeting held on 17.12.2021 in terms of sub-Rule 14 of Rule 10 of SEZ Authority Rules, 2009 and expressed satisfaction over progress made in implementation of decisions taken by the Authority in its meeting held on 17.12.2021.

2. प्राधिकरण द्वारा अनुमोदित वर्ष 2021-22 के वार्षिक बजट की समीक्षा के सम्बन्ध में।

The budget provisions as approved by the NSEZ Authority for the year 2021-22 and its utilization/outcome up to 10.03.2022 was placed before the Authority for perusal/review as under:-

A. **Revenue Receipt:-**

(Rs. in Lakh)

S. No.	Particulars	Estimated revenue for the year 2021-22	Actual revenue receipt up to 10.03.2022	Expected revenue receipt up to 31.03.2022	Total (4+5)	Remarks
1.	2.	3.	4.	5.	6.	7.
A-1	**Estimated Revenue:**					
	Lease Rentals	3300.00	3151.67	10.00	3161.67	
	User Charges	850.00	225.04	2.00	227.04	
	Interest on fixed deposit	1200.00	610.24	250.00	860.24	
	Others	60.00	1.74	2.00	3.74	
	Total	**5410.00**	**3988.69**	**264.00**	**4252.69**	
A-2	**Funds available:**					
	(i) FDs:-	22855.66	27555.89	0.00	27555.89	
	(ii) Funds available in the Banks (Current/Saving A/cs.)	1440.73	256.77	0.00	256.77	
	Total (i) + (ii)	**24296.39**	**27812.66**	**0.0**	**27812.66**	

B. <u>Actual/Estimated Expenditure:-</u>

B.	Estimated Expenditure	Estimated Expenditure for the year 2021-22	Actual Expenditure up to 10.03.2022	Expected Expenditure up to 31.03.2022	Total (4+5)	Remarks
	Minor works: Infrastructure Development (Capital expenditure)	10496.03	188.87	0.00	188.87	
	Maintenance	880.00	687.16	33.37	720.53	
	Rent Rate & Taxes	250.00	181.52	4.47	185.99	
	FTE/DTE	10.00	0.00	0.00	0.00	
	Professional fee/ charges	100.00	38.46	0.82	39.28	
	Advertisement & Publicity	10.00	0.03	0.00	0.03	
	Office Expenses	120.00	83.26	4.77	88.03	
	Salary & wages	0.00	0.00	0.00	0.00	
	Misc. Expenses	100.00	0.00	0.00	0.00	
	Total:	**11966.03**	**1179.30**	**43.43**	**1222.73**	

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निर्णय: - NSEZ Authority in terms of Rule 10(2) of SEZ Authority Rules, 2009 reviewed the Budget for the year 2020-21 with respect to utilization of funds Physical progress of ongoing projects. The Authority noted the shortfall in Revenue targets as per Budget provisions approved for the year 2021-22 on account of COVID-19 outbreak. The Members of NSEZ Authority observed that actual expenditure has not been proportionally incurred vis-a-vis projects as approved for the year 2021-22. Reasons for this were discussed in details. Major reason for not fully utilizing estimated budget of infrastructure development i.e. out of 10496.03 lakh during the year 2021-22 is that the most of works have not been commenced. The Authority deliberated upon the issue and in the given circumstances expressed satisfaction over the progress made in the matter & also noted that most of works have been affected due to Covid-19 pandemic.

3. वर्ष 2022-23 के वार्षिक बजट की स्वीकृति के सम्बन्ध में ।

The Annual Budget for the 2022-23 is placed before Authority for approval as under-

Annual Budget for the year 2022-23

S. No.	Particulars	Rs. in lakh	Remarks
1.	2.	3.	4.
A-1	**Estimated Revenue**		
	i. Lease Rentals (Lease rent, maintenance charges, interest on delayed payment).	3300.00	
	ii User Charges (I-Card & Entry permit fees, Form-I, Transfer charges, Allotment fee, water charges and sale of scrap).	600.00	
	iii. Interest on fixed deposit	850.00	
	iv. Others (License Fees, Bid amount & misc. income).	60.00	
	Total(i to iv)	**4810.00**	
A-2	.i. Funds available in shape of FDs up to 10.03.2022	27555.89	
	ii. Funds available in the Banks in saving & current A/cs up to 10.03.2022.	256.77	
	Total(i+ii)	**27812.66**	
	Grand Total {(A-1)+(A-2)}	**32622.66**	
B	**Estimated Expenditure** i. Minor works		
	a. Infrastructure Development	10032.95 *	
	b. Maintenance	880.00	

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	ii. Rent Rate & Taxes	250.00
	iii. Foreign/Domestic travelling expenses	10.00
	iv. Professional fee/ charges	100.00
	v. Advertisement & Publicity	20.00
	vi. Office Expenses	120.00
	vii. Salary & wages	00.00
	viii. Misc. Expenses	100.00
	Total(i to viii)	**11512.95**

***Total Estimated expenditure of Infrastructure Development:-**

S. No.	Description	Amount(in lakh)
1.	Estimated expenditure of new works to be carried out during the year 2022-23 (Details given in **Table -A** below)	2834.15
2.	Estimated expenditure which has been carried forward from previous year 2021-22:(Details given in **Table -B** below)	7198.80
3.	**Total(1+2)**	**10032.95**

निर्णय:- The Authority after due deliberation approved the budget provision of Rs.11512.95 for infrastructure development and other activities as mentioned above.

A. Details of new works to be carried out during the year 2022-23:

S. No.	Description of work	Projected estimated cost	Estimated expenditure during 2022-23.	Remarks
1.	Construction of a new warehouse in CWC, Complex	325.68	325.68	Amount based on earlier constructed warehouse in CWC, NSEZ.
2.	Installation of water softener plant in Staff Quarter, NSEZ.	28.02	28.02	Amount based on estimate received from WAPCOS Ltd.
3.	Installation of Porta Cabin for Security Guard and high rise security towers in NSEZ.	73.80	73.80	
4.	Various beautification works in NSEZ.	131.00	131.00	

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5.	Re-construction of central verge with RCC from DSC road to Plot No.147(main road), Plot No. 128 to SDF 'G' Block and Plot No.78 to Gate No. 02, NSEZ.	330.80	330.80	
6.	Re-construction of main bitumin road from DSC road to Plot No.147, Plot No.128 to G Block and Plot No. 78 to Gate No. 02, NSEZ.	936.00	936.00	
7.	Replacement of Sodium street light including pole with LED light including G.I. pole from DSC road to Plot No.147, Plot No.128 to G Block and Plot No. 78 to Gate No. 02, NSEZ.	249.69	249.69	
8.	Laying of interlocking tiles on both side of road from Plot No.153 to Plot No. 147, Plot No.128 to SDF 'G' Block and Plot No. 78 to Gate No. 02, NSEZ.	117.00	117.00	
9.	Increase the height of low boundary wall from to Plot No. 142A/24 to SDF 'L' Block (approx 2 KM) and re-construction RCC boundary wall from Gate No. 01 to DSC road (approx 400 meter).	392.00	392.00	
10.	Redevelopment of Park No.6, NSEZ.	50.16	50.16	
11.	Misc works	200.00	200.00	Expected.
12.	**Total(1 to 11)**	**2834.15**	**2834.15**	

B. Details of estimated expenditure which has been carried forward from previous year 2021-22:

(Rs. in Lakh)

S. No.	Description of work	Approved expenditure as per budget provision for the year 2021-22	Actual expenditure up to 10.03.2022	Expected expenditure up to 31.03.2022	Balance to be paid or being carried forward for the budget year	Remarks

					2022-23	
1.	Commissioning of STP/ETP in NSEZ.	2500.00	0.00	0.00	0.00	Authority decided to drop the work.
2.	Construction of cycle track in NSEZ.	84.88	40.91	0.00	43.97	Work completed. U. C. awaited.
3.	Construction of new Standard Design Factory (SDF) Building (SDF 'N' Block). Projected estimated cost Rs.6000.00 lakh	3000.00	0.00	0.00	3000.00	Authority decided to keep work in abeyance till availability of space.
4.	Construction of UGR and overhead tank of one lakh liter capacity near Staff quarters/Service Centre, NSEZ.	53.66	0.00	0.00	53.66	Work not commenced.
5.	Renovation of Staff Quarters 'A' and 'C' Block, NSEZ.	70.00	0.00	0.00	60.27	Estimate of Rs.60.27 lakh approved.
6.	Clubbing & renovation of Staff Quarter D-02 with Guest House (D-01), NSEZ.		0.00	0.00	31.74	Estimate of Rs.31.74 lakh approved.
7.	Construction of boundary wall in Staff Colony, NSEZ		13.48	0.00	0.00	Work completed.
8.	Open Gym in Park behind Service Centre Building, NSEZ.	30.00	0.00	0.00	30.00	Work not commenced.
9.	Construction of Badminton Court, Basketball Court etc. in Staff Colony, NSEZ.					
10.	Construction of a hall on the roof top of	168.46	0.00	0.00	0.00	Authority decided to

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	building (allocated to NDRF) behind Service Centre, NSEZ to install compactor, store room and auditor room etc.					drop the work.
11.	Redesigning of office's sections by removing existing work station at 2nd Floor, NSEZ. Projected estimated cost Rs.300.00 lakh	200.00	0.00	0.00	200.00	Work not commenced.
12.	Development of green area behind SDF-M, F and up to the end of SDF- L Block, NSEZ.	68.16	0.00	0.00	68.16	Work not commenced.
13.	Construction of Tea/Refreshment points/Kiosks at SDFs Block in NSEZ, Noida.	150.00	0.00	0.00	0.00	Authority decided to drop the work.
14.	Plying of battery operated e-Rickshaw from metro station to NSEZ (only for intra zone use).	10.00	0.00	0.00	10.00	Work not commenced.
15.	RFID enabled entry/collection system in order to strengthen security.	100.00	0.00	0.00	100.00	Work not commenced.
16.	**Public Toilets improvements**: Tiling work on the outer walls of existing 6 nos. toilets and construction of 4 more new toilets as earmarked: a. Near parking area at the end point of boundary wall. b. Near Plot No.	68.00	0.00	0.00	68.00	Work not commenced.

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	129G, NSEZ c. Near SDF L & M Block, NSEZ d. Near Plot no. 27, NSEZ					
17.	Repairing and painting of overhead water tank erected in Park No. 3.	100.00	0.00	0.00	100.00	Work not commenced.
18.	Repairing and painting of 7 nos. electric substations.	80.00	0.00	0.00	80.00	Work not commenced.
19.	Repairing of all water & fire pumps houses	9.55	8.98	0.00	0.00	Work completed.
20.	Laying of Kota stone on the Ground Floor at SDF J Block and repairing of Shaft including replacement of pipe and waterlines.	35.00	0.00	0.00	35.00	Work not commenced
21.	Repairing and painting of fire water tanks / replacement of water lines from booster pumps of SDF- D Block to SDF A, B, C, D and E Blocks.	300.00	0.00	0.00	300.00	Work not commenced
22.	Replacement of 9 nos. lifts in SDF J, K, F, G, H, I, J and Trading block, NSEZ.	395.63	0.00	0.00	159.72	Work going on. Estimate of Rs.159.72 lakh approved.
23.	Re-development of drainage system in phase manner.	2000.00	0.00	0.00	2000.00	Work not commenced.
24.	Re-laying of sewer lines in SDF F,G,H and I Block	31.54	19.58	0.00	11.96	Work completed. U.C. awaited.
25.	Renovation of SDF D, E, K and Trading	447.16	0.00	0.00	447.16	Work not commenced.

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	Block, NSEZ					
26.	Additional work in respect of Fire Fighting work of SDF F, G, H & I, Block, NSEZ.	113.82	0.00	0.00	113.82	Work not commenced.
27.	Repairing of Footpath & fixing of tiles from Gate No. 1 to DSC road in NSEZ.	0.56	0.00	0.00	0.56	Work completed. U.C. awaited.
28.	Repair of boundary wall of parks near overhead tanks.	18.51	0.00	0.00	18.51	Work going on.
29.	Construction of new single story warehouse in CWC complex.	41.91	28.48	0.00	0.00	Work completed.
30.	Supply of heavy duty 04 wheels iron trolley for mounting of 100 HP Heavy DG Set/Water pump along with all accessories on the trolley for use at the time of water logging	0.32	0.00	0.00	0.32	Work completed. U.C. awaited.
31.	Replacement of 15 nos. of sewer chamber covers near SDF ABC block to Gate No. 02 and construction of 22 meter sewer line, NSEZ.	0.37	0.00	0.00	0.37	Work completed. U.C. awaited.
32.	Installation of CCTVs in NSEZ complex	50.00	0.00	0.00	50.00	Work not commenced.
33.	Re-operationalization of Solar System installed at roof top of Service Centre, NSEZ.	18.50	0.00	0.00	65.58	Estimate cost of Rs.65.58 lakh approved.

34.	Replacement of waterline of SDF E Block and repairing of structure of water tanks and installation of alarm system in all SDFs to prevent water wastage.	100.00	0.00	0.00	100.00	Work not commenced
35.	Repair of sewer line from sewerage pump station to CWC (Tentatively 1.5 KM)	50.00	0.00	0.00	50.00	Work not commenced
36.	**Total(1 to 35)**	**10296.03**	**111.43**	**0.00**	**7198.80**	

4. पट्टा किराया एवं अन्य यूजर चार्ज की दरों में संसोधन करने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation, the authority on the suggestion of member of Authority, representing Trade, decided to increase lease rent and other charges @ 5% (to be rounded off to nearest rupee) as under:-

Lease rent (Per Sq. mtr Per Annum)	**Existing rates**	**Approved rates**	**Increment**
SDF	₹2,000/-	₹2,100/-	5%
Plot	₹144/-	₹151/-	5%
Maintenance charges (Per Sq. mtr Per Annum)	₹ 24/-	₹25/-	5%
Water charges	**Per quarter**	**Per quarter**	
a. **Plots up to 1000 sqr mtrs**	₹1,200/-	₹1,260/-	5%
b. **Plots up to 5000 sqr mtrs**	₹ 1,695/-	₹ 1,780/-	5%
c. **Plots above 5000 sqr mtrs**	₹ 3,390/-	₹ 3,560/-	5%
d. **SDF**	₹ 2,260/-	₹ 2,373/-	5%

The above rate shall be applicable w.e.f. 01/04/2022."

5. दिनांक 20.09.2021 को एनएसईजेड में माननीय सीआईएम के साथ एनएसईजेड एंटरप्रेन्योर्स एसोसिएशन द्वारा चर्चा किए गए मुद्दे के सन्दर्भ में ।

i. Out of court settlement with the unutilised NSEZ factories under Litigation-reg.

The Authority discussed the agenda in detail. The Authority after due deliberation, decided that the matter may be taken up with Department of Commerce for appointment of Arbitrator for out of court settlement matters. The Authority also decided that legal opinion regarding settlement of the cases through Arbitration may be sought from legal firm before taking up the matter with DoC.

ii. Request to allow MSME to deposit Bank Guarantee in place of cash deposit-reg.

The Authority discussed the agenda in detail. The Authority after due deliberation, decided that Regd. MSME unit(s) may, as an option, deposit allotment fee (non-refundable)@1,750/- per sqr mtrs in 05 equal annual instalment over a period of 5 years and interest free security money equivalent to one year lease rent in 02 equal annual instalment over a period of 2 years or optionally may submit the Bank Guarantee (to be renewed by unit from time to time) as security money equivalent to one year lease rent.

6. मॉर्गेज परमिशन जारी करने हेतु अनुमति पत्र प्रारूप के अनुमोदन के सम्बन्ध में |

The Authority after due deliberation decided to defer the proposal for next meeting.

7. सर्विस सेंटर की छत पर स्थापित सोलर सिस्टम के पुनसंचालन हेतु प्राक्कलन के अनुमोदन के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority observed that since the solar plant installed at rooftop of Service Centre building is based on old technology, it is better to get it replaced on account of non availability of parts, lower efficiency, high cost of maintenance and ineffectiveness of warranty for such products of old technology.. The Authority after due deliberation, decided to replace the old Solar Panels with new solar panels and approved the estimated cost of Rs.65,58,078/- submitted by M/s WAPCOS Ltd. for the same. The Authority also directed that WAPCOS may be asked to make a presentation in this regard before finalizing the executing agency.

8. गेस्ट हाउस (डी-01), एन०एस०ई०जेड़०, नोएडा के साथ स्टाफ क्वार्टर डी-02 का क्लबिंग और नवीनीकरण |

The Authority discussed the agenda in detail. The Authority after due deliberation, approved the estimated cost of Rs.31,73,714/- submitted by M/s WAPCOS Ltd. for clubbing and renovation of Guest House(D-01) with Staff Quarter D-02, NSEZ.

9. स्टाफ क्वार्टर ब्लॉक 'ए' एवं 'सी' में नवीनीकरण कार्य के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation, approved the estimated cost of Rs. 60,26,659/- submitted by M/s WAPCOS Ltd. for renovation of Staff Quarter 'A' & 'C' Block, NSEZ subject to submission of stability certificate of buildings.

10. एन०एस०ई०जेड़० में विभिन्न सौंदर्यीकरण कार्य कराने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation, approved the beautification work as mentioned in agenda.

11. मैसर्स गुजेशवरी अप्पेर्ल्स, प्लाट संख्या 92 पर ट्रान्सफर चार्जेज लगाने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority observed that the Approval Committee in its meeting held on 07.10.2015 had withdrawn the order-in-original dated 23.01.2015 and the said change in the constitution was never taken on record & no sublease deed was executed. .Further, the Authority observed that the unit has already deposited an amount of Rs.10.00 lakh, which was imposed by the Authority against the change of constitution of the unit taken on record. The Authority after due deliberation decided that transfer charges, which were withdrawn by the UAC in its meeting held on 07.10.2015, would not be applicable on the unit.

12. नौएडा एसईजेड, नौएडा में भवन, संयंत्र और मशीनरी, अन्य विविध वस्तुओं और वित्तीय संपत्तियों के मूल्यांकन करने हेतु स्वतंत्र पंजीकृत मूल्यांकक को एनएसईजेड़ के पैनल पर लेने के सम्बन्ध में |

The Authority after due deliberation ratified the decision taken on file for empanelment of M/s Black Olive Ventures Pvt. Ltd., Noida for providing valuation of building, plant & machinery, other misc goods and financial assets in Noida SEZ, Noida.

13. नौएडा एसईजेड, नौएडा में इंजीनियरिंग-सह-वास्तुकार(Engineering Cum Architect) फर्म/ सरकारी सेवानिवृत्त इंजिनियर अनुबंधित करने के सम्बन्ध में |

The Authority after due deliberation decided to defer the proposal for next meeting.

14. स्टाफ क्वार्टर, एनएसईजेड़ के निकट एक लाख लीटर की क्षमता का UGR एवं ओवर हेड टैंक बनाने के साथ स्टाफ क्वार्टर्स की मौजूदा जल आपूर्ति पाइपलाइन बदलने के सम्बन्ध में |

The Authority after due deliberation decided to defer the proposal for next meeting.

15. एसडीएफ सं. एफ-14 & एफ-04, NSEZ के किरायेदारी समझौता के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation condoned the delay in execution of Tenancy Agreement in respect of SDF No. F-14 & F-04, NSEZ, Noida.

16. मैसर्स सहसरा इलेक्ट्रॉनिक सलूशन(पहले मैसर्स नोर्दर्न पेट्रोलियम कंपनी) को अतितिक्त जगह आवंटन के सम्बन्ध में |

The Authority after due deliberation decided to defer the proposal for next meeting.

17. **मैसर्स वाप्कोस लिमिटेड द्वारा दी जा रही सेवाओं के प्रदर्शन की समीक्षा|**

The Authority after due deliberation decided to defer the proposal for next meeting.

अध्यक्ष को धन्यवाद के साथ बैठक समाप्त हुई।

(नितिन गुप्ता)	(अ. बिपिन मेनन)
उप विकास आयुक्त	अध्यक्ष एवं सीईओ

नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण, नौएडा

दिनांक 25.03.2022 को पूर्वाह्न 11:00 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण की बैठक का कार्यवृत

Minutes of meeting of NSEZ Authority(NSEZA) held under the Chairmanship of Shri. A. Bipin Menon, Chairman & CEO, NSEZ Authority at 11:00 AM on 25.03.2022 through video conferencing.

The following members of the NSEZ Authority were present during the meeting:-

1. Shri Nitin Gupta, Deputy Development Commissioner [Joint Development Commissioner (In charge) & Secretary, NSEZ Authority].
2. Shri. Alok Mukherjee, Director, M/s Idemia Syscom India Pvt. Ltd.

Besides, during the meeting i) Shri Amit Kumar Gupta, Deputy Commissioner (Customs), NSEZ, ii) Shri Ajay Kumar Mishra, Sr. Account Officer, NSEZ, iii) and Shri Pramod Kumar, Asstt. Development Commissioner, NSEZ. iv) Shri Bharat Bhushan, Assistant. and v.) Shri Rajeev Sharma, CA, M/s Rajeev Sharma & Associates were also present to assist the Authority.

It was informed that quorum is there and meeting can proceed.

At the outset, the Chairman & CEO, NSEZA welcomed the participants and after brief introduction, each item included in the agenda were taken up for deliberations one by one and decided unanimously as under.

1. मॉर्गेज परमिशन जारी करने हेतु अनुमति पत्र प्रारूप के अनुमोदन के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation approved the following format for issuance of mortgage permission to the NSEZ unit(s):-

F.No................ dated: ....

To,

M/s. ....,
Plot No. ...., NSEZ,
Noida-201305

Subject: NOC for equitable mortgaging of building at Plot No. ...., NSEZ: reg.

Sir,

I am directed to refer to your letter dated .... on the subject cited above and to convey the "No Objection" of the Competent Authority to create equitable mortgage on the building and plant & machineries erected at Plot No............., NSEZ(allotted to M/s..................) in favour of .... subject to the following conditions: -

1. It is clarified that the present NOC is only for the facilitating of the mortgage of the building erected on the Plot No. ...., NSEZ Noida. **The plot is not a subject**

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matter of mortgage being the property of the Govt. of India.

2. NOC is valid for the period of Sub-lease deed of the plot only. The period of lease may be extended on request of the unit on expiry of lease period and the sole responsibility of applying for the same shall lie with the unit. Also validity of Sub Lease deed will be coterminous with the validity of Letter of Approval (LOA). On expiry of the LOA, the lease rights would revert back to NSEZ Authority and the mortgage of lease rights would automatically stand vacated with effect from the date of expiry of LOA.
3. All charges of NSEZ for all claims under and/ or arising out of the lease, would have priority over the claim that mortgagee may have against the Sub Lessee for the loans, namely First charge over the building shall be of NSEZ Authority for the amount of unpaid balance / dues of Lessee/NSEZ Authority.
4. Unit will also execute an Indemnity Bond on non-judicial stamp paper of Rs. 100/- duly notarized indemnifying that Directors/Promoters/Partners shall pay unpaid balance dues of NSEZ Authority from their personal accounts in case lease rent is due over the period of one year.

This NOC is issued on the basis of information furnished by the unit that the subject assets have not been mortgaged to any other financial institution / bank for availing loan.

Yours faithfully,

(..)

Deputy Development Commissioner

प्रतिलिपि:-

Bank Details

Deputy Development Commissioner

2. नौएडा एसईजेड, नौएडा में इंजीनियरिंग-सह-वास्तुकार(Engineering Cum Architect) फर्म/ सरकारी सेवानिवृत्त इंजिनियर अनुबंधित करने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation decided to engage an engineering consultancy firm or independent professionals retired from government agencies for following works in respect of infrastructural including civil, electrical and mechanical works/Misc related works to be carried out in NSEZ, Noida:-

i.

i. Examine the proposals for new civil/electrical/ infra/development work and maintenance operations of the zone (called projects) and report on its necessity/requirement
ii. Define the scope of work in a proposed project along with the time lines
iii. Scrutinise the proposals submitted by the executing agencies from time to time
iv. Monitoring the ongoing work being executed by the agencies in the

ongoing projects

v. Ensure the quality of work in the ongoing projects and report wherever any deficiency is noticed

vi. Assess the quality of the work in a completed project and give NOC and work completion report

vii. Render advice and assistance to NSEZ Authority on ongoing basis

viii. Undertake any related/incidental and miscellaneous work allotted to them by the NSEZ Authority

The Authority directed Dy. Commissioner (Customs), NSEZ to assist in the preparation of terms and conditions of the tender for hiring of engineering consultancy PSU or independent engineering professionals who retired from central/state or PSUs. The Authority was of the view that while the tender with suitable criteria would be made public, it may be directly sent to CPWD, IIT Delhi and engineering consultancy PSUs. A RFP may be suitably prepared for seeking bids.

3. स्टाफ क्वार्टर, एनएसईजेड़ के निकट एक लाख लीटर की क्षमता का UGR एवं ओवर हेड टैंक बनाने के साथ स्टाफ क्वार्टर्स की मौजूदा जल आपूर्ति पाइपलाइन बदलने के सम्बन्ध में |

3.1 It was informed to the Authority that M/s NBCC India Ltd. has submitted estimate only for construction of underground water tank.

3.2 The Authority discussed the agenda in detail. The Authority after due deliberation decided to defer the matter with the directions to write a letter to M/s NBCC India Ltd. to submit the estimate for construction of UGR and overhead tank of one lakh liter capacity near Staff quarters, NSEZ and replacement of existing water supply pipeline of staff quarters.

4. मैसर्स सहसरा इलेक्ट्रॉनिक सलूशन (पहले मैसर्स नोर्दर्न पेट्रोलियम कंपनी) को अतितिक्त जगह आवंटन के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation directed the unit to remove the unauthorised construction/encroachment made over and above the allotted area and contain its building within the actually allotted area as mentioned in allotment/possession/sub lease documents. The Authority also directed Estate Division to cover the nearby land/park area with fencing after removal of encroachment by the unit.

5. मैसर्स वाप्कोस लिमिटेड द्वारा दी जा रही सेवाओं के प्रदर्शन की समीक्षा|

5.1 Progress report in respect of services provided by M/s WAPCOS Ltd. was placed before the Authority. The Authority reviewed the services one by one and took note of progress made.

5.2 The Authority reviewed the services of Wapcos Ltd and expressed its dissatisfaction on the services provided/maintained by WAPCOS esp for security, house keeping and

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maintenance of greenery in the zone and directed the WAPCOS to take immediate corrective measures to improve their various operation & maintenance services provided by them in the Zone. Further keeping in view the assurances of better services from the Wapcos management, taking into account its overall performance and validity of contract going to expire soon, the Authority after due deliberation, extended the validity of contract with M/s WAPCOS Ltd. for one year i.e. up to 30.06.2023 for providing various operation & maintenance services on same rates, terms and conditions. The Authority further directed Wapcos Ltd. to invite fresh tenders for the services being tendered in the zone to appoint good professional agencies to provide quality services in the zone.

5.3 The Authority again expressed its dissatisfaction on the execution and quality of construction of cycle track and directed Wapcos to finish the work with required modifications expeditiously.

6. **Replacement of Goods lifts in SDF Block H, J, K Blocks & Passenger lift in Trading Block and repairing of Goods lifts in SDF F, G, I Blocks & Passenger lifts in SDF F, G, H, I J Blocks at NSEZ, Noida-reg.**

6.1 It was informed to the Authority that M/s WAPCOS Ltd. has not signed the memorandum containing the terms & conditions of the work award of "Replacement of Goods lifts in SDF Block H, J, K Blocks & Passenger lift in Trading Block with maintenance of said lifts for 1+4 years (1 year warranty and 4 years maintenance); and repairing of Goods lifts in SDF F, G, I Blocks & Passenger lifts in SDF F, G, H, I J Blocks at NSEZ, Noida, of ThyussenKrupp/Otis make".

6.2 The Authority discussed the agenda in detail. The Authority after due deliberation directed WAPCOS Ltd. to invite tender for replacement of new lifts as per Public Procurement (Preference to make in India) order, 2017 (PPP-MII Order, 2017), as amended, issued by the Department for Promotion of Industry and Internal Trade(DPIIT) to encourage 'Make in India' and also follow all applicable Govt. guidelines/provisions w.r.t. all works awarded to it by this office. The Authority also directed Wapcos Ltd. to immediately submit acceptance of terms & conditions of the work award letter reg. repair/replacement of lifts.

6.3 M/s WAPCOS Ltd. requested to grant extension of time up to 31.03.2022 in respect of repairing of Goods lifts in SDF F, G, I Blocks & Passenger lifts in SDF F, G, H, I, J Blocks at NSEZ, Noida. Authority agreed for extension subject to submission of written request of M/s WAPCOS Ltd.

अध्यक्ष को धन्यवाद के साथ बैठक समाप्त हुई।

(नितिन गुप्ता)
उप विकास आयुक्तन&नसचिवन

अबिपिन मेनन

(अ. विपिन मेनन)
अध्यक्ष एवं सीईओ

(17)

Agenda for the meeting of NSEZ Authority to be held on 27.06.2022

(2) **विषय:- नियम 6 (1) (iv), 11(2), 12 (1) और विशेष आर्थिक क्षेत्र प्राधिकरण नियम, 2009 की अनुसूची II और III के अनुसार, वित्तीय विवरण (बैलेंस शीट)और वार्षिक रिपोर्ट 2021-22 की स्वीकृति।**

It is submitted that the Balance sheet and Annual Report for the year 2021-22 has been finalized by nominated CA firm viz. M/s. Rajeev Sharma & Associates which may be seen at page no……

2. It is mentioned that as per office memorandum No H-11020/1/2017-SEZ dated 01/11/2017 issued by DoC, it should be forwarded to CAG by the end of June.

3. In view of above, the Balance sheet and Annual Report for the year 2021-22 is placed before NSEZ Authority meeting to held on 27.06.2022 for approval in terms of Rules 6(1)(iv), 11(2), 12(1) of SEZ Authority Rules, 2009.

*****

RAJEEV SHARMA & ASSOCIATES
Chartered Accountants

1014-15 Logix Office Tower,City Centre Sector 32,Noida UTTAR PRADESH 201301
Ph. 9811817979,120-4128445
e-mail : rsassociatesnoida@gmail.com

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FORM NO. 3CB

[See rule 6G(1)(b)]

Audit report under section 44AB of the Income-Tax Act, 1961 in the case of a person referred to in clause (b) of sub-rule (1) of rule 6G

1. We have examined the Balance Sheet as on 31-MAR-2022, and the Income and Expenditure Account for the period beginning from 1-APR-2021 to ending on 31-MAR-2022, attached herewith, of
   NOIDA SPECIAL ECONOMIC ZONE AUTHORITY
   PHASE -II,DADRI ROAD,NOIDA,G B NAGAR
   PAN **AAALN0639A**

2. We certify that the Balance Sheet and the Income and Expenditure Account are in agreement with the books of account maintained at the head office at PHASE -II,DADRI ROAD,NOIDA,G B NAGAR

3. (a) We report the following observations/comments/discrepancies/inconsistencies; if any

   The Authority has been granted an Exemption U/s 10(46)from Tax on the Income, as per the CBDT Notification No. 70/2017,Dt. 20/07/2017 till the AY 2018-19. The Renewal OF Exemption application Dt. 28/03/2018 is pending with the CBDT. Based on the past history, the Net Income of Rs.350835415/- earned by the Authority in terms of Income and Expenditure A/c or any adjustments made there to, shall be Exempt from Tax.

   (b) Subject to above -

   (A) We have obtained all the information and explanations which, to the best of our knowledge and belief, were necessary for the purpose of the audit.

   (B) In our opinion, proper books of account have been kept by the head office so far as appears from our examination of the books.

   (C) In our opinion and to the best of our information and according to the explanations given to us, the said accounts, read with notes thereon, if any give a true and fair view:-

   (i) in the case of the Balance Sheet, of the state of the affairs of the assessee as at 31-MAR-2022; and

   (ii) in the case of the Income and Expenditure Account of the surplus of the assessee for the year ended on that date

4. The statement of particulars required to be furnished under section 44AB is annexed herewith in Form No. 3CD.

5. In our opinion and to the best of our information and according to explanations given to us, the particulars given in the said Form No. 3CD are true and correct subject to following observations/qualifications, if any:

SN	Qualification Type	Observations/Qualifications
		Nil

For RAJEEV SHARMA & ASSOCIATES
Chartered Accountants
(Firm Regn No.: 004849C)

(RAJEEV SHARMA)
PARTNER
Membership No: 073777

Place :NOIDA
Date : 23/06/2022
UDIN :

FORM NO. 3CD
[See rule 6G(2)]

Statement of particulars required to be furnished under section 44AB of the Income-tax Act, 1961

Part A

01	Name of the assessee			NOIDA SPECIAL ECONOMIC ZONE AUTHORITY	
02	Address			PHASE -II,DADRI ROAD,NOIDA,G B NAGAR	
03	Permanent Account Number (PAN)			AAALN0639A	
04	Whether the assessee is liable to pay indirect tax like excise duty, service tax, sales tax, goods and service tax,customs duty,etc. if yes, please furnish the registration number or,GST number or any other identification number allotted for the same			Yes	
	Name of Act	State	Other	Registration No.	Description (optional)
	Goods and service tax	UTTAR PRADESH	GST	09AAALN0639A1ZF	
05	Status			Local Authority	
06	Previous year			from 1-APR-2021 to 31-MAR-2022	
07	Assessment year			2022-23	
08	Indicate the relevant clause of section 44AB under which the audit has been conducted			Relevant clause of section 44AB under which the audit has been conducted	
				Clause 44AB(a)- Total sales/turnover/gross receipts in business exceeding specified limits	
08a	Whether the assessee has opted for taxation under section 115BA/115BAA/115BAB/115BAC/115BAD ?			NA	

Part B

09	a)	If firm or association of persons, indicate names of partners/members and their profit sharing ratios.			Name		Profit sharing ratio (%)
					NA		
	b)	If there is any change in the partners or members or in their profit sharing ratio since the last date of the preceding year, the particulars of such change			No		
		Name of Partner/Member	Date of change	Type of change	Old profit sharing ratio	New profit Sharing Ratio	Remarks
10	a)	Nature of business or profession (if more than one business or profession is carried on during the previous year, nature of every business or profession)					
		Sector	Sub Sector	Code	Remarks if any:		
		OTHER SERVICES	Other services n.e.c.	21008	Operations & Maintenance of Govt SEZ		
	b)	If there is any change in the nature of business or profession, the particulars of such change.			No		
		Business	Sector	Sub Sector	Code	Remarks if any:	
11	a)	Whether books of account are prescribed under section 44AA, if yes, list of books so prescribed.			Bank Book, Ledger, Cash Book, Journal, Bank Book		
	b)	List of books of account maintained and the address at which the books of accounts are kept. (In case books of account are maintained in a computer system, mention the books of account generated by such computer system. If the books of accounts are not kept at one location, please furnish the addresses of locations along with the details of books of accounts maintained at each location.)			NSEZ , DADRI ROAD PHASE -II, NOIDA, UTTAR PRADESH, 201305, INDIA	Bank Book, Ledger, Cash Book, Journal, Bank Book (Computerized)	
	c)	List of books of account and nature of relevant documents examined.			Bank Book, Ledger, Cash Book, Journal, Bank Book		

12	Whether the profit and loss account includes any profits and gains assessable on presumptive basis,if yes, indicate the amount and the relevant section (44AD, 44ADA, 44AE, 44AF, 44B, 44BB, 44BBA, 44BBB,Chapter XII-G, First Schedule or any other relevant section.)			No
	Section	Amount	Remarks if any:	

13	a)	Method of accounting employed in the previous year	Mercantile system
	b)	Whether there had been any change in the method of accounting employed vis-a-vis the method employed in the immediately preceding previous year.	No
	c)	If answer to (b) above is in the affirmative, give details of such change, and the effect thereof on the profit or loss.	

Particulars	Increase in profit (Rs.)	Decrease in profit(Rs.)	Remarks if any:

d)	Whether any adjustment is required to be made to the profits or loss for complying with the provisions of income computation and disclosure standards notified under section 145(2)	No
e)	If answer to (d) above is in the affirmative, give details of such adjustments	

Particulars	Increase in profit (Rs.)	Decrease in profit(Rs.)	Net Effect(Rs.)	Remarks if any:

f)	Disclosure as per ICDS	

ICDS	Disclosure	Remarks if any:

14	a)	Method of valuation of closing stock employed in the previous year.	
	b)	In case of deviation from the method of valuation prescribed under section 145A, and the effect thereof on the profit or loss, please furnish:	No

Particulars	Increase in profit (Rs.)	Decrease in profit(Rs.)	Remarks if any:

15	Give the following particulars of the capital asset converted into stock-in-trade:-	NA

Description of Capital Assets	Date of Acquisition	Cost of Acquisition	Amount at which capital assets converted into stock	Remarks if any:

16		Amounts not credited to the profit and loss account, being, -	
	a)	the items falling within the scope of section 28;	Nil

Description	Amount	Remarks if any:

b)	the proforma credits, drawbacks, refunds of duty of customs or excise or service tax or refunds of sales tax or value added tax or Goods & Service Tax,where such credits, drawbacks or refunds are admitted as due by the authorities concerned;	Nil

Description	Amount	Remarks if any:

c)	escalation claims accepted during the previous year;	Nil

Description	Amount	Remarks if any:

d)	any other item of income;	Nil

Description	Amount	Remarks if any:

e)	capital receipt, if any.	Nil

Description	Amount	Remarks if any:

17	Where any land or building or both is transferred during the previous year for a consideration less than value adopted or assessed or assessable by any authority of a State Government referred to in section 43CA or 50C, please furnish:						No					
	Details of property	Consideration received or accrued	Value adopted or assessed or assessable	Remarks if any:	Country	Address Line 1	Address Line 2	Pincode	City or Town or District	Locality or Area	Post Office	State	Apply 2nd proviso of 43CA(1) or 4th proviso to 56(2)(x)?

18		Particulars of depreciation allowable as per the Income-tax Act, 1961 in respect of each asset or block of assets, as the case may be, in the following form :-	As Per Annexure "A"
	a)	Description of asset/block of assets.	
	b)	Rate of depreciation.	
	c)	Actual cost or written down value, as the case may be.	
	ca)	Adjustment made to the written down value under section 115BAC/115BAD (for assessment year 2021-2022 only)	
	cb)	Adjustment made to written down value of Intangible asset due to excluding value of goodwill of a business or profession	
	cc)	Adjusted written down value	
	d)	Additions/deductions during the year with dates; in the case of any addition of an asset, date put to use; including adjustment on account of :-	
		i) Central Value Added Tax credit claimed and allowed under the Central Excise Rules, 1944, in respect of assets acquired on or after 1st March, 1994.	
		ii) change in rate of exchange of currency, and	
		iii) Subsidy or grant or reimbursement, by whatever name called.	
	e)	Depreciation allowable.	
	f)	Written down value at the end of the year.	

19	Amounts admissible under sections			
	Section	Amount debited to P&L	Amount admissible as per the provisions of the Income-tax Act, 1961	Remarks if any:

20	a)	Any sum paid to an employee as bonus or commission for services rendered, where such sum was otherwise payable to him as profits or dividend. [Section 36(1)(ii)]		Nil		
		Description		Amount	Remarks if any:	
	b)	Details of contributions received from employees for various funds as referred to in section 36(1)(va):		Nil		
		Name of Fund	Amount	Actual Date	Due Date	The actual amount paid

21	a)	Please furnish the details of amounts debited to the profit and loss account, being in the nature of capital, personal, advertisement expenditure etc			
		1	expenditure of capital nature;	Nil	
			Particulars	Amount in Rs.	Remarks if any:
		2	expenditure of personal nature;	Nil	
			Particulars	Amount in Rs.	Remarks if any:
		3	expenditure on advertisement in any souvenir, brochure, tract, pamphlet or the like, published by a political party;	Nil	
			Particulars	Amount in Rs.	Remarks if any:

4	Expenditure incurred at clubs being entrance fees and subscriptions	Nil

Particulars	Amount in Rs.	Remarks if any:

5	Expenditure incurred at clubs being cost for club services and facilities used.	Nil

Particulars	Amount in Rs.	Remarks if any:

6	Expenditure by way of penalty or fine for violation of any law for the time being force	Nil

Particulars	Amount in Rs.	Remarks if any:

7	Expenditure by way of any other penalty or fine not covered above	Nil

Particulars	Amount in Rs.	Remarks if any:

8	Expenditure incurred for any purpose which is an offence or which is prohibited by law	Nil

Particulars	Amount in Rs.	Remarks if any:

b) Amounts inadmissible under section 40(a):-

i as payment to non-resident referred to in sub-clause (i)

A	Details of payment on which tax is not deducted:	Nil

Date of payment	Amount of payment	Nature of payment	Name of the payee	PAN of the payee	Aadhaar no	Country	Address Line 1	Address Line 2	Pincode	City or Town or District	Locality or Area	Post Office	State	Remarks if any:

B	Details of payment on which tax has been deducted but has not been paid during the previous year or in the subsequent year before the expiry of time prescribed under section 200(1)	Nil

Date of payment	Amount of payment	Nature of payment	Name of the payee	PAN of the payee	Aadhaar no	Country	Address Line 1	Address Line 2	Pincode	City or Town or District	Locality or Area	Post Office	State	Amount of tax deducted	Remarks if any:

ii as payment to resident referred to in sub-clause (ia)

A	Details of payment on which tax is not deducted:	Nil

Date of payment	Amount of payment	Nature of payment	Name of the payee	PAN of the payee	Aadhaar no	Country	Address Line 1	Address Line 2	Pincode	City or Town or District	Locality or Area	Post Office	State	Remarks if any:

B	Details of payment on which tax has been deducted but has not been paid on or before the due date specified in sub- section (1) of section 139.	Nil

Date of payment	Amount of payment	Nature of payment	Name of the payer	PAN of the Payer	Aadhaar no	Country	Address Line 1	Address Line 2	Pin code	City or Town or District	Locality or Area	Post Office	State	Amount of tax deducted	Amount out of (VI) deposited, if any	Remarks if any:

iii as payment referred to in sub-clause (ib)

A	Details of payment on which levy is not deducted:	Nil

Date of payment	Amount of payment	Nature of payment	Name of the payee	PAN of the payee	Aadhaar no	Country	Address Line 1	Address Line 2	Pincode	City or Town or District	Locality or Area	Post Office	State	Remarks if any:

B Details of payment on which levy has been deducted but has not been paid on or before the due date specified in sub- section (1) of section 139. **Nil**

Date of payment	Amount of payment	Nature of payment	Name of the Payer	PAN of the Payer	Aadhaar no	Country	Address Line 1	Address Line 2	Pin code	City or Town or District	Locality or Area	Post Office	State	Amount of tax deducted	Amount out of (VI) deposited, if any	Remarks if any:

iv	Fringe benefit tax under sub-clause (ic)	
v	Wealth tax under sub-clause (iia)	
vi	Royalty, license fee, service fee etc. under sub-clause (iib)	
vii	Salary payable outside India/to a non resident without TDS etc. under sub-clause (iii)	**Nil**

Date of payment	Amount of payment	Name of the payee	PAN of the payee	Aadhaar no	Country	Address Line 1	Address Line 2	Pincode	City or Town or District	Locality or Area	Post Office	State	Remarks if any:

viii	Payment to PF/other fund etc. under sub-clause (iv)	
ix	Tax paid by employer for perquisites under sub-clause (v)	
c)	Amounts debited to profit and loss account being, interest, salary, bonus, commission or remuneration inadmissible under section 40(b)/40(ba) and computation thereof;	**NA**

Particulars	Section	Amount debited to P/L A/C	Description	Amount admissible	Amount inadmissible	Remarks

d) Disallowance/deemed income under section 40A(3):

A On the basis of the examination of books of account and other relevant documents/evidence, whether the expenditure covered under section 40A(3) read with rule 6DD were made by account payee cheque drawn on a bank or account payee bank draft. If not, please furnish the details: **Yes**

Date of payment	Nature of payment	Amount	Name of the payee	PAN of the payee	Aadhaar no	Remarks if any:

B On the basis of the examination of books of account and other relevant documents/evidence, whether the payment referred to in section 40A(3A) read with rule 6DD were made by account payee cheque drawn on a bank or account payee bank draft If not, please furnish the details of amount deemed to be the profits and gains of business or profession under section 40A(3A); **Yes**

Date of payment	Nature of payment	Amount	Name of the payee	PAN of the payee	Aadhaar no	Remarks if any:

e)	provision for payment of gratuity not allowable under section 40A(7);	**Nil**
f)	any sum paid by the assessee as an employer not allowable under section 40A(9);	**Nil**
g)	particulars of any liability of a contingent nature;	**Nil**

Nature of Liability	Amount	Remarks if any:

	h)	amount of deduction inadmissible in terms of section 14A in respect of the expenditure incurred in relation to income which does not form part of the total income;	Nil

Particulars	Amount	Remarks if any:

	i)	amount inadmissible under the proviso to section 36(1)(iii).	Nil
22		Amount of interest inadmissible under section 23 of the Micro, Small and Medium Enterprises Development Act, 2006.	Nil
23		Particulars of payments made to persons specified under section 40A(2)(b).	Nil

Name of Related Party	Relation	Date	Payment made(Amount)	Nature of transaction	PAN of Related Party	Aadhaar no

24	Amounts deemed to be profits and gains under section 32AC or 32AD or 33AB or 33ABA or 33AC.	Nil

Section	Description	Amount	Remarks if any:

25	Any amount of profit chargeable to tax under section 41 and computation thereof.	Nil

Name of Party	Amount of Income	Section	Description of transaction	Computation if any	Remarks if any:

26 i In respect of any sum referred to in clause (a),(b),(c),(d),(e),(f) or (g) of section 43B, the liability for which:-

A pre-existed on the first day of the previous year but was not allowed in the assessment of any preceding previous year and was

a)	paid during the previous year;	Nil

Nature of Liability	Amount	Remarks if any:	Section

b)	not paid during the previous year;	Nil

Nature of Liability	Amount	Remarks if any:	Section

B was incurred in the previous year and was

a)	paid on or before the due date for furnishing the return of income of the previous year under section 139(1);	Nil

Nature of Liability	Amount	Remarks if any:	Section

b)	not paid on or before the aforesaid date.	Nil

Nature of Liability	Amount	Remarks if any:	Section

	ii	State whether sales tax,goods & service Tax, customs duty, excise duty or any other indirect tax,levy,cess,impost etc.is passed through the profits and loss account.	No
27	a)	Amount of Central Value Added Tax credits availed of or utilised during the previous year and its treatment in the profit and loss account and treatment of outstanding Central Value Added Tax credits in the accounts.	No
	b)	Particulars of income or expenditure of prior period credited or debited to the profit and loss account.	NA

Type	Particulars	Amount	Prior period to which it relates(Year in yyyy-yy format)	Remarks if any:

28	Whether during the previous year the assessee has received any property, being share of a company not being a company in which the public are substantially interested, without consideration or for inadequate consideration as referred to in section 56(2)(viia), if yes, please furnish the details of the same.	NA

Name of the person from which shares received	PAN of the person	Aadhaar no	Name of the company whose shares are received	CIN of the company	No. of Shares Received	Amount of consideration paid	Fair Market value of the shares	Remarks if any:

29	Whether during the previous year the assessee received any consideration for issue of shares which exceeds the fair market value of the shares as referred to in section 56(2)(viib), if yes, please furnish the details of the same.	NA

Name of the person from whom consideration received for issue of shares	PAN of the person	Aadhaar no	No. of Shares issued	Amount of consideration received	Fair Market value of the shares	Remarks if any:

29	A	Whether any amount is to be included as Income Chargeable under the head income from other sources as referred to in clause (ix) of sub section 2 of section 56	NA

Nature of Income	Amount	Remarks if any:

29	B	Whether any amount is to be included as income chargeable under the head Income from other sources as referred to in clause (x) of sub section 2 of section 56	NA

Nature of Income	Amount	Remarks if any:

30	Details of any amount borrowed on hundi or any amount due thereon (including interest on the amount borrowed) repaid, otherwise than through an account payee cheque. [Section 69D]	No

Name of the person from whom amount borrowed or repaid on hundi	Amount borrowed	Remarks if any:	PAN of the person	Aadhaar no	Country	Address Line 1	Address Line 2	Pincode	City or Town or District	Locality or Area	Post Office	State	Date of Borrowing	Amount due including interest	Amount repaid	Date of Repayment

30	A	Whether primary adjustments to transfer price, as referred to in sub section (1) of section 92CE, has been made during the previous year?	NA

Clause under which of Sub section(1) of 92CE primary adjustments is made	Amount in Rs of primary adjustment	Whether the excess money available with associated enterprise is required to be repatriated to India as per the provision of sub section (2) of Section 92CE	Whether the Excess money has been repatriated within the prescribed time	Amount(Rs) of imputed interest income on such excess money which has not been repatriated within the prescribed time	Expected Date	Remarks if any:

30	B	Whether the assessee has incurred expenditure during the previous year by way of interest or of similar nature exceeding one crore rupees as referred to in sub section (1) of section 94B	NA

Amount(in Rs) of interest or similar nature incurred	Earnings before interest, tax,depreciation and amortization(EBITDA) during the previous year (In Rs)	Amount (In Rs) of expenditure by way of interest of similar nature as per(i) above which exceeds 30% of EBITDA as per (ii) above	Ass Year of interest expenditure brought forward as per sub section (4) of section 94B	Amount of interest expenditure brought forward as per sub section (4) of section 94B	Ass Year of interest expenditure carried forward carried forward as per sub section (4) of section 94-B	Amount of interest expenditure carried forward carried forward as per sub section (4) of section 94-B	Remarks if any:

30	C	Whether the assessee has entered into an impermissible avoidance arrangement, as referred to in section 96 during the previous year (This Clause is kept in abeyance till 31st March,2022)	NA

Nature of the impermissible avoidance arrangement	Amount (in Rs) of tax benefit in the previous year arising, in aggregate, to all parties to the arrangement	Remarks if any:

31	a)	Particulars of each loan or deposit in an amount exceeding the limit specified in section 269SS taken or accepted during the previous year	Nil

Name of the lender or depositor	Address of the lender or depositor	PAN of the lender or depositor	Aadhaar no	Amount of loan or deposit taken or accepted	Whether the loan/deposit was squared up during the Previous Year	Maximum amount outstanding in the account at any time during the Previous Year	whether the loan or deposit was taken or accepted by cheque or bank draft or use of electronic clearing system through a bank account	in case the loan or deposit was taken or accepted by cheque or bank draft, whether the same was taken or accepted by an account payee cheque or an account payee bank draft.

b)	Particulars of each specified sum in an amount exceeding the limit specified in section 269SS taken or accepted during the previous year :-	Nil

Name of the person from whom specified sum is received	Address of the Name of the person from whom specified sum is received	PAN of the Name of the person from whom specified sum is received	Aadhaar no	Amount of specified sum taken or accepted	Whether the specified sum was taken or accepted by cheque or bank draft or use of electronic clearing system through a bank account	In case the specified sum was taken or accepted by cheque or bank draft, whether the same was taken or accepted by an account payee cheque or an account payee bank draft

b	a)	Particulars of each receipt in an amount exceeding the limit specified in section 269ST, in aggregate from a person in a day or in respect of a single transaction or in respect of transactions relating to one event or occasion from a person , during the previous year, where such receipt is otherwise than by a cheque or bank draft or use of electronic clearing system through a bank account	Nil

Name of the payer	Address of the payer	PAN of the payer	Aadhaar no	Nature of transaction	Amount of receipt	Date of receipt

b	b)	Particulars of each receipt in an amount exceeding the limit specified in section 269ST, in aggregate from a person in a day or in respect of single transaction or in respect of transaction relating to one event or occasion from a person, received by cheque or bank draft, not being an account payee cheque or an account payee bank draft, during the previous year	Nil

Name of the payer	Address of the payer	PAN of the payer	Aadhaar no	Amount of receipt

b	c)	Particulars of each payment made in an amount exceeding the limit specified in section 269ST, in aggregate to a person in a day or in respect of a single transaction or in respect relating to one event or occasion to a person, otherwise than by a cheque or bank draft or use of electronic clearing system through a bank account during the previous year	Nil

Name of the Payee	Address of the Payee	PAN of the Payee	Aadhaar no	Nature of transaction	Amount of payment	Date of payment

b	d)	Particulars of each payment in an amount exceeding the limit specified in section 269ST, in aggregate to a person in a day or in respect of single transaction or in respect relating to one event or occasion to a person, made by a cheque or bank draft, not being the an account payee cheque or an account payee bank draft, during the previous year	Nil

Name of the Payee	Address of the Payee	PAN of the Payee	Aadhaar no	Amount of payment

c)	Particulars of each repayment of loan or deposit or any specified advance in an amount exceeding the limit specified in section 269T made during the previous year:	Nil

Name of the payee	Address of the payee	PAN of the payee	Aadhaar no	Amount of the repayment	Maximum amount outstanding in the account at any time during the Previous Year	Whether the repayment was made by cheque or bank draft or use of electronic clearing system through a bank account	In case the repayment was made by cheque or bank draft, whether the same was repaid by an account payee cheque or an account payee bank draft

d)	Particulars of repayment of loan or deposit or any specified advance in an amount exceeding the limit specified in section 269T received otherwise than by a cheque or bank draft or use of electronic clearing system through a bank account during the previous year	Nil

Name of the payer	Address of the payer	PAN of the payer	Aadhaar no	Amount of repayment of loan or deposit or any specified advance received otherwise than by a cheque or bank draft or use of electronic clearing system through a bank account during the previous year

	e)	Particulars of repayment of loan or deposit or any specified advance in an amount exceeding the limit specified in section 269T received by a cheque or bank draft which is not an account payee cheque or account payee bank draft during the previous year	Nil			
		Name of the payer	Address of the payer	PAN of the payer	Aadhaar no	Amount of repayment of loan or deposit or any specified advance received by a cheque or a bank draft which is not an account payee cheque or account payee bank draft during the previous year

32	a)	Details of brought forward loss or depreciation allowance, in the following manner, to the extent available :					Nil			
		Serial No	Assessment Year	Nature of loss / Depreciation allowance	Amount as returned	All losses/allowances not allowed under section 115BAA/115BAC/115BAD	Amount as adjusted by withdrawal of additional depreciation on account of opting for taxation under section 115BAC/115BAD	Amount as assessed (give reference to relevant order)		Remarks
								Amount	Order U/S and date	
	b)	Whether a change in shareholding of the company has taken place in the previous year due to which the losses incurred prior to the previous year cannot be allowed to be carried forward in terms of section 79.					NA			
	c)	Whether the assesse has incurred any speculation loss referred to in section 73 during the previous year, If yes, please furnish the details of the same.					No			
	d)	Whether the assesse has incurred any loss referred to in section 73A in respect of any specified business during the previous year, if yes, please furnish details of the same.					No			
	e)	In case of a company, please state that whether the company is deemed to be carrying on a speculation business as referred in explanation to section 73, if yes, please furnish the details of speculation loss if any incurred during the previous year.					NA			

33	Section-wise details of deductions, if any, admissible under Chapter VIA or Chapter III (Section 10A, Section 10AA).		Nil
	Section	Amount	Remarks if any:

34	a)	Whether the assessee is required to deduct or collect tax as per the provisions of Chapter XVII-B or Chapter XVII-BB, if yes please furnish:	Yes

Tax deduction and collection Account Number (TAN)	Section	Nature of payment	Total amount of payment or receipt of the nature specified in column (3)	Total amount on which tax was required to be deducted or collected out of (4)	Total amount on which tax was deducted or collected at specified rate out of (5)	Amount of tax deducted or collected out of (6)	Total amount on which tax was deducted or collected at less than specified rate out of (7)	Amount of tax deducted or collected on (8)	Amount of tax deducted or collected not deposited to the credit of the Central Government out of (6) and (8)
1	2	3	4	5	6	7	8	9	10
MRTN01573F	**194C**	**Payments to contractors**	**0**	**97904516**	**97904516**	**1955733**	**0**	**0**	**0**
MRTN01573F	**194-I**	**Rent**	**0**	**3778496**	**3778496**	**377849**	**0**	**0**	**0**
MRTN01573F	**194J**	**Fees for professional or technical services**	**0**	**3893814**	**3893814**	**389383**	**0**	**0**	**0**

b) Whether the assesse is required to furnish the statement of tax deducted or tax collected. If yes please furnish the details — **Yes**

Tax deduction and collection Account Number (TAN)	Type of Form	Due date for furnishing	Date of furnishing, if furnished	Whether the statement of tax deducted or collected contains information about all transactions which are required to be reported	If not, please furnish list of details/transactions which are not reported
MRTN01573F	**26Q**	**31-Jul-2021**	**14-Jul-2021**		
MRTN01573F	**26Q**	**31-Oct-2021**	**29-Oct-2021**		
MRTN01573F	**26Q**	**31-Jan-2022**	**30-Jan-2022**		
MRTN01573F	**26Q**	**31-May-2022**	**30-Apr-2022**		

c) whether the assessee is liable to pay interest under section 201(1A) or section 206C(7). If yes, please furnish: — **No**

Tax deduction and collection Account Number (TAN)	Amount of interest under section 201(1A)/206C(7) is payable	Amount paid out of column (2)	date of payment.	Remarks if any:

35 a) In the case of a trading concern, give quantitative details of principal items of goods traded :

Item Name	Unit	opening stock	purchases during the previous year	sales during the previous year	closing stock	shortage / excess, if any
NA						

b) In the case of a manufacturing concern, give quantitative details of the principal items of raw materials, finished products and by-products :

A Raw Materials :

Item Name	Unit	opening stock	purchases during the previous year	consumption during the previous year	sales during the previous year	closing stock	* yield of finished products	*percentage of yield;	*shortage / excess, if any.
NA									

B Finished products :

Item Name	Unit	opening stock	purchases during the previous year	quantity manufactured during the previous year	sales during the previous year	closing stock	shortage / excess, if any.
NA							

C By products :

Item Name	Unit	opening stock	purchases during the previous year	consumption during the previous year	sales during the previous year	closing stock	shortage / excess, if any.

		NA	
36	A	Whether the assessee has received any amount in the nature of dividends as referred to in sub-Clause (e) of clause(22) of section 2	NA

Amount Received(in Rs)	Date of receipt	Remarks if any:

37	Whether any cost audit was carried out, if yes, give the details, if any, of disqualification or disagreement on any matter/item/value/quantity as may be reported/identified by the cost auditor.	NA
38	Whether any audit was conducted under the Central Excise Act, 1944, if yes, give the details, if any, of disqualification or disagreement on any matter/item/value/quantity as may be reported/identified by the auditor.	No
39	Whether any audit was conducted under section 72A of the Finance Act,1994 in relation to valuation of taxable services, if yes, give the details, if any, of disqualification or disagreement on any matter/item/value/quantity as may be reported/identified by the auditor	No

40	Details regarding turnover, gross profit, etc., for the previous year and preceding previous year:	

Particulars	Previous Year		%	Preceding previous Year		%
Total turnover of the assessee		512823129			510581335	
Gross profit/turnover	0	512823129	0	0	510581335	0
Net profit/turnover	350835415	512823129	68.41	364392302	510581335	71.37
Stock-in-trade/turnover	0	512823129	0	0	510581335	0
Material consumed/finished goods produced	0	0	0	0	0	0

41	Please furnish the details of demand raised or refund issued during the previous year under any tax laws other than Income-tax Act, 1961 and Wealth tax Act, 1957 along with details of relevant proceedings.	Nil

Financial year to which demand/refund relates to	Name of other Tax law	State	Other	Type (Demand raised/Refund received)	Date of demand raised/refund received	Amount	Remarks

42	a	Whether the assesse is required to furnish statement in Form No.61 or Form 61A or Form No 61B	NA

Income tax Department Reporting Entity Identification Number	Type of Form	Due date of furnishing	Date of furnishing, if furnished	Whether the form contains information about all details/transactions which are required to be reported	if not, please furnish the list of details/transaction which are not reported	Remarks if any:

43	a	Whether the assessee or its parent entity or alternate reporting entity is liable to furnish the report as referred to in sub section 2 of section 286	NA

Whether report has been furnished by the assessee or its parent entity or an alternate reporting entity	Name of parent entity	Name of the Alternative reporting entity(if Applicable)	Date of Furnishing the Report	Expected Date	Remarks if any:

44	Break-up of total expenditure of entities registered or not registered under the GST (This Clause is kept in abeyance till 31st March,2022)	NA

Total Amount of	Expenditure in respect of entities registered under the GST	Expenditure

	expenditure incurred during the year	Relating to the goods or services exempt from GST	Relating to the entities falling under composition scheme	Relating to the other registered entities	Total Payment to Registered entities	relating to entities not registered under GST

For RAJEEV SHARMA & ASSOCIATES
Chartered Accountants
(Firm Regn No.: 004849C)

(RAJEEV SHARMA)
PARTNER
Membership No: 073777

Place :NOIDA
Date : 23/06/2022
UDIN :

NOIDA SPECIAL ECONOMIC ZONE AUTHORITY
Annexure "A"

Particulars of Depreciation allowable as per the Income-Tax Act, 1961 in respect of each asset or block of assets in the following form.

Description of asset/block of assets.	Rate of Dep.%	Actual cost or written down values	Adjustment made to the written down value under section 115BAC/115BAD (for assessment year 2021-2022 only)	Adjustment made to written down value of Intangible asset due to excluding value of goodwill of a business or profession	Adjusted written down value	Additions/deductions during the year with dates in the case of any addition of an asset, date put to use; including adjustment	Central Value Added Tax credit claimed and allowed under the Central Excise Rules, 1944, in respect of assets acquired on or after 1st March, 1994	Change in rate of exchange of currency	Subsidy or grant or reimbursement, by whatever name called	Other Adjustments	Depreciation allowable	Written down value at the end of the year
PLANT AND MACHINARY	15%	4,10,72,219	0	0	4,10,72,219	54,30,674	0	0	0	0	67,23,336	3,97,79,557
MOTOR CAR	15%	9,701	0	0	9,701	0	0	0	0	0	1,455	8,246
Furniture and Fitting including electric Fitting	10%	59,53,384	0	0	59,53,384	0	0	0	0	0	5,95,338	53,58,046
Computer	40%	11,06,483	0	0	11,06,483	16,83,077	0	0	0	0	8,09,651	19,79,909
electric instalations	10%	19,83,763	0	0	19,83,763	21,59,151	0	0	0	0	4,02,458	37,40,456
otherfixed assets	10%	9,29,97,375	0	0	9,29,97,375	19,58,322	0	0	0	0	93,97,654	8,55,58,043
Building	10%	35,72,65,838	0	0	35,72,65,838	3,32,09,067	0	0	0	0	3,74,54,432	35,30,20,473
road	10%	2,38,98,504	0	0	2,38,98,504	0	0	0	0	0	23,89,850	2,15,08,654
land	10%	89,31,790	0	0	89,31,790	0	0	0	0	0	8,93,179	80,38,611
Total		**53,32,19,057**	**0**	**0**	**53,32,19,057**	**4,44,40,291**	**0**	**0**	**0**	**0**	**5,86,67,353**	**51,89,91,995**

Addition/Deduction in Fixed Assets During the Financial Year

Block 15% PLANT AND MACHINARY

S.No.	Particulars	More Than 180 Days	Less than 180 Days	Total	Date of Accounting	Date of Put to the Use
1	PLANT AND MACHINARY	20,69,359	0	20,69,359	30/09/2021	30/09/2021
2	PLANT AND MACHINARY	0	33,61,315	33,61,315	31/03/2022	31/03/2022

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	Total	**20,69,359**	**33,61,315**	**54,30,674**		

Block 40% Computer

S.No.	Particulars	More Than 180 Days	Less than 180 Days	Total	Date of Accounting	Date of Put to the Use
1	Computer	1,52,212	0	1,52,212	30/09/2021	30/09/2021
2	Computer	0	15,30,865	15,30,865	31/03/2022	31/03/2022
	Total	**1,52,212**	**15,30,865**	**16,83,077**		

Block 10% electric instalations

S.No.	Particulars	More Than 180 Days	Less than 180 Days	Total	Date of Accounting	Date of Put to the Use
1	electric instalations	19,22,489	0	19,22,489	30/09/2021	30/09/2021
2	electric instalations	0	2,36,662	2,36,662	31/03/2022	31/03/2022
	Total	**19,22,489**	**2,36,662**	**21,59,151**		

Block 10% otherfixed assets

S.No.	Particulars	More Than 180 Days	Less than 180 Days	Total	Date of Accounting	Date of Put to the Use
1	otherfixed assets	0	19,58,322	19,58,322	31/03/2022	31/03/2022
	Total	**0**	**19,58,322**	**19,58,322**		

Block 10% Building

S.No.	Particulars	More Than 180 Days	Less than 180 Days	Total	Date of Accounting	Date of Put to the Use
1	Building	13,47,877	0	13,47,877	30/09/2021	30/09/2021
2	Building	0	3,18,61,190	3,18,61,190	31/03/2022	31/03/2022
	Total	**13,47,877**	**3,18,61,190**	**3,32,09,067**		

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Financial Statement of NOIDA SPECIAL ECONOMIC ZONE AUTHORITY
For the Financial Year 2021-22

INDEX

Noida Special Economic Zone Authority

DRAFT BALANCE SHEET AS ON MARCH 31,2022

(Amount in ₹)

PARTICULARS	SCHEDULE	CURRENT YEAR	PREVIOUS YEAR
CORPUS / CAPITAL FUND AND LIABILITIES			
Corpus/Capital Fund	1	4,133,926,650	3,783,091,235
Reserves and Surplus	2	461,856,514	514,794,387
Earmarked/Endowment Funds	3	-	-
Secured Loans and Borrowings	4	-	-
Unsecured Loans and Borrowings	5	-	-
Deferred Credit Liabilities	6	-	-
Current Liabilities and Provisions	7	216,135,590	213,783,754
TOTAL: Rs		**4,811,918,754**	**4,511,669,376**
ASSETS			
Fixed Assets(Net Block)	8	1,498,449,298	1,587,277,113
Investments-from Earmarked/Endowment Funds	9	-	-
Investments-Fixed Deposit	10	2,761,549,390	2,365,528,086
Current Assets and Loans & Advances etc.	11	551,920,067	558,864,177
Miscellaneous Expenditure (to the extent not written off or adjusted)		-	-
TOTAL: Rs		**4,811,918,755**	**4,511,669,376**

SIGNIFICANT ACCOUNTING POLICIES	24
Contingent Liabilities and Notes on Accounts	25

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)
Sr. AO

(Nitin Gupta)
Secretary

(A.Bipin Menon)
CEO

for Rajeev Sharma & Associates
Chartered Accountants
FRN:004849C

(Rajeev Sharma)FCA
Partner
M.NO.073777

Noida Special Economic Zone Authority

DRAFT INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED MARCH 31,2022

(Amount in ₹)

PARTICULARS	SCHEDULE	CURRENT YEAR	PREVIOUS YEAR
INCOME			
Income from lease rent	12	347,870,059	335,035,672
Grants/Subsidies	13	-	-
Fee & Subscription	14	3,233,072	2,795,970
Income From Investments (Income on invest. From Earmarked/Endow. Fund transferred to funds)	15	-	-
Income from Royalty, Publications etc.	16	-	-
Interest Earned	17	142,176,906	133,811,051
Other Income	18	19,543,092	38,938,642
Increase/(decrease) in stock of finished Goods and WIP	19	-	-
TOTAL: Rs. (A)		**512,823,129**	**510,581,335**
Expenditure			
Establishment Expenses	20	-	-
Other Administrative Expenses etc.	21	103,317,353	97,966,276
Expenditure On grants,Subsidies etc.	22	-	-
Bank Charges, Interest	23	3,007	-
Depreciation and Amortization	8	58,667,353	48,222,756
TOTAL: Rs. (B)		**161,987,714**	**146,189,033**
			-
Balance being excess of income over expenditure(A-B)		350,835,415	364,392,302
Transfer to special reserve		-	-
Transfer to/from General resrve		-	-
Balance Being Surplus/(deficit) carried to corpus/capital fund		**350,835,415**	**364,392,302**

Significant Account policies	24
Contingent liabilities and notes on accounts	25

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)
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(Nitin Gupta)
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for Rajeev Sharma & Associates
Chartered Accountants
FRN:004849C

(Rajeev Sharma)FCA
Partner
M.NO.073777

SCHEDULE 1-CORPUS / CAPITAL FUND: *(Amount in ₹)*

	CURRENT YEAR	PREVIOUS YEAR
Balance as at beginning of the year	3,783,091,235	3,418,698,932
Add/(Deduct): Balance of net income/(Expenditure) transfered from the income and expenditure account	350,835,415	364,392,302
Add: Capital Expenditure Written off now Capitalised	-	-
Add:Transfer from General Reserve	-	-
Less- Capital investment written off	-	-
BALANCE AT THE YEAR END	**4,133,926,650**	**3,783,091,235**

SCHEDULE 2- RESERVES AND SURPLUS:

	CURRENT YEAR	PREVIOUS YEAR
1. **Capital Reserve:**		
As per last Account	-	-
Addition during the year	-	-
Less:Deduction during the year	-	-
2. **Revaluation Reserve:**		
As per last Account	514,794,387	573,867,301
Addition during the year	-	-
Less: Deductions during the year Depreciation Reserve	(52,937,873)	(59,072,913)
Less: Tranfer to Capital/Corpus Fund	-	-
3. **Special Reserve:**		
As per last Account	-	-
Addition during the year	-	-
Less: Deduction during the year	-	-
4. **General Reserve:**		
As per last Account	-	-
Addition during the year	-	-
Less: Deduction during the year	-	-
Less: Tranfer to Capital/Corpus Fund	-	-
	-	-
TOTAL: Rs	**461,856,514**	**514,794,387**

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra) **Sr. AO**

(Nitin Gupta) **Secretary**

(A.Bipin Menon) **CEO**

for Rajeev Sharma & Associates
Chartered Accountants
FRN:004849C

(Rajeev Sharma)FCA
Partner
M.NO.073777

SCHEDULE 3- EARMARKED/ENDOWMENT FUNDS

(Amount in ₹)

	CURRENT YEAR	PREVIOUS YEAR
a. Opening balance of the funds	-	-
b. Addition to the funds:		
I. Grants/Donation	-	-
II. Income from investments made from funds	-	-
III. Othyer additions	-	-
TOTAL: Rs (a+b)	-	-
c. Utilization / Expenditure towards objectives of funds	-	-
I. Capital Expenditure:	-	-
Fixed Assets	-	-
Grants released for projects	-	-
Total	-	-
II. Revenue Expenditure:	-	-
Salaries,Wages and allowances etc.	-	-
Rent	-	-
Other Administrative expenses	-	-
Total	-	-
TOTAL: Rs (c)	-	-
NET BALANCE AS AT THE YEAR-END(a+b-c)	-	-

SCHEDULE 4- SECURED LOANS AND BORROWINGS:

1. Central Government		
2. State Government(specify)	-	-
3. Financial Institutions		
a. Term Loans	-	-
b. Interest accured and due	-	-
4. Banks:		
a. Term Loans	-	-
Interest accured and due	-	-
b. Other Loans(specify)	-	-
Interest accured and due	-	-
5. Other Institutions and Agencies	-	-
6. Debentures and Bonds	-	-
7. Other (specify)	-	-
TOTAL: Rs	-	-

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)
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(Rajeev Sharma)FCA
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SCHEDULE 5- UNSECURED LOANS AND BORROWINGS:	CURRENT YEAR	PREVIOUS YEAR
1. Central Government	-	-
2. State Government(specify)	-	-
3. Financial Institutions	-	-
a. Term loan	-	-
b. Interest accured and due	-	-
4. Banks:	-	-
a. Term loans	-	-
Interest accured and due	-	-
b. Other loans(specify)	-	-
Interest accured and due	-	-
5. Other Institutions and Agencies	-	-
6. Debentures and Bonds	-	-
7. Fixed Deposits		
8. Other(specify)	-	-
TOTAL: Rs	-	-

SCHEDULE 6- DEFERRED CREDIT LIABILITIES:

	CURRENT YEAR	PREVIOUS YEAR
a. Acceptances secured by hypothecation of capital equipments and other assets	-	-
b. Other	-	-
TOTAL: Rs	-	-
Note: Amounts due within one year		

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)
Sr. AO

(Nitin Gupta)
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1. Acceptances (a) Security Money	159,958,482	157,565,391
(b) Earnest Money Deposit	6,175,946	6,160,946
(C) Bid Amount	34,923,862	34,923,862
2. Sundry Creditors:		-
a. For Goods		-
b.Others (Building Payment)	15,077,300	15,133,555
3. Advances Received	-	-
4. Interest accured but not due on:	-	-
a.Secured Loans/Borrowings	-	-
b.Unsecured Loans/Borrowings	-	-
5. Statutory Liabilities:	-	-
a. Duties and taxes	-	-
b. Other	-	-
6. Provision for Depreciation	-	-
7. Liability to DC, Nodia SEZ	-	-
TOTAL: A	216,135,590	213,783,754
B. PROVISIONS		
1. For Taxation(FBT)	-	-
2. Gratuity	-	-
3. Superannuation /Pension	-	-
4. Accumulated Leave Encashment	-	-
5. Trade Warranties/Claims	-	-
6. Other(Electricity charges payable)	-	-
TOTAL: B	-	-
TOTAL (A+B) : Rs	**216,135,590**	**213,783,754**

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra) **Sr. AO**

(Nitin Gupta) **Secretary**

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SCHEDULE- 8
FIXED ASSETS & DEPRECIATION CHART
FOR THE YEAR ENDED ON 31.03.2022

(Amount in ₹)

Particulars	Rate	Gross Block							Depreciation												Net Block	
		Revalution value (A)	Purchase value after revalution (B)	Cost/ valuation as at beginning of the year (C)	Additions: More than 180 Days (D)	Additions: Less than 180 days (E)	Deduction/Adjustment during the year (F)	Cost/ valuation as at end of the year (G) (C+D+E-F)	Depriciation upto previous year (H)	Depriciation and Amortization during the year debited to P&L account (I)	TOTAL DEPRECIATION and Amortization DEBITED (J) (H+I)	Revaluation reserve debited upto previous year (K)	Revaluation reserve debited during the year (L)	TOTAL REVALUTION RESERVE DEBITED (M) (K+L)	On deduction/ adjustment during the year (N)	Total Dep. & Rev. reserve upto current year (O) (J+M)	TOTAL PURCHASE VALUE AFTER REVUATION (P) (B+D+E)	NET REVALUATION VALUE (Q) (A-M)	NET PURCHASE VALUE (R) (P-J)	As at current year end (S) (Q+R)	As at previous year end
LAND:																					
A.Leasehold		8,781,686,000	-	8,781,686,000	-	-	-	8,781,686,000	27,688,552	893,179	28,581,731	8,693,261,269	-	8,693,261,269	-	8,721,843,000	-	88,424,731	(28,581,731.23)	59,843,000	60,736,179
B.Freehold																					
BUILDING	10%																				
A. On leasehold land		1,407,992,000	354,093,200	1,921,990,093	1,347,877.0	31,861,190.0	-	1,955,199,160	156,732,310	37,454,426	194,186,737	966,149,191	44,184,281	1,010,333,472	-	1,204,520,209	547,207,159.95	397,658,528	353,020,423.36	750,678,951	799,108,591
B. On Freehold land																					
PLANT,MACHINERY & EQUIPMENTS	15%	44,150,000	12,678,277	81,409,854	2,069,359.1	3,361,315.6	-	86,840,528	15,723,003	3,793,031	19,516,034	36,761,796	1,108,231	37,870,027	-	57,386,060	42,690,528.16	6,279,973	23,174,494.45	29,454,468	28,925,054
VEHICLE	15%	74,016	45,277	119,293	-	-	-	119,293	35,577	1,455	37,032	61,630	1,858	63,488	-	100,519	45,277.00	10,528	8,245.33	18,774	22,087
FURNITURE & FIXTURES	10%	853,000	6,645,814	10,073,429	-	-	-	10,073,429	3,257,113	595,332	3,862,444	585,320	26,768	612,088	-	4,474,532	9,220,428.93	240,912	5,357,984.55	5,598,897	6,220,997
OFFICE EQUIPMENTS	15%	110,000,000	-	134,403,231	-	-	-	134,403,231	4,867,829	2,930,310	7,798,140	91,592,243	2,761,164	94,353,407	-	102,151,546	24,403,231.00	15,646,593	16,605,091.32	32,251,685	37,943,158
COMPUTER PERIPHERALS	40%	1,007,138	5,449,094	8,380,000	152,211.9	1,530,864.7	-	10,063,077	6,266,365	809,658	7,076,023	1,006,995	57	1,007,052	-	8,083,075	9,055,938.57	86	1,979,916.02	1,980,002	1,106,640
ELECTRIC INSTALLATIONS	10%	147,578,587	359,567	149,903,698	1,922,489	236,662.0	-	152,062,849	341,346	402,458	743,805	110,732,055	3,684,653	114,416,708	-	115,160,513	4,484,262.00	33,161,879	3,740,457.16	36,902,336	38,830,296
LIBRARY BOOKS		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TUBEWELLS & WATER SUPPLY		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER FIXED ASSETS	10%						-	-													
ROAD	10%	47,550,000	146,304,644	193,854,644	-	-	-	193,854,644	33,663,558	11,264,109	44,927,666	37,089,753	1,046,025	38,135,778	-	83,063,444	146,304,643.89	9,414,222	101,376,977.74	110,791,200	123,101,333
SEWER LINE	10%	-	8,370,047	8,370,047	-	1,958,322	-	10,328,369	5,477,614	387,159	5,864,773	-	-	-	-	5,864,773	10,328,369.01	-	4,463,595.77	4,463,596	2,892,433
DUST BIN	10%	200,249	4,514,764	4,715,013	-	-	-	4,715,013	3,152,403	136,236	3,288,639	200,249	-	200,249	-	3,488,888	4,514,764.00	-	1,226,125.13	1,226,125	1,362,361
UNDER GROUND RESERVOIR	10%	5,000,000	-	5,000,000	-	-	-	5,000,000	-	-	-	3,751,630	124,837	3,876,467	-	3,876,467	-	1,123,533	-	1,123,533	1,248,370
WORK-IN-PROGRESS	0%	-	485,779,614	485,779,614	9,801,727.0	652,774.0	32,117,381.0	464,116,734	-	-	-	-	-	-	-	-	464,116,739.50	-	464,116,733.50	464,116,734	485,779,614
TOTAL OF CURRENT YEAR		10,546,090,990	1,024,240,298	11,785,684,915	15,293,664.0	39,601,128.3	32,117,381.0	11,808,462,326	257,215,670	58,867,353	315,883,023	9,941,192,132	52,937,873	9,994,130,005	-	10,310,013,028	1,262,371,336.01	551,960,985	946,488,313.11	1,498,449,298	1,587,277,113
TOTAL OF PREVIOUS YEAR		10,546,090,990	1,117,859,861	11,673,484,477	33,931,719.3	270,375,258.1	230,150,433.5	11,747,641,021	208,992,913	48,222,756	257,215,670	9,882,119,218	59,072,913	9,941,192,132	-	10,198,407,801	1,239,593,925.12	516,474,127	1,071,096,165.32	1,587,277,113	1,820,416,238

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)
Sr. AO

(Nitin Gupta)
Secretary

(A.Bipin Menon)
CEO

for Rajeev Sharma & Associates
Chartered Accountants
FRN:004849C
(Rajeev Sharma)FCA
Partner
M.NO.073777

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SCHEDULE 9- INVESTMENTS FROM EARMARKED/ENDOWMENT FUNDS

(Amount in ₹)

	CURRENT YEAR	PREVIOUS YEAR
1. Government Securities	-	-
2. Other Approved Securities	-	-
3. Shares	-	-
4. Debentures and Bonds	-	-
5. Subsidiaries and Joint Ventures	-	-
6. Others(to be specified)	-	-
TOTAL: Rs	-	-

SCHEDULE 10- INVESTMENTS OTHERS

	CURRENT YEAR	PREVIOUS YEAR
1. In Government Securities		-
2. Other approved Securities		-
3.Shares		-
4. Debentures and Bonds		-
5. Subsidiaries and Joint Ventures		-
6. Others(Fixed Deposit)	2,761,549,390	2,365,528,086
TOTAL: Rs	2,761,549,390	2,365,528,086

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)
Sr. AO

(Nitin Gupta)
Secretary

(A.Bipin Menon)
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(Rajeev Sharma)FCA
Partner
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SCHEDULE 11- CURRENT ASSETS, LOANS & ADVANCES etc. *(Amount in ₹)*

		CURRENT YEAR	PREVIOUS YEAR
A. CURRENT ASSETS:			
1. Inventories:		-	-
a. Stores and Spares		-	-
b. Loose Tools		-	-
c. Stock in Trade		-	-
i.Finished Goods		-	-
ii. Work in Progress		-	-
iii. Raw Materials		-	-
2. Sundry Debtors:			
a. Outstanding for a period exceeding 6 months	240,271,236		
b. Others	42,918,047	283,189,283	257,685,550
3. Cash Balances in hand (including cheques/d.d)			
4. Bank Balances:			-
a. With scheduled Banks:			-
i. On current accounts		4,308,136	4,760,728
ii. On Deposit Accounts			-
iii. On savings Accounts		14,708,371	61,770,478
b. With non-scheduled Banks:			-
5. Post Office -Saving Accounts			-
TOTAL:- A		302,205,789	324,216,756
B. LOANS, ADVANCES AND OTHER ASSETS			
1. Loans:			
a.Staff		-	-
b. Other Entities engaged in activities/objectives similar to that of the Entity		-	-
2. Advances and other amounts recovable in cash or in kind or for value to be received:		-	-
Imprest A/c		-	-
3. Income Accured:			
a. On Investment from Earmarked/Endowment Funds		-	-
b. On Investments-Fixed Deposit		106,274,507	105,401,847
c. On Loan and Advances			-
d. Interest Receivable		6,485	9,163
4.Claims Receivable			
a. Claims Receivable/TDS receivables		76,967,335	63,600,751
b. Claims Income Tax Recivable		61,205,684	61,205,684
c. Service Tax Recivable		617,875	617,875
d. Security Deposit		150,000	150,000
e. Wrongly Deduct by Bank		1,782	-
f. GST Receivable		4,490,610	3,662,101
TOTAL:- B		249,714,277	234,647,421
TOTAL:- (A+B) Rs		**551,920,067**	**558,864,177**

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra) **(Nitin Gupta)** **(A.Bipin Menon)**
Sr. AO **Secretary** **CEO**

for Rajeev Sharma & Associates
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SCHEDULE 12- INCOME FROM SALES/SERVICES

(Amount in ₹)

		CURRENT YEAR	PREVIOUS YEAR
1. Income from sales:			
a. Sale of Finished Goods		-	-
b. Sale of Raw Material		-	-
c. Sale of Scrap		-	-
2. Income from services:			
a. Labour and Processing Charges		-	-
b. Professional/consulancy services		-	-
c. Agency Commission and Brokerage		-	-
d. Lease Rent (As per prescribed Rates)	312,341,803		
Add:Interest On Delayed Payment	18,037,199		
Add:Maintenance Charges(Equipment/Property)	17,491,057	347,870,059	335,035,672
TOTAL:-		**347,870,059**	**335,035,672**

SCHEDULE 13- GRANTS/SUBSIDIES (Irrevocable grants and subsidies received)

	CURRENT YEAR	PREVIOUS YEAR
1. Central Government		
Planned Expenditure	-	-
Non Planned Expenditure	-	-
2. State Government (s)	-	-
3. Government Agencies	-	-
4. Institutions/Welfare Bodies	-	-
5. International Organisations	-	-
6. Other (specify)	-	-
TOTAL:-	-	-

SCHEDULE 14- FEES/SUBSCRIPTIONS

(Amount in ₹)

	CURRENT YEAR	PREVIOUS YEAR
1. Income from Issue of I Card & Permit fee.	3,233,072	2,795,970
2. Annual Fees/Subscriptions	-	-
3. Seminar/Program Fees	-	-
4. Consultancy Fees	-	-
5. BDF Processing Fees	-	-
6. Institutions/Welfare Bodies	-	-
7. International Organizations	-	-
TOTAL:-	**3,233,072**	**2,795,970**

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)	**(Nitin Gupta)**	**(A.Bipin Menon)**
Sr. AO	**Secretary**	**CEO**

for Rajeev Sharma & Associates
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(Rajeev Sharma)FCA
Partner
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SCHEDULE 15- INCOME FROM INVESTMENTS
(Income on Invest. From Earmarked/Endowment Funds Transfreed to Funds)

(Amount in ₹)

	Invest From Earmarked Fund		Investment-Others	
	Current Year	previous year	current year	previous year
1. Interest				
a. On Govt. Securities	-	-	-	-
b. Other Bonds/Debentures	-	-	-	-
c. Other(FDs with Banks)	-	-	-	-
2. Dividends				
a. On shares	-	-	-	-
b. On mutual Fund Securities	-	-	-	-
3. Rents	-	-	-	-
4. Others(Specify)	-	-	-	-
TOTAL:-	-	-	-	-
TRANSFERRED TO EARMARKED/ENDOWMENT FUNDS				

SCHEDULE 16-INCOME FROM ROYALTY, PUBLICATION ETC.

	CURRENT YEAR	PREVIOUS YEAR
1. Income from Royalty		
2. Income from Publications	-	-
3. Others(specify)	-	-
TOTAL:-	-	-

SCHEDULE 17- INTEREST EARNED

	CURRENT YEAR	PREVIOUS YEAR
1. On Term Deposites:		
a. With Scheduled Banks	139,507,702	130,227,503
b. With Non Sechuduled Banks	-	-
c. With Institutions	-	-
d. Others/ Accured Interest	-	-
2. On Savings Accounts:	-	-
a. With Scheduled Banks	2,669,204	3,583,548
b. With Non-Sechuduled Banks	-	-
c. Post office Savings Accounts	-	-
d. Interest on Income Tax Refunds	-	-
e. Others	-	-
3. On Loans:	-	-
a. Employees/Staff	-	-
b. Others	-	-
4. Interest on Debtors and Other Receivables	-	-
TOTAL:-	**142,176,906**	**133,811,051**
Note-Tax Deducted at source to be indicated		

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra) **Sr. AO**

(Nitin Gupta) **Secretary**

(A.Bipin Menon) **CEO**

for Rajeev Sharma & Associates
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Partner
M.NO.073777

SCHEDULE 18- OTHER INCOME *(Amount in ₹)*

	CURRENT YEAR	PREVIOUS YEAR
1. Profit on Sale/Disposal of Assets:		
a. Owned Assets	-	-
b. Assets acquired out of grants,or received free of cost	-	-
2.Export Incentives realized	-	-
3.Allotment Fees	8,679,896	15,215,314
4.Plot Transfer Charges	5,378,000	14,311,880
5.Auction/Bid Amounts	-	5,429,321
6.Issue of Form-1	-	5,970
7.User Charges-Water	3,736,832	3,782,280
8. Sale of Auction Scrap	1,583,367	-
9.License Fees	164,997	193,877
TOTAL:-	**19,543,092**	**38,938,642**

SCHEDULE 19- INCREASE/(DECREASE) IN STOCK OF FINISHED GOODS & WORK IN PROGRESS

	CURRENT YEAR	PREVIOUS YEAR
1. Closing Stock	-	-
a. Finished Goods	-	-
b. Work in Progress	-	-
2.Less: Opening Stock	-	-
a. Finished Goods	-	-
b. Work in Progress	-	-
TOTAL:-		

SCHEDULE 20- ESTABLISHMENT EXPENSES

	CURRENT YEAR	PREVIOUS YEAR
a. Salaries and Wages(Technical staff)	-	-
b. Allowances and Bonus	-	-
c. Contribution to Provident Fund	-	-
d. Contribution to Other Fund(specify)	-	-
e. Staff Welfare Expenses	-	-
f. Expenses on Employee's Retirement and Terminal Benefits	-	-
g. Others (Specify)	-	-
TOTAL: Rs	-	-

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra) — **Sr. AO**

(Nitin Gupta) — **Secretary**

(A.Bipin Menon) — **CEO**

for Rajeev Sharma & Associates
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SCHEDULE 21- OTHER ADMINISTRATIVE EXPENSES ETC.

(Amount in ₹)

	CURRENT YEAR	PREVIOUS YEAR
a. Purchases	-	-
b. Labour and Processing Expenses	-	-
c. Cartage and Carriage Inwards	-	-
d. Depreciation	-	-
e. Minor work A/c	69,876,652	66,636,662
f. Misc. Expenses	-	-
g. Swachhata Action Plan	6,254,000	3,134,720
h. Office Expenses	2,841,329	3,320,733
i. Professional Fees	3,919,596	3,363,531
j. Rent,rates and Taxes	3,918,996	5,626,494
k. Vechile Running and Maintenance	-	-
l. Postage,Telephone and Communication Charges	-	-
m. Printing and Stationary	-	-
n. Travelling and conveyance Expenses	1,868,359	1,721,576
o. Newspaper Expenses	-	-
p. Electricity Expenses	14,584,462	14,099,522
q. Expenses on Meeting & Fees	-	-
r. Auditors Remuneration	51,440	-
s. Computer Consumables	-	-
t. Legal Fees (Appeal Fees)	-	-
u. Provision for Bad and Doubtful Debts/Advances	-	-
v. Irrecoverable Balances Written- off	-	-
w. Packing Charges	-	-
x. Freight and Forwarding Expenses	-	-
y. Distribution Expenses	-	-
z. Advertisement and Publicity	2,520	63,040
za. Photocopy Charges		-
zb. Round off	0	(1)
zc. Training Expenses	-	-
zd. Loss on sale of car	-	-
TOTAL: Rs	103,317,353	97,966,276

SCHEDULE 22- EXPENDITURE ON GRANTS, SUBSIDIES ETC.

	CURRENT YEAR	PREVIOUS YEAR
a. Grants Given to Institutions/Organisations	-	-
b. Subsidies Given to Institutions/Organisations	-	-
Transport Assistance	-	-
Development of Infrastructure	-	-
Market Development	-	-
Quality Control System	-	-
TOTAL: Rs		

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)
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for Rajeev Sharma & Associates
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FRN:004849C
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M.NO.073777

SCHEDULE 23- INTEREST

(Amount in ₹)

	CURRENT YEAR	PREVIOUS YEAR
a. On Fixed Loans	-	-
b. On Other Loans (including Bank Charges)	-	-
c. Other (Bank Charges)	3,007	-
TOTAL: Rs	3,007	-

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra) **Sr. AO**

(Nitin Gupta) **Secretary**

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Noida Special Economic Zone Authority
SIGNIFICANT ACCOUNTING POLICES & NOTES ON A/CS
Schedule forming part of the financial Statement for the period ended on 31st, March, 2022

Schedule 24: Significant Accounting Policies

ACCOUNTING CONVENTION

The financial statements are prepared on the basis of historical cost convention, unless otherwise stated and on the accrual method of accounting.

REVENUE RECOGNITION

The Revenues are recognized on accrual basis unless otherwise stated specifically.

a) Lease Rentals have been recognized on accrual basis ,
b) Interest on deposits is recognized on time proportion basis.
c) I card and entry permit fee is recognized on receipt basis.
d) Plot transfer fee is recognized on receipt basis.

ACCOUNTING HEAD

The Heads of A/c have been Rearranged and Regrouped for want of convenience, If found necessary.

INVESTMENTS
Investments classified as "Long term investments" are declared at cost if any. Provision for decline, other than temporary is made in carrying cost of such investments.

Cost includes acquisition expenses like brokerage, transfer stamp etc.

FIXED ASSETS

Fixed assets are stated at cost of acquisition inclusive of inward freight, duties and taxes and incidental and direct expenses related to acquisitions and net of depreciation. In respect of projects involving construction, related pre operational expenses (including interest on loans for specific project prior to its completion), from part of the value of the asset capitalized.

Fixed assets acquired out of monetary grants, received form Ministry of Commerce are capitalized at cost of acquisition and the amount of monetary grant received from Ministry of Commerce is reflected as reduction in cost.

DEPRECIATION AND AMORTIZATION
Depreciation on fixed assets has been provided on written down value basis as per rates provided in Income Tax Act 1961.

The Authority had acquired the Land from Noida Authority for the development of the SEZ for a lease period of 99 Years and the value of the total lease Premium was capitalized for a value of Rs. 8,84,24,731.00, which is amortized on pro rata basis over the period of lease and an amount of Rs.8,93,179.10 is amortized on year to year basis.

SICK UNITS DUES

The said amount against sick units is lying unrealized and most of these cases are pending before the Hon'ble courts/NCLT/DRT. These dues shall be realized as per the direction of Hon'ble Courts/NCLT/DRT etc. and action for recovery of balance dues if any, shall be decided by the Department of Commerce. The necessary accounting entries will be passed after the final decision in such matters.

GOVERNMENT GRANTS / SUBSIDIES

No Government Grants/ Subsidies has been received during the year.

LEASE CHARGES & REVENUES

Lease rentals are earned with reference to the lease terms extended through the Agreement. The Lease rentals include the interest on the delayed payments of lease rentals and also the maintenance charges of Equipment & property.

The lease rentals & other revenues were charged in view of the rates fixed by the authority in its meeting attended by the government representatives and ministry officials.

Place: Noida
Dated: 23/06/2022

(Ajay Kumar Mishra)
Sr. AO

(Nitin Gupta)
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C.E.O

for Rajeev Sharma & Associates
Chartered Accountants
FRN:004849C

(Rajeev Sharma)FCA
Partner
M.NO.073777

(51)

Noida Special Economic Zone Authority

Schedule forming part of the financial Statement for the period ended on 31st, March, 2022

SCHEDULE 25: CONTINGENT LIABILITIES AND NOTES ON ACCOUNTS

CONTINGENT LIABILITIES

Claim against entity not acknowledged as debt – Rs NIL (previous year –Rs. Nil)

In respect of:
- Bank Guarantees given by / on behalf of NSEZA- Rs NIL (previous year –Rs. Nil)
- Letters of Credit opened by bank on behalf of NSEZA – Rs NIL (previous year –Rs. Nil)
- Bills discounted with banks - Rs NIL (previous year –Rs. Nil)
- Disputed demands in respect of:

Income tax _ (Rs. 52853637.00 relating to AY 2010-11
Rs. 1206870.00 relating to AY 2012-13
Rs.129324100.00 relating to the AY 2017-18
Rs. 6561030.00 & Rs.9892810.00 relating to the AY 2018-19)
Rs. 186046360.00 relating to AY 2020-21

(previous year - (Rs. 60581663.00 relating to AY 2010-11
Rs.129324100.00 relating to the AY 2017-18.
Rs. 6561,030.00 & Rs.9892810.00 relating to the AY 2018-19)

GST - Rs NIL (previous year –Rs. Nil)
Municipal tax - Rs NIL (previous year –Rs. Nil)

In respect of claims from parties for non execution orders, but contested by NSEZA Rs NIL (previous year –Rs. Nil)

CAPITAL COMMITMENTS

Estimated value of contracts remaining to be executed on capital account and not provided for (net of advances) Rs NIL (previous year –Rs. Nil)

LEASE OBLIGATIONS

Future obligations for rentals under finance lease arrangements for plant and machinery- Rs NIL (previous year –Rs. Nil)

(52)

CURRENT ASSETS, LOANS AND ADVANCES

In the opinion of the Management, the current assets , loans And advances have a value on realization in the ordinary course of business, equal at least to the aggregate amount shown in the Balance Sheet.

FIXED ASSETS

Land premium of **Rs. 8,93,179.10** relating to the current year has been written off during the year in view of the Land Premium of Rs. **8,84,24,731.00** of SEZ Land leased for 99 years and liable for amortization over the period of lease.

TAXATION

The authority had fulfilled the conditions contained U/S 10(46) of the IT Act,1961, as follows:-

a) The authority was not engaged in any commercial activity during the year.
b) The Activities and nature of the specified income remained unchanged throughout the financial year.

In view of the Exemption of Income from tax allowed in the past and Renewal of Exemption Application being Pending with CBDT and since the said exemption claimed by the Authority u/s 10(46), there being no taxable income under Income Tax Act, 1961, no provision for tax has been considered necessary.

Schedules 1 to 25 are annexed to and form an integral part of the Balance Sheet as at 31-3-2022 and the Income & Expenditure Account for the year Ended on that date.

Place : Noida
Dated: 23/06/2022

(Ajay Kumar Mishra)	(Nitin Gupta)	(A. Bipin Menon)
Sr. AO	Secretary	C.E.O

for Rajeev Sharma & Associates
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M.NO.073777

Noida Special Economic Zone Authority

DRAFT RECEIPTS AND PAYMENTS ACCOUNT FOR THE YEAR ENDED MARCH 31, 2022

(Amount in ₹) *(Amount in ₹)*

RECEIPTS	CURRENT YEAR	PREVIOUS YEAR	PAYMENTS	CURRENT YEAR	PREVIOUS YEAR
Opening Balances b/f			**Expenses:**		
Cash in Hand	-	-	**(1)Establishment Expenses**		
Bank Balances			Programmer & Technical Staff	-	-
In Current Accounts	5,000,000	637,423	**(2)Administrative Expenses:**		
In Saving Account	61,770,478	174,894,990	Domestic & Foreign Traveling Expenses	1,873,319	1,716,616
Grants Received From Government of India			Professional Fees	3,973,934	3,309,193
For Plan Schemes	-	-	Minor Work Expenses	70,254,153	66,259,161
For Non Plan Expenses	-	-	Swachhata Action Plan	6,254,000	3,134,720
For Capital Expenditure	-	-	Electricity Expenses	14,584,462	14,099,522
			Office Expenses	2,842,743	3,403,852
For NER Development Fund	-	-	Advertisement & Publicity	2,520	63,040
From State Government	-	-	Rent, Rates & Taxes	3,930,900	5,139,793
From Other Sources (Detail)	-	-	Audit Fees	51,440	-
			Payment for Misc. expenses	-	-
Interests on Investments from			**Payments Against Funds for Various Projects:**		
Interest Received on Fixed Deposit with Bank	125,971,919	168,194,451	Transport Assistance	-	-
Own Funds	-	-	Development of Infrastructure	-	-
Interest Received			Development	-	-
Saving Bank	2,671,882	3,641,268	Quality Control System	-	-
Loan and Advances etc.	-	-	R & D Efforts	-	-
Income			**Investment and Deposits Made:**		
Lease Rent Received	298,982,240	306,030,065	Fixed Deposits	396,021,304	468,062,029
I Card & Entry permit fee Received	3,233,072	2,795,970	Out of Own Funds	-	-
Allotment Fees	8,679,896	15,215,314	**Expenditure on Fixed Assets & Capital Work-In-Progress:**		
Fee for Form I	-	5,970	Purchase of Fixed Assets	12,322,910	6,413,771
Interest On Delayed Payment	7,346,876	4,190,165	Capital Work-in-Progress	10,454,501	67,658,241
Water Charges Received	3,257,684	2,546,449	**Payments Against Specific Grant/Funds**		
Maintinance Charges Received	14,977,488	12,894,300	Payment for NBD fund	-	-
Plot Transfer Charges	5,378,000	14,311,880	Payment for NER fund	-	-
Bid Charges	-	5,429,321	Payment Against Specific Grant	-	-
Permission Charges	-	-	Payment Against Untilled Grant	-	-
Auction Sale	-	-	**Finances Charges Paid (Interest)**		
Licence Fees	164,997	193,877	Bank Changes	5,851	1,863
Miscellaneous Receipts	0	1	**Other Payments:**		
Sale of Auction Scrap	1,583,367	-	Advance to Suppliers	-	-
Amount Deposited			Advances/ Loan to Staff	-	-
Earnest Money Deposit	15,000	-	Earnest Money Deposit Payment	-	5,000
Security Money Deposit	11,120,122	12,374,147	Security Money Deposit Payment	8,727,031	5,542,476
Bid Amount (Liabilities)	-	1,971,500	Bid Amount (Liabilities)	-	14,236,169
Other Receipts			Other Deposit & Current Assets	-	150,000
Advances from Staff	-	-	Income Tax Paid	-	-
Tax Refunded	-	-	Service Tax Paid	-	-
Receipts from Debtors (Matured FD)	-	-	GST Paid	828,509	802,296
Bank Charges	1,062	6,095	**Closing Balance**		
Refund from Income Tax (TDS)	-	-	Cash in Hands	-	-
Other Deposit & Current Assets	-	1,435,032	Balances with Bank		
Minor Work Expenses	-	-	In Current Accounts	3,318,136	5,000,000
			In Saving Account	14,708,371	61,770,478
Total: Rs	**550,154,083**	**726,768,220**	**Total: Rs**	**550,154,083**	**726,768,220**

Place : Noida
Date : 23/06/2022

(Ajay Kumar Mishra)
Sr. AO

(Nitin Gupta)
Secretary

(A.Bipin Menon)
CEO

FRN-004849C
NOIDA

for Rajeev Sharma & Associates
Chartered Accountants
FRN:004849C

(54)

NOIDA SPECIAL ECONOMIC ZONE AUTHORITY

ANNUAL - REPORT
2021-22

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ANNUAL REPORT OF NSEZ AUTHORITY
2021-22
As per Rule 12(2) of SEZ Authority Rules, 2009

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Noida Special Economic Zone Authority

1. INTRODUCTION

Noida Special Economic Zone (NSEZ), set up in 1985 is spread over on 310 acres of land. It provides exceptional infrastructure, supportive services, and sector specific facilities for the thrust areas of exports like gems and jewellery, electronics and software.

NSEZ Authority came into force from 1st April 2009. The development of NSEZ is vested with NSEZ Authority, a government entity reporting directly to the Ministry of Commerce & Industry.

NSEZ Authority has autonomous powers, regulatory independence and controls in respect of, *inter alia*, development of zone, business registration and accomplish environmental regulation, land use, building regulation, certain utilities, municipal services and disposal and use of Government land in NSEZ.

NSEZ Authority is governed by an Authority constituted by Central Government vide Notification dated 27th February, 2009 and headed by the Development Commissioner of the Zone who shall act as Chairman and Chief Executive Officer of the Authority.

NSEZ Authority's mission is to develop NSEZ into a leading hub of commerce, trade & industry.

To comprehend its mission, NSEZ Authority focuses on two principal areas of accountability:

(1) Facilitation; and

(2) Development

In terms of its regulatory function, NSEZ Authority has built strong regulatory capacity and serves as a single point of service for investors, visitors, residents and enterprises, particularly in the areas of business registration and licensing, building permits, visa/residency/work permits, land, environment and investment promotion.

In terms of its development function, NSEZ Authority has created an enabling environment conducive to private sector development, and has implemented several high profile projects.

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2. Structure and Functions.

Constitution of Noida Special Economic Zone Authority is as under:

Sr. No.	*Members*	*Designation*
1.	*Development Commissioner, Noida Special Economic Zone*	*Chairperson, Ex officio*
2.	*Jt. Director General foreign Trade, Kanpur, Uttar Pradesh or his nominee not below the rank of Deputy Director General Foreign Trade*	*Member, Ex officio*
3.	*Jt. Development Commissioner, NSEZ or in absence of Jt. Development Commissioner in the Zone, Deputy Development Commissioner, NSEZ*	*Member, Ex officio*
4.	*Jt. Secretary, Deptt. of Commerce dealing with matter relating to Special Economic Zone or his nominee not below the rank of Under Secretary.*	*Member, Ex officio*
5.	*Representative of Trade*	*Member*
6.	*Representative of Trade*	*Member*

Functions of the NSEZ Authority:

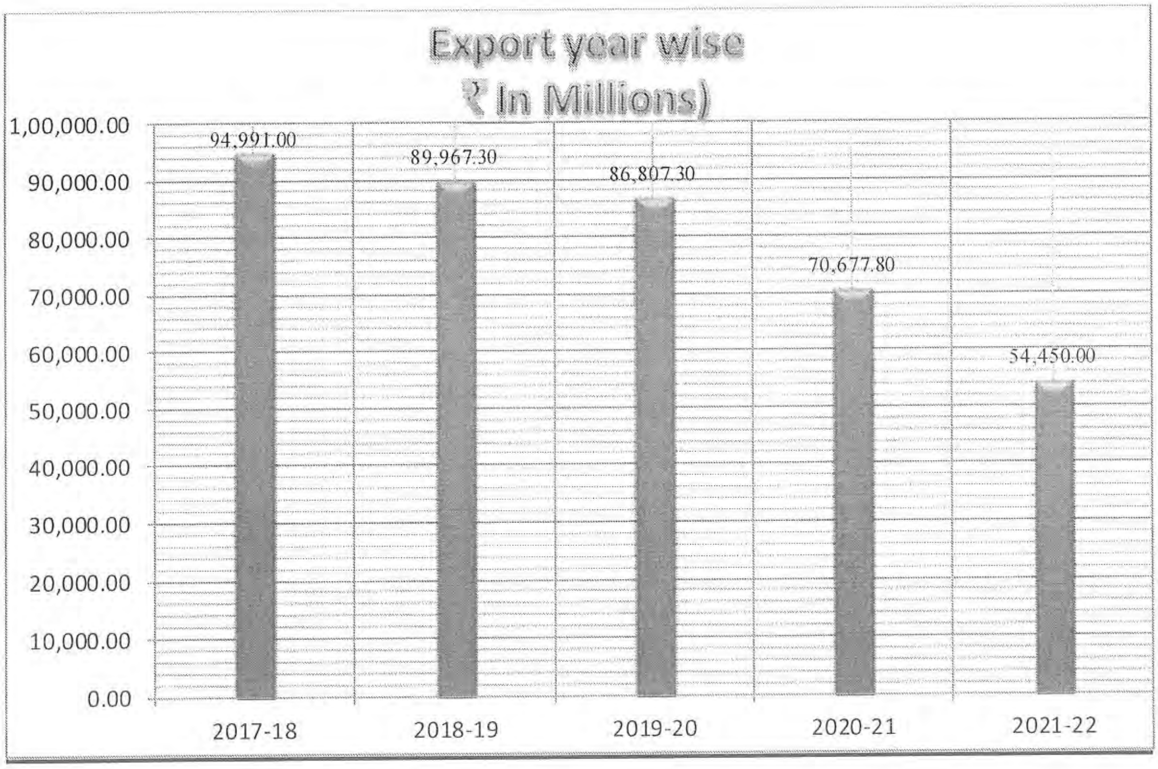
- Promotion of Investment from domestic and foreign sources.
- Development and maintenance of integrated world class infrastructure for exports.
- Employment generation.
- Promotion of export of goods and services from India.
- Raising overall level of economic activity.
- Realisation of Lease Rent./ other source of funds
- Action against defaulter units (those units who are not paying Lease Rent).
- Overall supervision of the Zone.
- Safety and security of the Zone.

3- Export performance of the Zone.

Performances of NSEZ, year wise, are given below:-

(₹ *In Millions)*

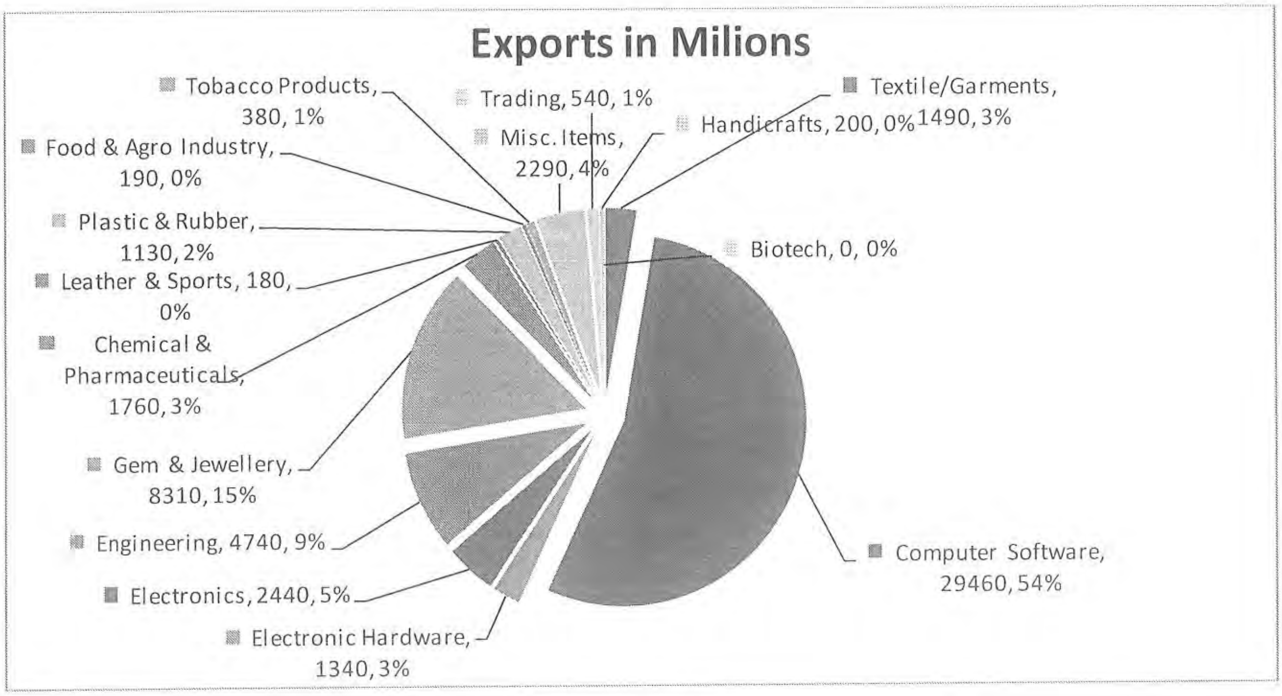
FINANCIAL YEAR	TOTAL EXPORT
2017-2018	94991.00
2018-2019	89967.30
2019-2020	86807.30
2020-2021	70677.80
2021-2022	54450.00



Sub: Sector-wise growth of Exports from NSEZ

(₹ In Million)

S.No.	Product Sector	2017-18	2018-19	2019-20	2020-21	2021-22
1.	Textile/Garments	1197.70	2668.20	3497.20	1710.00	1490.00
2.	Computer Software	23210.00	25449.30	32182.30	29860.00	29460.00
3.	Electronic Hardware	4696.10	7178.30	6870.90	2253.30	1340.00
4.	Electronics	2240.60	0.00	17.40	0.00	2440.00
5.	Engineering	7944.6	5784.90	5751.40	4263.10	4740.00
6.	Gem & Jewellery	47043.0	34675.40	26009.40	13640.00	8310.00
7.	Chemical & Pharmaceuticals	331.30	671.10	772.20	570.00	1760.00
8.	Leather & Sports	985.70	1101.70	1169.30	480.00	180.00
9.	Plastic & Rubber	808.20	983.80	853.30	745.40	1130.00
10.	Food & Agro Industry	275.90	772.90	669.20	1320.00	190.00
11.	Tobacco Products	746.70	254.20	327.30	458.70	380.00
12.	Misc. Items	5144.20	9706.60	8011.20	13327.30	2290.00
13.	Trading	367.00	362.10	312.10	1090.00	540.00
14.	Handicrafts		358.80	364.10	570.00	200.00
15.	Biotech				390.00	0.00
	TOTAL	94991.00	89967.30	86807.30	70677.80	54450.00



IMPORTS

(₹ In millions)

S.No.	Nature of goods imported	2017-18	2018-19	2019-20	2020-21	2021-22
1.	Capital Goods	608.90	778.4	1623.70	410.00	311.50
2.	Raw material /components	63876.30	53833.00	42286.70	25974.00	9629.60
	Total	**64485.20**	**54611.40**	**43910.40**	**26384.00**	**9941.10**

4. **Performance during the year indicating existing and projected activities, programmes continuing from the previous year and new programmes and their impact on Authority's revenue collection and impact on the Zone's export performance.**

Direct/Indirect Income during the Financial Year 2017-2018	₹ 53.24 Crores
Direct/Indirect Income during the Financial Year 2018-2019	₹ 51.25 Crores
Direct/Indirect Income during the Financial Year 2019-2020	₹ 46.45 Crores
Direct/Indirect Income during the Financial Year 2020-2021	₹ 53.55 Crores
Direct/Indirect Income during the Financial Year 2021-2022	₹ 47.22 Crores

The overall employment generated by the Zone:

Total Employment	:Nos. 40150
Men	:Nos. 33293
Women	:Nos. 6857

5. **Audited annual statement of accounts.**

Prepared/Audited by a professional CA firm engaged by the Authority viz. M/s Rajeev Sharma & Associates in accordance with SEZ Authority Rules, 2009 and guidelines issued by CAG.

6. **Relevant information on labour front – strike, lockouts, accidents, litigation involving Authority's estate.**

During the Financial Year 2021-22, total numbers of litigation including Workmen's Compensation Act (01), wages (07), bonus (Nil) & gratuity payments (06) and (02) application related to Right to Information Act were received.

All 16 cases have been resolved by conducting conciliation proceedings and no case is still pending.

Details of cases for the year 2021-22 are given as under:-

S. No.	Description	Total No. of Cases	No. of Settled Cases	No. of Pending Cases
1	Workmen's Compensation Act	01	01	Nil
2	Payment of Wages Act	07	07	Nil
3	Payment of Bonus Act	Nil	-	-
4	Payment of Gratuity Act	06	06	Nil
5	Right to Information Act	02	02	Nil
6	Total	16	16	Nil

7. **General Industrial trends in the Zone, broad details of sick, closed Units and their impact on the Zone's performance and Authority's estate including litigation.**

There are 284 nos. functional units and 50 units under implementation. They are doing well towards export and employment generation.

46 units are sick/ closed due to various reasons. Most of the cases are subjudice.

Appropriate action under SEZ Act/ rules and P.P. Act, 1971 is going on for the recovery of lease rent from the Sick/Closed units.

8. Achievements, Innovations, new ideas implemented.

- Implementation of e-office in NSEZ.
- Replacement of sewer lines behind SDF F,G,H and I Block. F, G, H, I blocks and staff quarters.
- construction of cycle/pedestrian track in NSEZ.
- Construction of boundary wall in Staff Colony, NSEZ

9. Seminars, Conferences, Training programmes organized by the Authority.

- Meeting of NSEZ Authority: The meetings of NSEZ Authority are held on regular basis. During this financial year, 5 meetings have been held. Last meeting was held online through video conferencing on 25th March, 2022 in view of Infrastructure Development of the Zone.
- No seminars and training programmes were conducted during financial year 2021-22 in accordance with the guidelines issued by the Govt. of India to maintain social distancing and avoid social gatherings keeping in view the spread of COVID-19 pandemic.

10. Events of national and international importance in which the Authority participated.

- Celebration of Van Mahotsav-2021 on 15.08.2021.
- Celebration of Independence Day-2021 and Republic Day-2022
- 7th International Yoga Day was celebrated on 21st June, 2021.
- Swachhata Action Plan for Financial Year 2021-22.
- Launch of vanijya Saptah on 20.09.2021 by Hon'ble CIM.
- Celebration of Azadi Ka Amrit Mahotsav in commemoration of 74 years of India's Independence on 23rd September, 2021.
- Plantation drive on 23.09.2021
- Mini Marathon event on 2nd October 2021.
- Swachhta Pakhwada was carried out from 1st November, 2021 to 15th November, 2021.

Details of Swacchta Activities carried out/completed during the year 2021-22.

- Publicity of events/activities of campaign through the website of NSEZ.
- Display of slogans and signages/Banner related to Swachhta Abhiyan in the various places of the Noida Special Economic Zone and other SEZs under the administrative control of this office.
- Every week one Gandhian thought is displayed on Notice Boards and website of NSEZ.
- Sensitization of all the MTSs/Sweeping staff/Housekeeping staff about their crucial role in maintaining cleanliness; and further inspirit of Swachh Bharat Mission, on quarterly basis.
- Improvement of the working condition of housekeeping staff. The Contractor for Housekeeping and cleaning work will be directed to provide modern mechanical equipment's for cleanliness in this office.
- Cleaning of corridor and stairs on daily basis.
- Disposal of waste and paper material including weeding out of files up to July, 2019 as per provision laid down in Record Retention Schedule Weekend Extensive cleaning of Noida Special Economic Zone.

- Disposal bags in dustbins changed on daily basis.
- Removal of cobwebs from rooms and corridors on weekly basis.
- Cleanliness drive was organized in government school located at Bhoora Village, Noida.
- Plantation Drive has been carried out in the zone.

11. Agreements with other countries/ international organizations.

No such agreement was entered into by the NSEZ Authority with any other country/international Organisation during the Financial Year 2021-22.

12. List of Publications brought out by NSEZ Authority.

- Annual Accounts & Report for the year 2020-2021 bilingual in Hindi & English have been printed out.

13. Welfare measures.

Several efforts have been made towards welfare measures including establishment of a guest house, greening of the Zone, making and renovating parks.

14. Use of Hindi as Official Language.

Usage of Hindi in the official letters/ documents is increased from 80 to 100% in the Areas classified as "A" and upto 80% in the areas classified as "B" &"C"

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Agenda for NSEZ Authority meeting to be held on 27.06.2022

(3) **विषय: बैंकों को आवंटित जगह हेतु किराये की दरें निर्धारण एवं किराये पर GST लगाने के सम्बन्ध में|**

1. It is submitted that CAG Audit Team conducted the audit of accounts of the NSEZ Authority for the period 04/2019 to 03/2021 from 25.10.2021 to 01.11.2021. During the audit of the accounts the Audit team has raised following test audit notes in respect of lease rent recovered from banks as under:-

"*Para 1: The NSEZ, recovered lease rent from State Bank, Canara Bank, Central Bank and Punjab National Bank, ICICI ATM, Union Bank of India ATM, much less rate instead of the rates prescribed in Office memorandum of Ministry of Housing and Urban Poverty Affairs, Department of Expenditure, GOI. The Proper rents may be levied and the strict compliance must be assured and intimated to the Audit.*"

"*Para 2: The NSEZ, recovered lease rent from State Bank, Canara Bank, Central Bank and Punjab National Bank, ICICI ATM, Union Bank of India ATM is much less rate instead of the rates prescribed by the Office memorandum of Ministry of Housing and Urban Poverty affairs, Department of Expenditure, GOI, further the GST applicable has not been recovered on the rent applicable. The component of GST over the prescribed lease rent may be recovered with the lease rents. The strict compliance may be assured and intimated to the Audit.*"

2. In this regard, it is submitted that this office recovers the lease rent from Banks at the rate of SDF. At present this office does not recover GST over the prescribed lease rent from the any allottee.

3. In view of above, the matter was placed before NSEZ Authority in its meeting held 17.12.2021 to take a view in this regard.

4. Sh. Rajeev Sharma has informed about the notification 03/2018 issued by Ministry of Finance related to GST.

5. The Authority discussed the agenda in detail. The Authority after due deliberation, directed to examine the matter in detail in consultation with CA firm and place the details in next meeting for deliberation so that the Audit team may be informed accordingly.

6. In this connection, Sh. Rajeev Sharma vide its email dated 22.06.2022 has informed as under:-

"The following comments may be put in the Bill, showing the liability of the Allottees for deposit of GST under "Reverse Charge Mechanism". Further the Allottees may be informed also about depositing the GST.

वकाया राशि पर ब्याज@ 12.00% प्रति वर्ष (IGST (EXEMPT)

LUT No.AD090422006424G Date:05.04.2022

GST payable under Reverse Charge - NO/ YES as per notification no. 3/2018 - Central Tax (Rate) dated 25th January 2018

टिप्पणी:-

जीरो रेटेड सप्लाई अथार्त वह सप्लाई जो विशेष आर्थिक क्षेत्र को बांड के साथ बिना IGST का भुगतान किये सेक्शन 16-IGST एक्ट-2017 के अंतर्गत की जाती है |

उपरोक्त पट्टा किराया/वकाया राशि का भुगतान वेबसाइट www.nsez.gov.in पर जाकर ऑनलाइन कर सकते है अथवा "नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण" या "NSEZ Authority" के पक्ष में डिमांड ड्राफ्ट/ पे आडर्र/बैंकर चैक के माध्यम से किया जा सकता है | अग्रिम किराया और बकाया राशी का भुगतान तिमाही के पहले महीने में न होने पर, दंडात्मक ब्याज प्रसारित किया जाएगा |"

7. In view of above, the matter is again placed before NSEZ Authority for further deliberation.

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Print Close

From: Rajeev Sharma (rsassociatesnoida@yahoo.com) **Date:** Wed, 22 Jun 2022 10:50:43 +0000 (UTC)
To: Bharat Bhushan
Subject: Re: Notification No. 3/2018 for Reverse Charge under GST

Dear Sir,

Please refer to the mail below, The following comments may be put in the Bill, showing the liability of the Allottees for deposit of GST under "Reverse Charge Mechanism". Further the Allottees may be informed also about depositing the GST.

वकाया रिश पर □ाज @ 12.00 %□ित वष□ 0.00
IGST (EXEMPT)

LUT No.AD090422006424G Date:05.04.2022
GST payable under Reverse Charge - NO/ YES as per notification no. 3/2018 - Central Tax (Rate) dated 25th January 2018
िटप्पणी:-
जीरो रेटेड सप्लाई अथार्त वह सप्लाई जो िवशेष आिथर्क क्षेतर् को बांड के साथ िबना IGST का भुगतान िकये सेक्शन 16-IGST एक्ट -17 के अंतगर्त की जाती है |
उपरोक्त प□ा िकराया/वकाया रिश का भुगतान वेबसाइट www.nsez.gov.in पर जाकर ऑनलाइन कर सकते है अथवा "नौएडा िवशेष आिथर्क क्षेतर् पिर्ाधकरण" या "NSEZ Authority" के पक्ष म□ िडमांड ड्राफ्ट/पे आडर्र/ब□कसर् चैक के माध्यम से िकया जा सकता ह□। अिगर्म िकराया और बकाया राशी का भुगतान ितमाही के पहले महीने म□ न होने पर, दंडात्मक ब्याज पर्भािरत िकया जाएगा |

On Tuesday, 21 June, 2022, 01:09:03 pm IST, Bharat Bhushan <assistant4@nsez.gov.in> wrote:

----- Original Message -----
From: Rajeev Sharma [mailto:rsassociatesnoida@yahoo.com]
To: ddc1@nsez.gov.in>,
Sent: Tue, 1 Feb 2022 12:48:48 +0000 (UTC)
Subject:

Dear Sir,

Please find attached here with the GST Notification No. 3/2018 for reverse charge on Renting of leased properties. PFA

Rgds

GST: RCM on renting of immovable property by Govt to registered person (https://taxguru.in/goods-and-service-tax/gst-rcm-on-renting-of-immovable-property-by-govt-to-registered-person.html)

Seeks to amend **notification No. 13/2017- Central Tax (Rate)** (https://taxguru.in/goods-and-service-tax/cgst-services-under-reverse-charge-mechanism.html)so as to specify services supplied by the Central Government, State Government, Union territory or local authority by way of renting of immovable property to a registered person under CGST Act, 2017 to be taxed under Reverse Charge Mechanism (RCM).

Government of India

Ministry of Finance

(Department of Revenue)

Notification No. 3/2018- Central Tax (Rate)

New Delhi, the 25th January, 2018

GSR 66(E).– In exercise of the powers conferred by sub-section (3) of section 9 of the **Central Goods and Services Tax Act, 2017** (https://taxguru.in/goods-and-service-tax/president-assents-central-goods-services-tax-act-2017.html/) (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), **No. 13/2017- Central Tax (Rate), dated the 28th June, 2017** (https://taxguru.in/goods-and-service-tax/cgst-services-under-reverse-charge-mechanism.html), published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 692(E), dated the 28th June, 2017, namely:-

In the said notification,-

(i) in the Table, after serial number 5 and the entries relating thereto, the following serial number and the entries relating thereto shall be inserted, namely: –

(1)	(2)	(3)	(4)
"5A	Services supplied by the Central Government, State Government, Union territory or local authority by way of renting of immovable property to a person registered under the **Central Goods and Services Tax Act, 2017** (https://taxguru.in/goods-and-service-tax/president-assents-central-goods-services-tax-act-2017.html) (12 of 2017).	Central Government, State Government, Union territory or local authority	Any person registered under the Central Goods and Services Tax Act, 2017.";

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(ii) in the Explanation, after clause (e), the following clause shall be inserted, namely: –

'(f) "insurance agent" shall have the same meaning as assigned to it in clause (10) of section 2 of the Insurance Act, 1938 (4 of 1938).'.

[F. No. 354/13/2018- TRU]

(Ruchi Bisht)

Under Secretary to the Government of India

Note: -The principal notification was published in the Gazette of India, Extraordinary, *vide* **notification No. 13/2017 – Central Tax (Rate), dated the 28th June, 2017** (https://taxguru.in/goods-and-service-tax/cgst-services-under-reverse-charge-mechanism.html), *vide* number G.S.R. 692 (E), dated the 28th June, 2017 and was last amended by **notification No. 33/2017 – Central Tax (Rate), dated the 13th October, 2017** (https://taxguru.in/goods-and-service-tax/rcm-supply-services-members-overseeing-committee-rbi.html) *vide* number G.S.R. 1275 (E), dated the 13th October, 2017.

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SC reverses Gujarat HC AAP judgement & held that GSTR-3B is a return (https://taxguru.in/goods-and-service-tax/sc-reverses-gujarat-hc-aap-judgement-held-gstr-3b-return.html)

Govt reduces GST Rate on Ethanol to 5% from 18% (https://taxguru.in/goods-and-service-tax/govt-reduces-gst-rate-ethanol-5-per-cent-18-per-cent.html)

No Denial of ITC if transactions were genuine & supplier registration cancelled thereafter- HC (https://taxguru.in/goods-and-service-tax/denial-itc-transactions-genuine-supplier-registration-cancelled-hc.html)

CGST officers arrest CA for generating fake ITC of Rs. 92 crores (https://taxguru.in/goods-and-service-tax/cgst-officers-arrest-ca-generating-fake-itc-rs-92-crores.html)

RCM impact of supply of Security service (Personal) to RWA (CHS) (https://taxguru.in/goods-and-service-tax/rcm-impact-supply-security-service-personal-rwa-chs.html)

« **Previous Article** (https://taxguru.in/goods-and-service-tax/cbec-notifies-exemption-on-certain-services-wef-25-01-2018.html)

Next Article » (https://taxguru.in/goods-and-service-tax/gst-on-construction-services-against-transfer-of-development-right-vice-versa.html)

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Sridhar says:

Forward charge since railways should be with registration under gst

August 14, 2018 at 2:03 pm (https://taxguru.in/goods-and-service-tax/gst-rcm-on-renting-of-immovable-property-by-govt-to-registered-person.html/#comment-121302)

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R NARAYANAN says:

Whether Indian Railways will be covered under the above notification ? i.e. if Railways has leased a land, then it will be under forward charge or reverse charge after 25th Jan.2018 ?

February 28, 2018 at 2:01 pm (https://taxguru.in/goods-and-service-tax/gst-rcm-on-renting-of-immovable-property-by-govt-to-registered-person.html/#comment-112132)

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local authority

A local authority is an organization that is officially responsible for all the public services and facilities in a particular area.

[British]

AL NOTE:
use local government

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Agenda for NSEZ Authority meeting to be held on 27.06.2022

4 **विषय: सुरक्षा रक्षकों हेतु अस्थाई शेड्स बनाने एवं रात्रि ड्यूटी वाले सुरक्षा रक्षकों हेतु मेडिकल किट्स के सम्बन्ध में |**

1. It is submitted that CAG Audit Team conducted the audit of accounts of the NSEZ Authority for the period 04/2019 to 03/2021 from 25.10.2021 to 01.11.2021. During the audit of the accounts the Audit team has raised following test audit note in respect of Social Security provided to the Security Guards as under:-

"*The details of Social Security provided to the Security Guards (Temporary shades construction and medical kits for night guards etc.) have not been produced to audit. The compliance of social security measures must be assured and the compliance details and status may be intimated to Audit.*"

2. In view of above, the matter was placed before NSEZ Authority in its meeting held on 17.12.2021 to take a view and issue necessary direction in this regard.

3. Sh. Mehra, Trade member suggested that Porta Cabin may be used for construction of temporary sheds for night duty security guards. Sh. Pramod Kumar, ADC suggested that some high rise security tower may be erected at strategic locations in the zone to strengthen the security of the zone, especially form the trespassers.

4. The Authority discussed the agenda in detail. The Authority after due deliberation has decided that Porta Cabin will be used for temporary sheds and solar panels on said Porta cabins will also installed for lighting/electricity purpose. The Authority also decided that high rise Security Tower may also be installed to strengthen the security of zone at all strategic locations near the security road/boundary wall. The Authority has constituted a Committee under the chairmanship of Sh. Nitin Gupta, DDC comprising Security Officer and one Trade representative to identify the places for installation of porta cabin and high rise Security towers. The report of said committee may be placed before next Authority meeting for further deliberation.

5. Accordingly, Committee members were requested to identify the places for installation of porta cabin and high rise security towers and submit their report so that same may be placed before NSEZ Authority in its next meeting.

6. The Committee met on 02.03.2022, in which Shri Nitin Gupta, DDC, Shri Prakash Chand Upadhyay, Security Officer and Shri Amit Mehra, Trade Member of NSEZ Authority were present. The committee physically inspected all the locations and recommended the following 06 locations for High rise Security Tower and 09 locations for porta cabin with Solar Light at its roof:

A. **Proposed locations for High rise Security Tower-**

i. Back side of Plot No. 07 at security road.

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ii. Back side of Plot No. 59F at security road.
iii. Back side corner of Plot No. 137 at security road.
iv. Corner of Plot No. 146 at security road.
v. Back side of SPS and Electric Sub-Station at security road.
vi. Corner of Park No. 05 at security road.

B. **Proposed locations for Porta Cabin-**

i. First entrance of Service Centre at parking corner.
ii. Back side of Staff Quarter 'A' Block.
iii. Back side of Plot No. 142A/20B at security road.
iv. Back side of SDF 'L' Block Booster Pump at security road.
v. Back Side of Plot No. 68A(D) at security road.
vi. Back corner of Plot No. 39 at security road.
vii. Corner of SDF D Block Fire Pump Room at security road.
viii. Corner of Plot No.202 (11 KVA Electric Sub Station).
ix. Back side of SDF 'H' Block.

7. In view of above, the report of aforementioned Committee is placed before NSEZ Authority for further deliberation.

****

Report on site visit for recommending scope of work for High rise Security tower and Porta Cabin regarding. 77

NSEZ Authority, in its meeting held on 17.12.2021 constituted the following committee to recommend scope of work for High rise Security tower and Porta Cabin regarding.

1. Shri Nitin Gupta. DDC (Chairman)
2. Shri Prakash Chand Upadhyay, S.O
3. Trade Member of Authority

The committee met on 02.03.2022, In which Shri Nitin Gupta, DDC, Shri Prakash Chand Upadhyay, S.O and Shri Amit Mehra, Trade Member of NSEZ Authority were present. The committee physically inspected all the locations and recommended the following scope of work for each High rise Security tower and porta cabin with Solar Light at its roof.

1. High rise Security tower

1. Back side of Plot No-07 at security road.
2. Back side of Plot No-59F at security road.
3. Back side corner of Plot No- 137 at security road.
4. Corner of Plot No- 146 at security road.
5. Back side of SPS and Electric sub-station at security road.
6. Corner of Park no-05 at security road.

2. Porta Cabin

1. First entrance of Service Centre at parking corner.
2. Back side of staff Qtr. A Block.
3. Back side of Plot no-142A/20B at security road.
4. Back side of SDF L Block Booster Pump at security road.
5. Back side of Plot No-68A/D at security road.
6. Back corner of Plot No-39 at security road.
7. Corner of SDF D Block Fire Pump Room at security road.
8. Corner of Plot No- 202 (11 KVA Electric sub-station).
9. Back side of SDF H Block.

(Amit Mehra) **Trade Member, NSEZ Authority**	**(Prakash Chand Upadhyay)** **S.O, NSEZ**	**(Nitin Gupta)** **DDC, NSEZ**

Agenda for NSEZ Authority meeting to be held on 27.06.2022

(5) **Subject: Transfer of building erected at Plot No. 183, NSEZ, Noida in favour of M/s. Associated Lighting Company-reg.**

It is submitted that M/s. Associated Lighting Company had been requested vide this office letter dated 12.07.2021 to provide a copy of auction/tender documents and complete formalities for transfer of building erected at Plot No.183 (measuring 637.89 sq. mtrs), NSEZ in favor of M/s. Associated Lighting Company.

2. Now, M/s. Associated Lighting Company vide its letter dated 30.03.2022 has submitted the parawise reply as under:-

S. No.	Documents/Information sought	Reply
1.	M/s. Associated Lighting Company would surrender original sub-lease deed in respect of Plot No. 183, NSEZ.	The unit has submitted that they have not received the original papers from the Auctioneer nor from the bank but they have the copy of the lease deed and order of the Hon'ble DRT in the matter of RC No. 134/01 SBI vs Smt. Urmi Jain and others and RC No. 174/01 SBI vs Pearl Syntax Pvt. Ltd. and others wherein the Hon'ble Court had clearly ordered to the NSEZ Authorities to transfer the said property in the name of M/s. Associated Lighting Company. The bank and the auctioneer are not handing over the original papers to them despite their various requests and reminders.
2.	Deposit lease rent amounting to **Rs.27,67,605/-** in respect of Plot No.183, NSEZ, Noida towards lease rent outstanding upto current quarter ending on 30.09.2021.	The unit has submitted that they are not liable to pay previous rent as they had already wrote in their previous letters that after the auction the sole responsibilities of this office to offer the possession of the said building and to execute all required and necessary documents within time. Hence, the unit can pay the rent from 12.07.2021 onwards if the possession is offered and handover properly to them.
3.	M/s. Associated Lighting Company, would deposit transfer charges amounting to **Rs.6,37,890/-** @ Rs.1,000/- per sq. mtr. (in case transferee does not possess completion certificate of the building) or **Rs.3,50,840/-@** Rs. 550/- per sq. mtr (in case transferee possesses completion certificate of the building)	The unit is ready to pay the transfer charges subject to confirmation of possession to the unit.
4.	M/s. Associated Lighting Company would deposit an amount **Rs.96,321/-**@151/- per sq. mtr. towards Security Money. Security money shall be released at time of vacation of Plot.	The unit is ready to pay security deposit amounting to **Rs.96,321/-** upon confirmation of possession of the said building/plot.
5.	M/s. Associated Lighting Company, would deposit **Rs.28,067/-**@176/- per sq. mtr. towards one quarter advance lease	The unit is ready to pay advance lease rent along with the rent from 12.07.2021.

	rent and **Rs.1,320/-** towards one quarter water charges in respect of Plot No.183, NSEZ.	
6.	M/s. Associated Lighting Company, shall have to pay Customs dues before possession. Customs dues may be ascertained from Dy. Commissioner of Customs, NSEZ.	The unit has submitted that they are not responsible to pay any charges as Hon'ble DRT has not given any such instruction.
7.	M/s. Associated Lighting Company, will submit an undertaking to execute sub-lease agreement within 45 days from the date of taking over possession of the plot/building.	The unit has submitted that they will execute the lease within the specified period after the possession of the said Plot.
8.	M/s. Associated Lighting Company, would give an undertaking to pay the outstanding dues to UPPCL/Financial Institutions etc, if any.	The unit has submitted that they are not responsible to pay any charges as Hon'ble DRT has not given any such instruction.

3. **<u>Brief facts of the case are as under:-</u>**

1. LOA No. 11-117/92-Proj/2663 was issued to M/s. Pearl Syntax on 18.03.1993.
2. Plot No. 183, NSEZ was allotted to M/s. Pearl Syntax on 18.03.1993 and possession was given on 22.03.1993.
3. Plot No. 183, NSEZ was co-alloted to M/s. Shree Nihal Jewellers and notionally half half demarcated between M/s. Shree Nihal Jewellers and M/s. Pearl Syntax vide this office letter dated 14.06.1993.
4. Sub lease deed of Plot No. 183, NSEZ executed on 11.02.1994 was expired in 2008.
5. No Objection Certificate was issued in favour of Bank to mortgage the building at Plot No. 183, NSEZ vide this office letter dated 15.03.1994.
6. The unit was not paying lease rent hence, eviction proceedings were initiated against the unit.
7. State Bank of India filed the case against M/s. Pearl Syntax Private Ltd. and its Partner Ms. Urmila Jain at Debt Recovery Tribunal, New Delhi in the year 1998. Case nos. are O.A. 365/1998 (RC No. 134/2001) & O.A. 366/1998 (RC No. 174/2001).
8. State Bank of India initiated action against the unit to recover the dues on 10.08.2005.
9. Vide this office letter dated 07.09.2005, it was informed to State Bank of India that an amount of Rs.3,47,593/- is outstanding in respect of Plot No. 183, NSEZ.
10. DRT-I sealed the unit on 27.11.2008 under Rule 53 of the second schedule of IT Act, 1961.
11. A letter dated 09.01.2009 was issued by this office to the Recovery Officer, Debt Recovery Tribunal-I, New Delhi to take note of the dues amounting to Rs.7,21,837/- of this office at the time of auction of the building. Further, as per the records, State Bank of India had auctioned the said property to any other NSEZ unit. However, the auction certificate for the same was not provided to this office.
12. State Bank of India and Debt Recovery Tribunal-I were requested vide this office letter dated 17.02.2014 to provide the Auction Certificate and other related document against the auction conducted by them on 10.06.2009.
13. M/s. Associated Lighting Company vide its letter dated 12.05.2016 informed this office that they have purchased Plot No. 183, NSEZ from State Bank of India through Debt Recovery Tribunal vide certificate dated 11.03.2014 and requested this office to issue possession certificate in the name of M/s. Associated Lighting Company. But the request of the unit could

not be considered as the file of M/s. Pearl Syntax was not received from advocate and the unit (M/s. Associated Lighting Company) was not paying the lease rent in respect of Plot No. 101&102, NSEZ allotted to them. Hence, eviction proceedings were initiated against the unit and recovery certificates were also issued to recover the outstanding lease rent from the unit. The premises (Plot No. 101&102, NSEZ) was inspected by Caretaker, NSEZ and it was found that the unit is lying closed and only two persons Mr. Hari Singh, Security Guard and Mr. Deepak, Electrician were present at the site.

14. M/s. Associated Lighting Company vide its letter dated 13.07.2020 requested this office to transfer the property at Plot No. 183, NSEZ in the name of M/s. Associated Lighting Company. The unit had also enclosed the Ownership Certificate issued by the Hon'ble Debt Recovery Tribunal-I, Delhi. However, the order submitted by M/s. Associated Lighting Company was passed by DRT-I, Delhi in the year 2014 and as per the information received from the advocate, the matter of M/s. Pearl Syntax Pvt. Ltd., Plot No. 183, NSEZ is still pending before DRT-I, Delhi.

15. The unit has been informed vide this office letter dated 02.09.2020 that the possession of Plot No. 183, NSEZ can only be handed over to the unit on receipt of NOC from State Bank of India and DRT-I, Delhi.

16. M/s. Associated Lighting Company had been requested vide this office letter dated 18.12.2020 to submit the original sub-lease deed of Plot No. 183, NSEZ.

17. State Bank of India vide letter dated 12.04.2021 has submitted that the mortgage permission/NOC issued by this office on 15.03.1994 stands cancelled as the property has already been auctioned to Associated Lighting Company. Further, the bank has also mentioned that they have no objection for transfer of property Plot No. 183, NSEZ in the name of Associated Lighting Company.

18. Our legal firm had opined that before transferring the Plot in the name of the successful auction purchaser, NSEZ should ascertain the following:

i. Validity of the auction purchase certificate;

ii. Terms and conditions of the auction facilitated by SBI so as to ensure the accounting of the previous dues of NSEZ, transfer & other charges etc.

iii. The NSEZ should formally write to SBI w.r.t the revocation of the No Objection Certificate issued on the request of M/s Pearl Syntax for Plot No. 183, NSEZ.

19. Accordingly, State Bank of India had been requested vide this office letter 22.01.2021 to provide a copy of auction/tender documents, validity of auction purchaser certificate and terms & condition of such auction in respect of Plot No. 183, NSEZ. State Bank of India vide letter dated 12.04.2021 submitted that the mortgage permission/NOC issued by this office on 15.03.1994 stands cancelled as the property has already been auctioned to Associated Lighting Company. The bank has also enclosed Certificate No. ITCP-18 and 20 issued by the Hon'ble Court duly attested by the bank along with the auctioneer acknowledgement in favour of successful bidder i.e. Associated Lighting Co.

20. Due to non-availability of auction/tender documents, it is difficult to ensure that who is accountable to pay the previous dues of this office i.e. before 11.03.2014. M/s. Associated Lighting Company was requested to provide a copy of auction/tender documents and to clear the lease rent & pay transfer charges, security deposits etc. in this office for taking over the possession of Plot No. 183. State Bank of India was requested to provide auction/tender documents and auction purchase certificate in respect of Plot No. 183, NSEZ.

21. M/s. Associated Lighting Company vide letter dated 21.06.2021 submitted that they are ready to pay all outstanding vide advertisement dated 03.06.2011 i.e. Rs.7,21,837/- and as per our letter to SBI and DRT-I dated 09.01.2009.

4. It is mentioned here that the unit is ready to pay lease rent w.e.f. 12.07.2021 whereas the sale certificate was issued by Hon'ble DRT on 11.03.2014. The unit has also not submitted auction purchase certificate and auction/tender documents as requested vide this office letter dated 12.07.2021 and refused to pay previous outstanding dues, customs dues & UPPCL/Financial Institutions dues.

5. In view of above, the matter is placed with full facts before the NSEZ Authority for detailed deliberations and decision.

(82)

Agenda for NSEZ Authority meeting to be held on 27.06.2022

(6) **Subject: Review of the format of NOC for mortgage permission-regarding.**

It is submitted that M/s. Roto Pumps Ltd., Plot No. 14, NSEZ vide its letter dated 21.03.2022 had requested this office to provide permission to mortgage the building constructed at Plot No. 14, NSEZ in favour of Bank of Baroda and DBS Bank India Ltd. The request of the unit was examined as per the format of NOC for mortgage permission approved by NSEZ Authority in its meeting held on 25.03.2022 attached at **Annexure-A**. Accordingly, the unit was requested vide this office letter dated 22.04.2022 to submit following documents:-

1. A copy of completion/occupancy certificate in respect of building at Plot No. 14, NSEZ.
2. Indemnity Bond on non-judicial stamp paper of Rs. 100/- duly notarized indemnifying that Directors/Promoters of the company shall pay unpaid balance dues of NSEZ Authority from their personal accounts in case lease rent is due over the period of one year.

2. In reply of the said letter, the unit vide its letter dated 28.04.2022 submitted the point wise reply as under:-

a. They are unable to trace the completion/occupancy certificate in their records. They will trace the same or coordinate with Noida Authority and shall submit the same to this office in due course. The unit has also enclosed copy of letter of approval for building plan dated 04.12.1986.
b. They are a public listed company and their shares are actively traded at NSE and BSE. Personal Indemnity from a promoter/director for unpaid rent in case of a public listed company appears a cumbersome situation for a promoter / director. Further, they have submitted that they have never defaulted in payment of lease rent since allotment of plot in the year 1986.

3. Further, the unit has requested this office to dispense with requirement of indemnity from promoters/ directors of the Company for payment of unpaid rent from personal accounts in case of default.

4. Keeping in view that the unit is public listed company and they are paying lease rent regularly, the permission to mortgage the property at Plot No. 14, NSEZ was issued to the unit, vide this office letter dated 19.05.2022 attached at **Annexure-B**, inter alia subject to following conditions:-

a. The unit will execute an Indemnity Bond on non-judicial stamp paper of Rs. 100/- indemnifying that Directors/Promoters/Partners shall pay unpaid balance dues of NSEZ Authority from their personal accounts in case lease rent is due over the period of one year, in case NSEZ Authority decides to obtain the same after reviewing the representation of the unit.
b. The unit will submit a copy of completion/occupancy certificate in respect of building at Plot No. 14, NSEZ within three months.

5. In view of facts mentioned above, the representation of the unit is placed before NSEZ Authority for detailed deliberations and decision in the matter.

Annex.-'A'

File No.NSEZA/ADMN/05/2009/VOL-IV/2667
05/04/22

(83)

नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण, नौएडा

दिनांक 25.03.2022 को पूर्वाह्न 11:00 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण की बैठक का कार्यवृत

Minutes of meeting of NSEZ Authority(NSEZA) held under the Chairmanship of Shri. A. Bipin Menon, Chairman & CEO, NSEZ Authority at 11:00 AM on 25.03.2022 through video conferencing.

The following members of the NSEZ Authority were present during the meeting:-

1. Shri Nitin Gupta, Deputy Development Commissioner [Joint Development Commissioner (In charge) & Secretary, NSEZ Authority].
2. Shri. Alok Mukherjee, Director, M/s Idemia Syscom India Pvt. Ltd.

Besides, during the meeting i) Shri Amit Kumar Gupta, Deputy Commissioner (Customs), NSEZ, ii) Shri Ajay Kumar Mishra, Sr. Account Officer, NSEZ, iii) and Shri Pramod Kumar, Asstt. Development Commissioner, NSEZ, iv) Shri Bharat Bhushan, Assistant, and v.) Shri Rajeev Sharma, CA, M/s Rajeev Sharma & Associates were also present to assist the Authority.

It was informed that quorum is there and meeting can proceed.

At the outset, the Chairman & CEO, NSEZA welcomed the participants and after brief introduction, each item included in the agenda were taken up for deliberations one by one and decided unanimously as under.

1. मॉर्गेज परमिशन जारी करने हेतु अनुमति पत्र प्रारूप के अनुमोदन के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation approved the following format for issuance of mortgage permission to the NSEZ unit(s):-

F.No…………… dated: …………

To,

M/s. ……………………,
Plot No. ……………, NSEZ,
Noida-201305

Subject: NOC for equitable mortgaging of building at Plot No. ………., NSEZ: reg.

Sir,

I am directed to refer to your letter dated …………. on the subject cited above and to convey the "No Objection" of the Competent Authority to create equitable mortgage on the building and plant & machineries erected at Plot No…………, NSEZ(allotted to M/s………………) in favour of ………………………… subject to the following conditions: -

1. It is clarified that the present NOC is only for the facilitating of the mortgage of the building erected on the Plot No. ……………, NSEZ Noida. **The plot is not a subject**

नितिन

matter of mortgage being the property of the Govt. of India.

2. NOC is valid for the period of Sub-lease deed of the plot only. The period of lease may be extended on request of the unit on expiry of lease period and the sole responsibility of applying for the same shall lie with the unit. Also validity of Sub Lease deed will be coterminous with the validity of Letter of Approval (LOA). On expiry of the LOA, the lease rights would revert back to NSEZ Authority and the mortgage of lease rights would automatically stand vacated with effect from the date of expiry of LOA.
3. All charges of NSEZ for all claims under and/ or arising out of the lease, would have priority over the claim that mortgagee may have against the Sub Lessee for the loans, namely First charge over the building shall be of NSEZ Authority for the amount of unpaid balance / dues of Lessee/NSEZ Authority.
4. Unit will also execute an Indemnity Bond on non-judicial stamp paper of Rs. 100/- duly notarized indemnifying that Directors/Promoters/Partners shall pay unpaid balance dues of NSEZ Authority from their personal accounts in case lease rent is due over the period of one year.

This NOC is issued on the basis of information furnished by the unit that the subject assets have not been mortgaged to any other financial institution / bank for availing loan.

Yours faithfully,

(...)
Deputy Development Commissioner

प्रतिलिपि:-
Bank Details

Deputy Development Commissioner

2. नौएडा एसईजेड, नौएडा में इंजीनियरिंग-सह-वास्तुकार(Engineering Cum Architect) फर्म/ सरकारी सेवानिवृत्त इंजिनियर अनुबंधित करने के सम्बन्ध में |

The Authority discussed the agenda in detail. The Authority after due deliberation decided to engage an engineering consultancy firm or independent professionals retired from government agencies for following works in respect of infrastructural including civil, electrical and mechanical works/Misc related works to be carried out in NSEZ, Noida:-

i.

i. Examine the proposals for new civil/electrical/ infra/development work and maintenance operations of the zone (called projects) and report on its necessity/requirement
ii. Define the scope of work in a proposed project along with the time lines
iii. Scrutinise the proposals submitted by the executing agencies from time to time
iv. Monitoring the ongoing work being executed by the agencies in the

Annex. - 'B'

File No.NSEZ/WKS/17(16)/86-87/ 3930

(85)

आज़ादी का अमृत महोत्सव

नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण
(अधीनस्थ भारत सरकार)
वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग
नौएडा दादरी रोड, फेस-2, नौएडा जिला गौतम बुद्ध नगर(उ०प्र०)
ईमेल: dc@nsez.gov.in, वेबसाइट:www.nsez.gov.in
टेलीफोन 120-2567268/69/70

Dated: 19.05.2022

To,

M/s. Roto Pumps Limited,
Plot No. 14, NSEZ,
Noida-201305.

Subject: NOC for mortgaging of building situated at Plot No. 14, NSEZ, Noida-reg.

Sir,

I am directed to refer to your letters dated 21.03.2022, 28.04.2022 & 12.05.2022 on the subject cited above and to convey the "No Objection" of the Competent Authority to create equitable mortgage on the building and Plant & Machinery erected at Plot No. 14, NSEZ (allotted to M/s. Roto Pumps Limited) in favour of favour of Bank of Baroda and DBS Bank India Ltd. subject to the following conditions:-

1. It is clarified that the present NOC is only for the facilitating of the mortgage of the building/plant & machinery erected on the Plot No. 14, NSEZ, Noida. **The plot is not a subject matter of mortgage being the property of the Govt. of India.**

2. NOC is valid for the period of Sub-lease deed of the plot only. The period of lease may be extended on request of the unit on expiry of lease period and the sole responsibility of applying for the same shall lie with the unit. Also validity of Sub Lease deed will be coterminous with the validity of Letter of Approval (LOA). On expiry of the LOA, the lease rights would revert back to NSEZ Authority and the mortgage of lease rights would automatically stand vacated with effect from the date of expiry of LOA.

3. All charges of NSEZ for all claims under and/or arising out of the lease, would have priority over the claim that mortgagee may have against the Sub Lessee for the loans, namely First charge over the building shall be of NSEZ Authority for the amount of unpaid balance/dues of Lessee/NSEZ Authority.

4. Unit will also execute an Indemnity Bond on non-judicial stamp paper of Rs. 100/- indemnifying that Directors/Promoters/Partners shall pay unpaid balance dues of NSEZ Authority from their personal accounts in case lease rent is due over the period of one year, in case NSEZ Authority decides to obtain the same after reviewing the representation of the unit.

 (86)

5. Unit will submit a copy of completion/occupancy certificate in respect of building at Plot No. 14, NSEZ within three months.

This NOC is issued on the basis of information furnished by the unit that the subject assets have not been mortgaged to any other financial institution / bank for availing loan.

Yours faithfully,

(Nitin Gupta)
Dy. Development Commissioner

Copy to:-

1. Bank of Baroda, SME Branch,

9th Floor, Bank of Baroda Building,
16, Parliament Street, New Delhi-110001.

2. DBS Bank India Limited,
Ground Floor Nos. 11&12,
Capitol Point, Baba Kharak Singh Marg,
Connaught Place, New Delhi-110001.

o/c

Dy. Development Commissioner

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Agenda for NSEZ Authority meeting to be held on 27.06.2022

9 **Subject: Out of court settlement with the unutilised NSEZ factories under Litigation-reg.**

It is submitted that the matter regarding Out of Court settlement of ongoing cases, raised by NSEZ Entrepreneurs Association and being taken up by DOC was placed before NSEZ Authority in its meeting held on 15.03.2022. NSEZ Authority decided that the matter may be taken up with Department of Commerce for appointment of Arbitrator for out of court settlement matters. The Authority also decided that legal opinion regarding settlement of the cases through Arbitration may be sought from the legal firm before taking up the matter with DoC.

2. Accordingly, legal opinion regarding settlement of the cases through Arbitration and out of court settlement was sought from legal firm vide this office e-mail dated 05.05.2022. Legal opinion received from our legal firm on 27.05.2022 is attached at **Annexure-A**. Legal firm has opined that as per Section 89 of Code of Civil Procedure, 1908, settlement of Disputes outside the court may be referred for:-

a. Arbitration;
b. Conciliation;
c. Judicial settlement including settlement through Lok Adalat; or
d. Mediation.

3. Further, they have submitted that appointment of a mediator would have some additional advantages over Arbitration and other ways of settlement of disputes and opined that the Authority can adopt conciliation, judicial settlement including settlement through Lok Adalat and mediation for out of court settlement for all the pending cases.

4. In the case of M/s. Aqua Pools and Spas, the **contingent legal opinion** received from legal firm is attached at Annexure-B, the concluding opinion is reproduced as under:-

"As per the chronology of events that took place, the major issue revolves around question regarding effect of the Notification of Rule 74A- **Transfer of Assets by Special Economic Zone Units upon their exit**, has been notified with effect from 12.08.2013 which reads as follows:

> *"The Unit may opt out of Special Economic Zone by transferring its assets and liabilities to another person by way of transfer of ownership including sale of Special Economic Zone units subject to the following conditions: -*
> *1) the Unit has held a valid Letter of Approval as well as lease of land 157[or Standard Design Factory] for not less than a period of five years on the date of transfer;*
>
> *2) the unit has been operational for a minimum period of two years after the commencement of production as on the date of transfer;*
>
> *3) such sale or transfer transactions shall be subject to the approval of the Approval Committee;*
>
> *4) the transferee fulfils all eligibility criteria applicable to a Unit; and*
>
> *5) the applicable duties and liabilities, if any, as calculated under rule 74, as well as export obligations of the transferor Unit, if any, shall stand transferred to the transferee Unit which shall be under obligation to discharge the same on the same terms and conditions as the transferor Unit.]"*

The unit, i.e., M/s TCS Pvt. Ltd. Vide letter dated 09.12.2009 from NSEZ got in principle approval for de-bonding and to process/ consider request to transfer of plot in favour of M/s Aqua Pools & Spas Pvt. Ltd.

Approval of De-bonding and transfer of plots in favour of M/s Aqua Pools & Spas Pvt. Ltd. was given by NSEZ prior to the notification of Rule 74A. Therefore, Rule 74A will not impact the already issued/taken decisions which were issued in favour of M/s Aqua Pools & Spas Pvt. Ltd vide letter dated 09.12.2009.

Also, the period between Application by unit and the period in which the matter is pending before BOA till decision on the subject matter can-not be computed/ considered to reject the application of unit.

In reference to Coke Maxim: "A new law ought to be prospective, not retrospective in its operation." It has been a set principle, established by law that any act/ amendment until and unless specified in the act has a prospective effect only and would not impact the already issued/ decided propositions. Hon'ble Supreme Court of India in the matter of ***Keshavan Madhava Menon* versus *State of Bombay*** held that:

> *"... As early as in 1951 this Court in Keshavan Madhava Menon v. State of Bombay had stated about a cardinal principle of construction that every statue is prima facie prospective unless it is expressly or by necessary implication made to have retrospective operation. Unless there are words in the statute sufficient to show the intention of the Legislature to affect existing rights, it is deemed to be prospective only."*

Also, in the case **of Monnet Ispat and Energy Ltd. versus Union of India & Ors.** before the Hon'ble Supreme Court of India, it was held that

> *"124. Where an issue arises before the Court whether a statute is prospective or retrospective, the Court has to keep in mind presumption of prospectively articulated in legal maxim nova constitutio futuris formam imponere debet non praeteritis, i.e., 'a new law ought to regulate what is to follow, not the past'. The presumption of prospectively operates unless shown to the contrary by express provision in the statute or is otherwise discernible by necessary implication."*

Thus, in the present case Notification of Rule 74A will not impact the approval already given to M/s Aqua Pools & Spas Pvt. Ltd. The same has been prayed by the Petitioner in their Writ Petition before the Hon'ble High Court of Delhi and the Writ Petition listed as W.P.(C) 7567 of 2014 is Pending adjudication with order to maintain status quo on the property till disposal of case. Reply to the same has also been filed by the Department.

Due to the prospective effect of the mentioned notification the said pending case before the Hon'ble High Court of Delhi may not be in Department's favour. Therefore, it is advisable that alternative measures of settlement may be considered by the Department to quickly settle the case.

Consideration of settlement of dispute through mechanism of Alternative Dispute Resolution will have two-fold benefits and will help the Authority to achieve as follows:

1) It will reduce Litigation cost which is to be incurred in the following years in representing and contesting before the Hon'ble High Court of Delhi.

2) It will save time and on the other hand Terms of settlement can be moulded as per future requisites of NSEZ, Authority."

5. It is also mentioned here that the legal opinion sought from the legal firm in the case of M/s. M/s. Shahtootwale Industries Ltd. is still awaited.

In view of facts mentioned above, it is placed before NSEZ Authority for detailed deliberations and decision in the matter.

Annex. -'A'

(89)

LEGAL OPINION FOR OUT OF COURT SETTLEMENT

BRIEF BACKGROUND AND OPINION SOUGHT:

NSEZ has sought legal opinion regarding settlement of the cases through Arbitration and out of court settlement.

LEGAL OPINION:

Settlement of Disputes outside the court is explained in Section 89 of Code of Civil Procedure, 1908 which reads as:

> ***"Settlement of disputes outside the Court.***-*(1) Where it appears to the Court that there exist elements of a settlement which may be acceptable to the parties, the Court shall formulate the terms of settlement and give them to the parties for their observations and after receiving the observations of the parties, the Court may reformulate the terms of a possible settlement and refer the same for:-*
>
> *(a) arbitration;*
>
> *(b) conciliation*
>
> *(c) judicial settlement including settlement through Lok Adalat; or*
>
> *(d) mediation.*
>
> *(2) Were a dispute has been referred--*
>
> *(a) for arbitration or conciliation, the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) shall apply as if the proceedings for arbitration or conciliation were referred for settlement under the provisions of that Act*
>
> *(b) to Lok Adalat, the Court shall refer the same to the Lok Adalat in accordance with the provisions of sub-section (1) of section 20 of the Legal Services Authority Act, 1987 (39 of 1987) and all other provisions of that Act shall apply in respect of the dispute so referred to the Lok Adalat;*

AD(CPU) 2/5

AA ASP 27/05/22

4/05

Copy retained. This documents may be provided to EM Section
ADC(PK) On leave
ADC(RKS)

31/05/22

31-5-22 Ch. B. B.

Priya

(c) for judicial settlement, the Court shall refer the same to a suitable institution or person and such institution or person shall be deemed to be a Lok Adalat and all the provisions of the Legal Services Authority Act, 1987 (39 of 1987) shall apply as if the dispute were referred to a Lok Adalat under the provisions of that Act

(d) for mediation, the Court shall effect a compromise between the parties and shall follow such procedure as may be prescribed.]"

Accordingly, the question comes which is the best procedure to settle the dispute?

a) Will this be Arbitration?

Answer-

Arbitration is one of the methods of alternative dispute resolution. The intent behind Arbitration is to resolve the disputes between two conflicting parties without knocking on the court's doors. Under this mechanism, an independent third/neutral party is appointed as the Arbitrator to resolve the disputes which are persisting between the parties.

This method of alternative dispute resolution can only be invoked in cases where the parties have entered into a valid and duly executed agreement, which contains an arbitration clause, otherwise the parties have to mutually prepare a joint memo containing an arbitration clause before the concerned Court where the case is pending.

Aside, the Arbitrator has to follow the procedure to pass an award, which is similar to procedure as adopted in the court running from Filing of claim, its reply, counter etc.

Considering the long pending cases before the Court of Law, if referred to the Arbitration would not solve the purpose as the procedure before the Arbitrator would set back the machinery in the past and entire procedure of pleadings would have to be revised.

Therefore, this method is ruled out.

Note: The Arbitration can only be invoked for the civil cases.

b) Will this be Conciliation?

Conciliation means settling disputes without litigation. It is an informal process in which conciliator i.e. third party tries to bring the disputants to agreement. He overcomes the disputable issues by lowering the tension, improvement in communication, interpreting issues, providing technical assistance, exploring potential solutions and bringing the negotiated settlement before the parties. Conciliator adopts his own method to resolve the dispute and the steps taken by him are not strict and legal. There is no need of agreement like arbitration agreement. The acceptance of settlement is needed by both of the parties.

This method of alternative dispute resolution can only be invoked in cases where the parties mutually agree to settle the dispute by involving a third party as a conciliator. A separate/ specific agreement is not required for settling through conciliator. If there is more than one conciliator then they will act jointly in the matter and the third conciliator will act as a Presiding Conciliator.

Therefore, this method can be adopted by NSEZ.

c) Will this be Judicial settlement and/or Lok Adalat?

Judicial settlement as one of the mode of the alternative dispute resolution is given under Section 89 of the Code of Civil Procedure, 1908. As such, there are no specified rules framed so far. In judicial settlement, the concerned judge tries to settle the dispute between the parties amicably.

Lok Adalat is also known as people's court as established by the government to settle the disputes. It is a judicial institution which is developed by the people themselves for social justice based on settlement. When the matter is referred to the Lok Adalat, then the provisions of the Legal Services Authority Act, 1987 will apply.

The pending cases can be settled through referring the cases to Lok Adalat.

d) Will this be Mediation?

Mediation is a process which is under the control of the parties. The mediator acts as a middle person who helps to come on a negotiated common point of their dispute. They are trained professionals or sometimes attorneys who assist the parties in dispute to meet at a common place where they can discuss their issues and can try to negotiate to reach at a common output. A mediator uses special kind of conversation and communication to resolve the dispute.

Appointment of a Mediator would have some additional advantages over Arbitration and other Ways of Settlement of Disputes namely:

1) No pre-determined clause/ Agreement is required. A request for appointment of a mediator can be made to the judge at any stage by the consent of both the parties. Upon joint request by both the parties the Judge refer the matter to Mediation Centre in which an independent and impartial third party assist the parties to reach a common outcome.

2) Mediation involves both the parties for discussion and solving the issue, which saves time, money and also results in preferable outcome which is suitable to parties.

3) Option to exit Mediation at any point of time as parties are not bound by the decision of Mediator, due to which Proceedings can be moulded in any way the parties intend to upon mutual understanding.

Having said that, it is opined that the Authority can adopt conciliation, judicial settlement including settlement through Lok Adalat and mediation for out of court settlement for all the pending cases.

For Surana & Surana

Annex. -'B'

(93)

Surana & Surana
International Attorneys

Paharpur Business Centre
21, Nehru Place Greens
New Delhi – 110 019, India
Tel: 011-41207148, 26207148

Arbitration | Commercial Contracts | Corporate Compliance | Corporate Law | Civil & Criminal Litigation | Forensic Investigation & Audit | Intellectual Property | Mergers and Acquisitions | Real Estate& Infrastructure | Tax

Contingent Legal Opinion

M/s Aqua Pools and Spas Pvt. Ltd. has filed W.P.(C). No. 7567 of 2014 before Hon'ble High Court of Delhi against Department of Commerce, NSEZ. Which is currently pending with an order to maintain Status Quo on the property till the final disposal of the suit.

Brief Facts of the case:

1. Tata Consultancy Services (TCS) was granted Letter of Approval (LOA) dated 16.12.1987 from Noida Special Economic Zone, Noida (NSEZ) for Software Development at Plot No. 4 & 5. They commenced production on 15.09.1989.

2. Letter of Intent (LOI) dated 22.04.2009 was executed between Aqua Pools & Spas Pvt. Ltd. & TCS for Transfer of Plot No. 4 & 5, NSEZ.

3. Approval for de-bonding was issued by NSEZ vide Letter dated 09.12.2009

4. TCS filed an application dated 10.11.2009 for permission to exit and transfer of Plots to M/s Aqua Pools & Spa Pvt. Ltd.

5. No dues Certificate was issued to TCS on 14.01.2013

6. Unit completed all the formalities in January, 2014.

7. BOA, rejected the proposal due to Notification dated 12.08.2013 implementing Rule 74A, stating that unit does not qualify/ fulfil the conditions as laid down in Rule 19(2) read with Rule 74A of SEZ Rules, 2006.

8. Aggrieved by decision, the unit filed an appeal before BOA. BOA in meeting dated 24.07.2014 rejected the Appeal and directed NSEZ to complete the Exit formalities.

9. Final Exit permission was issued to TCS Pvt. Ltd. on 04.09.2014.

10. Hence, W.P.(C) 7567 of 2014 before the Hon'ble Delhi High Court filed by M/s Aqua Pools Pvt. Ltd.

Court Records:

1) W.P.(C) 7567 of 2014 titled as M/s Aqua Pools & Spas Pvt. Ltd. versus Chairman, Board of Approval, Ministry of Commerce and Industry & Ors. to compel the Respondents No. 1 & 2 to transfer the property at Plot No. 4 & 5 in favour of M/s Aqua Pools Pvt. Ltd.

2) Short Counter Affidavit filed on behalf of Respondent No. 3, i.e., TCS praying discharge Respondent No. 3 from the array of parties and dismiss the Writ Petition qua Respondent No. 3.

3) Counter Affidavit filed on behalf of Respondent No. 2, i.e., Ministry of Commerce, NSEZ wherein the answering Respondent mentioned that they have followed due process of law and as per Notification dated 12.08.2013, Rule 74A is implemented and the unit does not fulfil the conditions as required under law, thus praying disposal of case with costs.

4) Latest orders passed by the Hon'ble High Court of Delhi and wherein in one of the order, i.e., order dated 28.04.2022 the Hon'ble High Court has directed to maintain the status quo on property.

Contingent Legal Opinion

As per the chronology of events that took place, the major issue revolves around question regarding effect of the Notification of Rule 74A- **Transfer of Assets by Special Economic Zone Units upon their exit**, has been notified with effect from 12.08.2013 which reads as follows:

"The Unit may opt out of Special Economic Zone by transferring its assets and liabilities to another person by way of transfer of ownership including sale of Special Economic Zone units subject to the following conditions: -

1) *the Unit has held a valid Letter of Approval as well as lease of land 157[or Standard Design Factory] for not less than a period of five years on the date of transfer;*
2) *the unit has been operational for a minimum period of two years after the commencement of production as on the date of transfer;*
3) *such sale or transfer transactions shall be subject to the approval of the Approval Committee;*
4) *the transferee fulfils all eligibility criteria applicable to a Unit; and*
5) *the applicable duties and liabilities, if any, as calculated under rule 74, as well as export obligations of the transferor Unit, if any, shall stand transferred to the transferee Unit which shall be under obligation to discharge the same on the same terms and conditions as the transferor Unit.]"*

The unit, i.e., M/s TCS Pvt. Ltd. Vide letter dated 09.12.2009 from NSEZ got in principle approval for de-bonding and to process/ consider request to transfer of plot in favour of M/s Aqua Pools & Spas Pvt. Ltd.

Approval of De-bonding and transfer of plots in favour of M/s Aqua Pools & Spas Pvt. Ltd. was given by NSEZ prior to the notification of Rule 74A. Therefore, Rule 74A will not impact the already issued/taken decisions which were issued in favour of M/s Aqua Pools & Spas Pvt. Ltd vide letter dated 09.12.2009.

Also, the period between Application by unit and the period in which the matter is pending before BOA till decision on the subject matter can-not be computed/ considered to reject the application of unit.

In reference to Coke Maxim: "A new law ought to be prospective, not retrospective in its operation." It has been a set principle, established by law that any act/ amendment until and unless specified in the act has a prospective effect only and would not impact the already issued/ decided propositions. Hon'ble Supreme Court of India in the matter of ***Keshavan Madhava Menon* versus *State of Bombay*** held that:

> *"... As early as in 1951 this Court in Keshavan Madhava Menon v. State of Bombay had stated about a cardinal principle of construction that every statue is prima facie prospective unless it is expressly or by necessary implication made to have retrospective operation. Unless there are words in the statute sufficient to show the intention of the Legislature to affect existing rights, it is deemed to be prospective only."*

Also, in the case of **Monnet Ispat and Energy Ltd. versus Union of India & Ors.** before the Hon'ble Supreme Court of India, it was held that

> *"124. Where an issue arises before the Court whether a statute is prospective or retrospective, the Court has to keep in mind presumption of prospectively articulated in legal maxim nova constitutio futuris formam imponere debet non praeteritis, i.e., 'a new law ought to regulate what is*

to follow, not the past'. The presumption of prospectively operates unless shown to the contrary by express provision in the statute or is otherwise discernible by necessary implication."

Thus, in the present case Notification of Rule 74A will not impact the approval already given to M/s Aqua Pools & Spas Pvt. Ltd. The same has been prayed by the Petitioner in their Writ Petition before the Hon'ble High Court of Delhi and the Writ Petition listed as W.P.(C) 7567 of 2014 is Pending adjudication with order to maintain status quo on the property till disposal of case. Reply to the same has also been filed by the Department.

Due to the prospective effect of the mentioned notification the said pending case before the Hon'ble High Court of Delhi may not be in Department's favour. Therefore, it is advisable that alternative measures of settlement may be considered by the Department to quickly settle the case.

Consideration of settlement of dispute through mechanism of Alternative Dispute Resolution will have two-fold benefits and will help the Authority to achieve as follows:

1) It will reduce Litigation cost which is to be incurred in the following years in representing and contesting before the Hon'ble High Court of Delhi.
2) It will save time and on the other hand Terms of settlement can be moulded as per future requisites of NSEZ. Authority.

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Agenda for the NSEZ Authority meeting to be held on 27.06.2022

8 **विषय:- Submission of estimate for construction of new toilets and renovation of all toilet in NSEZ, Noida-reg**

1. It is submitted that vide this office letters dated 21.02.2022, M/s WAPCOS Ltd. was requested to submit the estimate for construction of new toilets and renovation of all toilet in NSEZ, Noida as per the scope of work provided by NSEZ Authority.

2. M/s WAPCOS Ltd. vide its letter dated 23.03.2022 has informed that a site inspection was carried out on 10.03.2022 along with NSEZ official. During the site visit they measured all the scope of work which were given by NSEZ. In this regard, they have submitted the estimate of Rs.78,37,853/-. Details of estimate are under:-

S. No.	Description	Amount (in Rs.)	Remarks
1.	New construction and renovation of toilet	73,53,659.00	Rates based on DSR, 2021
2.	WAPCOS Charges@3.48%	2,55,907.00	
3.	**Total(1+2)**	76,09,566.00	
4.	Contingency @ 3%	2,28,287.00	
5.	**Grand Total(3+4)**	78,37,853.00	

4. M/s WAPCOS Ltd. has requested to accord necessary approval to carry out the said work at the earliest.

5. Brief details of toilet wise estimate are as under:-

S. No.	Description	Quantity	Amount (Rs. in lakh)
1.	Construction of Toilets for Divyangjan Attached with Existing Toilet	04 nos.	12.75
2.	Renovation of Toilet in Service Centre Building	03 nos.	31.02
3.	Construction of New Toilet at Gate No. 02 suitable for Divyangjan	01 Nos.	13.83
4.	Construction of Urinal at Gate No. 01 for Public Use.	01 Nos.	0.97
5.	Renovation/ Repairing of Existing Toilets	05 Nos.	13.55
6.	Replacement of damaged waterline with CPVC pipe at rooftop of Service Centre building	324 meter	1.43
7.	**Total**		**73.54**

6. In view of above, the estimate received from WAPCOS Ltd. is placed before NSEZ Authority for further consideration.

*****

वाप्कोस लिमिटेड
WAPCOS LIMITED
(भारत सरकार का उपक्रम)
जल शक्ति मंत्रालय
(A Government of India Undertaking)
Ministry of Jal Shakti
ISO 9001: 2015

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WAP/ENVT/NSEZA//TOILET BLOCK//2022 23.03.2022

Deputy Development Commissioner
Noida Special Economic Zone Authority
Office of the Development Commissioner, NSEZ
Noida Dadri Road, Phase-II,
Noida-201305
Dist- Gautam Buddha Nagar (U.P)

Sub: Submission of Estimate for new construction and renovation of Toilet block in NSEZ, Noida- reg.

Respected Sir,
This is in reference to the above cited subject, wherein NSEZA has directed WAPCOS to submit the detailed Estimate for the **new construction and renovation of Toilet block in NSEZ, Noida-reg**. Therefore a site inspection was carried out on 10-03-2022 along with NSEZ official. During the site visit we measured all the scope of work which were given by NSEZ official.

In this regard, we are hereby submitting the estimates cost for the same. The Project report, Photographs and detailed estimate attached as an annexure-I, II& III.

Sl no.	Description	Amount (Rs. in Lakh)
1.	**New Construction and Renovation of Toilet Block**	**73,53,659**
	Sub Total	**73,53,659**
	WAPCOS Charges@ 3.48%	**2,55,907**
	Total Amount	**76,09,566**
	Contingency@ 3%	**2,28,287**
	Total Amount	**78,37,853**
In Words:- Seventy eight lakh thirty seven thousand eight hundred fifty three only		

Therefore, it is requested to kindly accord necessary approval to carry out the said work at the earliest.

Thanking you

Yours faithfully

A. Stephen Leo.

(A Stephen Leo)
General Manager (SEZ)

Encl- Annexure-I,II&III

76-C, Institutional Area, Sector - 18, Gurugram - 122 015 (Haryana), INDIA
Tel. : +91-124-2399421 • Fax : +91-124-2397392
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CIN : U74899DL1969GOI005070

ANNEXURE-I

DETAILED PROJECT REPORT

A. Purposed Intervention of Construction of Handicap Toilet Attached with Existing Toilet Block:-

A. W.C	-	1 Nos
B. Washbasin	-	1 Nos
C. Ramp	-	For Entry
D. Tile	-	Floor & Wall
E. Plumbing	-	CPVC Pipe
F. Electrical work	-	Wiring & Exhaust Fan
G. Signage	-	Information Signage

B. Purposed Intervention of Renovation of Toilet Block In Service Centre:- (Ground to Second Floor).

A. W.C (Male & Female)	-	Replacement with Jaquar Fitting
B. Washbasin	-	Replacement with Jaquar Fitting
C. Door/Windows	-	Replacement with new one
D. Tile	-	Floor & Wall
E. Plumbing	-	CPVC Pipe
F. Electrical work	-	Wiring & Exhaust Fan
G. Signage	-	Information Signage
H. False Celling	-	G.I. Metal
I. Light	-	LED Light 12 Watt

C. Purposed Intervention of Construction of New Toilet with Provision of Handicap:-

A. W.C (Male & Female)	-	5 Nos
B. Washbasin	-	3 Nos
C. Urinal	-	1 Nos
D. Tile	-	Floor & Wall
E. Plumbing	-	CPVC Pipe
F. Electrical work	-	Wiring & Exhaust Fan

D. Purposed Intervention of Construction of Urinal for Public Use:-

There is an old toilet near gate number 1, we will repair existing toilet and provide 1 no's urinal on it.

A. Urinal	-	1 Nos
B. Washbasin	-	1 Nos
C. Tile	-	Floor & Wall

E. Purposed Intervention of Repairing work Existing Toilet :-

A. Door/Windows	-	Replacement with new one
B. Tile	-	Floor & Wall
C. Plumbing	-	CPVC Pipe
D. Electrical work	-	Wiring & Exhaust Fan
E. Signage	-	Information Signage

F. Purposed Intervention of Replacement of Damaged water line in Service Centre:-

A. Plumbing	-	CPVC Pipe including Joint fitting

Agenda for the NSEZ Authority meeting to be held on 27.06.2022

(१) विषय:- स्टाफ क्वार्टर ब्लॉक 'ए' एवं 'सी' में नवीनीकरण कार्य के सम्बन्ध में |

It is submitted that vide this office letter dated 21.10.2021, M/s WAPCOS Ltd. was requested to inspect the building structure of Staff Quarter 'A' & 'C' Block, NSEZ, Noida and submit their detailed report as to whether these staff quarters are safe to reside or not. In case they find the structure of building to be safe to reside, they were also requested to inspect each quarter along with NSEZA official(s) and submit Block wise detailed estimate for repairing of said staff quarters as per respective applicable provisions/govt. approved rates, along with separate item wise brief summary in easy and comprehensible manner for the works to be carried out, within 15 days from the date of issuance of said letter.

2. M/s WAPCOS Ltd. vide its letter dated 31.01.2022 has informed that a site inspection was carried out on 15.01.2022 along with NSEZ official. During the site visit they measured all the scope of work which were given by NSEZ official. In this regard, WAPCOS has submitted the estimates cost for the same. They have also submitted the photographs and detailed estimate. Details of estimate are under:-

S. No.	Description	Amount (in Rs.)	Remarks
1.	Renovation of staff quarter 'A' & 'C' Block	56,54,353/-	Rates based on DSR, 2021
2.	WAPCOS Charges@3.48%	1,96,772/-	
3.	**Total(1+2)**	**58,51,125/-**	
4.	Contingency @ 3%	1,75,534/-	
5.	**Grand Total(3+4)**	**60,26,659/-**	

3. M/s WAPCOS Ltd. requested to accord necessary approval to carry out the said work at the earliest.

4. It was observed that M/s WAPCOS Ltd. has not submitted their detailed report as to whether staff quarter 'A' & 'C' Block, NSEZ are safe to reside or not as requested vide this office letter dated 21.10.2021. In this regard, vide this office email dated 04.03.2022, M/s WAPCOS Ltd. has been again requested to inspect the building structure of Staff Quarter 'A' & 'C' Block, NSEZ, Noida and submit their detailed report/certificate as to whether these staff quarters are safe to reside or not at the earliest.

5. It is submitted that the matter was placed before NSEZ Authority in its meeting held on 15.03.2022 to take appropriate decision in the matter.

6. The Authority discussed the agenda in detail. The Authority after due deliberation, approved the estimated cost of **Rs.60,26,659/-** submitted by M/s WAPCOS Ltd. for renovation of Staff Quarter 'A' & 'C' Block, NSEZ subject to submission of stability certificate of buildings.

7. now M/s WAPCOS Ltd. vide its letter dated 13.05.2022 received via email has informed that Structure audit team inspected, surveyed the site and carried out necessary lab tests related to the existing structure of the building, which included several tests related to the

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building. After conducting all the structure tests, the audit team has submitted the safety report of the building. The most of the test results for the said structure are found medium. During physical observation, there are severe deterioration are found in the structure and overall structure are found in **moderate condition**. Hence it is concluded that Building requires Retrofitting & Strengthening. In this regard, they have submitted the Structure test report. The report may be seen at page no.125. M/s WAPCOS Ltd. has requested to accord necessary approval to carry out the said work at the earliest.

8. M/s WAPCOS Ltd. vide its letter dated 02.06.2022 received via email has informed that structure audit report has already submitted in this office in which it is mentioned that building need to Retrofitting and Strengthening. In view of above, special work is urgently required to increase stability and life of building. In this regard, M/s WAPCOS Ltd. has **submitted revised estimate cost** for the same. Details of estimate are under:-

S. No.	Description	Amount (in Rs.)	Remarks
1.	Renovation of staff quarter 'A' & 'C' Block	65,23,748/-	Rates based on DSR, 2021
2.	WAPCOS Charges@3.48%	2,27,026/-	
3.	**Total(1+2)**	**67,50,774/-**	
4.	Contingency @ 3%	2,02,523/-	
5.	**Grand Total(3+4)**	**69,53,297/-**	

9. M/s WAPCOS Ltd. has requested to accord necessary Administrative approval and Expenditure sanction to carry out the said work at the earliest.

10. It is observed that the structural audit report is not signed by inspecting agency.

11. Earlier estimated cost of renovation of staff quarters which was also approved by NSEZA was Rs. 60,26,659/- and the revised estimated cost now submitted by Wapcos Ltd. is Rs. 69,53,297/-. However reasons of variation in costing have not been highlighted by Wapcos. It is also not clear whether the revised estimates include structural audit charges also.

11. In view of above, the revised estimation on renovation of staff quarters is placed before NSEZ Authority meeting for consideration.

*****

ISO 9001: 2015

वाप्कोस लिमिटेड
WAPCOS LIMITED
(भारत सरकार का उपक्रम)
जल शक्ति मंत्रालय
(A Government of India Undertaking)
Ministry of Jal Shakti

50 YEARS
EXPERIENCE EXPERTISE EXCELLENCE

WAP/ENVT/NSEZA//STRUCTURE AUDIT/2022 13.05.2022

Deputy Development Commissioner
Noida Special Economic Zone Authority
Office of the Development Commissioner, NSEZ
Noida Dadri Road, Phase-II,
Noida-201305
Dist- Gautam Buddha Nagar (U.P)

Sub: Submission of Structure Audit report in respect of Staff Quarters "A" & "C" block at NSEZ, Noida- reg.
Ref: - 01/01/2015-EM/2532/31 Dated 31.03.2022

Respected Sir,

This is reference to the above cited subject, wherein NSEZA has directed WAPCOS to submit the **Structure Audit report in respect of Staff Quarters "A" & "C" block at NSEZ, Noida**. Accordingly, Structure audit team inspected, surveyed the site and carried out necessary lab tests related to the existing structure of the building, which included several tests related to the building.

After conducting all the structure tests, the audit team has submitted the safety report of the building. The most of the test results for the said structure are found medium. During physical observation, there are severe deterioration are found in the structure and overall structure are found in moderate condition. Hence it is concluded that Building requires Retrofitting & Strengthening.

In this regard, we are hereby submitting the Structure test report. The report is attached as an annexure-I:

Therefore, it is requested to kindly accord necessary approval to carry out the said work at the earliest.

Thanking you

Yours faithfully

Deepender Lamba

(Deepender Lamba)
Sr.Engineer(Civil)

Encl- Annexure-I

3.0 ANALYSIS OF RESULTS:-

The NDT test result generated by the laboratory/ In-situ tests are as Core testing, Rebound Hammer test, Ultrasonic Pulse Velocity, Carbonation test and Half-cell potential test, Rebar Locator test, Chloride & Sulphate test. The Rebound hammer test values for columns, beams and slabs are between 10 to 25 N/mm2. While equivalent cube strength for columns, Beams & Slabs are also between 9.83 to 16.62 N/mm2. Ultrasonic Pulse Velocity shows the value technically poor to good as per IS-516 Part-5/Sec 1. The carbonation depth in Concrete are also between 12 to 26mm, as the depth of cover concrete are between 15 to 25 mm without plaster which is found during core extraction by means of Rebar locator test. The most of Half-cell potential value shows" Corrosion activity of the reinforcing steel in that area is uncertain to high corrosion activity" & the chloride value are between 0.018 to 0.021% while the sulphate are between 0.075 to 0.094 %.

4.0 CONCLUSION :-

As the test data achieved, The most of the test value for the said structure are found medium. The UPV test values are mostly between poor to doubtful. The density of concrete core is between 2189 to 2317 kg/m^3. The half-cell values are uncertain to high corrosion as per ASTM C-876. The carbonation value and chloride & sulphate value tends to lower side means in safe condition. During physical observation that there are severe deterioration are found in the Structure. Technically as per test data showing the structure is in moderate condition. The building requires Retrofitting & Strengthening.

for GLOBE CONSULTANTS

NON-DESTRUCTIVE TESTING, STRUCTURAL & REHABILITATION ENGINEERS

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वाप्कोस लिमिटेड
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जल शक्ति मंत्रालय
(A Government of India Undertaking)
Ministry of Jal Shakti

ISO 9001: 2015

50 YEARS
EXPERIENCE EXPERTISE EXCELLENCE

WAP/ENVT/NSEZA//STAFF QUARTERS//2022 **02.06.2022**

Deputy Development Commissioner
Noida Special Economic Zone Authority
Office of the Development Commissioner, NSEZ
Noida Dadri Road, Phase-II,
Noida-201305, GB Nagar, UP

Sub: Submission of Revised Estimate for renovation of staff quarter "Á" & "C" Block, NSEZ, Noida-reg.
Ref: - 01/01/2015-EM/8627

Respected Sir,

This is in reference to the above cited subject, wherein NSEZA has directed WAPCOS to submit the detailed Estimate for the **Renovation of staff quarter "Á" & "C" Block in NSEZ, Noida-reg**. As per the direction of NSEZ authority, WAPCOS conducted a structure audit of staff quarters "A" & "C" to find out the stability and expected Life of Building. Structure audit report has already submit in your good office in which it is mentioned that building need to Retrofitting and Strengthening.

In view of the above, special work is urgently required to increase stability and life of building. In this regard, we are hereby submitting the revised Detailed Estimate cost for the same. The detailed estimate attached as an annexure-I.

Sl no.	Description	Amount (Rs. in Lakh)
1.	Renovation of staff quarter "Á" & "C" Block	65,23,748
	Sub Total	65,23,748
	WAPCOS Charges@ 3.48%	2,27,026
	Total Amount	67,50,774
	Contingency@ 3%	2,02,523
	Total Amount	69,53,297
In Words:- Sixty Nine Lakh Fifty Three thousand Two hundred Ninety Seven only		

Therefore, it is requested to kindly accord necessary Administrative approval (A/A) and Expenditure Sanction (E/S) to carry out the said work at the earliest.

Thanking you

Yours faithfully

A Stephen Leo.
(A Stephen Leo)
General Manager (SEZ)

Encl- Annexure-I

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CIN : U74899DL1969GOI005070

(107)

Agenda of NSEZ Authority meeting to be held on 27.06.2022.

(10) **विषय:-प्लॉट्स पर बने भवन की नीलामी के लिए आरक्षित मूल्य का निर्धारण करने के सम्बन्ध में |**

It is submitted that this office fixes reserve price for auction of building, plant & machinery/material which have been taken over under Panchnama or surrendered by units, as per components decided for fixation of reserve price by NSEZ Authority in its meeting held on 26.10.2015. In those components, "Liability of Customs duty, if any, in case unit has not produced 'NOC' from Customs" is one of them.

2. Further, this office took over the possession of Plot No. 129G/09, NSEZ on 22.12.2020 under proper Panchnama. Valuation of building has been carried out through M/s NPCC Ltd. for auction of building vide this office letter dated 25.01.2021. M/s NPCC has submitted the valuation report of building erected at Plot No. 129G/09, NSEZ, Noida. Details are as under:-

Fair Market Value	Realisable Value	Distress Sale Value
Rs.57,15,300/-	Rs.51,43,770/-	Rs.45,72,240/-

3. It has been observed that the liability of Customs duty against the M/s Ajit Exports as intimated by Customs, NSEZ runs into several crores which is not feasible to include in fixation of reserve price for auction of building.

4. The matter was placed before NSEZ Authority in its meeting held on 17.12.2021 to take view and issue necessary direction for fixation of reserve price in such cases in which the customs duty is more than the cost of building evaluated by Govt. approved valuer.

5. The Authority discussed the agenda in detail. The Authority after due deliberation, decided to obtain legal opinion from empanelled legal firm in such cases in which the customs duty is more than the cost of building evaluated by Govt. approved valuer and same may be placed before Authority in its next meeting for further deliberations. Accordingly, vide this office email dated 28.02.2022, M/s Surana & Surana International Attorneys, Delhi was requested to submit legal opinion in the matter.

6. With reference to this office email dated 28.02.2022, Sh. Anshul Rawat, Advocate, M/s Surana & Surana International Attorneys, Delhi vide its email dated 11.06.2022 has submitted their opinion in the matter which is reproduced as under:-

"It is therefore opined that in accordance with the decisions taken by the authority in the NSEZ meeting dated 26.10.2015 – 'Liability of Customs Duty' needs to be included while fixing the Reserve price of the Land and Building. However, same can be amended if the NSEZ authority is of the opinion that including the liability of the custom duty in the Reserve price of the plant and building will hamper the auction proceedings.

Therefore, NSEZ authority in their capacity can exercised their powers under the provision per Section 10 (10) of Chapter III of the NSEZ Act, 2005, which reads:

> *"The board may, in order to promote exports or to protect the interest of Units or in the public interest, issue such directions or formulate such scheme as it may consider necessary for operation of the Special Economic Zone."*

Therefore a conjoint reading of Section 10 (10) of the NSEZ Act, 2005, along with the Minutes of meeting dated 26.10.2015 gives a free hand to the NSEZ authority to

amend/change scheme for including the liability of the customs duty with an upper limit, while fixing the Reserve price of the land and building.
Please note:- If the Liability of the Custom duty is not being included in the Reserve price of the land and building the same needs to be included in the Auction notice- "as is where is and whatever there is basis".

7. It may be mentioned that the building at plot No. 129G/9 pertains to M/s Ajit Exports whose matter for revival of LOA was recently considered by the Approval Committee in its last meeting held on 07.06.2022. Relevant minutes of the case are reproduced below:

"20.1 Shri Ajit Singh, Partner and Shri Mahendra Singh, representative of unit appeared before the Approval Committee and explained the proposal. The Approval Committee observed that lease rent amounting to Rs. 10,68,882/- in respect of Plot No. 129G/09, NSEZ is outstanding against the unit. The Approval Committee further observed that Noida Customs Commissionerate has informed that the department is going to file an appeal against the Hon'ble CESTAT Order dated 31/01/2022.

20.2 The Approval Committee, discussed the agenda in details and after due deliberations and in the light of the decision to appeal by Noida Customs, decided to defer the matter. A detailed report/ comments would be sought from Noida Customs and NSEZ Customs. The Approval Committee further directed to examine the matter on receipt of report/ comments and place before it for further consideration."

8. In view of above, the legal opinion received from empanelled legal firm and other relevant facts of the case are placed before NSEZ Authority for further deliberations/decision in the matter.

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Surana & Surana
International Attorneys

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Arbitration | Commercial Contracts | Corporate Compliance | Corporate Law | Civil & Criminal Litigation | Forensic Investigation & Audit | Intellectual Property | Mergers and Acquisitions | Real Estate& Infrastructure | Tax

LEGAL OPINION FOR FIXATION OF RESERVE PRICE OF LAND AND BUILDING

BRIEF BACKGROUND:

DATE	PARTICULARS
26.10.2015	Meeting conducted by the NSEZ authority for deciding the components for fixation of reserve price for auction of building, plant & machinery/material which have been taken over under Panchnama or surrendered by units.
18.10.2018	Three Show Cause Notices issued by DRI Delhi, were adjudicated by the Commissioner, Noida Customs vide Order-in-Original No. 28-30/COMMR./NOIDA CUS/2018 dt. 18.10.2018
24.11.2020	DRI and Customs wrote to NSEZ for NOC regarding eviction of M/s Ajit Exports from Plot No.129G/09, NSEZ. The letter provided a detailed account of all prevailing dues, amounting to a total of Rs. Rs. 98,70,27, 994.
25.01.2021	Letter vide which valuation of the building erected at the Plot 129G/09, NSEZ of M/s Ajit Exports was conducted by M/s NPCC ltd.
07/05/2021	NPCC requests opinion from Formulaic Engineers Pvt. Ltd. On Fair value of building/goods/machinery vide Letter of Intent Ref No. UPZ-337-Valuation/21-22/ET/100

29/06/2021	Formulaic Engineers Pvt. Ltd. Provides opinion Fair value of building/goods/machinery
29/09/2021	NSEZ provides NOC for issuance of order of eviction to M/s Ajit Exports by Customs Division from Plot No.129G/09, NSEZ.
22.12.2022	NSEZ authority took the possession of Plot No.129G/09,NSEZ under proper panchnama

LEGAL OPINION SOUGHT:

1. Whether the 'Liability of the Custom duty' which is more than the cost of the building (as evaluated by the Govt. approved valuer) should be included in the Reserve Price of the land and Building?

DOCUMENTS REVIEWED:

1. Copy of the Minutes dated 26.10.2015 of the 4th NSEZ Authority meeting (2015 series) for fixing the reserve price for auction of building, plant & machinery.
2. Copy of the Panchnama dated 22.12.2020 for the possession of premises Plot No. 129G/09 of M/s Ajit Exports, taken over by the NSEZ.
3. Copy of the Letter dated 21.01.2021 by NSEZ authority requesting NPCC to conduct the evaluation of the Plot No. 129G/09, located at NSEZ.
4. Copy of the reply Letter dated 30.07.2021 by NPCC, addressing the evaluation of Buildings/Goods/ Machinery situated at different locations in NSEZ, requesting for clearing the dues of Rs, 1,11,038/-
5. Copy of the detailed Valuation report dated 29.06.2021 by Formulaic Engineers Private Limited for premises Plot No. 129G/09 of M/s Ajit Exports.
6. Copy of the NOC dated 29.09.2021 regarding issuance of eviction order to M/s Ajit Exports by Customs Division from Plot No.129G/09, NSEZ.
7. Copy of the letter dated 24.11.2020, from the Customs Division, NSEZ informing about the customs duty pending on part of M/s Ajit Exports worth in Crores.
8. Copy of the Minutes of the NSEZ Authority meeting held on 17.12.2021.

LEGAL OPINION:

1. Whether the 'Liability of the Custom duty' which is more than the cost of the building (as evaluated by the Govt. approved valuer) should be included in the Reserve Price of the land and Building?

   It is important to note that the NSEZ Act, 2005 and Rules thereunder does not speaks about the situation when the Customs duty which is more than the price of the building should be included while calculating the Reserve price of the land and building.

   However, in accordance with the decision of the Chairman & CEO and the Jt. Development Commissioner, NSEZ in their Minutes of meeting held on 26.10.2015 at 12:30, has laid down the guideline for calculating the formula to fix the Reserve price to dispose of the Assets/buildings constructed by an entrepreneurs which are reproduced as follows:-

   i. *Cost of the building as evaluated by the Govt. Regd. Valuer.*
   ii. *Cost of the Plant/Machinery/other material as evaluated by the Govt. Regd. Valuer, if unit does not remove it as it own.*
   iii. *Outstanding lease rent/other user charges of NSEZA.*
   iv. ***Liability of Customs duty, if any, In case unit has not produced 'NOC' from customs.***
   v. *Sum of allotment charges at par with Noida Authority (area x rate of Noida Authority for Industrial Plots in Phase-II)*
   vi. *Fee for auctioneer.*
   vii. *Advertisement/Misc expenses for conducting auction*

In view of the above mentioned points the 'Liability of the Customs duty' is to be included while fixing the Reserve price of the land and building.

Further, in clause (c) if the same MOM dated 26.10.2015, it was also informed that the following aspects are not taken into consideration at the time of Fixation of reserve price as units record is required to be produced before their concerned officers:

(a) Liability of Commercial Deptt. (VAT), if any
(b) Liability of Service Tax, if any
(c) Liability of UPPCL

It is therefore opined that in accordance with the decisions taken by the authority in the NSEZ meeting dated 26.10.2015 – 'Liability of Customs Duty' needs to be included while fixing the Reserve price of the Land and Building. However, same can be amended if the NSEZ authority is of the opinion that that including the liability of the custom duty in the Reserve price of the plant and building will hamper the auction proceedings.

Therefore, NSEZ authority in their capacity can exercised their powers under the provision per Section 10 (10) of Chapter III of the NSEZ Act, 2005, which reads:

> *"The board may, in order to promote exports or to protect the interest of Units or in the public interest, issue such directions or formulate such scheme as it may consider necessary for operation of the Special Economic Zone."*

Therefore a conjoint reading of Section 10 (10) of the NSEZ Act, 2005, along with the Minutes of meeting dated 26.10.2015 gives a free hand to the NSEZ authority to amend/change scheme for including the liability of the customs duty with an upper limit, while fixing the Reserve price of the land and building.

Please note:- If the Liability of the Custom duty is not being included in the Reserve price of the land and building the same needs to be included in the Auction notice- "as is where is and whatever there is basis".

Agenda for the meeting of NSEZ Authority to be held on 27.06.2022

11 **विषय:- सम्पदा विभाग के लिए सुविधा केंद्र में एक कार्यालय का भवन स्थापित करने के सम्बन्ध में।**

It is submitted that Competent Authority has decided to establish an office building in the facilitation centre for the Estates Division.

2. In this regard, it is mentioned that 700.00 Sq. mtrs space in Facilitation Centre at 1st Floor lying vacant since inception. In this connection, it may be recalled that the issue of allotting space to NDRF was discussed in Authority meeting held on 23.12.2019 and it was approved by the Authority to allot 720.00 sq. mtrs space to NDRF at first floor of Facilitation Centre, NSEZ inside the zone. Thereafter, on the request of NDRF, the first floor of Facilitation Centre, NSEZ was got renovated through M/s WAPCOS Ltd.

3. The issue was recently deliberated upon in the Senior Officer meeting(SOM) and it was observed that allotting space to NDRF in processing zone may have some constraint like frequent movement of NDRF personnel, parking of NDRF vehicles, space for their physical training etc.

4. In view of above, decision taken on file for allotting alternate space to NDRF, in view of facts explained above was placed before Authority in its meeting held on 23.03.2021 for ratification. The Authority after due deliberation ratified the decision taken on file for allotting alternate space to NDRF.

5. It is proposed that an office building in 1st Floor, Facilitation Centre may be established for Estate Management Section as it is lying vacant since inception. Following basic arrangements/facilities may be required for establishment of an office building in 1st Floor, Facilitation Centre:-

i. Electricity connection alongwith required accessories.
ii. Internet and telephone connection alongwith required accessories.
iii. Rooms for Section/officer.
iv. Workstations for all employees.
v. Almirah for storage of files.
vi. Water dispenser.
vii. Air Conditioners.
viii. Sofa set for visitors.
ix. Conference Room.

6. In view of above, matter is placed before Authority for discussion and deliberations.

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Agenda for the meeting of NSEZ Authority to be held on 27.06.2022

12 **विषय:- RFID enabled entry/collection system in order to strengthen security-reg.**

It is submitted that Zonal Manager-Enterprise Solutions(Delhi NCR), M/s Parviom Technologies Pvt. Ltd.(Park+), New Delhi vide its email dated 10.03.2022 has submitted their financial proposal for RFID enabled entry/Exit of vehicles in the zone complex, details are as under:-

Solution		Upfront Cost		Other cost		
Model	**Payment Terms**	**Installation Cost**	**RFID Tags cost (5000 Tags)***	**Solution Cost-1st year**	**AMC and Software Renewal - 2nd Year**	**AMC and Software Renewal - 3rd Year**
Capex	Annual	₹258,000	₹300,000*	**₹1,117,600**	**₹213,760**	**₹235,136**
Opex	Quarterly	₹258,000	₹300,000*	**₹50,200**- Per Month (Billed Quarterly) for 36 Months		

1. The above costs are exclusive of taxes.
2. Wiring will be charged on actuals @Rs.200/ metre.
3. Network switch will be charged on actuals @Rs. 1500 per switch.
4. Park+ Tags on actual @100/tag and FASTag integration is @60/tag (estimated 5000 cars taken above).

2. It is mentioned that this office engages any agency through e-tender process as per provisions of GFR, 2017.

3. In the first instance, Park+ has been requested to give a presentation before NSEZ Authority in respect of working of RFID system, further action will be taken as per direction of NSEZA and provisions of GFR, 2017.

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WAPCOS LTD.

Status Report of Ongoing Project in NSEZ as on date 24.06.2022													
S. No.	Name of the Project	Work Order issued By WAPCOS Limited to Contractor	Approved cost of the Project (in Rupees)	Award cost of the Project excluding Centage Charges (in Rupees)	Amount Released by NSEZ to Implementing agency (in Rupees)	Date of completion of Project with NSEZ	Date of completion of Project with contractor	Present Status of the work	Physical Status of the Project	Whether UC /Final bill is submitted or Not. If yes, amount (in Rupees)	Balance amount (in Rupees)	Expected date of completion (as informed by implementing agency)	Remarks
1	Providing Maintenance service at NSEZ.(Security,Horticulture,House keeping,Water supply,Electricity,Hardware & Software Services)	07-05-2019	8,89,000,00.00			30.06.2023	30.06.2022	Work is in progress					Monthly Payment on actual basis. Within The approved Cost. Tender was awarded at cost of 6.40 crore. New tender invited as directed by NSEZA in its meeting held on 25.03.2022.
2	Construction of one sump tank along with installation of Sewerage Pump at NSEZ, Noida	25/03/2021	7,01,314.00		Nil		Approval Awaited	Work still ongoing		NO			No amount released till the date. Approval of Noida Authority is required and the same letter is submitted to NSEZ for approval. Waiting for NOC Letter issued to Noida Authority for permision.
3	Construction of Cycle track in NSEZ, Noida	05-10-2021	84,87,938.00		40,91,234.00	31.12.2021	25.12.2021	100% Complete	100% Completed	NO			50% amount received. Work is 100 % completed. Vide this office letter dated 18.04.2022, WAPCOS advised to carry out corrective changes/modifications as per applicable standard/workmanship. No response has been received till date.
4	Repairing of Goods lifts in SDF F, G, I Blocks & Passenger lifts in SDF F, G, H, I J Blocks at NSEZ, Noida	12-06-2021	34,93,464.00		Nil	31.03.2022	28.03.2022	Completed	100% Completed	NO			No amount released till the date.
5	Replacement of Goods lifts in SDF Block H, J, K Blocks & Passenger lift in Trading Block NSEZ, Noida		1,24,78,862.00		Nil	17.05.2022	15.05.2022						vide this office letter dated 27.04.2022, M/s WAPCOS Ltd. was requested to scrap the existing tender on the subject and reissue the tender keeping in view of the provisions of GFR, CVC and DPIIT. Besides, WAPCOS also advised to seek clearance from NSEZ before floating the revised tender. Further, WAPCOS was also requested to adhere to the Make in India Order of DPIIT in all procurement since it is mandatory.WAPCOS submitted the draft tender documents for approval.
6	Replacement of damaged and rusted fire water line in Trading Block in NSEZ, Noida	02-01-2022	2,25,213.00		Nil	25.03.2022	22.03.2022	Completed	100% Completed				No amount released till the date

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