

28/11/24



भारत सरकार
वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग
विकास आयुक्त का कार्यालय
नौएडा विशेष आर्थिक क्षेत्र

नौएडा दादरी रोड, फेज-II, नौएडा - 201305

टेलीफोन: 0120-2567268/69/70

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

दिनांक:...../11/2024

सेवा मे,

1. मुख्य कार्यपालक अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नौएडा।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली।
3. प्रधान आयकर आयुक्त, आयकर भवन, प्लॉट सं.- ए-2डी, सेक्टर 24, नौएडा।
4. आयुक्त, सीमा शुल्क, नौएडा सीमा शुल्क आयुक्तालय, इनलैंड कंटेनर डिपो, तिलपता, दादरी, गौतम बुद्ध नगर, उत्तर प्रदेश - 201306.
5. निदेशक, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001
6. उप सचिव (आई एफ-1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
7. महाप्रबंधक, जिला उद्योग केंद्र, कलेक्ट्रेट के पास, सूरजपुर, ग्रेटर नौएडा।

विषय: दिनांक 25/11/2024 को पूर्वाह्न 10:30 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

मुझे उपरोक्त विषय का सन्दर्भ लेने और श्री ए. बिपिन मेनन, विकास आयुक्त, नौएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 25/11/2024 को पूर्वाह्न 10:30 बजे आयोजित नौएडा विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त अग्रेषित करने का निर्देश हुआ है।

भवदीय,

संलग्नक: उपरोक्त

(किरण मोहन मोहाडीकर)

उप विकास आयुक्त

प्रतिलिपि:

1. विशेष कार्याधिकारी - विकास आयुक्त, नौएडा विशेष आर्थिक क्षेत्र के सूचनार्थ।
2. वैयक्तिक सहायक - संयुक्त विकास आयुक्त, नौएडा विशेष आर्थिक क्षेत्र के सूचनार्थ
3. विनिर्दिष्ट अधिकारी, नौएडा विशेष आर्थिक क्षेत्र - सूचनार्थ एवं आवश्यक कार्यवाही के लिए।
4. सचिव, नौएडा विशेष आर्थिक क्षेत्र प्राधिकरण - सूचनार्थ एवं आवश्यक कार्यवाही के लिए।
5. कार्यपालक अभियंता, उत्तर प्रदेश पॉवर कारपोरेशन लिमिटेड, इ.यु.डी.डी.-II, सेक्टर - 18, नौएडा।
6. उप आयुक्त, व्यापार कर, खण्ड-14, सेक्टर -18, नौएडा।
7. क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, इ-12/1, सेक्टर -1, नौएडा।

: सूचनार्थ

(किरण मोहन मोहाडीकर)

उप विकास आयुक्त

नौएडा विशेष आर्थिक क्षेत्र

(दिनांक 25/11/2024 को आयोजित अनुमोदन समिति की बैठक का कार्यवृत्त)

Minutes of meeting of the Approval Committee of Noida SEZ held under the Chairmanship of Shri A. Bipin Menon, Development Commissioner (DC), Noida SEZ at 10.30AM on 25/11/2024 through hybrid mode.

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

(1) Shri Surender Malik, Joint Development Commissioner, NSEZ (Nominee of Department of Commerce in terms of letter dated 23/09/2008).

(2) Shri Saibal Roy, Assistant Commissioner, Customs, Noida Commissionerate.

(3) Smt. Hemlata Hedau, Assistant DGFT, O/o Addl. DGFT, CLA, New Delhi.

(4) Shri Vishambhar Jha, Income Tax Officer, Income Tax Department Noida.

(5) Shri Mayank Kumar, Assistant Manager, DIC, Noida (Rep. of Principal Secretary, Industry, Govt. of UP.).

(6) Shri Vinay Kumar, Representative of New Okhla Industrial Development Authority, Noida.

B. Besides, during the meeting S/Shri (i) Kiran Mohan Mohadikar, Deputy Development Commissioner, NSEZ, (ii) Ravikesh Tripathy, Specified Officer, NSEZ, (iii) Bharat Bhushan, Assistant, Project Section, NSEZ and (iv) Rajeev Kumar, JE, UPPCL were also present to assist the Approval Committee. It was informed that the stipulated quorum for holding the meeting was available and meeting could proceed.

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

D. Item wise decisions on proposals included in agenda:



(1) Ratification of Minutes of last meeting of the Approval Committee held on 11/11/2024.

It was informed to the Approval Committee that there were neither any references nor objections against the decisions of the Approval Committee held on 11/11/2024. Hence, the Approval Committee took note of the same and accordingly, the Minutes of the meeting held on 11/11/2024 were unanimously ratified by the Approval Committee.

(2) Reyan Impex - Setting up a new unit in NSEZ.

2.1 Shri Sandeep Aggarwal, partner appeared before the Approval Committee and explained the proposal. The Approval Committee observed that the applicant was granted LOA No 04/01/2020-Proj/6354 dated 04/08/2021 for Manufacturing of similar items which was not implemented and the said LOA expired on 03/08/2022.

2.2 Shri Aggarwal informed that they could not implement the said LOA and the LOA was lapsed since they could not get desired space at ground floor in NSEZ as per their needs of the plant & machinery. He further stated that the instant application is for the same line of items and export as already approved as they have found some space as per their requirements. He also stated that they have export orders from 'Prime Value Distribution, United Kingdom' and 'CRS Findings Inc. USA' for the proposed products.

2.3 The Approval Committee discussed the agenda in detail and after due deliberations, deferred the proposal with a direction to applicant to submit copies of export orders along with complete details of buyers including their email-ID & contact number. The applicant would further require to rectify the deficiencies observed in file/agenda note.

(3) PC Jeweller Limited (Unit-I) - Renewal of LOA and monitoring of performance.

3.1 Shri Raja Ram Sugla, authorized representative of the unit appeared before the Approval Committee and explained the proposal. The Approval Committee observed that LOA of the unit was expired on 31/03/2023. Further, unit had not been functional during previous block i.e. from 2017-18 (20.11.2017-31.03.2018) to 2021-22 and made exports of only Rs. 215.96 Lakhs in 2020-21 during the said block.



3.2 Shri Sugla informed that the main reason of dismal performance was denial of credit facilities by their banker. The company used to procure raw material on the basis of letter of credit issued by banks from foreign suppliers, but banks had denied letter of credit and instead approached DRT and NCLT. In March 2020, the pandemic Covid 19 burst out and global export operations were disrupted. Hence their exports were also affected. He further stated that all these matters have now been fully resolved as SBI had withdrawn the case and they have also settled through a one time settlement (OTS) with other banks. They were thus in a position to restart operations.

3.3 The Approval Committee discussed the agenda in detail and after due deliberations, directed the unit to submit the following:

- (i) Copy of export orders with product details and complete details of buyers.
- (ii) Copy of withdrawal of case by SBI.
- (iii) Copy of One Time Settlement with other banks.

3.4 The Approval Committee further empowered office of DC, NSEZ to examine the reply and take final decision on file.

(4) Royal Exports - Renewal of LOA and Monitoring of performance.

4.1 Shri Brijpal Singh, representative of the unit appeared before the Approval Committee and explained the proposal. He informed they had restarted export operations. He further stated that the Approval Committee in its meeting held on 16/07/2024 had regularised the transaction related to procurement and they were allowed to use the diamonds as per their authorized operations after examination and appraisal. However, they are still waiting for NSEZ Customs to release the stock of Diamonds.

4.2 The Specified Officer, NSEZ informed that the Approval Committee in its meeting held on 16/07/2024 had inter alia directed the NSEZ Customs to initiate action against M/s. Global Diamonds Private Limited for recovery of applicable duty involved on the materials in stock as on the date of cancellation of its LOA. Further, as per information available with them, M/s. Royal Exports had not paid fully for the diamonds



procured from M/s. Global Diamonds Private Limited. Besides, they had issued a letter to both the units for recovery of applicable duty involved on the materials.

4.3 The Approval Committee discussed the agenda in detail and after due deliberations, decided to renew the validity of LOA of M/s. Royal Exports for remaining period of fifth block of five years i.e. upto 31/03/2025 for proposed authorized operations/ production capacity. The Approval Committee further directed NSEZ Customs to issue reminders to both the unit and inform office of DC, NSEZ on the status of recovery of applicable duty involved on the materials.

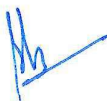
(5) BE Gold Private Limited - Ratification of permission granted for updation of production capacity and monitoring of performance.

5.1 No one from the unit appeared for the meeting despite giving opportunity to present themselves through video conferencing. The Approval Committee took a serious view on the non-appearance of the promoters even though the option of a virtual mode was available. The Approval Committee further observed that unit had not made any exports during 2023-24 & 2024-25 (upto Oct'24).

5.2 The Approval Committee, after due deliberations, ratified the permission granted for updation of production capacity. The Approval Committee further deferred the matter for monitoring of performance and directed to send a letter to unit to submit reasons for nil exports during the last two years. The Approval Committee further directed the unit to ensure presence of its promoters in the next meeting.

(6) APK Identification - Inclusion of additional authorized operations in LOA.

6.1 Shri Rajeev Singh and Shri Ramashankar Sharma, authorized representatives of the unit appeared before the Approval Committee and explained the proposal. Shri Singh informed that they have an agreement with an Austrian based semiconductor company namely 'NXP Semiconductors' for selling their products. He further stated that the said company had manufacturing facilities in Taiwan, Hong Kong and Austria. Now, they will initially procure semi-conductor goods directly from NXP as well as its distributors and export the same as well



as supply to other SEZ units and EOUs.

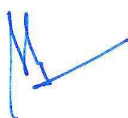
6.2 The Approval Committee discussed the agenda in detail and after due deliberations, approved the proposal of unit for inclusion of *"Trading of Semiconductor (IC/Chip/Module) (85423200, 85423100, 85423300, 85423900, 85429000)"* as additional authorized operations in LOA. This would be subject to submission of copy of agreement or letter from the company i.e. 'NXP Semiconductors' by the unit. The approval shall be subject to following conditions:

- (i) Trading will be allowed only for physical export to any other country, for supply to other units in NSEZ or other SEZ or EOUs, against free foreign exchange in terms of Section 2(z) of SEZ Act, 2005.
- (ii) No DTA clearance for trading goods shall be allowed.
- (iii) The Unit would maintain separate area earmarked for manufacturing and trading activities and maintain separate records/accounts of NFE for manufacturing and trading activities.
- (iv) NFE status for manufacturing activity and trading activity will be calculated separately.

(7) Apodictic Research LLP - Endorsement of Service Invoices.

7.1 Shri Chinmay Regal, Partner and Shri Deepak Khanna, authorized representative of the unit appeared before the Approval Committee and explained the proposal. It was informed to the Approval Committee that as per its directions a Committee comprising of officers of Customs and Project Section visited the premises of the unit on 22/10/2024 to inspect the existing infrastructure and personnel. From the site inspection report, the Approval Committee observed that no substantial investment or employment appeared to have been made by the unit in NSEZ. Further, no activities appeared to be being carried out from the premises in NSEZ. The Approval Committee also observed that unit has not mentioned about the activities which are actually being carried out from the NSEZ premises.

7.2 Shri Regal informed that currently the unit is not operational and hence, there were no employee. He further stated that the invoices pertain to the year 2021 when they were working.



7.3 The Approval Committee, discussed the agenda in detail and after due deliberations, deferred the matter with a direction to the unit to submit following:

- (i) Copy of CVs/Resumes of employees of NSEZ units and DTA unit duly supported with their appointment/joining letter.
- (ii) Details of services provided to their final clients and exact details of input service received from the DTA Unit
- (iii) Documentary proof of investment made in Plant & machinery worth Rs. 194.61 Lakhs (Indigenous: 191.33 Lakhs+ Imported: 3.28 Lakhs) as shown in APR for the year 2023-24.

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



(Surender Malik)
Joint Development
Commissioner



(A. Bipin Menon)
Development Commissioner