

File No. ADMN/129/2022-EOU
Ministry of Commerce & Industry
Department of Commerce
EOU Section

Vanijya Bhawan, New Delhi
Dated: 10th November, 2022

OFFICE MEMORANDUM

Subject: Minutes of 5th Meeting (2022 series) of Board of Approval (BOA) for EOU Scheme held on 29.10.2022.

The undersigned is directed to forward herewith a copy of the Minutes of the 5th Meeting (2022 series) of the Board of Approval for EOU Scheme held on 29.10.2022 for necessary action.

2. Implementation report on the decisions taken by the Board of Approval may please be forwarded to this Department.

Encl: As Above


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1. Department for Promotion of Industry and Internal Trade (DPIIT).
2. CBIC [Member (Customs)], M/o Finance.
3. CBDT [Member (Income Tax)], M/o Finance.
4. DG, DGFT.
5. The Joint Secretary, M/o Environment & Forest.
6. The Joint Secretary, M/o Science & Technology
7. M/o Micro, Small and Medium Enterprises.
8. All DCs.

Copy to: PSO to CS/PPS to AS(LSS)/PPS to JS(VB)/PPS to D(SNS).

MINUTES OF THE 5TH MEETING (2022 SERIES) OF THE BOARD OF APPROVAL FOR EOU SCHEME HELD UNDER THE CHAIRMANSHIP OF COMMERCE SECRETARY at GIFT CITY SEZ, AHMEDABAD ON 29.10.2022 IN HYBRID MODE.

5.1(22) Ratification of the Minutes of the 4th meeting (2022 Series) for EOU held on 28.07.2022.

DGEP invited attention to their comments on the proposal w.r.t. agenda item No. 4.2(22) of the 4th Meeting pertaining to M/s Allied Nippon Limited for inclusion of an additional location in LoP which is outside the territorial jurisdiction of original Development Commissioner and informed that their recommendation regarding SOP was not incorporated in the minutes.

Accordingly, the Board took the comments of DGEP on record and ratified the minutes regarding agenda item no. 4.2(22) of the 4th meeting (2022 series) as under:

The Board, after deliberations, approved the proposal of the unit to include additional location (i.e. Godown no. 5, Plot no. 1, Survey no.55/2, Nana Kapaya, Distt. Kachchh, Gujarat under KASEZ) in the LOP dated 23.05.1990, which is outside the territorial jurisdiction of original Development Commissioner i.e. NSEZ.

Further, the Board directed that the DC-NSEZ should finalize a clear Standard Operating Procedure (SOP) in consultation with Jurisdictional Customs/GST authorities so that there is no misuse of additional location.

The Board also ratified rest of the minutes of its 4th meeting held on 28.07.2022 with the aforesaid changes.

5.2(22) Proposal for renewal of LoAs of the Plastic Recycling EOU units under KASEZ.

The Board was informed that in the previous Board meeting [4th meeting for (2022 series) EOU Scheme held on 28.07.2022], it was decided that the plastic recycling units which did not fulfill the three obligations stipulated vide DoC's policy dated 27.05.2021 viz. - 1. NFE obligation; 2. turnover based exports and 3. tonnage based exports - would not qualify for renewal of validity of their Letter of Approvals beyond 26.08.2022. Total 03 EOU units in KASEZ which could not qualify have approached the Development Commissioner for consideration of extension of validity of their LoAs.

DC, KASEZ recommended extension of LoA of these units subject to the condition that till the units fulfil their NFE and export obligations, they shall not be allowed any DTA sale.

Department of Revenue (DoR), in its written comments, has stated that the extension should not be considered since these units had failed to meet the obligations of the policy dated 27.05.2021. During the course of discussions in BoA, ADG, DGEP representing DoR reiterated the position highlighting the non-compliance of policy conditions (i.e. NFE and other export obligations) by the units and opposed their further extension.


10/11/2022