



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

फा० सं० 10/274/2009-एस०ई०जेड०/

दिनांक: 11/05/2018

सेवा मे ,

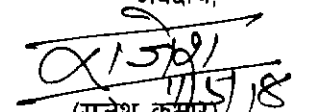
1. निदेशक (एस०ई०जेड०), वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -1100011
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002
3. मुख्य आयुक्त, सीमा शुल्क (निवारक), न्यू कस्टम हाउस, नियर आईजीआई एअरपोर्ट एवं कार्गो कॉम्प्लेक्स, नई दिल्ली।
4. मुख्य आयुक्त, केन्द्रीय कर एवं उत्पाद शुल्क, एस सी ओ नं 407 & 408, सेक्टर- 8, पंचकुला (हरियाणा)।
5. आयुक्त, केन्द्रीय कर एवं उत्पाद शुल्क, गुडगाँव-1, प्लॉट नं 36 व 37, सेक्टर 32, गुडगाँव (हरियाणा)।
6. आयुक्त, आयकर, एचएसआईआईडीसी बिल्डिंग, 4th फ्लोर, उद्योग विहार, फेज-5, गुडगाँव (हरियाणा)।
7. आयुक्त, आयकर, सेन्ट्रल सर्कल- II, सी जी ओ कॉम्प्लेक्स, एनएच 4, फरीदाबाद, (हरियाणा)।
8. उपसचिव (आई एफ - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
9. निदेशक, उद्योग एवं वाणिज्य विभाग, हरियाणा सरकार, 30 बेज भवन, सेक्टर 17, चंडीगढ़।
10. प्रबंध निदेशक, हरियाणा राज्य औद्योगिक विकास निगम, हरियाणा सरकार, प्लॉट नं सी -13 व 14, सेक्टर 6 पंचकुला , (हरियाणा)।
11. सीनियर टाउन प्लानर, टाउन एंड कंट्री प्लानिंग (एच क्यू), एस सी ओ :71-75, सेक्टर 17C, चंडीगढ़।
12. संयुक्त निदेशक, जिला उद्योग केंद्र, प्लॉट नं 2, आई डी सी, गुडगाँव (हरियाणा)।
13. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता / सह-विकासकर्ता।

विषय: दिनांक 04/05/2018 को अपराह्न 12:30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

उपरोक्त विषय के सन्दर्भ में डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 04/05/2018 को अपराह्न 12.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त संलग्न है।

संलग्नक : उपरोक्त

भवदीय,

(राजेश कुमार)
उप विकास आयुक्त

NOIDA SPECIAL ECONOMIC ZONE

Minutes of meeting of the Approval Committee of private SEZs located in the State of Haryana held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, NSEZ at 12.30 PM on 04.05.2018 in the Conference Hall of NSEZ, Noida.

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

1. Shri S.S. Shukla, Jt. Development Commissioner, NSEZ
2. Shri Mahesh Kumar, Asstt. Commissioner, Customs, Gurgaon
3. Shri Nishant Saurabh, Asstt. Commissioner, Central GST, Gurgaon
4. Shri R.L. Meena, Asstt. DGFT, New Delhi
5. Shri Hitesh Sharma, District Town Planner (HQ), Haryana
6. Shri Bhagwan Dass, IEO, Deptt. of Industries, Gurgaon
7. Shri P.N. Meena, Income Tax Officer, Gurgaon
8. Representatives of SEZ Developers / Co-developers, Special Invitee.

➤ Besides, during the meeting i) Shri Rajesh Kumar, DDC, ii) Shri Harvinder Bawa, Specified Officer, iii). Shri Prakash Chand Upadhyay, ADC & iv) Shri Mohan Veer Ruhella, ADC were also present to assist the Approval Committee.

➤ At the outset, the Chairman welcomed the participants. After brief introduction, each items included in the agenda were taken up for deliberation one by one. After detailed deliberations amongst the members of the Approval Committee as well as interaction with the applicants / representatives of the developers / units, the following decisions were taken:-

01. Ratification of Minutes of last meeting of the Approval Committee held on 06.04.2018:-

The Approval Committee was informed that no reference against the decisions of the Approval Committee held on 06/04/2018 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 06/04/2018 were ratified.

02. Proposal of M/s Optimum Therapeutics Pvt. Ltd. for setting up of unit in the Biotechnology SEZ of M/s. Mayar Infrastructure Development Pvt. Ltd. at Vill- Rahka and Nimoth, Tehsil Sohna, Gurugram (Haryana).

It was brought to the notice of the Approval Committee that M/s Optimum Therapeutics Pvt. Ltd. has submitted a proposal for setting up its unit over an area of 6860 Sqft. in Wing A, Ground floor, Bioport Building in the Biotechnology SEZ of M/s. Mayar Infrastructure Development Pvt. Ltd. at Vill- Rahka and Nimoth, Tehsil Sohna, Gurugram (Haryana) for manufacturing of "Autologous Dendritic Cell Therapy (Denvax) & Cellnute (Cells Preservation Medium)" with projected exports of



Rs. 6966 Lakhs and the cumulative NFE of Rs. 6694.13 Lakhs over a period of five years. It was also informed that the applicant has proposed investment of Rs.100 Lakhs towards imported capital goods; Rs.23.70 Lakhs towards Indigenous capital goods and other cost of project shall be met from Promoter's Contribution. It was also informed that the unit has shown requirement of imported & indigenous raw materials etc. for Rs. 100 lakhs & Rs.71.87 lakhs respectively. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

It was further informed that this is the first proposal for setting up of unit in the Biotechnology sector specific SEZ of M/s. Mayar Infrastructure Development Pvt. Ltd. at Vill- Rahka and Nimoth, Tehsil Sohna, Gurugram (Haryana).

It was further informed that following documents / information required to be submitted which has been communicated to the applicant:-

- (i) Discrepancies in Online Form-F:-
 - a) Annual Capacity required to be mentioned in Para V of Form-F for both items.
 - b) Requirement of land in Para VIII (1) may be kept Nil as developer has issued provisional offer of space for built-up area of 6860 Sqft. (637.31 Sqmt.).
 - c) Details in Para XII (ii) & (iv) need to be given in 'Yes' or 'No'.
- (ii) One of the proposed item of manufacture namely 'Cellnute (Cells Preservation Medium)' has also been shown as Raw Material, in project report. This need to be clarified.
- (iii) Residential address of the both the directors namely Mr. Jamal Anono Khan and Mrs. Sharmin Badar Yaqin are different in their all documents like Passport, copies of ITR and Aadhaar. The actual present residential address of both the directors required to be confirmed.
- (iv) Copy of Import-Export code (IEC), if obtained, required to be given.
- (v) It need to be clarify by the applicant as to how they will meet the NFE requirement as year-wise revenue generation given in forex balance sheet has been arrived at after including the proposed DTA sales.
- (vi) Each page of Form-F has not been signed. On last page signature not done at appropriate place.
- (vii) Balance sheet of company for 2016-17 duly signed by CA need to be given.
- (viii) Break up of forex outgo of Rs.271.87 lakhs need to be given.
- (ix) Provision of funding of project may be elaborated keeping in view the cost of project given.

Dr. Jamal A Khan, Director appeared before the Approval Committee on behalf of the applicant unit and explained the proposal. He informed as under:

- That Dendritic cell therapy is a personalised cancer treatment. It requires patient's own blood collection in a Cellnute Transport Medium (developed by his company) that is sent to patient's location.



- That around 100 to 120 ml blood is collected in this medium and transported back to their lab. The transport temperature is room temperature (18-30 C) and time to process the blood is around 19-24 hours. In this time period the blood should be processed to isolate white blood cells in live condition in their facility.
- That the white blood cells are further downgraded and specific monocytes (CD14 cells) are identified and selected for processing them to dendritic cells (cancer fighting specific master cells). Cell culture is completed in eight days. The final count, identification, purity and live nature is confirmed and packed to be sent to the recipient.
- That the Denvax is packed as 2 vials (14 ml) making one dose (total doses 6 and number of vials 12). These cells are packed and stored in dry-ice during transportation. The transport time is 24-36 hours so it should reach the final destination. The package can be refilled with dry-ice and holding time can be further increased to maximum one month at this temperature. (minus 70 C).
- That their business partner Antah Pharma SDN BHD is Kuala Lumpur based company. They are now partnering with Ministry of Health, Malaysia to supply their product to various cancer hospitals as a bridging trial project to see its feasibility at a mass scale. Now, Ministry of Health, Malaysia will visit their new premises at Mayar Infrastructure SEZ, located in Sohna, Gurgaon, Haryana for strengthening the ties and developing the business. They are inviting various other country heads to seek the product for their patients. He further informed that Denvax is a unique concept and product and only few countries have similar products in their domain that have been successfully developed and tested for more than a decade.

He further informed that they have submitted the required documents.

After due deliberations, the Approval Committee approved the proposal, subject to examination of documents submitted by the applicant.

03. Proposal of M/s. DLF Assets Pvt. Ltd., Co-developer for approval of list of materials to carry on approved authorized operations of IT/ITES of M/s. DLF Ltd. at Village Silokhera, Sector-30, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. DLF Assets Pvt. Ltd., Co-developer had submitted proposal for approval of list of materials to carry on following authorized operation in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Sector-30, Gurgaon (Haryana):-

S. No.	Name of Authorized Operations	Sl. No at default list of materials as per Inst. No.50 and 54	Estimated Cost (Rs. in lakhs)
1.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	8.45



Mr. Anil Nauriyal, G.M. & Mr. Pitambar Sharma, Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed materials.

After due deliberations, the Approval Committee approved the list of materials.

04. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., developer for approvals of list of materials to carry on authorized operation in its IT/ITES SEZ at Vill. Gwal Pahari, Tehsil Sohna, Distt. Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. ASF Insignia SEZ Pvt. Ltd., Developer of IT/ITES SEZ at Village- Gwal Pahari, Distt- Gurgaon (Haryana) had submitted proposal for approval of list of materials to carry on following default / approved authorized operations in their SEZ:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated Cost (Rupees in lakhs)
(i)	Construction of all types of building in processing area as approved by the ÚAC.	22	2.75
(ii)	Telecom and other communication facilities including internet connectivity.	05	0.25
(iii)	Air Conditioning of Processing area.	Approved by BoA	2.75
(iv)	Fire protection system with sprinklers, fire and smoke detectors.	07	2.00
(v)	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.	04	3.21
(vi)	Security offices, police posts, etc at entry, exit and other points within and along the periphery of the site.	11	0.60
(vii)	Solid and liquid waste collection, treatment and disposal plants including pipelines & other necessary infrastructure for sewage and garbage disposal, sewage treatment plants.	3	4.00
(viii)	Power (Including power backup facilities) (in PZ)	Approved by BoA	51.65
		Total:	67.21

Shri Ashok Singh, AGM appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

After due deliberations, the Approval Committee approved the list of materials.



05. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., developer for tax/duty free procurement of 'High Speed Diesel (HSD)' to carry on authorized operations in the IT/ITES SEZ at Vill. Gwal Pahari, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. ASF Insignia SEZ Pvt. Ltd., developer had submitted proposal for approval of tax/duty free procurement of 193 KL (193000 Litre) High Speed Diesel (HSD) to carry on following approved authorized operation in the IT/ITES SEZ. at Vill. Gwal Pahari, Distt. Gurgaon (Haryana):-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50	Estimated cost (Rs. in lakhs)
(i)	Power (Including power backup facilities) (as approved by BoA in Processing Area)	Approved by BoA in Processing Area	82.00

It was informed that the Approval Committee in its meeting held on 05.03.2018 had granted approval to the said developer for duty free procurement of '1000 KL (10,00,000 Litre High Speed Diesel (HSD) for one year with monthly restriction of 83333.33 Liter per month' against the total HSD Consumption of 1157769 Litre during the preceding year 2017-18 (for 11 months upto Feb, 2018) shown by the developer in terms of Para (vi) of Guidelines for Power Generation, Transmission and Distribution in Special Economic Zone (SEZs) issued vide letter No. P.6/3/2006-SEZ(Vol-III) dated 16.02.2016. It was further informed that now the developer has submitted revised HSD Consumption details for complete period of proceeding year 2017-18 (01.04.2017 to 31.03.2018) as given below:-

Period	Total HSD Consumption Qty. (Ltrs.)	Power Unit generated & Consumed	
		DG Unit Consumed (KWH)	Units Generated per Litre
(01.04.2017 to 31.03.2018)	1193282	4443566	3.72
Monthly Average	99440	370297.17	3.72

It was informed that the developer has now submitted proposal for approval of remaining quantity of 193000 Litre (1193282 – 1000000 = 193282 Litre) of the HSD consumption during the preceding year (2017-18).

Shri Ashok Singh, AGM, Shri Vikas Tarachandani, AGM & Shri Rajiv Kumar, Manager appeared before the Approval Committee on behalf of the developer and explained the proposal. He confirmed that the power generated through DG Sets have been supplied to entities within the SEZ.

After due deliberations, Approval Committee approved the proposal subject to compliance of the provisions of Para(vi) of the Guidelines for Power Generation, Transmission and Distribution in Special Economic Zone (SEZs) issued by Deptt. of Commerce, Govt. of India vide letter No. P.6/3/2006-SEZ(Vol-III) dated 16.02.2016. The Committee directed the Specified Officer to ensure that monthly duty free procurement of Diesel should not exceed 99440 Litre per month and power generated through DG Sets shall be supplied strictly within the SEZ only. The Approval Committee directed the representative of the unit to submit an undertaking to the effect that the power generated through DG Sets has been supplied to entities within the SEZ alongwith details of consumption of HSD duly verified by Specified Officer of SEZ.

06. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., Developer for grant of revised Occupation Certificate in respect of Building No. B3 & Amenity Podium Building in Processing area of the IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that the proposal of M/s. ASF Insignia SEZ Pvt. Ltd. for grant of revised Occupation Certificate in respect of Building No. B3 & Amenity Podium Building in Processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana) was forwarded vide this office letter dated 15.06.2017 to Sr. Town Planner, O/o. DTCP Haryana, Chandigarh for their examination & comments. It was informed that with reference to this office letter dated 15.06.2017, District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide Memo No. SEZ-40/SD(BS)/2018/10871 dated 03.04.2018 has forwarded its comments for grant of revised Occupation Certificate for Building No.B3 & Amenity Podium Building in the processing area of the said SEZ. DTP (HQ) has informed that the site reports has been taken from DTP(P), Gurugram and STP, Gurugram Circle and it has been reported that the applicant has raised additional construction at site in Building No. B3 & Amenity Podium Building, after grant of occupation certificate. DTP(P), Gurugram and STP, Gurugram Circle has reported that the double height driveway is not to be considered in FAR but has to be considered towards ground coverage, therefore the request of the developer may be considered. It has been further reported that the developer has extended the food court and constructed 6 nos. additional kiosk i.e. 4 nos. in the covered pathway leading upto podium at the ground level and 2 nos. in open area. The details of additional construction raised vis-à-vis composition policy has been given as under :-

S. No.	Violation / Variations	Area	Rate of composition	Amount (Rupees)
(i)	Construction raised without getting plan sanctioned and the construction so made conform to the laws/zoning.	1839.462 Sqm.	Rs.216/- per Sqm	397328.00
(ii)	Scrutiny fee of construction raised without getting plan sanctioned and the construction so made conform to	1839.462 Sqm.	Rs.10/- per sqm.	18395.00



	the laws/zoning.			
(iii)	DPC Certificate not taken	4633.937 Sqm. Or 49879.697 Sqft.	Rs.1/- per Sqft.	49880.00
(iv)	Position change in Door / Windows	8 Nos.	Rs.100/- each	800.00
(v)	Gate and boundary wall not as per standard design	2 Nos.	Rs.100/- each block	2000.00
Total (Rs.):				468403.00
Deposited (Rs.):				470000.00
Excess (Rs.):				1597.00

It was informed that DTP (HQ) had further mentioned that the above said violations are compoundable violations and the excess coverage / FAR are within permissible limit and shall be counted towards the final calculation of ground coverage & FAR. It was further mentioned that the developer has deposited the above said composition charges. DTP (HQ) has further mentioned that provisions of internal and external public health services at site is to be certified by the developer itself as the cost of the development works was self-estimated by the developer. It was further informed that DTP (HQ) had recommended that the matter may be placed before the Approval Committee for its consideration subject to compliance of the terms & conditions of their Memo dated 03.04.2018.

During the meeting, Shri Hitesh Sharma, District Town Planner (HQ) gave his consent for issuance of revised Occupation Certificate in respect of Building No. B3 & Amenity Podium Building of the said SEZ subject to compliance of the terms & conditions of Memo dated 03.04.2018.

After due deliberations, Approval Committee approved the proposal for issuance of revised Occupation Certificate in respect of Building No. B3 & Amenity Podium Building of the said SEZ, subject to terms & conditions mentioned in the Memo No. SEZ-40/SD(BS)/2018/10871 dated 03.04.2018 of District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh.

07. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., developer for cancellation of permission letter dated 08.04.2016 granted for allotment of space to M/s. Ultimax Retail Pvt. Ltd. to setup & operate 'Utility Store' in the processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that the Developer, M/s. ASF Insignia SEZ Pvt. Ltd. had submitted a proposal for cancellation of the permission letter dated 08.04.2016 issued by this office for allotment of built up space of 2502 sqft at Ground floor, Podium Building to M/s. Ultimax Retail Pvt. Ltd. to setup & operate a 'Utility Store' in the processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana). It was informed that the developer had submitted original letter dated 08.04.2016 issued to M/s. Ultimax Retail Pvt. Ltd. and also submitted a copy of 'No Objection' dated 10.04.2018 of M/s. Ultra-Modern Retail Store Pvt. Ltd. (formerly known as M/s. Ultimax Retail Pvt. Ltd.). It was further informed that a Copy of Certificate of Incorporation pursuant



to change of name from M/s. Ultimax Retail Pvt. Ltd. to M/s. Ultra-Modern Retail Store Pvt. Ltd. along with copy of Board Resolution in favour of Mr. Amit Garg, Director to apply cancellation of said approval on behalf of M/s. Ultra-Modern Retail Store Pvt. Ltd. has also been submitted. It was informed that original letter dated 08.04.2016 issued to developer has not been surrendered.

Shri Ashok Singh, AGM, Shri Vikas Tarachandani, AGM & Shri Rajiv Kumar, Manager appeared before the Approval Committee on behalf of the developer and requested to cancel the said letter of allotment. The representatives of the developer assured to surrender original letter dated 08.04.2016 issued to the developer.

After due deliberations, the Approval Committee **decided to cancel** the letter dated 08.04.2016 issued for allotment of 2502 sqft built-up space at Ground floor, Podium Building to M/s. Ultimax Retail Pvt. Ltd. (now M/s. Ultra-Modern Retail Store Pvt. Ltd.) to setup & operate a 'Utility Store' in the processing area of SEZ of M/s ASF Insignia SEZ Pvt. Ltd.

08. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., developer for allotment of space to M/s. SGPG Enterprise (OPC) Pvt. Ltd. to setup & operate 'Utility Store' in the processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. ASF Insignia SEZ Pvt. Ltd. vide its letter dated 11.04.2018 has submitted proposal for allotment of built-up space of 3397 Sqft. (315.59 Sqmt) at Ground floor of Podium Building in the processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana) on lease basis to M/s. SGPG Enterprise (OPC) Pvt. Ltd. to setup & operate a 'Utility Store' under the category of 'Essential Commercial – Micro Shopping (Utility Stores/ATM)' approved by BoA vide letter dated 30.05.2018.

It was informed that BoA in its meeting held on 16.05.2008, conveyed vide DOC's letter dated 30.05.2008, had granted approval to M/s. ASF Insignia SEZ Pvt. Ltd., Developer (formerly M/s. Canton Buildwell Pvt. Ltd.) for authorized operations namely 'Essential Commercial – Micro Shopping (Utility Stores / ATMs) – 2323 Sqmt.' in the processing area of SEZ.

Shri Ashok Singh, AGM, Shri Vikas Tarachandani, AGM & Shri Rajiv Kumar, Manager appeared before the Approval Committee on behalf of the developer and explained the proposal. The representatives of the developer also informed that M/s. SGPG Enterprise (OPC) Pvt. Ltd. will ~~be~~ sell general grocery items, non-alcoholic beverages etc. to employees of SEZ & units located therein.

After due deliberations, the Approval Committee **approved** the proposal subject to the condition that no tax / duty benefit shall be available to M/s. SGPG Enterprise (OPC) Pvt. Ltd. to



setup, operate & maintain Utility Store in the processing area of the SEZ and M/s. SGPG Enterprise (OPC) Pvt. Ltd. shall not serve Cigarette & Alcoholic beverages in such facility. This facility shall be used exclusively by the employees of SEZ & units located therein.

09. Proposal of M/s. Ericsson India Global Services Pvt. Ltd. for deletion of area, downward revision in projections & monitoring of the performance of the unit located in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Gurugram (Haryana).

It was brought to the notice of Approval Committee that M/s. Ericsson India Global Services Pvt. Ltd. had applied for deletion of area from the unit located in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Gurugram (Haryana). It was informed to the Committee that presently unit has been occupying an area of 635432 Sqft. at Ground to 14th Floor, Block – A, Kings Canyon Building (B2), Ground to 17th Floor, Block-A, Grand Canyon Building (B3) & Ground to 3rd floor Block-B, Kings Canyon Building (B2) and Ground floor, Block-B, Kings Canyon Building (B2) and requested for deletion of 212022 Sqft at Ground floor & 5th to 17th floor, Block-A, Grand Canyon Building (B3).

It was further informed that the unit has submitted downward projections as given below:-

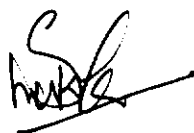
(Rs. in lakhs)

Particulars (for five years)	Existing Projection	Revised Projection
Projected FOB value of exports	607532.00	359953.00
Foreign Exchange Outgo	58218.00	40226.00
NFE	549314.00	319727.00
Imported CG	1976.51	1976.51
Indigenous CG	1187.11	1187.11

Further, it was informed that 'NOC' from the SEZ Customs & SEZ Developer for partial deletion of area is required to be submitted.

It was further informed that unit has rendered services in DTA amounting to Rs.35562.04 lakhs during its first five years of operations i.e. from 2012-13 to 2016-17. In this regard, unit has given break up of DTA sales during its first 5 years of operation, are as under:-

Particular	Rs. in lakhs
(i) Services rendered in DTA against payment in USD from Nov, 16 onwards-	2813.05
(ii) Services rendered in DTA against payment in INR	32748.99
Total:	35562.04



Shri Neeraj Jain, Sr. Manager, appeared before the Approval Committee on behalf of the unit and explained the proposal. He informed that all taxes / duties have been paid by the unit on the services rendered in DTA.

The Approval Committee clarified that as per Section 2(z)(iii) of SEZ Act, 2005, "Services means such tradable services which earn foreign exchange" and SEZ unit is required to comply with the definition of "services" given in Section 2(z) of SEZ Act, 2005. Hence, the services rendered in Domestic Tariff Area by the unit are not as per the provisions of SEZ Act as the unit has rendered services in Domestic Tariff Area amounting to Rs.32748.99 lakhs during FY from 2012-13 to 2016-17 against payment in INR instead of free foreign exchange. Hence, Approval Committee may issue Show Cause Notice to the unit under Foreign Trade (Development and Regulation) Act, 1992 in terms of Rule 54 of SEZ Rules, 2006, for rendering services in DTA against payment in INR instead of free foreign exchange.

The Approval Committee further informed to the representative of the unit that as per section 11(4) of the Foreign Trade (Development & Regulation) Act, 1992 there is a penalty provision to settle the cases where a person admits any contravention.

The representative of the unit requested to the Approval Committee to grant some time to discuss the issue with higher authorities of the company and will take decision on the same.

After due deliberations, the Approval Committee approved the proposal for partial deletion of area & downward revision in projections, subject to submission of 'NOC' from Specified Officer & SEZ Developer and execution of Bond cum LUT. The Approval Committee deferred the matter regarding services rendered in DTA against payment in INR with the direction to place the same in its next meeting. The Approval Committee directed the representative of the unit to appear before the Approval Committee in next meeting with final decision of the company.

10. Proposal of M/s. G.P. Realtors Pvt. Ltd. (IREO) to approval of list of materials to carry on authorized operations in the Electronics Hardware & IT/ITES SEZ at Village Behrampur, Bandhwari & Balola, Distt. Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. G.P. Realtors Pvt. Ltd., Developer of IT/ITES SEZ at Village- Behrampur, Balola & Bandhwari, Distt- Gurgaon (Haryana) had submitted proposal for approval of list of materials to carry on following default authorized operations in their SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operations as per	Estimated Cost (Rs. in lakhs)
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		Inst. No. 50 & 54	
1.	Air Conditioning of processing area.	21	379.38
2.	Fire protection system with sprinklers, fire and smoke detectors.	07	24.18
		Total:	403.56

Mr. Nilesh Ramjiyani, Sr. VP & Mr. Ashish Agarwal, AGM appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

After due deliberations, the Approval Committee approved the proposed list of materials.

11. Proposal of M/s. G.P. Realtors Pvt. Ltd. (Ascendas) to approval of list of materials to carry on authorized operations in the Electronics Hardware & IT/ITES SEZ at Village Behrampur, Distt. Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. G.P. Realtors Pvt. Ltd., Developer of IT/ITES SEZ at Village- Behrampur, Distt- Gurgaon (Haryana) had submitted proposal for approval of list of materials to carry on following default authorized operations in their SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operations as per Inst. No. 50 & 54	Estimated Cost (Rs. in lakhs)
1.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	473.54

Shri Dinesh Sikka, AVP appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

After due deliberations, the Approval Committee approved the proposed list of materials.

12. Proposal of M/s. Gurgaon Infospace Ltd. for allotment of space to M/s. Uptown Foods, to setup & operate a 'Restaurant (Food & Beverages Café)' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. Gurgaon Infospace Ltd., Developer vide its letter dated 20.04.2018 has submitted proposal for allotment of built-up space of 800 Sqft. (74.32 Sqmt) at Ground floor, Block 4A (Amenity Block-II) in the processing area of IT/ITES SEZ at Village Dundahera, Sector-21, Gurgaon (Haryana) on lease basis to M/s. Uptown

Foods to setup & operate a 'Restaurant (Food & beverages Café)' under the category of 'Food Services including cafeteria, food court(s), restaurant, Coffee shops, Canteen & catering facilities' approved by BoA.

It was informed that the developer has also submitted area-wise details of such activities approved by BOA, area-wise details of approvals given by the Approval Committee for allotment for such activities & balance area available for leasing, as given below:-

S. No.	Activities approved by BoA in processing area	Area approved by BoA	Total area approved by Approval Committee for allotment of space to facility providers	Area available for leasing
(i)	Food services including cafeteria, food court(s), restaurants, coffee shops, canteens and catering facilities.	3900 Sqmt.	3083.52 Sqmt.	816.48 Sqmt.
(ii)	Employee welfare facilities like Crèche, Medical Centre.	1750 Sqmt.	419.08 Sqmt.	1330.92 Sqmt.
(iii)	Shopping arcade / retail space	300 Sqmt.	261.19 Sqmt.	38.81 Sqmt.

Shri Jay Kumar, Head-SEZ Compliance, Shri Amrik Singh, AGM-SEZ Compliance & Shri Rakesh Rath appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, the Approval Committee approved the proposal subject to the condition that no tax / duty benefit shall be available to M/s. Uptown Foods to setup, operate & maintain such facility in the processing area of the SEZ and M/s. Uptown Foods shall not serve Cigarette & Alcoholic beverages in such facility. This facility shall be used exclusively by the employees of SEZ & units located therein.

13. Proposal of M/s. Gurgaon Infospace Ltd. for allotment of space to M/s. Pollen Foods, to setup & operate a 'Ice Cream Parlour' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. Gurgaon Infospace Ltd., Developer vide its letter dated 20.04.2018 has submitted proposal for allotment of built-up space of 35 Sqft. (3.25 Sqmt) at Ground floor, Block 4A (Amenity Block-II) in the processing area of IT/ITES SEZ at Village Dundahera, Sector-21, Gurgaon (Haryana) on lease basis to M/s. Pollen Foods to setup & operate a 'Ice Cream Parlour' under the category of 'Food Services including cafeteria, food court(s), restaurant, Coffee shops, Canteen & catering facilities' approved by BoA.



It was informed that the developer has also submitted area-wise details of such activities approved by BOA, area-wise details of approvals given by the Approval Committee for allotment for such activities & balance area available for leasing, as given below:-

S. No.	Activities approved by BoA in processing area	Area approved by BoA	Total area approved by Approval Committee for allotment of space to facility providers	Area available for leasing
(i)	Food services including cafeteria, food court(s), restaurants, coffee shops, canteens and catering facilities.	3900 Sqmt.	3083.52 Sqmt.	816.48 Sqmt.
(ii)	Employee welfare facilities like Crèche, Medical Centre.	1750 Sqmt.	419.08 Sqmt.	1330.92 Sqmt.
(iii)	Shopping arcade / retail space	300 Sqmt.	261.19 Sqmt.	38.81 Sqmt.

Shri Jay Kumar, Head-SEZ Compliance, Shri Amrik Singh, AGM-SEZ Compliance & Shri Rakesh Rath appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, the Approval Committee approved the proposal subject to the condition that no tax / duty benefit shall be available to M/s. Pollen Foods to setup, operate & maintain such facility in the processing area of the SEZ and M/s. Pollen Foods shall not serve Cigarette & Alcoholic beverages in such facility. This facility shall be used exclusively by the employees of SEZ & units located therein.

14. Proposal of M/s. Accenture Solutions Pvt. Ltd. for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. Accenture Solutions Pvt. Ltd. had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village- Dundahera, Sector-21, Gurgaon (Haryana). It was informed to the Committee that presently unit has been operating over an area of 879291 Sqft. at 2nd floor, Tower A, Building no.2, 8th & 11th floor, Tower-B, Building No.1, Ground to 5th, 8th & 9th floor, Tower-A, Building No. 6, Ground & 1st floor, Tower-B, Building No.6, Ground to 8th floor, Building No.7 and 6th floor & 7th floor, Tower-A, Building No. 8 and the unit has requested for addition of 53390 Sqft. at 8th & 9th floor (26695 Sqft. each), Tower-A, Building No.8 of SEZ. It was informed that the SEZ developer has given provisional offer for allotment of proposed additional space to the unit. It was also informed that the unit has submitted revised projections, as given below, on account of proposed expansion of unit:-



Particulars (for five years)	Existing Projection	Revised Projection
Projected FOB value of exports	654954.00	679910.00
Foreign Exchange Outgo	43720.00	45551.00
NFE	611234.00	634359.00
Imported CG	6978.00	7562.00
Indigenous CG	2502.00	3321.00

It was further informed that unit has made DTA sale of Rs.4208.29 lakhs during the year 2014-15 to 2016-17, hence, breakup details of DTA Sales viz i). Services rendered in DTA and payment realized in free foreign exchange & ii). Services rendered in DTA against payment in INR required to be given by the unit.

Shri Dharam Yudhishter, General Manager appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, the Approval Committee approved the expansion of area and revised projections of the unit subject to execution of Bond-cum-LUT. Approval Committee also directed to obtain details of services rendered in DTA from the unit and reply received from the unit may be placed before the Approval Committee.

15. Proposal of M/s. Aricent Technologies (Holdings) Ltd. (Unit-I) for expansion of area, downward revision in projections & monitoring of performance of the unit located in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village-Tikri, Sector-48, Gurgaon.

It was brought to the notice of Approval Committee ^{1 Kay} M/s. Aricent Technologies (Holdings) Ltd. (Unit-I) had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village-Tikri, Sector-48, Gurgaon (Haryana). It was informed to the Committee that presently unit has been operating over an area of 463510 Sqft. at Ground to 13th floor, Building No.5 and Ground to 12th floor, Building No.4 and the unit has requested for addition of 97032 Sqft. at Ground, 1st, 2nd & 3rd floor, Building No.6 of SEZ. It was informed that the SEZ developer has given provisional offer for allotment of proposed additional space to the unit. It was also informed that the unit has submitted downward revised export / NFE projections, as given below :-

Particulars	Existing Projection	Revised Projection
Projected FOB value of exports	394478.00	260335.00
Foreign Exchange Outgo	74126.75	78409.00
NFE over a period of 5 years	320351.52	181926.00
Imported CG		
(i) Fresh Capital Goods	36575.00	46028.00
(ii) Old CG to be transferred from STPI	6000.00	6000.00
(iii) Transfer of assets / equipment from STPI	<u>25300.00</u>	<u>25300.00</u>

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	Total: 67875.00	Total: 77328.00
Indigenous CG	14505.00	14853.00

It was further informed that unit has rendered services of Rs.2977.65 lakhs in DTA during the year 2015-16 to 2016-17, hence, breakup details of DTA Sales viz i). Services rendered in DTA and payment realized in free foreign exchange & ii). Services rendered in DTA against payment in INR required to be given by the unit.

Shri Jitendra Grover, VP-Finance, Shri Vijayanth Vohra, Director-Finance & Shri Anand Sharma, AVP-SCM appeared before the Approval Committee on behalf of the unit and explained the proposal. The representatives of the unit informed to the Approval Committee that the unit has rendered services in DTA against payment in INR.

The Approval Committee clarified that as per Section 2(z)(iii) of SEZ Act, 2005, "Services means such tradable services which earn foreign exchange" and SEZ unit is required to comply with the definition of "services" given in Section 2(z) of SEZ Act, 2005. Hence, the services rendered in Domestic Tariff Area by the unit are not as per the provisions of SEZ Act as the unit has rendered services in Domestic Tariff Area amounting to Rs.2977.65 lakhs during FY from 2015-16 to 2016-17 against payment in INR instead of free foreign exchange. Hence, Approval Committee may issue Show Cause Notice to the unit under Foreign Trade (Development and Regulation) Act, 1992 in terms of Rule 54 of SEZ Rules, 2006, for rendering services in DTA against payment in INR instead of free foreign exchange.

The Approval Committee further informed to the representative of the unit that as per section 11(4) of the Foreign Trade (Development & Regulation) Act, 1992 there is a penalty provision to settle the cases where a person admits any contravention.

The representatives of the unit consented to settle the case as per section 11(4) of the FT(D&R) Act, 1992 for rendering services in DTA against payment in INR instead of free foreign exchange.

After due deliberations, the Development Commissioner, in consultation with other members of the Approval Committee, imposed a penalty of Rs.2,00,000/- on the unit in terms of section 11(4) of Foreign Trade (Development & Regulation) Act, 1992 and regularized the services rendered in DTA against payment in INR instead of free foreign exchange.

Besides, the Approval Committee approved the expansion of area and downward revised projections of the unit subject to execution of Bond-cum-LUT. The Approval Committee also directed

