



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

फा०सं०.10/173/2007-सेज/

दिनांक: 07/06/2018

सेवा मे ,

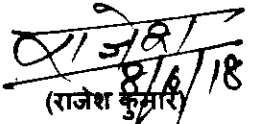
1. निदेशक, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001 ।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002 ।
3. आयुक्त, सीमा शुल्क, नॉएडा सीमा शुल्क आयुक्तालय, इनलैंड कंटेनर डिपो, तिलपता, दादरी, गौतम बुध नगर, उत्तर प्रदेश- 201306.
4. आयुक्त, सेन्ट्रलजीएसटी (नोएडा- प्रथम), सी - 56/42, सेक्टर - 62, नोएडा, जिला- गौतम बुध नगर, (उत्तर प्रदेश)।
5. आयुक्त, सेन्ट्रलजीएसटी (नोएडा- द्वितीय), फॉर्मूला- वन होटल, वेगमॅस बिजनेस पार्क, प्लॉट नं. 3, नॉलेज पार्क -3, गेटर नोएडा, जिला- गौतम बुध नगर, (उत्तर प्रदेश) ।
6. आयुक्त, आयकर, ए 2 डी, आयकर भवन, सेक्टर 24, नोएडा ।
7. उपसचिव (आई एफ - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
8. मुख्य कार्यकारी अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नोएडा।
9. मुख्य कार्यकारी अधिकारी, गेटर नोएडा औद्योगिक विकास प्राधिकरण, प्लाट नं 01, नॉलेज पार्क- 4, गेटर नोएडा, गौतम बुध नगर, (उत्तर प्रदेश) ।
10. महाप्रबंधक, जिला उद्योग केंद्र, कलेक्ट्रेट के पास, सूरजपुर, गेटर नोएडा ।
11. उपाध्यक्ष, बुलन्दशहर खुर्जा विकास प्राधिकरण, ओल्ड जी टी रोड, श्री आनंद वाटिका कॉलोनी, खुर्जा - 203131 (उत्तर प्रदेश)।
12. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता ।

विषय: दिनांक 01/06/2018 को पूर्वाह्न 11.00 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित नोएडा, गेटर नोएडा एवं खुर्जा (उत्तर प्रदेश) 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 01/06/2018 को पूर्वाह्न 11.00 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित आयोजित नोएडा, गेटर नोएडा एवं खुर्जा (उत्तर प्रदेश) 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 Noida, Greater Noida & Khurja (Uttar Pradesh) held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, Noida SEZ at 11:00 AM on 01.06.2018 in the Conference Hall of NSEZ.

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

- (i) Shri S. S. Shukla, Joint Development Commissioner, NSEZ.
- (ii) Shri Birendra Singh, Joint Commissioner (Customs), Noida.
- (iii) Shri Harish Kumar, Asstt. Commissioner, CGST, Noida-II.
- (iv) Ms. Kokil Pandey, Asstt. Commissioner, CGST, Noida-I.
- (v) Shri R.L. Meena, Asstt. DGFT, New Delhi.
- (vi) Shri Ram Avtar, Income Tax Officer, Noida
- (vii) Shri T.N. Patel, Representative of GM, DIC, G.B. Nagar
- (viii) Representative of SEZ Developers concerned, Special Invitee.

❖ Besides, during the meeting i) Shri Rajesh Kumar, DDC, ii) Md. Salik Parwaiz, 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:-

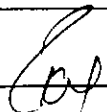
01. Ratification of Minutes of last meeting of the Approval Committee held on 04.05.2018:-

The Approval Committee was informed that no reference against the decisions of the Approval Committee held on 04/05/2018 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 04/05/2018 were ratified.

02. Proposal of M/s. NIIT Technologies Ltd., developer for approval of list of materials to carry on authorized operations of their IT/ITES SEZ at Plot No. TZ02 & 2A, TechZone, Gr. Noida.

It was brought to the notice of the Approval Committee that M/s. NIIT Technologies Limited, Developer of IT/ITES SEZ at Plot No. TZ-2 & 2A, Sector-Techzone, Greater Noida (U.P) had submitted proposal for approval of a list of materials to carry on following default authorized operations in their SEZ:-

S. No.	Name of Authorized Operations	Sl.No at default Auth. Opr. as per Inst. No.50 & 54	Estimated Cost (Rs. In Lakhs)
(i).	Construction of all type of buildings in processing	22	457.02



	area as approved by the Unit Approval Committee.		
(ii).	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.	04	384.42
(iii).	Air Conditioning of processing area.	21	125.80
(iv).	Access Control and Monitoring System	24	147.45
(v).	Fire protection system with sprinklers, fire and smoke detectors.	07	34.17
(vi).	Telecom and other communication facilities including internet connectivity.	05	30.04
(vii).	Cafeteria / Canteen for staff in processing area.	27	13.60
		Total:	1192.50

Shri Mukesh Chauhan, Group Manager appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials.

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

03. Proposal of M/s. NIIT Technologies Ltd. (Unit-II) for partial deletion of area of the unit located in the IT/ITES SEZ of M/s. NIIT Technologies Ltd. at Plot No. TZ2 & 2A, Sector-Techzone, Greater Noida.

It was brought to the notice of the Approval Committee that M/s. NIIT Technologies Ltd. (Unit-II) had submitted a proposal for partial deletion of area of the unit located in the IT/ITES SEZ of M/s. NIIT Technologies Ltd. at Plot No. TZ 02 & 2A, Sector-Techzone, Greater Noida. It was informed that the unit is presently operating over an area of 15940.93 Sqmt. at Ground floor (Wing A & Wing B), SDB, 1st floor (Wing A & B), SDB, 2nd floor (Part area of Wing B), SDB, 3rd floor & 4th floor, SDB-II, Part of 5th floor in SDB-II & Part area of Ground floor in Cafeteria Building in SEZ. The unit has requested for deletion of 2301.57 Sqmt. area at 1st floor (Wing A), SDB. It was informed that the unit has mentioned that there will be no impact on the already approved Export/NFE projections due to proposed decrease in area. It was further informed that the unit has submitted 'No Objection Certificate' dated 16.05.2018 issued by SEZ Developer for proposed deletion of area.

Shri Mukesh Chauhan, Group Manager appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, the Committee approved the proposal, subject to submission of 'NOC' from the SEZ Customs.

04. Proposal of M/s. NIIT Technologies Ltd. (Unit-III) for expansion of area & downward revision in projections of the unit located in the IT/ITES SEZ of M/s. NIIT Technologies Ltd. at Plot No. TZ2 & 2A, Sector-Techzone, Greater Noida.



It was brought to the notice of the Approval Committee that M/s. NIIT Technologies Ltd. (Unit-III) had submitted a proposal for expansion of area & downward revision in projections of the unit located in the IT/ITES SEZ of M/s. NIIT Technologies Ltd. at Plot No. TZ 02 & 2A, Sector-Techzone, Greater Noida. It was informed that the unit is presently operating over an area of 3437.38 Sqmt. on 2nd floor, SDB-II and requested for addition of 2003.57 Sqmt. at Part area of 1st floor, (Wing A) SDB. It was further informed that unit has submitted offer of space for proposed additional area issued by the Developer vide letter dated 16.05.2018, subject to deletion of area from NIIT Technologies Ltd. (Unit-II), another unit in same SEZ. It was also informed that the unit has submitted downward revised projections, as given below:-

Particulars (for five years)	(Rs. in lakhs)	
	Existing Projection	Revised Projection
Projected FOB value of exports	102367.56	46851.43
Foreign Exchange Outgo	22097.53	12932.12
NFE	80270.03	33919.31
Imported CG	752.53	1178.48
Indigenous CG	2416.99	2416.99

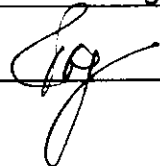
Shri Mukesh Chauhan, Group Manager appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, the Committee approved the proposal.

05. Proposal of M/s. HCL Technologies Ltd., developer for approval of list of materials to carry on authorized operations in their IT/ITES SEZ at Plot No. 3A, 3B & 2C, Sector- 126, Noida.

It was brought to the notice of the Approval Committee that M/s. HCL Technologies Ltd., Developer of IT/ITES SEZ at Plot No. 3A, 3B & 2C, Sector- 126, Noida (U.P) had submitted two proposals for approval of list of materials to carry on following default 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)
Proposal-I			
(i)	Construction of all types of building in Processing area as approved by UAC	22	79.17
(ii)	Fire protection system with sprinklers, fire and smoke detector.	07	36.42
(iii)	Power (including power backup facilities) for captive use only.	23	48.60
(iv)	Recreational facilities such as indoor/ outdoor games, Gymnasium / Employee's restroom in processing area.	19	5.62
(v)	Air Conditioning of Processing area	21	34.89
(vi)	Access Control and Monitoring System.	24	784.54



(vii)	Telecom and other communication facilities including internet connectivity.	05	17.52
		Total:	1006.76
Proposal –II			
(i).	Air Conditioning of Processing area	21	52.11
(ii).	Common Data Centre with inter-connectivity	13	120.86
		Total:	172.97
		Grand Total :	1179.73

Mr. Rohit Aneja, Director, Mr. D.K. Sharma, General Manager & Mr. Subhash Chandra, Dy. Manager appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

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

06. Proposal of M/s. Trustone Wegmans Developers Pvt. Ltd., Co-developer for approval of list of materials to carry on authorized operation in IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector- Techzone-IV, Greater Noida.

It was brought to the notice of the Approval Committee that M/s. Trustone Wegmans Developers Pvt. Ltd., Co-developer of Electronics Hardware & Software including IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone-IV, Greater Noida, had submitted a proposal for approval of list of materials to carry on following default authorized operations:-

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)
(i)	Construction of all type of buildings in processing area as approved by the Unit Approval Committee.	22	315.50

Mr. Rajiv Baghel, Sr. Manager appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed materials.

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

07. Proposal of M/s. GlobalLogic India Ltd. (Unit-I) for expansion of area/change of location & revision in projections of the unit located in the IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. at Plot No. 7, Sector-144, Noida (U.P.).

It was brought to the notice of Approval Committee that M/s. GlobalLogic India Ltd. (Unit-I) had submitted proposal for expansion of area/change of location & revision in projections of the unit located in the IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. at Plot No. 7, Sector-144, Noida (U.P.). It was informed that the unit is presently operating from 164917 Sqft at Ground to 5th floor,

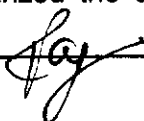
Tower-A and requested for inclusion of 106040 Sqft. at 2nd to 4th floor, Tower-3 of SEZ. It was informed that in application the unit has mentioned that their management has decided to relocate the unit from 'Ground to 5th floor, Tower-A' to "2nd to 4th floor, Tower-3" in the same SEZ. Further, the fit-out work at proposed additional location will take 6-9 month and after completion of fit-out work unit would be shifted from existing location in Tower-A to proposed additional location in Tower-3. For this purpose they will submit separate application for deletion of area at Tower-A once shifting is completed. It was informed that the unit has submitted copy of provisional offer of space for proposed additional location issued by M/s. Oxygen Business Park Pvt. Ltd., developer vide letter dated 15.05.2018. It was also informed that the unit has submitted downward revised projections, as given below:-

Particulars (for five years)	(Rs. in lakhs)	
	Existing Projection	Revised Projection
Projected FOB value of exports	95933.00	95933.00
Foreign Exchange Outgo	3416.40	4267.72
NFE	92516.60	91665.28
Imported CG	3128.66	3979.98
Indigenous CG	709.58	2981.41

It was informed that following observation was found which had been communicated to the unit:-

- (i) Variation in the figures of proposed additional imported & indigenous capital goods have been found in projections sheet vis-a-vis projections mentioned in covering letter.
- (ii) Break up of forex outgo required to be given showing correct value of imported capital goods (import of machinery).
- (iii) As per letter dated 24.04.2018, changes in Directors had been carried out on 15.11.2017 when appointment of new Director namely Mr. Sanjay Kumar and cessation of Mr. Harinder Bhatia was carried out. However, unit had not intimated such changes at that time. The unit is required to submit list of current directors along with copy of a Form DIR-11/12 for cessation of Mr. Harinder Bhatia and appointment of Mr. Sanjay Kumar along with copies of his Passport & PAN Card. Reasons for not timely intimation of such changes may also be called for.
- (iv) Rectified APR for the year 2016-17 as per observation of CA firm, NSEZ required to be submitted.
- (v) Clarification as sought vide email dated 09.03.2017 regarding merger of Globallogic India Ltd. with G.L. Software Ltd. in CA certificate, is awaited.
- (vi) Copy of Building Plan approval & Occupation Certificate in respect of Tower-3 not available in records. Copies of the may be requested from the developer.

Further, it was informed that the unit had rendered services in DTA for Rs.11670.71 lakhs against payment in INR during the year 2011-12 to 2015-16. The Approval Committee in its meeting held on 05.08.2016 had regularized the said DTA sale, subject to deposit of penalty amount of



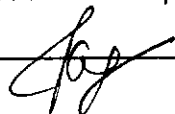
Rs.10,000/- by the unit. The unit had deposited the said penalty amount. Besides, in APR for the year 2016-17 the unit has again shown DTA sale of Rs.2724.96 lakhs. Hence, breakup details of DTA Sales viz i). Services rendered in DTA and payment realized in free foreign exchange & ii). Services rendered in DTA against payment in INR may be requested. The unit needs to comply with the definition of 'services' given in Section 2(z) of SEZ Act, 2005 & may sell authorized services in DTA only against payment received in foreign exchange as per Section 2(z)(iii) of SEZ Act, 2005.

Shri Rajat Mehta, Head-SEZ, Shri Anshul Anand Srivastava, Manager appeared before the Approval Committee and explained the proposal. The representatives of the unit informed that they have two units in this SEZ at different locations i.e in Tower-A & Tower-E and their management has decided to relocate both the unit in Tower-3. The fit-out work in Tower-3 will take 6-9 month and after completion of fit-out work unit would be shifted from existing location in Tower-A to proposed additional location in Tower-3. For this purpose they will submit separate application for deletion of area at Tower-A once shifting is completed. The representatives of the unit informed that they have submitted the reply in respect of observations received from this office. As regards, services rendered in DTA, the representative of the unit informed that the unit has rendered services of Rs.2724.96 lakhs in DTA in the year 2016-17 against payment received in INR.

After due deliberation, the Approval Committee took a serious view on the DTA sale made by the unit in INR and directed to 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. Besides, the Approval Committee approved the proposal for inclusion of 106040 Sqft. area at 2nd to 4th floor, Tower-3 and revised projections of the unit, subject to examination of documents submitted by the unit and further subject to the condition that shifting to new location at '2nd to 4th floor, Tower-3' shall be allowed only after receipt of Occupation Certificate in respect of Tower-3. The Approval Committee also directed the representative of the unit to submit status of pending foreign exchange realization duly certified by CA. The Approval Committee further directed to the representative of the unit to send clarification as sought vide email dated 09.03.2017 regarding merger of M/s. Globallogic India Ltd. and changes in shareholding, if any, which once received may be placed before the Approval Committee with full facts.

08. Proposal of M/s. GlobalLogic India Ltd. (Unit-II) for expansion of area/change of location & revision in projections of the unit located in the IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. at Plot No. 7, Sector-144, Noida (U.P.).

It was brought to the notice of Approval Committee that M/s. GlobalLogic India Ltd. (Unit-II) had submitted proposal for expansion of area/change of location & revision in projections of the unit located in the IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. at Plot No. 7, Sector-144, Noida (U.P.). It was informed that the unit is presently operating from 52632 Sqft at 8th & 9th floor, Tower-E



and requested for inclusion of 106040 Sqft. at 5th to 7th floor, Tower-3 of SEZ. It was informed that the unit in application had mentioned that unit has mentioned that their management has decided to relocate the unit from '8th & 9th floor, Tower-E' to "5th to 7th floor, Tower-3" in the same SEZ. Further, that the fit-out work at proposed additional location will take 6-9 month and after completion of fit-out work unit would be shifted from existing location in Tower-E to proposed additional location in Tower-3. For this purpose they will submit separate application for deletion of area at Tower-E once shifting is completed. It was informed that the unit has submitted copy of provisional offer of space for proposed additional location issued by M/s. Oxygen Business Park Pvt. Ltd., developer vide letter dated 15.05.2018. It was also informed that the unit has submitted downward revised projections, as given below:-

Particulars (for five years)	(Rs. in lakhs)	
	Existing Projection	Revised Projection
Projected FOB value of exports	34640.88	69281.76
Foreign Exchange Outgo	1263.35	2985.87
NFE	33377.53	66295.89
Imported CG	835.65	2558.17
Indigenous CG	121.09	2660.22

It was informed that following observation was found which had been communicated to the unit:-

- (i). Variation in the figures of proposed additional imported & indigenous capital goods have been found in projections sheet vis-a-vis projections mentioned in covering letter.
- (ii). Break up of forex outgo required to be given showing correct value of imported capital goods (import of machinery).
- (iii). As per letter dated 24.04.2018, changes in Directors had been carried out on 15.11.2017 when appointment of new Director namely Mr. Sanjay Kumar and cessation of Mr. Harinder Bhatia was carried out. However, unit had not intimated such changes at that time. The unit is required to submit list of current directors along with copy of a Form DIR-11/12 for cessation of Mr. Harinder Bhatia and appointment of Mr. Sanjay Kumar along with copies of his Passport & PAN Card. Reasons for not timely intimation of such changes may also be called for.
- (iv). Copy of registered lease deed in respect of 8th & 9th floor, Tower-E not submitted.
- (v). Copy of Building Plan approval & Occupation Certificate in respect of Tower-3 not available in records. Copies of the same may be requested from the developer.

Shri Rajat Mehta, Head-SEZ, Shri Anshul Anand Srivastava, Manager appeared before the Approval Committee and explained the proposal. The representatives of the unit informed that they have two units in this SEZ at different locations i.e in Tower-A & Tower-E and their management has decided to relocate both the unit in Tower-3. The fit-out work in Tower-3 will take 6-9 month and after completion of fit-out work unit would be shifted from existing location in Tower-E to proposed



additional location in Tower-3. For this purpose they will submit separate application for deletion of area at Tower-E once shifting is completed.

After due deliberation, the Approval Committee approved the proposal for inclusion of 106040 Sqft. area at 5th to 7th floor, Tower-3 and revised projections of the unit, subject to submission of required documents and further subject to the condition that shifting to new location at '106040 Sqft. at 5th to 7th floor, Tower-3' shall be allowed only after receipt of Occupation Certificate in respect of Tower-3.

09. Proposal of M/s. HCL Technologies Ltd. (Unit-XI) for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No. 3A, 3B & 2C, Sector-126, Noida.

It was brought to the notice of Approval Committee that M/s. HCL Technologies Ltd.(Unit-XI) had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s HCL Technologies Ltd. at Plot No. 3A, 3B & 2C, Sector-126, Noida (U.P.). It was informed to the Committee that unit had been approved for setting up of unit over an area of 4282.15 Sqmt. on 9th floor, SDB-IV, Tower-5 and the unit has requested for addition of 4260.33 Sqmt. at 11th floor, SDB-IV, Tower-5 of SEZ. It was informed that the unit has submitted copy of MOU dt. 18.05.2018 signed with the SEZ Developer for allotment of proposed additional space. 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)	(Rs. in lakhs)	
	Existing Projection	Revised Projection
Projected FOB value of exports	33431.87	88560.82
Foreign Exchange Outgo	396.84	1362.72
NFE	33035.03	87198.10
Imported CG	360.76	1238.83
Indigenous CG	562.51	2190.55

Mr. Rohit Aneja, Director, Mr. D.K. Sharma, General Manager & Mr. Subhash Chandra, Dy. 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.

10. Proposal of M/s. Oxygen Business Parks Pvt. Ltd., developer for approval of list of materials to carry on authorized operation in IT/ITES SEZ at Plot No. 7, Sector-144, Noida.



It was brought to the notice of the Approval Committee that M/s. Oxygen Business Park Pvt. Ltd., Developer of IT/ITES SEZ at Plot No. 7, Sector-144, Noida (U.P) had submitted a proposal for approval of a list of materials to carry on following default authorized operations in SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of materials as per Inst. No. 50 & 54	Estimated Cost (Rs in Lakhs)
1.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	1588.88
2.	Fire protection system with sprinklers, fire and smoke detectors.	07	94.13
3.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	02	101.42
4.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	1207.80
5.	Power (including power backup facilities) for captive use only.	23	82.38
6.	Parking including Multi-Level Car Parking (automated / manual)	18	364.91
7.	Air Conditioning of processing area	21	471.62
8.	Cafeteria / Canteen for staff in processing area.	27	237.37
9.	Telecom and other communication facilities including internet connectivity.	05	17.32
10.	Access Control and Monitoring System.	24	26.10
	Total :		4191.93

Shri Sunny Ahuja, Manager-Finance & Shri Sudhakar Sridevi, DGM-Operations appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials. The representatives of the developer informed that the items proposed under 'Power (including power backup facilities) for captive use only' are to be used for power backup only.

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

11. **Proposal of M/s. Laxmipati Balaji Exim Trading Ltd., a unit in the Free Trade Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village- Ibrahimpur, Junaidpur urf Maujpur, Khurja Distt- Bulandshahr (U.P.) for change of name of the company to M/s. Arshiya Logistics Services Limited" & changes in shareholding pattern of the company.**

It was brought to the notice of the Approval Committee that M/s. Laxmipati Balaji Exim Trading Ltd., a unit located in the Free Trade Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village- Ibrahimpur, Junaidpur urf Maujpur, Khurja Distt- Bulandshahr (U.P.) has submitted



proposal for change of name of the company from 'M/s. Laxmipati Balaji Exim Trading Ltd.' to "M/s. Arshiya Logistics Services Limited". In this regard the unit has submitted following documents :-

- (i). Copy of Certificate of Incorporation pursuant to change of name from 'M/s. Laxmipati Balaji Exim Trading Ltd.' to "M/s. Arshiya Logistics Services Limited" issued by ROC – Mumbai on 23.05.2018. Company has mentioned that it had made online application for change of name on 20.04.2018.
- (ii). Copy of Board Resolution dated 26.03.2018 deciding change of name of the company.
- (iii). List of present directors of the company, as given below:-

List of directors at the time of LOA application submitted on 23.06.2017.	Present Directors (w.e.f. 28.06.2017) as intimated now by the unit.
<ul style="list-style-type: none"> • Mr. Mahesh Mhatre • Ms. Sweta Phanse • Mr. Binu Jacob 	<ul style="list-style-type: none"> • Mr. Navnit Jugal Kishore Choudhary • Mr. Vinod Shantilal Parekh • Mr. Pramod Raghavan

- (iv) Details of Shareholding pattern duly signed by Authorised Signatory. However, changes in Shareholding pattern has also been found, as details given below:-

Shareholding pattern at the time of LOA application submitted on 23.06.2017.			Present Shareholding Pattern as intimated now on 28.05.2018 by the unit.		
Name of shareholder	No. of shares held	% share	Name of shareholder	No. of shares hold	% share
M/s. Arshiya Ltd.	49,400	98.80%	M/s. Arshiya Ltd.	1599400	99.9625 %
M/s. Arshiya Limited with Mr. Ananya A. Mittal	100	0.20%	M/s. Arshiya Limited with Mr. Ananya A. Mittal	100	0.00625 %
M/s. Arshiya Limited with Mr. Ajay S Mittal	100	0.20%	M/s. Arshiya Limited with Mr. Ajay S Mittal	100	0.00625 %
M/s. Arshiya Limited with Mr. Navnit Choudhary	100	0.20%	M/s. Arshiya Limited with Mr. Navnit Choudhary	100	0.00625 %
M/s. Arshiya Limited with Mr. Ashutosh Sharma	100	0.20%	M/s. Arshiya Limited with Mr. Ashutosh Sharma	100	0.00625 %
M/s. Arshiya Limited with Mrs. Mini Suresh	100	0.20%	M/s. Arshiya Limited with Mrs. Mini Suresh	100	0.00625 %
M/s. Arshiya Limited with Ms. Joyce Collaco	100	0.20%	M/s. Arshiya Limited with Ms. Vinod Kumar Jain	100	0.00625 %
Total:	50,000	100%	Total:	1600000	100%

It was informed that following documents / information are required to be submitted by the unit:-


- (i). Copy of M&AOA in the name of M/s. Arshiya Logistics Services Limited.

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- (ii). Copy of PAN Card & Import Export Code in the name of M/s. Arshiya Logistics Services Limited.
- (iii). A duly notarized undertaking on Rs.100/- Stamp Paper to the effect that consequent to the change of name all Assets and Liabilities of the SEZ unit of M/s. Laxmipati Balaji Exim Trading Ltd. have been/shall be taken over by of M/s. Arshiya Logistics Services Limited. in respect of LOA No.10/25/2017-SEZ/8437 dated 08.08.2017.
- (iv). Details of change in Shareholding pattern giving details of shareholders, no. of shares held, percentage of shares held and exact date of changes therein duly certified by CA.
- (v). Copies of DIR-11/12/ Form-32 for appointment along with copies of Passport & PAN Card of all current directors and copies of DIR-11/12 for cessation of old director namely Mr. Mahesh Mhatre. Ms. Sweta Phanse & Mr. Binu Jacob.

It was further informed that further mentioned that vide Instruction No. 89 dated 17.05.2018 DOC has issued guidelines regarding change in shareholding pattern, name change of SEZ Developers and SEZ Unit. As per Para 5(ii) of said guidelines "*Re-organization including **change of name, change of shareholding pattern, business transfer arrangements, court approved mergers and demergers, change of constitution of unit located in SEZs may be undertaken with the prior approval of Approval Committee in respect of units** subject to the condition that the unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on such reorganization*". Further, as per Para 6 of said guidelines, such reorganization shall be subject to the following safeguards:-

- i) *Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity.*
- ii) *Fulfillment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;*
- iii) *Applicability of and compliance with all Revenue / Company Affairs / SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.*
- iv) *Full financial details relating to change in equity / merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.*
- v) *The Assessing Officer shall have the right to assess the taxability of gain / loss arising out the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.*
- vi) *The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.*
- vii) *The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.*



Shri D.K. Taunk, DGM appeared before the Approval Committee on behalf of the unit and explained the proposal. He informed to the Approval Committee that the changes in directors were carried out before the issuance of LOA dated 08.08.2017 to the unit.

After due deliberations, the Approval Committee approved the proposal for change of name of company from 'M/s. Laxmipati Balaji Exim Trading Ltd.' to "M/s. Arshiya Logistics Services Limited" and above changes in shareholding pattern, subject to the following conditions:

- i). Submission of above documents.
- ii). All Assets and Liabilities of the SEZ unit of M/s. Laxmipati Balaji Exim Trading Ltd. shall be taken over by M/s. Arshiya Logistics Services Limited in respect of LOA No. 10/25/2017-SEZ/8437 dated 08.08.2017.
- iii). Conditions mentioned in Instruction No. 89 dt.17.05.2018 will be fulfilled.

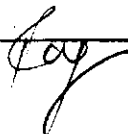
12. Proposal of M/s. Onmobile Global Ltd. a unit in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.) for monitoring of performance and consideration of exit from SEZ scheme in terms of Rule 74 of SEZ Rules, 2006.

It was brought to the notice of the Approval Committee that while considering the proposal of M/s. Onmobile Global Ltd. a unit in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.) for transfer of Software CDs to Bangalore SEZ unit, the Approval Committee in its meeting held on 16.10.2014, had advised the unit to apply and obtain exit from SEZ Scheme. In response, the unit vide its letter dt.08.01.2016 had applied for exit from SEZ scheme. Accordingly, acceding to the request of unit, letters dt. 20.01.2016 and 17.05.2016 was issued to the unit with the request to submit necessary documents for further consideration of its proposal for exit. It was informed that the unit vide its letter dated 22.04.2016 and 22.02.2018 had submitted following documents:-

- i) No objection letter dt. 18.09.2017 issued by the developer
- ii) Surrendered original LOA dt. 28.04.2011.
- iii) No Objection Certificate dt 23.03.2016 in respect of Form-I.
- iv) No dues certificate dt 31.03.2017 from Labour Department, NSEZ
- v) No dues certificate No. IV/16/98/2016ST-II Gr-W dt. 25.04.2016 from Service Tax Department, Bangalore.
- vi) As regards, 'No Dues Certificate' for local taxes i.e. CST/VAT from the department concerned, the unit had clarified that they have been informed by the local tax office that the release of bank guarantee itself is the final document demonstrating the de-registration and confirmation that there is nothing due from the company to the local tax Deptt.

Year-wise NFE performance:

As per report dt.31.05.2018 received from CA firm, unit has earned Negative NFE of Rs.608.78 Lakhs cumulatively from 2011-12 to 2016-17:-



(Rs. In lakhs)

Year	FOB Value of exports	NFE earned during the year	DTA Sales	Pending Foreign Exchange
2011-12	0	-158.42	0	0
2012-13	341.74	183.32	0	0
2013-14	0	-158.42	0	0
2014-15	0	-158.42	0	0
2015-16	0	-158.42	0	0
2016-17	0	-158.42	0	0
Total:	341.74	-608.78	0	0

It was informed that 'No Dues Certificate' from Specified Officer has not been submitted.

However, no one from the unit appeared before the Approval Committee.

The Approval Committee observed that the unit has earned Negative NFE of Rs.608.78 Lakhs cumulatively from 2011-12 to 2016-17.

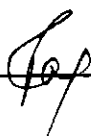
After due deliberations, the Approval Committee deferred the matter and directed that matter may be examine on file. Approval Committee further directed that a Personal Hearing may be granted to the unit before Joint Development Commissioner, NSEZ. The Approval Committee also directed that necessary documents may be provided to the Specified Officer to examine the case properly. The Approval Committee also directed to send the discrepancies to the unit for its compliance expeditiously.

13. M/s. Xavient Software Solutions India Pvt. Ltd. (Unit-I), a unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.) – Proposal for change in 100% shareholding pattern & change in directors of the company.

It was brought to the notice of the Approval Committee that M/s. Xavient Software Solutions India Pvt. Ltd. (Unit-I), a unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.) has submitted proposal for change of 100% shareholding pattern & change in directors of the company, as given below:-

- Shareholding pattern prior to transfer (at the time of application for LOA as on 19.01.2018):

Name of Shareholder	Nos. of Shares	% Shares
Saif Ahmad	9800	98.00%
Arshad Majeed	100	1.00%
Md. Zeauddin	100	1.00%
Total:	10000	100.00%



➤ Shareholding pattern post 100% share transfer (as on 06.02.2018):

Name of shareholder	No. of shares	% Shares
Xavient Infotech Private Limited (XIT), 165, Vinoba Puri, Lajpat Nagar-II, New Delhi	9999	99.99%
TELUS International (Cda.) Inc., 510, West Georgia, Street Floor-7, Vancouver BC V6B 0M3, Canada (Nominee of XIT)	01	0.01%
Total:	10000	100.00%

It was further informed that the unit has also submitted details of change in directors of the company as given below:

List of Directors prior to change	List of Directors post change
(i) Mr. Arshad Majeed	(i) Mr. Arshad Majeed
(ii) Mr. Saif Ahmad	(ii) Mr. Saif Ahmad
(iii) Mr. Mohd. Zeauddin (cessation w.e.f. 06.02.18)	(iii) Mr. Ashish Jain (Appointment w.e.f. 06.02.18)

It was further informed that further mentioned that vide Instruction No. 89 dated 17.05.2018 DOC has issued guidelines regarding change in shareholding pattern, name change of SEZ Developers and SEZ Unit. As per Para 5(ii) of said guidelines ***“Re-organization including change of name, change of shareholding pattern, business transfer arrangements, court approved mergers and demergers, change of constitution of unit located in SEZs may be undertaken with the prior approval of Approval Committee in respect of units subject to the condition that the unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on such reorganization”.*** Further, as per Para 6 of said guidelines, such reorganization shall be subject to the following safeguards:-

- i) *Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity.*
- ii) *Fulfillment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;*
- iii) *Applicability of and compliance with all Revenue / Company Affairs / SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.*
- iv) *Full financial details relating to change in equity / merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.*
- v) *The Assessing Officer shall have the right to assess the taxability of gain / loss arising out the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.*
- vi) *The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.*
- vii) *The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.*

Shri Ashish Jain, Director appeared before the Approval Committee on behalf of the unit and explained the proposal. He informed to the Approval Committee that the Board of Approval in its meeting held on 05.02.2018 had already approved the aforesaid changes in shareholding in respect of unit in Noida SEZ.

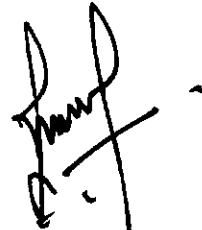
After due deliberations, the Approval Committee approved the above changes in shareholding pattern of the company subject to compliance of the terms & conditions mentioned in Instruction No. 89 dt.17.05.2018 issued by DOC.

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



(S. S. Shukla)

Joint Development Commissioner



(Dr. L.B. Singhal)

Development Commissioner