



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)

फ. स.10 / 274/2009-एस ई जेड /

दिनांक: 07/09/2016

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. मुख्य आयुक्त, केन्द्रीय उत्पाद शुल्क, दिल्ली जोन, सीआर भवन, आई पी एस्टेट, नई दिल्ली
4. आयुक्त, केन्द्रीय उत्पाद शुल्क, गुडगाँव-1, दिल्ली-तृतीय, प्लॉट नं 36 व 37, सेक्टर 32, गुडगाँव ।
5. आयुक्त, आयकर, न्यू सी जी ओ कॉम्प्लेक्स, एनएच 4, फरीदाबाद ।
6. संयुक्त आयुक्त, आयकर, सीमा-II, उद्योग विहार, फेज-5, गुडगाँव (हरियाणा)।
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. निदेशक (उद्योग एवं वाणिज्य विभाग), हरियाणा सरकार, 30 बेज भवन, सेक्टर 17, चंडीगढ़।
9. प्रबंध निदेशक, हरियाणा राज्य औद्योगिक विकास निगम, हरियाणा सरकार, प्लॉट नं सी -13 व 14, सेक्टर 6 पंचकूला, हरियाणा ।
10. वरिष्ठ नगर योजनाकार, टाउन एंड कंट्री प्लानिंग (मुख्यालय), एस सी ओ :71-75, सेक्टर 17C, चंडीगढ़।
11. श्री एस एन सिंह, संयुक्त निदेशक, जिला उद्योग केंद्र, प्लॉट नं 2, आई डी सी, गुडगाँव, हरियाणा।
12. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता ।

विषय: दिनांक 02/09/2016 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,

मुझे उपरोक्त विषय का सन्दर्भ लेने और डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 02/09/2016 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 प्रेषित का निर्देश हुआ है।

इसे विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र, नोएडा का अनुमोदन प्राप्त है।

भवदीय,

संलग्नक : उपरोक्त

(प्रकाश चन्द उपाध्याय)

सहायक विकास आयुक्त

प्रतिलिपि:

1. संयुक्त सचिव, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001—सूचनार्थ ।
2. विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र, नोएडा - सूचनार्थ ।

सहायक विकास आयुक्त

NOIDA SPECIAL ECONOMIC ZONE

Minutes of the 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 02/09/2016 in the Conference Hall of NSEZ, Noida.

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

1. Shri Yogendra Garg, Commissioner, Central Excise, Gurgaon-I.
2. Shri S.S. Shukla, Jt. Development Commissioner, NSEZ
3. Dr. Sukhbir Singh Badhal, Asstt. DGFT, New Delhi
4. Shri T.C. Sangwan, Asstt. Director, DIC, Gurgaon
5. Ms. Renuka Singh, DTP, Town & Country Planning, Gurgaon
6. Representatives of SEZ Developers / co-developers.

2. Besides, during the meeting i) Shri Satish C Gangar, Specified Officer & ii) Shri Prakash Chand Upadhyay, Asstt. Dev. Commissioner were also present to assist the Approval Committee.

3. At the outset DC, NSEZ informed the members of sudden and sad demise of Mr. Rakesh Kumar, DDC, NSEZ. The members of Approval Committee fondly remembered the contribution of Mr. Rakesh Kumar and observed 2 minutes silence. After brief introduction, each items included in the agenda were taken up for deliberation one by one. After detailed deliberations amongst members as well as interaction with the applicants / representatives of the units, the following decisions were taken:-

(i) Ratification of Minutes of last meeting of the Approval Committee:-

The Approval Committee was informed that no reference against the decisions of the Approval Committee held on 05/08/2016 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the meeting held on 05/08/2016 were ratified.

(ii) Item wise decisions on proposals included in agenda:



1. **Proposal of M/s. EXLService SEZ BPO Solutions Pvt. Ltd., a unit in IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd., Gurgaon for change of entrepreneur in the wake of merger of M/s. ExlService SEZ BPO Solutions Pvt. Ltd. with M/s. exl Service.com (India) Pvt. Ltd. pursuant to approval of scheme of amalgamation by Hon'ble High Court of Delhi vide order dated 30.05.2016.**

It was brought to the notice of Approval Committee that M/s. EXLService SEZ BPO Solutions Pvt. Ltd., a unit in IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd., Gurgaon had submitted a proposal for change of entrepreneur in the wake of merger of M/s. ExlService SEZ BPO Solutions Pvt. Ltd. with M/s. exl Service.com (India) Pvt. Ltd. pursuant to approval of scheme of amalgamation by Hon'ble High Court of Delhi vide order dated 30.05.2016.

It was further informed that there are following changes in shareholding of the company:-

| Shareholding pattern of M/s. ExlService SEZ BPO Solutions Pvt. Ltd. (Pre- Merger) | | Shareholding pattern of (M/s. exl Service.com (India) Pvt. Ltd. (Post Merger) | |
|---|------------------------|---|------------------------|
| Name of shareholders | % and/or No. of shares | Name of shareholders | % and/or No. of shares |
| ExlService Mauritius Ltd. (Mauritius) | 99.99999% | ExlService Mauritius Ltd. (Mauritius) | 99.99999% |
| ExlService Holding, Inc. (through nominee ExlService.com, LLC) | 0.00001% | ExlService Holding, Inc. (Delaware, USA) | 0.00001% |
| Total: | 100% | Total: | 100% |

It was further informed that following documents are awaited from the unit:-

1. Copy of PAN card & DIR-11/12 in respect of all the directors of M/s. exl Service.com (India) Pvt. Ltd.
2. Board Resolution regarding changes/amalgamation & also in favour of authorized signatory of instant proposal.

It was informed that BOA in its 69th meeting held on 23.02.2016 has inter alia decided that Rule 74A shall not apply to SEZ Units that do not exit or opt out of the SEZ Scheme by transferring its assets and liabilities to another person and the SEZ units continues to operate as a going concern in the situations such as **change of name, court approved mergers/ de-mergers**, slump sale, change of constitution from proprietorship to partnership & vice-versa, change of constitution from public limited company to private/limited liability company & vice-versa, company to partnership & vice-versa, change in shareholding up to 50 per cent, etc. and per se are not opting out/exiting out of the SEZ Scheme. The UACs concerned, may consider such requests under Rule 19(2) of the SEZ Rules, 2006.

Shri Raman Bhasin, Senior VP and Ms. Sonia Malik Joshi, AVP appeared before the Approval Committee and explained the proposal. Shri Raman Bhasin assured to submit all pending documents.



After due deliberations, the Committee **approved the proposal** of the unit for change of name / entrepreneur from M/s. ExlService SEZ BPO Solutions Pvt. Ltd. to M/s. exl Service.com (India) Pvt. Ltd. pursuant to approved scheme of amalgamation by Hon'ble High Court of Delhi vide order dated 30.05.2016, as per guidelines issued by the Board of Approval in its 69th meeting held on 23.02.2016, subject to the condition that all the assets & liabilities of M/s. ExlService SEZ BPO Solutions Pvt. Ltd. shall be taken over by M/s. exl Service.com (India) Pvt. Ltd. and revised Bond-Cum-LUT shall be executed by M/s. exl Service.com (India) Pvt. Ltd.. The Committee also directed the representative of the unit to submit above pending documents.

2. **Proposal of M/s. SkilRock Technologies Pvt. Ltd. for approval of additional service to carry on authorized operation in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd., Gurgaon.**

It was brought to the notice of the Approval Committee that M/s. SkilRock Technologies Pvt. Ltd. (Unit-I & Unit-II) located in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. located at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana) had submitted proposal for approval of service namely 'Business Auxiliary Services' in addition to the list of 66 nos. default services issued by the Approval Committee, in terms of Notification No. 12/2013-ST dated 01.07.2013. It was informed that the unit in its proposal had stated that for improving productivity and efficiency involving their recruitment process and HR activities they are planning to procure & implement HRMS (Human Resource Management Solution) in their organization and the said HRMS service is falling under the Business Auxiliary Service.

Shri Sunil Saxena, Sr. Manager appeared before the Approval Committee on behalf of the unit and explained the requirement of proposed service. He explained that this service is meant exclusively for SEZ unit only.

After due deliberations, the Approval Committee **approved** the 'Business Auxiliary Services' to both units as proposed keeping in view that 'Manpower Recruitment and supply agency services' is already approved as default service vide S. No. 34 of list of default services issued vide letter dated 22.11.2013.

3. **Proposal of M/s. Amdocs Development Centre India Pvt. Ltd. for expansion of area & revision in projection of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Gurgaon (Haryana)**

It was brought to the notice of Approval Committee that M/s. Amdocs Development Centre India 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, Gurgaon (Haryana). It was informed to Committee that the unit has been operating over an area of 180205 Sqft. at 8th, 9th & 10th



floor, Tower-A, Building No.2, Ground to 3rd & 5th floor, Tower-C, Building No. 3 & 27236 Sqft. at 9th floor, Tower-B, Building No. 2 and requested for addition of 23848 Sqft. at 1st floor, Tower-B, Building No. 3 in SEZ. 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 lacs) | |
|--------------------------------|---|--------------------|
| | Existing Projection (As per records) | Revised Projection |
| Projected FOB value of exports | 149652.98 | 175255.55 |
| Foreign Exchange Outgo | 6949.54 | 8270.23 |
| NFE over a period of 5 years | 142703.44 | 166985.31 |
| Imported Capital Goods | 4802.33 | 6246.56 |
| Indigenous Capital Goods | 316.416 | 316.416 |

It was informed that APR for the year 2011-12 to 2015-16 submitted by the unit has been examined by CA firm appointed by this office. A number of discrepancies have been observed by CA in these APRs which have been communicated to the unit. However, rectified APRs are awaited. Copy of registered lease deed in respect of 9th floor, Tower-B, Building No. 2 required to be submitted.

Shri Kulwant Singh, Manager appeared before the Approval Committee on behalf of the unit and explained the proposal. It was also assured by them to submit rectified APRs & copy of registered lease deed, shortly.

After due deliberations, the Approval Committee **approved** the expansion of area as well as revised projections of the unit subject to execution of Bond-Cum-LUT. The Committee also directed the representative of the unit to submit pending documents.

4. Proposal of M/s. G4S IT Services (India) Pvt. Ltd. for setting up a unit (Unit-I) in IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Sector-30, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that the proposal of M/s. G4S IT Services (India) Pvt. Ltd. for setting up of two units in the IT/ITES SEZ of M/s. DLF Ltd., Silokhera, Sector-30, Gurgaon have been received. It was informed that Unit-I is proposed to be setup on 10094 Sqft at 3rd floor, Block-B3 of SEZ to undertake service activities namely 'Information Technology / Information Technology Enabled Services namely Back-office operations, Data processing, Revenue accounting, Financial services, Business support services, Information technology services' with projected FOB value of exports of Rs.6567.45 Lakhs and the cumulative NFE of Rs. 6567.45 Lakhs over a period of five years. It was also informed that the investment of Rs.3.00 Lakhs towards indigenous capital goods and other cost of project shall be met from the internal funding of the company.



It was also informed that the following shortcomings were observed in the application in the first instance which has been communicated to the applicant:-

1. The name of applicant company in Form-F, covering letter & Undertaking & Affidavit, Project report has been submitted in the name of 'M/s. G4S IT Services Pvt. Ltd.' whereas the letter head & supporting documents have been submitted in the name of 'M/s. G4S IT Services (India) Pvt. Ltd.'. Therefore, actual name of the applicant company is required to be clarified and rectified documents in correct name required to be submitted.
2. Proposal for setting up of two units for same service activity is required to be justified by the applicant.
3. List of indigenous & imported capital goods not submitted.
4. Requirement of built-up area required to be given in Col.VIII(2) of Form-F.
5. Undertaking to fulfill the applicable environmental and pollution control norms in the name of M/s. G4S IT Services (India) Pvt. Ltd. not submitted.
6. Copy of Airtel bill for January, 2016 of Mr. Arnab Roy has been submitted as his address proof, hence a recent proof of his current address needs to be submitted.
7. Copy of DIR-12 for cessation of Mr. V.K. Bhardwaj required to be submitted.
8. Copies of DIR-12 for cessation of first Directors of the company required to be submitted.

Shri Arnab Roy, Director & Shri Ayush Agarwal, AVP, appeared before Approval Committee on behalf of the applicant. It was informed by them that Unit-I is proposed for shifting from DTA to SEZ and Unit-II is proposed to be setup by fresh investment in SEZ for expansion of their activities. It was also assured by them that they will submit the pending documents at the earliest.

The Approval Committee directed the representatives of the company to submit detailed write-up on following points:-

1. Background of the company.
2. Reasons for losses incurred.
3. Operations carried out by the company.

The Approval Committee clarified that no Income Tax benefit shall be available on shifting of unit from DTA to SEZ.

After due deliberations, Approval Committee approved the proposal for Unit-I, subject to condition that they shall not claim Income Tax benefit and submit pending documents / clarification.



5. Proposal of M/s. G4S IT Services (India) Pvt. Ltd. for setting up a unit (Unit-II) in IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Sector-30, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that the proposal of M/s. G4S IT Services (India) Pvt. Ltd. for setting up of two units in the IT/ITES SEZ of M/s. DLF Ltd., Silokhera, Sector-30, Gurgaon. It was informed that Unit-II is proposed to be setup on 18163 Sqft at 3rd floor, Block-B3 to undertake service activities namely 'Information Technology / Information Technology Enabled Services namely Back-office operations, Data processing, Revenue accounting, Financial services, Business support services, Information technology services' with projected FOB value of exports of Rs.15945 Lakhs and the cumulative NFE of Rs. 15822.90 Lakhs over a period of five years. It was also informed that the investment of Rs.10.00 Lakhs towards indigenous capital goods and other cost of project shall be met from the internal accruals of the company.

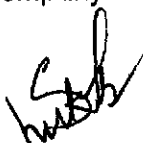
It was also informed that the following shortcomings were observed in the application in the first instance:-

1. The name of applicant company in covering letter & Undertaking, Affidavit & Project report has been submitted in the name of 'M/s. G4S IT Services Pvt. Ltd.' whereas the letter head, Form-F & supporting documents have been submitted in the name of 'M/s. G4S IT Services (India) Pvt. Ltd.'. Therefore, actual name of the applicant company is required to be clarified and rectified documents in corrected name required to be submitted.
2. Proposal for setting up of two units for same service activity is required to be justified by the applicant.
3. List of indigenous & imported capital goods not submitted.
4. Requirement of built-up area required to be given in Col.VIII(2) of Form-F.
5. Undertaking to fulfill the applicable environmental and pollution control norms in the name of M/s. G4S IT Services (India) Pvt. Ltd. not submitted.
6. Airtel bill for January, 2016 of Mr. Arnab Roy has been submitted as his address proof; hence a recent proof of his current address needs to be submitted.
7. Copy of DIR-12 for cessation of Mr. V.K. Bhardwaj required to be submitted.
8. Forex outgo breakup details may be given.
9. Copies of DIR-12 for cessation of first Directors of the company required to be submitted.

Shri Arnab Roy, Director & Shri Ayush Agarwal, AVP, appeared before Approval Committee on behalf of the applicant. It was informed by them that Unit-II is proposed to be setup by fresh investment in SEZ for expansion of their activities. It was also assured by them that they will submit the pending documents at the earliest.

The Approval Committee directed the representatives of the company to submit detailed write-up on following points:-

1. Background of the company.
2. Reasons for losses incurred.
3. Operations carried out by the company.



After due deliberations, Approval Committee **approved** the proposal, subject to submission of pending documents / clarification from the applicant.

7. Proposal of M/s. Sapiant Consulting Pvt. Ltd. for setting up a new unit in IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. Sapiant Consulting Pvt. Ltd. had submitted a proposal for setting up its 3rd unit over an area of 126479 Sqft. area at 6th to 9th floor, Tower-B, Building No. 6 in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurgaon (Haryana) to undertake service activities i.e. '*IT/IT Enabled Services to provide contract software development / maintenance, e-commerce consulting services and sophisticated Internet based solution, including digital business strategy, experience modeling, creative design, technology development, integrated advertising, digital commerce, marketing technology and system integration, back office operations, IT support, enterprise infrastructure system, architect system, application system, information security, data management, global people movement, hiring, staffing contracting finance, etc.*' with projected exports of Rs. 96360.15 Lakhs and the cumulative NFE of Rs.90123.92 Lakhs over a period of five years. It was also informed that the investment of Rs.4555 Lakhs towards imported capital goods; Rs.1773 Lakhs towards Indigenous capital goods and other cost of project shall be met from the retained earnings & export earnings.

It was also informed that the following shortcomings were observed in the application in the first instance:-

1. Online application for setting up new unit not filed.
2. Proposed service activities like "*Provide contract software development / maintenance, back office operations, IT support, enterprise infrastructure system, architect system, application system, information security, data management, global people movement, hiring, staffing contracting finance, etc.*" are not specifically reflected in M&MOA of the company.
3. Proposed service activities (except IT/IT Enabled Services, software development / maintenance, back office operations, IT support) do not exactly match with the services / wordings given in Rule 76 of SEZ Rules, 2006.
4. Breakup of forex outgo not given.
5. Annexure-I attached with Income Tax details not submitted.
6. Copies of DIR-12 for cessation of first Directors of the company required to be submitted.

Shri Neeraj Mittal, Director-Tax & Shri Vishal Agarwal, Manager, appeared before the Approval Committee on behalf of the applicant and explained the proposal. It was informed by them that all the proposed services are covered under the M&AOA of the company. Further, it was assured by them to submit pending documents shortly.



After due deliberations, the Approval Committee **approved** the proposal, subject to –
i) submission of a certificate from the Company Secretary that all the proposed service activities are well covered under the Memorandum & Article of Association of the company as well as these services are in accordance with Rule 76 of SEZ Rules, 2006 and ii) submission of above pending documents by the applicant.

7. Proposal of M/s. Inductis (India) Pvt. Ltd. for enhancement in the value of imported capital goods & revision in projections of the unit located in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. Inductis (India) Pvt. Ltd. had submitted a proposal for enhancement in the value of imported capital goods & revision in projections of the unit located in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. IT/ITES SEZ at Gurgaon (Haryana), as given below:-

| Particulars | Rs. (in Lacs) | |
|--------------------------------|---------------------|--------------------|
| | Existing Projection | Revised Projection |
| Projected FOB value of exports | 82387.20 | 83458.03 |
| Foreign Exchange Outgo | 2763.00 | 2424.70 |
| NFE over a period of 5 years | 79624.20 | 81033.33 |
| Imported CG | 702.47 | 1202.47 |
| Indigenous CG (including P&M) | 807.43 | 807.43 |

It was informed that copy of registered lease deed in respect of 4th floor, Tower-D, Building No. 14 along with corrected breakup of forex outgo is required to be submitted.

Shri Raman Bhasin, Senior VP and Ms. Sonia Malik Joshi, AVP appeared before the Approval Committee and explained the proposal. The representatives of the unit assured to submit all pending documents, shortly.

After due deliberations, the Approval Committee **approved** the proposal subject to submission of pending documents and execution of Bond-Cum-LUT.

8. Proposal of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. (Formerly Unitech Realty Projects Ltd.), developer for approval of list of material to carry on authorized operations in IT/ITES SEZ at Village Tikri, Gurgaon (Haryana)

It was brought to the notice of Approval Committee that M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., Developer of IT/ITES SEZ at Village- Tikri, Sector-48, Gurgaon (Haryana) had submitted proposal for approval of list of material to carry on following default authorized operations in SEZ:-



| S. No. | Name of Authorized Operation | S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54 | Estimated Value of goods (Rupees in lacs) |
|--------|--|---|---|
| 1. | Air Conditioning of processing area | 21 | 488.17 |
| 2. | Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity. | 02 | 5.50 |
| 3. | Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc. | 04 | 173.65 |
| 4. | Construction of all types of building in processing area as approved by the Unit Approval Committee. | 22 | 1210.00 |
| | | Total: | 1877.32 |

It was informed that Board of Approval in its meeting held on 22.06.2016 had approved the proposal of the developer for change of name / constitution from M/s. Unitech Realty Projects Ltd. to M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. & shareholding pattern of the company. The approval of BoA has been conveyed to the developer vide this office letter dated 25.07.2016 with the condition that developer will execute revised Bond-cum-LUT in the name of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. within 15 days from the issue of the said letter. However, revised Bond-cum-LUT is still awaited.

Shri Jay Kumar, Head-SEZ & Shri Sanjay Yadav, VP-Legal & Compliance, appeared before the Approval Committee and explained the requirement of proposed items.

After due deliberations, the Approval Committee **approved** the list of material subject to execution of Bond-Cum-Legal Undertaking in the name of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd.

9. Proposal of the developer, M/s. Gurgaon Infospace Ltd. for allotment of built up space to M/s. Sakasarya Foods LLP 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 Approval Committee that the Developer, M/s. Gurgaon Infospace Ltd. had submitted a proposal for allotment of built-up space of 1600 Sqft. at Ground floor, Amenity Block-4A (Amenity Block-II) in the processing area of IT/ITES SEZ at Dundahera, Sector-21, Gurgaon (Haryana) on lease basis to M/s. Sakasarya Foods LLP to setup & operate a Restaurant (Food & Beverages Café), for use by the employees of SEZ. & units located therein.

The Committee deliberated the proposal and observed that proviso to Rule 11(5) of SEZ Rules, 2006 provides as under:-



'The Developer may, with the prior approval of the Approval Committee, grant on lease land or built up space, for creating facilities such as canteen, public telephone booths, first aid centres, crèche and such other facilities as may be required for the exclusive use of the Unit'.

Shri Jay Kumar, Head-SEZ & Shri Sanjay Yadav, VP-Legal & Compliance, of Gurgaon Infospace Ltd. appeared before the Approval Committee on behalf of Developer and explained the proposal.

After due deliberations, Approval Committee **approved** the proposal, subject to condition that no tax / duty benefit shall be available to M/s. Sakasarya Foods LLP to setup, operate & maintain such facility in the processing area of the SEZ and this facility shall be used exclusively by the employees of SEZ & units located therein.

10. Proposal of M/s. DLF Assets Pvt. Ltd., Co-Developer, for approval of additional services to carry on authorized operation of IT/ITES of M/s. DLF Ltd. at Sector 30, Silokhera, Gurgaon.

It was brought to the notice of the Approval Committee that M/s. DLF Assets Pvt. Ltd., Co-developer of IT/ITES SEZ of M/s. DLF Ltd. located at Silokhera, Sector-30, Gurgaon (Haryana) had applied for approval of additional service namely 'Club or Association Service' in addition to the list of 66 nos. default services issued by the Approval Committee, in terms of Notification No. 12/2013-ST dated 01.07.2013. It was informed that the Co-developer in its proposal had stated that this service is required to get Registration Cum Membership Certificate which is mandatory in term of Notification No. GSR 771(E) dated 05.08.2016 issued by Deptt. of Commerce, Govt. of India.

Shri Anil Nauriyal, DGM appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed service.

After due deliberations, the Approval Committee **approved** the proposal.

11. Proposal of M/s. DLF Utilities Ltd., Co-Developer, for approval of additional services to carry on authorized operation of IT/ITES of M/s. DLF Ltd. at Sector 30, Silokhera, Gurgaon.

It was brought to the notice of the Approval Committee that M/s. DLF Utilities Ltd., Co-developer of IT/ITES SEZ of M/s. DLF Ltd. located at Silokhera, Sector-30, Gurgaon (Haryana) had applied for approval of additional service namely 'Club or Association Service' in addition to the list of 66 nos. default services issued by the Approval Committee, in terms of Notification No. 12/2013-



ST dated 01.07.2013. It was informed that the Co-developer in its proposal had stated that this service is required to get Registration Cum Membership Certificate which is mandatory in term of Notification No. GSR 771(E) dated 05.08.2016 issued by Deptt. of Commerce, Govt. of India.

Shri Anil Nauriyal, DGM appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed service.

After due deliberations, the Approval Committee **approved** the proposal.

12. Proposal of M/s. DLF Assets Pvt. Ltd., Co-Developer, for approval of additional services to carry on authorized operation of IT/ITES of M/s. DLF Cyber City Developers Ltd. at Sector 24 & 25A, DLF Phase-III, Gurgaon.

It was brought to the notice of the Approval Committee that M/s. DLF Assets Pvt. Ltd., Co-developer of IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. located at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana) had applied for approval of additional service namely 'Club or Association Service' in addition to the list of 66 nos. default services issued by the Approval Committee, in terms of Notification No. 12/2013-ST dated 01.07.2013. It was informed that the Co-developer in its proposal had stated that this service is required to get Registration Cum Membership Certificate which is mandatory in term of Notification No. GSR 771(E) dated 05.08.2016 issued by Deptt. of Commerce, Govt. of India.

Shri Anil Nauriyal, DGM appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed service.

After due deliberations, the Approval Committee **approved** the proposal.

13. Proposal of M/s. DLF Utilities Ltd., Co-Developer, for approval of additional services to carry on authorized operation of IT/ITES of M of M/s. DLF Cyber City Developers Ltd. at Sector 24 & 25A, DLF Phase-III, Gurgaon.

It was brought to the notice of the Approval Committee that M/s. DLF Utilities Ltd., Co-developer of IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. located at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana) had applied for approval of additional service namely 'Club or Association Service' in addition to the list of 66 nos. default services issued by the Approval Committee, in terms of Notification No. 12/2013-ST dated 01.07.2013. It was informed that the Co-developer in its proposal had stated that this service is required to get Registration Cum Membership Certificate which is mandatory in term of Notification No. GSR 771(E) dated 05.08.2016 issued by Deptt. of Commerce, Govt. of India.



Shri Anil Nauriyal, DGM appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed service.

After due deliberations, the Approval Committee **approved** the proposal.

14. Proposal of M/s. Kings Canyon SEZ Pvt. Ltd. Co-developer of IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. located at Village- Gwal Pahari, Gurgaon (Haryana) for approval of list of material.

It was brought to the notice of Approval Committee that M/s. Kings Canyon SEZ Pvt. Ltd. Co-developer of IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. located at Village- Gwal Pahari, Gurgaon (Haryana) had submitted proposal for approval of list of material to carry on following default authorized operation in SEZ:-

| S. No. | Name of Authorized Operation | S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54 | Estimated Value of goods (Rs. in lakhs) |
|--------|-------------------------------------|---|---|
| 1. | Air Conditioning of processing area | 21 | 5.60 |

Shri A.K. Singh, Sr. Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed items.

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

15. Proposal of M/s. Grand Canyon SEZ Pvt. Ltd. Co-developer of IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. located at Village- Gwal Pahari, Gurgaon (Haryana) for approval of list of material.

It was brought to the notice of Approval Committee that M/s. Grand Canyon SEZ Pvt. Ltd. Co-developer of IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. located at Village- Gwal Pahari, Gurgaon (Haryana) had submitted proposal for approval of list of material to carry on following default authorized operation in SEZ:-

| S. No. | Name of Authorized Operation | S. No. at default list of Auth. Opr. as per Inst. No. 50 | Estimated Value of goods (Rupees in lacs) |
|--------|---|--|---|
| 1. | Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc. | 04 | 205.36 |
| 2. | Construction of all types of building in Processing Area as approved by UAC. | 22 | 609.31 |



| | | | |
|----|---|--------|---------|
| 3. | Access Control and Monitoring System. | 24 | 107.67 |
| 4. | Air Conditioning of processing area. | 21 | 17.95 |
| 5. | Fire protection system with sprinklers, fire and smoke detectors. | 07 | 143.11 |
| | | Total: | 1083.40 |

Shri A.K. Singh, Sr. Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed items.

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

16. Proposal of M/s. Aricent Technologies (Holdings) Ltd. (Unit-I), a unit in Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village-Tikri, Sector-48, Gurgaon for installation of 'ATM Machine' in its authorized premises for use by its employees.

It was brought to the notice of the Approval Committee that M/s. Aricent Technologies (Holdings) Ltd. (Unit-I), a unit at Ground to 13th floor, Building no. 5 & Ground to 12th floor Building no. 4 in the Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village-Tikri, Sector-48, Gurgaon had submitted a request to grant permission for installation of 'ATM Machine' of Citil Bank in its authorized premises for exclusive use of its employees. It was informed that in support of its proposal the unit has submitted following documents:-

1. 'No Objection' from the developer for installation of ATM in the unit's premises (Building no. 4).
2. Request letter dated 03.08.2016 from Mr. Mohan Desai, Head-ATM Operations, Citi Bank indicating that **Euronet Services India Pvt. Ltd.** is Citibank N.A.'s authorized vendor / associate to enter into similar arrangements / agreements with landlords / corporate for deployment of ATMs on Citibank N.A.'s behalf.

It was informed that a copy of agreement between Citibank & Euronet Services India Pvt. Ltd. along with an Undertakings from M/s. Aricent Technologies (Holdings) Ltd., M/s. Euronet Services India Pvt. Ltd. & CitiBank are required to the effect that they will not take any direct/indirect tax benefit under SEZ scheme to create, operate & maintain ATM facility in SEZ and they will obtain prior approval from RBI for installation of ATM in the processing area of SEZ, if required.

Shri Anand Sharma, Director & Shri Shirshak Singh, Sr. Manager, appeared before the Approval Committee on behalf of the applicant and explained the requirement of ATM. It was informed by them that that there are about 3200 employees working in Aricent SEZ Unit-I & Unit-II and envisage employee strength to reach 4000 in near future. Currently they have engaged corporate CITI Bank to manage salary account for Aricent employees and other corporate transaction. The representatives of the units further informed that at present they have an ICICI ATM at the premises and considering high volume of transaction, one ATM is found to be grossly inadequate. Further, for various other banking requirements of employees, Citibank ATM is required.



The Committee deliberated the proposal and observed that proviso to Rule 11(5) of SEZ Rules, 2006 provides as under:-

'The Developer may with the prior approval of the Approval Committee, grant land or built up space on lease basis, for creating facilities such as canteen, public telephone booths, first aid centres, creche and such other facilities as may be required for the exclusive use of the Unit'.

After due deliberations, the Approval Committee **approved** the proposal, subject to condition that no tax / duty benefit shall be available to M/s. Aricent Technologies (Holdings) Ltd. or M/s. Euronet Services India Pvt. Ltd. or CitiBank to setup, operate & maintain said ATM facility and this facility shall be used exclusively by the employees of the unit. Further, the Approval Committee decided that a reference may be sent to DOC with the request to include 'ATM Facility' in the list of default services for those units where employment generated more than 1000 persons.

17. Proposal of M/s. TrueBlue India LLP for enhancement in the value of imported capital goods & revision in projections in respect of its unit located in IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. TrueBlue India LLP had submitted a proposal for enhancement in the value of imported capital goods & 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), as given below:-

| Particulars | Rs. (in Lacs) | |
|--------------------------------|---------------------|--------------------|
| | Existing Projection | Revised Projection |
| Projected FOB value of exports | 25635.00 | 25635.00 |
| Foreign Exchange Outgo | 1188.00 | 1619.00 |
| NFE over a period of 5 years | 24447.00 | 24016.00 |
| Imported CG | 1188.00 | 1619.00 |
| Indigenous CG (including P&M) | 1360.00 | 1360.00 |

Shri Rakesh Singh, Director-IT appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, the Approval Committee **approved** the proposal subject to execution of Bond-Cum-LUT.



18. Proposal of M/s. Infosys BPO Ltd. for revision in projections of the unit located in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana).

It was brought to the Approval Committee that M/s. Infosys BPO Ltd., a unit in DLF Cyber City Developers Ltd. IT/ITES SEZ, at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana) had submitted proposal for approval of revised projections of export/NFE and enhancement in the value of imported capital goods, as given below:-

| Particulars | Rs. (in Lacs) | |
|--------------------------------|---------------------|--------------------|
| | Existing Projection | Revised Projection |
| Projected FOB value of exports | 28081.00 | 31683.00 |
| Foreign Exchange Outgo | 2500.00 | 1671.00 |
| NFE over a period of 5 years | 25581.00 | 30012.00 |
| Imported CG | 130.00 | 285.00* |
| Indigenous CG (including P&M) | 285.00 | 716.00 |

*taking the proportionate amortized value of imported capital goods.

It was further informed that rectified APRs for the year 2010-11 to 2014-15 as per observation of CA along with copy of registered lease deed (renewed) in respect of premises in the possession are required to be submitted.

Shri Suresh Shenoy, Sr. Manager appeared before the Approval Committee on behalf of the unit and explained the proposal. He assured to submit rectified APRs and copy of registered lease deed shortly.

After due deliberations, Approval Committee **approved** the approval.

Supplementary agenda items:

1. Proposal of M/s. iYogi Technical Services Pvt. Ltd. for partial deletion of area & downward revision in projections of the unit located in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. iYogi Technical Services Pvt. Ltd. had applied for deletion of area from the unit located in the IT/ITES SEZ of M/s. DLF Cyber City Developers Pvt. Ltd. at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana). It was informed to the Committee that presently unit has been occupying an area of 42281 Sqft at 1st floor, Tower-C, Building No.6, 9th floor, Tower-B, Building No. 6. and requested for deletion of 27476 Sqft. at 9th floor, Tower-B, Building No. 6.



It was also informed that the unit has submitted downward revised projections, as given below, on account of proposed decrease in area:-

| Particulars (for five years) | Rs. (in lacs) | |
|--------------------------------|---|--------------------|
| | Existing Projection (As per records) | Revised Projection |
| Projected FOB value of exports | 133993.30 | 110719.33 |
| Foreign Exchange Outgo | 62956.79 | 59362.79 |
| NFE over a period of 5 years | 71036.51 | 51356.54 |
| Imported Capital Goods | 1723.45 | 1206.10 |
| Indigenous Capital Goods | 305.00 | 228.75 |

It was further informed that following discrepancies have been observed in the proposal :-

- 1) 'NOC' from the SEZ Customs & SEZ Developer for deletion of proposed area not submitted.
- 2) The Approval Committee in its meeting held on 06.05.2016 had approved the proposal of the unit for deletion of 60484 sqft area at 14th floor, Tower-C, 4th floor, Tower-B & upper Ground floor, Tower-A of Building no. 6, subject to submission of 'NOC' from the SEZ Customs & SEZ Developer before execution of BLUT. The approval has been conveyed to the unit vide this office letter dated 18.05.2016. However, NOCs are still awaited.
- 3) The unit has also not executed Bond-cum-LUT in respect of this office letter dated 18.07.2016, which was required to be executed within 15 day of the issue of said letter.
- 4) Rectified APRs as per observation of CA firm also not submitted.

Shri H.R. Tamang, Sr. Manager, appeared before the Approval Committee on behalf of the unit and explained the proposal. He informed that they will submit NOC's from the SEZ Customs & SEZ Developer including the instant area proposed for deletion and also execute revised Bond-cum-LUT, if the Committee approves the instant proposal.

After due deliberations, the Approval Committee **approved** the proposal for decrease in area & revision in downward projections, subject to submission of 'NOC' from SEZ Customs & SEZ Developer and execution of Bond cum LUT.

2. M/s. Sapinet Consulting Pvt. Ltd. (Unit-I), unit in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd., Dundahera, Gurgaon (Hayrana) – Regularization of the value of capital goods and review of performance.

It was brought to the notice of Approval Committee that M/s. Sapient Consulting Pvt. Ltd (Unit-I) a unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurgaon (Haryana) had been issued SCN vide dated 23/09/2014 for making unauthorized import of capital goods of Rs. 1849.69 lakhs beyond the approved limit. (Total import made Rs. 4972.69 lakhs – Approved limit Rs. 3123 lakhs). As per Adjudication order No. 10/382/2011-SEZ/13214 dated

19.12.2014 passed by the then DC in compliance with UAC decision, a penalty of Rs. 2,99,17,678/- was imposed on the unit. Aggrieved by the penalty, the unit filed an appeal before the DGFT. The DGFT has vide its Order-in-Appeal dated 29.02.2016 set aside the Adj. Order dated 19.12.2014.

It was further informed that on receipt of proposal from the unit, the LOA of the unit had been renewed for next five years by DC in terms of Rule 19(6) of the SEZ Rules, 2006 and conveyed to the unit vide this office letter dated 14/01/2015 with the following approved foreign exchange projections:

| | | |
|----|---|-----------|
| 1. | FOB value of exports | 230902.12 |
| 2. | Foreign exchange outgo for the next five year | |
| | a) Import of machinery (IT & office equipments incl. Furniture etc.) | 4310.96 |
| | b) Foreign Travel | 6464.42 |
| | c) Any other payments (Consultancy, Subscription, Telecommunication etc.) | 4309.61 |
| | Total (Forex Outgo)= | 15084.99 |
| 3. | NFE earnings in next five years (1-2) | 215817.13 |
| 4. | Indigenous Capital Goods | 731.22 |

It was also informed that the unit has vide its letter dated 07/07/2016, made a request to give effect to the order passed by DGFT and regularize the imported capital goods limits already approved vide letter No. 10/382/2011-SEZ/469 dated 14/01/2015.

After due deliberations, the Committee **deferred** the proposal.

3. Proposal of the developer, M/s. Gurgaon Infospace Ltd. for allotment of built up space to M/s. Alisha Retail Pvt. Ltd. to setup & operate a Utility Store 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 the proposal of M/s. Gurgaon Infospace Ltd., developer for allotment of built-up space of 813.46 Sqft. at Unit No. 4, Ground floor, Amenity Block-1 in the processing area of IT/ITES SEZ at Dundahera, Sector-21, Gurgaon (Haryana) on lease basis to M/s. Alisha Retail Pvt. Ltd. to setup & operate a Utility Store was deferred by the Approval Committee in its meeting held on 05.08.2016 with the direction to the developer to submit details of items proposed to be sold in the proposed Utility Store by M/s. Alisha Retail Pvt. Ltd.

It was also informed that the developer vide its letter dated 22.08.2016 has submitted list of items proposed to be sold by M/s. Alisha Retail Pvt. Ltd. in SEZ, as given below :-

1. Ready to Eat Food – Heat and Eat.
2. Bakery
3. Ice-cream



4. Dairy
5. Beverages (Non Alcoholic)
6. Chocolates
7. Tea & Coffee
8. Fruits
9. Services – Courier, Oxigen.


The Committee deliberated the proposal and observed that proviso to Rule 11(5) of SEZ Rules, 2006 provides as under:-

'The Developer may, with the prior approval of the Approval Committee, grant on lease land or built up space, for creating facilities such as canteen, public telephone booths, first aid centres, crèche and such other facilities as may be required for the exclusive use of the Unit'.

Shri Jay Kumar, Head-SEZ & Shri Sanjay Yadav, VP-Legal & Compliance, of Gurgaon Infospace Ltd. appeared before the Approval Committee on behalf of the Developer and explained the proposal.

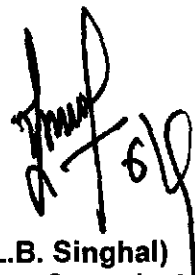
After due deliberations, Approval Committee **approved** the proposal, subject to condition that no tax / duty benefit shall be available to M/s. Alisha Retail Pvt. Ltd. to setup & operate/maintain the Utility Store in the processing area of the SEZ and this facility shall be used exclusively by the employees of SEZ & units located therein.

Meeting ended with a vote of thanks to the Chair.



(S. S. Shukla)

Joint Development Commissioner



(Dr. L.B. Singhal)

Development Commissioner