



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 /
सेवा मे ,

दिनांक: 09/02/2017

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।

विषय: दिनांक 03/02/2017 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 मे दिनांक 03/02/2017 को अपराह्न 12.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा मे 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:

विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र, नोएडा - सूचनार्थ ।

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 03.02.2017 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 Jitender Sihag, Senior Town Planner (E&V), Town & Country Planning, Chandigarh
3. Ms. Jyotika, Asstt. Commissioner, Customs & Central Excise, Gurgaon-I
4. Dr. Sukhbir Singh Badhal, Asstt. DGFT, New Delhi
5. Shri T.C. Sangwan, Asstt. Director, DIC, Gurgaon
6. Representatives of SEZ Developers / Co-developers, Special Invitee.

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

3. 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:-

(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 09/01/2017 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 09/01/2017 were ratified.

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

1. **Proposal of M/s. UnitedHealth Group Information Services Private Limited for setting up a unit in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. IT/ITES, Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana).**

It was brought to the notice of the Approval Committee that M/s. UnitedHealth Group Information Services Private Limited had submitted a proposal for setting up a unit over an area of 80970 Sqft. area on 4th floor, Block-B, 5th & 6th floor, Block-A, Building No. 6 in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. located at Sector-24 & 25A, DLF Phase-III, Gurgaon



(Haryana) to undertake service activities i.e. 'IT/ITES Services namely Application Development, Back Office Operations, Insurance Claim Processing, Medical Coding, Pharmacy Benefit Management, Support Centre and Reporting & analytics' with projected exports of Rs. 69779 Lakhs and the cumulative NFE of Rs.62085 Lakhs over a period of five years. It was also informed that the investment of Rs.3693.98 Lakhs towards imported capital goods (including infrastructure); Rs.1801.65 Lakhs towards Indigenous capital goods (including infrastructure) and other cost of project shall be met from the internal accruals. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

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

1. Break up of proposed forex outgo of Rs.7694 lakhs with specific break up of "Miscellaneous" outflow of Rs.4000 lakhs, required to be given.
2. Information required by Income Tax Deptt. also required to be submitted.
3. Shareholding pattern duly certified by CA/CS required to be given.
4. Minimum lease period should be five years, however lease period has not been mentioned by developer. Hence, revised offer of space required giving proposed lease period.
5. Copy of PAN Card & residential address proof of Mr. Parth Sarathi Mishra & Ms. Mridula Sah Hautman required to be submitted as their passports do not contain their residential address.
6. Copy of Passport of Mr. Rajat Bansal not given.
7. Copy of PAN Card of Mr. Anurag Khosla not given.
8. Value of indigenous procurement differently mentioned as Rs.1801 lakhs and Rs.1801.65 lakhs.

Mr. Puneet Sawhney, Director-Finance & Mr. Anuj Jain, Director-Taxation appeared before the Approval Committee on behalf of the applicant and explained the proposal. It was assured by them to submit pending documents shortly.

After due deliberations, the Approval Committee **approved** the proposal, subject to submission of above pending documents by the applicant. Further, Approval Committee deleted the Mobile Phone & Tablets and Kitchen Equipment from the list of goods proposed to be procured / imported as the same are not related to the proposed authorized operations.

2. Proposal of M/s. DLF Assets Pvt. Ltd., Co-Developer, for approval of list of materials to carry on authorized operation of IT/ITES 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. 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 submitted proposal for approval of list of materials to carry on following default authorized operation in SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operation as per Inst. No. 50 & 54	Estimated Cost (Value in Rs.)
1.	Construction of all types of building in processing area as approved by Unit Approval Committee.	22	Rs.27,89,296/- (Rs.27.89 lakhs approx.)

Mr. Anil Nauriyal, DGM & Mr. Pitamber Sharma, Manager, appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed items.

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

3. Proposal of M/s. DLF Assets Pvt. Ltd., Co-Developer, for approval of list of materials to carry on authorized operation of IT/ITES of M/s. DLF Ltd. at Silokhera, Sector-30, Gurgaon (Haryana).

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 submitted proposal for approval of list of materials to carry on following default authorized operation in SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operation as per Inst. No. 50 & 54	Estimated Cost (Value in Rupees)
1.	Access Control and Monitoring System	24	19,19,000.00 (Rs.19.19 lakhs approx.)

Mr. Anil Nauriyal, DGM & Mr. Pitamber Sharma, Manager, appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed items.

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

4. Proposal of M/s. DLF Ltd., Developer, for approval of list of materials to carry on authorized operation of IT/ITES at Silokhera, Sector-30, Gurgaon (Haryana).

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



S. No.	Authorized Operation	Sl. No. at default list of Authorised Operation as per Inst. No. 50 & 54	Estimated Cost (Value in Rupees)
1.	Landscaping and water bodies.	08	2,80,38,024.00
2.	Road with Street lighting, Signals and Signage.	01	10,40,000.00
		Total:	2,90,78,024.00 (Rs.290.78 lakhs)

It was informed that as per Chartered Engineer's Certificate submitted by the developer the proposed material shall be used in Block-A & B, however nature of authorized operations are different vis-à-vis infrastructure to be developed mentioned in certificate of Chartered Engineer.

Mr. Anil Nauriyal, DGM & Mr. Pitamber Sharma, Manager, appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed items. The representatives of the developer informed that they have submitted a Corrigendum to the Chartered Engineer's Certificate dated 20.01.2017 indicating the infrastructure to be developed & Quantum / space as "Landscaping & Water Bodies, Road with Street Lighting, Signals and Signage between Block-A & B on area of 10000 Sqmt." and also submitted revised Chartered Engineer's Certificate.

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

5. Grant of Occupation Certificate for Tower No. 05, constructed in processing area of IT/ITES SEZ land measuring 24.80 acres at Village Tikri, Sector-48, Gurgaon (Haryana) developed by M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. (formerly known as Unitech Realty Projects Ltd.)

It was brought to the notice of the Approval Committee that District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide its letter Memo No. SEZ-5/SD(BS)/2017/533 dated 10.01.2017 had forwarded its report on the proposal for grant of Occupation Certificate for Tower No. 05, constructed in processing area of IT/ITES SEZ land measuring 24.80 acres at Village Tikri, Sector-48, Gurgaon (Haryana) developed by M/s. Candor Gurgaon One Realty Projects Pvt. Ltd.. It was informed that DTP (HQ) in its Memo dated 10.01.2017 has informed that the site has been got inspected through District Town Planner, Gurgaon and it has been reported that the applicant has raised the construction at site and has completed the Tower-05, but has made certain violations which are compoundable violations, as given below, for which the developer is required to deposit the following amount before grant of occupation certificate:-

S. No.	Violation / Variations	Area	Rate of composition	Amount
1.	Construction raised without getting	2809.241 Sqm.	Rs.216/- per Sqm	606796

(Signature)

	plan sanctioned and the construction so made conform to the laws/zoning.			
2.	Scrutiny fee of construction added during the course of construction	2809.241 Sqm.	Rs.10/- per sqm.	28092
3.	DPC Certificate not taken	2371.410 Sqm. or 25525.85724 Sqft.	Rs.1/- per sqft	25526
4.	Internal changes	11697.862 Sqm or 125915.7866 Sqft.	Rs.5/- per sqft	629579
5.	Position change in the Door/Window	328 No's	Rs.100/- each	32800
6.	Change in elevation	1 Block	Rs.10,000/- each block	10000
7.	Unauthorized Occupied	30517.370 Sqm. or 328488.9707 Sqft.	Rs.10/- per sqft.	3284890
Total (Rs.):				46,17,683.00

It was also mentioned that apart from above the developer is required to furnish following documents as per DTP's Memo dated 10.01.2017:-

1. The developer shall submit the renewed NOC from Fire Safety Point of View before grant of occupation certificate.
2. The developer is required to deposit compounding charges of Rs.46,17,683/-.

It was brought to the notice of the Committee that meanwhile, the developer vide its separate letter dated 16.01.2017 had informed that they have deposited composition charges of Rs.46,17,683/- and renewed NOC from Fire Safety Point of view, with DTCP. It was informed that an email has been sent to DTP(HQ), Chandigarh requesting for confirmation of submission of renewed Fire NOC and composition charges by the developer and requesting them to forward 02 more sets of duly authenticated drawings.

During the meeting Shri Jitender Sihag, Senior Town Planner (HQ), Town & Country Planning Haryana, Chandigarh gave his consent for issuance of Occupation Certificate in respect of Tower No. 05 of the said SEZ subject to compliance of the terms & conditions of their Memo dated 10.01.2017 and submission of Fire NOC & composition charges.

After due deliberations, Approval Committee **approved** the proposal for issuance of Occupation Certificate in respect of Tower No. 05 of the said SEZ, subject to terms & conditions mentioned in the Memo No. SEZ-5/SD(BS)/2017/533 dated 10.01.2017 issued by District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh as well as confirmation from DTP (HQ), Chandigarh

towards receipt of composition charges of Rs. 46,17,683/- and renewed NOC from Fire Safety Point of view, from the developer.

6. M/s. NIL-Labs Innovation Pvt. Ltd. – Review of performance & proposal of exit from SEZ Scheme- regarding.

It was brought to the notice of the Approval Committee that M/s. NIL-Labs Innovation Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. DLF Cyber City Developer Ltd., Sector 24 & 25A, DLF Phase III Gurgaon (Haryana) vide its letter dated 15.04.2015 had applied for LOA renewal. Accordingly, vide this office letters dated 14.05.2015 & 16.06.2015 the unit had been requested to submit required documents. The performance of the unit during the period of operations, are as under:-

Rs. (in Lacs)

Year	FOB value of export	NFE Earning
2010-11	193.17	167.44
2011-12	439.53	433.91
2012-13	370.24	357.30
2013-14	609.08	543.66
2014-15	702.15	690.98
2015-16	547.43	546.23
Total	2861.6	2739.52*

* There are pending export proceeds of Rs.773.58 lakhs as per APR 2015-16.

It was informed that after repeated follow ups, instead of submitting necessary documents for LOA renewal, the unit vide its letter received in this office on 26.10.2015 submitted proposal for exit from SEZ scheme. Accordingly, vide this office letter dated 03.11.2015 the unit had been requested to submit requisite 'No Dues / No Objection' Certificates and other required documents along with rectified APRs for the year 2013-14, 2014-15 & 2015-16 for further consideration.

It was further informed that the unit vide its letter dated 24.11.2016 and subsequent letters dated 19.12.2016 & dated 13.01.2017 had submitted required / relevant documents except the following:-

- (i) Application for LOA extension for anticipated period to complete the remaining exit formalities, keeping in view that unit's LOA was valid upto 30.09.2015 and as per Rule 74(2) (iii) of SEZ Rules, 2006, "The unit shall continue to be treated a unit till the date of exit".
- (ii) Copy of Registered lease deed in respect of 3607 Sqft. area at Ground floor, Tower-C, Building No.6.



It was informed that the matter was placed before the last Approval Committee meeting held on 09/01/2017. The Committee had deferred the matter and directed the Specified Officer to submit complete facts of the case before the next meeting of Approval Committee.

It was informed to the representative of unit that as per section 11(4) of the Foreign Trade (Development & Regulation) Act, 1992, as amended, there is a penalty provision to settle the cases where a person admits any contravention. The authorized representative consented to the same and requested to settle the case of non-realization of export proceeds of Rs.773.58 lakhs as per section 11(4) of the FT(D&R) Act, 1992.

After due deliberations, the Development Commissioner, in consultation with members of the Approval Committee, decided to **allow final exit** subject to condition that the unit shall deposit penalty amount @1% of the pending foreign exchange realization to be informed by the unit duly certified by Chartered Accountant **and** payment of duty on raw material / capital goods etc. corresponding to non-realized value of Foreign Exchange. The Approval Committee directed the Specified Officer to assess the duty liability on account of non-realized foreign exchange and inform the same to the unit.

7. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., Developer for extension of validity of building plan Housing falling in the non-processing area of its 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., developer had submitted proposal for extension in the validity period of Building Plan of Housing building in the non-processing area of SEZ. It was informed that the said building plan were approved by the Approval Committee in its meeting held on 22.09.2011 and the approval conveyed on 02.12.2011 was valid for a period of two years from the date of approval by UAC. On request of the developer, the Approval Committee in its meeting held on 24.11.2014 and subsequent meeting held on 08.05.2015 had granted two extensions in the validity period of said building plan approval for a period of three years i.e upto 21.09.2016.

It was brought to the notice of the Approval Committee that the developer has informed that the structure of all three towers (Tower A, B & C) of Residential Building "Isle-de-Royale" is completed. Out of this, Tower-A & B is complete in all respect and they have applied for occupation for Tower-A & B & entire basement underneath of all three towers, however, only internal finishing work of Tower-C is yet to be completed because off take/response for booking of flats in residential building is very poor due to sluggish market sentiments in housing sector. It was informed that the developer has mentioned that the finishing work of Tower-C (Ground +18 floor) would take some more time



and requested to extend the validity period of building plan of 'Housing' (Tower-C) for further period of one year.

It was also informed that the developer vide its letter dated 12.09.2016 had submitted application for grant of Occupation / Completion Certificate in respect of Housing Building 'Isl-de-Royale (Phase-I) which had been forwarded vide this office letter dated 04.10.2016 to Senior Town Planner, O/o. DTCP, Haryana, Chandigarh for his comments. However, comments from O/o. DTCP Haryana, Chandigarh is awaited.

Further, it was informed that Senior Town Planner, O/o. DTCP, Haryana, Chandigarh vide this office letter dated 09/01/2017 has also been requested to forward his comments on the instant proposal for extension of validity period of building plan of 'Housing'.

During the meeting, Shri Jitender Sihag, Senior Town Planner (HQ), Town & Country Planning Haryana, Chandigarh informed that the developer has submitted proposal for extension of validity period of building plan with his office on 31/01/2017 only. Besides, the developer is required to deposit the scrutiny fee. He informed that the proposal will be examined and comments will be forwarded shortly.

After due deliberations, the Approval Committee decided to **defer** the proposal till receipt of comments from O/o. DTCP Haryana, Chandigarh.

Decision on supplementary agenda item:-

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

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

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operations as per Inst. No. 50 & 54	Estimated Cost (Rs. in lacs)
1.	Construction of all types of building in processing area as approved by the Approval Committee.	22	76.00
2.	Access Control and Monitoring System	24	14.59

(Planned)

		Total:	90.59
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Mr. Ashish Aggarwal, 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.

2. **Proposal of M/s. US4 Business Solutions Pvt. Ltd. for setting up a unit in the Electronics Hardware, IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. located at Village Behrampur, Balola & Bandhwari, Tehsil-Sohna, Distt- Gurgaon (Haryana)**

It was brought to the notice of the Approval Committee that M/s. US4 Business Solutions Pvt. Ltd. had submitted a proposal for setting up a unit over an area of 3000 Sqft. area in Incubation Centre in the Electronics Hardware, IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. located at Village Behrampur, Balola & Bandhwari, Tehsil-Sohna, Distt- Gurgaon (Haryana) to undertake service activities i.e. *'Computer Software Services including Information Technology and Information Technology Enabled Services (IT/ITES) namely Back Office Operations, Call Centres, Data Processing, Support Centre and Website Services'* with projected exports of Rs. 1750 Lakhs and the cumulative NFE of Rs.1425 Lakhs over a period of five years. It was also informed that the investment of Rs.60 Lakhs towards imported capital goods; Rs.20 Lakhs towards Indigenous capital goods and other cost of project shall be met from the reserves & surplus of the company. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

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

1. Breakup of proposed forex outgo of Rs.325 lakhs required to be given.
2. Copy of DIR-11/12 for appointment of Mr. Rajat Chandwani required to be submitted.
3. Requirement of Raw material, components, consumables etc. for Rs.90 lakhs required to be justified as the proposal is for setting up a service unit.
4. Requirement of built up area has been indicated as 3000 Sqmt. in Form-F, whereas provisional offer of space has been obtained for 278.7091 Sqmt (3000 Sqft). Therefore, corrected area is required to be mentioned in Form-F.
5. Para XII(ii) & (iv) of Form-F, declaration should be in 'Yes' or 'No' only.
6. Copies of Passport/Voter ID/Driving License of both the directors required to be given.
7. Minimum lease period should be five years, however lease period has not been mentioned by developer in the offer of space, Hence, revised offer of space required giving proposed lease period.



8. Para X 1(ii) of Form 'F' not filled in.
9. Source of finance is stated to be from Reserves & Surplus which needs to be explained as the applicant company has been incorporated only on 28/10/2016 & audited balance sheet has not been given. Moreover, company has an authorized / subscribed /paid up capital of Rs.1.00 lakhs only, as pre Form-F.
10. Projected Profitability statement may be given.

It was further informed that the SEZ Developer, M/s. G.P. Realtors Pvt. Ltd. has been granted approval by the Approval Committee for construction of temporary project office and Incubation Centre of 7919.854 Sqmt. in the said SEZ, subject to compliance of relevant provisions of building bye laws of the State Government, vide this office letter dated 27.06.2016. The instant unit proposed to be setup over an area of 3000 Sqft (278.7091 Sqmt.) in the said Incubation Centre of SEZ. However, the developer has not submitted any documentary evidence / Certificate for completion of construction of said Incubation Centre.

Mr. Ashish Aggarwal, AGM, Representative of M/s. G.P. Realtors Pvt. Ltd. (Developer) & Mr. K.R. Ranjith, Director of M/s. US4 Business Solutions Pvt. Ltd. appeared before the Approval Committee and explained the proposal. Mr. K.R. Ranjith assured the Approval Committee to submit pending documents shortly.

Mr. Sihag, representative of DTCP informed that STP is not authorized to sanction the building plan at its own level. Accordingly he requested that sanction letter of building plan may be forwarded to DTCP for verification / authentication.

After due deliberations, Approval Committee directed that the complete proposal of the developer for construction of temporary project office & incubation centre may be sent to the DTCP for their comments. Further Mr. Sihag, representative of DTCP stated that he will examine the same and send their comments to this office. The Approval Committee also directed the representative of the developer to submit a copy of letter issued by O/o. DTCP Haryana, Chandigarh in respect of construction of aforesaid temporary project office and Incubation Centre. After due deliberations, Approval Committee decided to **approve** this proposal. However, final approval would be issued only on receipt of comments from the DTCP.

3. **Proposal of M/s. Atria India Private Limited for setting up a unit in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. IT/ITES, Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana).**

It was brought to the notice of the Approval Committee that M/s. Atria India Pvt. Ltd. had submitted a proposal for setting up a unit over an area of 27995 Sqft. area on 17th floor, Block-B,

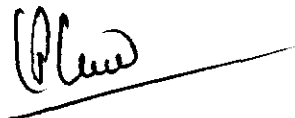


Building No. 14 in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. located at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana) to undertake service activities i.e. 'Computer Software Services including Information Enabled Services being Database Management, Development of Analytical Software Tools and Services' with projected exports of Rs. 15078 Lakhs and the cumulative NFE of Rs.14248 Lakhs over a period of five years. It was also informed that the investment of Rs.786 Lakhs towards imported capital goods (including infrastructure); Rs.283 Lakhs towards Indigenous capital goods (including infrastructure) and other cost of project shall be met from the internal accruals / advance against services to customers. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

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

1. Break up of proposed forex outgo of Rs.830 lakhs required to be given.
2. Current Shareholding pattern duly certified by CA/CS required to be given.
3. Copy of valid residential address proof of Mr. Jaswinder Singh Chadha & Mr. Navdeep Chadha required to be submitted as their passports do not contain their residential address and their Driving Living license are already expired.
4. Details of existing LOA required to be given in Para XII(II) of Form- F.
5. Requirement of land of 2600.82 Sqmt. for factory & Offices has been given in Para VIII (1) of Form-F, whereas requirement of built-up area of 2600.82 Sqmt. also mentioned in Para VIII(2) of Form-F. The same needs to be clarified as the unit is proposed to be setup over an built up area 27995 Sqft on 17th floor, Tower-B, Building No.14 of SEZ.
6. Para XII (iv) of Form-F, declaration should be in 'Yes' or 'No' only.
7. Projected Profit & Loss statement required to be given.
8. Background of promoters in the name of Mr. Jassi Chadha & Mr. Navi Chadha has been submitted instead of Mr. Jaswinder Singh Chadha & Mr. Navdeep Singh Chadha.

It was also informed that the proposed premises i.e. 27995 Sqft on 17th floor, Tower-B, Building No.14, presently is in possession of M/s. Information Mosaic Software Pvt. Ltd.. The said unit had submitted proposal for exit from SEZ Scheme vide its letter dated 11.08.2016. Accordingly, M/s. Information Mosaic Software Pvt. Ltd. has been requested vide this office letter dated 02.09.2016, with a copy to Specified Officer & SEZ Developer, to submit requisite NOC's & other documents for further consideration.



Mr. Manish Mittal, Director & Mr. Anurag Agarwal, Finance Controller appeared before the Approval Committee on behalf of the applicant and explained the proposal. It was assured by them to submit pending documents shortly.

After due deliberations, the Approval Committee **approved** the proposal, subject to submission of above pending documents by the applicant.

4. **Proposal of M/s. Aon Services India Pvt. Ltd., a unit in IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. for change of entrepreneur in the wake of merger of M/s. Aon Services India Pvt. Ltd. with M/s. Aon Consulting Pvt. Ltd. pursuant to scheme of amalgamation approved by Hon'ble Delhi High Court vide order dated 25.01.2017.**

It was brought to the notice of Approval Committee that M/s. Aon Services India Pvt. Ltd., a unit located at Ground to 13th floor, Building No.2 in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. has requested for change of entrepreneur in the wake of merger of M/s. Aon Services India Pvt. Ltd. with M/s. Aon Consulting Pvt. Ltd. pursuant to scheme of Amalgamation/Merger/ Demerger approved by Hon'ble Delhi High Court vide order dated 25.01.2017.

It was informed to the Committee that sanction of the Hon'ble High Court to the Scheme of amalgamation under Sections 391 and 394 of the Companies Act, 1956 has been given in para 30 of the Hon'ble High Court order dt. 25/01/2017.

Further it was informed that as per Scheme of Amalgamation approved by the Hon'ble High Court of Delhi, vide order dt. 25/01/2017, M/s. Aon Services India Pvt. Ltd. (Petitioner/Transferor company No. 1) along with other three Transferor Companies shall amalgamate with M/s. Aon Consulting Pvt. Ltd. (Transferee / Demerged company) and Demerged Undertaking of the Transferee/Demerged Company shall demerge to the Resulting Company i.e. M/s. AON HR Services India Pvt. Ltd., as on the appointed date, without any further act or deed and all the liabilities and duties of Transferor Companies be transferred to Transferee company and all liabilities and duties of the Demerged Undertaking be transferred to the Resulting Company i.e. AON HR Services India Pvt. Ltd. without any further act or deed.

It was further informed that the details of shareholding pattern of M/s. Aon Services India Pvt. Ltd. (Pre-Merger) and M/s. Aon Consulting Pvt. Ltd. (Post-merger) duly certified by CS, as given below:-

- Shareholding pattern of M/s. Aon Services India Pvt. Ltd. (Pre-Merger) :-

Name of shareholder	No. of	Face value of	Total amount of	% of
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(Handwritten signature)

	shares	each share	shares (In Rupees)	shares
Aon Mauritius Holdings	37030046	10	370300460	60 %
Aon Consulting Pvt. Ltd.	24686700	10	246867000	40 %
Total:	61716746		617167460	100 %

- Shareholding pattern of M/s. Aon Consulting Pvt. Ltd. (Post-Merger) :-

Name of shareholder	No. of share	Face value of each share	Total amount of shares (In Rupees)	% share
Aon Mauritius Holdings	1347322336	10	13473223360	99.99%
Sandeep Kumar Aggarwal (Nominee of Aon Mauritius Holdings)	01	10	10	0.001%
Total:	1347322337		13473223370	100.00%

It was further informed that M/s. Aon HR Services India Pvt. Ltd. (Resulting company of aforesaid approved scheme of Amalgamation/Merger/Demerger) had submitted a separate application for setting up a new unit at Ground to 7th, 12th & 13th floor, Building No. 2 of the said SEZ, which is presently in possession of M/s. Aon Services India Pvt. Ltd. (having Ground to 13th floor, Building No.2). It was informed that M/s. Aon Services India Pvt. Ltd. had given its consent for transfer of Ground to 7th, 12th & 13th floor (25180.7187 Sqmt.) along with duty free assets to M/s. AON HR Services India Pvt. Ltd.. It was further informed that the SEZ Developer, M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. had also given 'No Objection' for transfer of 'Ground to 7th, 12th & 13th floor, Tower-2' from M/s. Aon Services India Pvt. Ltd. to M/s. Aon HR Services India Pvt. Ltd.

Further, it was informed that the unit has furnished revised downward projections pertaining to the floors (8th to 11th floors) which will remain with Aon Consulting Pvt. Ltd., as given below:-

(Rs. in lakhs)

Particulars for five years	Existing Projection	Revised Projection
Projected FOB value of exports	282132.00	198003.00
Foreign Exchange Outgo	25607.00	13302.00
NFE	256525.00	184701.00
Imported CG	22687.00	10083.60
Indigenous CG	9212.00	1212.71

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.

Mr. Sandeep Aggarwal, CFO & Mr. Dalbir Sahrawar, CLO appeared before the Approval Committee on behalf of the unit and explained the proposal.

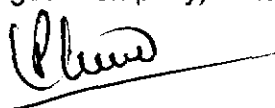
After due deliberations, the Committee **approved the proposal** of the unit for change of name / entrepreneur from M/s. Aon Services India Pvt. Ltd. to M/s. Aon Consulting Pvt. Ltd. pursuant to approved scheme of amalgamation / merger / demerger by Hon'ble High Court of Delhi vide order dated 25.01.2017 & revised projections, 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. Aon Services India Pvt. Ltd. shall be taken over by M/s. Aon Consulting Pvt. Ltd., revised Bond-Cum-LUT shall be executed by M/s. Aon Consulting Pvt. Ltd. and no Income Tax benefits shall be claimed by M/s. Aon Consulting Pvt. Ltd. under SEZ Scheme.

5. Proposal of M/s. AON HR Services India Private Limited for setting up a unit in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES, Village Tikri, Sector-48, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. Aon HR Services India Pvt. Ltd. had submitted a proposal for setting up a unit over an area of 25180.7187 Sqft. area on Ground to 7th, 12 & 13th floor, Tower-2 in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. located at Village Tikri, Sector-48, Gurgaon (Haryana) to undertake service activities i.e. 'Information Technology & Information Technology Enabled Services namely Back Office Operations, Call Centre, Data Processing, Human Resources, Payroll, Revenue Accounting, Support Centre and Website Services' with projected exports of Rs. 254789 Lakhs and the cumulative NFE of Rs.241850 Lakhs over a period of five years. It was also informed that the investment of Rs.7030 Lakhs towards imported capital; Rs.3013 Lakhs towards Indigenous capital goods and other cost of project shall be met from the internal accruals.

It was informed to the Committee that sanction of the Hon'ble High Court to the Scheme of amalgamation under Sections 391 and 394 of the Companies Act, 1956 has been given in para 30 of the Hon'ble High Court order dt. 25/01/2017.

Further it was informed that as per Scheme of Amalgamation approved by the Hon'ble High Court of Delhi, vide order dt. 25/01/2017, M/s. Aon Services India Pvt. Ltd. (Petitioner/Transferor company No. 1) along with other three Transferor Companies shall amalgamate with M/s. Aon Consulting Pvt. Ltd. (Transferee / Demerged company) and Demerged Undertaking of the



Transferee/Demerged Company shall demerge to the Resulting Company i.e. M/s. AON HR Services India Pvt. Ltd., as on the appointed date, without any further act or deed and all the liabilities and duties of Transferor Companies be transferred to Transferee company and all liabilities and duties of the Demerged Undertaking be transferred to the Resulting Company i.e. AON HR Services India Pvt. Ltd. without any further act or deed.

It was informed that the proposed premises i.e. Ground to 7th, 12 & 13th floor, Tower-2 are presently in possession of M/s. Aon Services India Pvt. Ltd. (having Ground to 13th floor, Building No.2). It was further informed that M/s. Aon Services India Pvt. Ltd. had given its consent for transfer of Ground to 7th, 12th & 13th floor (25180.7187 Sqmt.) along with duty free assets installed therein to M/s. AON HR Services India Pvt. Ltd.. Further, it was informed that the SEZ Developer, M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. had also given its 'No Objection' for transfer of 'Ground to 7th, 12th & 13th floor, Tower-2' from M/s. Aon Services India Pvt. Ltd. to M/s. Aon HR Services India Pvt. Ltd.

Mr. Sandeep Aggarwal, CFO & Mr. Dalbir Sahrawar, CLO appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, in view of order dt. 25/01/2017 of Hon'ble High Court of Delhi, the Approval Committee **approved** the proposal, subject to the condition that M/s. Aon HR Services India Pvt. Ltd. shall not claim Income Tax benefits available under SEZ Scheme.

6. Proposal of M/s. G.P. Realtors 1 Pvt. Ltd. for setting up a unit for Power Generation in the Electronics Hardware & IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. at Village Behrampur, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. G.P. Realtors 1 Pvt. Ltd. had submitted a proposal for setting up a unit for Power Generation, Transmission and Distribution to SEZ Developers & Units-9500 KVA over an area of 7500 Sqmt. (including 1500 Sqmt. in 1st Basement for DG Sets and 6000 Sqmt. on Roof Top for Solar Power) in Block1A in the Electronics Hardware & IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. at Village Behrampur, Gurgaon (Haryana) for back-up power facility in SEZ for use by SEZ developer / units, in line with para (v) of the Guidelines for Power Generation, Transmission and Distribution in SEZ issued by DOC vide letter No. P.6/3/2006-SEZ (Vol-III) dated 16.02.2016. It was informed that the applicant has shown projected exports of Rs. 2100 Lakhs and the cumulative NFE of Rs.1835 Lakhs over a period of five years. It was also informed that the applicant has proposed investment of Rs. 265 lakhs towards imported capital goods, Rs.750 lakhs towards Indigenous capital goods which shall be met from equity capital contribution by shareholders of the company.



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

1. Incorrect PAN Card No. has been mentioned in Form-F.
2. Variation in residential address of Mr. Sharad Agrawal in his expired passport vis-a-viz Form-F has been found. Therefore, his matching address proof required to be given.
3. Variation in the name of Mr. Sanjeev Dasgupta in his passport vis-a-viz Form-F needs to be clarified and supported with an affidavit.
4. The applicant has indicated Production capacity as 9500 KVA in Col. V of Form-F, whereas in covering letter and Project Report the same has been mentioned as '9000 KVA (from DG Sets) and 400 KW (from Roof Top Solar Power). Therefore, clarification from the applicant is required with regard to correct proposed production capacity of electricity.
5. In Para XII(ii) of Form-F, the applicant has mentioned 'SEZ Developer LOA No. F.2/551/2006-SEZ dated 14.11.2016'. This needs to be clarified, as applicant is a different entity.
6. Year-wise projected export has been differently mentioned in Form-F and Project Report.
7. Copy of Form-32/DIR-11/12 for appointment of both the directors not submitted.
8. Affidavit is not given in proper format & needs to be dated properly to be in agreement with date of filing of Form-F.
9. The applicant has mentioned in Project Report to plan proposed investment of Rs.2015 lakhs in Plant & Machinery whereas the same is actually 1015 lakhs only as per Form-F.
10. Projected Profitability statement not submitted.
11. Source of finance of capital requirement for setting up of unit may be elaborated & supported with documentary evidence.

It was further informed that the Developer has issued provisional offer of allotment of space in 'Block-1A of ITPG Phase-1 Building'. However, the developer has not obtained approval of building plan and occupancy certificate in respect of said building.

Mr. Dinesh Sikka, AVP appeared before the Approval Committee on behalf of the applicant and explained the proposal. He informed that the building plan of Phase-I have been approved by the Approval Committee, however, Occupation certificate is yet to be obtained.

After due deliberations, the Approval Committee approved the proposal subject to submission of Occupancy Certificate in respect of proposed building and above pending documents by the applicant.

7. **Proposal of M/s. G.P. Realtors Pvt. Ltd., for approval of list of material to carry on authorized operation 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 Electronic Hardware & IT/ITES SEZ at Village- Behrampur, Distt- Gurgaon (Haryana) had submitted proposal for approval of list of material to carry on following default authorized operations in their SEZ:-

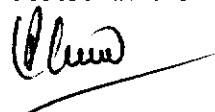
S. No.	Authorized Operation	Sl. No. at default list of Authorised Operations as per Inst. No. 50 & 54	Estimated Cost (Rs. in lacs)
1.	Construction of all types of building in processing area.	22	7242.28
2.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	1152.53
3.	Air Conditioning of processing area	21	1287.49
4.	Fire protection system with sprinklers, fire and smoke detectors.	07	566.18
5.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	02	212.99
6.	Solid and liquid waste collection, treatment and disposal plant including pipelines and other necessary infrastructure for sewage and garbage disposal, Sewage treatment plant.	03	57.72
7.	Access Control and Monitoring System.	24	489.95
		Total:	11009.14

Shri Dinesh Sikka, AVP appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items. He informed that "Transformers" are proposed to be used for Distribution of Power and not for Power Generation.

After due deliberations, the Approval Committee **approved** the proposal except items proposed at Sl. No. 122 under authorised operation namely 'Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.', subject to submission of revised list of materials for authorised operation namely "Air Conditioning of Processing Area" giving proper name of items at sl. No. 117 to 133.

8. Proposal of M/s. Inductis (India) Private Limited for expansion of area of the unit located in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. IT/ITES, Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. Inductis (India) Pvt. Ltd. had applied for expansion of area 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 informed that while submitting the project application the unit in its Project Report had mentioned that they require around 59982 Sqft. area in two phases i.e. 18957 Sqft initially in first phase and balance area of 41025 Sqft in second phase. It was further informed that since, the unit had submitted provisional offer of space for first phase i.e. 18957 Sqft on part of 16th floor, Tower-D, Building No. 14 from the SEZ Co-developer, accordingly, upon approval of the Approval Committee held on 09.01.2017, the Letter of Approval dated 24.01.2017 had been issued to the unit for setting up of unit over an area of 18957 sqft at part of 16th floor, Tower-D, Building No. 14 of SEZ.

It was informed that the unit has now submitted provisional offer of space for 41025 Sqft. at 18th floor, Tower-D, Building No. 14 issued by the co-developer, M/s. DLF Assets Pvt. Ltd. vide letter dated 30.12.2016.

Further it was informed that area proposed to be added in Phase-II i.e. 18th floor, Tower-D, Building No. 14 is presently leased to two SEZ units of M/s. Converse Network Systems Pvt. Ltd. and the said 02 units had recently applied for exit from SEZ scheme and accordingly letters dated 04.01.2017 have been issued to them requesting for submission of necessary documents / NOCs etc. for further consideration. Reply from the units are awaited.

Mr. Raman Bhasin, Sr. AVP 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 subject to the condition that Bond-Cum-LUT in respect of 18th floor, Tower-D, Building No. 14 shall be accepted only after receipt of Possession Certificate in respect of said premises.

9. M/s Louis Dreyfus Company Services India Pvt. Ltd., a unit in DLF Ltd. IT/ITES SEZ, Silokhera, Gurgaon (Haryana) – Non-intimation for change in Board of directors.

It was brought to the notice of the Approval Committee that M/s Louis Dreyfus Company Services India Pvt. Ltd., a unit in IT/ITES SEZ of M/s DLF Ltd. at Village Silokhera, Sector-30, Gurgaon (Haryana) vide its letter dated 05.08.2016 (received on 10/08/2016) intimated duly supported with copy of DIR-12 regarding cessation of Mr. Vikas Jain from the director of the company w.e.f. 30.06.2016. It was informed that the name of Mr. Vikas Jain was not reflected in the list of directors available in file, accordingly, the unit had been requested vide email dated 21.11.2016 to clarify the same and submit copy of Form-32/DIR-12 for appointment of Mr. Vikas Jain. Further, it was informed that the unit vide its letter dated 06.12.2016 (received on 08/12/2016) submitted copy of DIR-12 for appointment of Mr. Vikas Jain w.e.f. 18.08.2015.



It was informed that from the documents called from the unit it was found that Mr. Vikas Jain remained director of the company from 18.08.2015 to 30.06.2016, however, the unit did not intimate his appointment as director, to this office until asked, which is a lapse on the part of unit as per condition No. 14 of Bond-cum-Legal Undertaking as per which intimation for change in Board of Directors needs to be given forthwith.

Mr. Salil Walia, Admin & Mr. Manik Anand, Admin appeared before the Approval Committee on behalf of the company and requested to condone the delay in intimation and gave their assurance that such lapses will not recur in future.

After due deliberations, the Approval Committee **took note** of the aforesaid changes in director of the company and directed to issue caution letter to the unit.

10. Proposal of M/s. Candor Gurgaon Two Developers & Projects Pvt. Ltd., Co-developer for approval of list of materials to carry on authroised operations in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Dundahera, Sector-48, Gurgaon (Haryana)

It was brought to the notice of Approval Committee that M/s. Candor Gurgaon Two Realty Projects Pvt. Ltd., Co-developer of IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. located at Village- Dundahera, Sector-21, Distt- Gurgaon (Haryana) had submitted proposal for approval of list of material to carry on following default authorized operations in their SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of materials as per Inst. No. 50 & 54	Estimated Cost (Rs in Lacs)
1.	Construction of all types of building in processing area as approved by UAC	22	777.55

It was informed that as per Chartered Engineer's Certificate submitted by the developer, the proposed materials shall be used in MLCP (Multi Level Car Parking) of SEZ.

Shri Jay Kumar, Head-SEZ Compliance & Mr. Amrik 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 list of material. The Approval Committee advised the developer to submit a representation on Traffic Management Plan for smooth traffic system of their SEZ to DTCP Haryana, Chandigarh with a copy to this office.

11. M/s Information Mosaic Software Pvt. Ltd., a unit in IT/ITES SEZ of M/s DLF Cyber City Developers Ltd, Gurgaon – Review of performance & proposal of exit from SEZ scheme.

(Plu)

It was brought to the notice of the Approval Committee that M/s. Information Mosaic Software Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. DLF Cyber City Developer Ltd., Sector 24 & 25A, DLF Phase III Gurgaon (Haryana) had applied for exit from SEZ scheme. It was informed that the unit had commenced its production w.e.f. 31/03/2011 and LOA is valid upto 30/03/2021 (as extended). The performance of the unit during the first five years of operations is as under:-

Year	FOB value of export	NFE earned During the period	Pending Foreign Exchange realization
2010-2011	480.27	476.30	0
2011-2012	2181.93	2177.46	0
2012-2013	2151.25	2146.78	0
2013-2014	2531.04	2526.57	0
2014-2015	2540.31	2530.54	0
2015-2016	2765.81	2754.15	0
2016-2017	1625.34	1613.68	0
Total	14275.95	14225.48	0

It was further informed that the unit vide its letter dated 27.01.2017 had submitted required / relevant documents for exit except the following:-


- (i) **No Dues Certificate from jurisdictional Service Tax Department:** The unit had submitted a letter dated 15.11.2016 from Service Tax Department. The Service Tax Department has stated that "Rent-a-cab Scheme Operator's Services has been included under default list of services to be received and used for authorized operations by the Developer/Co- Developer/Units of SEZs located in the State of Haryana which is not eligible for supply without payment of Service Tax following amendment in Cenvat Credit Rules 2004 with effect from 01.04.2011 therefore unit has been requested to make payment of service tax along with interest on the "Rent-a-cab Scheme Operator's Services and submit the documentary evidence to that office." Hence NOC from Service Tax is yet to be submitted by unit.
- (ii) **No dues certificate regarding CST/VAT from the State Govt. department concerned:** No Dues Certificate submitted upto 2014-15 but Excise & Taxation Officer has stated that assessment for 2015-16 & 2016-17 are pending.

Mr. Himanshu Sharma, Director & Mr. Rohit Saxena, Vice President appeared before the Approval Committee on behalf of the unit and requested to approve the exit from SEZ scheme.



After due deliberations, the Approval Committee took note of the achievement of positive NFE of the unit and advised the representative of the unit to take up/represent the matter with jurisdictional Service Tax Department with a copy to this office. Approval Committee requested representative of the jurisdictional Central Excise authority to have discussion with the concerned Service Tax Commissionerate as Service Tax exemption is provided in Section 26 of SEZ Act, notification has been issued by Ministry of Finance, Deptt. of Commerce has issued list of default authorized services. It was decided that if issue is still not resolved that issue may be taken up with DOC with complete facts. As regards, No Dues Certificate for CST/VAT, the Approval Committee advised the representative of the unit to submit an Affidavit to the effect that they will pay the amount of CST/VAT, if any, found on assessment for the year 2015-16 & 2016-17.

Meeting ended with a vote of thanks to the Chair.



(S. S. Shukla)

Joint Development Commissioner



(Dr. L.B. Singhal)

Development Commissioner