



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: 09/05/2017

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।

विषय: दिनांक 05/05/2017 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 में दिनांक 05/05/2017 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 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 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 05.05.2017 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 Ramphal, Asstt. Commissioner, Central Excise, Gurgaon
3. Shri Gobinda Banerjee, FTDO, O/o. Addl. DGFT, New Delhi
4. Shri T.C. Sangwan, Asstt. Director, DIC, Gurgaon
5. Shri Hitesh Sharma, DTP (HQ), O/o. DTCP Haryana, Chandigarh
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 & iii). 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 by a general consensus of the Members present:-

(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 07/04/2017 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 07/04/2017 were ratified.

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

1. **Application of M/s. Optum Global Solutions (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. Optum Global Solutions (India) Private Limited had submitted a proposal for setting up a unit over an area of 80970 Sqft on 4th floor, Block-B (approx. 27476 Sqft.), 5th floor Block-A (approx. 26747 Sqft) & 6th floor, Block-A (approx. 26747 sqft), Building No.6 in the IT/ITES SEZ of M/s. DLF Cyber City Developers Pvt. 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.1781.09 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.**

Further, it was informed that the proposed space i.e. 80970 Sqft on 4th floor, Block-B (approx. 27476 Sqft.), 5th floor Block-A (approx. 26747 Sqft) & 6th floor, Block-A (approx. 26747 Sqft), Building No.6 is presently approved in favour of M/s. UnitedHealth Group Information Services Pvt. Ltd. vide LOA No. 10/02/2017-SEZ/2400 dated 28.02.2017. Now, M/s. UnitedHealth Group Information Services Pvt. Ltd. vide its letter dated 25.04.2017 has submitted request for surrender of said LOA, which is being processed separately on respective file of the unit.

It was informed that following documents / clarifications are required to be submitted by the unit, which have already been communicated to them:-

1. Information required by Income Tax Deptt. also required to be submitted.
2. Copy of PAN Card of Mr. Bruce Michel Jarvie not given.
3. In Board Resolution dated 27.03.2017 the proposed location of the instant unit has been mentioned as 5th, 6th, 8th & 9th in Block-A and 4th & 9th floor in Block-B, DLF Building No.6', which is different from the offer of space issued by the co-developer. This needs to be clarified / rectified on the part of applicant.

Mr. Anuj Jain, Director-Taxation & Mr. Puneet Sawhney, Director-Finance appeared before the Approval Committee on behalf of the applicant and explained the proposal.

After due deliberations, the Approval Committee approved the proposal, subject to the submission of pending documents / information.

2. Proposal of M/s. DLF Power & Services Ltd., Co-developer for approval of list of material to carry on authorized operation in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Gurgaon (Haryana)

It was brought to the notice of Approval Committee that M/s. DLF Power & Services 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 material to carry on following approved authorized operation in SEZ:-



S. No.	Name of Authorized Operation	Estimated Value of the goods
1.	For Setting up 60 MW Capacity of Power plant in the processing area.	Rs.2390.84 lakhs

It was informed that in support of its proposal the co-developer has also submitted month-wise details of procurement & consumption of Gas & Diesel during the preceding year i.e. 2016-17 in terms of Para (vi) of Guidelines for Power Generation, Transmission and Distribution in Special Economic Zone (SEZs) issued vide letter No. P.6/3/2006-SEZ(Vol-III) dated 16.02.2016, as given below:-

Preceding year	Diesel Consumption detail (LTR)	Electricity Generated from Diesel (KWH)	Gas Consumption (SCM) Standard Cubic Meter	Electricity Generated from GAS (KWH)
2016-17	63590	213853	8300237	29115707
Average monthly consumption	5299	17821	691686	2426309

It was further informed that M/s. DLF Utilities Ltd. (now LOA transferred to M/s. DLF Power & Services Ltd.) had been granted Co-Developer status by DOC vide LOA No. F.2/137/2005-EPZ dated **17.06.2008** as amended vide letter no.F.2/136/2005-EPZ dated **07.10.2008** to carry on authorized operation namely 'Setting up of 60 MW capacity of co-generation plant to install and commission gas turbine based power generation sets in processing area' in the IT/ITES SEZ of M/s. DLF Ltd. at Silokhera, Gurgaon (Haryana). The co-developer had also obtained approval from BoA for additional authorized operation namely (i). Development and / or Operation & maintenance of SEZ Building (ii). Fire and Life Safety Measures, and (iii). Engineering, Maintenance including Electrical and Mechanical Works, Heating, Ventilation & Air Conditioning (HVAC) System, Fire Detection and Alarm Systems, Water Supply, Storm, Drainage and Sewage Disposal, Building upkeep Services including Maintenance of Lift Lobby, Conference Hall, Parking Area, Utilities area, Garbage & scrap disposal, Horticulture, Pest Control, Façade Cleaning Services.

Further, it was informed that Board of Approval in its meeting held on 09.11.2016 had approved the proposal for transfer of LOA No. F.2/137/2005-SEZ dated 17.06.2008, as amended, from M/s. DLF Utilities Ltd. to its fellow subsidiary company M/s. DLF Power & Services Ltd. pursuant to slump sale under the Business Transfer Agreement, subject to standard terms and conditions as per SEZ Act and Rules. Accordingly, the approval of BoA had been conveyed to M/s. DLF Utilities Ltd. vide this office letter dated 20.12.2016.



Shri Anil Nauriyal, DGM & Shri Pitamber Sharma, Manager appeared before the Approval Committee on behalf of the co-developer and explained the proposal. It was informed by them that there is no energy centre the proposed items are spare parts basically for maintenance of power plant already installed and no separate power plant is being setup.

After due deliberations, Approval Committee **approved** the proposal except "98 KL Diesel" proposed by the co-developer. The Approval Committee directed the representatives of the co-developer to submit breakup of power supplied to DTA in preceding year. Further, the Committee directed the Specified Officer to charge the duty on O&M in respect of power supplies in DTA, as per the relevant Customs notification.

3. Proposals of M/s. DLF Assets Pvt. Ltd., Co-developer for allotment of space to M/s. Integrated Childcare Pvt. Ltd. for set up & operate 'Day Care / Creche services' in the processing area of of IT/ITES SEZ of M/s. DLF Ltd. Village Silokhera, Sector-30, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that the Co-developer, M/s. DLF Assets Pvt. Ltd. had submitted a proposal for allotment of 4555 Sqft. built-up space at 3rd floor, Block-A2 in the processing area of SEZ on lease basis to M/s. Integrated Childcare Pvt. Ltd. to setup & operate a 'Day Care / Creche services', for use by the employees of SEZ. & units located therein.

It was informed that the following documents are required to be submitted by the co-developer in this regard:-

1. Board Resolution in favour of authorised signatory of M/s. Integrated Childcare Pvt. Ltd., who has signed the letter dated 24.04.2017 and its enclosures.
2. Revised undertaking duly dated giving name of the Authorised Signatory and further to undertake that they will obtain requisite license, permissions, approvals and other clearances as applicable in the state for operating the SEZ prior to commencement of Daycare / Creche facility in SEZ.
3. Copy of Certificate of Incorporation & MOA of M/s. Integrated Childcare Pvt. Ltd.
4. Copy of PAN Card of M/s. Integrated Childcare Pvt. Ltd.
5. Copy of balance sheet for the year 2015-16 of M/s. Integrated Childcare Pvt. Ltd. to ascertain financial status of the company.

The Committee examined 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 Anil Nauriyal, DGM & Shri Pitamber Sharma, Manager appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, Approval Committee **approved** the proposal for allotment of 4555 Sqft. built-up space at 3rd floor, Block-A2 in the processing area of SEZ on lease basis to M/s. Integrated Childcare Pvt. Ltd. to setup & operate a 'Day Care / Creche services', for exclusive use by the employees of SEZ. & units located therein, subject to condition that no tax / duty including service tax exemption shall be available to M/s. Integrated Childcare Pvt. Ltd. to setup, operate & maintain such facility in the processing area of SEZ and further subject to submission of pending documents.

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

It was brought to the notice of Approval Committee that M/s. ASF Insignia SEZ Pvt. Ltd., developer of IT/ITES SEZ located at Village- Gwal Pahari, Gurgaon (Haryana) had submitted proposal for approval of list of materials to carry on following authorized operations 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.	4	41.00
2.	Air Conditioning of Processing Area (as approved by BoA)	Approved by BoA in processing area	21.00
		Total:	62.00

Shri Tulsi Agarwal, Director & Shri Ashok Chauhan, AGM appeared before the Approval Committee on behalf of the developer and explained the proposal.

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



5. Proposal of M/s. Kings Canyon SEZ Pvt. Ltd., Co-developer for approval of list of materials to carry on authorized operations in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Vill. Gwal Pahari, Gurgaon.

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 (Rupees in lacs)
1.	Construction of all types of Building in Processing Area as approved by UAC	22	150.00
2.	Air Conditioning of processing area	21	21.00
		Total:	171.00

Shri Tulsi Agarwal, Director & Shri Ashok Chauhan, AGM 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.

6. 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 authorized operations 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 lakhs)
1.	Construction of all types of building in Processing Area as approved by UAC	22	175.00
2.	Air Conditioning of processing area	21	21.00
		Total:	196.00

(Planned)

Shri Tulsi Agarwal, Director & Shri Ashok Chauhan, AGM 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.

7. **Proposal for grant of Occupation Certificate for Facility Management Office (BMS Room) constructed in processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana) developed by M/s. ASF Insignia SEZ Pvt. Ltd.**

It was informed that the matter had been placed before the Approval Committee in its meeting held on 07.04.2017. The Approval committee observed that DTP(HQ) in its Memo dated 31.03.2017 has mentioned that "Clear ownership of land may be asserted before grant of occupation certificate and it may also be ensured that there is no effect on the functioning of SEZ due to disputed land coming under mutation no. 3249". It was informed that keeping in view of the same, the Approval Committee **deferred** the proposal and directed the representatives of the developer to submit detailed write-up on land dispute coming under mutation no. 3249. The Approval Committee also decided that upon receipt of detailed write-up on land dispute from the developer, the write-up along with DTP (HQ) Memo dated 31.03.2017 may be sent to Tehsildar, Sohna for his comments. Further, a copy of write-up of the developer also be forwarded to O/o. DTCP Haryana, Chandigarh.

It was informed that the detailed write-up & shizra map received from the developer along with copies of Memos dated 31.03.2017 of DTP(HQ) had been forwarded vide this office letter dated 12.04.2017 to Tehsildar, Sohna with request to confirm whether the parcels of land on which Facility Management Office (BMS Room) & Housing have been constructed, are owned by M/s. ASF Insignia SEZ Pvt. Ltd. and are falling under the Mutation no. 3249 or not. Further, it was informed that Director General, Town & Country Planning DTCP Haryana, Chandigarh had also been requested vide this office letter dated 27.04.2017 to consider all relevant factors and verify the facts from the concerned authorities of the State Govt. and issue appropriate categorical recommendation expeditiously preferably before the next Approval Committee meeting scheduled for 05.05.2017. However, reply from DTCP Haryana, Chandigarh is awaited.

Further it was informed that with reference to this office letter dated 12.04.2017, **Nayab Tehsildar, Vazirabad, Gurugram vide its letter no. 59/RC dated 01.05.2017 has informed that parcels of land on which Facility Management Office (BMS Room) & Housing (Tower-A, B & C) have been constructed, are owned by M/s. ASF Insignia SEZ Pvt. Ltd. and are not falling under the Mutation no. 3249. It has been further confirmed that there is no litigation on the parcels of land on which Facility Management Office (BMS Room) & Housing (Tower-A, B & C) have been constructed.**



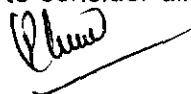
During the meeting, Shri Hitesh Sharma, DTP(HQ), Representative of DTCP Haryana, Chandigarh informed that on the basis of this office letter dated 27.04.2017, O/o. DTCP has already made a reference to Industries Deptt., Govt. of Haryana to forward its comments on the matter being Nodal Agency of SEZs in the State of Haryana. He informed that as per map shown to them by the developer there is an approach road coming in the disputed land, which is yet to be verified by Industries Deptt. Govt. of Haryana, being nodal agency of SEZ. He however categorically informed that prima facie it is clear that building for which Occupation Certificate is required to be issued are not constructed on the disputed land. He desired that a copy of letter dated 01.05.2017 of Nayab Tehsildar, Vazirabad, Gurugram along with map enclosed therein may be forwarded to them.

After due deliberations, the Committee directed to forward copy of letter dated 01.05.2017 of Nayab Tehsildar, Vazirabad, Gurugram along with map enclosed therein to O/o. DTCP with a copy of Director (Industries), Govt. of Haryana with request to expedite the matter. The Committee further decided that in case clear cut recommendation from DTCP is received, Occupancy Certificate would be issued and facts will be placed before the Approval Committee in its next meeting.

8. Proposal for grant of Occupation Certificate for Tower-A & B and Basement in Housing (Isle-De-Royale) falling in the non-processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana) developed by M/s. ASF Insignia SEZ Pvt. Ltd.

It was informed that the matter had been placed before the Approval Committee in its meeting held on 07.04.2017. The Approval committee observed that DTP(HQ) in its Memo dated 31.03.2017 has mentioned that "Clear ownership of land may be asserted before grant of occupation certificate and it may also be ensured that there is no effect on the functioning of SEZ due to disputed land coming under mutation no. 3249". It was informed that keeping in view of the same, the Approval Committee **deferred** the proposal and directed the representatives of the developer to submit detailed write-up on land dispute coming under mutation no. 3249. The Approval Committee also decided that upon receipt of detailed write-up on land dispute from the developer, the write-up along with DTP (HQ) Memo dated 31.03.2017 may be sent to Tehsildar, Sohna for his comments. Further, a copy of write-up of the developer also be forwarded to O/o. DTCP Haryana, Chandigarh.

It was informed that the detailed write-up & shizra map received from the developer along with copies of Memos dated 31.03.2017 of DTP(HQ) had been forwarded vide this office letter dated 12.04.2017 to Tehsildar, Sohna with request to confirm whether the parcels of land on which Facility Management Office (BMS Room) & Housing have been constructed, are owned by M/s. ASF Insignia SEZ Pvt. Ltd. and are falling under the Mutation no. 3249 or not. Further, it was informed that Director General, Town & Country Planning DTCP Haryana, Chandigarh had also been requested vide this office letter dated 27.04.2017 to consider all relevant factors and verify the facts



from the concerned authorities of the State Govt. and issue appropriate categorical recommendation expeditiously preferably before the next Approval Committee meeting scheduled for 05.05.2017. However, reply from DTCP Haryana, Chandigarh is awaited.

Further it was informed that with reference to this office letter dated 12.04.2017, Nayab Tehsildar, Vazirabad, Gurugram vide its letter no. 59/RC dated 01.05.2017 has informed that parcels of land on which Facility Management Office (BMS Room) & Housing (Tower-A, B & C) have been constructed, are owned by M/s. ASF Insignia SEZ Pvt. Ltd. and are not falling under the Mutation no. 3249. It has been further confirmed that there is no litigation on the parcels of land on which Facility Management Office (BMS Room) & Housing (Tower-A, B & C) have been constructed.

During the meeting, Shri Hitesh Sharma, DTP(HQ), Representative of DTCP Haryana, Chandigarh informed that on the basis of this office letter dated 27.04.2017, O/o. DTCP has already made a reference to Industries Deptt., Govt. of Haryana to forward its comments on the matter being nodal agency of SEZs in the State of Haryana. He informed that as per map shown to them by the developer there is an approach road coming in the disputed land, which is yet to be verified by Industries Deptt. Govt. of Haryana, being nodal agency of SEZ. He however categorically informed that prima facie it is clear that building for which Occupation Certificate is required to be issued are not constructed on the disputed land. He desired that a copy of letter dated 01.05.2017 of Nayab Tehsildar, Vazirabad, Gurugram along with map enclosed therein may be forwarded to them.

After due deliberations, the Committee directed to forward copy of letter dated 01.05.2017 of Nayab Tehsildar, Vazirabad, Gurugram along with map enclosed therein to O/o. DTCP with a copy of Director (Industries), Govt. of Haryana with request to expedite the matter. The Committee further decided that in case clear cut recommendation from DTCP is received, Occupancy Certificate would be issued and facts will be placed before the Approval Committee in its next meeting.

9. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., Developer for extension of validity of building plan of Tower-C of Housing falling in the non-processing area of its IT/ITES SEZ at Village- Gwal Pahari, Gurgaon (Haryana).

It was informed that the matter had been placed before the Approval Committee in its meeting held on 07.04.2017. The Approval committee observed that DTP(HQ) in its Memo dated 31.03.2017 has mentioned that "*Clear ownership of land may be asserted before grant of extension in building plan and it may also be ensured that there is no effect on the functioning of SEZ due to disputed land coming under mutation no. 3249*". It was informed that keeping in view of the same, the Approval Committee **deferred** the proposal and directed the representatives of the developer to

(P. Kumar)

(P. Kumar)

submit detailed write-up on land dispute coming under mutation no. 3249. The Approval Committee also decided that upon receipt of detailed write-up on land dispute from the developer, the write-up along with DTP (HQ) Memo dated 31.03.2017 may be sent to Tehsildar, Sohna for his comments. Further, a copy of write-up of the developer also be forwarded to O/o. DTCP Haryana, Chandigarh.

It was informed that the detailed write-up & shizra map received from the developer along with copies of Memos dated 31.03.2017 of DTP(HQ) had been forwarded vide this office letter dated 12.04.2017 to Tehsildar, Sohna with request to confirm whether the parcels of land on which Facility Management Office (BMS Room) & Housing have been constructed, are owned by M/s. ASF Insignia SEZ Pvt. Ltd. and are falling under the Mutation no. 3249 or not. Further, it was informed that Director General, Town & Country Planning DTCP Haryana, Chandigarh had also been requested vide this office letter dated 27.04.2017 to consider all relevant factors and verify the facts from the concerned authorities of the State Govt. and issue appropriate categorical recommendation expeditiously preferably before the next Approval Committee meeting scheduled for 05.05.2017. However, reply from DTCP Haryana, Chandigarh is awaited.

Further it was informed that with reference to this office letter dated 12.04.2017, Nayab Tehsildar, Vazirabad, Gurugram vide its letter no. 59/RC dated 01.05.2017 has informed that parcels of land on which Facility Management Office (BMS Room) & Housing (Tower-A, B & C) have been constructed, are owned by M/s. ASF Insignia SEZ Pvt. Ltd. and are not falling under the Mutation no. 3249. It has been further confirmed that there is no litigation on the parcels of land on which Facility Management Office (BMS Room) & Housing (Tower-A, B & C) have been constructed.

During the meeting, Shri Hitesh Sharma, DTP(HQ), Representative of DTCP Haryana, Chandigarh informed that on the basis of this office letter dated 27.04.2017, O/o. DTCP has already made a reference to Industries Deptt., Govt. of Haryana to forward its comments on the matter being nodal agency of SEZs in the State of Haryana. He informed that as per map shown to them by the developer there is an approach road coming in the disputed land, which is yet to be verified by Industries Deptt. Govt. of Haryana, being nodal agency of SEZ. He however categorically informed that prima facie it is clear that building for which extension in building plan approval is required are not constructed on the disputed land. He desired that a copy of letter dated 01.05.2017 of Nayab Tehsildar, Vazirabad, Gurugram along with map enclosed therein may be forwarded to them.

After due deliberations, the Committee directed to forward copy of letter dated 01.05.2017 of Nayab Tehsildar, Vazirabad, Gurugram along with map enclosed therein to O/o. DTCP with a copy of Director (Industries), Govt. of Haryana with request to expedite the matter. The Committee further decided that in case clear cut recommendation from DTCP is received, extension in the building

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(P. Hitesh)

plan approval would be issued and facts will be placed before the Approval Committee in its next meeting.

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

It was brought to the notice of Approval Committee that M/s. G.P. Realtors Pvt. Ltd., Developer of Electronics Hardware & IT/ITES SEZ at Village Behrampur, Tehsil- Sohna, Distt. Gurgaon (Haryana) had submitted proposals for approval of list of materials to carry on following default authorized operation 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	274.40
2.	Fire protection system with sprinklers, fire and smoke detectors.	07	88.35
3.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	02	110.35
		Total:	473.10

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

- i) Name of authorized operation has been mentioned 'Construction of all types of building in processing area' instead of 'Construction of all types of building in processing area as approved by the Unit Approval Committee'(as per Inst. No. 54). Besides, name of Building / Tower where goods are proposed to be used also not mentioned in CE certificate.
- ii) There is a calculation mistake in the CE certificate dated 25.04.2017. The developer / Chartered Engineer has mentioned Rs.199.70 lakhs instead of Rs.198.70 lakhs.
- iii) Board Resolution in favour Mr. Dinesh Sikka & Mr. Amit Goyal to sign documents on behalf of the developer, required to be submitted.

Mr. Dinesh Sikka, AVP & Mr. Vikas Kathpalia, AVP appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials.

After due deliberations, the Committee **approved** the proposed list of materials subject to submission of pending documents.



11. Proposal of M/s. WNS Global Services Pvt. Ltd. (Unit-II) for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. DLF Ltd. at Silokhera, Sector-30, Gurgaon (Haryana)

It was brought to the notice of Approval Committee that M/s. WNS Global Services Pvt. Ltd. (Unit-II) had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Sector-30, Gurgaon (Haryana). It was informed to the Committee that presently unit has been occupying an area of 111794 Sqft. at 8th 9th floor, Block A2 & A3 and 11th floor of Block A2 and requested for addition of 29751 Sqft. at 9th floor, Block B2 of 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	Revised Projection
Projected FOB value of exports	63720.00	101455.00
Foreign Exchange Outgo	6359.00	4331.00
NFE	57361.00	97123.00
Imported CG	3812.00	4158.00
Indigenous CG	1679.00	2150.00

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

1. The unit has mentioned incorrect value of existing imported & indigenous capital goods. The existing approved value of imported & indigenous capital good are Rs.3812 lakhs & Rs.1679 lakhs respectively.
2. Unit has given 3-4 types of different projections for their expansion hence whole projected foreign exchange balance sheet needs to be rectified & submitted.
3. Breakup of proposed forex outgo of Rs.4331 lakhs required to be given.
4. Rectified APRs for the year 2014-15 & 2015-16 as per observation of CA firm already communicated to the unit required to be submitted.
5. Unit has till date not given proper acceptance of this office letter dated 18/03/2015 nor has it executed additional/fresh BLUT against additional area approved by UAC dated 08/05/2015.

Mr. Sandeep, Sr. G.M & Mr. Gaurav P, Dy. Manager appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, the Approval Committee **approved** the expansion of area and revised projections of the unit subject to submission of pending documents.



12. Application of M/s. WNS Global Services Private Limited for setting up its 3rd unit in the 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 M/s.WNS Global Services Private Limited had submitted a proposal for setting up its 3rd unit over an area of 30142 Sqft. on 9th floor, Block B3 in the IT/ITES SEZ of M/s. DLF Ltd. located at Village Silokhera, Sector-30, Gurgaon (Haryana) to undertake service activities i.e. 'Information Technology/ Information Technology Enabled Services' with projected exports of Rs. 21600 Lakhs and the cumulative NFE of Rs.18986 Lakhs over a period of five years. It was also informed that the investment of Rs.1034 Lakhs towards imported capital goods; Rs.469 Lakhs towards Indigenous capital goods and other cost of project shall be met from the reserves & surplus. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

It was informed that following documents / clarification required to be submission which has been communicated to the applicant :-

1. Specific services proposed to be undertaken under 'Information Technology/ Information Technology Enabled Services.' required to be given as per Rule 76 of SEZ Rules, 2006.
2. Audited Balance Sheet for the year 2013-14 & 2014-15 not given.
3. Copies of PAN Card & Passport / proof of ID & address in respect of all directors not given.
4. Copies of Form-32/DIR-11/12 for appointment of all the directors required to be given.
5. Copies of Form-32 in respect of cessation of first two directors namely Mr. Sukarm Bali & Mrs. Bella Bhatti may be given.
6. Affidavit in support of undertaking of Form-F required to be given on Rs.100/- non-judicial Stamp Paper duly notarized.
7. Detail of shareholding pattern of the company in terms of name of shareholder & percentage of shareholding duly certified by CA/CS required to be given.
8. Requirement of Water of 50000 KL is on higher side.
9. List of imported & indigenous capital goods not given.
10. Undertaking to fulfill environmental pollution norms required to be given.
11. Information related to Income Tax Department may be given in prescribed format.
12. Value in Col. VII need to be given in INR.
13. Applicant has also mentioned requirement of land of 2800.26 Sqmt. in para VIII (1)(i) of Form-F, whereas Letter of Intent dated 31.03.2017 has been signed with co-developer for builtup area of 30142 Sqft. (2800.26 Sqmt.) on 9th floor, Block B3.
14. Reply in respect of para XII(ii) & (iv) to be given in 'Yes' or 'No'.



15. Variation in the value of imported capital goods has been found in breakup of forex outgo (Annexure-D) vis-à-vis para VI of Form-F. Therefore, corrected breakup of forex outgo is required to be given.
16. Variation in the values of imported / indigenous capital goods have been found in details given in Annexure-1 vis-à-vis para VI of Form-F.
17. Copy of INC 22 in support of current registered office required be given.
18. In covering letter name of SEZ has been mentioned as 'DLF World Tech Park' instead of 'DLF Ltd. IT/ITES SEZ'.
19. Justification of setting up of 3rd unit in same SEZ may be given.
20. Applicant has enclosed with the applicant copy of some documents pertaining to amalgamation of some companies with WNS Global Services Pvt. Ltd. which may be clarified by applicant.

Mr. Sandeep, Sr. G.M & Mr. Gaurav P, Dy. Manager appeared before the Approval Committee on behalf of the applicant and explained the proposal.

After due deliberations, the Approval Committee approved the proposal, subject to the submission of pending documents / information.

13. Proposal of M/s. Bravura Solutions India LLP for expansion of area & revision in projections of the unit located in the 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 Approval Committee that M/s. Bravura Solutions India LLP had applied for expansion of area & 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 informed to the Committee that presently unit has been occupying an area of 17407 Sqft. at 10th floor & 15681 Sqft. at Part of 7th floor, Tower-B, Building no. 14 and requested for addition of 5674 Sqft. at 7th floor, Block B, Building No. 14 of 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	Revised Projection
Projected FOB value of exports	46044.00	49960.00
Foreign Exchange Outgo	2277.00	3288.00
NFE	43767.00	46672.00
Imported CG	Nil	Nil
Indigenous CG	175.00	175.00

Mr. Nitin Bansal, Director appeared before the Approval Committee on behalf of the unit and explained the proposal.



After due deliberations, the Approval Committee **approved** the expansion of area and revised projections of the unit subject to execution of Bond-Cum-LUT.

14. Proposal of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., Developer for approval of list of materials to carry on authorized operations in the IT/ITES SEZ at Village Tikri, Sector-48, Gurgaon (Haryana).

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

S. No.	Authorized Operation	Sl. No. at default list of materials as per Inst. No. 50 & 54	Estimated Cost (Rs in Lakhs)
1.	Air Conditioning of processing area	21	10.80

Mr. Jay Kumar, Head-SEZ Compliance & Mr. Amrik Singh- Sr. Manager 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.

15. Proposal of M/s. Candor Gurgaon Two Developers & Projects Pvt. Ltd, Co-developer for approval of list of material to carry on authorized operations in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. located at Village Dundahera, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. Candor Gurgaon Two Developers & 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.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	41.80



2.	Fire protection system with sprinklers, fire and smoke detectors.	07	10.50
3.	Access control and monitoring system.	24	18.10
4.	Air Conditioning of processing area	21	16.20
5.	Construction of all types of building in processing area as approved by UAC	22	102.50
		Total :	189.10

Mr. 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 materials.

16. Proposal in respect of M/s Information Mosaic Software Pvt. Ltd. a unit in DLF Cyber City Developers Ltd. IT/ITES SEZ, Gurgaon for consideration of exit from the SEZ scheme.

It was brought to the notice of the Approval Committee that the proposal in respect of M/s Information Mosaic Software Pvt. Ltd. for review of performance and consideration of exit was placed with full facts before the Approval Committee in its meeting held on 03.02.2017. 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 regarding No Dues for Service Tax 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 Commissioner as Service Tax exemption is provided in section 26 of SEZ Act, notification has been issued by Ministry of Finance, Department of Commerce has issued list of default authorized services. It was decided that if issue is still not resolved then 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.

It was informed that meanwhile the unit had informed that it had approached the Commissioner of Service Tax, Delhi IV for issuance of fresh No Dues Certificate for Service Tax. Further, it was informed that as per information received from the unit the Commissioner of Central Excise Gurgaon-I also wrote a letter dated 22.02.2017 to the Commissioner Service Tax Delhi-IV requesting to re-examine the request of the unit and inform the final decision.



It was further informed that unit vide its letter dated 05.04.2017 had submitted two undertakings on Rs. 100 non-judicial stamp paper i.e. for VAT and Service tax dues, if any. It was further informed that a letter dated 26.04.2017 has been written by this office to the Commissioner of Central Excise Gurgaon-I requesting for his comments on the issue, comments are awaited.

Mr. Rohit Saxena, Finance Head & Mr. Vikas Singh, Finance Head appeared before the Approval Committee on behalf of the unit and requested to allow final exit.

After due deliberations, the Approval Committee decided to **defer** the matter and advised the representative of the unit to follow-up the matter with Service Tax Deptt..

Supplementary Agenda items:

- 1. Proposal in respect of M/s Axiom Managed Solutions Pvt. Ltd. a unit in DLF Cyber City Developers Ltd. IT/ITES SEZ, Gurgaon for monitoring of performance and consideration of exit from the SEZ scheme.**

It was brought to the notice of the Approval Committee that M/s. Axiom Managed Solutions 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 year-wise performance / NFE Position of the unit are as under:-

(Rs. in Lakhs)

Year	FOB Value of Export	NFE Earned	Pending Forex
2012-13	96.84	93.42	0.00
2013-14	660.28	654.54	0.00
2014-15	1028.64	1022.33	0.00
2015-16	1435.41	1425.83	0.00
2016-17	1410.71	1401.13	0.00
Total:	4631.88	4597.25	0.00

It was informed that as the unit vide its letter dated 30.03.2017 & subsequent letter dated 26.04.2017 had submitted requisite documents/NOC. It was however informed that the complete location of the unit (7th floor) had not been mentioned in the 'No Dues' dated 21.03.2017 issued by jurisdictional Service Tax Deptt.

Mr. Ajay Wadhawan, AGM appeared before the Approval Committee on behalf of the unit and requested to allow final exit.



After due deliberations, the Approval Committee reviewed the performance and took note of the achievement of positive NFE of the unit. The Approval Committee also decided to **allow final exit** to the unit from SEZ scheme. Besides, the Approval Committee also directed the representative of the unit to submit i) details of their present registered office address and ii) an undertaking to the effect that the 'No Dues' dated 21.03.2017 issued by jurisdictional Service Tax Deptt. also includes 'No Dues' in respect of 7th floor. Final exit order would be issued after receipt of these documents.

2. Proposal in respect of M/s LexInnova Technologies Pvt. Ltd. a unit in DLF Cyber City Developers Ltd. IT/ITES SEZ, Gurgaon for monitoring of performance and consideration of exit from the SEZ scheme.

It was informed that the proposal in respect of M/s LexInnova Technologies Pvt. Ltd. for review of performance and consideration of exit was placed with full facts before the Approval Committee in its meeting held on 07.10.2016. The Committee noted that there was pending foreign exchange realization of Rs. 1519.22 lakhs as on 30.06.2016. After due deliberations, the Approval Committee directed the representative of the unit to submit necessary permission from RBI for extension in the period for foreign exchange realization.

It was informed that as directed by the Approval Committee a letter dated 08.11.2016 was written to unit (also sent through email). However original letter dated 08.11.2016 had been received back undelivered. Thereafter, an email dated 10.11.2016 had been received from unit vide which unit has informed various reasons due to which foreign exchange has been pending with their clients.

Besides, year wise performance of unit, duly verified by CA firm engaged by NSEZ is as under:

(Rs. in Lakhs)			
Year	FOB Value of Export	NFE Earned	Pending Forex
2013-14	614.61	536.64	316.08
2014-15	1052.83	997.82	316.08
2015-16	545.37	539.79	1488.03
2016-17	60.26	58.86	1519.21
Total	2273.07	2133.11	3639.40

It was informed that CA firm had shown the total pending forex as Rs. 3639.10 i.e. the total of year wise un-realization, whereas unit had informed the pending forex as on 30.06.2016 as Rs. 1519.22 lakhs as per attachment with CA certified APR for 2016-17.

(Planned)

It was further informed that vide this office letter dated 03.01.2017 & 03.03.2017 the unit was requested to provide exact unrealized amount duly certified along with documented steps taken for its waiver/ write off from RBI/ Appropriate Authority for further necessary action and also to clarify about change in name of Company/ its directors, Registered office & submit requisite documents in support of same along with reasons for not intimating the same. No reply from unit to the above had been received. Further, it was informed that after repeated requests and keeping in view that the company has change the name of the unit from LexInnova Technologies Pvt. Ltd. to LI Consulting Pvt. Ltd. the unit was requested to submit the following documents:

1. Exact amount of unrealized amount duly certified by CA along with steps taken for its recovery or proof of its waiver/ write off from RBI.
2. Complete details/ documents such as Board Resolution, MOA, Certificate of Incorporation, Undertaking of Rs. 100 Non-judicial stamp paper regarding taking over assets and liability of M/s. LexInnova Technologies Pvt. Ltd. by LI Consulting Pvt. Ltd., copy of PAN Card, copy of IEC, list of directors along with Form-DIR-12, copies of PAN Card & Passport (in case there is change in Directors), details of change of shareholding just before and after change of name of Co.) duly certified by CA/CS along with a proposal for consideration/ approval of change of name.
3. Reasons for non-intimation of the change of name of company resulting in violation of conditions of the Letter of Approval dated 02.05.2013 and Bond-cum-LUT executed by the unit.

It was informed that the unit vide its email dated 28.04.2017 has stated that they will submit the documents at the earliest. Unit has not submitted necessary permission from RBI for extension in the period of pending foreign exchange realization. Besides, the unit required to submit following documents :-

1. Necessary permission for RBI for extension in the period of pending foreign exchange realization.
2. Unit has admitted to have changed the name of company and its director without informing this office against the terms & conditions of LOA and B-LUT. Requested documents are also awaited.

Mr. Y.V. Joshi, Special Officer & Mr. Siddharth, Manager- Accounts appeared before the Approval Committee on behalf of the unit and informed that since the board had decided not to continue with SEZ unit and shut in down therefore they did not get the unit approved again under the new name (LI Consulting Pvt. Ltd.) as no useful purpose would have been served.”



After due deliberations, the Approval Committee decided to **defer** the matter and directed to issue a detailed letter stating the case history to director(s) in person giving one month time to submit above documents / clarifications failing which Show Cause Notice under Foreign Trade (Development and Regulation) Act, 1992 shall be issued.

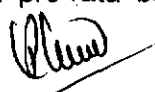
3. Proposal in respect of M/s Nil-Labs Innovation Pvt. Ltd. a unit in DLF Cyber City Developers Ltd. IT/ITES SEZ, Gurgaon for monitoring of performance and consideration of exit from the SEZ scheme.

It was informed that the proposal of M/s. Nil Labs Innovation Pvt. Ltd., a unit in DLF Cyber City Developers Ltd. IT/ITES SEZ, Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana) for review of performance & exit from SEZ Scheme was placed before the Approval Committee in its meeting held on 03.02.2017. It had been informed that there were pending export proceeds of Rs.773.58 lakhs as per APRs. 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. It was informed that 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.

It was informed that as directed by the Approval Committee, the unit vide its letter dated 05.04.2017 submitted CA Certificate giving pending foreign exchange realization of Rs. 237.92 lakhs as on 15th March 2017.

Further, it was informed that the Specified Officer vide his letter dated 19.04.2017 had informed that duty liability on account of non-realized foreign exchange of Rs. 2,37,91,857/- on pro-rata basis is Rs. 12165/- which may be considered at the time of allowing exit to the unit. Accordingly unit was requested to deposit the following for consideration of exit:

1. Penalty amount @ of 1% of the pending foreign exchange realization i.e. Rs. 237919 (1% of Rs. 2,37,91,857) in form of D.D. drawn in favour of DC, NSEZ.
2. Rs. 12165/- being the duty foregone on pro-rata basis on amount of unrealized foreign exchange of Rs. 2,37,91,857.



It was further informed that M/s Nil-Labs Innovation Pvt. Ltd. vide its letter dated 02.05.2017 submitted the following:

1. Demand draft No. 504870 dated 28th April 2017 for Rs. 2,37,919/- (Rupees Two Lacs Thirty Seven Thousand Nine Hundred Nineteen) in favor of "DC, NSEZ".
2. Copy of TR-6/GAR7 regarding deposit of Rs. 12,165/- for Customs duty forgone on pro-rata basis on account of unrealized foreign exchange.

Mr. Rakesh, Manager-Finance appeared before the Approval Committee on behalf of the unit and requested to allow final exit.

The Approval Committee observed that the unit had already been allowed final exit. Accordingly, the Approval Committee took note of the above amount of penalty on pending forex & Customs duty forgone on pro-rata basis on account of unrealized foreign exchange.

4. M/s. SCI Companies India Services Pvt. Ltd. - Proposal for review of performance and consideration of exit from SEZ Scheme - regarding.

It was brought to the notice of the Approval Committee that M/s. SCI Companies India Services 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 year-wise performance / NFE Position of the unit are as under:-

(Rs. in Lakhs)

Year	FOB value of export	NFE Earning	Pending Foreign Exchange
2010-11	87.76	78.2	0.00
2011-12	643.78	643.78	0.00
2012-13	757.4	757.4	0.00
2013-14	843.11	842.51	0.00
2014-15	798.76	794.22	0.00
2015-16	484.61	484.61	0.00
Total	3527.66	3522.52	0.00

The unit vide its letter dt. 30.05.2016 & 13.07.2016 submitted requisite documents/ No dues etc. Further, on specific request for No dues instead of NOC from the developer, the unit has stated that they have already submitted NOC from the developer.

After due deliberations, the Approval Committee reviewed the performance and took note of the achievement of positive NFE of the unit. The Approval Committee also decided to **allow final exit** to the unit from SEZ scheme.

5. Proposal of M/s. Mikado Realtors Pvt. Ltd., for approval of revised building Plan of Electronics Hardware & IT/ITES SEZ at Village Behrampur, Distt. Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that the proposal of M/s. Mikado Realtors Pvt. Ltd. for approval of building plan of its Electronics Hardware, IT/ITES SEZ at Village Behrampur, Gurgaon (Haryana) had been forwarded to O/o. DTCP Haryana, Chandigarh for examination & comments.

It was informed that District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide its letter Memo No. SEZ-56/SD(BS)/2017/8432 dated 02.05.2017 had forwarded its recommendation for approval of said Building Plan. Further, it was informed that DTP (HQ) had also forwarded three sets of building plan duly signed by Senior Town Planner (HQ) and stated that the building plan may be approved with the following specific conditions and other conditions mentioned in his letter:-

- (i) The plans are valid for a period of 2 years of the building less than 15 meters in height and 5 years for the multistoried buildings from the date of issuance of sanction, subject to validity of SEZ.
- (ii) The structural responsibility of the construction shall be entirely of the Developer / supervising architect / Engineer of the scheme.

Further, it was informed that name of building & total area proposed to be constructed has not been mentioned in the recommendation letter of DTP. Besides, the condition no. 5 of the Memo dated 02.05.2017 it is mentioned that "The revenue rasta if any passing through the site shall be kept unobstructed."

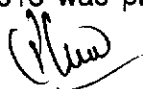
During the meeting, Shri Hitesh Sharma, DTP(HQ), Representative of DTCP Haryana, Chandigarh informed that the area proposed to be constructed has been mentioned in Plans / Drawings. As regards, Condition No.5, DTP(HQ) informed that this is a general condition mentioned by O/o. DTCP in all building plan approvals.

Mr. Anant Singhal, Sr. Manager appeared before the Approval Committee on behalf developer and informed that there is no revenue rasta in notified area of SEZ.

After due deliberations, the Approval Committee **approved** the building plan subject to terms & conditions mentioned in the Memo No. SEZ-56/SD(BS)/2017/8432 dated 02.05.2017 issued by District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh.

6. M/s. Altruist Technologies Pvt. Ltd. – Proposal for renewal of LOA for next five years in terms of Rule 19(6) of SEZ Rules' 2006.

It was informed that the proposal of M/s. Altruist Technologies Pvt. Ltd. for renewal of LOA for further period of five years beyond 13.04.2016 was placed before the Approval Committee in its



meeting held on 07.04.2017. After due deliberations, the Approval Committee decided to extend the validity period of LOA upto 31.05.2017. The Approval Committee also directed the unit's representative to ensure that authorized director of the company should appear before the Approval Committee in its next meeting to explain the reasons of delay in filing of application for LOA extension as well as Softex. The Committee also directed the unit to submit status of pending forex realization duly certified by CA along with above pending documents. It was further informed that during the meeting the representative of the unit handed over its reply dated 06.04.2017 wherein the unit had submitted copy of rectified consent letter from Co-developer regarding renewal of LOA. The unit had also submitted copies of Softex filed but yet to be approved.

It was informed that as directed by the Approval Committee, the approval for extension of validity period of LOA upto 31.05.2017 had been issued with request the unit to submit status of pending forex realization duly certified by CA along with following documents, which are still awaited:-

- (i) Copy of approval of RBI for extension of time for realization of Rs. 124 lakhs pertaining to 2011-12.
- (ii) Apply for LOA Renewal through Online System as well.
- (iii) Status of filing of Softex till online validity of LOA i.e. upto 02.09.2016.


Mr. Nikhil Jain, Director & Mr. Hari Singla, Director appeared before the Approval Committee and requested for renewal of LOA. They also assured to complete the formalities at the earliest.

After due deliberations, the Approval Committee decided to grant one month time to unit to complete the above formalities and directed to place the matter in next Approval Committee meeting.

Meeting ended with a vote of thanks to the Chair.


(S. S. Shukla)

Joint Development Commissioner


(Dr. L.B. Singhal)

Development Commissioner