



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: 11/04/2017

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 इंदरप्रस्थ 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 बेज़ 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 07/04/2017 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 - एतद् संबंधी।

महोदय,

मुझे उपरोक्त विषय का सन्दर्भ लेने और डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 07/04/2017 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*

(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 07.04.2017 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 N.S. Chauhan, Sr. Town Planner, Faridabad
3. Shri Gobinda Banerjee, FTDO, O/o. Addl. DGFT, New Delhi
4. Shri T.C. Sangwan, Asstt. Director, DIC, Gurgaon
5. Shri Manoj Kumar, Manager, HSIIDC, Faridabad
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 03/03/2017 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 03/03/2017 were ratified.

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

1. **Proposal of M/s. Defsys Solutions Pvt. Ltd. for approval of additional service to carry on authorized operations by the unit located in the IT/ITES SEZ of M/s. Dr. Fresh Health Care Pvt. Ltd., Gurgaon (Haryana).**

It was brought to the notice of the Approval Committee that M/s. Defsys Solutions Pvt. Ltd., a unit located in the IT/ITES SEZ of M/s. Dr. Fresh Health Care Pvt. Ltd. at Village Ghamroj, Tehsil-Sohna, Distt- Gurgaon (Haryana) had submitted proposal for approval of service namely 'Management or Business Consultant Services' in addition to the list of 66 nos. default services issued by the Approval Committee, in terms of Notification No. 12/2013-ST dated 01.07.2013. It was



informed that the unit in its proposal had stated that said service is proposed to be availed by Defsys to obtain expert opinion and advice regarding better efficiency and control over internal operations at its SEZ unit, and to promote its authorized operations.

Mr. Samar Bhargava appeared before the Approval Committee on behalf of the unit and explained the requirement of proposed service.

After due deliberations, the Approval Committee **approved** the service namely 'Management or Business Consultant Service' to the unit exclusively for its authorized operations carried out within the SEZ.

2. **Proposal of M/s. Defsys Solutions Pvt. Ltd. for expansion of area of the unit located in the IT/ITES SEZ of M/s. Dr. Fresh Health Care Pvt. Ltd. at Village Ghamroj, Tehsil-Sohna, Distt- Gurgaon (Haryana).**

It was brought to the notice of Approval Committee that M/s. Defsys Solutions Pvt. Ltd. had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Dr. Fresh Health Care Pvt. Ltd. at Village Ghamroj, Tehsil-Sohna, Distt- Gurgaon (Haryana). It was informed to the Committee that presently unit has been occupying an area of 42848 Sqft. at Ground & 1<sup>st</sup> floor and requested for addition of 6000 Sqft. at Ground floor of SEZ. It was also informed that the unit has confirmed that there is no change in financial projections due to addition of proposed area. The existing approved projections and revised projections recently submitted by unit in connection with DOC's query regarding clarification on achievement of NFE, are as under :-

(Rs. in lakhs)

Particulars (for five years)	Existing Projections	Revised Projections
FOB Value Exports	83189.00	83199.00
<b><u>Foreign Exchange Outgo</u></b>		
a) Capital Goods	241.04	241.00
b) Free of Cost Capital Goods (on returnable basis)	6000.00	6000.00
c) Raw Material, Tools etc.	<u>31805.00</u>	<u>30408.00</u>
Total =	<u>38046.00</u>	<u>36649.00</u>
Net Foreign Exchange Earnings	45143.00	46550.00

Mr. Samar Bhargava 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.



3. **Proposal of M/s. FIL India Business and Research Services 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. FIL India Business and Research Services Private Limited had submitted a proposal for setting up a unit over an area of 258419 Sqft. area on Ground to 8<sup>th</sup> floor, Building No. 9 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 (Software Development) and Information Technology Enabled Services (Business Process Operations)*' with projected exports of Rs. 331156 Lakhs and the cumulative NFE of Rs.314242 Lakhs over a period of five years. It was also informed that the investment of Rs.8090.12 Lakhs towards imported capital goods; Rs.12341.65 Lakhs towards Indigenous capital goods and other cost of project shall be met from the retained earnings. It was informed that the applicant proposes to shift entire operations of its STPI unit in Gurgaon to SEZ site by way of this proposed SEZ unit and has submitted an Affidavit-Cum-Undertaking on Rs.100/- non-judicial Stamp Paper to the effect that the company will not claim any Income Tax Benefits under Section 10AA of the Income Tax Act, 1961 in respect of its income from the instant proposed unit. It was also informed that the applicant has mentioned in the Form-F & project report that they will transfer of old Capital goods for Rs.1544 lakhs (Imported; Rs.1514 lakhs, Indigenous : Rs.30 lakhs) from its STP unit. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

Further, it was also informed that the applicant needs to give correct value of imported & indigenous capital goods for Rs.8090.12 lakhs and Rs.12341.65 lakhs, respectively in para VI of Form-F.

Mr. Pawan Tayal & Mr. Alok Loyalka 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 condition that the unit shall not claim Income Tax benefits under Section 10AA of Income Tax Act, 1961, for the instant project. Approval Committee also directed the representative of the applicant to submit corrected Form-F.



**4. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., developer for approval of list of material 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 default authorized operations in their SEZ:-

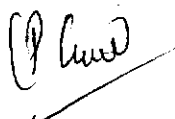
S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50	Estimated Value of goods (Rupees in lacs)
1.	Power (Including power backup facilities) (as approved by BoA in Processing Area)	Approved by BoA in Processing Area	181.47
2.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	770.00
		Total:	951.47

It was informed that in support of its proposal the developer has also submitted month-wise details of HSD Consumption & Power Unit generated & supplied to the SEZ Units during the year 2016-17 (Till 15<sup>th</sup> March 2017) 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:-

Period	HSD Consumption Qty. (Ltrs.)	Power Unit generated & Supplied to SEZ Units	
		Unit	HSD Ltr. / Unit
(01.04.2016 to 15.03.2017)	1101022	4072352	44.08
Monthly Average	91751.83	339362.70	3.67

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

After due deliberations, the Approval Committee **approved** the proposal. The Approval Committee directed the Specified Officer to verify the consumption report submitted by the developer and also ensure the availability of duty benefits on Operation & Maintenance of power plant restricted to the average monthly power supplied to entities within the same SEZ during the preceding year, in terms of para (vi) of power guidelines issued by DOC vide letter dated 16.02.2016.



**5. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., Developer for allotment of built up space to M/s. A-Square Tuck Shop to set up & operate 'Tuck Shop' in the processing area of IT/ITES SEZ at Vill. Gwal Pahari, Gurgaon.**

It was brought to the notice of Approval Committee that the Developer, M/s. ASF Insignia SEZ Pvt. Ltd. had submitted a proposal for allotment of built-up space of 216 Sqft. at Kiosk-15-Podium (Wind Cave 1 Building) situated in the processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana) on lease basis to M/s. A-Square Tuck Shop to set up & operate 'Tuck Shop', for use by the employees of SEZ & units located therein.

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

After due deliberations, Approval Committee **approved** the proposal, subject to condition that no tax / duty including service tax exemption shall be available to M/s. A-Square Tuck Shop to setup, operate & maintain such facility in the processing area of SEZ for exclusive use by the employees of SEZ & units located therein and M/s. A-Square Tuck Shop shall not serve Cigarette & Alcoholic beverages in such facility. Approval Committee also directed the representative of the developer to submit details of items proposed to be sold in the proposed Tuck Shop by M/s. A-Square Tuck Shop.

**6. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., Developer for allotment of built up space to M/s. Sarika Enterprises to set up & operate 'GYMNASIUM' in the processing area of IT/ITES SEZ at Vill. Gwal Pahari, Gurgaon.**

It was brought to the notice of Approval Committee that the Developer, M/s. ASF Insignia SEZ Pvt. Ltd. had submitted a proposal for allotment of built-up space of 5000 Sqft. at 1<sup>st</sup> floor-Podium (Wind Cave 1 Building) situated in the processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana) on lease basis to M/s. Sarika Enterprises to set up & operate a 'Gymnasium', for use by the employees of SEZ & units located therein.

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'.*

Further, it was informed that BoA vide letter dated 30.05.2008 has granted approval to the developer for 'Recreational facilities including Club Houses, Indoor or Outdoor games, Gymnasium' in the processing area of SEZ.

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

After due deliberations, Approval Committee **approved** the proposal, subject to condition that no tax / duty including service tax exemption shall be available to M/s. Sarika Enterprises to setup, operate & maintain such facility in the processing area of SEZ. The facility shall be used exclusively by the employees of SEZ & units located therein.

**7. Proposal of M/s. GlobalLogic Technologies Ltd. for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Gurgaon (Haryana)**

It was brought to the notice of Approval Committee that M/s. GlobalLogic Technologies Ltd. had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Gurgaon (Haryana). It was informed to the Committee that presently unit has been occupying an area of 23455 Sqft. on 12<sup>th</sup> Floor, Tower-D & E, Grand Canyon Building (Building No.B3) & Incubation space of 11688 Sqft. on Ground floor, Tower-E, Grand Canyon Building (Building No.B3) and requested for addition of 23455 Sqft. on 14<sup>th</sup> Floor, Tower-D & E, Grand Canyon Building (Building No.B3) 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	12178.59	28542.02
Foreign Exchange Outgo	805.94	1708.35
NFE	11372.65	26833.66
Imported CG	317.00	700.16
Indigenous CG (Including infrastructure)	556.18	1246.49

Shri Harinder Bhatia & Shri Rajat Mehta 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.



**8. Proposal of M/s. Kendle India Pvt. Ltd. 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. Kendle India Pvt. Ltd. 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 18212 Sqft. on 14<sup>th</sup> Floor, Tower-B, Building No.14 & 12796 Sqft. on 8<sup>th</sup> floor, Tower-B, Building No.14 and requested for addition of 6764 Sqft. at 8<sup>th</sup> floor, Tower-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	19689.00	23984.00
Foreign Exchange Outgo	340.00	698.00
NFE	19349.00	23286.00
Imported CG	340.00	698.00
Indigenous CG	1204.00	1592.00

Shri Kamal Bhowmik & Shri Sahil Babbar 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.

**9. Proposal of M/s. Amdocs Development Centre India Pvt. Ltd. for change of constitution of the company to M/s. Amdocs Development Centre India LLP**

It was brought to the notice of Approval Committee that M/s. Amdocs Development Centre India Pvt. Ltd., a unit in IT/ITES SEZ of M/s. Gurgaon Infospace Ltd., Dundaheera, Gurgaon (Haryana) had submitted a proposal for change of constitution of the company from Private Limited to Limited Liability Partnership (LLP) as 'Amdocs Development Centre India LLP'. It was informed that there is no change in the shareholding pattern before or after change of name / constitution of the company. It was further informed that following documents are awaited from the unit:-

1. Copy of IEC in the name of Amdocs Development Centre India LLP.
2. Board Resolution in favour of Mr. Kulwant Singh to sign documents on behalf of Amdocs Development Centre India LLP.
3. Copies of DIR11/12 for appointment of Mr. Dinesh Bapat along with copies of DIR11/12 for cessation of Mr. Mangesh Deshpande & other directors of the company as on 28.02.2017. Reasons for non-intimation of changes in directors at the time of change also need to be given.





4. Rectified APRs for the year 2011-12 to 2015-16 as per observation of CA firm.
5. Updated status of pending foreign exchange realization of Rs.7490.29 lakhs, duly certified by Chartered Accountant.

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

Shri K. Dwivedi & Shri Sanjeev Kr. Goyal 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 constitution from M/s. Amdocs Development Centre India Pvt. Ltd. to M/s. Amdocs Development Centre India LLP, as per guidelines issued by the Board of Approval in its 69<sup>th</sup> meeting held on 23.02.2016, subject to the condition that all the assets & liabilities of M/s. Amdocs Development Centre India Pvt. Ltd. shall be taken over by M/s. Amdocs Development Centre India LLP and revised Bond-Cum-LUT shall be executed by M/s. Amdocs Development Centre India LLP. The Committee also directed the representatives of the unit to submit above pending documents.

**10. 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 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.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.	04	1017.83
2.	Construction of all types of building in processing area as approved by UAC.	22	101.56



		Total:	1119.39
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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.


**11. 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 brought to the notice of the Approval Committee that District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide his letter Memo No. SEZ-40/SD(BS)/2017/6141 dated 31.03.2017 has forwarded its comments on the proposal for grant of Occupation Certificate for Facility Management Office (BMS Room), constructed in the 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 DTP (HQ) in its Memo dated 31.03.2017 has informed that the site has been got inspected through District Town Planner, Gurgaon and it has been reported that the applicant has completed the construction of Facility Management Office (BMS Room) but has made certain violations as indicated in the following table along with composition charges for these violations:-

S. No.	Violation / Variations	Area	Rate of composition	Amount
1.	Construction raised without getting plan sanctioned and the construction so made conform to the laws/zoning.	12.471 Sqm.	Rs.216/- per Sqm	2694
2.	Scrutiny fee of construction added during the course of construction	12.471 Sqm.	Rs.10/- per sqm.	125
3.	DPC Certificate not taken	308.350 Sqm. or 3319.0794 Sqft.	Rs.1/- per sqft	3319
4.	Internal changes	14.215 Sqm or 153.01026 Sqft.	Rs.5/- per sqft	765
5.	Position change in the Door/Window	2 No's	Rs.100/- each	200
6.	Change in elevation	1 Block	Rs.10,000/- each block	10000
Total (Rs.):				17103.00

It has also been mentioned that apart from above the developer is required to deposit Labour Cess of Rs.41526/- in Labour Department & Rs.419/- in O/o. DTCP Haryana, Chandigarh.

Further, it was informed that DTP (HQ) has mentioned that the Occupation Certificate may be considered after obtaining the above Composition fee, Labour cess & Structure Stability Certificate



and with the conditions mentioned in the said Memo of DTP(HQ). It was informed that at Condition No. 16 of Memo it has been 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".*

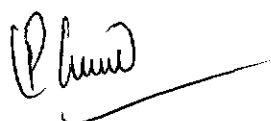
Shri Tulsi Agarwal, Director & Shri A.K. Singh, AGM appeared before the Approval Committee on behalf of the developer.

After due deliberations, 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.

**12. 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 brought to the notice of the Approval Committee that District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide his letter Memo No. SEZ-40 Loose/SD(BS)/2017/6142 dated 31.03.2017 has forwarded its comments on the approval of 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 DTP (HQ) in its Memo dated 31.03.2017 has informed that the site has been got inspected through District Town Planner, Gurgaon and it has been reported that the applicant has raised construction at site and has completed the Tower-A & B and Basement in Housing (Isle-De-Royale) but has made certain violations as indicated in the following table along with composition charges for these violations:-

S. No.	Violation / Variations	Area	Rate of composition	Amount
1.	Construction raised without getting plan sanctioned and the construction so made conform to the laws/zoning.	3070.786 Sqm.	Rs.216/- per Sqm	663290
2.	Scrutiny fee of construction added during the course of construction	3070.786 Sqm.	Rs.10/- per sqm.	30708
3.	DPC Certificate not taken	984.90 Sqm. or	Rs.1/- per sqft	10601



		10601.4636 Sqft.		
4.	Sanctionable cantilever projection	511.942 Sqm. or 5510.5436 Sqft.	Rs.10/- per sqft.	55105
4.	Internal changes	1152.496 Sqm or 12405.4669 Sqft.	Rs.5/- per sqft	62027
5.	Position change in the Door/Window	152 No's	Rs.100/- each	15200
6.	Change in elevation	2 Block	Rs.10,000/- each block	20000
Total (Rs.):				856931

It has also been mentioned that apart from above the developer is required to deposit Labour Cess of Rs.25,61,018/- in Labour Department & Rs.25,869/- in O/o. DTCP Haryana, Chandigarh.

Further, it was informed that DTP (HQ) has mentioned that the Occupation Certificate may be considered after obtaining the above Composition fee, Labour cess, NOC from Fire Safety point of view & Structure Stability Certificate and with the conditions mentioned in the said Memo of DTP(HQ). It was informed that at Condition No. 16 of Memo it has been 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".*

Shri Tulsi Agarwal, Director & Shri A.K. Singh, AGM appeared before the Approval Committee on behalf of the developer.

After due deliberations, 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.

**13. 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 brought to the notice of the Approval Committee that the 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) had been forwarded vide this office letter dated 09.01.2017 to Senior Town Planner, O/o. DTCP Haryana,



Chandigarh for comments. Further, the scrutiny fee of Rs.82182/- along with BR-I & BR-II submitted by the developer had also been forwarded vide this office letter dated 28.02.2017 to Senior Town Planner, O/o. DTCP Haryana, Chandigarh with request to expedite its comments on the proposal.

It was informed that District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide his letter Memo No. SEZ-40 Loose/SD(BS)/2017/6143 dated 31.03.2017 had stated that the Building Plans of Housing 'Tower-C' falling in the non-processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana) of M/s. ASF Insignia SEZ Pvt. Ltd. are revalidated subject to the following conditions :-

1. That this revalidation of building plans of the Housing Tower-C is for five years i.e. 22.09.2016 to 21.09.2021.
2. That this revalidation shall be without prejudice to construction in variation of sanctioned building plans, if any raised at site.
3. That this revalidation is subject to terms and conditions mentioned in the letter No. 10/113/2007-SEZ/9709 dated 02.12.2011.
4. Clear ownership of the land may be asserted before revalidation of building plans 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 further mentioned that in the said Memo DTP(HQ) had mentioned that building plans may be revalidated only after receipt the composition fee of Rs.1,76,922/-

Shri Tulsi Agarwal, Director & Shri A.K. Singh, AGM appeared before the Approval Committee on behalf of the developer.

After due deliberations, 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.



**14. Proposal of M/s. UnitedHealth Group Information Services Pvt. Ltd., a unit in IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd., Gurgaon (Haryana) for change of entrepreneur in the wake of merger with M/s. Optum Global Solutions (India) Pvt. Ltd. pursuant to scheme of amalgamation approved by Hon'ble National Company Law Tribunal, Hyderabad on 20.03.2017.**

It was brought to the notice of Approval Committee that M/s. UnitedHealth Group Information Services Pvt. Ltd. had been granted LOA No. 10/02/2017-SEZ/2400 dated 28.02.2017 for setting up of unit IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector- 24 & 25A, DLF Phase-III, Gurgaon (Haryana). It was informed that the details of shareholding pattern submitted by the unit at the time of project application, is as under:-

Name and address of the shareholder	Number of shares	% Share
Optum Global Solutions (India) Pvt. Ltd. (Out of 1,00,00,000 shares, 10 shares are held by UnitedHealth International Inc. as a nominee of Optum Global Solutions (India) Pvt. Ltd.)	1,00,00,000	100%

It was informed that on behalf of M/s. UnitedHealth Group Information Services Pvt. Ltd., M/s. Optum Global Solutions (India) Pvt. Ltd. had submitted a proposal for change of entrepreneur in the wake of merger of M/s. UnitedHealth Group Information Services Pvt. Ltd. with M/s. Optum Global Solutions (India) Pvt. Ltd. pursuant to scheme of amalgamation approved by the Hon'ble National Company Law Tribunal, Hyderabad vide order dated 20.03.2017.

It was informed that details of shareholding pattern of the unit, after amalgamation with M/s. Optum Global Solutions (India) Pvt., are as under:-

Shareholding pattern of M/s. Optum Global Solutions (India) Pvt. (After amalgamation)		
Name and address of the shareholder	Number of shares	% Share
Optum Global Solutions International BV Jachthavenweg 109H, 1081 KM Amsterdam, The Netherlands. (Out of 1872276 shares, 10 shares are held by UnitedHealth International Inc. as a nominee of Optum Global Solutions International BV)	1872276	100%

It was further informed that following documents / information are also required to be submitted:-

- i). Board Resolution in the name of Mr. Puneet Sawhney, Authorised Signatory not given.



- ii). Copies of PAN Card of Mr. Manjappa Belur Chittaranjan & Mr. Bruce Michel Jarvie not given.
- iii). Copies of Form-32 / DIR 12 for appointment of present directors required to be given.
- iv). Copies of Form-32 / DIR 12 for cessation of Mr. Bikram Singh Bakshi, Mr. Pawan Kumar Malhotra & Mr. Kawaljit Singh required to be given.
- v). Copy of PAN Card & Import-Export Code (IEC) of M/s. Optum Global Solutions (India) Pvt. Ltd. not given.
- vi). Shareholding pattern (after amalgamation) of M/s. Optum Global Solutions (India) Pvt. Ltd. duly certified by CA/CS required to be given.
- vii). Some of the approved services activity of LOA dated 28.02.2017 issued to M/s. UnitedHealth Group Information Services Pvt. Ltd. are not specifically mentioned in the MOA of M/s. Optum Global Solutions (India) Pvt. Ltd. Hence, a certificate from CA/CS to the effect that the authorized operations namely "IT/ITES services namely Application Development, Back Office Operations, Insurance Claim Processing, Medical Coding, Pharmacy Benefit Management, Support Centre and Reporting & analytics" allowed under LOA dated 28.02.2017 are will covered under MoA of M/s. Optum Global Solutions (India) Pvt. Ltd.
- viii). Copy of first Certificate of Incorporation of M/s. Optum Global Solutions (India) Pvt. Ltd. (the then M/s. QSSI Technicalities India Pvt. Ltd.) required to be given.

Mr. Puneet Sawhney & Mr. Anuj Jain appeared before the Approval Committee and explained the proposal.

The Approval Committee observed that there is 100% change in shareholding consequent to merger of M/s. UnitedHealth Group Information Services Pvt. Ltd. with M/s. Optum Global Solutions (India) Pvt. Ltd., hence the proposal required approval of BoA as per direction of the Board of Approval given in its meeting held on 23.02.2016.

After due deliberations, the Approval Committee **decided to forward and recommend the proposal to BoA for consideration of 100% change in shareholding pattern in terms of guidelines issued by BoA in its meeting held on 23.02.2016.** The Committee also directed the representative of the unit to submit above pending documents.

**15. 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 brought to the notice of the Approval Committee that M/s. Altruist Technologies Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector-24 & 25A, Gurgaon (Haryana) had applied for renewal of LOA dated 08.12.2010 for further period of five years beyond 13.04.2016. It was informed that the performance of the unit since inception, as per APRs verified by CA firm, are as under:-



Rs. (in Lacs)

Year	FOB value of export	NFE Earning
2011-12	556.25	406.52
2012-13	217.00	-10.50
2013-14	1392.00	1331.21
2014-15	970.79	946.45
2015-16	1600.95	1569.45
<b>Total</b>	<b>4736.99</b>	<b>4243.13</b>

It was informed that in SEZ Online System the validity of LOA is mentioned from 08.12.2010 to 02.09.2016 and the unit has made export of Rs.685.39 lakhs during the period from April'2016 to Sept'2016, however, no import/local procurement is shown to have been made during said period.

Further, it was informed that following documents are still required / awaited:-

- (i) Copy of approval of RBI for extension of time for realization of Rs. 124 lakhs pertaining to 2011-12.
- (ii) Unit is required to 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.
- (iv) Revised consent letter from Co-developer duly corrected in respect of LOA No. /date of unit.

Shri Mehul Gupta appeared before the Approval Committee on behalf of the unit and explained the proposal.

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.

**16. M/s. RBS Services India Pvt. Ltd. – Intimation for change of bank for operating ATM in the premises of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Dundahera, Gurgaon, Haryana.**

It was brought to the notice of the Approval Committee that M/s. RBS Services India Pvt. Ltd. had been granted approval vide this office letter dated 09.04.2014 for installation of 'ATM Machine' in the premises of its SEZ unit located at at Ground to 11<sup>th</sup> floor, Tower-A, Building no. 1 and 5<sup>th</sup> to 8<sup>th</sup> floor, Tower-A, Building No. 2 in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Dundahera, Sector-21, Gurgaon (Haryana), exclusively for the use by the employees of SEZ Unit. It was





informed that the unit has now informed that since RBS NV Bank (who had been operating the said ATM) has closed its banking operations within India, therefore, the company engaged Standard Chartered Bank for maintaining the salary account of the employees and simultaneously for the installation of its ATM within the premises of SEZ unit in place of erstwhile ATM of RBS NV Bank.

It was informed that the unit has confirmed that the ATM proposed to be installed by Standard Chartered Bank would be used for the facility / convenience of the employees of SEZ unit of the company and no exemption from tax / duty would be claimed on its procurement. Further, the same would not be accessible to any third party users / outsiders and would be used exclusively by the employees of RBS's SEZ Unit only.

Further, it was informed that the unit is required to submit consent of Standard Chartered Bank for installation of ATM at Unit's premises along with an undertaking from Standard Chartered Bank to the effect that they will not take any direct/indirect tax benefit under SEZ scheme to create, operate & maintain ATM facility in SEZ and they will obtain prior approval from RBI for installation of ATM in the processing area of SEZ, if required. NOC from SEZ developer also required.

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

After due deliberations, the Approval Committee decided to **approve** the proposal subject to submission of above documents.

**17. M/s Comverse Network Systems India Pvt. Ltd. (Unit-I), a unit in IT/ITES SEZ of M/s DLF Cyber City Developers Ltd, Gurgaon – Review of performance & proposal of exit from SEZ scheme.**

It was brought to the notice of the Approval Committee that M/s. Comverse Network Systems India Pvt. Ltd.(Unit-I) 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)

Financial Year	FOB Value of Export	NFE	Pending NFE
2014-2015	2525.33	2351.36	0.00
2015-2016	2479.96	2365.64	0.00
2016-2017	0.00	-25.66	0.00
<b>Total:</b>	<b>5005.29</b>	<b>4691.34</b>	<b>0.00</b>

It was informed that with reference to this office letter dated 04.01.2017 the unit vide its letter dated 30.03.2017 has submitted requisite documents as under:-



S.No.	Queries	Reply
1.	No Dues Certificate from SEZ Customs.	Submitted, vide No Dues Certificate dated 22.03.2017 issued by Specified Officer.
2.	No Dues Certificate From Developer.	The Co- Developer DLF Assets Pvt. Ltd. has submitted No Objection letter dated 30.03.2017 & stated that they have 'No Objection' to vacating the said premises by the unit.
3.	To surrender original Letter of Approval.	The unit has submitted original LOA dated 31.12.2013.
4.	No Dues in respect of Form –I (CST).	Submitted vide NOC dated 14.03.2017.
5.	No Dues from Labour Department.	The unit has submitted No Objection letter dated 27.02.2017 from Labour Inspector, Circle III Gurgaon to the effect that Labour Department have No Objection for shifting of unit's office from its SEZ location to any other location.
6.	No Dues from jurisdictional Service Tax Department.	Submitted vide No dues letter dated 21.03.2017.
7.	No. Dues Certificate for local taxes i.e. CST/VAT from the department concerned.	The Excise & Taxation Officer has stated that "The assessment is framed upto 2014-15. Further assessment for 2015-16 & 2016-17 is pending. As per assessment of 2014-15 and the quarterly returns filed by the dealer till date, No Dues are pending from the above said firm. There is no objection under HVAT Act, 2003 for Exit from SEZ by the above mentioned dealer."
8.	Copy of Board Resolution/ Authority regarding decision of Company for exit & in favour of authorized signatory of instant proposal.	The unit has submitted copy of Board Resolution dated 20.12.2016.
9.	Submit rectified APRs for 2014-15, 2015-16 and APR for 2016-17 and confirm the date upto which unit remained in operation.	The unit has submitted APRs of 2014-15, 2015-16 & 2016-17. Unit remained in operation upto 28.02.2017.
10.	Submit registered Lease Deed from dated 31.12.2013 of Letter of Approval	Copy of Registered lease deed executed on 18.04.2014 Submitted.

It was further informed that the unit has also submitted Legal Undertaking on Non- Judicial stamp paper for Exit of the SEZ unit regarding payment of penalty under F.T. (D&R) Act, if any.

After due deliberations, the Approval Committee took note of achievement of positive NFE earnings by the unit, in terms of Rule 54 of SEZ Rules, 2006. The Approval Committee also decided to **allow final exit** to the unit from SEZ scheme.

**18. M/s Comverse Network Systems India Pvt. Ltd. (Unit-II), a unit in IT/ITES SEZ of M/s DLF Cyber City Developers Ltd, Gurgaon – Review of performance & proposal of exit from SEZ scheme.**

It was brought to the notice of the Approval Committee that M/s. Comverse Network Systems India Pvt. Ltd.(Unit-II) 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)

Financial Year	FOB Value of Export	NFE	Pending NFE
2014-2015	1716.18	1647.71	0.00
2015-2016	1866.39	1746.34	0.00
2016-2017	0.0	-177.54	0.00
<b>Total:</b>	<b>3582.57</b>	<b>3216.51</b>	<b>0.00</b>

It was informed that with reference to this office letter dated 04.01.2017 the unit vide its letter dated 30.03.2017 has submitted requisite documents for consideration of exit, as under:-

S.No.	Queries	Reply
1.	No Dues Certificate from SEZ Customs.	Submitted, vide No Dues Certificate dated 22.03.2017 issued by Specified Officer.
2.	No Dues Certificate From Developer.	The Co- Developer DLF Assets Pvt. Ltd. has submitted No Objection letter dated 30.03.2017 & stated that they have 'No Objection' to vacating the said premises by the unit.
3.	To surrender original Letter of Approval	The unit has submitted original LOA dated 31.12.2013.
4.	No Dues in respect of Form -I (CST).	Submitted vide NOC dated 14.03.2017.
5.	No Dues from Labour Department.	The unit has submitted No Objection letter dated 27.02.2017 from Labour Inspector, Circle III Gurgaon to the effect that Labour Department have No Objection for shifting of unit's office from its SEZ location to any other location.
6.	No Dues from jurisdictional Service Tax Department.	Submitted vide No Dues letter dated 21.03.2017.
7.	No. Dues Certificate for local taxes i.e. CST/VAT from the department concerned.	The Excise & Taxation Officer has stated that "The assessment is framed upto 2014-15. Further assessment for 2015-16 & 2016-17 is pending. As per assessment of 2014-15 and the quarterly returns filed by the dealer till date, No Dues are pending From the above said firm. There is no objection under HVAT Act, 2003 for Exit from SEZ by the above mentioned dealer."
8.	Copy of Board Resolution/ Authority regarding decision of Company for	The unit has submitted copy of Board Resolution dated 20.12.2016.



	exit & in favour of authorized signatory of instant proposal.	
9.	Submit rectified APRs for 2014-15, 2015-16 and APR for 2016-17 and confirm the date upto which unit remained in operation.	The unit has submitted APRs of 2014-15, 2015-16 & 2016-17. Unit remained in operation upto 28.02.2017.
10.	Submit registered Lease Deed from dated 31.12.2013 of Letter of Approval.	Copy of Registered lease deed executed on 18.04.2014 submitted.

It was also further that the unit has also submitted Legal Undertaking on Non- Judicial stamp paper for Exit of the SEZ unit regarding payment of penalty under F.T. (D&R) Act, if any.

After due deliberations, the Approval Committee took note of achievement of positive NFE earnings by the unit, in terms of Rule 54 of SEZ Rules, 2006. The Approval Committee also decided to **allow final exit** to the unit from SEZ scheme.

Meeting ended with a vote of thanks to the Chair.

  
(S. S. Shukla)

Joint Development Commissioner

  
(Dr. L.B. Singhal)  
Development Commissioner