

NOIDA SPECIAL ECONOMIC ZONE

Minutes of the meeting of the Approval Committee of private SEZs located in the State of Haryana held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, NSEZ at 12.30 PM on 07/10/2016 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. Ms. Jyotika, Asstt. Commissioner, Central Excise, Gurgaon-I.
3. Dr. Sukhbir Singh Badhal, Asstt. DGFT, New Delhi
4. Shri T.C. Sangwan, Asstt. Director, DIC, Gurgaon
5. Ms. Renuka Singh, DTP, Town & Country Planning, Gurgaon
6. Representatives of SEZ Developers / co-developers.

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

3. At the outset, DC, NSEZ 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 05/08/2016 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 05/08/2016 were ratified.

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

1. **Proposal of M/s. Accenture Services Pvt. Ltd. for expansion of area & revision in projection of the unit in IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Distt. Gurgaon (Haryana).**

It was brought to the notice of Approval Committee that M/s. Accenture Services Pvt. Ltd. had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Dundahera, Sector-21, Gurgaon. It was informed to the Committee that the unit has been operating over an area of 726729 Sqft. at 2nd floor, Tower A, Building No.2, 8th



floor, Tower-B, Building No.1, 11th floor, Tower-B, Building No.1, Ground to 5th floor, Tower-A, Building No. 6, 8th & 9th floor, Tower-A, Building No. 6, Ground & 1st floor, Tower-B, Building No.6, Ground to 6th floor, Building No.7 and requested for addition of 47116 Sqft. at 7th floor, Building No. 7 in SEZ. It was also informed that the unit has submitted revised projections, as given below, on account of proposed expansion of unit:-

Particulars (for five years)	Rs. (in lacs)	
	Existing Projection (As per records)	Revised Projection
Projected FOB value of exports	576140.00	617660.00
Foreign Exchange Outgo	31601.00	36318.00
NFE over a period of 5 years	544539.00	581342.00
Imported Capital Goods	2794.00	3359.00
Indigenous Capital Goods	725.00	1222.00

Shri Dharam Yudhishter, DGM appeared before the Approval Committee on behalf of the unit and explained the proposal.

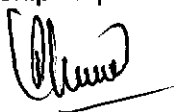
After due deliberations, the Approval Committee **approved** the expansion of area as well as revised projections of the unit subject to execution of Bond-Cum-LUT.

2. Proposal of M/s. Bravura Solutions India Pvt. Ltd., a unit in DLF Cyber City Developers Ltd. IT/ITES SEZ, Gurgaon, for change of name / constitution of the company to M/s. Bravura Solutions India LLP

It was brought to the notice of Approval Committee that M/s. Bravura Solutions India Pvt. Ltd., a unit in IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd., Gurgaon had submitted a proposal for change of name / constitution of the company from Private Limited to Limited Liability Partnership (LLP) as 'Bravura Solutions India LLP'. It was informed that there is no change in the shareholding pattern prior or after change of name / constitution of the company. It was further informed that the unit had carried out changes in directors but does not informed to this office in terms of Condition No. 14 of Bond-cum-LUT. Further, following documents are awaited from the unit:-

- 1) Form-32 for cessation of old directors required to be given.
- 2) Copy of Passport & PAN Card of Mr. Martin Deda & Mr. Andrew Peter Chesterton not given.
- 3) CA firm appointed by this office has also observed discrepancy in the APR for the year 2013-14, which had been communicated to the unit. However, rectified APR is awaited.

It was informed that BOA in its 69th meeting held on 23.02.2016 has inter alia decided that Rule 74A shall not apply to SEZ Units that do not exit or opt out of the SEZ Scheme by transferring its assets and liabilities to another person and the SEZ units continues to operate as a going concern in the situations such as **change of name, court approved mergers/ de-mergers, slump sale, change of constitution from proprietorship to partnership & vice-versa, change of constitution**



from public limited company to private/limited liability company & vice-versa, company to partnership & vice-versa, change in shareholding up to 50 per cent, etc. and per se are not opting out/exiting out of the SEZ Scheme. The UACs concerned, may consider such requests under Rule 19(2) of the SEZ Rules, 2006.

Shri Nitin Bansal, Director appeared before the Approval Committee on behalf of the unit and explained the proposal. He further informed that that due to the change in constitution of its business from Private Limited Company to Limited Liability Partnership Firm (LLP) they have not submitted proposal for LOA renewal which was to be renewed by 12.09.2016. He informed that they are in process of filing the requisite documents for getting LOA renewal and requested to grant extension of time for getting LOA renewed. He also assured to submit the pending documents shortly.

After due deliberations, the Committee **approved the proposal** of the unit for change of name / constitution from M/s. Bravura Solutions India Pvt. Ltd. to M/s. Bravura Solutions India LLP, as per guidelines issued by the Board of Approval in its 69th meeting held on 23.02.2016, subject to the condition that all the assets & liabilities of M/s. Bravura Solutions India Pvt. Ltd. shall be taken over by M/s. Bravura Solutions India LLP and revised Bond-Cum-LUT shall be executed by M/s. Bravura Solutions India LLP. The Committee also directed the representative of the unit to submit above pending documents.

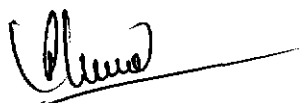
3. **Proposal of M/s. ASF Insignia SEZ Pvt. Ltd. developer for approval of list of material to carry on authorised operations in the IT/ITES SEZ located at Village- Gwal Pahari, Gurgaon (Haryana).**

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 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	1084.45
2.	Fire protection system with sprinklers, fire and smoke detectors.	07	20.60
		Total:	1105.05

Shri A.K. 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 proposed list of material.



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

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

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated Value of goods (Rs. in lakhs)
1.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	122.40

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

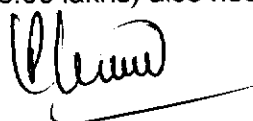
After due deliberations, the Approval Committee **approved** the proposed list of materials.

5. Proposal of M/s. G.P. Realtors Pvt. Ltd., Developer for approval of list of material to carry on authorised operations in the Electronic Hardware & IT/ITES SEZ at Village-Behrampur, Balola & Bandhwari, Distt- Gurgaon (Haryana).

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

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operations as per Inst. No. 50 & 54	Estimated Cost (Rs. in lacs)
1.	Construction of all types of building in processing area	22	637.47

It was informed that the requirement of items proposed at Sl. No. 19 & 31 (i.e Fisher Chemical & Pyconometer) required to be justified by the developer. Further, requirement of huge amount of 'Curing Hose 50 mtr.' (46200 Nos. for Rs.438.90 lakhs) also need to be justified.



Shri Ashish Aggarwal, AGM, appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

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

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

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

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operation as per Inst. No. 50 & 54	Estimated Cost (Rs. in lakhs)
1.	Air Conditioning of processing area	21	30.43
2.	Cafeteria / Canteen for staff in processing area	27	17.77
3.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	88.41
4.	Fire protection system with sprinklers, fire and smoke detectors.	07	43.62
5.	Access Control and Monitoring System	24	44.50
6.	Telecom and other communication facilities including internet connectivity.	05	21.70
7.	Construction of all types of building in processing area	22	370.48
		Total :	616.91

It was informed that the Unit of Measurement in respect of items proposed at Sl. No. 142, 150 & 159 under 'Telecom and other communication facilities including internet connectivity' has been mentioned as 'Boxes' & 'Roll' which is required to be clarified by the co-developer.

Shri Anil Nauriyal, DGM & Shri Pitamber Sharma, 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 proposal.



7. M/s. Defsys Solutions Pvt. Ltd., a unit in Dr. Fresh Healthcare Pvt. Ltd. IT/ITES SEZ at Gurgaon (Haryana) – Intimation for change in shareholding pattern of the company.

It was brought to the notice of the Approval Committee that M/s. Defsys Solutions Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Dr. Fresh Health Care Pvt. Ltd. at Village Ghamroj, Tehsil-Sohna, Distt- Gurgaon (Haryana) had submitted intimation for changes in the shareholding pattern of the company, as given below:-

Shareholding pattern approved by the Approval Committee in its meeting held on 23.07.2015			Shareholding pattern as on 03.08.2016		
Name of Shareholder	No. of shares held	%age share	Name of Shareholder	No. of shares held	%age share
Dmg Finance & Investments Pvt. Ltd., New Delhi	4,84,500	51%	DMG Finance & Investments Pvt. Ltd., New Delhi	949999	99.9999%
AsAs Investments Pvt. Ltd.	4,65,500	49%	Sushant Gupta, New Delhi	01	0.0001%
Total:	9,50,000	100%	Total :	9,50,000	100%

It was informed that there has been no change in the directorship of the company consequent to the aforesaid change in shareholding.

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

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

After due deliberations, the Approval Committee **approved** the above changes in the shareholding pattern of the company, as per guidelines issued by the Board of Approval in its 69th meeting held on 23.02.2016.



8. Proposal of M/s. Data Telesis Pvt. Ltd. for setting up a unit in IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. Data Telesis Pvt. Ltd. had submitted a proposal for setting up a unit over an area of 21384 Sqft. at Ground floor, Tower B, Building No.3 in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurgaon (Haryana) to undertake IT and IT enabled / allied services **which will include without limitation**, back-office services, Call Center support and software development and maintenance activities' with projected exports of Rs.10833.79 Lakhs and the NFE of Rs. 10809.12 Lakhs over a period of five years. It was also informed that the investment of Rs.24.67 Lakhs towards imported capital goods, Rs.1012.00 Lakhs towards Indigenous capital goods and other cost of project shall be met from the debt and internal accruals of the company. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

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

1. Residential address proof of Ms. Andrea Helena Csazar, Director not given.
2. Valid copy of Passport of Mr. John Anthony Dolan III required to be submitted.
3. Copy of Form DIR 12 / Form 32 for cessation of Ms. Maria Torres needs to be submitted.
4. In Project Report the applicant has given details of the **equipment to be imported** during the next five years, wherein mentioned that "Modular workstations and computer chairs of reputed brands either **from local or foreign manufacturers**".
5. In projected profitability statement, applicant has indicated expenses on capital goods, equipment and consumables as "NIL", while in Para VI of Form-F imported & indigenous CG has been indicated as Rs.24.67 Lakhs & Rs.1012 Lakhs respectively.
6. Name of SEZ has been mentioned as 'Candor Gurgaon Two Developers & Projects Pvt. Ltd. instead of 'Gurgaon Infospace Ltd.'.
7. The applicant is required to elaborate the following underlined/bold mentioned by them the proposed services activities :-

*"IT and IT enabled / allied services **which will include without limitation**, back-office services, Call Center support and software development and maintenance activities"*

Shri V. Mahesh, VP-Finance, appeared before the Approval Committee on behalf of the applicant and explained the proposal.

After due deliberations, the Approval Committee **approved** the project for "IT and IT Enabled / allied services namely Back-Office Services, Call Center Support and Software Development & Maintenance activities", subject to submission of above pending documents. The Approval Committee directed the representative of the applicant to submit a detailed write-up on the proposed authorized activities.

9. Proposal of M/s. Comparex India Pvt. Ltd. for setting up a unit in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Tehsil-Sohna, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. Comparex India Pvt. Ltd. had submitted a proposal for setting up a unit over an area of 11668 Sqft. on 10th floor, Tower-D, Building No. B-3 in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari,



Tehsil- Sohna, Gurgaon (Haryana) to undertake "Computer Software services including information technology enabled services such as back-office operations, Revenue Accounting, Data Processing, Remote Maintenance, Trading of IT Software' with projected exports of Rs.21845.91 Lakhs and the NFE of Rs. 15212.78 Lakhs over a period of five years. It was also informed that the investment of Rs.255 Lakhs towards imported capital goods, Rs.278.76 Lakhs towards Indigenous capital goods and other cost of project shall be met from the promoters / Group holding company and some internal funding. It was further informed that in Form F the applicant has shown requirement of imported raw material & indigenous raw material for Rs4550.61 & Rs.10618.10 for five years.

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

1. Specific service activities as given in project report are required to be mentioned in Col. V of Form-F.
2. Values of proposed Indigenous / Imported Capital Goods & Raw Material etc. in Col.-VII of Form-F should be in Rupees instead of Rupees Lakhs.
3. Separate list of indigenous & imported capital goods needs to be submitted.
4. Requirement of Imported raw material for Rs.4550.61 & indigenous raw material for Rs.10618.10 required to be justified being a service unit.
5. Detail of shareholding pattern of the company duly certified by CA/CS required to be submitted.
6. Cost of material mentioned in Profit & Loss Statement varied with the total value of CG/RM proposed in Form-F.
7. Residential address proof & PAN Card of Mr. John Matthew Havlick & Mr. Jens Schmidt as copies of passports of these directors does not contain residential addresses.
8. Affidavit in proper format required to be submitted.
9. Undertaking to fulfill the applicable environmental pollution control norms required to be given.
10. One of the proposed service activities namely 'Revenue Accounting' is specifically not mentioned in the main objects of the M&AOA of the company. Further, 'Trading of IT Software' required to be elaborated in terms of explanation on 'Trading' given in Rule 76 of SEZ Rules, 2006.

Shri Navin Kapur, Director & Ms. Roma Kapur, CFO, appeared before the Approval Committee on behalf of the applicant unit and explained the proposal.

After due deliberations, the Approval Committee **approved** the proposal subject to submission of detailed write-up on 'Trading of IT Software' and submission of above pending documents.

10. Proposal of M/s. Aricent Technologies (Holdings) Ltd. (Unit-I) for enhancement in the value of imported capital goods & revision in projections of the unit located in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village-Tikri, Sector-48, Gurgaon.

It was brought to the notice of the Approval Committee that M/s. Aricent Technologies (Holdings) Pvt. Ltd. (Unit-I) had submitted a proposal for of enhancement in the value of import



capital goods and revision in projections of Export / NFE of the unit located in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village-Tikri, Sector-48, Gurgaon, as given below:-

Particulars	Rs. (in Lacs)	
	Existing Projection	Revised Projection
Projected FOB value of exports	376464.00	394478.00
Foreign Exchange Outgo	49958.00	74126.75
NFE over a period of 5 years	326506.00	320351.52
Imported CG:		
(i) Fresh Capital Goods	19575.00	36575.00
(ii) Old CG to be transferred from STPI	3800.00	6000.00
(iii) Transfer of assets / equipment from STPI	25300.00	25300.00
	<u>Total: 48675.00</u>	<u>Total: 67875.00</u>
Indigenous CG	13705.00	14505.00

Shri Anand Sharma, Director & Shri Sandeep, Sr. Manager appeared before the Approval Committee on behalf of the unit and explained the proposal.

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

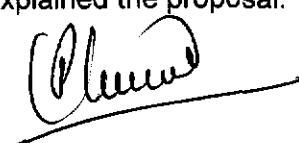
11. Proposal of the developer, M/s. Gurgaon Infospace Ltd. for allotment of built up space to M/s. Bharti Airtel Ltd. to setup & operate a 'Airtel Store' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that the Developer, M/s. Gurgaon Infospace Ltd. had submitted a proposal for allotment of built-up space of 648 Sqft. at Unit No. 9, Block-4A (Amenity Block-II) in the processing area of IT/ITES SEZ at Dundahera, Sector-21, Gurgaon (Haryana) on lease basis to M/s. Bharti Airtel Ltd. to setup & operate a 'Airtel Store', 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 Jay Kumar, Head-SEZ & Shri Amrik Singh, Sr. Manager, appeared before the Approval Committee on behalf of Developer and explained the proposal.



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

12. Proposal of the developer, M/s. Gurgaon Infospace Ltd. for allotment of built up space to M/s. Jubilant Consumer Pvt. Ltd. to setup & operate a Restaurant in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana).

It was brought to the notice of Approval Committee that the Developer, M/s. Gurgaon Infospace Ltd. had submitted a proposal for allotment of built-up space of 499 Sqft. at Unit No. 02B, Block-4A (Amenity Block-II) in the processing area of IT/ITES SEZ at Dundahera, Sector-21, Gurgaon (Haryana) on lease basis to M/s. Jubilant Consumer Pvt. Ltd. to setup & operate a Restaurant, 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:-

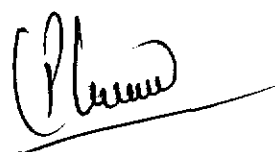
'The Developer may, with the prior approval of the Approval Committee, grant on lease land or built up space, for creating facilities such as canteen, public telephone booths, first aid centres, crèche and such other facilities as may be required for the exclusive use of the Unit'.

Shri Jay Kumar, Head-SEZ & Shri Amrik Singh, Sr. Manager appeared before the Approval Committee on behalf of Developer and explained the proposal.

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

13. Proposal of M/s. Candor Gurgaon Two Developers & Projects Pvt. Ltd. (formerly Unitech Developers & Projects 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, Gurgaon (Haryana) had submitted proposal for approval of list of material to carry on following default authorized operation in SEZ:-



S. No.	Authorized Operation	Sl. No. at default list of materials as per Inst. No. 50 & 54	Estimated Cost (Rs in Lacs)
1.	Construction of all types of building in processing area as approved by UAC	22	196.04
2.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	120.00
		Total :	316.04

Shri Jay Kumar, Head-SEZ & Shri Amrik Singh, Sr. Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed items. It was informed by them that the proposed "02 Nos. 11KV Transformers" does not require for generation of power in SEZ, it will be used for distribution of power received from State Electricity Board .

After due deliberations, the Approval Committee **approved** the proposed list of material subject to submission of clarification that the proposed Transformers are not related to generation of power. The Approval Committee also directed to the Specified Officer to expedite the verification of Half Yearly report.

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

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

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 the Unit Approval Committee.	22	113.00

Shri Jay Kumar, Head-SEZ & Shri 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 Committee **approved** the proposed list of material. The Approval Committee also directed to the Specified Officer to expedite the verification of Half Yearly report.

15. M/s. IBM India Pvt. Ltd. (Unit-III) – Proposal 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, Tehsil-Sohna, Distt- Gurgaon (Haryana)

It was brought to the notice of Approval Committee that M/s. IBM India Pvt. Ltd. (Unit-III). 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., Village Gwal Pahari, Tehsil-Sohna, Gurgaon (Haryana). It was informed to Committee that the unit has presently occupying 35242 Sqft. area at 7th floor, Tower-D & E and 8th floor, Tower-E and requested for addition of 35123 Sqft. on 8th floor, Tower-D and entire 9th floor, Tower-D & E in SEZ. It was also informed that the unit has submitted revised projections, as given below, on account of proposed expansion of unit:-

Rs. (in lacs)

Particulars (for five years)	Existing Projection (As per records)	Revised Projection
Projected FOB value of exports	39904.00	79809.00
Foreign Exchange Outgo	19038.00	38076.00
NFE over a period of 5 years	20866.00	41733.00
Imported Capital Goods	8339.00	16678.00
Indigenous Capital Goods	1668.00	3337.00

It was informed that The unit is yet to commence its operation and no justification for this proposal has been given. Further, details of existing approved / additional projection in format prescribed by DOC and break-up of foreign exchange outgo also not given.

Shri Pramod Korah, Asstt. Controller & Shri Stanley Sebastian, Manager appeared before the Approval Committee on behalf of the unit and explained the proposal. It was also assured by them to submit pending information / document shortly.

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

16. M/s. D'Gipro Systems Pvt. Ltd., a unit in Anant Raj Ltd. SEZ, Sonapat (Haryana) – Proposal for exit from SEZ Scheme.

It was brought to the notice of the Approval Committee that M/s. D'Gipro Systems Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Anant Raj Ltd. at Plot No. TP-01, Rai, Sonapat (Haryana) had



submitted proposal for exit from SEZ scheme. Accordingly, the unit had been requested to submit requisite 'No Dues / No Objection' Certificates and other required documents along with reasons for non-submission of APR for the year 2014-15. It was informed that the unit had submitted No Dues / No Objection from Specified Officer & SEZ Developer and also surrendered the original LOA dated 18.12.2012. It was further informed that as regards, reasons for Non-submission of APRs, unit has informed that they have not carried out any operations from the SEZ unit located at Anant Raj Ltd. SEZ at Sonapat, Haryana and the invoices which they have submitted during the financial year 2014-15 were all raised from their registered office which is located at Bengaluru (Karnataka).

It was brought to the notice of the Approval Committee that the unit vide its letter dated 21.04.2014 had intimated date of commencement in the SEZ premises as 13.01.2014 and also submitted on copies of proforma invoice No. 21001/MBDA/INT dated 17.01.2014 & invoice no. 21002/MBDA/INT dated 18.02.2014 for EURO 960000 and EURO 800000 respectively. The said invoices duly carry the address of SEZ Unit (Anant Raj Ltd. SEZ) on them. On the basis of these invoices, DCP of the unit was taken on records as 17.01.2014 and accordingly, LOA of the unit was validated upto 16.01.2019. Further, in Anant Raj Ltd. SEZ, Sonapat (Haryana), Accordingly, the status of Anant Raj Ltd. SEZ was also taken into the account of operational SEZ w.e.f. 17.01.2014 being M/s. D'Gipro Systems Pvt. Ltd. was the first operational unit.

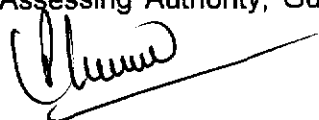
Shri Ankur Pandey, Manager, appeared before the Approval Committee on behalf of the unit. He informed that the company has not done any operation at SEZ premises.

After due deliberations, the Approval Committee decided to defer the proposal for next UAC meeting. The Committee directed to call the developer & unit in next Approval Committee meeting.

17. M/s. InterGlobe Technologies International Pvt. Ltd. – Review of performance & Proposal of exit from SEZ Scheme.

It was brought to the notice of the Approval Committee that M/s. InterGlobe Technologies International Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurgaon (Haryana) had applied for exit from SEZ scheme. It was informed that the unit had completed first five years of operation on 10.01.2016 and on request of the unit the LOA were renewed upto 10.01.2021 vide this office letter dated 21.01.2016. It was further informed that the unit had been requested to submit requisite 'No Dues / No Objection' Certificates and other required documents along with updated status of pending foreign exchange realization duly certified by CA.

It was informed that the unit had submitted No Dues certificates from SEZ Customs, SEZ Developer and Excise & Taxation Officer-Cum-Assessing Authority, Gurgaon (West). Further, the



unit had submitted an Undertaking on Rs.100/- Non-judicial Stamp Paper duly signed by Mr. Jayanta Kumar Pradhan, GM-Finance to the effect that both Service Tax department and Labour department have refused to issue the NOC to the SEZ unit as the company is centrally registered. Besides, the unit has undertaken to indemnify this office/Service Tax department / Labour department if any service tax is due and payable and also any dues arises to Labour department in future after exit from SEZ. It was informed that the unit had submitted details of pending Foreign Exchange realization for Rs.261.62 lakhs as on 09.09.2016. The unit has stated that they will write off unrealized pending foreign exchange related to financial year 2015-16 in the financial year 2016-17 if remittance not received till 31st March, 2017.

Shri Jayanta Pradhan, G.M.-Finance appeared before the Approval Committee on behalf of the unit and requested to approve the exit from SEZ scheme.


After due deliberations, the Approval Committee decided to grant In-principle approval for exit from SEZ scheme subject to fulfillment of RBI guidelines for realization of pending foreign exchange.

18. M/s. LexInnova Technologies Pvt. Ltd. –Review of performance & Proposal of exit from SEZ Scheme.

It was brought to the notice of the Approval Committee that M/s. LexInnova Technologies International Ltd., a unit in the IT/ITES SEZ of M/s. DLF Cyber City Developpers Ltd. at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana) had applied for exit from SEZ scheme. It was further informed that the unit had been requested to submit requisite 'No Dues / No Objection' Certificates and other required documents along with updated status of pending foreign exchange realization duly certified by CA.

It was informed that the unit had submitted No Dues certificates from SEZ Customs, SEZ Developer and Service Tax Div.-XVIII, Gurgaon. Further, the unit had submitted an Undertaking on Rs.100/- Non-judicial Stamp Paper to the effect that if any Govt. dues are found to be recoverable from them in future and demanded by the Labour Department, Haryana, they shall pay them immediately along with interest. It was informed that the unit had submitted details of pending Foreign Exchange realization for Rs.1519.22 lakhs as on 30.06.2016 duly certified by Chartered Accountant.

Shri Siddharth Gupta, Manager-Accounts, appeared before the Approval Committee on behalf of the unit and informed that they are in the process for getting the approval letter from AD Bank for extension of pending foreign exchange realization.



The Approval Committee observed that the realization of foreign exchange is pending beyond the timeline prescribed in RBI guidelines.

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.

19. Proposal in respect of M/s. PC Care247 Solutions Pvt. Ltd. for Review of the performance and exit from SEZ Scheme.

It was brought to the notice of the Approval Committee that M/s. PC Care247 Solutions Pvt. Ltd., a SEZ unit in IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector – 24 & 25A, Gurgaon (Haryana) had submitted proposal for exit from SEZ scheme. It was informed that the unit had submitted requisite 'No Dues / NOCs' from respective departments. Further, it was informed that the matter was reviewed by the Approval Committee in its meeting held on 07/08/2015 and the Approval Committee was directed to the unit to either submit realization certificate duly authenticated by their authorized banker for realization of pending foreign exchange of Rs. 103.60 Lakhs or submit approval from RBI for write off the pending foreign exchange realization. In case the unit is not able to realize export proceeds, it will have to submit Write off certificate from A.D. and also will have to deposit the duty benefit availed on such unrealized amount.

It was informed that that the unit had informed that they had filed Civil suite before Hon'ble Delhi High Court for recovery of foreign exchange. Further, the unit had stated that they will get a write-off certificate as from the AD as per the outcome of this case and as per their books there is no duty liability and requested to inform them about any duty liability arising due to the pending foreign exchange.

It was further informed that as per decision of the Approval Committee, Specified Officer, DLF Cyber City SEZ, Gurgaon informed that duty liability on account of non-realized foreign exchange of Rs. 103.60 Lakhs arrived on pro-rata basis is Rs. 2,11,580/- and the same was also informed to the unit. It was informed that the unit had submitted the said duty liability of Rs. 2,11,580/- to the Specified Officer vide TR6/AR7 Challan No.4650 dated 20/09/2016, PNB, NCH, New Delhi.

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

After due deliberations, the Approval Committee decided to **defer** the matter and directed to call the promoters of the unit in next Approval Committee meeting.



20. Proposal of M/s. G.P. Realtors Pvt. Ltd., Developer for setting up incubation cum temporary office space at site of its Electronic Hardware, IT/ITES SEZ at Village Behrampur, Gurgaon (Haryana).

It was brought to the notice of the Approval Committee that M/s. G.P. Realtors Pvt. Ltd., developer had submitted a request to allow construction of temporary project office and Incubation centre of 8000 Sqmt. at site of its Electronic Hardware, IT/ITES SEZ at Village Behrampur, Gurgaon (Haryana). It was informed that the developer has intimated that the same would be used by Staff of Developer, Contractor & prospective units of SEZ and they will be use duty free goods for the construction of said temporary project office. Further it was informed that the details showing list of materials, cost of materials and anticipated duty benefits have not been given by the developer.

Shri Munish Mathura, V.P. and Shri Amit Goyal, Asstt. Manager appeared before the Approval Committee and explained the proposal. It was informed that they will submit list of material for the proposed temporary office in due course for approval by the Approval Committee.

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

Decision on supplementary agenda item:-

- 1. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., Developer for approval of revised building Plan of Black Canyon Building (Building No.B1) to be constructed in the IT/ITES SEZ at Vill. Gwal Pahari, Tehsil Sohna, Distt. 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 approval of revised building plan of Black Canyon Building (Building No.B1) to be constructed in the Processing Area of it IT/ITES SEZ at Village Gwal Pahari, Tehsil-Sohna, Gurgaon (Haryana) was forwarded to Senior Town Planner, O/o. DTCP Haryana, Chandigarh for examination & comments.

It was informed that District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide its Memo No. SEZ-40-Vol-II/SD(BS)/2016/21605 dated 06.10.2016 has forwarded its recommendation for approval of revised Building Plan of Black Canyon Building (Building No.B1) (Total built up area 194888.56 Sqmt.) stating that the building plan may be approved with the conditions mentioned in his letter. It was informed that as per Condition No. 14 of the said Memo, the developer will have to submitted Structure Stability Certificate in Form-BR-VA(2) and Structural Drawing duly signed by Architect & Structural Engineer along with the Proof Consultant as prescribed in the Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Rules, 1965 before final approval of building plans.



Shri A.K. Singh, Sr. Manager appeared before the Approval Committee on behalf of the developer and requested to approve the revised building plan.

Ms. Renuka Singh, DTP, representative of Director, Town & Country Planning Deptt. Haryana informed that she has discussed the matter with Senior Town Planner over telephone and he has given its consent for approval of said revised building plan.

After due deliberations, the Approval Committee decided to grant In-principal approval of revised building plan subject to compliance of Condition No. 14 of the Memo No. SEZ-40-Vol-II/SD(BS)/2016/21605 dated 06.10.2016 of District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh and confirmation from the O/o. DG, DTCP, Haryana. This will also be subject to conditions as given in the DTCP letter No. SEZ-40-Vol-II/SD(BS)/2016/21605 dated 06.10.2016.

Meeting ended with a vote of thanks to the Chair.


(S. S. Shukla) 13/10/2016

Joint Development Commissioner


13/10/16

(Dr. L.B. Singhal)
Development Commissioner