



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 / 191/2008-सेज/ 8528

दिनांक: 02/09/2016

1. निदेशक, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली-110001।
2. संयुक्त महानिदेशक विदेश व्यापार, उद्योग भवन, तिलक मार्ग, जयपुर (राजस्थान)।
3. आयुक्त आयुक्त, (सीआईटी-तृतीय-जयपुर), न्यू सेंट्रल रेवेन्यू बिल्डिंग, स्टैचू सर्किल, सी-स्कीम, जयपुर (राजस्थान)।
4. आयुक्त केन्द्रीय उत्पाद शुल्क, जयपुर-1, न्यू सेंट्रल रेवेन्यू बिल्डिंग, स्टैचू सर्किल, सी-स्कीम, जयपुर (राजस्थान)
5. प्रबंध निदेशक, रीको लिमिटेड, उद्योग भवन तिलक मार्ग, जयपुर (राजस्थान)
6. उपसचिव (आई एफ - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
7. आयुक्त, उद्योग विभाग, उद्योग भवन, तिलक मार्ग, जयपुर (राजस्थान)।
8. महाप्रबंधक, रीको लिमिटेड, उद्योग भवन तिलक मार्ग, जयपुर (राजस्थान)
9. महिंद्रा वर्ल्ड सिटी (जयपुर) लिमिटेड (विकासकर्ता), 411, नीलकंठ टावर, भवानी सिंह मार्ग, सी स्कीम, जयपुर-302001 (राजस्थान)

विषय: दिनांक 29/08/2016 को अपराह्न 12:30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित होने वाली महिंद्रा वर्ल्ड सिटी (जयपुर) लिमिटेड एस ई जेड के अनुमोदन समिति की बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

उपरोक्त विषय के सन्दर्भ में डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 29/08/2016 को अपराह्न 12.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित महिंद्रा वर्ल्ड सिटी (जयपुर) लिमिटेड विशेष आर्थिक क्षेत्र की अनुमोदन समिति की बैठक का कार्यवृत्त संलग्न है।

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

भवदीय,

संलग्नक : उपरोक्त

का० प्र०

शुक्ल  
(एस० सी० शुक्ल)

संयुक्त विकास आयुक्त

प्रतिलिपि:

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

का० प्र०

शुक्ल  
संयुक्त विकास आयुक्त

6/9/16

**NOIDA SPECIAL ECONOMIC ZONE**

**Minutes of the meeting of the Approval Committee of SEZs of M/s. Mahindra World City (Jaipur) Ltd. held under the chairmanship of Dr. L.B. Singhal, Development Commissioner (DC), Noida SEZ at 12.30 PM on 29/08/2016 in the Conference Hall, Service Centre Building, NSEZ, Noida.**

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

1. Shri S.S. Shukla, Jt. Development Commissioner, NSEZ
2. Shri R.P. Meena, Joint DGFT, Jaipur.
3. Shri R.C. Saini, Asstt. Commissioner, Central Excise, Jaipur-I.
4. Ms. Bindu Rao, Addl. General Manager, RIICO, Jaipur
5. Shri Vimal Mishra, DGM, Mahindra World City (Jaipur) Ltd.(Developer).

2. Besides, during the meeting i) Shri R.K. Srivastava, DDC, ii) Shri J.C. Gupta, Specified Officer & iii), Shri Prakash Chand Upadhyay, ADC were also present to assist the Approval Committee.

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

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

The Committee was informed that no reference against the decisions of the Approval Committee held on 15/07/2016 was received from any of the members of the Committee or Trade and therefore, Minutes of the meeting held on 15/07/2016 were ratified.

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

1. **Proposal of M/s. RUJ Innovative Technologies Pvt. Ltd. for setting up a unit in IT/ITES SEZ of M/s. Mahindra World City (Jaipur) Ltd. at Village Kalwara, Tehsil-Sanganer, Distt- Jaipur (Rajasthan).**

It was brought to the notice of the Approval Committee that M/s. RUJ Innovative Technologies Pvt. Ltd. had submitted a proposal for setting up a unit over an area of 8336.82 Sqmt. Plot No. IT-A-O in the IT/ITES SEZ of M/s. Mahindra World City (Jaipur) Ltd. at Village Kalwara, Tehsil-Sanganer, Distt- Jaipur (Rajasthan) for manufacturing & export of "(i) Personal Computer, Laptop, Palmtop – 900 Nos, (ii) Central Processing Units and Automatic Data Processing Machines- 900 Nos., (iii) Micro Processor - 900 Nos., (iii) Digital Automatic Data Processing units comprising a CPU- 900 Nos., (iv) Input and Output Units i.e. Keyboard, Mouse- 900 Nos." with projected exports of Rs.16202 Lakhs and cumulative NFE of Rs. 9005 Lakhs over a period of five



years. It was informed that the applicant has proposed investment of Rs.2000 Lakhs towards imported capital goods & Rs.500 Lakhs towards Indigenous capital goods. The requirement of imported raw material & indigenous raw material was informed to be Rs.5048 Lakhs & Rs.1872 Lakhs respectively and cost of project was proposed to be funded 100% from Promoters' Contribution. It was also informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant. It was further informed that the instant proposal for setting up of manufacturing unit of Electronic Hardware may be considered in IT/ITES SEZ in terms of Instruction No. 52 dated 20.04.2010 issued by DOC, which clarifies that no approval of BOA is required for broad-banding as IT/ITES includes both Hardware & Software.

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

1. Cost-wise list of indigenous & imported capital goods needs to be submitted.
2. Manufacturing process flow-chart of all the proposed item of manufacture are required to be submitted. Applicant has provided the same only for Mother Board & Keyboard. Though, only physical diagram of IC, Hard Disk Drive, CD/DVD ROM, Mouse, ALU, CPU have been given.
3. Board Resolution in favour of Authorised Signatory not given.

Shri Mukesh Kumar Kumawat, CFO (authorised representative) of M/s. RUJ Innovative Technologies Pvt. Ltd. appeared before the Approval Committee on behalf of the applicant and explained the proposal. He informed that the company is already in the field of skill development in Mechanical / Electrical field for on hand training for manufacturing of computer and assembling of computer. Plant and machinery worth around Rs.29.00 crore have been installed in 60,000 sqft campus and around 230 employees and trainee have been employed. He submitted that the unit will start operations as soon as LOA is issued and other formalities are completed. They will be doing exports mainly to Germany, Australia and Switzerland. During the meeting he handed over cost-wise list of indigenous & imported capital goods, manufacturing process flow-chart of Mother Board, Keyboard, IC, PCB, Micro Processor, Monitor & Mouse as well as Board Resolution in favour of Mr. Nayan Joshi, Director to sign the documents on behalf of the company.

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

2. **Proposal of M/s. Infosys BPO Ltd., Co-developer for approval of list of goods to carry on default authorized operation in IT/ITES SEZ of M/s. Mahindra World City (Jaipur) Ltd. at Jaipur.**

It was brought to the notice of the Approval Committee that M/s. Infosys BPO Ltd., Co-developer of IT/ITES SEZ of M/s. Mahindra World City (Jaipur) Ltd. at Jaipur 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 lacs)
1.	Power (including power back up facilities) for captive use only.	23	77.76
2.	Parking including Multi-level car parking (automated/manual)	18	0.83
3.	Power (including power back up facilities) for captive use only.	23	355.63
		Total:	434.22

It was informed that, Govt. of India, Department of Commerce vide letter No.P.6/3/2008-SEZ (Vol.III) dated 16.02.2016 has issued new guidelines in supersession of all previous Power guidelines issued by the ministry. In **Para IV** of said guidelines it is prescribed that, "with respect to the IT/ITES SEZs, which require continuous quality power, wherever generation of power has been approved by the BoA, as authorized operation, to the Developer/Co-developer within the processing area, and in respect of which there is a statutory requirement on developer/co-developer to supply 24 hours uninterrupted quality power supply at stable frequency in the Zone , in terms of Rule 5A of SEZ Rules, 2006; in such cases generation of power will be carried out as a unit within the processing area, and such a power plant including non-conventional energy power plant, will be entitled to all the fiscal benefits covered under section 26 of the SEZ Act including the benefits for initial setting up, maintenance and the duty free import of raw materials and consumables for the generation of the power. Such duty free imports of capital goods, raw material and consumables etc. would be counted towards the NFE obligations of the unit".

Shri Puneet Mundhra, Manager-Finance 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 items proposed for 'Parking including Multi-level car parking (automated/manual)'. The Approval Committee however **rejected** the items proposed for 'Power (including power back up facilities) for captive use only' with the advice to the co-developer to apply afresh as per the provisions of Para IV of power guidelines issued by Department of Commerce, Govt. of India vide letter No.P.6/3/2008-SEZ (Vol.III) dated 16.02.2016 mentioned above.

3. **Proposal of M/s. Infosys BPO Ltd. for revision in projections of the unit located in the IT/ITES SEZ of M/s. Mahindra World City (Jaipur) Ltd. at Jaipur (Rajasthan).**

It was brought to the Approval Committee that M/s. Infosys BPO Ltd., a unit in Mahindra World City (Jaipur) Ltd. IT/ITES SEZ, Jaipur had submitted proposal for approval of revised downward projections of export/NFE and enhancement in the value of imported capital goods, as given below:-

Rs. (in Lacs)

Particulars	Existing Projection	Revised Projection
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*(Signature)*

Projected FOB value of exports	83169.00	53326.00
Foreign Exchange Outgo	11648.00	5405.00
NFE over a period of 5 years	71521.00	47921.00
Imported CG	155.00	1000.00*
Indigenous CG (including P&M)	102.00	800.00

\*taking the proportionate amortized value of imported capital goods.

It was further informed that following discrepancies were observed in the first instance, which had been communicated to the unit vide email dated 26.08.2016, however, reply is awaited:-

- 1) The unit has proposed downward projections of export & NFE whereas enhancement in the value of imported & indigenous capital goods has been proposed. Justification for the same needs to be given by unit.
- 2) Unit needs to clarify & give correct projections keeping in view that it has already imported much more capital goods than the approved value, and it needs to give the projected value of capital goods at full value in forex outgo break up to know the realistic projections.
- 3) APR for the year 2014-15 submitted by the unit has been examined by CA firm appointed by this office and found foreign exchange realization pending for more than 9 months. Accordingly, unit has been requested to submit details of action taken for recovery / write off of unrealized pending foreign exchange duly certified by the Chartered Accountant. However, reply from the unit is still awaited.

Shri Puneet Mundhra, Manager-Finance appeared before the Approval Committee on behalf of the unit and explained the proposal. Towards downward revision in export projections he explained that one of their major client Viz. Freedom had become insolvent. Regarding unrealised amount of Rs.214.69 lakhs (approx.) Shri Mundhra informed that they have already applied to RBI for extension in period for realisation of export proceedings.

After due deliberations, Approval Committee took note of the revised projections and **approved** the proposal. The Committee also directed the representative of the unit to submit a copy of request letter submitted to RBI to this office and keep this office updated and informed.

**4. Proposal of M/s. Q3 Infotech Pvt. Ltd. for enhancement in the value of indigenous capital goods in respect of its unit located in Mahindra World City (Jaipur) Ltd. IT/ITES SEZ at Jaipur (Rajasthan).**

It was brought to the notice of the Approval Committee that M/s. Q3 Infotech Pvt. Ltd. had submitted a proposal for enhancement in the value of indigenous capital goods in respect of its unit located in the IT/ITES SEZ of Mahindra World City (Jaipur) Ltd. IT/ITES SEZ at Jaipur (Rajasthan). It was informed that the existing approved limit of indigenous capital goods is Rs.35 lakhs and the unit requested to enhance it to Rs.480 lakhs.

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



After due deliberations, the Approval Committee **took note** of the revised value of indigenous capital goods of the unit and approved the proposal.

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

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

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

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

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

1. Copy of PAN card & DIR-11/12 in respect of all the directors of M/s. exl Service.com (India) Pvt. Ltd.
2. Board Resolution regarding changes/amalgamation & also in favour of authorized signatory of instant proposal.
3. Rectified APRs for the period 2011-12 to 2014-15 as already communicated to the unit.

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 Raman Bhasin, Senior VP, M/s. exl Service.com (India) Pvt. Ltd. appeared before the Approval Committee and explained the proposal. He assured to submit all pending documents.

After due deliberations, the Committee observed that there is no change in shareholding patten and **approved the proposal** of the unit for change of name / entrepreneur from M/s. ExlService SEZ BPO Solutions Pvt. Ltd. to M/s. exl Service.com (India) Pvt. Ltd. pursuant to approved scheme of amalgamation by Hon'ble High Court of Delhi vide order dated 30.05.2016 as per guidelines issued by the Board of Approval in its 69<sup>th</sup> meeting held on 23.02.2016 subject to the condition that all the assets & liabilities of M/s. ExlService SEZ BPO Solutions Pvt. Ltd. shall be taken over by M/s. exl Service.com (India) Pvt. Ltd. and revised Bond-Cum-LUT shall be executed by M/s. exl Service.com (India) Pvt. Ltd.. The Committee also directed the representative of the unit to submit above pending documents.

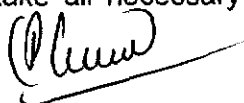
6. **Proposal of M/s. Mahindra World City (Jaipur) Ltd., Developer for allotment of space to M/s. Burger Farms India Pvt. Ltd. to setup & operate Food Court at evolve building in the processing area of IT/ITES SEZ at Village- Kalwara, Tehsil – Sanganer, Distt – Jaipur (Rajasthan).**

It was brought to the notice of Approval Committee that the Developer, M/s. Mahindra World City (Jaipur) Ltd. had submitted a request for approval for allotment of 551.91 Sqft. space to M/s. Burger Farm India Pvt. Ltd. to setup & operate Food Court at Evolve Building in the processing area of IT/ITES SEZ at Vill. Kalwara, Tehsil- Sanganer, Distt- Jaipur (Rajasthan). In this regard the developer has submitted following documents:-

1. Copy of MOU dated 11.08.2016 signed with M/s. Burger Farm India Pvt. Ltd. for allotment of area admeasuring 551.91 Sqft. food court at Evolve Building.
2. Copy of PAN Card No. AAGCB6472N, copy of Food Safety & Standard License No. 12216026000674, copy of Rajasthan Shops and Commercial Establishment Registration No. SCA/2016/14/236598 of M/s. Burger Farm India Pvt. Ltd.
3. Copy of Driving License of Mr. Paramveer Singh & Mr. Rajat Agroya, directors.
4. Copy of Certificate of Incorporation & M&AoA of M/s. Burger Farm India Pvt. Ltd.

It was informed that following documents are still required to be submitted:-

1. Copy Undertaking from M/s. Burger Farm India Pvt. Ltd. to the effect that company shall not take any direct/indirect tax benefit under SEZ scheme to create, operate & maintain such facility in SEZ. The company shall maintain proper records of the goods purchased or sold as per relevant provisions of the revenue department of the State Government or Central Government as the case may be and produce the same as & when required by Authorities of Department. The company shall take all necessary approvals/permission/licenses from the



State Government or Central Government prior to commencement of Food Court in SEZ. They shall abide by all statutory requirements of SEZ Act and Rules.

2. Copy ITR for last three year of both the directors of M/s. Burger Farm India Pvt. Ltd. to ascertain the financial status as the company has been incorporated on 11.03.2016.
3. A declaration from developer that space proposed to be allotted to M/s. Burger Farm India Pvt. Ltd. has not been allotted to any other applicant before.

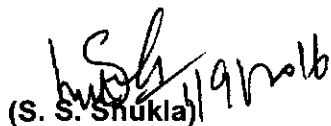
The Committee examined the proposal and observed that proviso to Rule 11(5) of SEZ Rules, 2006 provides as under:-

*'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'.*

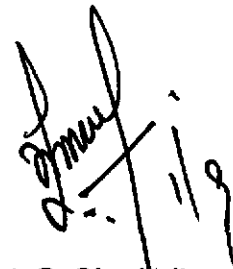
Shri Vimal Mishra, DGM-Corporate Affairs appeared before the Approval Committee on behalf of the developer and explained the proposal. He assured to submit all pending documents.

After due deliberations, Approval Committee **approved** the proposal, subject to the condition that no duty/tax benefit shall be availed by M/s. Burger Farm India Pvt. Ltd. to 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. The Committee also directed the representative of the developer to submit above pending documents.

Meeting ended with a vote of thanks to the Chair.

  
(S. S. Shukla)

Joint Development Commissioner

  
A. S. 11/9

(Dr. L.B. Singhal)  
Development Commissioner