



GOVERNMENT OF INDIA  
MIN. OF COMMERCE & INDUSTRY, DEPTT. OF COMMERCE  
OFFICE OF THE DEVELOPMENT COMMISSIONER  
NOIDA SPECIAL ECONOMIC ZONE  
NOIDA DADRI ROAD, PHASE-II, NOIDA-201305  
DISTT. GAUTAM BUDH NAGAR (UP)

फा. स.10/173/2007-सेज/

दिनांक: 06/07/2016

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, इन्द्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002 ।
3. आयुक्त, केंद्रीय उत्पाद शुल्क (नोएडा- प्रथम), सी - 56/42, सेक्टर - 62, नोएडा।
4. आयुक्त, केंद्रीय उत्पाद शुल्क (नोएडा- द्वितीय), फॉर्मूला- एक होटल, वेगमॅस बिजनेस पार्क, प्लॉट नं. 3, नॉलेज पार्क -3, ग्रेटर नोएडा।
5. आयुक्त, आयकर, ए 2 डी, आयकर भवन, सेक्टर 24, नोएडा ।
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. मुख्य कार्यकारी अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नोएडा।
8. मुख्य कार्यकारी अधिकारी, ग्रेटर नोएडा औद्योगिक विकास प्राधिकरण, 169 चितवन एस्टेट, सेक्टर गामा - द्वितीय, ग्रेटर नोएडा, गौतम बुद्ध नगर, (उत्तर प्रदेश) ।
9. महाप्रबंधक, जिला उद्योग केंद्र, कलेक्ट्रेट के पास, सूरजपुर, ग्रेटर नोएडा ।
10. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता ।

विषय: दिनांक 01.07.2016 को पूर्वाह्न 11.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित नोएडा एवं ग्रेटर नोएडा (उत्तर प्रदेश) में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

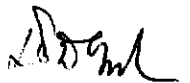
मुझे उपरोक्त विषय का सन्दर्भ लेने और डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 01.07.2016 को पूर्वाह्न 11.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित आयोजित नोएडा, एवं ग्रेटर नोएडा (उत्तर प्रदेश) में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त प्रेषित का निर्देश हुआ है


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

संलग्नक : उपरोक्त

प्रतिलिपि:

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

भवदीय,  
  
(राकेश कुमार)  
उप विकास आयुक्त

  
उप विकास आयुक्त

**NOIDA SPECIAL ECONOMIC ZONE**

**Minutes of the meeting of the Approval Committee of Private SEZs located in Noida & Greater Noida (Uttar Pradesh) held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, Noida SEZ at 11:30 AM on 01.07.2016 in the Conference Hall of NSEZ.**

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

1. Shri S.S. Shukla, Jt. Development Commissioner, NSEZ.
2. Shri. Rohit Indora, Asstt. Commissioner, Central Excise Noida-I.
3. Shri A.K. Agarwal, Asstt. Commissioner, Central Excise, Noida-II.
4. Shri K.C. Tayal, Asstt. Commissioner, Central Excise, Noida-II.
5. Dr. Sukhbir Singh Badhal, Asstt. DGFT, New Delhi.
6. Shri Sudheer Kumar, Associate Architect, Noida Authority.
7. Shri H.N. Rai, Incomer Tax Officer, Noida
8. Shri Vaibhav Bhatnagar, Asstt. Commissioner, ICD Dadri
9. Representative of SEZ Developers.

2. Besides, during the meeting i) Shri Rakesh Kumar, DDC, NSEZ, ii) Shri A.K. Srivastava, Specified Officer, iii) Shri Ram Baboo, ADC and iv) 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 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:-**

It was informed that no reference against the decisions of the Approval Committee held on 03.06.2016 has been received from any of the members of the Committee or Trade and accordingly, Minutes of the meeting held on 03.06.2016 were ratified.

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



**1. Proposal of M/s. Moser Baer Solar Ltd. (Unit-II) for inclusion of items in LOA for trading-Reg**

It was brought to the notice of the Approval Committee that M/s. Moser Baer Solar Ltd. (Unit-II), a unit in M/s. Moser Baer India Ltd., Non-Conventional Energy SEZ at Plot No.66B, Udyog Vihar, Greater Noida has submitted a proposal of inclusion of trading activities in its LOA. It was informed that the unit has submitted a list of 81 items proposed for trading.

It was informed that in support of its proposal the unit has submitted following information:

1. That they are not going to manufacture these traded goods, rather the said trading goods will be procured from the markets on duty paid basis and will be sold in DTA as such. Hence, there will be no foreign exchange involvement in the said trading activities.
2. That most of the items are procured indigenously, however few of items like inverters, cable, etc. may be imported on demand and applicable duty on the product will be paid at the time of clearance whether it is imported or indigenously. The unit has also mentioned that they will not avail the benefits of these trading item under section 26 of the SEZ Act, 2005 read with Rule 27 of the SEZ Rules, 2006 where SEZ unit is entitled to procure duty free all the goods required for its authorized operations.

Approval Committee observed that Rule 76 of the SEZ Rules gives the list of services. "Trading" is specifically included in the list of services as given in Rule 76. Section 2(z) of the SEZ Act, 2005 define services as follows:

- (i) are covered under the General Agreement on Trade in Services annexed as IB to the Agreement establishing the World Trade Organisation concluded at Marrakesh on the 15<sup>th</sup> day of April, 1994.
- (ii) may be prescribed by the Central Government for the purposes of this Act; and
- (iii) **earn foreign exchange.**

In view of the Section 2(z)(iii) of the SEZ Act, 2005 read with Rule 76 of the SEZ Rules, 2006, trading is a service activity and that for the goods traded and sold in the DTA the payment has to be earned in foreign exchange. Mr. P.D. Mishra, AVP, appeared before the Approval Committee on behalf of the unit and informed that they will be procuring the goods from the DTA and will be selling back in the DTA, as such, against INR and not against free foreign exchange. Hence, this activity will not be meeting the requirement of



the SEZ Act & Rules. Accordingly the trading of these goods [procurement from DTA & sale in DTA] can not be allowed.

The Approval Committee further observed that the preamble of the SEZ Act, 2005 provides for the establishment, Development and management of the Special Economic Zones for the promotion of exports and for matters connected therewith or incidental thereto.

The Approval Committee, accordingly, did not find any merit in proposal as the unit has proposed that they will not manufacture these goods. Rather they will procure the same from the DTA market on payment of duty and will sale the same in DTA as such, against INR & not against foreign exchange.

After due deliberations, Approval Committee decided to **reject** the proposal.

**2. Proposal of M/s. Seaview Developers Private Limited for allotment of space to M/s. ICICI Bank Limited to operate 'Banking and ATM services' in the Amenity Block of IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida.**

It was brought to the notice of the Approval Committee that M/s. Seaview Developers Private Limited, Developer of IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida, had submitted a proposal for allotment of built up space ad-measuring 1818 Sqft. at Ground floor, Amenity Block in the processing area of SEZ on lease basis to M/s. ICICI Bank Ltd to set up & operate 'Banking and ATM Services'.

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'.*

The Approval Committee also observed that "Space for Bank/ATMs" are allowed as per default authorized operation issued by DOC vide Instruction No. 50 dated 15.03.2010.



Shri Jay Kumar, Head SEZ Compliance, and Shri Amrik Singh, Senior Manager SEZ Compliance, appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, the Approval Committee **approved** the proposal under Rule 11(5) SEZ Rules, 2006, subject to condition that no tax / duty benefit shall be available to M/s. ICICI Bank Ltd to setup & operate the said 'Banking and ATM Services' in the processing area of the SEZ and this facility shall be exclusively used by the employees of SEZ & units located therein.

**3. Review of the performance by M/s. NIIT Technologies Ltd. (Unit-I), SEZ unit located in the IT/ITES SEZ of M/s. NIIT Technologies Ltd. at Plot No. TZ-02 & 2A, Sector-Tech Zone, Greater Noida (U.P).**

It was brought to the notice of the Approval Committee that M/s. NIIT Technologies Ltd. (Unit-I) had been granted LOA No. SEZ/10-11/18/197 dated 15.09.2010 for setting up of unit in the IT/ITES SEZ of M/s. NIIT Technologies Ltd. at Plot No. TZ 02 & 2A, Sector- Tech Zone, Greater Noida (U.P) to carry on authorized operation namely 'Computer software and IT/ IT Enabled Services (ITES)'. The unit had commenced its operation w.e.f. 30.06.2011 and had completed its five years of operation in SEZ on 29.06.2016

It was further informed that in terms of Rule 19(6) of SEZ Rule, 2006, LOA of the unit had been renewed for a further period of five years i.e. upto 29.06.2021. The performance of the unit during last five years of operation, are as under:-

(Rs. in Lacs)

Year	FOB value of Export	Total outflow	Cumulative NFE (2 - 3)	Foreign Exchange Realization Pending
1.	2.	3.	4.	5.
2011-12	5099.99	212.45	4887.54	--
2012-13	15835.18	257.35	15577.83	--
2013-14	25715.33	470.26	25245.07	--
2014-15	33302.60	6000.38	27302.22	--
<b>Total</b>	<b>79953.10</b>	<b>6940.44</b>	<b>73012.66</b>	<b>Nil</b>



After due deliberation, Approval Committee took note of the performance/positive NFE achievement by the unit as on 31/03/2015, in terms of Rule 54 of SEZ Rules, 2006.

**4. Review of the performance by M/s. NIIT Technologies Ltd. (Unit-II), SEZ unit located in the IT/ITES SEZ of M/s. NIIT Technologies Ltd. at Plot No. TZ-02 & 2A, Sector-Tech Zone, Greater Noida (U.P).**

It was brought to the notice of the Approval Committee that M/s. NIIT Technologies Ltd. (Unit-II) had been granted LOA No. STPI/SEZ/10-11/001/237 dated 25.11.2010 for setting up of unit in the IT/ITES SEZ of M/s. NIIT Technologies Ltd. at Plot No. TZ 02 & 2A, Sector- Tech Zone, Greater Noida (U.P) to carry on authorized operation namely 'Computer software and IT/ IT Enabled Services (ITES)'. The unit had commenced its operation w.e.f. 30.06.2011 and had completed its five years of operation in SEZ on 29.06.2016.

It was further informed that in terms of Rule 19(6) of SEZ Rule, 2006, LOA of the unit had been renewed for a further period of five years i.e. upto 29.06.2021. The performance of the unit during last five years of operation, are as under:-

(Rs. in Lacs)

Year	FOB value of Export	Total outflow	Cumulative NFE (2 - 3)	Foreign Exchange Realization Pending
1.	2.	3.	4.	5.
2011-12	7142.65	106.49	7036.16	--
2012-13	11031.03	175.38	10855.65	--
2013-14	10425.76	271.50	10121.01	--
2014-15	9252.01	271.50	9031.56	--
<b>Total</b>	<b>37851.45</b>	<b>807.07</b>	<b>37044.38</b>	Nil

After due deliberation, Approval Committee took note of the performance/positive NFE achievement by the unit as on 31/03/2015, in terms of Rule 54 of SEZ Rules, 2006.



**Supplementary Agenda Items:**

**1. Proposal of M/s. HCL Technologies Ltd., developer for approval of list of material to carry on authorized operation in their IT/ITES SEZ at Plot No. 3A & B Sector-126, Noida.**

It was brought to the notice of the Approval Committee that M/s. HCL Technologies Ltd., developer of IT/ITES SEZ at Plot No. 3A & B, Sector-126, Noida (U.P) has submitted a proposal for approval of a list of material to carry on following default authorized operations:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. As per Inst. No. 50 and 54	Estimated value (Rs. in lacs)
1.	Construction of all type of buildings in processing area as approved by the Unit Approval Committee.	22	487.62
2.	Power (including power back up facilities) for captive use only.	23	781.10
3.	Air conditioning of processing area.	21	74.30
4.	Access control and Monitoring system.	24	263.15
5.	Cafeteria/Canteen for staff in processing area.	27	85.58
6.	Telecom and other communications facilities including internet connectivity.	5	384.06
		<b>Total:</b>	<b>2075.81</b>

Shri Sunil Agarwal, AVP, Shri D.K. Sharma, GM , Shri Rajesh Oberoi, AGM & Shri Subhash Chandra, Dy. Manager, appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed material. It was informed by them that items proposed under the authorized operations namely 'Power (including power backup facilities) for captive use only' are not required for power generation and these items are electrical items which are required to be used as electrical fittings inside the building.

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



**2. Proposal of M/s. Artha Infratech Private Limited., developer for approval of list of material to carry on authorized operation in IT/ITES SEZ of at Plot No. 21, Sector-Techzone-IV, Greater Noida**

It was brought to the notice of the Approval Committee that M/s. Artha Infratech Private Limited, Developer of IT/ITES SEZ at Plot No. 21, Sector-Techzone-IV, Greater Noida (U.P) had submitted a proposal for approval of list of material to carry on following default authorized operations:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. As per Inst. No. 50 and 54	Estimated value (Rs. in lacs)
1.	Construction of all type of buildings in processing area	22	86.00

Shri Rajiv Baghel, Manager, appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed material. He informed that proposed "Fabric" shall be used for curtains.

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

**3. Proposal of M/s. P.L.G. Incubation Services Pvt. Ltd., co-developer for approval of list of material to carry on authorized operation in IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector- Techzone-IV, Greater Noida)**

It was brought to the notice of the Approval Committee that M/s. P.L.G. Incubation Services Pvt. Ltd., co-developer of IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector- Techzone IV, Greater Noida (U.P) had submitted a proposal for approval of list of materials to carry out following default authorized operations:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. As per Inst. No. 50 and 54	Estimated value (Rs. in lacs)
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1.	Construction of all type of buildings in processing area	22	685.25
2.	Roads with Street lighting, Signals and Signage	01	10.00
3.	Access control and monitoring system	24	8.25
		<b>Total:</b>	<b>703.50</b>

Shri Yash Jain, Manager, appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed material.

After due deliberations, the Committee **approved** the proposed list of material as applied by the Co-developer subject to submission of break-up of items listed at S.No. 10 & 11 proposed under 'Construction of all type of buildings in processing area' i.e. i) Sanitary ware & goods and ii) Wood/Door/Window.

**4. Proposal of M/s. Trustone Wegmans Developers Pvt. Ltd., Co-developer for approval of list of material to carry on authorized operation in IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector- Techzone-IV, Greater Noida.**

It was brought to the notice of the Approval Committee that M/s. Trustone Wegmans Developers Pvt. Ltd., Co-developer of IT/ITES of M/s. Artha Infratech Pvt. Ltd., at Plot No. 21, Sector- Techzone-IV, Greater Noida, (U.P) had submitted a proposal for approval of list of materials to carry out the following default authorized operations:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. As per Inst. No. 50 and 54	Estimated value (Rs. in lacs)
1.	Construction of all type of buildings in processing area	22	2534.00

Shri Ashish Garg, Manager, appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed material.

After due deliberations, the Committee **approved** the proposed list of material as applied by the Co-developer.

*hsh*


**5. Ratification of the approval for change of name of the company from M/s. Empower Research Knowledge Services Pvt. Ltd. to M/s. Genpact India Pvt. Ltd.**

It was brought to the notice of the Approval Committee that the proposal for change of name of the company from 'Empower Research Knowledge Services Pvt. Ltd.' to 'Genpact India Private Limited' had been approved by the Approval Committee of Mahindra World City (Jaipur) Ltd. in its meeting held on 17.06.2016, 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. Empower Research Knowledge Services Pvt. Ltd. shall be taken over by M/s. Genpact India Private Limited and fresh Bond-Cum-LUT shall be executed by M/s Genpact India Private Limited.

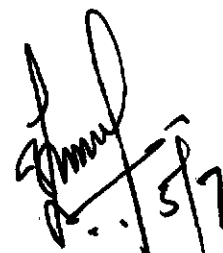
It was further informed that on the similar lines, the approval for change of name of the company from M/s. Empower Research Knowledge Services Pvt. Ltd. to M/s. Genpact India Pvt. Ltd. in respect of all other 07 units (including 02 units in Seaview Developers Pvt. Ltd. IT/ITES SEZ, Noida) located in different SEZs under the jurisdiction of DC, NSEZ has also been issued vide this office letter dated 30.06.2016 with the same terms & conditions as stipulated by the Approval Committee (Mahindra World City Jaipur, SEZ) in its meeting held on 17.06.2016, subject to its ratification by the respective Approval Committees.

After due deliberations, Approval Committee ratified the approval for change of name of the company from M/s. Empower Research Knowledge Services Pvt. Ltd. to M/s. Genpact India Pvt. Ltd. in respect of 02 units in Seaview Developers Pvt. Ltd. IT/ITES SEZ, Noida, conveyed to the unit vide this letter dated 30.06.2016.

Meeting ended with a vote of thanks to the Chair.

  
(S. S. Shukla)

Joint Development Commissioner

  
(Dr. L.B. Singhal)

Development Commissioner