



दिनांक: 07/09/2016

फा. स.10/173/2007-सेज/

सेवा में,

1. निदेशक, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002।
3. 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 02/09/2016 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 02/09/2016 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।

भवदीय,

*प्रकाश चन्द*

(प्रकाश चन्द उपाध्याय)  
सहायक विकास आयुक्त

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।

सहायक 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 02.09.2016 in the Conference Hall of NSEZ.**

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

1. Shri S. S. Shukla, JDC, NSEZ
2. Shri Vaibhav Bhatnagar, Asstt. Commissioner, Central Excise Noida-I.
3. Dr. Sukhbir Singh Badhal, Assistant DGFT, New Delhi.
4. Shri Jitendra Kumar, Supdt., Central Excise, Noida-II.
5. Shri T.N. Patel, Representative of DIC, G.B. Nagar
6. Representative of SEZ Developers.

2. Besides, during the meeting i) Shri S.C. Gangar, Specified Officer & ii) Shri Prakash Chand Upadhyay, Asstt. Dev. Commissioner 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. The members of Approval Committee 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 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 05.08.2016 has been received from any of the members of the Committee or Trade and accordingly, Minutes of the meeting held on 05.08.2016 were ratified.

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

1. **Proposal of M/s. EXLService SEZ BPO Solutions Pvt. Ltd., a unit in IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd., Noida 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. Oxygen Business Park Pvt. Ltd., Noida 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 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%

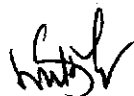
It was further informed that following documents are awaited from the unit:-

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 APR for the year 2015-16.

It was also 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 & Ms. Sonia Malik Joshi, AVP appeared before the Approval Committee and explained the proposal. Shri Raman Bhasin assured to submit all pending documents shortly.

After due deliberations, the Committee **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 the above pending documents.



**2. Proposal of M/s. P.L.G. Incubation Services Pvt. Ltd., Co-developer for approval of list of materials to carry on default 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, had submitted proposal for approval of a list of materials to carry on following default authorized operations:-

S.No.	Name of Authorized Operations	Sl.No at default list of materials as per Inst. No.50 and 54	Estimated Cost (Rs. In Lacs)
<b>List 1</b>			
1.	Construction of all type of buildings in processing area	22	37.47
2.	Air conditioning of processing area	21	38.41
3.	Electrical, Gas and petroleum natural gas distribution network including necessary substations of appropriate capacity, pipeline network etc.	4	72.00
<b>Total</b>			<b>147.88</b>
<b>List 2</b>			
1.	Air conditioning of processing area	21	150.00
<b>Grand Total</b>			<b>297.88</b>

Shri Rajiv Baghel, Manager & Shri Ashish Garg, Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed materials. It was informed by the representatives of co-developer that the capacity of proposed Expansion Tank is 18000 Ltr. in respect of item mentioned at S.No. 2 of Annexure –II of the list of materials namely “Air Conditioning of processing area”.

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

**3. Proposal of M/s. Trustone Wegmans Developers Pvt. Ltd., Co-developer for approval of list of materials to carry on default 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 SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone-IV, Greater Noida, had submitted proposal for approval of a list of materials 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	181.00
<b>Total</b>			<b>181.00</b>

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

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

4. **Proposal of M/s. HCL Technologies Ltd., developer for approval of list of materials to carry on authorized operations 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 materials 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	13.60
2.	Power (including power back up facilities) for captive use only	23	271.11
3.	Fire protection system with sprinklers, fire and smoke detectors	7	11.95
4.	Access control and Monitoring system	24	1116.91
5.	Telecom and other communications facilities including internet connectivity	5	64.88
		<b>Total</b>	<b>1478.45</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. Representative of the developer further explained that items proposed under the authorized operation 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 materials **subject to submission** of detailed write up in respect of items proposed at S.Nos. 2 & 21 to 26 under authorized operation namely 'Power (including power back up facilities) for captive use only' of Annexure II and S.Nos. 8, 18 & 45 under authorized operation namely 'Access control and monitoring system' of Annexure IV.



**5. Proposal of M/s. NIIT Technologies Ltd., developer for approval of list of materials to carry on default authorized operations in IT/ITES at Plot No. TZ-2 & 2A, Sector-Techzone, Greater Noida (U.P)**

It was brought to the notice of Approval Committee that M/s. NIIT Technologies Limited, Developer of IT/ITES SEZ at Plot No. TZ-2 & 2A, Sector-Techzone, Greater Noida (U.P) had submitted a proposal for approval of a list of materials to carry on following default authorized operations 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.	Electrical, Gas and Petroleum natural gas distribution network including necessary sub-stations of appropriate capacity, pipeline network etc.	4	22.49
2.	Telecom and other communications facilities including internet connectivity	5	249.70
		Total :	272.19

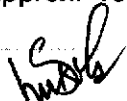
Shri Devendra Gupta, Senior V.P & Shri Mukesh Chauhan, GM, appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials.

After due deliberations, the Committee **approved** the proposed list of material subject to submission of details on requirement of 'Stage wings with accessories' proposed at S.No. 7 under authorized operation 'Electrical, Gas and Petroleum natural gas distribution network including necessary sub-stations of appropriate capacity, pipeline network etc.' of Annexure I.

**6. Review of development work of IT/ITES SEZ undertaken by M/s. Ansal IT City & Parks, developer and M/s. Earth Iconic Infrastructure Pvt. Ltd. at Plot No. TZ-06, Sector-Techzone, Greater Noida**

It was brought to the notice of the Approval Committee that review of development work of IT/ITES SEZ undertaken by M/s. Ansal IT City & Parks, developer and M/s. Earth Iconic Infrastructure Pvt. Ltd. at Plot No. TZ-06, Sector-Techzone, Greater Noida was placed before the Approval Committee in its meeting held on 03.06.2016. The Approval Committee had advised the developer to submit detailed write up on infrastructure development in SEZ and problem being faced on further development of SEZ so that the matter may be forwarded to DOC for placing before the BOA. It was informed that as directed by the Approval Committee, the developer has vide its letter dt. 27/06/16, submitted detailed write up giving reasons for delay and problem facing by on further development of SEZ.

Shri R.M. Manroa, Sr. Advisor, M/s. Ansal IT City & Parks Ltd. appeared before the Approval Committee. It was informed by him that approx. 15000 square meters (1,65,000 sq.ft.) of built up



area have been constructed and out of which so far only 18000 sq.ft. area have been leased out to two IT Companies which have already started their operations and balance area have not been able to be leased out despite the best dedicated efforts. It was also informed by him that the company has already made an investment of Rs. 133.30 Crores as on 31st May 2016 for acquisition of land, development of Infrastructure and built up area. It was further added by him that lack of proper transport connectivity & poor security & safety perception in the isolated Techzone region prospecting IT companies have been unable to find suitable IT staff to be employed in their companies.

It was further informed that in terms of Rule 5(7) of SEZ Rules, 2006 the developer was required to complete minimum built up area of 1,00,000 Sqmt. within 10 years from the date of notification of the SEZ, however, 10 years of notification of SEZ has already been completed on 28.08.2016.

Approval Committee observed that in case the construction work as per Rule 5(7) of SEZ Rules, 2006 has not been completed within 10 years there is no enabling provision in SEZ Act / Rules for extension of period. The Approval Committee was of the view that a reference should be made to Department of Commerce for such cases where minimum built up area has not been completed within 5 or 10 years and there should be enabling provision empowering BoA for granting permission for extension of period for completion of the construction of minimum built up area.

After due deliberations, Approval Committee decided to forward the request of the developer for extension of period for completion of minimum built up area, to the Board of Approval for consideration.

**Supplementary agenda items:**

1. **Ratification of the approval for change in source of procurement of materials granted to 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)**

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- IV, Greater Noida (U.P) vide its email dated 01.09.2016 had informed that they have imported the below mentioned items instead of procuring them indigenously and the goods were lying at Mumbai for Customs clearance and causing demurrage and requested to change the source of procurement from Indigenously to Imported:-



S.No	Description of items	Authorized operation	Estimated Amount (Rs. in Lacs)	Approved source of procurement of material	Revised source of procurement of material
1	Water cooled HVAC chillers – 2 Nos.	Air Conditioning of processing area	180.00	Indigenous	Import

It was informed that the said item had been approved by the Approval Committee in its meeting held on 05.02.2016 and conveyed vide this office letter dated 17.02.2016.

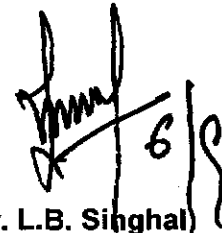
It was further informed that keeping in view of the urgency shown by the co-developer, Development Commissioner had approved the request on file for change in source of procurement of material from indigenous to imported and the same was conveyed to the co-developer vide this office letter dated 01.09.2016, subject to its ratification by the Approval Committee.

After due deliberations, Approval Committee ratified the approval granted by DC, NSEZ and conveyed to the co-developer vide this office letter dated 01.09.2016.

The meeting ended with a vote of thanks to the Chair.



(S. S. Shukla)  
Joint Development Commissioner



(Dr. L.B. Singhal)  
Development Commissioner