



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: 07/12/2016

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. उपाध्यक्ष, बुलन्दशहर खुर्जा विकास प्राधिकरण, ओल्ड जी टी रोड, श्री आनंद वाटिका कॉलोनी, खुर्जा - 203131 (उत्तर प्रदेश)।
11. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता।

विषय: दिनांक 02/12/2016 को पूर्वाह्न 11.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित नोएडा, ग्रेटर नोएडा एवं खुर्जा (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 02/12/2016 को पूर्वाह्न 11.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित आयोजित नोएडा, ग्रेटर नोएडा एवं खुर्जा (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:

विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र, नोएडा - सूचनार्थ।

भवदीय,
प्रकाश

(प्रकाश चन्द उपाध्याय)
सहायक विकास आयुक्त

NOIDA SPECIAL ECONOMIC ZONE

Minutes of the meeting of the Approval Committee of Private SEZs located in Noida, Greater Noida and Khurja (Uttar Pradesh) held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, Noida SEZ at 11:30 AM on 02.12.2016 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. Shri K.C. Tayal, Asstt. Commissioner, Central Excise, Noida-II.
4. Dr. Sukhbir Singh Badhal, Assistant DGFT, New Delhi.
5. Shri Jugendra Kumar, Supdt., Central Excise, Noida-II.
6. Shri R.P. Chandola, Supdt.(Customs), Dadri, Gr. Noida
7. Shri R.P. Singh, AE, Khurja Development Authority
8. Shri Sandhya Maurya, Income Tax Officer, Noida
9. Representative of SEZ Developers concerned, Special Invitee

2. Besides, during the meeting i) Shri S.C. Gangar, Specified Officer, ii) Shri Prakash Chand Upadhyay, Asstt. Dev. Commissioner & iii) Shri Mohan Veer Ruhella, Asstt. Dev. Commissioner 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:-

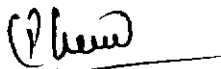
(i) Ratification of Minutes of last meeting of the Approval Committee:-

It was informed that no reference against the decisions of the Approval Committee held on 04.11.2016 has been received from any of the members of the Committee or Trade and accordingly, Minutes of the meeting held on 04.11.2016 were ratified.

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

1. **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.	Fire protection system with sprinklers, fire and smoke detectors	7	5.95
2.	Access control and monitoring system.	24	12.90
3.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	27.25
		Total:	46.10

Shri Mukesh Chauhan, Group Manager 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 materials.

2. Proposal of M/s. Infosys Ltd., Developer for approval of list of material to carry on default authorized operations in the IT/ITES SEZ at Plot No. A-01 to A-06, Sector-85, Noida.

It was brought to the notice of the Approval Committee that M/s. Infosys Ltd., developer of IT/ITES SEZ at Plot No. A-01 to A-06, Sector-85, Noida (U.P) had submitted a proposal for approval of a list of material to carry on following default authorized operations:-

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 the Unit Approval Committee.	22	74.99

It was informed that the developer has neither applied for approval of layout plan / building plan of SEZ nor copy of approved layout plan /building plan submitted.

It was further informed that as per direction of the Approval Committee in its meeting held on 04.11.2016, Lt. Col. A.K. Suri, Chartered Engineer vide its email dated 01.12.2016 has forwarded his explanation letter dated 29.11.2016 regarding certification of list of material. It was informed that the Chartered Engineer has regretted for his mistakes and promised for a more dedicated approach while certifying list of material in future. After due deliberations, the Committee took note of the same.



Shri Suresh Shenoy, Senior Manager appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials.

After due deliberations, Approval Committee **approved** the proposed list of materials subject to the condition that developer shall obtain approval of Layout Plan / Building Plan along with all other necessary permissions including mining / excavation from the respective government authorities before commencement of construction activity in SEZ.

3. Proposal of M/s. NEC Technologies India Pvt. Ltd.(Unit-I) for partial deletion of area of the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida.

It was brought to the notice of Approval Committee that M/s. NEC Technologies India Pvt. Ltd. (Unit-I) had applied for deletion of area from the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida. It was informed to the Committee that presently unit has been occupying an area of 9562 Sqft at 4th floor, 13884 Sqft at 5th floor & 30584 Sqft at 6th floor at Building Non. 9 and requested for deletion of 9562 Sqft at 4th floor, Building No. 9. It was informed that the area proposed to be deleted from this unit (Unit-I) has to be added in its Unit-II. It was further informed that the unit has submitted 'No Objection' from the SEZ Developer for surrender of aforesaid premises.

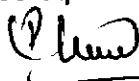
Further, it was informed that the unit is required to submit 'NOC' from the SEZ Customs for deletion of area as well as impact on Export / NFE projection consequent to deletion of premises.

Ms. Neera Chandok, Company Secretary & Shri Vinay Kumar, DGM- Finance, appeared before the Approval Committee on behalf of the unit and explained the proposal. It was informed by them that there will be no change in export / NFE projections due to proposed deletion of area.

After due deliberations, the Approval Committee **approved** the proposal for decrease in area, subject to submission of 'NOC' from SEZ Customs and execution of Bond cum LUT.

4. Proposal of M/s. NEC Technologies India Pvt. Ltd.(Unit-II) for addition & deletion of area of the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida.

It was brought to the notice of Approval Committee that M/s. NEC Technologies India Pvt. Ltd. (Unit-II) had applied for addition & deletion of area from the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida. It was informed to the Committee that presently unit has been occupying an area of 21022 sqft at 4th floor & 13837 Sqft at 5th floor, Building No. 9 and 20000 sqft. at Ground floor, Building No.2 (Incubation Space). It was



informed that the unit has proposed for deletion of Incubation Space measuring 20000 sqft. at Ground floor, Building No.2 and requested for addition of 9562 Sqft at 4th floor, Building No.9. It was informed that 9562 Sqft at 4th floor, Building No.9 proposed to be added to this unit (Unit-II) has been proposed to be deleted from its Unit-I. It was further informed that the unit has submitted 'No Objection' from the SEZ Developer for surrender of 20000 sqft. at Ground floor, Building No.2 (Incubation Space) and also submitted provisional offer of space from the developer for addition of 9562 sq. ft. at the 4th Floor, Building No. 9.

Further, it was informed that the unit is required to submit 'NOC' from the SEZ Customs for deletion of area.

Ms. Neera Chandok, Company Secretary & Shri Vinay Kumar, DGM- Finance, appeared before the Approval Committee on behalf of the unit and explained the proposal. It was informed by them that there will be no change in export / NFE projections due to proposed deletion / addition of area.

After due deliberations, the Approval Committee **approved** the proposal for addition & deletion of area, subject to submission of 'NOC' from SEZ Customs for deletion of area and execution of Bond cum LUT.

5. Proposal of M/s. Accenture Services Pvt. Ltd., a unit in IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd., Noida for change of entrepreneur in the wake of merger of M/s. Accenture Services Pvt. Ltd. with M/s. Accenture Solutions Pvt. Ltd. pursuant to approval of scheme of amalgamation by Hon'ble Bombay High Court vide order dated 20.10.2016.

It was brought to the notice of Approval Committee that M/s. Accenture Services Pvt. Ltd., a unit in IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd., Noida had submitted a proposal for change of name / entrepreneur in the wake of merger of M/s. Accenture Services Pvt. Ltd. with M/s. Accenture Solutions Pvt. Ltd. pursuant to approval of scheme of amalgamation by Hon'ble Bombay High Court vide order dated 20.10.2016.

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

Shareholding pattern of M/s. Accenture Services Pvt. Ltd. as on 24.11.2016 (Pre- Merger)		Shareholding pattern of (M/s. Accenture Solutions Pvt. Ltd. as on 01.12.2016 (Post Merger)	
Name of shareholders	% and/or No. of shares	Name of shareholders	% and/or No. of shares
Accenture Services (Mauritius). Ltd.	99.99% / 300136	Accenture Services (Mauritius). Ltd.	99.99% / 5361029232
Accenture Minority 1 BV (as nominee of Accenture Services (Mauritius) Ltd.)	0.01% /01	Accenture Minority 1 BV (as nominee of Accenture Services (Mauritius) Ltd.)	0.01% /17862
Total:	100%	Total:	100%

(Signature)

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

- i) Copies of Form-32 / DIR 11/12 for appointment of the directors of M/s. Accenture Solutions Pvt. Ltd. along with copy of Form-32 / DIR-12 for cessation of first directors of namely Mr. Niranjana Hiranandani & Mr. Surender Hiranandani.
- ii) Copy of PAN Card of Mr. Michel William McDaniel along with copy of his address proof.

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.

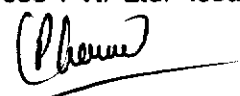
Shri Dharam Yudhishter, DGM-Logistics appeared before the Approval Committee and explained the proposal.

After due deliberations, the Committee **approved the proposal** of the unit for change of name / entrepreneur from M/s. Accenture Services Pvt. Ltd. to M/s. Accenture Solutions Pvt. Ltd. pursuant to approval of scheme of amalgamation by Hon'ble Bombay High Court vide order dated 20.10.2016, 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. Accenture Services Pvt. Ltd. shall be taken over by M/s. Accenture Solutions Pvt. Ltd. and revised Bond-Cum-LUT shall be executed by M/s. Accenture Solutions Pvt. Ltd.. The Committee also directed the representative of the unit to submit above pending documents.

6. Proposal of M/s. FIL Research (India) Pvt. Ltd., a unit in Seaview Developers Pvt. Ltd. IT/ITES SEZ, Noida, for change of name of the company to 'FIL India Business and Research Services Pvt. Ltd.'

It was brought to the notice of the Approval Committee that M/s. FIL Research (India) Pvt. Ltd., a unit in Seaview Developers Pvt. Ltd. IT/ITES SEZ, Noida has submitted a proposal for change of name of the company to 'FIL India Business and Research Services Pvt. Ltd.'. It was informed that the unit has submitted following documents in support of its proposal:-

- i). Certificate of Incorporation pursuant to change of name of the company from 'FIL Research (India) Pvt. Ltd.' to 'FIL India Business and Research Services Pvt. Ltd.' issued by ROC, Delhi on 24.10.2016.



- ii). List of current directors of the company along with copies Passport and PAN Card of two new directors namely Mr. Babu Thiagrajan & Mr. Eric Jan Oyevaar.
- iii). Shareholding pattern of the company duly certified by Authorised Signatory of the company, as given below:-

S. No.	Name of Shareholder	Type of share	Number of Shares	% Share
1.	FIL India Holding (Mauritius) Ltd., Mauritius	Equity	243853936	99.99
2.	FIL Services (Bermuda) Ltd.	Equity	01	0.01

There is no change in shareholding pattern of the company prior to / post name change.

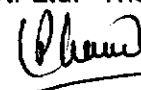
- iv). Copy of Memorandum & Article of Association of M/s. FIL India Business and Research Services Pvt. Ltd.
- v). Board Resolution in favour of Mr. Alok Loyalka & Mr. Pawan Tayla to sign documents on behalf of the company.
- vi). Copy of Board Resolution dated 12.10.2016 deciding change of name of the company.

It was further informed that following documents / clarification are still required which had been requested vide this office email dated 03.11.2016:-

1. Copy of PAN Card & Import Export Code in the name of 'FIL India Business and Research Services Pvt. Ltd.'
2. Details of shareholding of the company, duly certified by CA/CS.
3. An undertaking on Rs.100/- Stamp Paper to the effect that consequent to the change of name all Assets and Liabilities of the SEZ unit of M/s. FIL Research (India) Pvt. Ltd. shall be taken over by M/s. FIL India Business and Research Services Pvt. Ltd..
4. Name & residential address of Mr. Babu Thiagarajan does not match with his passports viz-a-viz details of directors given.

Shri Pawan Tayla, CFO & Mr. Rajarshi Bhattacharya, Manager-Accounts appeared before the Approval Committee on behalf of the unit and explained the proposal. They assured to submit pending documents.

After due deliberations, Approval Committee **approved** the proposal of the unit for change of name from 'M/s. FIL Research (India) Pvt. Ltd.' to 'FIL India Business and Research Services Pvt. Ltd.', 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. FIL Research (India) Pvt. Ltd. shall be taken over by M/s. FIL India Business and Research Services Pvt. Ltd. and revised Bond-Cum-LUT shall be executed by M/s. FIL India Business and Research Services Pvt. Ltd. The Committee also directed the representative of unit to submit pending documents.



7. **Proposal of the developer, M/s. Oxygen Business Park Pvt. Ltd. for allotment of built up space to M/s. Mountain Trail Foods Pvt. Ltd. to setup & operate a Food Court in the processing area of IT/ITES SEZ located at Plot No. 7, Sector-144, Noida.**

It was brought to the notice of Approval Committee that the Developer, M/s. Oxygen Business Parks Pvt. Ltd. had submitted a proposal for allotment of built-up space of 183 Sqft. (Kiosk No. FC-06) at Ground Floor, Tower-A in the processing area of IT/ITES SEZ at Plot No. 7, Sector-144, Noida on lease basis to M/s. Mountain Trail Foods Pvt. Ltd. to setup & operate a Food Court, 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'.

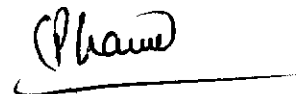
Shri Sunny Ahuja, Manager- Finance and Shri L.D. Sharma, Asstt. Manager appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, Approval Committee **approved** the proposal, subject to condition that no tax / duty including service tax exemption shall be available to M/s. Mountain Trail Foods Pvt. Ltd. to setup, operate & maintain such facility in the processing area of SEZ for exclusive use by the employees of SEZ & units located therein and M/s. Mountain Trail Foods Pvt. Ltd. shall not serve Cigarette & Alcoholic beverages in such facility.

8. **Proposal of the developer, M/s. Oxygen Business Park Pvt. Ltd. for allotment of built up space to M/s. Unipal Enterprises to setup & operate a Food Court in the processing area of IT/ITES SEZ located at Plot No. 7, Sector-144, Noida**

It was brought to the notice of Approval Committee that the Developer, M/s. Oxygen Business Parks Pvt. Ltd. had submitted a proposal for allotment of built-up space of 383 Sqft. (Kiosk No. FC-03) at Ground Floor, Tower-A in the processing area of IT/ITES SEZ at Plot No. 7, Sector-144, Noida on lease basis to M/s. Unipal Enterprises to setup & operate a Food Court, 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 Sunny Ahuja, Manager- Finance and Shri L.D. Sharma, Asstt. Manager appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, Approval Committee **approved** the proposal, subject to condition that no tax / duty including service tax exemption shall be available to M/s. Unipal Enterprises to setup, operate & maintain such facility in the processing area of SEZ for exclusive use by the employees of SEZ & units located therein and M/s. Unipal Enterprises shall not serve Cigarette & Alcoholic beverages in such facility.

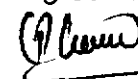
9. Proposal of the developer, M/s. Oxygen Business Park Pvt. Ltd. for allotment of built up space to M/s. Hitachi Payment Services Pvt. Ltd. to setup & operate a Bank ATM in the processing area of IT/ITES SEZ located at Plot No. 7, Sector-144, Noida

It was brought to the notice of Approval Committee that the Developer, M/s. Oxygen Business Parks Pvt. Ltd. had submitted a proposal for allotment of built-up space of 36 Sqft. in the Food Court at Ground Floor, Tower-A in the processing area of IT/ITES SEZ at Plot No. 7, Sector-144, Noida on lease basis to M/s. Hitachi Payment Services Pvt. Ltd. (formerly Prizm Payment Services Pvt. Ltd.) to setup & operate a Bank ATM, for use by the employees of SEZ. & units located therein.

It was informed that M/s. Aachvis IT SEZ Infra Pvt. Ltd., the then Co-developer, had been granted approval by the Approval Committee vide permission letter dated 03.11.2011 for allotment of built-up space of 36 Sqft. in the Oxygen Boulevard Building on lease basis for a period of 5 years to M/s. Prizm Payment Services (now M/s. Hitachi Payment Services Pvt. Ltd.) (authorised on behalf of Citi Bank) for creating ATM facility in the processing area of SEZ. It was further informed that Board of Approval in its meeting held on 12.08.2016 had approved the proposal for amalgamation of M/s. Aachvis IT SEZ Infra Pvt. Ltd. & M/s. Standard IT Web Solutions Pvt. Ltd. (both Co-developer of said SEZ) with M/s. Oxygen Business Park Pvt. Ltd. (Developer). Further, it was informed that the developer has submitted copy of agreement dated 21.09.2016 signed between M/s. Oxygen Business Park Pvt. Ltd. and M/s. Hitachi Payment Services Pvt. Ltd. for allotment of space further period of 9 years w.e.f. 01.02.2015.

Shri Sunny Ahuja, Manager- Finance and Shri L.D. Sharma, Asstt. Manager appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, Approval Committee was of the view that since the proposed ATM facility had already been created and developer had already made an agreement with M/s. Hitachi



Payment Services Pvt. Ltd. for a further period of 9 years, therefore no further approval is required. Accordingly, the Approval Committee took note of the same.

Decision on supplementary agenda items:

1. Proposal of the developer, M/s. Seaview Developers Pvt. 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 Plot No. 20 & 21, Sector-135, Noida.

It was brought to the notice of Approval Committee that the Developer, M/s. Seaview Developers Pvt. Ltd. had submitted a proposal for allotment of built-up space of 125 Sqft. at Ground floor, Building No. 2 in the processing area of IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida (U.P.) 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 Sunny Ahuja, Manager & Shri L.D. Sharma, Asstt. Manager appeared before the Approval Committee on behalf of the developer and explained the proposal. It was clarified by them that the proposed space is not in the main building.

After due deliberations, Approval Committee **approved** the proposal, subject to condition that no tax / duty including service tax exemption shall be available to M/s. Jubilant Consumer Pvt. Ltd. to setup, operate & maintain such facility in the processing area of SEZ for exclusive use by the employees of SEZ & units located therein and M/s. Jubilant Consumer Pvt. Ltd. shall not serve Cigarette & Alcoholic beverages in such facility.

2. Proposal of M/s. Oxygen Business Parks Pvt. Ltd., developer for approval of list of goods to carry on authorized operation in IT/ITES SEZ at Plot No. 7, Sector-144, Noida.

It was brought to the notice of Approval Committee that M/s. Oxygen Business Parks Pvt. Ltd., Developer of IT/ITES SEZ at Plot No. 7, Sector- 144, 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.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	222.60
2.	Telecom and other communication facilities including internet connectivity.	05	39.75
3.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	11.63
4.	Fire protection system with sprinklers, fire and smoke detectors.	07	23.58
5.	Air Conditioning of processing area	21	48.17
Total :			345.73

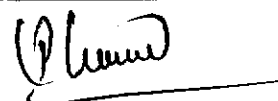
Shri Sunny Ahuja, Manager- Finance and Shri L.D. Sharma, Asstt. Manager appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials.

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

3. 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, 3B & 2C, Sector- 126, Noida.

It was brought to the notice of Approval Committee that M/s. HCL Technologies Ltd., Developer of IT/ITES SEZ at Plot No. 3A, 3B & 2C, Sector- 126, 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.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	534.69
2.	Power (including power backup facilities) for captive use only.	23	387.80
3.	Air Conditioning of processing area	21	341.42
4.	Fire protection system with sprinklers, fire and smoke detectors.	07	13.52
5.	Access Control and Monitoring System.	24	2.94
6.	Cafeteria / Canteen for staff in processing area	27	22.44
Total :			1302.81



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 materials.

After due deliberations, Approval Committee **approved** the proposed list of materials except '02 Nos. Aquarium for Front Office' proposed at Sl. No. 2 of the authorized operation namely "Construction of all types of building in processing area as approved by the Unit Approval Committee.

4. Proposal of M/s. Infosys Ltd., Developer for approval of list of material to carry on default authorized operations in the IT/ITES SEZ at Plot No. A-01 to A-06, Sector-85, Noida.

It was brought to the notice of the Approval Committee that M/s. Infosys Ltd., developer of IT/ITES SEZ at Plot No. A-01 to A-06, Sector-85, Noida (U.P) had submitted a proposal for approval of a list of material to carry on following default authorized operations:-

S. No.	Authorized Operation	Sl. No. at default list of materials as per Inst. No. 50 & 54	Estimated Cost (Rs in Lacs)
1.	Air Conditioning of processing area	21	6.48
2.	Cafeteria / Canteen for staff in processing area	27	6.20
3.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	782.38
4.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.	04	8.21
5.	Employee welfare facilities like Creche, Medical centre and other such facilities.	20	10.01
6.	Fire protection system with sprinklers, fire and smoke detectors.	07	2.18
7.	Parking including Multi-level car parking (automated/manual)	18	33.71
8.	Roads with Street lighting, Signals and Signage	01	106.62
9.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity	02	9.04
10.	Boundary Wall	09	127.19
		Total :	1092.01

It was informed that the developer has neither applied for approval of layout plan / building plan of SEZ nor copy of approved layout plan /building plan submitted.

Shri Suresh Shenoy, Senior Manager appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed material.

After due deliberations, Approval Committee **approved** the proposed list of materials subject to submission of quantity of Chairs & Tables proposed under authorized operation 'Cafeteria / Canteen for staff in the processing area' and the developer shall obtain approval of Layout Plan / Building Plan along with all other necessary permissions including mining / excavation from the respective government authorities before commencement of construction activity in SEZ.

5. M/s Moser Baer Solar Ltd. having two units in M/s Moser Baer India Ltd., Non-conventional Energy SEZ, Greater Noida – Non-realization of export proceeds.

It was brought to the notice that as per directions of Approval Committee in its meeting held on 04.11.2016, M/s. Moser Baer Solar Ltd. vide its letter dated 22.11.2016 has submitted details of pending export realization of the units as on 31.10.2016 beyond nine months against the physical export made to overseas third party customers duly certified by the Chartered Accountant. The pending export proceeds of Unit-I is Euro 5030.00 (Rs. 3.65 lakhs approx) & Unit-II is USD 4244.00 (Rs. 2.90 lakhs approx).

It was informed that unit has informed that outstanding amount is very small amount and pertaining to one customer each from both the SEZ units and not receivable due to mutual agreement and settlement with the overseas customers. Hence as per the provision of RBI circular No. 88 dated 12.03.2013 the writing off process is being initiated by the unit.

It was further informed that the unit vide its email dated 01.12.2016 has intimated that they will not be able to appear before the Approval Committee on 02.12.2016 and requested for deferment of the matter.

After due deliberations, the Approval Committee directed to send a letter to the unit to complete the write off process within a period of 3 months and submit Write off certificate from A.D.. Further, Approval Committee directed the Specified Officer that whatever duty payable on the input corresponding to non-realized amount shall be recovered from the unit. Moreover, Approval Committee advised that a consolidated letter may be sent to DGFT regarding realized / non-realized Foreign Exchange in respect of this unit & M/s. Ratan Textiles, a unit in Mahindra World City (Jaipur) Ltd. Handicraft SEZ, Jaipur.

4. Proposal of M/s. Arshiya Northern FTWZ Ltd., Developer allotment of space to Punjab National Bank in its FTWZ at Villages Ibrahimpur, Junaidpur Urf Maujpur, Distt. Bulandshahar (U.P.)



It was brought to the notice of the Approval Committee that M/s. Arshiya Northern FTWZ Ltd., Developer has informed that they had allotted 450 Sqft. at CO-1 Building to Punjab National Bank for carrying on the authorized operations within FTWZ at Villages Ibrahimpur, Junaidpur Urf Maujpur, Distt. Bulandshahar (U.P.). It was informed that the developer has stated that the said bank is exclusively opened for the purpose of depositing for Customs Duty and requested to issue permission to Punjab National Bank for operating of business within FTWZ to avoid non-compliance.

Shri D.K. Taunk, DGM appeared before the Approval Committee on behalf of the developer and informed that the proposed branch of Punjab National Bank exists in the Processing Area of SEZ.

It was further informed that following documents / information are required to be submitted by the developer to consider the request in terms of Rule 11(5) of SEZ Rules, 2006:-

1. Provisional offer of allotment of space issued to Punjab National Bank.
2. An undertaking from Punjab National Bank to the effect that they shall not take any direct/indirect tax benefit under SEZ scheme. They shall maintain proper record of the goods purchased / sold or service provided as per relevant provisions of revenue Deptt. of State and / or Central Govt., as case may be. They will obtain requisite permission from RBI prior to commencement of banking operations from SEZ, if required.
3. Board Resolution in favour of Authorised Signatory who has signed the instant proposal.
4. Copy of INC 22 for change of registered office address.

After due deliberations, the Approval Committee took note of the allotment of space by the developer to the Punjab National Bank in the FTWZ under Rule 11(5) of SEZ Rules, 2006 and advised the developer to submit above documents.

During the meeting Shri R.P. Singh, AE, Khurja Development Authority (KDA) raised the following issues :-

- i) The developer has not obtained Completion Certificate from Khurja Development Authority.
- ii) The developer has neither obtained permission for conversion of land use of FTWZ land from Khurja Development Authority nor has it deposited requisite fee for conversion of land use.

After due deliberations, the Approval Committee advised the representative of Khurja Development Authority and developer to convene a meeting with Vice Chairman, Khurja Development Authority and get these issues sorted out.



5. Proposal of M/s. Seaview Developers Pvt. Ltd., Developer for cancellation of permission letter dated 16.04.2013 granted for allotment of space to M/s. Aanchal Enterprise to setup & operate a fast food court namely 'Salad Chef' in the processing area of IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida.


It was brought to the notice of Approval Committee that the Developer, M/s. Seaview Developers Pvt. Ltd. had submitted a proposal for cancellation of the permission letter dated 16.04.2013 issued by this office for allotment of 942 Sqft. built-up area on lease basis to M/s. Aanchal Enterprise to setup & operate a fast food court namely 'Salad Chef' Restaurant at Unit No. 04, Amenity Block in the processing area of IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida. It was informed that the developer has furnished a copy of letter dated 16.11.2016 of Mrs. Nishi Khanna, Proprietor of M/s. Aanchal Enterprise addressed to this office. In the said letter M/s. Aanchal Enterprise has informed that due to some business reasons they would like to terminate the lease with M/s. Seaview Developers Pvt. Ltd. and given their consent for cancellation of the said approval.

It was further informed that original letter dated 16.11.2016 of M/s. Aanchal Enterprise along with 'NOC' from SEZ Customs & surrender of original letter No. 10/46/2006-SEZ/4046 dated 16.04.2013 still awaited.

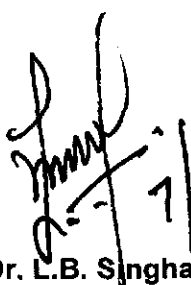
Shri Jay Kumar, Head-SEZ Compliance & Shri Amrik Singh, Sr. Manager appeared before the Approval Committee on behalf of M/s. Seaview Developers Pvt. Ltd. (Developer) and requested to cancel the said letter of allotment.

After due deliberations, the Approval Committee decided to cancel the letter dated 16.04.2013 issued for allotment of space by M/s. Seaview Developers Pvt. Ltd. to M/s. Aanchal Enterprise to setup & operate a fast food court namely 'Salad Chef' in the processing area of SEZ.

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


(S. S. Shukla)

Joint Development Commissioner


7/12/16
(Dr. L.B. Singhal)

Development Commissioner

