



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: 12/10/2017

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 06/10/2017 को पूर्वाह्न 11.00 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।

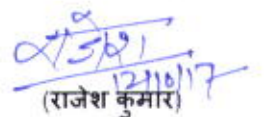
महोदय,

उपरोक्त विषय के सन्दर्भ में डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 06/10/2017 को पूर्वाह्न 11.00 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 संलग्न है।

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

संलग्नक : उपरोक्त

भवदीय,

  
(राजेश कुमार)

उप विकास आयुक्त

**NOIDA SPECIAL ECONOMIC ZONE**

**Minutes of meeting of the Approval Committee of Private SEZs located in Noida, Greater Noida & Khurja (Uttar Pradesh) held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, Noida SEZ at 11:00 AM on 06.10.2017 in the Conference Hall of NSEZ.**

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

1. Shri S. S. Shukla, Joint Development Commissioner, NSEZ,
2. Shri Rajesh Sharma, Asstt. Commissioner, Customs, Noida.
3. Shri A.B. Rawat, Asstt. Commissioner, Central GST, Noida-I.
4. Shri Harish Kumar, Asstt. Commissioner, Central GST, Noida-II.
5. Ms. Aashima, FTDO, O/o. Addl. DGFT, New Delhi.
6. Representative of SEZ Developers concerned, Special Invitee.

2. Besides, during the meeting i) Ms. Mala Rangarajan, DDC, ii) Shri Salik Parwaiz, Specified Officer, iii). Shri Prakash Chand Upadhyay, ADC, & iv) Shri Mohan Veer Ruhella, ADC were also present to assist the Approval Committee.

3. At the outset, D.C., NSEZ welcomed the participants. After brief introduction, UAC took the following general decision:-

Section 13(7) of SEZ Act mandates that all orders and decisions of the Approval Committee and all other communications issued by it shall be authenticated by the signature of the chairperson or any other member as may be authorized by the Approval Committee in this behalf. It was noted that once minutes are approved by chairman of Approval Committee, letters communicating decisions of the Approval Committee are being signed by DDC / ADC (Concerned SEZ). Approval Committee decided to continue this practice & accordingly authorized DDC / ADC (Concerned SEZ) to communicate decisions of the Committee under their signature.

3.1. Thereafter, each item in the agenda were taken up for deliberation one by one. After detailed deliberations 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:-**

It was informed that no reference against the decisions of the Approval Committee held on 01.09.2017 has been received from any of the members of the Committee or Trade and accordingly, Minutes of the meeting held on 01.09.2017 were ratified.



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

1. Proposal of M/s. NEC Technologies India Pvt. Ltd. (Unit-I), a unit in IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd., Plot No. 20 & 21, Sector-135, Noida for change of entrepreneur in the wake of merger with M/s. NEC India Pvt. Ltd. pursuant to scheme of amalgamation approved by The National Company Law Tribunal, Principal Bench at New Delhi vide Order dated 31.08.2017.

It was brought to the notice of Approval Committee that M/s. NEC Technologies India Pvt. Ltd. (Unit-I), a unit in IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Sector-135, Noida had submitted a proposal for change of entrepreneur in the wake of merger of M/s. NEC Technologies India Pvt. Ltd. with M/s. NEC India Pvt. Ltd. pursuant to approval of scheme of amalgamation by The National Company Law Tribunal, Principal Bench at New Delhi vide Order dated 31.08.2017.

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

Shareholding pattern of M/s. NEC Technologies India Pvt. Ltd.			Shareholding pattern of M/s. NEC India Pvt. Ltd.		
Name and address of the shareholder	Number of shares	% Share	Name and address of the shareholder	Number of shares	% Share
NEC Corporation	1,47,80,000	67.00%	NEC Corporation	9,86,60,000	38.58%
NEC Solutions Innovators Ltd.	72,20,000	33.00%	NEC Solutions Innovators Ltd.	3,61,00,000	14.12%
-	-	-	<b>NEC Asia Pacific Pte. Ltd.</b>	<b>12,09,39,338</b>	<b>47.30%</b>
<b>Total:</b>	<b>220,00,000</b>	<b>100%</b>	<b>Total:</b>	<b>25,56,99,338</b>	<b>100.00%</b>

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

- (i) Copy of residential address proof of all four directors of M/s. NEC India Pvt. Ltd. as mentioned in their personal profile submitted by the unit.
- (ii) Changes in directors have been found as list of current directors of M/s. NEC Technologies India Pvt. Ltd. submitted by the unit. Therefore, unit is required to submit copies DIR11/12 for cessation of Mr. Akihiro Uchida, Mr. Seiichi Takao, Mr. Kotetsu Omiya & Mr. Yoshihisa Inque. Reasons for non-intimation of changes in directors at the time of change also need to be given.

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 Vinaya Kumar, DGM-Finance appeared before the Approval Committee and explained the proposal. He mentioned that major shareholder viz M/s. NEC Asia Pacific Pte. Ltd. (47.30%) is part of existing major shareholder M/s. NEC Corporation (67%). He further informed that the pending documents have now been submitted.

After due deliberations, the Committee **approved the proposal** of the unit for change of name / entrepreneur from M/s. NEC Technologies India Pvt. Ltd. to M/s. NEC India Pvt. Ltd. pursuant to approved scheme of amalgamation by The National Company Law Tribunal, Principal Bench, New Delhi vide Order dated 31.08.2017, and in terms of 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. NEC Technologies India Pvt. Ltd. (Unit-I) under LOA No. 10/81/2013-SEZ/13344 dated 26.12.2013 shall be taken over by M/s. NEC India Pvt. Ltd. and revised Bond-Cum-LUT shall be executed by M/s. NEC India Pvt. Ltd..

2. **Proposal of M/s. NEC Technologies India Pvt. Ltd. (Unit-II), a unit in IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd., Plot No. 20 & 21, Sector-135, Noida for change of entrepreneur in the wake of merger with M/s. NEC India Pvt. Ltd. pursuant to scheme of amalgamation approved by The National Company Law Tribunal, Principal Bench at New Delhi vide Order dated 31.08.2017.**

It was brought to the notice of Approval Committee that M/s. NEC Technologies India Pvt. Ltd. (Unit-II), a unit in IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Sector-135, Noida had submitted a proposal for change of entrepreneur in the wake of merger of M/s. NEC Technologies India Pvt. Ltd. with M/s. NEC India Pvt. Ltd. pursuant to approval of scheme of amalgamation by The National Company Law Tribunal, Principal Bench at New Delhi vide Order dated 31.08.2017.

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

Shareholding pattern of M/s. NEC Technologies India Pvt. Ltd.			Shareholding pattern of M/s. NEC India Pvt. Ltd.		
Name and address of the shareholder	Number of shares	% Share	Name and address of the shareholder	Number of shares	% Share
NEC Corporation	1,47,80,000	67.00%	NEC Corporation	9,86,60,000	38.58%
NEC Solutions Innovators Ltd.	72,20,000	33.00%	NEC Solutions Innovators Ltd.	3,61,00,000	14.12%
-	-	-	<b>NEC Asia Pacific Pte. Ltd.</b>	<b>12,09,39,338</b>	<b>47.30%</b>
<b>Total:</b>	<b>220,00,000</b>	<b>100%</b>	<b>Total:</b>	<b>25,56,99,338</b>	<b>100.00%</b>

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

- (i) Copy of residential address proof of all four directors of M/s. NEC India Pvt. Ltd. as mentioned in their personal profile submitted by the unit.
- (ii) Changes in directors have been found as list of current directors of M/s. NEC Technologies India Pvt. Ltd. submitted by the unit. Therefore, unit is required to submit copies DIR11/12 for cessation of Mr. Akihiro Uchida, Mr. Seiichi Takao, Mr. Kotetsu Omiya & Mr. Yoshihisa Inque. Reasons for non-intimation of changes in directors at the time of change also need to be given.

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 Vinaya Kumar, DGM-Finance appeared before the Approval Committee and explained the proposal. He mentioned that major shareholder viz M/s. NEC Asia Pacific Pte. Ltd. (47.30%) is part of existing major shareholder M/s. NEC Corporation (67%). He further informed that the pending documents have now been submitted.

After due deliberations, the Committee **approved the proposal** of the unit for change of name / entrepreneur from M/s. NEC Technologies India Pvt. Ltd. to M/s. NEC India Pvt. Ltd. pursuant to approved scheme of amalgamation by The National Company Law Tribunal, Principal Bench, New Delhi vide Order dated 31.08.2017, and in terms of 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. NEC Technologies India Pvt. Ltd. (Unit-II) under LOA No. 10/82/2013-SEZ13345 dated 26.12.2013 shall be taken over by M/s. NEC India Pvt. Ltd. and revised Bond-Cum-LUT shall be executed by M/s. NEC India Pvt. Ltd..

3. **Ratification of the approval of list of materials amounting to Rs.429.05 lakhs granted by DC, NSEZ to M/s. Seaview Developers Private Limited, Developer to carry on authorized operation in IT/ITES SEZ at Plot No. 20 & 21, Sector- 135, Noida (U.P)**

It was brought to the notice of the Approval Committee that M/s. Seaview Developers Private Ltd., Developer vide its letter dated 04.09.2017 had shown urgent requirement of the material amounting to Rs. 429.05 lakhs to carry out the following authorized operation in SEZ:-

S. No.	Name of Authorised Operation / Description of item	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated cost (Rs. in lakhs)
1.	Construction of all types of building in processing area as approved by UAC. - 15 nos. Passenger Elevators with accessories. - 02 Nos. Service Elevators with accessories.	22	429.05

It was informed that keeping in view of the urgency shown by the developer, Development Commissioner, NSEZ had approved the proposed list of materials and approval had been conveyed to the unit vide this office letter dated 14/09/2017, subject to its ratification by the Approval Committee

After due deliberations, the Approval Committee ratified the approval of list of materials amounting to Rs.429.05 lakhs granted by the Development Commissioner, NSEZ & conveyed to the developer vide this office letter dated 14/09/2017.

**4. Proposal of M/s. Seaview Developers Pvt. Ltd., Developer for approval of list of materials to carry on authorized operations in IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida.**

It was brought to the notice of Approval Committee that M/s. Seaview Developers Private Limited, Developer of IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida (U.P) had submitted a proposal for approval of a list of materials to carry on following default authorized operation in their SEZ:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated cost (Rupees in lakhs)
1.	Construction of all types of building in processing area as approved by the UAC.	22	2427.55
2.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.	04	1533.20
3.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains, and water channels of appropriate capacity.	02	969.97
4.	Fire protection system with sprinklers, fire and smoke detectors.	07	949.19
5.	Air Conditioning of processing area.	21	3361.54
6.	Access Control and Monitoring System.	24	245.38
7.	Cafeteria / Canteen for staff in processing area.	27	102.20
8.	Telecom and other communication facilities including internet connectivity.	05	4.45
		<b>Total:</b>	<b>9593.48</b>



Shri Sanjay Yadav, VP-Legal & Compliance, Shri Jay Kumar, Head-SEZ Compliance & Shri Prashant Tyagi, Sr. Manager-Construction appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials. The representatives of the developer informed that the weight of 'Bag' of White wash (Lime) is 25 Kg of each Bag.

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

**5. Proposal of M/s. Seaview Developers Private Limited, Developer for allotment of built up space to M/s. Alisha Retail Pvt. Ltd. to set up & operate 'Utility Store' in the processing area of IT/ITES SEZ at Plot No. 20 & 21, Sector- 135, Noida (U.P)**

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 880 Sqft. at Ground floor, Amenity Block-II in the processing area of IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida on lease basis to M/s. Alisha Retail Pvt. Ltd. to setup & operate a 'Utility Store', for use by the employees of SEZ & units located therein. It was informed that following items had been proposed to be sold in SEZ by M/s. Alisha Retail Pvt. Ltd.:-

"Ready to Eat Food – Heat and Eat, Bakery, Ice-cream, Dairy, Beverages (Non-Alcoholic), Chocolates, Tea, Coffee & Soup, Fruits & Flowers, Services – Courier, Oxygen, Light Grocery, Biscuits, Namkeens & Savouries, Hair & Skin Care, Cosmetics and Beauty Aids, Health & Personal Care, Stationery & OTC Pharma".

It was informed that the developer has also submitted area approved by BoA for such facility, area already allotted to facility providers & balance space in the processing area of SEZ.

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 Sanjay Yadav, VP-Legal & Compliance, Shri Jay Kumar, Head-SEZ Compliance & Shri Prashant Tyagi, Sr. Manager-Construction 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 benefit shall be available to M/s. Alisha Retail Pvt. Ltd. to setup, operate & maintain such facility in the processing area of the SEZ and M/s. Alisha Retail Pvt. Ltd. shall not serve Cigarette/smoking items & Alcoholic beverages in such facility. This facility shall be used exclusively by the employees of SEZ & units located therein.

**6. Proposal of M/s. Trustone Wegmans Developers Pvt. Ltd., co-developer for approval of list of materials 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 Electronics Hardware & Software including IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone-IV, Greater Noida, had submitted a proposal for approval of 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 lakhs)
1.	Construction of all type of buildings in processing area as approved by the Unit Approval Committee.	22	360.00
2.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	157.80
		Total:	517.80

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.

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

**7. Proposal of M/s. Elephant Developers Pvt. Ltd., co-developer for approval of list of materials 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. Elephant Developers Pvt. Ltd., Co-developer of Electronics Hardware & Software including IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone-IV, Greater Noida, had submitted a proposal for approval of 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 lakhs)
1.	Construction of all type of buildings in processing area as approved by the Unit Approval Committee.	22	287.00

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.

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



8. Proposal of M/s. Netision Technology LLP, a unit in the IT/ITES SEZ of M/s. Artha Infratech Private Limited at Plot No. 21, Sector- Techzone-IV, Greater Noida (U.P.) for change in Partnership Deed & Shareholding pattern of the LLP firm.

It was brought to the notice of Approval Committee that M/s. Netision Technology LLP, a unit in IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No.21, Sector-Techzone IV, Greater Noida (U.P.) had submitted a intimation for following changes of partners and shareholding pattern of LLP firm:-

Previous partners & their shareholding			Revised partners & their shareholding		
S. No.	Name of Partners	% shareholding	S. No.	Name of Partners	% shareholding
1.	Mr. Rachit Agarwal	60%	1.	Mr. Rachit Agarwal	30%
2.	Ms. Noopur Agarwal	40%	2.	Ms. Noopur Agarwal	20%
	-	-	3.	<b>Mr. Gaurav Singhal</b>	<b>50%</b>
	<b>Total:</b>	<b>100%</b>		<b>Total:</b>	<b>100%</b>

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

- (i) Copies of Passport / Residential address proof, PAN Card & last three years IT Return of new partner namely Mr. Gaurav Singhal along with his Bio-data.
- (ii) Documentary evidence regarding change in partners filed in Registrar of LLP firm and LLP Form No. 4.

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 Prashant Verma, Accountant appeared before the Approval Committee and explained the proposal. He assured to submit pending documents at the earliest.

After due deliberations, the Committee approved the proposal of the unit for change in partners & shareholding pattern of M/s. Netision Technology LLP, as per guidelines issued by the Board of Approval in its 69<sup>th</sup> meeting held on 23.02.2016, subject to submission of pending documents.



9. **Proposal of M/s. Golden Tower Infratech Pvt. Ltd., developer for approval of list of materials to carry on authorized operations in IT/ITES SEZ at Plot No. 8, Sector-144, Noida.**

It was brought to the notice of Approval Committee that M/s. Golden Tower Infratech Pvt. Ltd., Developer of IT/ITES SEZ at Plot No. 8, Sector-144, Noida (U.P) had submitted a proposal for approval of a list of materials to carry on following default authorized operation in their SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of materials as per Inst. No. 50 & 54	Estimated Cost (Rs in Lakhs)
(i).	Construction of all types of building in processing area as approved by Unit Approval Committee	22	1237.02
(ii).	Boundary Wall	09	14.08
(iii).	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.	04	634.76
(iv).	Power (including power back up facilities) for captive use only.	23	325.43
(v).	Air Conditioning of procession zone	21	687.58
(vi).	Solid and liquid waste collection, treatment and disposal plants including pipelines & other necessary infrastructure for sewage and garbage disposal, sewage treatment plants.	03	226.07
(vii).	Fire protection system with sprinklers, fire and smoke detector.	07	392.59
(viii).	Landscaping and water bodies	08	14.75
(ix).	Drip and Micro Irrigation System	17	21.50
		<b>Total:</b>	<b>3553.78</b>

It was informed that the Formal Approval granted to the developer was valid upto 02.09.2017 and request of the developer for further extension in the validity period of formal approval beyond 02.09.2017 has been forwarded / recommended to BoA for consideration.

Shri Amul Gupta, VP-Corporate, Shri Pradeep Misra, GM-Project appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials. The representatives of the developer informed that they are taking electricity from UPPCL and the proposed 'DG Sets' are to be used for power backup only. The representatives of the developer further informed that the proposed 'Transformers' are to be used for distribution of electricity within SEZ.

After due deliberations, the Approval Committee **approved** the proposed list of materials subject to the condition that the developer shall procure / import tax/duty free items only after extension of Formal Approval by the Board of Approval.



**10. Ratification of the LOA dated 08.08.2017 issued to M/s. Laxmipati Balaji Exim Trading Ltd. for setting up a unit in the Free Trade and Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village- Ibrahimpur, Junaidpur urf Maujpur, Khurja Distt- Bulandshahr (U.P.)**

It was informed that the Approval Committee in its meeting held on 07.07.2017 had approved the proposal of M/s. Laxmipati Balaji Exim Trading Ltd. for setting up a unit in the Free Trade & Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village- Ibrahimpur, Junaidpur urf Maujpur, Khurja Distt- Bulandshahr (U.P.) to undertake "Assembly of CKD/SKD, Cutting, Polishing, Blending, Distribution services, Fumigation, Labeling, Mixing, Packing / Repacking, Quality Control, Safety Control, Segregation, Testing and Survey Services, Weighing, Trading, Warehousing and Services, Transport Services in respect of items given in Annexure-I of agenda except items proposed at Sl. No. 3,4,5,6,7,8,10,11,12 & 96 and except any item restricted / prohibited for import / export, subject to submission of a separate list of items for which cutting, polishing, blending etc. is proposed to be undertaken along with flowchart of activities to be done by FTWZ unit and further subject to submission of pending documents by the applicant.

It was further informed that M/s. Laxmipati Balaji Exim Trading Ltd. vide its letter dated 06.07.2017, 01.08.2017 & 04.08.2017 submitted the requisite documents / information along with an undertaking that list of items submitted by them do not contain any restricted item.

Keeping in view the submissions made by the applicant the Letter of Approval No. 10/25/2017-SEZ/8437 dated 08.08.2017 was issued to M/s. Laxmipati Balaji Exim Trading Ltd. for setting up a unit in the Free Trade and Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village- Ibrahimpur, Junaidpur urf Maujpur, Khurja Distt- Bulandshahr (U.P.) to undertake 'Trading, Warehousing, Packing / Repacking, Labeling / Marking of the packages, Mixing, Consolidation and Segregation, Weighment, Fumigation, Quality / Safety Control, Testing & Quality Assurance within Free Trade & Warehousing Zone for the items as per list attached (Annexure-A) with LOA dated 08.08.2017 except prohibited items and restricted items', by deleting the items at Sl. No. 3,4,5,6,7,8,10,11,12 & 96 and Sl. No. 13, 45 & 48 and also incorporating the above conditions imposed by the Approval Committee.

After due deliberations, the Approval Committee observed that as per approval given by it in the meeting held on 07.07.2017 it was clearly decided that the scope of the authorized operations of the unit will be strictly as per Rule 18(5) of the SEZ Rules. This condition has also been mentioned in the LOA at Sl. No. (vi). However, in the scope of service activities mentioned in the authorized operation certain activities have been indicated which is not in accordance with Rule 18(5) e.g. 'Mixing, Consolidation & Segregation, Weighment, Fumigation, Quality / Safety Control, Testing & Quality assurance'. The Committee decided that these activities mentioned in the authorized operations are not in accordance with Rule 18(5) of SEZ Rules 2006.

In view of above, the Approval Committee decided that the mistakes in the LOA may be corrected, in view of the decision of the Approval committee taken in its meeting held on 07.07.2017, and the description should be strictly in accordance with Rule 18(5) of SEZ Rules, 2006. Accordingly, the activities to be permitted to the unit would be as follows :-

“Trading with or without labeling, packing or re-packing without any processing, Assembly of Completely Knocked Down or Semi Knocked Down kits for the items as per the list attached except prohibited & restricted items.” No export/import of any item will be allowed, which is covered under SCOMET list as per DGFT Notifications / Public Notice / Instructions.

**11. Ratification of the approval for inclusion of additional item in LOA issued vide letter dated 13.09.2017 to M/s. Laxmipati Balaji Exim Trading Ltd., a unit located in the Free Trade and Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village- Ibrahimpur, Junaidpur urf Maujpur, Khurja Distt- Bulandshahr (U.P.)**

It was brought to the notice of the Approval Committee that M/s. Laxmipati Balaji Exim Trading Ltd. vide its letter dated 11.09.2017 had informed that one of their client (M/s. Test & Research India Pvt. Ltd., Chennai) has imported 03 Nos. 'Inspection Machines' (Value of USD 405010.00) of Chapter Heading 90314900 & 90221900 and these items are not in the list of items approved vide LOA dated 08.08.2017. It was informed that the unit had clarified that that these items / machines not a restricted item nor prohibited one. It was further informed that the unit had mentioned that these 03 Machines have come to India and incurring demurrage and waiting for clearance.

It was informed that keeping in view of the urgency shown by the unit, Development Commissioner, NSEZ had approved the proposal, conveyed vide this office letter dated 13.09.2017, for inclusion of following items in the Annexure-A of LOA dated 08.08.2017, subject to its ratification by the Approval Committee:-

S. No.	Item Description	ITC (HS) Code
1.	TR7700Q 3D Automated Optical Inspection.	90314900 & 90221900
2.	TR7007D 3D Solder Paste Inspection.	
3.	TR7600X SII CT Automated X-ray Inspection	

After due deliberations, the Approval Committee ratified the inclusion of aforesaid items in LOA granted by DC, NSEZ and conveyed to the unit vide this office letter dated 13.09.2017.

**11. Proposal of M/s. Laxmipati Balaji Exim Trading Ltd. for approval of revised list of items in lieu of Annexure-A of LOA dated 08.08.2017 granted to setting up a unit in the Free Trade Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village- Ibrahimpur, Junaidpur urf Maujpur, Khurja Distt- Bulandshahr (U.P.)**

It was brought to the notice of the Approval Committee that M/s. Laxmipati Balaji Exim Trading Ltd. had been granted LOA No. 10/25/2017-SEZ/8437 dated 08.08.2017 for setting up a unit in the Free Trade and Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village-Ibrahimpur, Junaidpur urf Maujpur, Khurja Distt- Bulandshahr (U.P.) to undertake 'Trading, Warehousing, Packing / Repacking, Labeling / Marking of the packages, Mixing, Consolidation and Segregation, Weighment, Fumigation, Quality / Safety Control, Testing & Quality Assurance within Free Trade & Warehousing Zone for the items as per list attached (Annexure-A) with LOA dated 08.08.2017 except prohibited items and restricted items'. It was further informed that vide this office letter dated 13.09.2017 the unit had been granted inclusion of following items in the Annexure-A of LOA:-

S. No.	Item Description	ITC (HS) Code
1.	TR7700Q 3D Automated Optical Inspection.	90314900 & 90221900
2.	TR7007D 3D Solder Paste Inspection.	
3.	TR7600X SII CT Automated X-ray Inspection	

It was further informed that the unit vide its letter dated 20.09.2017 had submitted a comprehensive list of items for approval in lieu of the list of items approved vide LOA dated 08.08.2017. It was informed that the unit had mentioned that this comprehensive list covers all the items of ITC(HS) Codes except restricted and prohibited items.

Shri Siddarth Kasturia, CEO & Shri D.K. Taunk, DGM appeared before the Approval Committee on behalf of the unit to explain the proposal.

The Approval Committee observed that in the proposed revised list the unit has merely mentioned headings of 'Customs Tariff Chapters' which includes Birds, Nuclear reactors, Beverages, Arms & Ammunition, Spacecraft etc.. The Approval Committee took serious view on the submission of such type of proposal by the unit without proper scrutiny / due application of mind.

After due deliberations, the Approval Committee deferred the proposal and directed that a letter be written to Chairman of the company bringing to his notice about submission of such type of general list without proper scrutiny. The Approval Committee also directed that a list of only those specific items which are likely to be held by the unit on behalf of foreign supplier / foreign buyer and DTA supplier / DTA buyer may be sent for inclusion in LOA.

13. Proposal of M/s. NIIT Technologies Ltd., developer for approval of list of materials to carry on authorized operations of their IT/ITES SEZ at Plot No. TZ02 & 2A, TechZone, Gr. Noida.

It was brought to the notice of the 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 proposal for approval of a list of materials to carry on following default authorized operations in their SEZ:-

S. No.	Name of Authorized Operations	SI.No at default Auth. Opr. as per Inst. No.50 & 54	Estimated Cost (Rs. In Lakhs)
1.	Access Control and Monitoring System.	24	109.47
2.	Construction of all type of buildings in processing area as approved by the Unit Approval Committee.	22	100.36
3.	Air Conditioning of processing area.	21	43.87
4.	Fire protection system with sprinklers, fire and smoke detectors.	07	17.46
5.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	81.24
6.	Telecom and other communication facilities including internet connectivity.	05	25.70
7.	Cafeteria / Canteen for staff in processing area.	27	3.45
		<b>Total:</b>	<b>381.55</b>

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, subject to submission of details of items namely 'FTA (SI. No. 39), MTA (SI. No. 56) & NRV (SI. No. 60)' under authorized operation namely 'Construction of all types of building in processing area as approved by the UAC'.

**14. Proposal of M/s. Oxygen Business Park 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 the Approval Committee that M/s. Oxygen Business Park 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	SI. No. at default list of materials as per Inst. No. 50 & 54	Estimated Cost (Rs in Lakhs)
1.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	14846.82
2.	Fire protection system with sprinklers, fire and smoke detectors.	07	6089.98
3.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	02	2384.19

*Mukesh*

4.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	5417.30
5.	Power (including power backup facilities) for captive use only.	23	1339.52
6.	Air Conditioning of processing area	21	5031.43
7.	Access Control and Monitoring System.	24	366.69
8.	Telecom and other communication facilities including internet connectivity.	05	103.91
<b>Total :</b>			<b>35579.84</b>

Shri Sunny Ahuja, Manager-Finance & Shri Kapil Kumar, Manager-Finance appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials. The representatives of the developer informed that the proposed 'DG Sets' are to be used for power backup only.

After due deliberations, the Committee **approved** the proposed list of materials, except '10000 Liter Mobil Oil & 10000 Litre Hydraulic Oil' proposed at Sl. No. 162 & 163 under authorized operation 'Construction of all type of buildings in processing area as approved by UAC'. The Approval Committee directed the representatives of the developer to submit justification for requirement of 10000 Litre Mobil Oil & 10000 Litre Hydraulic Oil.

**15. Proposal of M/s. Oxygen Business Park Pvt. Ltd., developer for allotment of space to M/s. Sugar Plum Childcare Services Pvt. Ltd. to setup & operate a 'Day Care Centre' in the processing area of IT/ITES SEZ at Plot No. 7, Sector-144, Noida.**

It was brought to the notice of Approval Committee that the Developer, M/s. Oxygen Business Park Pvt. Ltd. had submitted a proposal for allotment of built-up space of 2000 Sqft. on part of 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. Sugar Plum Childcare Services Pvt. Ltd. to setup & operate a 'Day Care Centre', 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 & Shri Kapil Kumar, Manager-Finance 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 benefit shall be available to M/s. Sugar Plum Childcare Services Pvt. Ltd. to setup, operate & maintain such facility in the processing area of the SEZ and this facility shall be used exclusively by the employees of SEZ developer & units located therein.

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

  
(S. S. Shukla)

**Joint Development Commissioner**



(Dr. L.B. Singhal)

**Development Commissioner**