

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 07.10.2016 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 D.D. Mangal, Dy. 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 H.D. Kandyal, Supdt. Customs, Noida
6. Shri Sudhir Kumar, Income Tax Officer, Noida
7. Shri Sukhbir Singh, Sr. Executive (P), GNIDA
8. 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 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:-

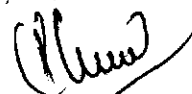
(i) Ratification of Minutes of last meeting of the Approval Committee:-

It was informed that no reference against the decisions of the Approval Committee held on 02.09.2016 has been received from any of the members of the Committee or Trade and accordingly, Minutes of the meeting held on 02.09.2016 were ratified.

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

1. **Proposal of M/s. R Systems International Limited for setting up a unit in IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone IV, Greater Noida (Uttar Pradesh).**

It was brought to the notice of the Approval Committee that M/s. R Systems International Ltd. had submitted a proposal for setting up a unit over an area of 15000 Sqft. in the IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone IV, Greater Noida (U.P.) to



undertake service activity i.e. 'Software Product Development, Software product maintenance and support, Software product testing and quality assurance, Software consultancy services' with projected exports of Rs. 21955.17 Lakhs and the cumulative NFE of Rs.19223.16 Lakhs over a period of five years. It was also informed that the investment of Rs.571.85 Lakhs towards imported capital goods; Rs.233.56 Lakhs towards Indigenous capital goods and other cost of project shall be met from the retained earnings i.e. out of internal accruals.

Shri Nand Sardana, CFO & Shri Avirag Jain, VP appeared before the Approval Committee on behalf of the applicant and explained the proposal. It was informed by them that inadvertently they have proposed 'Software Consultancy Services' which may be read as 'Software Development Services'.

After due deliberations, the Approval Committee **approved** the proposal for "Software Development, Software maintenance and support, Software testing and quality assurance" in accordance with Rule 76 of SEZ Rules, 2006.

2. 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.	Construction of all types of building in processing area	22	15.00

It was informed that in the Chartered Engineer's Certificate the infrastructure to be developed by the proposed materials has been indicated as 'Building processing area of 104051 Sqm'. Further, the name of authorized operation has been mentioned 'Construction of all types of building in processing area' instead of 'Construction of all types of building in processing area as approved by the Unit Approval Committee'(as per Inst. No. 54).

Shri Devendra Gupta, Senior V.P & Shri Mukesh Chauhan, Manager appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials. It was informed by them that proposed items will be used in Tower-2 of SEZ.



After due deliberations, the Committee **approved** the proposed list of material subject to submission of revised Chartered Engineer's Certificate giving details infrastructure to be developed by the proposed materials and corrected name of authorized operation as per Instruction No. 54.

3. Proposal of M/s. HCL Technologies Ltd. (Unit-V) for expansion of area in existing unit in IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No. 3A, 3B & 2C, Sector-126, Noida.

It was brought to the notice of Approval Committee that M/s. HCL Technologies Ltd. (Unit-V) had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No. 3A, 3B & 2C, Sector-126, Noida. It was informed to the Committee that the unit has been operating over an area of 34793.29 Sqmt. at 1st & 2nd floor, SDB-II, Ground floor, 1st, 5th, 6th, 8th, 11th & 13th floor, SDB - V and 2nd floor, SDB -IV and requested for addition of 20439 Sqmt. at 3rd, 6th, 7th (Part), 8th & 12th floor, SDB-IV in SEZ. It was also informed that the unit has stated that there is no additional imported / indigenous capital goods requirement for the proposed expansion and the export / NFE projections already approved will remain unchanged.

It was informed that as per APR for the year 2015-16 submitted by the unit an amount of Rs.6878.83 lakhs is pending for realization. Further, rectified APR for the year 2014-15 as per observation of CA firm is required to be submitted.

Shri D.K. Sharma, GM & Shri Rajesh Oberoi, AGM appeared before the Approval Committee on behalf of the unit and explained the proposal. It was also assured by them to submit rectified APR shortly.

After due deliberations, the Approval Committee **approved** the expansion of area of the unit subject to execution of Bond-Cum-LUT. The Committee also directed the representative of the unit to submit status of pending foreign exchange realisation duly certified by Chartered Accountant within 3 days.

4. Proposal of M/s. HCL Technologies Ltd. (Unit-IX) for expansion of area & revision in NFE projection of the unit located in IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No. 3A, 3B & 2C, Sector-126, Noida.

It was brought to the notice of Approval Committee that M/s. HCL Technologies Ltd. (Unit-IX) had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No. 3A, 3B & 2C, Sector-126, Noida. It was informed to the Committee that the unit is presently occupying 4345 Sqmt. area at 4th floor, SDB- IV and requested



for addition of 3828 Sqmt. at 5th floor, SDB-IV (Tower-V) in SEZ. It was also informed that the unit has submitted revised projections, as given below, on account of proposed expansion of unit:-

Rs. (in lacs)

Particulars (for five years)	Existing Projection	Revised Projection
Projected FOB value of exports	130174.00	134049.00
Foreign Exchange Outgo	6299.00	9049.00
NFE over a period of 5 years	123875.00	125000.00
Imported Capital Goods	5050.00	6550.00
Indigenous Capital Goods	1710.00	2710.00

Shri D.K. Sharma, GM & Shri Rajesh Oberoi, AGM appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, the Approval Committee **approved** the proposal subject to execution of Bond-Cum-LUT.

5. 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, 3B & 2C, 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, 3B & 2C, 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.	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	788.53
2.	Power (including power backup facilities) for captive use only	23	127.04
3.	Fire protection system with sprinklers, fire and smoke detectors.	07	6.60
4.	Access Control and Monitoring System	24	220.41
5.	Telecom and other communication facilities including internet connectivity.	05	15.15
		Total :	1157.73

(Signature)

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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 except "01 No. Transformer-2000KVA" at Sl. No. 2 under authorized operation namely "Power (including power backup facilities) for captive use only".

6. 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 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	774.26
2.	Roads with Street lighting, Signals and Signage	01	27.00
3.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	157.00
4.	Access Control and Monitoring System.	24	431.34
5.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	02	159.03
6.	Air Conditioning of processing area	21	78.00
7.	Fuel storage and distribution system	30	16.31
8.	Fire protection system with sprinklers, fire and smoke detectors.	07	114.34
		Total :	1757.28

(Signature)

Shri S.K.Gupta, Director & 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 them that proposed 'X-Ray Machine' is actually 'Baggage Scanner'.

After due deliberations, the Committee **approved** the proposed list of material. The Approval Committee also directed to the Specified Officer to expedite the verification of Half Yearly report.

8. 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 the Approval Committee that M/s. Oxygen Business Parks Pvt. Ltd., developer of IT/ITES SEZ at Plot No. 7, Sector-144, Noida (U.P) has 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	5147.19
2.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	02	143.55
3.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	1101.73
4.	Fire protection system with sprinklers, fire and smoke detectors.	07	446.45
5.	Air Conditioning of processing area	21	246.33
6.	Access Control and Monitoring System.	24	4.70
7.	Telecom and other communication facilities including internet connectivity.	05	16.50
8.	Solid and liquid waste collection, treatment and disposal plant including pipelines and other necessary infrastructure for sewage and garbage disposal, Sewage treatment plant.	03	10.00
9.	Power (including power backup facilities) for captive use only	23	112.00
Total :			7228.45

(Signature)

It was informed that following discrepancies had been observed in the proposal :-

- (i) In the column of 'Infrastructure to be developed' of Chartered Engineer certificate, the developer / Chartered Engineer has mentioned name of above authorized operations instead of details of infrastructure to be developed by proposed items.
- (ii) The developer is required to clarify the requirement of items namely 'Mopply', 'Ghugu' & 'Cico' proposed at Sl. No. 99, 167 & 171 under 'Construction of all types of building in processing area as approved by UAC'.
- (iii) Requirement of '10000 Ltr. Mobil Oil', '10000 Ltr. Hydraulic Oil', '10000 Ltr. Shuttering Oil' Proposed at Sl. No. 150,151 & 152 'Construction of all types of building in processing area as approved by UAC' to be justified by the developer.
- (iv) Various items under authorized operation namely 'Construction of all types of building in processing area as approved by UAC' have been repeated Ex. Chair (at Sl.107 & 122), Sofa (at Sl. No. 104, 125 & 186).
- (v) Separate quantity / estimated cost breakup in respect of "Geo fabric, Drain Board & Fiber Glass" proposed at Sl. No. 110 under "Construction of all types of building in processing area as approved by UAC" required to be given.
- (vi) The item proposed at Sl. No.193 namely "Split Air Conditioner" proposed under 'Construction of all types of building in processing area as approved by UAC' does not appear to be related to the said authorized operation.
- (vii) The items proposed at Sl. No.9,10,16 & 18 proposed under "Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc." does not appears to be related to the said authorized operation.
- (viii) The developer has proposed 'UPS System along with battery' for Rs.112 lakhs under authroised operation namely ' Power (including power backup facilities) for captive use only, which may be decided by the Approval Committee in terms of para (iv) of new Guidelines for Power Generation, Transmission and Distribution in Special Economic Zone (SEZs) issued by DOC vide letter no. P.6/3/2006-SEZ(Vol-III) dated 16.02.2016 issued by DOC

Shri Pradeep Sharma, DGM, Shri Prakash Gupta, DGM & Shri Sunny Ahuja, 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 i). revised Chartered Engineer's Certificate and revised list of material for 'Construction of all types of building in processing area as approved by UAC' & 'Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.'; ii). Write up regarding development activities being carry out in the zone and how many peoples are working in the zone.

Decision on supplementary agenda items:

1. Proposal of the developer, M/s. Oxygen Business Pvt. Ltd. for allotment of built up space to M/s. Chillz N Chilliz to setup & operate a Canteen 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 152 Sqft. (Kiosk No. FC-01) 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. Chillz N Chilliz to setup & operate a Canteen, 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 Pradeep Sharma, DGM, Shri Prakash Gupta, DGM & Shri Sunny Ahuja, 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 benefit shall be available to M/s. Chillz N Chilliz 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 & units located therein.

2. Proposal of the developer, M/s. Oxygen Business Pvt. Ltd. for allotment of built up space to M/s. A M Trades and Services (Franchisee of Subway Systems India Pvt. Ltd.) to setup & operate a Canteen 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 659 Sqft. (Kiosk No. FC-05) 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. A M Trades and Services (franchisee of Subway Systems India Pvt. Ltd.) to setup & operate a Canteen, 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 Pradeep Sharma, DGM, Shri Prakash Gupta, DGM & Shri Sunny Ahuja, 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 benefit shall be available to M/s. A M Trades and Services 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 & units located therein.

3. Proposal of M/s. Ansal IT City & Parks Ltd., Developer for allotment of space to M/s. Café House Sub Grant of permission to run cafeteria operation to "Café House", Signature Tower in the processing area of IT/ITES SEZ at Plot No. 6, Sector-Techzone, Greater Noida.

It was brought to the notice of Approval Committee that the Developer, M/s. Ansal IT City & Parks Ltd. had submitted a proposal for allotment of 945 Sqft space at Ground Floor Unit No. 3 in Signature Tower in the processing area of IT/ITES SEZ at Plot No. 6, Sector-Techzone, Greater Noida to M/s. Café House, A Proprietorship firm of Mr. Jagpal Singh to setup & operate 'Café House', for use by the employees of SEZ. & units located therein.

It was further informed that on request of the developer, Approval Committee in its meeting held on 04.01.2016 had granted approval for allotment of said premises to of M/s. Shine Impex to setup & operate 'Cafeteria / Canteen' and the approval had been conveyed to the developer vide this office letter No. 10/48/2006-SEZ/352 dated 07.01.2016 with a copy of M/s. Shine Impex.

Shri Shalabh Sharan, Sr. GM & Shri K.K. Rajput, Manager appeared before the Approval Committee on behalf of the developer and explained the proposal. The representatives of the developer informed that in spite of their various emails, registered post, & personal meeting requesting for meeting minimum compliance, Statutory requirement, M/s. Shine Impex had failed to comply with their request, therefore, they have decided to withdraw the offer of space given to M/s. Shine Impex. Accordingly, developer had requested to the approval dated 07.01.2006 issued in respect of M/s. Shine Impex and grant approval for allotment of said space in respect of M/s. Café House.



After due deliberations, the Approval Committee advised the developer to first resolve the issue with M/s. Shine Impex at their end and submit a fresh proposal for allotment of the same.

6. 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.	Construction of all types of building in processing area.	22	64.00
2.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.	04	5.00
		Total:	69.00

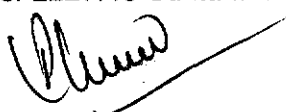
It was informed that in the Chartered Engineer's Certificate the infrastructure to be developed by the proposed materials has been indicated as 'Building processing area of 104051 Sqm'. Further, the name of authorized operations has been mentioned 'Construction of all types of building in processing area' instead of 'Construction of all types of building in processing area as approved by the Unit Approval Committee'(as per Inst. No. 54).

Shri Devendra Gupta, Senior V.P & Shri Mukesh Chauhan, Manager, appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials. It was informed by them that proposed items will be used in Tower-2 of SEZ.

After due deliberations, the Committee **approved** the proposed list of material subject to submission of revised Chartered Engineer's Certificate giving details infrastructure to be developed by the proposed materials and corrected name of authorized operation as per Instruction No. 54.

5. Proposal of M/s. Wipro Ltd. for setting up a unit for Power Generation in the IT/ITES SEZ of M/s. Wipro. Ltd., at Plot No.2,3 & 4, Knowledge Park-IV, Greater Noida, (U.P)

It was brought to the notice of the Approval Committee that M/s. Wipro Ltd. had submitted a proposal for setting up a unit over an area of 2227.46 Samt. in the IT/ITES SEZ of M/s. Wipro Ltd.



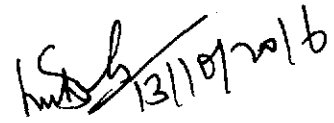
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at Plot No. 2,3 &4, Knowledge Park-IV, Greater Noida (U.P.) for 'Power Generation, Distribution and Transmission to the SEZ Developer and SEZ Unit in SEZ'. It was informed that the applicant has shown projected exports of Rs. 1320 Lakhs and the cumulative NFE of Rs.1287 Lakhs over a period of five years. It was also informed that the applicant has proposed investment of Rs.660 Lakhs towards Indigenous capital goods which shall be met from the internal funding of the company.

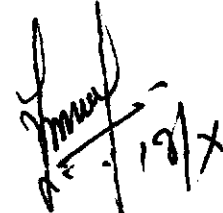
Shri Raj Kumar Singh, Asstt. Manager & Shri H.B. Singh, Facility Manager appeared before the Approval Committee on behalf of the applicant. However, the representatives of the applicant were not able to explain the production capacity as 25000 KVA and requirement of Power of 7500 KVA shown in Form-F. They were also not able describe the plan for power generation & distribution by the proposed unit.

After due deliberations, the Approval Committee decided to defer the proposal. The Committee directed the representatives of the applicant to submit justification for requirement of power along with proper plan for power generation & distribution by the proposed unit.

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


(S. S. Shukla)

Joint Development Commissioner


(Dr. L.B. Singhal)

Development Commissioner

