



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: 05/04/2016

सेवा मे ,

1. निदेशक, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001 ।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002 ।
3. आयुक्त,केंद्रीय उत्पाद शुल्क (नोएडा- प्रथम), सी - 56/42, सेक्टर - 62, नोएडा।
4. आयुक्त, केंद्रीय उत्पाद शुल्क (नोएडा- द्वितीय), फॉर्मूला- एक होटल, वेगमॅस बिजनेस पार्क, प्लॉट नं. 3, नॉलेज पार्क -3, ग्रेटर नोएडा।
5. आयुक्त, आयकर, ए 2 डी, आयकर भवन, सेक्टर 24, नोएडा ।
6. उपसचिव (आई एफ - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
7. मुख्य कार्यकारी अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नोएडा।
8. मुख्य कार्यकारी अधिकारी, ग्रेटर नोएडा औद्योगिक विकास प्राधिकरण, 169 चितवन एस्टेट, सेक्टर गामा - द्वितीय, ग्रेटर नोएडा, गौतम बुद्ध नगर, (उत्तर प्रदेश) ।
9. महाप्रबंधक, जिला उद्योग केंद्र, कलेक्ट्रेट के पास, सूरजपुर, ग्रेटर नोएडा ।
10. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता ।

विषय: दिनांक 01.04.2016 को अपराह्न 02.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित नोएडा एवं ग्रेटर नोएडा (उत्तर प्रदेश) में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त - एतद संबंधी ।

महोदय,

मुझे उपरोक्त विषय का सन्दर्भ लेने और डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 01.04.2016 को अपराह्न 02.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित आयोजित नोएडा, एवं ग्रेटर नोएडा (उत्तर प्रदेश) में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त प्रेषित का निर्देश हुआ है

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

संलग्नक : उपरोक्त

प्रतिलिपि:

विकास आयुक्त - सूचनार्थ ।

भवदीय,

(राकेश कुमार)
उप विकास आयुक्त

NOIDA SPECIAL ECONOMIC ZONE

Minutes of the meeting of the Approval Committee of Private SEZs located in Noida & Greater Noida (Uttar Pradesh) held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, Noida SEZ at 02.30 PM on 01/04/2016 in the Conference Hall of NSEZ.

The following members of UAC were present during the meeting:-

1. Shri S.S. Shukla, Jt. Development Commissioner, NSEZ.
2. Shri R.A. Singh, Asstt. Commissioner, Central Excise, Noida-I
3. Shri A.K. Agarwal, Asstt. Commissioner, Central Excise, Noida-II
4. Shri Shishir Kumar, Asstt. Commissioner, DIC, Noida
5. Ms. Sandhya Maurya, Income Tax Officer, Noida
6. Ms. Nimisha Sharma, DGM(PInG), Greater Noida Authority.
7. Representative of SEZ Developers.

2. Besides, during the meeting i) Shri Rakesh Kumar, DDC, NSEZ, ii) Shri A.K. Srivastava, Specified Officer, iii) Shri Ram Baboo, ADC and iv) Shri Prakash Chand Upadhyay, ADC were also present to assist the Approval Committee.

3. At the outset, DC, NSEZ welcomed the participants. After brief introduction, each items included in the agenda were taken up for deliberation one by one. After detailed deliberations amongst the members of Approval Committee as well as interaction with the applicants / representatives of the developers / units, the following decisions were taken:-

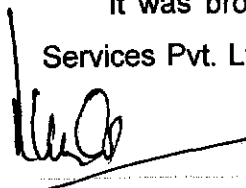
(i) Ratification of Minutes of last meeting of the Approval Committee:-

It was informed that no reference against the decisions of the Approval Committee held on 04/03/2016 has been received from any of the members of the Committee or Trade and accordingly, Minutes of the meeting held on 04/03/2016 were ratified.

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

1. **Proposal of M/s. P.L.G. Incubation Services Pvt. Ltd., Co-developer for approval of list of goods to carry on authorized operation in the 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. located at



Plot No. 21, Sector-Techzone IV, Greater Noida 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 Authorized Operation as per Inst. No. 50	Estimated Cost (Rs in Lacs)
1.	Power (including power back up facilities) for captive use only	23	300.00
2.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	4	42.00
		Total :	342.00

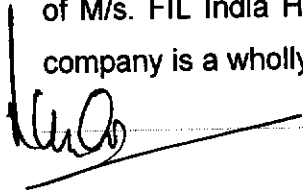
It was informed the list of goods/material proposed for Power (including power back up facilities) for captive use only, seem to be used for power generation and hence not covered under the new Power Guidelines issued by DOC vide letter No. P.6/3/2008SEZ (Vol.III) dated 16.02.2016, as they have applied for the same as Co-developer.

Shri S.K. Gupta, MD, appeared before the Approval Committee and explained the requirement of proposed material. Shri Gupta further informed that they have submitted an application in the name of M/s. Wegmans Trustone Infotech LLP for setting up a unit for Power Generation / distribution in the SEZ, separately.

After due deliberations, the Committee **approved the proposal** except items proposed for 'Power (including power back up facilities) for captive use only'.

2. **Proposal of M/s. FIL India Business Services Pvt. Ltd., a unit in IT/ITES SEZ of M/s. Seaview Developers Ltd., Noida for change of entrepreneur in the wake of merger with M/s. FIL Research (India) Pvt. Ltd. pursuant to approval of scheme of amalgamation by Hon'ble High Court of Delhi vide order dated 21.09.2015.**

It was brought to the notice of the Approval Committee that M/s. FIL India Business Services Pvt. Ltd., a unit in IT/ITES SEZ of M/s. Seaview Developers Ltd. at Plot No. 20 & 21, Sector-135, Noida, had submitted proposal for change of entrepreneur in the wake of merger with M/s. FIL Research (India) Pvt. Ltd. pursuant to approval of scheme of amalgamation by Hon'ble High Court of Delhi vide order dated 21.09.2015 effective from 01.04.2015. It was informed that M/s. FIL Research (India) Pvt. Ltd. is the holding Company of M/s. FIL India Holdings (Mauritius) Ltd. Further, as per Hon'ble Court order, transferor company is a wholly owned subsidiary of the transferee company.



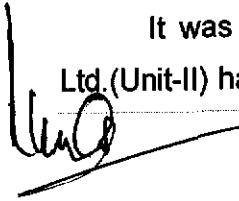
It was informed that the instant case was referred to DOC vide letter dated 12.01.2016 and letter dated 04.02.2016 for consideration. Meanwhile, the matter for clarification /instruction regarding Rule 74A of SEZ Rules, 2006 was extensively discussed in the 69th meeting of the Board of Approval held on 23.02.2016. The BOA 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. It was further informed that BoA has also explained that certain acquisitions happened globally as a result of Business Transfer Agreement which result in transfer of the SEZ unit of the Indian company on a going concern basis to the acquirer and such cases resulting in change of ownership would be decided on merits by BoA on a case to case basis.

Shri Pawan Tayla, Director 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 'FIL India Business Services Pvt. Ltd.' to 'FIL Research (India) Pvt. Ltd.' pursuant to approved scheme of amalgamation by Hon'ble High Court of Delhi vide order dated 21.09.2015, as per clarification/instruction 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 India Business Services Pvt. Ltd. shall be taken over M/s. FIL Research (India) Pvt. Ltd. and revised Bond-Cum-LUT executed by M/s. FIL Research (India) Pvt. Ltd..

- 3. Review of the performance of last five years by M/s. Steria (India) Ltd.(Unit-II), SEZ unit located in the IT/ITES SEZ of M/s. Seaview Developers Ltd. at Plot No. 20 & 21, Sector-135, Noida.**

It was brought to the notice of the Approval Committee that M/s. Steria (India) Ltd.(Unit-II) had been granted LOA No. STPI/SEZ/Unit/10-11/002/236 dated 25.11.2010 for



setting up of unit in the IT/ITES SEZ of M/s. Seaview Developers Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.) to carry on authorized operation namely 'IT and IT Enabled Services'. The unit had commenced its operation w.e.f. 31.03.2011 and completed its five years of operation in SEZ on 30.03.2016.

It was further informed that in terms of Rule 19(6) of SEZ Rule, 2006, LOA of the unit had been renewed for a further period of five years i.e. upto 30.03.2021. The performance of the unit during last five years of operation, has been under:-

(Rupees in Lacs)

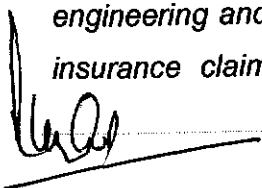
Year	FOB value of Export	Total outflow	Cumulative NFE (2 - 3)	Foreign Exchange Realization Pending
1.	2.	3.	4.	5.
2010-11	54.12	53.74	0.38	--
2011-12	13375.83	1062.78	12313.05	--
2012-13	11603.97	972.66	10631.31	--
2013-14	12988.10	552.84	12435.26	--
2014-15	9580.56	422.73	9157.83	--
Total	47602.58	3067.75	44537.83	Nil

Shri Deepak Rawat, GM-Compliance, appeared before the Approval Committee on behalf of the unit and explained future plan of the unit. He mentioned that in next five years this unit has target of achieving of higher export / employment.

After due deliberation, the Committee **took note of the performance/positive NFE achievement by the unit,** in terms of Rule 54 of SEZ Rules, 2006.

4. Application of M/s. Wegmans Trustone Infotech LLP 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 (Utter Pradesh).

It was brought to the notice of the Approval Committee that M/s. Wegmans Trustone Infotech LLP had submitted a proposal for setting up a new unit in the IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No.21, Sector – Tech Zone IV, Greater Noida (U.P) to undertake 'Power Generation, Distribution and Transmission to the Developer, Co-developers and other units in processing area of SEZ. Research and development services, computer software services, including information enabled services such as back-office operations, call centres, content development or animation, data processing, engineering and design, graphic information system services, human resources services, insurance claim processing, legal data bases, medical transcription, payroll, remote

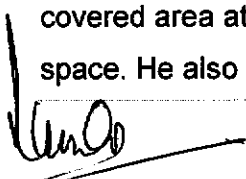


maintenance, revenue accounting, support centres and web-site services' with projected exports of Rs.7311.70 Lakhs and the NFE of Rs. 7274.85 Lakhs over a period of five years. It was also informed that the investment of Rs.1160 Lakhs towards Indigenous capital goods and other cost of project shall be met from the Partner's contribution and Interest free Security Deposit from Developer, Co-developer, Units and financial Institution.

It was also informed that the following shortcomings were observed in the application in the first instance which had been communicated to the applicant:-

1. The proposed activities are not covered under the business of the applicant firm mentioned in LLP Agreement.
2. Annual capacity of power to be generated has not been mentioned in Para V of Form F.
3. The applicant has shown indigenous capital goods requirement for Rs.1160 lacs in Form-F. However, in the investment details given in project report the applicant has shown investment of Rs.1000 lacs on Power Generation Equipment, Rs.450 lacs on Consumable items & Misc. & Rs.10 lacs on Software Development Machinery and Misc. expenditure. This needs clarification.
4. Breakup details of forex outgo of Rs. 36.85 lacs needs to be submitted by the applicant.
5. Applicant's signature has not been put at proper place in Undertaking.
6. Projected Profit & Loss statement does not give figures matching with units projections.
7. Affidavit is not correctly given as it shows proposed unit to be set up in NSEZ, have need to be given correctly.

Shri S.K. Gupta, Partner appeared before the Approval Committee on behalf of the applicant LLP Firm and explained the proposal. He informed that the proposed unit will undertake proposed IT/ITES activities as well as generation of power through DG Sets for sale / distribution to SEZ Developer, Co-developer & other units located in the SEZ, in terms of **Para (iii)** of new power guidelines issued by DOC vide letter no.P.6/3/2008-SEZ (Vol.III) dated 16.02.2016. He further informed that initially the unit will require 02 DG Sets of 1500KW each. He further informed that the IT/ITES activities will be carried out on 900 sqft. covered area at Ground floor in Tower No. 2 and DG sets will be installed at additional open space. He also assured to submit pending documents at the earliest.



After due deliberations, the Committee **approved the proposal** in terms of Para (iii) of new power guidelines issued by DOC vide letter No. P.6/3/2008-SEZ (Vol.III) dated 16.02.2016, subject to submission of pending documents / clarification from the applicant.

5. Proposal of the developer, M/s. Ansal IT City & Parks Ltd. for grant of permission for setting up of Gym and Indoor Games including Chess, Caroms, T.T., Xbox and yoga etc in processing area of IT/ITES SEZ located at Plot No.TZ06, Sector-Techzone, Greater Noida.

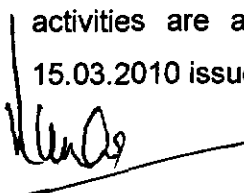
It was brought to the notice of the Approval Committee that M/s. Ansal IT City & Parks Ltd., developer of IT/ITES SEZ at Plot No. TZ-06, Sector-Techzone, Greater Noida (Uttar Pradesh) had submitted proposal for approval to open a Gym and indoor Games including chess, caroms, T.T, XBOX and Yoga etc. in the processing area of SEZ for the enhancement of welfare of existing and future employee of the unit as well employee of developer posted at SEZ also. It was informed that the proposed facilities will be setup over an area of 41.713 sqmt. in the processing area of SEZ and the developer has submitted the layout plan for proposed infrastructure to be developed.

It was further informed that "*Recreational facilities such as Indoor/Outdoor games, Gymnasium/ Employee's restroom in processing area*" are allowed as default authorized operation vide Instruction No. 50 dated 15.03.2010 issued by DOC.

Shri R.M. Manroa, Sr. Consultant appeared before UAC on behalf of the developer and explained the proposal.

The representative of Greater Noida Authority informed that she has no objection on the instant proposal of the developer. She also suggested that in future such type of proposals may be forwarded to them well in advance, for better examination at their end to provide valuable input for taking decision by UAC.

After due deliberations, the Committee **approved the proposal** as the proposed activities are allowed as default authorized operation vide Instruction No. 50 dated 15.03.2010 issued by DOC.

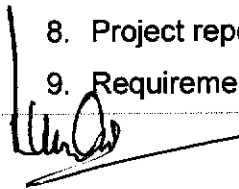


6. Proposal of M/s. HCL Technologies Ltd. for setting up of 9th unit in IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No.3A&B, Sector-126, Noida (U.P).

It was brought to the notice of Approval Committee that M/s. HCL Technologies Ltd. had submitted a proposal for setting up a new unit (9th unit) over an area of 4345 Sqm. on 4th Floor, SDB-4 in the IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No. 3A& B, Sector – 126, Noida (U.P) to undertake *'IT/ITES namely computer software services, including information enabled services such as back office operations, call centres, content development or animation, data processing, engineering and design, graphic information system services, human resources services, insurance claim processing, legal data bases, medical transcription, payroll, remote maintenance, revenue accounting, support centres and web-site services, off-shore banking services, professional services (excluding legal services and accounting)'* with projected exports of Rs.130174 Lakhs and the NFE of Rs. 123875 Lakhs over a period of five years. It was also informed that the investment of Rs.5050 Lakhs towards imported capital goods, Rs.1710 Lakhs towards Indigenous capital goods and other cost of project shall be met from the Reserves & surplus of the company. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

It was also informed that the following shortcomings were observed in the application in the first instance which had been communicated to the applicant:-

1. In Para VIII of Form-F requirement of land has been shown as 4345.00 sq.mtrs., however, MOU issued by developer is allotted for an area of 4345.00 sq.mtr. on 4th floor of SDB-IV.
2. The unit has submitted copy of Driving License for residential proof in respect of Mr. Sudhindar Krishan Khanna which is already expired on 1995.
3. Copy of passport has not been submitted in respect of M/s. Thomas Sieber
4. Residential proof of Ms. Robin Ann Abrams has not been submitted.
5. Copy of PAN card in respect of Mr. Amal Ganguli has not been submitted.
6. Photo of Mr. Ramanathan Srinivasan is not visible on copy of PAN card submitted by the unit.
7. Copy of Board Resolutions has not been submitted.
8. Project report not submitted.
9. Requirement of power of 9000 KVA may be rechecked.



Shri D.K. Sharma, GM & Shri Rajesh Oberoi, AGM, appeared before the Approval Committee on behalf of the applicant and explained the proposal. The representative further informed that the proposed unit will be based on advanced digital technology namely 'Internet of Things (IoT)'. They also assured to submit pending documents at the earliest.

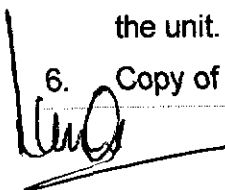
After due deliberations, the Committee approved the proposal, subject to submission of pending documents / clarification from the applicant.

7. Proposal of M/s. HCL Technologies Ltd. for setting up of 10th unit for power generation in IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No.3A&B, Sector-126, Noida (U.P)

It was brought to the notice of the Approval Committee that M/s. HCL Technologies Ltd. had submitted a proposal for setting up a new unit (10th unit) over an area of 4521.35 sqmt. in the IT/ITES SEZ of M/s. HCL Technologies Ltd. at Plot No. 3A& B, Sector – 126, Noida (U.P) to undertake Generation of Power for sale / distribution to SEZ developer & other units located in SEZ. It was informed that the applicant has projected FOB value of exports of Rs.11658.90 Lakhs and the NFE of Rs. 5220 Lakhs over a period of five years. It was also informed that the investment of Rs.2000 Lakhs towards imported capital goods, Rs.4000 Lakhs towards Indigenous capital goods and other cost of project shall be met from the Reserves & surplus of the company. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

It was also informed that the following shortcomings were observed in the application in the first instance which had been communicated to the applicant:-

1. Project Report has not been submitted.
2. Separate list of imported and indigenous capital goods with cost break up corresponding to the requirement shown in application has not been submitted.
3. The unit has submitted copy of Driving License for residential proof in respect of Mr. Sudhindar Krishan Khanna which is already expired in 1995.
4. Copy of passport & residential proof has not been submitted in respect of M/s. Thomas Sieber.
5. Photo of Mr. Ramanathan Srinivasan is not visible on copy of PAN card submitted by the unit.
6. Copy of PAN card in respect of Mr. Amal Ganguli has not been submitted.

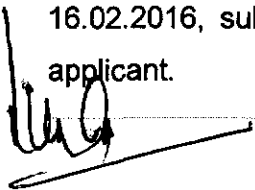


7. Signature has not been put at proper place.
8. Production capacity is not given in Form-F.
9. Proposed activity is not covered in M&MoA.
10. Income Tax information given needs to be rechecked by applicant. Besides, correct provision of Income Tax exemption available to SEZ Units is required to be incorporated in the details of Income Tax proceedings submitted by the applicant.
11. Two types of Form F given, hence same may be rectified in online as well.
12. Capacity of power to be generated has not been mentioned in Para V of form F.
13. List of imported & indigenous capital goods and raw material given by the unit does not pertain to power generation.
14. Breakup details of forex outgo of Rs.11997.21 lakhs needs to be submitted by the unit.
15. Investment on imported & indigenous plant & machinery (capital goods) has been mentioned at Rs.11658.90 Lacs & Rs.5220 lacs respectively at Col VI of Form F. However, values of imported & indigenous capital goods in Col VII have been show as Rs.9658.90 & Rs.1220 lacs, respectively. This needs clarification.
16. The project is not economically viable as per the projections given in Form-F as reproduced below:-

S. No.	Particulars	Projected value in Lacs
1.	Projected FOB value of exports over a period of 5 years	15156.58
2.	Foreign Exchange Outgo over a period of 5 years	11997.21
3.	Indigenous capital goods, raw material, components, consumable, packing material, fuel etc. for 05 years	5220.00
4.	Total Inputs (2+3)	17217.21
Total profit over a period of 05 years (1) – (4) =		- (2060.63)

Shri D.K. Sharma, GM & Shri Rajesh Oberoi, AGM, appeared before the Approval Committee on behalf of the applicant and explained the proposal. The representative informed that the proposed unit will generate power through DG Sets for sale / distribution to SEZ Developer & other units located in the SEZ, in terms of Para (iv) of new power guidelines issued by DOC vide letter No.P.6/3/2008-SEZ (Vol.III) dated 16.02.2016 and will achieve NFE in terms of Rule 53 of SEZ Rules 2006. It was further informed that the projections submitted by them are not properly worked out and assured to submit the corrected projections as well as all pending documents at the earliest.

After due deliberations, the Committee **approved the proposal** in terms of Para (iv) of new power guidelines issued by DOC vide letter No. P.6/3/2008-SEZ (Vol.III) dated 16.02.2016, subject to submission of pending documents / revised projections from the applicant.



Supplementary agenda items:

1. **Proposal of M/s. Crayon Software Experts India Pvt. Ltd. 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).**

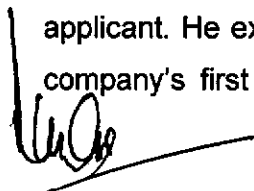
It was brought to the notice of the Approval Committee that M/s. Crayon Software Experts India Pvt. Ltd. had submitted a proposal for setting up a unit over an area of 1345 Sqm. on ground floor, Tower—2 in the IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector – Techzone IV, Greater Noida (U.P) to undertake 'Information Technology Enabled Services, Back-Office Operations and remote maintenance, Providing consultancy services, Computer software services, Research and development services' with projected exports of Rs.4465 Lakhs and the NFE of Rs. 4405.47 Lakhs over a period of five years. It was also informed that the investment of Rs.11.31 Lakhs towards Indigenous capital goods and other cost of project shall be met from the Self finance of the company. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

It was also informed that the following shortcomings were observed in the application in the first instance which had been communicated to the applicant:-

1. Requirement of built up space has not been mentioned in Form-F.
2. No expenditure has been shown in Form F against purchase of software license, power & fuel etc. whereas in project report there are expenses of Rs.484.80 lacs for the same.
3. There is a variation in address of Mr. Rune Syversen, Director, in Form F vis-à-vis copy of DIR-4 submitted as address proof. His name spelling also differs therein.

Further the Committee noted that as per audited balance sheet for the year 2014-15 the company is in loss of Rs.408.73 lacs. Further, Reserves and Surplus has also been shown in minus (-) Rs.258.73 lacs.

Shri Rajendra Chitale, CFO, appeared before the Approval Committee on behalf of the applicant. He explained the company had been incorporated on 05.06.2014 that's why the company's first year balance sheet shows loss of Rs.408.73 lacs. He informed that the



parent company will provide fund for the proposed unit. He also assured to submit pending documents at the earliest.

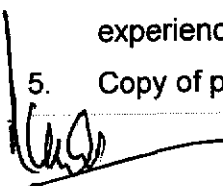
After due deliberations, the Committee **approved the proposal**, subject to submission of pending documents / clarification by the applicant. The Committee also directed to the representative of the applicant to submit detailed write up on proposed activities, background of the company & details of source of fund by parent company.

2. Proposal of M/s. Moser Baer India Limited for setting up of power Plant unit in Non-conventional Energy SEZ of M/s. Moser Baer India Limited at Plot No.66B, Udyog Vihar, Greater Noida (U.P)

It was brought to the notice of the Approval Committee that M/s. Moser Baer India Ltd. had submitted a proposal for setting up a new unit over an area of 2020 sqmt. in the Non-Conventional Energy SEZ of M/s. Moser Baer India Ltd. at Plot No. 66B, Udyog Vihar, Greater Noida (U.P) for Generation of Power, in terms of **Para (iii)** of new Power Guidelines issued by DOC vide letter No.P.6/3/2006-SEZ (Vol.III) dated 16.02.2016. It was informed that the applicant has projected FOB value of exports of Rs.44409 Lakhs and the NFE of Rs. 41049 Lakhs over a period of five years. It was also informed that the investment of Rs.2850 Lakhs towards imported capital goods, Rs.1543 Lakhs towards Indigenous capital goods and other cost of project shall be met from the Internal Accruals of the company. It was also informed that the project has envisaged imported raw material for Rs.510 Lakhs & indigenous raw material for Rs.28763 lakhs during the five years. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant.

It was also informed that the following shortcomings were observed in the application in the first instance which had been communicated to the applicant:-

1. A list of Name and complete address of each of the directors needs to be given.
2. Separate list of imported and indigenous capital goods with cost break up corresponding to the requirement shown in application has not been submitted.
3. Form 32/DIR 12 regarding appointment of these directors may be given.
4. Directors Bio data (Incorporating their background, professional qualification and experience etc.) has not given
5. Copy of passport in respect of M/s. Mr. Sanjay Jain not given,



6. Proposed activity is not seen to be covered in M&MoA.
7. Undertaking to fulfill the applicable environmental and pollution control norms in respect of proposed project has not been given.
8. Details of current shareholding of company duly signed by CS/CA may be given.
9. Specific documents information in respect of Income Tax Department needs to be submitted.
10. Affidavit needs to be given afresh as the same mentions to setup the instant unit in NSEZ instead of Moser Baer India SEZ.

It was further brought to the notice of the Committee that M/s. Moser Baer India Ltd. (Power Plant Unit) had been issued LOA No. 01/03/2009-PROJ/6842 dated 08/10/2009 for Setting up of power plant in processing area for generating power (electrical energy) 17.10 MW in said SEZ. The unit commenced production w.e.f. 08/10/2009 and LOA has been renewed up to 07/10/2019. It was further informed that the Approval Committee in its meeting held on 07/08/2015 reviewed the unit in terms of Power Guidelines issued by Deptt. of Commerce, Govt. of India vide letter No. P.6/3/2006-SEZ dated 06th April, 2015 and it was decided by the Approval Committee that the power plant unit shall be relocated in Non-Processing area of SEZ and O&M benefit shall not be allowed for the same. The Committee was also directed the SO to assess the quantum of duty free material procured/imported by the unit for operation & maintenance of power plant since 01/04/2015.

It was further informed that meanwhile, Ministry of Commerce & Industry, Department of Commerce has considered all similar representation received from various SEZs and issued new power guidelines vide letter No.P.6/3/2006-SEZ (Vol.III) dated 16.02.2016 for power generation, transmission and distribution in Special Economic Zones (SEZs) which supersede all previous guideline issued by Ministry on the subject. Accordingly, the unit has submitted proposal for issue of fresh LOA for setting up a captive power plant in processing area as per para (iii) of new power guidelines.

Shri Amit Mishra, Manager, appeared before the Approval Committee on behalf of the applicant and explained the proposal.

After due deliberations, the Committee unanimously felt that there is no need to issue a fresh LOA to the unit as the Approval Committee had already approved the said power generation unit. Further, the Committee noted that the O&M benefits were not allowed to the unit during the period 01.04.2015 to 15.02.2016 as per previous Power

Guidelines issued by Deptt. of Commerce, Govt. of India vide letter No. P.6/3/2006-SEZ dated 06.04.2015 and directed that the same is required to be recovered from the unit. The Committee further decided that the unit will now be eligible for O&M benefits under **Para (iii)** of new Power Guidelines issued by DOC vide letter No.P.6/3/2006-SEZ (Vol.III) dated 16.02.2016, subject to the condition that no duty free benefits for transfer of power to EOU shall be allowed.

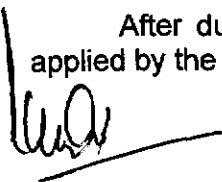
3. Proposal of M/s. HCL Technologies Ltd. for approval of list of material to carry on authorized operations in the at Plot No. 3A&B, Sector – 126, Noida (U.P).

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

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 and 54	Estimated value (Rs. in lacs)
1.	Construction of all type of buildings in processing area as approved by the Unit Approval Committee	22	746.30
2.	Power (including power back up facilities) for captive use only	23	184.56
3.	Air conditioning of processing area	21	236.34
4.	Fire protection system with sprinklers, fire and smoke detectors	7	32.87
5.	Access control and Monitoring system	24	12.00
6.	Common Data Centre with interconnectivity	13	119.68
Total:			1331.75

Shri D.K. Sharma, GM & Shri Rajesh Oberoi, AGM appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed material. The representative 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, the Committee **approved** the proposed list of material as applied by the developer.



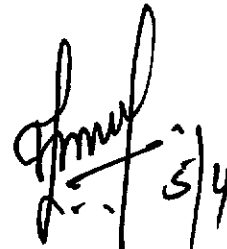
4. Monitoring of the performance of Units in terms of Rule 54 of SEZ Rules, 2006.

The performance of the following units was placed before the Approval Committee for monitoring in terms of Rule 54 of SEZ Rules, 2006:-

- 1) M/s. NEC Technologies Pvt. Ltd. (Unit-I).
- 2) M/s. NEC Technologies Pvt. Ltd. (Unit-II).
- 3) M/s. Netision Technology LLP
- 4) M/s. Vidya Mantra Pvt. Ltd.
- 5) M/s. Inmacs Management Services Ltd.
- 6) M/s. iGate Global Solutions Ltd.
- 7) M/s. Hanu Software Solutions (India) Pvt. Ltd.
- 8) M/s. ExlService SEZ BPO Solutions Pvt. Ltd.

The Committee took note of the performance/positive NFE achievement by the above mentioned units. In respect of M/s. NEC Technologies Pvt. Ltd. (Unit-I) & (Unit-II) and M/s ExlService SEZ BPO Solutions Pvt. Ltd., the Committee noted that these units have also rendered services in DTA during the year 2014-15. The Committee directed to obtain clarification from these three units as to whether the services supplied to DTA are against payment in foreign currency or in INR, since an SEZ unit can render services in DTA only against free foreign exchange, in terms of Section 2(z)(iii) of SEZ Act, 2005.

The meeting ended with vote of thanks to the Chair.



(Dr. L.B. Singhal)
Development Commissioner