



भारत सरकार
वाणिज्य एवं उद्योग मंत्रालय
वाणिज्य विभाग
विकास आयुक्त का कार्यालय
नोएडा विशेष आर्थिक क्षेत्र
नोएडा-दादरी रोड, फेज-2, नोएडा - 201305 (उत्तर प्रदेश)
दूरभाष (जोन कार्यालय): 0120 - 2567268-70 (3 लाइनें), फैक्स: 2562314, 2567276
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फा० सं० 10/07/2022-SEZ/

दिनांक: 13/06/2023

(ई मेल के माध्यम से)

सेवा में,

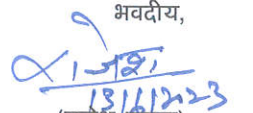
1. निदेशक(एस०ई०जेड०), वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002
3. मुख्य आयुक्त, सीमा शुल्क (निवारक), न्यू कस्टम हाउस, नियर आईजीआई एअरपोर्ट, नई दिल्ली - 110037 ।
4. मुख्य आयुक्त, केन्द्रीय कर एवं उत्पाद शुल्क, एस सी ओ नं 407 & 408, सेक्टर- 8, पंचकुला (हरियाणा) ।
5. आयुक्त, आयकर, एचएसआईआईडीसी बिल्डिंग, 4th फ्लोर, उद्योग विहार, फेज-5, गुडगांव (हरियाणा)।
6. आयुक्त, आयकर, सेन्ट्रल सर्कल- II, सी जी ओ कॉम्प्लेक्स, एनएच 4, फरीदाबाद, (हरियाणा) ।
7. उपसचिव (आई एफ - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
8. निदेशक, उद्योग एवं वाणिज्य विभाग, हरियाणा सरकार, 30 बेज़ बिल्डिंग, सेक्टर 17, चंडीगढ़।
9. प्रबंध निदेशक, हरियाणा राज्य औद्योगिक विकास निगम, हरियाणा सरकार, प्लॉट नं सी -13 व 14, सेक्टर 6 पंचकुला, (हरियाणा)।
10. सीनियर टाउन प्लानर, टाउन एंड कंट्री प्लानिंग (एच क्यू), एस सी ओ :71-75, सेक्टर 17C, चंडीगढ़।
11. संयुक्त निदेशक, जिला उद्योग केंद्र, प्लॉट नं 2, आई डी सी, गुडगांव (हरियाणा)।
12. संयुक्त निदेशक, जिला उद्योग केंद्र, नीलम चौक, फरीदाबाद (हरियाणा)।
13. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता ।

विषय: हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों के संबंध में श्री ए० बिपिन मेनन, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में अनुमोदन समिति की दिनांक 01/06/2023 को पूर्वाह्न 11:30 बजे आयोजित बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

उपरोक्त विषय के सन्दर्भ में हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों के संबंध में श्री ए० बिपिन मेनन, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में अनुमोदन समिति की दिनांक 01/06/2023 को पूर्वाह्न 11:30 बजे आयोजित बैठक का कार्यवृत्त संलग्न है।

संलग्नक : उपरोक्त

भवदीय,

(राजेश कुमार)
उप विकास आयुक्त

प्रतिलिपि:-

1. सम्बंधित निर्दिष्ट अधिकारी ।
2. सहायक विकास आयुक्त (प्रशासन) - कार्यवृत्त की एक प्रति हिंदी अनुवाद हेतु संलग्न है ।

NOIDA SPECIAL ECONOMIC ZONE**Minutes of the Approval Committee meeting in respect of SEZs located in the State of Haryana, held under the Chairmanship of Shri A. Bipin Menon, Development Commissioner, NSEZ at 11:30 AM on 01.06.2023.**

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

1. Shri Surender Malik, JDC, NSEZ
2. Shri M.G. Sherpa, Asstt. Commissioner, Customs, Gurugram.
3. Shri Ashok Kumar, IEO, Deptt. of Industries, Gurugram.
4. Shri Chaman Lal, Asstt. DGFT, O/o DGFT, CLA, New Delhi.

- Besides, during the meeting i). Shri Rajesh Kumar, DDC, ii). Shri Ashok Kumar, Specified Officer, iii). Shri Pramod Kumar, ADC & iv) Shri Anuj Dixit, UDC, were also present to assist the Approval Committee. It was informed that the quorum is available and the meeting can proceed.
- At the outset, the Chairman welcomed the participants. After a brief introduction, items included in the agenda were taken up for deliberations 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 unanimously:-

1. Ratification of the Minutes of the Approval Committee meeting held on 08.05.2023:-

As no reference in respect of the decisions of the Approval Committee held on 08.05.2023 was received from any of the members of the Approval Committee, Minutes of the Meeting held on 08.05.2023 were ratified.

Item No. 2: Proposal for approval of list of materials / HSD for authorized operations.

2(i). M/s. DLF Power & Services Limited (Co-developer, DLF Ltd. SEZ).

2(i).1. M/s. DLF Power & Services Ltd., Co-developer of DLF Ltd. IT/ITES SEZ at Village Silokhera, Sector-30, Gurugram (Haryana) has submitted proposal for approval of list of materials to carry on following default authorized operation in the said SEZ:-

S. No.	Name of Authorized Operation	S. No. at default list of Authorised Operations as per Instruction No. 50 & 54	Estimated Cost (Rupees in lakhs)
i.	Engineering, Maintenance including Electrical and Mechanical Works, Heating, Ventilation & Air Conditioning	As per authorized operations approved by BoA	25.02

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(HVAC) System, Fire Detection and Alarm Systems, Water Supply, Storm, Drainage and Sewage Disposal, Building upkeep Services including Maintenance of Lift Lobby, Conference Hall, Parking Area, Utilities area, Garbage & scrap disposal, Horticulture, Pest Control, Façade Cleaning Services.		
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2(i).2. Shri Tilak Khurana, GM & Shri Pitamber Sharma, Senior Manager of M/s. DLF Power & Services Ltd. joined the meeting through video conferencing and explained the requirement of proposed materials.

2(i).3. After due deliberations, the Approval Committee approved the proposed list of materials. The approval is subject to the condition that Specified Officer shall ensure that procurement of products 'Restricted / Prohibited' for import shall not be allowed.

2(ii): M/s. DLF Power & Services Limited (Co-developer, DLF Ltd. SEZ)

2(ii).1. M/s. DLF Power & Services Ltd., Co-developer of DLF Ltd. IT/ITES SEZ at Village Silokhera, Sector-30, Gurugram (Haryana), has submitted a proposal for approval for tax/duty free procurement of 240 KL (240000 Litre) High Speed Diesel (HSD) of Rs.184.82 lakhs for FY 2023-24. This was based on average monthly consumption during FY 2022-23, for 'Setting up of 60 MW capacity of co-generation plant to install and commission gas turbine based power generation sets in processing area', in terms of power guidelines dated 16.02.2016. The average monthly consumption is 385 KL per month.

2(ii).2. Shri Tilak Khurana, GM & Shri Pitamber Sharma, Senior Manager of M/s. DLF Power & Services Ltd. joined the meeting through video conferencing and explained the proposal.

2(ii).3. After due deliberations, Approval Committee approved the proposal. This approval is subject to compliance of the provisions of Para(vi) of the Guidelines for Power Generation, Transmission and Distribution in Special Economic Zone (SEZs) issued by Department of Commerce, Govt. of India vide letter No. P.6/3/2006-SEZ(Vol-III) dated 16.02.2016. The co-developer will comply with the applicable Notification/ Directions / guidelines of Commission for Air Quality Management in NCR and Adjoining Areas / Pollution Control Board, if any.

2(iii). M/s. DLF Power & Services Limited (Co-developer, DLF Cyber City SEZ).

2(iii).1. M/s. DLF Power & Services Ltd., Co-developer of DLF Cyber City Developers Ltd. IT/ITES SEZ at Sector-24 & 25A, DLF Phase-III, Gurugram (Haryana) has submitted proposal for approval of list of materials to carry on following default authorized operation in the said SEZ:-

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S. No.	Name of Authorized Operation	S. No. at default list of Authorised Operations as per Instruction No. 50 & 54	Estimated Cost (Rupees in lakhs)
i.	<i>Engineering, Maintenance including Electrical and Mechanical Works, Heating, Ventilation & Air Conditioning (HVAC) System, Fire Detection and Alarm Systems, Water Supply, Storm, Drainage and Sewage Disposal, Building upkeep Services including Maintenance of Lift Lobby, Conference Hall, Parking Area, Utilities area, Garbage & scrap disposal, Horticulture, Pest Control, Façade Cleaning Services.</i>	As per authorized operations approved by BoA	38.89

2(iii).2. Shri Tilak Khurana, GM & Shri Pitamber Sharma, Senior Manager of M/s. DLF Power & Services Ltd. joined the meeting through video conferencing and explained the requirement of proposed materials.

2(iii).3. After due deliberations, Approval Committee approved the proposed list of materials. The approval is subject to the condition that Specified Officer shall ensure that procurement of products 'Restricted / Prohibited' for import shall not be allowed.

2(iv): M/s. ASF Insignia SEZ Pvt. Ltd., Developer

2(iv).1. M/s. ASF Insignia SEZ Pvt. Ltd, Developer of IT/ITES SEZ at Village Gwal Pahari, Gurugram (Haryana) has submitted proposal for approval of list of materials to carry on following default authorized operations in their SEZ:-

S. No.	Name of Authorized Operation	S. No. at default list of Authorised Operations as per Instruction No. 50 & 54	Estimated Cost (Rupees in lakhs)
i.	Construction of all type of buildings in processing area as approved by the Unit Approval Committee	22	21.51
ii.	Air Conditioning of processing area.	Approved by BOA	24.22
iii.	Water treatment plant, water supply lines (dedicated lines up to	02	10.59

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	source), sewage lines, storm water drains and water channels of appropriate capacity.		
iv.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	16.03
v.	Access Control and Monitoring System	24	10.30
vi.	Fire protection system with sprinklers, fire and smoke detectors.	07	7.90
vii.	Solid and liquid waste collection, treatment and disposal plants including pipelines & other necessary infrastructure for sewage and garbage disposal, sewage treatment plants.	03	16.99
viii.	Security offices, police posts, etc, at entry, exit and other points within and along the periphery of the site.	11	1.03
ix.	Facility Management Office (approved by BOA).	Approved by BoA	0.78
x.	Power (including power back up facilities) (approved by BOA) – in PZ	Approved by BoA	50.47
		Total:	159.82

2(iv).2. It was observed that the value of items proposed under Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.' has been mentioned as Rs.16.30 lakhs in CE Certificate, whereas list of materials (Annexure-D) amounting to Rs.16.03 lakhs has been submitted.

2(iv).3. After due deliberations, the Approval Committee approved the proposed list of materials. The approval is subject to submission of revised Chartered Engineer Certificate indicating correct value of items under 'Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.'. The approval is further subject to the condition that Specified Officer shall ensure that procurement of products 'Restricted / Prohibited' for import shall not be allowed.

2(v). M/s. Tabreed Infopark Cooling Private Limited, Co-developer.

2(v).1. M/s. Tabreed Infopark Cooling Pvt. Ltd., Co-developer of Mikado Realtors Pvt. Ltd., Electronic Hardware, IT/ITES SEZ at Village Behrampur, Gurugram (Haryana) has submitted proposal for approval of list of materials to carry on following default authorized operation in the said SEZ:-

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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)
i.	Air Conditioning of processing area	21	2100.00

2(v).2. The Committee was informed that following discrepancies was observed in the proposal:-

- i. The co-developer has not executed Bond-Cum-Legal Undertaking in terms of Rule 22(1) (ii) of SEZ Rules, 2006, which is required for availing exemption, drawbacks and concession on goods & services to carry on authorised operations in SEZ.
- ii. In CE certificate the source of proposed materials has been mentioned as 'Import', whereas in list of material, the source of procurement has been mentioned as "SEZ Developer-M/s. Mikado Realtors Pvt. Ltd.".
- iii. Vide this office letter dated 28.03.2023, M/s. Tabreed Infopark Cooling Private Limited was requested to submit draft lease deed / lease agreement proposed to be executed by & between M/s. Mikado Realtors Pvt. Ltd., Developer & M/s. Tabreed Infopark Cooling Private Limited. However, the same is still awaited.

2(v).3. Shri Aseem Goyal, GM, Shri Munsi Kaushik, Manager & Shri Ashish, Advisor of M/s. Tabreed Infopark Cooling Pvt. Ltd. joined the meeting through video conferencing and explained the proposal. The representatives informed that they have submitted Bond-cum-LUT at NSEZ in evening of 31.05.2023. They further informed they have already executed lease deed with SEZ Developer and will submit the copy of same at the earliest.

2(v).4. After due deliberations, the Approval Committee approved the proposed list of materials. This approval is subject to execution of Bond-cum-LUT and submission of draft lease deed/lease agreement, by the co-developer. The approval is further subject to the condition that Specified Officer shall ensure that procurement of products 'Restricted / Prohibited' for import shall not be allowed.

Item No.3: Proposals for partial deletion of area of the unit:-

3(i): M/s. Ericsson India Global Services Pvt. Ltd.

3(i).1. Shri Neeraj Jain, Tax Manager of M/s. Ericsson India Global Services Pvt. Ltd. appeared before the Approval Committee and explained the proposal.

3(i).2. After due deliberations, the Approval Committee approved the proposal of M/s. Ericsson India Global Services Pvt. Ltd. for partial deletion of '58926 Sqft. area at 12th, 13th & 14th floor, Block-A, Kings Canyon Building (B2)' of its unit located in the ASF Insignia SEZ Pvt. Ltd. IT/ITES SEZ at Village Gwal Pahari, Gurugram (Haryana). This approval is subject to the condition that the unit shall submit 'No Dues Certificate' from the Specified Officer in respect of aforesaid area.

Item No. 4: Proposal for changes in the shareholding pattern:-

4(i): M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., Developer

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4(i).1. Shri Sanjay Yadav & Shri Amrik Singh, authorized representatives of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. joined the meeting through video conferencing and explained the proposal. The representatives informed that they will go for the first option of the proposed changes in shareholding pattern and requested for approval of the same.

4(i).2. After due deliberations, the Approval Committee took note of the following two options of proposed changes in shareholding pattern of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., in terms of Instruction No. 109 dated 18.10.2021 issued by DOC, subject to compliance of terms & conditions prescribed therein and further subject to submission of requisite supporting documents w.r.t. actual changes in due course:-

Existing shareholding pattern			Proposed revised shareholding pattern		
Name of shareholder	No. of Equity Shares	No. of CCDs	Name of shareholder	No. of Equity Shares	No. of CCDs
BSREP India Office Holdings II Pte. Ltd.	10,057	9,120	BROOKFIELD INDIA REAL ESTATE TRUST	5,032*	4,561*
BSREP India Office Holdings Pte. Ltd.	6	-	RECO CERIUM PRIVATE LIMITED	5,032	4,561
Total:	10,063	9,120	Total:	10,064	9,122
<i>*Includes fresh issuance of 1 equity share and 2 CCDs to Brookfield REIT</i>					

OR

Existing shareholding pattern			Proposed revised shareholding pattern		
Name of shareholder	No. of Equity Shares	No. of CCDs	Name of shareholder	No. of Equity Shares	No. of CCDs
BSREP India Office Holdings II Pte. Ltd.	10,057	9,120	BROOKFIELD INDIA REAL ESTATE TRUST	5,032*	4,561*
BSREP India Office Holdings Pte. Ltd.	6	-	BSREP INDIA OFFIC HOLDINGS II PTE. LTD.	5,032	4,561
Total:	10,063	9,120	Total:	10,064	9,122
<i>*Includes fresh issuance of 1 equity share and 2 CCDs to Brookfield REIT</i>					

4(ii): M/s. Zinnia Digital Services LLP

4(ii).1. The Approval Committee discussed the proposal and after due deliberations took note of the intimation submitted by M/s. Zinnia Digital Service LLP for change in designated partner in respect of its unit located in the Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana). This is in terms of Instruction No. 109 dated 18.10.2021 issued by DOC, subject to compliance of terms & conditions prescribed therein:-

Name of Partners of LLP	%age Shareholding	Name of previous designated partner as	Name of revised designated partners



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	(as per records)	per records	
Zinnia Corporate Holdings, LLC, USA	99.999%	Mr. Greg Lavern Herrs	Mr. Joshua Allen Everett
SE2, LLC, USA	0.001%	Mr. Srinivasan Ramamoorthy Iyer	Mr. Srinivasan Ramamoorthy Iyer
	100%		

Item No.5: Proposals for approval of the value of input services:-**5(i): M/s. Tata Consultancy Services Limited**

5(i).1. The Approval Committee discussed the proposal and after due deliberations took note of the revised value of indigenous input services as Rs.37002.32 lakhs proposed by M/s. Tata Consultancy Services Limited, a unit in the DLF Cyber City Developers Ltd. IT/ITES SEZ at Sector-24 & 25A, DLF Phase-III, Gurugram (Haryana). These services would figure in the calculation chart of Bond-cum-LUT accepted by this office in respect of its unit located .

Item No. 6. Monitoring of performance of the unit.**6(i). M/s. SoftwareOne India Private Limited**

6(i).1. M/s. SoftwareOne India Private Limited, a unit ASF Insignia SEZ Pvt. Ltd. IT/ITES SEZ, Village Gwal Pahari, Gurugram (Haryana) has applied for exit from SEZ Scheme. The year-wise export performance and status of NFE Earnings of the unit, as per APRs since inception, duly verified by NSEZ CA firm, are as under:-

For first block of 5 years:

(Rs. in lakhs)

Year	FOB value of export	NFE Earnings	DTA Sales	Pending Foreign Exchange realization
2016-17	2263.80	2047.02	1265.93	0.00
2017-18	6590.84	5886.83	1500.23	0.00
2018-19	9689.77	9148.13	2258.78	0.00
2019-20	4768.69	3819.34	2723.62	0.00
2020-21	5474.32	4826.76	2730.23	0.00
Total:	28787.42	25728.08	10478.79	0.00

For 2nd block of 5 years:

(Rs. in lakhs)

Year	FOB value of export	NFE Earnings	DTA Sales	Pending Foreign Exchange realization
2021-22	2758.61	2278.81	3257.69	0.00
2022-23	1765.93	1650.96	808.41	0.00
Total:	4524.54	3929.77	4066.1	0.00

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6(i).2. Following observations found in APRs were informed to the Committee:-

- i. The unit has made supplies against Rule 53A(a-k) to the tune of Rs.935.08 lakhs and Rs.174.77 lakhs, hence unit needs to provide sub-rule under which the supplies of services were made.
- ii. There is big difference in the value of services sold in DTA shown by unit earlier and now in APRs. Now, unit has shown DTA sale of services to the tune of Rs.14544.89 lakhs. Hence details of such variations along with break-up of sale against INR and forex need to be given.

6(i).3. Shri Nikhil Jain, Senior Manager of M/s. SoftwareOne India Private Limited joined the meeting through video conferencing and explained the matter.

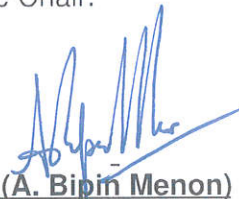
6(i).4. After due deliberations, the Approval Committee monitored the performance of unit in terms of Rule 54 and took note of the positive NFE earned by the unit upto 31.03.2023. Further the Committee directed the unit to submit break up details with regard to observations (mentioned above) and empowered the DC to get the reply (to be received from unit) examined on file. Moreover, if required, it was agreed to take further action under FT(D&R) Act, 1992, as amended, for issuance of SCN and adjudicate thereof for effecting DTA sale of services in INR in violation of Section 2(z) of the SEZ Act, 2005, if any.

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



(Surender Malik)

Joint Development Commissioner



(A. Bipin Menon)

Development Commissioner