

भारत सरकार वाणिज्य एवं उद्योग मंत्रातय वाणिज्य विभाग विकास आयुक्त का कार्यातय नोएडा विशेष आर्थिक क्षेत्र

नोएडा-दादरी रोड, फेज-२, नोएडा – २०१३०५ (उत्तर प्रदेश) दूरभाष (जोन कार्यालय): ०१२० – २५६७२६८-७० (३ लाइनै), फैक्स: २५६२३१४, २५६७२७६

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फा॰ सं॰ 10/274/2009-SEZ/

दिनांक: 15/02/2022

(ई मेल के माध्यम से) सेवा में .

- 1. निदेशक(एस॰ई॰जेड॰), वाणिज्य विभाग, वाणिज्य एवं उधोग मंत्रालय, भारत सरकार, उधोग 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, उधोग विहार, फेज-5, गुडगांव (हरियाणा)।
- 6. आयुक्त, आयकर, सेन्ट्रल सर्कल- ॥, सी जी ओ कॉम्प्लेक्स, एनएच ४, फरीदाबाद, (हरियाणा) ।
- 7. उपसचिव (आई एफ 1), बैंकिंग प्रश्लाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
- निदेशक, उधोग एवं वाणिज्य विभाग, हरियाणा सरकार, 30 बेज़ बिल्डिंग, सेक्टर 17, चंडीगढ़।
- 9. प्रबंध निदेशक, हरियाणा राज्य औधोगिक विकास निगम, हरियाणा सरकार, प्लॉट नं सी -13 व 14, सेक्टर 6 पंचकूला , (हरियाणा)।
- 10. सीनियर टाउन प्लानर, टाउन एंड कंट्री प्लानिंग (एच क्यू), एस सी ओ :71-75, सेक्टर 17C, चंडीगढ़।
- 11. संयुक्त निदेशक, जिला उधोग केंद्र, प्लॉट नं 2, आई डी सी, गुडगांव (हरियाणा)।
- 12. संयुक्त निदेशक, जिला उधोग केंद्र, नीलम चौक, फरीदाबाद (हरियाणा)।
- 13. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता ।

विषयः हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों के संबंध में श्री ए॰ बिपिन मेनन, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में अनुमोदन समिति की दिनांक 03/02/2022 को अपराह 12:30 बजे विडियो कॉन्फ़्रेंसिंग के माध्यम से आयोजित बैठक का कार्यवृत - एतद संबंधी।

महोदय,

उपरोक्त विषय के सन्दर्भ में हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों के संबंध में श्री ए॰ बिपिन मेनन, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में अनुमोदन समिति की दिनांक 03/02/2022 को अपराह 12:30 बजे विडियो कॉन्फ़ेंसिंग के माध्यम से आयोजित बैठक का कार्यवृत्त संलग्न है |

संलग्नक : उपरोक्त

(नितिन र्गुप्ता) 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 12:30 PM on 03.02.2022 through Video Conferencing.

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

- 1. Shri Rajesh Kumar, DDC, NSEZ
- 2. Shri Vinod Kumar Ahirwar, Dy. Commissioner, Customs, Delhi
- 3. Shri Raman Deep Singh, IEO, Deptt. of Industries, Gurugram
- 4. Shri Chaman Lal, Asstt. DGFT, O/o DGFT, CLA, New Delhi
- Besides, during the meeting i) Shri Ravi Raina, Specified Officer (I/C) ii) Shri Prakash Chand Upadhyay, ADC, (iii) Shri Rajendra Mohan Kashyap, Steno Gr.II and (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 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:-

1. Ratification of the Minutes of the Approval Committee meeting held on 06.01.2022:-

As no reference in respect of the decisions of the Approval Committee held on 06.01.2022 was received from any of the members of the Approval Committee, Minutes of the Meeting held on 06.01.2022 were unanimously ratified.

Agenda item No.02: Proposals for setting up of new unit.

Item No.2.1: M/s. Midland Credit Management India Private Limited

2.1.1. M/s. Midland Credit Management India Private Limited had submitted a proposal for setting up a unit over an area of 20605.33 Sqmt. (221794 Sqft.) at Ground to 3rd floor, Tower-8 in the Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana) to undertake service activities namely "Information Technology Enabled Services in the nature of Call Centers and Back-office operations in the nature of support services (CPC-87909)". The applicant proposed projected exports of Rs.265841.00 lakhs and cumulative NFE of Rs.255609.00 lakhs over a period of five years. Projected investment of Rs.7573.00 lakhs toward imported capital goods and Rs.2672.00 lakhs towards indigenous capital goods has been proposed. Applicant has also proposed requirement of imported input services of Rs.1363.00

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lakhs, indigenous input services of Rs.55699.00 lakhs and indigenous Raw materials, components, consumables etc. of Rs.5374.00 lakhs. Cost of project shall be met from pre-SEZ reserves & surplus, transfer of assets from pre-SEZ operations (STPI) and from internal accruals. The applicant has also proposed transfer of assets of Rs.1224 lakhs from its STPI unit. The applicant submitted a copy of "Letter of Provisional Offer of Space" dated 21.12.2021 issued by the SEZ Developer for allotment of the proposed space.

- 2.1.2. Shri Aditya Changoiwala, Dirctor-Finance & Shri Nitesh Gupta, Sr. Manager-Finance of M/s. Midland Credit Management India Private Limited joined the meeting through video conferencing and explained the proposal. The representatives informed that the management has decided to consolidate the existing business of STPI & DTA unit through this SEZ unit which will provide services to its parent company.
- 2.1.3. After due deliberations, the Approval Committee unanimously <u>approved</u> the proposal for setting up a new unit to undertake service activities namely "Information Technology Enabled Services in the nature of Call Centers and Back-office operations in the nature of support services (CPC-87909)", subject to submission of Form 32/ DIR-11/12 for cessation of Mr. Ron Eckhardt.

Item No.3: Proposals for approval of list of materials for authorized operations:-

3.1: M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., Developer

3.1.1. M/s. Candor Gurgaon One Realty Projects Pvt. Ltd, Developer of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana) had 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 Auth. Opr. as per Inst. No. 50 & 54 | Estimated Cost (Rupees in lakhs) |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------|
| i, | Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub- stations of appropriate capacity, pipeline network etc. | 04 | 18.00 |
| ii. | Construction of all type of buildings in processing area as approved by the Unit Approval Committee. | | 5.75 |
| | | Total: | 23.75 |

3.1.2. Shri Jai Kumar & Shri Amrik Singh both Authorised Representative of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. (SEZ Developer) joined the meeting through video conferencing and

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explained the requirement of proposed materials.

3.1.3. After due deliberations, Approval Committee unanimously <u>approved</u> the proposed list of materials, subject to the condition that Specified Officer shall ensure that no 'Restricted / Prohibited' item shall be allowed.

3.2: M/s. ASF Insignia SEZ Pvt. Ltd., Developer.

3.2.1. M/s. ASF Insignia SEZ Pvt. Ltd., Developer of IT/ITES SEZ at Village- Gwal Pahari, Distt-Gurugram (Haryana) has submitted proposal for approval of list of materials to carry on following default / approved authorized operations 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) |
|--------|-----------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------|
| i. | Construction of all type of buildings in processing | 22 | 3.57 |
| | area as approved by the Unit Approval Committee | | |
| | | Approved by BOA | 1.87 |
| ii. | Air Conditioning of processing area. | , , | 1.58 |
| iii. | Water treatment plant, water supply lines | 02 | 1.56 |
| | (dedicated lines up to source), sewage lines, | | |
| | storm water drains and water channels of | | |
| | appropriate capacity. | | F 05 |
| iv. | Electrical, Gas and Petroleum Natural Gas | 04 | 5.25 |
| | Distribution Network including necessary sub- | | |
| | stations of appropriate capacity, pipeline network | | |
| | etc. | | 0.04 |
| V. | Access Control and Monitoring System | 24 | 2.21 |
| vi. | Solid and liquid waste collection, treatment and | 03 | 3.09 |
| | disposal plants including pipelines & other | | |
| | necessary infrastructure for sewage and garbage | | |
| | disposal, sewage treatment plants. | | |
| vii. | Fire protection system with sprinklers, fire and | 07 | 4.54 |
| | smoke detectors. | | |
| viii. | Security offices, police posts, etc, at entry, exit | 11 | 1.85 |
| | and other points within and along the periphery of | | |
| | the site. | | |
| ix. | Facility Management Office (approved by BoA) | Approved by BOA | 0.72 |
| х. | Power (including power back up facilities) | Approved by BoA | 9.85 |
| | (approved by BOA) - in PZ | | |
| | | | |

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| | Total | 2/52 |
|----------|---------|-------|
| i | TOTAL J | 34.33 |
| | 1 | |
| | | |

- 3.2.2. Shri Ashok Kumar Singh, DGM of M/s. ASF Insignia SEZ Pvt. Ltd. joined the meeting through video conferencing and explained the requirement of proposed materials. On being asked by the Approval Committee, he requested for withdrawal of 'Jamuna Sand' proposed at Sl. No. 3 under 'Construction of all types of building in processing area as approved by UAC (Annexure-A).
- 3.2.3. After due deliberations, Approval Committee unanimously <u>approved</u> the proposed list of materials except 'Jamuna Sand' proposed at Sl. No. 3 under 'Construction of all types of building in processing area as approved by UAC (Annexure-A), subject to the condition that Specified Officer shall ensure that no 'Restricted / Prohibited' item shall be allowed.

3.3. M/s. ASF Insignia SEZ Pvt. Ltd. (HSD).

- 3.3.1. M/s. ASF Insignia SEZ Pvt. Ltd., Developer has submitted a proposal for approval for tax/duty free procurement of 109.08 KL (109080 Litre) High Speed Diesel (HSD) of Rs.61.08 lakhs for FY 2022-23, based on average monthly consumption during 9 months of FY 2021-22 (01.04.2021 to 31.12.2021), to carry on authroised operation namely 'Power (Including power backup facilities) as approved by BoA in Processing Zone' in its IT/ITES SEZ at Village Gwal Pahari, Gurugram (Haryana), in terms of power guidelines dated 16.02.2016. The average monthly consumption is 12120 Ltr. per month.
- 3.3.2. The Approval Committee observed that value of proposed HSD wrongly mentioned in the Chartered Engineer Certificate and preceding months name wrongly mentioned in the details submitted by the developer. Further, HSD consumption details needs to be verified by the SEZ Customs.
- 3.3.3. Shri Ashok Kumar Singh, DGM of M/s. ASF Insignia SEZ Pvt. Ltd. joined the meeting through video conferencing and explained the proposal.
- 3.3.4. After due deliberations, Approval Committee unanimously <u>approved</u> the duty free procurement of 109.08 KL (109080 Litre) High Speed Diesel (HSD) of Rs.61.08 lakhs for FY 2022-23 (average monthly consumption of 12120 Ltr. per month), 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 Deptt. of Commerce, Govt. of India vide letter No. P.6/3/2006-SEZ(Vol-III) dated 16.02.2016. The Approval Committee directed the representative of the developer to submit revised Chartered Engineer certificate and HSD consumption details for FY 2021-22, duly verified by the SEZ Customs.

Items No. 3.4: M/s. DLF Ltd., developer

3.4.1. M/s. DLF Ltd., Developer of IT/ITES SEZ at Village- Silokhera, Sector-30, Gurugram

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(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 Auth. Opr. as per Inst. No. 50 & 54 | Estimated Cost (Rupees in lakhs) |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------|
| i. | Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub- stations of appropriate capacity, pipeline network etc. | 04 | 310.90 |

3.4.2. After due deliberations, the Approval Committee unanimously <u>approved</u> the proposed list of materials, subject to the condition that Specified Officer shall ensure that no 'Restricted / Prohibited' item shall be allowed.

| Agenda item No.04: | Proposals for expansion of area / relocation of |
|--------------------|-------------------------------------------------|
| the unit. | |

Item No.4.1: M/s. ZS Associates India Private Limited

4.1.1. M/s. ZS Associates India Pvt. Ltd. has submitted proposal for expansion of area by addition of 89451 Sqft. at 5^{th} , 6^{th} & 7^{th} floor, Block-A2 & 7^{th} floor, Block-A3 in its unit located in DLF Ltd. IT/ITES SEZ at Village Silokhera, Sector-30, Gurguram (Haryana). The unit has submitted provisional offer of space issued by SEZ Developer in respect of proposed additional area. The unit has also submitted revised projections as given below:-

(Rs. in lakhs)

| Particulars (for 5 years) | Existing Projections | Revised Projections |
|--------------------------------|----------------------|---------------------|
| Projected FOB value of exports | 222950.32 | 397196.00 |
| Foreign Exchange Outgo | 7534.00 | 5061.00 |
| NFE Earnings | 215416.32 | 392135.00 |
| Imported Capital Goods | 5317.51 | 5317.51 |
| Indigenous Capital Goods | 3011.94 | 3011.94 |

- 4.1.2. Ms. Priya Bhojwani, Manager-Finance & Mr. Parag Modgi, Manager-Finance of M/s. ZS Associates India Pvt. Ltd. joined the meeting through video conferencing and explained the proposal.
- 4.1.3. After due deliberations, the Approval Committee unanimously <u>approved</u> the proposal for expansion of area and revised projections subject to submission of breakup of foreign exchange outgo of Rs.5061 lakhs which is less than the approved value of imported capital goods.

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Item No. 4.2: M/s. Consilio India Private Limited

4.2.1. M/s. Consilio India Pvt. Ltd. has submitted proposal for relocation of unit within the same SEZ with additional area and downward revision in export / NFE projections of its unit located in the Gurgaon Infospace Ltd. IT/ITES SEZ at Village-Dundahera, Sector-21, Gurguram (Haryana). The unit is presently operating from '16800 Sqft. at 4th floor, Tower-C, Building No.3' and requested for relocation to '34246 Sqff. on 3rd floor, Tower-B, Building No.6'. The unit has submitted revised downward Export / NFE projections & requirement of additional capital goods as given below:-

(Rs. in lakhs)

| Particulars (for 5 years) | Existing Projections | Revised Projections |
|--------------------------------|----------------------|---------------------|
| Projected FOB value of exports | 19490.73 | 16526.17 |
| Foreign Exchange Outgo | 4140.15 | 4162.88 |
| NFE Earnings | 15350.58 | 12363.29 |
| Imported Capital Goods | 242.00 | 242.00 |
| Indigenous Capital Goods | 363.00 | 650.00 |

- 4.2.2. Shri Tamir Krigel, Director of M/s. Consilio India Pvt. Ltd. joined the meeting through video conferencing and explained the proposal. He informed that the unit is going to complete its 2nd block of 5 years on 08.07.2022 and the exports from the unit during this block is less than the projected exports. He further added that they hope growth in export during next 5 years' block.
- 4.2.3. After due deliberations, the Approval Committee unanimously <u>approved</u> the proposal for relocation of the unit with expanded area and revised downward projections, subject to submission of 'NOC' from the developer and 'No Dues Certificate' from Specified Officer in respect of '4th floor, Tower-C, Building No.3'.

Agenda item No. 5: Proposals for amendment in authorised operations in LOA of unit.

5.1. M/s. Bravura Solutions India LLP (Unit-I)

5.1.1. M/s. Bravura Solutions India LLP (Unit-I) has submitted request for amendment in authorised operations in LOA of its unit located in the Candor Gurgaon One Realty Projects Pvt. Ltd. IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana), as given below:-

| Existing approved authroised | | ised | Proposed revised authroised operations as mentioned in Form F1 |
|------------------------------|------------|-------|----------------------------------------------------------------------------------------|
| ot | perations | | |
| Information | Technology | and | i. Information Technology IT consulting and support services (CPC- |
| Information | Techno | ology | 84210) |
| Enabled Services | | | ii. Information Technology IT design and development services |

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| (CPC-84230). |
|------------------------------------------------------------------------------------------------------------------------------|
| iii. Other Information Technology services not elsewhere classified |
| (CPC-84990). |
| iv. Business support service (CPC-86501). |
| V. Accounting and book keeping services (CPC-86219). |
| Vi. Management consulting and management services including financial, strategic, human resources, marketing, operations and |
| supply chain management (CPC-86509). |

- 5.1.2. Shri Saimeet Sareen, Finance Controller & Shri Praveen Kashyap, Auth. Rep. of M/s. Bravura Solutions India LLP joined the meeting through video conferencing and explained the proposal.
- 5.1.3. After due deliberations, the Approval Committee unanimously <u>approved</u> the proposal for aforesaid amendment in the authroised operations of the unit.

Agenda item No.6: Proposal for allotment of space to facility providers:

Item No.6.1: M/s. Gurgaon Infospace Limited (Developer)

6.1.1. M/s. Gurgaon Infospace Limited, developer of IT/ITES SEZ at Village Dundahera, Sector-21, Gurugram (Haryana) has submitted proposal for one-time approval of UAC under proviso of Rule 11(5) of SEZ Rules, 2006, to lease out built-up space in the processing area of SEZ for providing facilities such as Cafeteria, Creche, First Aid Medical Center and such other activities. The developer has stated that they have obtained BoA approval for the following authorised activities in processing area of SEZ vide letter dated 10.03.2008:-

| Activities approved by BoA | Area approved |
|---------------------------------------------------------------------------------------------------------------|------------------|
| Recreational facilities including Club house, Indoor or outdoor games, Gym etc. | 1300 Sqmt. |
| Food services including cafeteria, Food Court(s), Restaurants, Coffee shops, canteen and catering facilities. | 3900 Sqmt. |
| Employees Welfare facilities like crèche, medical center and other such facilities. | 1750 Sqmt. |
| Shopping Arcade and / or retail space | 300 Sqmt. |
| Business and / or convention center | 1500 Sqmt. |

6.1.2. Shri Sanjay Yadav, Shri Jay Kumar & Shri Amrik Singh all representatives of the developer joined the meeting through video conferencing and explained the proposal. The representatives informed that they are facing lot of difficulties in managing and operating the amenities space which is already approved by the BOA and every time the developer needs to submit vendor-wise proposals along with lots of documents of vendors to obtain prior approval of UAC for lease out the space for providing facilities. At the time of exit from the SEZ by such

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Vendors, even though no exemption in duties or taxes is granted to such Vendors, the Developer needs to submit 'No Dues Certificate' from the Specified Officer in respect of such vendors. Sometimes Vendors change their business collaborations, franchises, and partners and in such condition Developer face problem for procuring required documents as Vendors do not support once they terminate the lease. Developer gets delayed for applying for cancellation of permission from UAC or some time not able to apply for cancellation of permission without required documents. Under this circumstances Developer bears loss both of time and financials and is unable to further lease out the area until cancellation of approval of the UAC is received. The representative of the developer requested to grant one-time prior approval under proviso to Rule 11(5) to lease out built-up space in the processing area of SEZ to facility providers for providing facilities in line with the approval granted by BoA.

- 6.1.3. The Approval Committee observed that as per proviso to Rule 11(5) of SEZ Rules "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, creche and such other facilities as may be required for the exclusive use of the Unit".
- 6.1.4. The Approval Committee analyzed the provisions and took note of the practical difficulty being faced by the Developer. The Approval Committee observed that a one time approval would be a trade facilitatory measure and highlighted that Rule 11(5) talks about UAC approval for "creation of facilities" and not "allocation to individual facility providers. Further, no tax / duty benefits were being allowed to these facility providers". After due deliberations and based on the considerations in this para, the Approval Committee unanimously approved the proposal for one- time approval to lease out built-up space in the processing area of SEZ to facility providers under proviso to Rule 11(5) for providing facilities, in line with the approval granted by BoA. The approval is subject to the condition that the developer will submit intimation to Office of Development Commissioner, NSEZ as and when such changes in facility providers takes place along with a consolidated list showing details of area allotted to each vendor against the area approved by the BoA, within 30 days of such changes. A post facto intimation would be provided to the UAC too.

Item No.6.2: M/s. Candor Gurgaon One Realty Projects Private Limited (Developer)

6.2.1. M/s. Candor Gurgaon One Realty Projects Pvt. Ltd, Developer of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana) has submitted proposal for one-time approval of UAC under proviso of Rule 11(5) of SEZ Rules, 2006, to lease out built-up space in the processing area of SEZ for providing facilities such as Cafeteria, Creche, First Aid Medical Center and such other activities. The developer has stated that they have obtained BoA approval for the following authorised activities in processing area of SEZ vide letter dated 10.03.2008:-

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| Activities approved by BoA | Area |
|---------------------------------------------------------------------------------------------------------------|------------|
| | approved |
| Recreational facilities including Club house, Indoor or outdoor games, Gym etc. | 1000 Sqmt. |
| Food services including cafeteria, Food Court(s), Restaurants, Coffee shops, canteen and catering facilities. | 2000 Sqmt. |
| Employees Welfare facilities like crèche, medical center and other such facilities. | 1000 Sqmt. |
| Shopping Arcade and / or retail space | 1000 Sqmt. |
| Business and / or convention center | 1500 Sqmt. |

- 6.2.2. Shri Sanjay Yadav, Shri Jay Kumar & Shri Amrik Singh all representatives of the developer joined the meeting through video conferencing and explained the proposal. The representatives informed that they are facing lot of difficulties in managing and operating the amenities space which is already approved by the BOA and every time the developer needs to submit vendor-wise proposals along with lots of documents of vendors to obtain prior approval of UAC for lease out the space for providing facilities. At the time of exit from the SEZ by such Vendors, even though no exemption in duties or taxes is granted to such Vendors, the Developer needs to submit 'No Dues Certificate' from the Specified Officer in respect of such vendors. Sometimes Vendors change their business collaborations, franchises, and partners and in such condition Developer face problem for procuring required documents as Vendors do not support once they terminate the lease. Developer gets delayed for applying for cancellation of permission from UAC or some time not able to apply for cancellation of permission without required documents. Under this circumstances Developer bears loss both of time and financials and is unable to further lease out the area until cancellation of approval of the UAC is received. The representative of the developer requested to grant one-time prior approval under proviso to Rule 11(5) to lease out built-up space in the processing area of SEZ to facility providers for providing facilities in line with the approval granted by BoA.
- 6.2.3. The Approval Committee observed that as per proviso to Rule 11(5) of SEZ Rules "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, creche and such other facilities as may be required for the exclusive use of the Unit".
- 6.2.4. The Approval Committee analyzed the provisions and took note of the practical difficulty being faced by the Developer. The Approval Committee observed that a one time approval would be a trade facilitatory measure and highlighted that Rule 11(5) talks about UAC approval for "creation of facilities" and not "allocation to individual facility providers. Further, no tax / duty benefits were being allowed to these facility providers". After due deliberations and based on the considerations in this para, the Approval Committee unanimously approved the proposal for one- time approval to lease out built-up space in the processing area of SEZ to facility providers

under proviso to Rule 11(5) for providing facilities, in line with the approval granted by BoA. The approval is subject to the condition that the developer will submit intimation to Office of Development Commissioner, NSEZ as and when such changes in facility providers takes place along with a consolidated list showing details of area allotted to each vendor against the area approved by the BoA, within 30 days of such changes. A post facto intimation would be provided to the UAC too.

Agenda item No.7: Proposal for approval of 'Common Area Maintenance ('CAM' or 'maintenance') charges' as additional input services.

Item No.7.1: M/s. LifeWorks Wellbeing Solutions (India) LLP.

- 7.1.1. M/s. LifeWorks Wellbeing Solutions (India) LLP has submitted proposal for approval of additional input service namely 'Common Area Maintenance ('CAM' or 'maintenance') charges' paid to the SEZ Developer for the area occupied by 'Cafeteria (including kitchen & tuck shop), medical room and gymnasium', to avail GST benefits on the same in respect of its unit located in the DLF Ltd. IT/ITES SEZ at Village Silokhera, Sector-30, Gurugram (Haryana).
- 7.1.2. Shri Manoj Tewani, Director-HR & Tejasvi Anand, Authorised Representative of M/s. LifeWorks Wellbeing Solutions (India) LLP joined the meeting through video conferencing and explained the proposal.
- 7.1.3. After due deliberations, the Approval Committee noted the practices being followed in other private SEZs under the jurisdiction of DC Noida SEZ in respect of exempting GST on Common Area Maintenance (CAM) Charges. Moreover, the Committee was of the view that rentals and CAM charges had to be treated differently. Noting this and taking into account that the common area facilitates the operations of the SEZ, the UAC unanimously approved the proposal of M/s. LifeWorks Wellbeing Solutions (India) LLP for inclusion of 'Common Area Maintenance (CAM) charges' as additional input service to avail GST exemption on it, in respect of its unit located in the DLF Ltd. IT/ITES SEZ at Village Silokhera, Sector-30, Gurugram (Haryana).

Agenda item No.8: Proposals for approval of the value of input services.

Item No.8.1. Ws. CMPSS India Tech LLP

8.1.1. M/s. CMPSS India Tech LLP has proposed indigenous input services amounting to Rs. 2141.14 lakhs in the Calculation chart of Bond-cum-LUT in respect of its unit located in the DLF Cyber City Developers Ltd. IT/ITES SEZ at Sector-24 & 25A, DLF Phase-III, Gurugram (Haryana), which was not approved in their projections. The unit had submitted list of 06 nos. input services

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which are covered under the default list of 67 services. The Competent Authority was decided to accept the Bond-cum-LUT and place the revised projections before the Approval Committee.

8.1.2. After due deliberations, the Approval Committee unanimously <u>took note of</u> the projections of indigenous input services, subject to the condition that the input services shall be as per the default list of 67 services.

Agenda item No.9: Intimation of change in Directors.

Item No.9.1. M/s. Guardian India Operations Pvt. Ltd.

- 9.1.1. M/s. Guardian India Operations Pvt. Ltd. has submitted intimation for appointment of Sh. Ajay Jain as Director of the Company along with copy of his DIR-12, Pan Card & Passport. The unit has informed that there is no change in shareholding pattern of the company.
- 9.1.2. After due deliberations, the Approval Committee unanimously took note of the appointment of new director in the company in terms of Instruction No. 109 dated 18.10.2021 issued by DOC.

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

(Railesh Kumar)

Dy. Development Commissioner

(A.∕Bipin Menon)

Development Commissioner