



GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE
OFFICE OF THE DEVELOPMENT COMMISSIONER
NOIDA SPECIAL ECONOMIC ZONE
NOIDA DADRI ROAD, PHASE-II, NOIDA - 201305
DISTT. GAUTAM BUDH NAGAR (UTTAR PRADESH)

फा० सं० 10/274/2009-एसईजेड/

दिनांक: 08/11/2018

सेवा मे ,

1. निदेशक (एसईजेड), 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 बेज भवन, 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 / सह-विकासकर्ता।

विषय: दिनांक 01/11/2018 को अपराह्न 12:30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त - एतद् संबंधी।

महोदय,

उपरोक्त विषय के सन्दर्भ में डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 01/11/2018 को अपराह्न 12.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त संलग्न है।

संलग्नक : उपरोक्त

भवदीय,

(राजेश कुमार)
उप विकास आयुक्त

NOIDA SPECIAL ECONOMIC ZONE

Minutes of meeting of the Approval Committee of private SEZs located in the State of Haryana held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, NSEZ at 12.30 PM on 01.11.2018 in the Conference Hall of NSEZ, Noida.

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

1. Shri S.S. Shukla, Jt. Development Commissioner, NSEZ
2. Md. Hadees Ali, Asstt. Commissioner, Customs, Delhi
3. Shri R.L. Meena, Asstt. DGFT, New Delhi
4. Shri Rahul Yadav, O/o. Joint Director, Deptt. of Industries, Faridabad
5. Representatives of SEZ Developers / Co-developers, Special Invitee.

➤ Besides, during the meeting i) Shri Rajesh Kumar, DDC, ii) Shri Satish C Gangar, Specified Officer, iii) Shri Harvinder Bawa, Specified Officer, iv) Shri Mohan Veer Ruhella, ADC & v) Shri Prakash Chand Upadhyay, OSD to DC were also present to assist the Approval Committee.

➤ At the outset, the Chairman 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:-

01. Ratification of Minutes of last meeting of the Approval Committee held on 05.10.2018:-

The Approval Committee was informed that no reference against the decisions of the Approval Committee held on 05/10/2018 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 05/10/2018 were ratified.

02. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., developer for approvals of list of materials to carry on authorized operation in its IT/ITES SEZ at Vill. Gwal Pahari, Tehsil Sohna, Distt. Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. ASF Insignia SEZ Pvt. Ltd., Developer of IT/ITES SEZ at Village- Gwal Pahari, Distt- Gurgaon (Haryana) had submitted proposal for approval of list of materials to carry on following default / approved authorized operations in their SEZ:-



**Minutes of the Approval Committee meeting of
SEZs in Haryana held on 01.11.2018 at NSEZ, Noida**

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 substations of appropriate capacity, pipeline network etc.	04	17.05
(ii)	Fire protection system with sprinklers, fire and smoke detectors.	07	16.31
(iii)	Power (Including power backup facilities) (in PZ)	Approved by BoA	4.03
(iv)	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains, and water channels of appropriate capacity.	02	16.83
		Total:	54.22

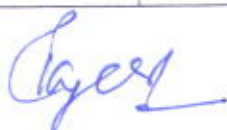
Mr. Ashok Singh, AGM & Mr. Vikas Tarachandan, AGM appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

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

03. Proposal of M/s. Black Canyon SEZ Pvt. Ltd., Co-developer for approval of additional services to carry on autohrised operations in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Vill. Gwal Pahari, Gurugram (Haryana)

It was brought to the notice of the Approval Committee that M/s. Black Canyon SEZ Pvt. Ltd., Co-developer had submitted a proposal for approval of following additional service, in addition to the list of 66 Nos. default services, to carry on authorized operations in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Vill. Gwal Pahari, Gurugram (Haryana):-

S. No.	Proposed Service	Justification for requirement of proposed service given by the Co-developer
(i)	Real Estate Agent's Services	Required in relation to leasing or renting of real estate and includes advice, consultancy or technical assistance, in relation to evaluation, conception, design, development, construction, implementation, supervision, maintenance, marketing acquisition or management of real estate.
(ii)	Management or business consultant's service.	Required in connection with the management of organization, advice, consultancy or technical assistance, in relation to financial management, human resource management, logistics / procurement management etc.
(iii)	Mandap Keeper Services / Pandal or Shamiana (within processing area)	Required for various promotional activity / function to be organized in the processing area.



(iv)	Event management service (within processing area)	Required for arranging various events in the processing area.
(v)	Dry cleaner services (for fitment in processing area)	Required for dry cleaning of fitment in the processing area.
(vi)	Business Auxiliary Services	Required for procurements of inputs (goods & services), development of prospective customer & vendors, inventory management etc. in relation to the development of SEZ.

3.1. Mr. Ashok Singh, AGM & Mr. Vikas Tarachandan, AGM appeared before the Approval Committee on behalf of the Co-developer. However, the Approval Committee observed that the representatives of the Co-developer are not in position to explain the need / justification of these additional services to the Co-developer.

3.2. After due deliberations, the Approval Committee deferred the proposal and directed the representative of the Co-developer that an authorized representative of the Co-developer, who is well versed with the requirement of proposed services, shall appear before the Approval Committee in its next meeting to explain need alongwith justification for the above proposal to the Committee.

04. Proposal of M/s. Ericsson India Global Services Pvt. Ltd. for deletion of area and leaving the furniture & fixtures (fixed and movable) installed therein with SEZ Co-developer, M/s. Grand Canyon SEZ Pvt. Ltd. on "as is where basis is" in respect of its unit located in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Gurugram (Haryana).

It was brought to the notice of Approval Committee that M/s. Ericsson India Global Services Pvt. Ltd. had applied for deletion of area from the unit located in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Gurugram (Haryana). It was informed to the Committee that presently unit has been occupying an area of 422805 Sqft. at Ground to 3rd Floor, Block-A, Grand Canyon Building (B3), Ground to 14th Floor, Block – A, Kings Canyon Building (B2) and Ground to 3rd floor Block-B, Kings Canyon Building (B2) and requested for deletion of 15215 Sqft. at 3rd floor, Block-A, Grand Canyon Building (B3). It was informed that the unit has intimated that there will be no change in the already approved projections.

4.1. It was further informed that the unit had also requested for special permission to leave the furniture & fixtures (fixed and movable) installed in the area proposed to be de-bonded i.e. 3rd floor, block-A, Grand Canyon Building (B3) with SEZ Co-developer, M/s. Grand Canyon SEZ Pvt. Ltd. on "as is where is basis".

4.2. Further, it was informed that following documents / information required to be submitted by the unit:-



- (i) 'NOC' from the SEZ Customs & SEZ Developer for partial deletion of area.
- (ii) The unit has made DTA sale of Rs.10627.01 lakhs during the year 2017-18. Hence, breakup details of DTA Sales viz i). Services rendered in DTA and payment realized in free foreign exchange & ii). Services rendered in DTA against payment in INR, required to be given.
- (iii) Present status of pending forex realization of Rs. 3033.11 lakhs (as shown in APR for the year 2017-18), duly certified by CA.

4.3. Shri Neeraj Jain, Sr. Manager, appeared before the Approval Committee on behalf of the unit and explained the proposal. He informed that that as per the lease terms, at the time of vacating the leased space, they are bound to hand over space back to the Co-developer, M/s. Grand Canyon SEZ Pvt. Ltd. on warm-shell basis as the interiors and fit outs were carried out by Ericsson. To hand over the vacated space on warm-shell basis, they will have to dismantle all the furniture & fixture (fixed and movable) which will result in possible damage of building and also involve additional cost / time in repair & maintenance of the building. To avoid these additional time / cost burden, Ericsson & co-developer have mutually agreed to leave the furniture and fixture on "as is where is" basis with the Co-developer, M/s. Grand Canyon SEZ Pvt. Ltd. on a sale consideration at scrap value of the goods including applicable GST. He further informed that the services rendered by the unit in DTA during the year 2017-18 were against the payment received in free foreign exchange. Further, he informed that unit have some pending realisation beyond 9 months.

4.4. After due deliberations, the Approval Committee approved the proposal for partial deletion of area, subject to submission of 'NOC' from Specified Officer & SEZ Developer. The Approval Committee clarified that once the unit pays the amount of applicable tax/duties on the goods (furniture and fixtures) proposed to be de-bonded, there is no problem in permitting furniture and fixtures to be retained in the premises. Further, Approval Committee directed the representative of the unit to submit details of services rendered in DTA during the year 2017-18 and also obtain extension of period from RBI for pending forex realization and submit copy of the same to this office.

05. Proposal of M/s. DLF Assets Private Limited., Co-developer for approval of list of materials to carry on authorized operations in IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Gurugram (Haryana).

It was brought to the notice of Approval Committee that M/s. DLF Assets Pvt. Ltd., Co-developer had submitted proposal for approval of list of materials to carry on following authorized operation in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Gurugram (Haryana):-



S. No.	Name of Authorized Operations	Sl. No at default list of authorized operations as per Inst. No.50 and 54	Estimated Cost (Rs. in lakhs)
(i)	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	2.95

5.1. Mr. Anil Nauriyal, G.M. & Mr. Pitambar Sharma, Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed materials.

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

06. Proposal of M/s. DLF Power & Services Limited., Co-developer for approval of list of materials to carry on authorized operations in IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Gurugram (Haryana).

It was brought to the notice of Approval Committee that M/s. DLF Power & Services Ltd., Co-developer had submitted proposal for approval of list of materials to carry on following authorized operation in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Gurugram (Haryana):-

S. No.	Name of Authorized Operations	Sl. No at default list of authorized operations as per Inst. No.50 and 54	Estimated Cost (Rs. in lakhs)
(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.	As per authorized operations approved by BoA	7.03

6.1. Mr. Anil Nauriyal, G.M. & Mr. Pitambar Sharma, Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed materials.

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



07. Proposal of M/s. UnitedLex BPO Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector-24 & 25A, DLF Phase-III, Gurugram (Haryana) for approval of proposed changes in the shareholding pattern of the company and monitoring of performance of the unit.

It was brought to the notice of the Approval Committee that M/s. UnitedLex BPO Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector-24 & 25A, DLF Phase-III, Gurugram (Haryana) had submitted proposal for approval of proposed changes in the shareholding pattern of the company. The unit has submitted CA certified details of existing & proposed shareholding pattern of the company are as under:-

Existing Shareholding pattern			Proposed Shareholding Pattern		
Name of shareholder	No. of shares held	% share	Name of shareholder	No. of shares hold	% share
Helion Venture Partners India LLC	96109921	31.23%	iRunway India Private Limited	220798621	71.74%
CMDB II	82659636	26.86%	Helion Venture Partners India LLC	6336918	2.06%
Milestone Trusteeship Services Pvt. Ltd. (A Trustee of Madison India Opportunities Trust Fund)	53816068	17.49%	CMDB II	5450086	1.77%
Deniel Edward Reed	32750000	10.64%	Deniel Edward Reed	32750000	10.64%
Blue Lagoon Capital Asia	7093317	2.30%	Blue Lagoon Capital Asia	7093317	2.30%
Ms. Ila Vaish	3737582	1.21%	Ms. Ila Vaish	3737582	1.21%
UnitedLex Employees Welfare Trust	3272543	1.06%	UnitedLex Employees Welfare Trust	3272543	1.06%
Founders United Trust	300000	0.10%	Founders United Trust	300000	0.10%
Other Individuals (35 Nos.)	28035324	9.11%	Other Individuals (35 Nos.)	28035324	9.11%
Total:	307774391	100.00%	Total:	307774391	100%

7.2. It was informed that 71.74% changes in shareholding of the company have been proposed. It was further informed that unit has mentioned that shareholding of iRunway India Private Limited may increase upto 81% based on acquisition of equity shares from other resident / non-resident shareholders of the company.

7.3. It was further informed that vide Instruction No. 89 dated 17.05.2018 DOC has issued guidelines regarding change in shareholding pattern, name change of SEZ Developers and SEZ Unit. As per Para 5(ii) of said guidelines "Re-organisation including change of name, change of shareholding pattern, business transfer arrangements, court approved mergers and demergers, change of constitution of unit located in SEZs may be undertaken with the prior approval of Approval Committee in respect of units subject to the condition that the unit shall not opt out or exit out of the



Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on such reorganization”.

7.4. Further, as per Para 6 of said guidelines, such reorganization shall be subject to the following safeguards:-

- (i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity.
- (ii) Fulfillment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;
- (iii) Applicability of and compliance with all Revenue / Company Affairs / SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- (iv) Full financial details relating to change in equity / merger, demerger, amalgamation or transfer of ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.
- (v) The Assessing Officer shall have the right to assess the taxability of gain / loss arising out the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- (vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- (vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.

7.5. Further, it was informed that vide Instruction No. 90 dated 03.08.2018, DOC has further clarified that the phrase 'prior approval of Board of Approval (BoA) / Unit Approval Committee (UAC)' in para 5(i) & (ii) of the said guidelines in respect of Developer / SEZ unit means that approval of BoA/UAC, as the case may be, taken before the SEZ entity / unit is recognized by the new name or such arrangement in all the records. It may not be interpreted that prior approval of BoA/UAC is to be taken before approaching the Registrar of Companies or the National Company Law Tribunal as is being done in some cases came to the notice of the DOC.

7.6. It was further informed that the performance of the unit during last five years block, as per APRs verified by CA firm, NSEZ, are as under:-

Year	FOB value of export	NFE Earning	Pending forex realization
2012-13	9082.48	8405.67	0.00
2013-14	11174.23	10523.84	0.00
2014-15	8730.05	8466.45	0.00
2015-16	9035.63	8824.56	0.00
2016-17	9978.18	9520.19	0.00
2017-18	10037.43	9588.88	0.00
Total :	58038.00	55329.59	0.00

7.7. Mr. Anup Bhasin, Director & Mr. Naveen Kapoor, CFO appeared before the Approval Committee on behalf of the unit and explained the proposal.

7.8. After due deliberations, the Approval Committee approved the proposal for proposed changes in the shareholding pattern of the company along with further proposed changes in shareholding upto 81% in favour of iRunway India Pvt. Ltd., in terms of Instruction No. 89 dated 17.05.2018 & subsequent clarification issued by DOC vide Instruction No. 90 dated 03.08.2018, subject to compliance with safeguard prescribed in Instruction No. 89 dated 17.05.2018. The Approval Committee also took note of positive NFE earnings by the unit.

08. Proposal of M/s. Alight HR Services India Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana) for change of name of the company to "Wipro HR Services India Pvt. Ltd."

It was brought to the notice of the Approval Committee that M/s. Alight HR Services India Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana) had submitted proposal for change of name of the company to "Wipro HR Services India Pvt. Ltd.". It was informed that the unit had submitted following documents:-

- (i) Copy of Certificate of Incorporation pursuant to change of name of the company from 'Alight HR Services India Pvt. Ltd.' to 'Wipro HR Services India Pvt. Ltd. w.e.f. 11.10.2018 issued by ROC.
- (ii) List of current directors of the company giving date of appointment of new directors along with copies of Passport, PAN Card & Form DIR-12 in r/o. of current directors namely Mr. Bhanumurthy Ballapurammuni, Mr. Aneesh Garg, Mr. Samir Sadanand Gadgil.

8.1. It was informed that following Documents required/awaited from the unit:-

- (i) Copy of M&AOA in the name of M/s. Wipro HR Services India Pvt. Ltd.
- (ii) Copy of PAN Card & Import Export Code in the name of M/s. Wipro HR Services India Pvt. Ltd.
- (iii) A duly notarized undertaking on Rs.100/- Stamp Paper to the effect that consequent to the change of name all Assets and Liabilities of the SEZ unit of M/s. Alight HR Services India Pvt. Ltd. have been/shall be taken over by of M/s. Wipro HR Services India Pvt. Ltd. in respect of LOA No.10/64/2016-SEZ/2170 dated 22.02.2017.

8.2. It was further informed that vide Instruction No. 89 dated 17.05.2018, DOC has issued guidelines regarding change in shareholding pattern, name change of SEZ Developers and SEZ Unit. As per Para 5(ii) of said guidelines "Re-organisation including **change of name**, change of shareholding pattern, business transfer arrangements, court approved mergers and demergers,

change of constitution of unit located in SEZs may be undertaken with the prior approval of Approval Committee in respect of units subject to the condition that the unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on such reorganization".

8.3. Further, as per Para 6 of said guidelines, such reorganization shall be subject to the following safeguards:-

- i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity.
- ii) Fulfillment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;
- iii) Applicability of and compliance with all Revenue / Company Affairs / SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- iv) Full financial details relating to change in equity / merger, demerger, amalgamation or transfer of ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.
- v) The Assessing Officer shall have the right to assess the taxability of gain / loss arising out the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.

8.4. Further, it was informed that vide Instruction No. 90 dated 03.08.2018, DOC has further clarified that the phrase 'prior approval of Board of Approval (BoA) / Unit Approval Committee (UAC)' in para 5(i) & (ii) of the said guidelines in respect of Developer / SEZ unit means that approval of BoA/UAC, as the case may be, taken before the SEZ entity / unit is recognized by the new name or such arrangement in all the records. It may not be interpreted that prior approval of BoA/UAC is to be taken before approaching the Registrar of Companies or the National Company Law Tribunal as is being done in some cases came to the notice of the DOC.

8.5. Mr. Rajkumar Singh, Manager & Mr. Rajiv Kumar, Manager appeared before the Approval Committee on behalf of the unit and explained the proposal.

8.6. After due deliberations, the Approval Committee approved the proposal for change of name of the company from "Alight HR Services India Pvt. Ltd." to "Wipro HR Services India Pvt. Ltd.", in terms of Instruction No. 89 dated 17.05.2018 & subsequent clarification issued by DOC vide Instruction No.



90 dated 03.08.2018, subject to compliance with safeguards prescribed in Instruction No. 89 dated 17.05.2018 and further subject to submission of pending documents.

09. Proposal of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. for cancellation of the permission letter dated 29.08.2017 granted to them for allotment of space to M/s. Giaan Corporate Services Pvt. Ltd. to setup & operate a 'Cafe' in the processing area of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana).

It was brought to the notice of Approval Committee that the Developer, M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. had submitted a proposal for cancellation of the permission letter No. 10/108/2007-SEZ/Vol-III/9196 dated 29.08.2017 issued by this office for allotment of 125 Sqft. at Ground floor, Tower-1 to M/s. Giaan Corporate Services Pvt. Ltd. to setup & operate a 'Café' in the processing area of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana). It was informed that the developer had surrendered the original letter dated 29.08.2017 issued to M/s. Candor Guragon One Realty Projects Pvt. Ltd. It was further informed that the developer had also enclosed a consent letter dated 11.10.2018 signed by Mr. Gopal Mohan Gupta, Director of M/s. Giaan Corporate Services Pvt. Ltd. addressed to DC, NSEZ giving their consent for cancellation of said approval. Further, it was informed that original permission letter dated 29.08.2017 issued to M/s. Giaan Corporate Services Pvt. Ltd. had not been surrendered. It was informed that the developer had submitted another letter dated 11.10.2018 of M/s. Giaan Corporate Services Pvt. Ltd. informing that the said original letter had been misplaced by them. It was informed that in the said letter M/s. Giaan Corporate Services Pvt. Ltd. has undertaken to submit the same as and when the same is traced and further undertaken that in event of occurrence of any related or subsequent issue due to said misplaced letter, they will wholly and solely be liable to face and bear all action and claims in this respect.

9.1: Mr. Jay Kumar, Head-SEZ Compliance & Mr. Amrik Singh, AGM-SEZ appeared before the Approval Committee on behalf of the developer and requested to cancel the said letter of allotment.

9.2: After due deliberations, the Approval Committee **decided to cancel** the letter No. 10/108/2007-SEZ/Vol-III/9196 dated 29.08.2017 issued for allotment of 125 Sqft. at Ground floor, Tower-1 to M/s. Giaan Corporate Services Pvt. Ltd. to setup & operate a 'Café' in the processing area of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana).

10. Proposal of M/s. Gurgaon Infospace Ltd. for allotment of space to M/s. Euronet Services India Pvt. Ltd. to setup & operate a 'Banking & ATM facility' of DBS Bank in the



processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurugram (Haryana).

It was brought to the notice of the Approval Committee that M/s. Gurgaon Infospace Ltd., Developer vide its letter dated 20.10.2018 had submitted proposal for allotment of built-up space of 333 Sqft. (30.94 Sqmt) at Ground floor, unit No. 5, Block 4A (Amenity Block-II) in the processing area of IT/ITES SEZ at Village Dundahera, Sector-21, Gurgaon (Haryana) on lease basis to M/s. Euronet Services India Pvt. Ltd. to setup & operate 'Banking & ATM facility' under the category of 'Shopping Arcade / Retail Space' approved by BoA.

It was informed that the developer has also submitted area-wise details of such activities approved by BOA, area-wise details of approvals given by the Approval Committee for allotment for such activities & balance area available for leasing, as given below:-

S. No.	Activities approved by BoA in processing area	Area approved by BoA	Total area approved by Approval Committee for allotment of space to facility providers	Area available for leasing
(i)	Food services including cafeteria, food court(s), restaurants, coffee shops, canteens and catering facilities.	3900 Sqmt.	3199.31 Sqmt.	700.69 Sqmt.
(ii)	Employee welfare facilities like Crèche, Medical Centre.	1750 Sqmt.	471.57 Sqmt.	1278.43 Sqmt.
(iii)	Shopping arcade / retail space	300 Sqmt.	139.01 Sqmt.	160.99 Sqmt.

Mr. Jay Kumar, Head-SEZ Compliance, Mr. Amrik Singh, AGM-SEZ Compliance & Shri Rakesh Rath appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, Approval Committee approved the proposal under the category of 'Shopping Arcade / Retail Space' approved by BoA, subject to the condition that no tax / duty benefit shall be available to M/s. Euronet Services India Pvt. Ltd. to setup, operate & maintain such facility in the processing area of the SEZ and this facility shall be used exclusively by the employees of SEZ & units located therein.

11. Proposal of M/s. Clairvalex Knowledge Processes Pvt. Ltd. (Unit-I), a unit in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village- Dundahera, Sector-21, Gurgaon



(Haryana) for change of name of the company to "M/s. Clairvolex IP Solutions Pvt. Ltd." and change in shareholding pattern.

It was brought to the notice of the Approval Committee that M/s. Clairvolex Knowledge Processes Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village-Dundahera, Sector-21, Gurgaon (Haryana) had submitted proposal for change of name of the company from 'M/s. Clairvolex Knowledge Processes Pvt. Ltd.' to "M/s. Clairvolex IP Solutions Pvt. Ltd." and following changes in the shareholding pattern of the company:-

Shareholding pattern (as on 31.01.2013) submitted at the time of project application			Revised Shareholding Pattern after change of name of the company as on 13.04.2018		
Name of shareholder	No. of shares held	% share	Name of shareholder	No. of shares hold	% share
Patsys Consulting Pvt. Ltd.	5406027	76.7323781%	Patsys Consulting Pvt. Ltd.	5406028	45.51%
Manoj Vasudevan Nair	1	0.0000142%	Agnus Global Holdings Pte. Ltd.	1639273	13.80%
Agnus Global Holdings Pte Ltd.	1639273	23.2676077%	Agnus Venture LLP	232797	1.95%
-	-	-	Indus Age Technology Venture Fund I	1407797	11.85%
-	-	-	Anaqua Inc.	587500	4.95%
-	-	-	JF Mauritius SPV	742699	6.25%
-	-	-	WRV II Mauritius	1862373	15.69%
Total:	7045301	100.00%	Total:	11878467	100%

11.1. It was informed that there has been a 40.69% change in shareholding of the company and unit also requested for condonation for not intimating change in shareholding happened prior to change of name of company.

11.2. It was further informed that with reference to its proposal the unit has submitted following documents:-

- (i) Copy of Certificate of Incorporation pursuant to change of name from 'M/s. Clairvolex Knowledge Processes Pvt. Ltd.' to "M/s. Clairvolex IP Solutions Pvt. Ltd." issued by ROC – Delhi on 13.04.2018 & copy of M&AOA in new name.
- (ii) List of present directors of the company, as given below:-

List of directors as intimated vide letter dated 17.06.2016.	Present Directors
i) Mr. Arun Kumar Pillai	i) Mr. Arun Kumar Pillai
ii) Mr. Manoj Vashudevan Nair	ii) Mr. Manoj Vashudevan Nair
iii) Mr. Sriram Viswanathan	iii) Mr. Sriram Viswanathan
iv) Mr. Robert Carlo Romeo	iv) Mr. Robert Carlo Romeo
	v) Mr. Nicholas Earle Brathwaite

Signature

- (iii) Copies of Passport & PAN Card of Mr. Arun Kumar Pillai and copy of PIO Card & PAN Card of Mr. Sriram Viswanathan along with copies of Passport (USA) of Mr. Robert Carlo Romeo & Mr. Nicholas Earle Brathwaite and copy of Form DIR 12 for appointment of Mr. Nicholas Earle Brathwaite w.e.f. 09.02.2017. Unit has informed that Mr. Robert Carlo Romeo & Mr. Nicholas Earle Brathwaite are foreign directors and do not have PAN.
- (iv) Copy of e-PAN No. AACCC8420F in the name of M/s. Clairvalex IP Solutions Pvt. Ltd.
- (v) Copy of Board Resolution dated 12.07.2017 in favour Mr. Surjit Modak, V.P. Finance & Accounts and Ms. Sweta Sapra, Company Secretary to sign documents on behalf of the company.
- (vi) An undertaking on Rs.100/- e-Stamp to the effect that consequent to the change of name all Assets and Liabilities of the SEZ unit of M/s. Clairvalex Knowledge Processes Pvt. Ltd. have been/shall be taken over by of M/s. Clairvalex IP Solutions Pvt. Ltd. in respect of LOA No.10/05/2013-SEZ/1973 dated 25.02.2013. However, the undertaking is not notarized.
- (vii) Details of changes in shareholding pattern of the company duly certified by CA.
- (viii) Copy of Form INC 22 regarding change of registered office address to C-144, Sarvodaya Enclave, New Delhi – 110017, with request for condonation of delay intimating the change in Registered Office.

11.3. Further, it was informed that the performance of the unit as per APRs since inception, as under:-

(Rs. in lakhs)

Year	FOB value of export	NFE Earning	DTA Sale	Pending foreign exchange
2013-14	901.09	859.06	43.15	211.82
2014-15	1252.58	1209.38	74.83	310.83
2015-16	2107.05	1776.22	75.78	318.32
2016-17	2266.93	1882.14	83.62	1433.44
2017-18	2588.53	2588.53	29.19	1622.89
Total:	9116.18	8315.33	306.57	

11.4. It was informed that as regards, services rendered in DTA, the unit has informed that all the services amounting to Rs.277.38 lakhs rendered in DTA during the year 2013-14 to 2016-17 ^{are} against payment in INR. Further, DTA sale of Rs.29.19 lakhs in APR 2017-18 have been shown. As regards, status of pending forex realisation of Rs. 1433.44 lakhs shown in APR 2016-17, it was informed that the unit had submitted a Certificate from Chartered Accountant certifying that there is foreign exchange realization of Rs.1355.52 lakhs during the FY 2017-18 out of foreign exchange receivables outstanding of Rs.1433.44 lakhs on 31.03.2017. However, pending forex realisation of Rs. 1622.89 lakhs in the APR 2017-18 had been shown by the unit.

Agrees

11.5. Further, it was informed that following documents / information also required to be submitted by the unit:-

- (i) Residential address proof of Mr. Robert Carlo Romeo & Mr. Nicholas Earle Brathwaite required as passport of these directors do not contain their residential address.
- (ii) Mode of payment received against services of Rs.29.19 lakhs rendered in DTA as shown in APR 2017-18.
- (iii) Status of pending forex realisation of Rs. 1622.89 lakhs (as per APR 2017-18), duly certified by CA.
- (iv) Copy of Import Export Code in the name of M/s. Clairvalex IP Solutions Pvt. Ltd..
- (v) Duly notarized undertaking to the effect that consequent to the change of name all Assets and Liabilities of the SEZ unit of M/s. Clairvalex Knowledge Processes Pvt. Ltd. have been/shall be taken over by of M/s. Clairvalex IP Solutions Pvt. Ltd. in respect of LOA No.10/05/2013-SEZ/1973 dated 25.02.2013.
- (vi) Board Resolution dt. 12.07.2017 in favour of signatory is restricted to LOA Renewal & there is no mention of his authorization to sign documents pertaining to change of name of company etc.

11.6. It was informed that vide Instruction No. 89 dated 17.05.2018 DOC has issued guidelines regarding change in shareholding pattern, name change of SEZ Developers and SEZ Unit. As per Para 5(ii) of said guidelines *"Re-organisation including change of name, change of shareholding pattern, business transfer arrangements, court approved mergers and demergers, change of constitution of unit located in SEZs may be undertaken with the prior approval of Approval Committee in respect of units subject to the condition that the unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on such reorganization"*.

11.7. Further, as per Para 6 of said guidelines, such reorganization shall be subject to the following safeguards:-

- (i) *Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity.*
- (ii) *Fulfillment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;*
- (iii) *Applicability of and compliance with all Revenue / Company Affairs / SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.*
- (iv) *Full financial details relating to change in equity / merger, demerger, amalgamation or transfer of ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.*

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- (v) *The Assessing Officer shall have the right to assess the taxability of gain / loss arising out the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.*
- (vi) *The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.*
- (vii) *The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.*

11.8. Further, vide Instruction No. 90 dated 03.08.2018, DOC has referred Instruction No.89 and further clarified that the phrase 'prior approval of Board of Approval (BoA) / Unit Approval Committee (UAC)' in para 5(i) & (ii) of the said guidelines in respect of Developer / SEZ unit means that approval of BoA/UAC, as the case may be, taken before the SEZ entity / unit is recognized by the new name or such arrangement in all the records. It may not be interpreted that prior approval of BoA/UAC is to be taken before approaching the Registrar of Companies or the National Company Law Tribunal as is being done in some cases came to the notice of the DOC.

11.9. Mr. Surjit Midha, VP-F&A & Ms. Shweta Sapra, Company Secretary appeared before the Approval Committee and explained the proposal. The representative of the unit informed that due to unawareness of the definition of 'Services' given in Section 2(z) of SEZ Act, 2005, they had rendered services in DTA to its domestic client M/s. GE and received payments in INR. They further informed that now the unit has terminated all such business agreement with domestic clients. As regards pending foreign exchange, the representative of the unit further informed that all pending export proceeds is within 9 months & would be realised very soon and will submit the same.

11.10. The Approval Committee clarified that as per Section 2(z)(iii) of SEZ Act, 2005, "Services means such tradable services which earn foreign exchange" and SEZ unit is required to comply with the definition of "services" given in Section 2(z) of SEZ Act, 2005. Hence, the services rendered in Domestic Tariff Area by the unit are not as per the provisions of SEZ Act as the unit has rendered services in Domestic Tariff Area amounting to Rs.306.57 lakhs during FY from 2013-14 to 2017-18 against payment in INR instead of free foreign exchange.

11.11. The representative of the unit, Mr. Surjit Midha, VP-F&A admitted that the unit has rendered services in DTA against payment in INR.

11.12. During the meeting it was informed that as per the section 11(4) of the Foreign Trade (Development & Regulation) Act, 1992, there is a penalty provision to settle the cases where a person admits any contraventions. The representatives of company gave their consent to settle the case as per section 11(4) of the FT(D&R) Act, 1992.



11.13. In view of the same, the Development Commissioner, in consultation with other members of the Approval Committee, imposed a penalty of Rs.30657/- (i.e. @0.1% of Rs.306.57 lakhs services rendered in DTA against payment in INR) on the unit in terms of section 11(4) of Foreign Trade (Development & Regulation) Act, 1992 and regularized the services rendered in DTA against payment in INR instead of free foreign exchange.

11.14. After due deliberations, the Approval Committee approved the proposal for change of name of the company from 'M/s. Clairvolex Knowledge Processes Pvt. Ltd.' to "M/s. Clairvolex IP Solutions Pvt. Ltd." and change in shareholding pattern of the company, in terms of Instruction No. 89 dated 17.05.2018 & subsequent clarification issued by DOC vide Instruction No. 90 dated 03.08.2018, subject to compliance of safeguard prescribed in Instruction No. 89 dated 17.05.2018 and further subject to submission of pending documents.

12. Proposal of M/s. Clairvolex Knowledge Processes Pvt. Ltd. (Unit-II), a unit in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village- Dundahera, Sector-21, Gurugram (Haryana) for change of name of the company to "M/s. Clairvolex IP Solutions Pvt. Ltd." and change in shareholding pattern.

It was brought to the notice of the Approval Committee that M/s. Clairvolex Knowledge Processes Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village- Dundahera, Sector-21, Gurgaon (Haryana) had submitted proposal for change of name of the company from 'M/s. Clairvolex Knowledge Processes Pvt. Ltd.' to "M/s. Clairvolex IP Solutions Pvt. Ltd." and following changes in the shareholding pattern of the company:-

Shareholding pattern (as on 28.09.2015) submitted at the time of project application			Revised Shareholding Pattern after change of name of the company as on 13.04.2018		
Name of shareholder	No. of shares held	% share	Name of shareholder	No. of shares hold	% share
Patsys Consulting Pvt. Ltd.	5406027	76.7323781%	Patsys Consulting Pvt. Ltd.	5406028	45.51%
Manoj Vasudevan Nair	1	0.0000142%	Agnus Global Holdings Pte. Ltd.	1639273	13.80%
Agnus Global Holdings Pte Ltd.	1639273	23.2676077%	Agnus Venture LLP	232797	1.95%
-	-	-	Indus Age Technology Venture Fund I	1407797	11.85%
-	-	-	Anaqua Inc.	587500	4.95%
-	-	-	JF Mauritius SPV	742699	6.25%
-	-	-	WRV II Mauritius	1862373	15.69%
Total:	7045301	100.00%	Total:	11878467	100%



12.1. It was informed that there has been a 40.69% change in shareholding of the company and unit also requested for condonation for not intimating change in shareholding happened prior to change of name of company.

12.2. It was further informed that with reference to its proposal the unit has submitted following documents:-

- (i) Copy of Certificate of Incorporation pursuant to change of name from 'M/s. Clairvalex Knowledge Processes Pvt. Ltd.' to "M/s. Clairvalex IP Solutions Pvt. Ltd." issued by ROC – Delhi on 13.04.2018 & copy of M&AOA in new name.
- (ii) List of present directors of the company, as given below:-

List of directors as intimated vide letter dated 17.06.2016.	Present Directors
i) Mr. Arun Kumar Pillai	i) Mr. Arun Kumar Pillai
ii) Mr. Manoj Vashudevan Nair	ii) Mr. Manoj Vashudevan Nair
iii) Mr. Sriram Viswanathan	iii) Mr. Sriram Viswanathan
iv) Mr. Robert Carlo Romeo	iv) Mr. Robert Carlo Romeo
	v) Mr. Nicholas Earle Brathwaite

- (i) Copy of Form DIR-12 for appointment of Mr. Nicholas Earle Brathwaite alongwith his Passport submitted. Unit has informed that Mr. Nicholas Earle Brathwaite is foreign directors and do not have PAN..
- (ii) Copy of e-PAN No. AACCC8420F in the name of M/s. Clairvalex IP Solutions Pvt. Ltd.
- (iii) Copy of Board Resolution dated 06.04.2018 in favour Mr. Manoj Vasudevan Pillai, Managing Director and Ms. Sweta Sapra, Company Secretary to sign documents on behalf of the company.
- (iv) duly notarized undertaking on Rs.100/- e-Stamp to the effect that consequent to the change of name all Assets and Liabilities of the SEZ unit of M/s. Clairvalex Knowledge Processes Pvt. Ltd. have been/shall be taken over by of M/s. Clairvalex IP Solutions Pvt. Ltd. in respect of LOA No.10/31/2015-SEZ/10686 dated 14.10.2015.
- (v) Details of changes in shareholding pattern of the company duly certified by CA.
- (vi) Copy of Form INC 22 regarding change of registered office address to C-144, Sarvodaya Enclave, New Delhi – 110017, with request for condonation of delay in intimating the change in Registered Office.

12.3. Further, it was informed that the performance of the unit as per APRs since inception, as under:-

(Rs. in lakhs)

Year	FOB value of export	NFE Earning	DTA Sale	Pending foreign exchange
2016-17	1357.58	1352.89	0.00	1083.51
2017-18	3281.12	3089.10	0.00	0.00
Total:	4638.70	4441.99	0.0	

12.4. It was informed that the unit had submitted a Certificate from Chartered Accountant certifying that there is foreign exchange realization of Rs.1083.51 lakhs during the FY 2017-18 out of foreign exchange receivables outstanding of Rs.1083.51 lakhs on 31.03.2017.



12.5. Further, it was informed that following documents / information also required to be submitted by the unit:-

- (i) Residential address proof of Mr. Nicholas Earle Brathwaite required as his passport does not contain residential address.
- (ii) Board Resolution in favour of Mr. Surjit Modak to sign documents pertaining to change of name of company etc.
- (iii) Copy of Import Export Code in the name of M/s. Clairvolex IP Solutions Pvt. Ltd..

12.6. It was informed that vide Instruction No. 89 dated 17.05.2018 DOC has issued guidelines regarding change in shareholding pattern, name change of SEZ Developers and SEZ Unit. As per Para 5(ii) of said guidelines *"Re-organisation including change of name, change of shareholding pattern, business transfer arrangements, court approved mergers and demergers, change of constitution of unit located in SEZs may be undertaken with the prior approval of Approval Committee in respect of units subject to the condition that the unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on such reorganization"*.

12.7. Further, as per Para 6 of said guidelines, such reorganization shall be subject to the following safeguards:-

- (i) *Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity.*
- (ii) *Fulfillment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;*
- (iii) *Applicability of and compliance with all Revenue / Company Affairs / SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.*
- (iv) *Full financial details relating to change in equity / merger, demerger, amalgamation or transfer of ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.*
- (v) *The Assessing Officer shall have the right to assess the taxability of gain / loss arising out the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.*
- (vi) *The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.*
- (vii) *The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.*

12.8. Further, vide Instruction No. 90 dated 03.08.2018, DOC has referred Instruction No.89 and further clarified that the phrase 'prior approval of Board of Approval (BoA) / Unit Approval Committee (UAC)' in para 5(i) & (ii) of the said guidelines in respect of Developer / SEZ unit means that approval of BoA/UAC, as the case may be, taken before the SEZ entity / unit is recognized by the new name or such arrangement in all the records. It may not be interpreted that prior approval of



BoA/UAC is to be taken before approaching the Registrar of Companies or the National Company Law Tribunal as is being done in some cases came to the notice of the DOC.

12.9. After due deliberations, the Approval Committee approved the proposal for change of name of the company from 'M/s. Clairvolex Knowledge Processes Pvt. Ltd.' to "M/s. Clairvolex IP Solutions Pvt. Ltd." and change in shareholding pattern of the company, in terms of Instruction No. 89 dated 17.05.2018 & subsequent clarification issued by DOC vide Instruction No. 90 dated 03.08.2018, subject to compliance of safeguard prescribed in Instruction No. 89 dated 17.05.2018 and further subject to submission of pending documents.

13. Proposal of M/s. G.P. Realtors Pvt. Ltd. (IREO) for approval of list of materials to carry on authorized operations in the Electronics Hardware & IT/ITES SEZ at Village Behrampur, Bandhwari & Balola, Distt. Gurgaon (Haryana).

It was brought to the notice of Approval Committee that M/s. G.P. Realtors Pvt. Ltd., Developer of IT/ITES SEZ at Village- Behrampur, Balola & Bandhwari, Distt- Gurgaon (Haryana) had submitted proposal for approval of list of materials to carry on following default authorized operations in their SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operations as per Inst. No. 50 & 54	Estimated Cost (Rs. in lakhs)
(i)	Construction of all type building in Processing Area as approved by the Unit Approval Committee	22	20.52

13.1. Mr. Nilesh Ramjiyani, Sr. VP appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

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

14. Proposal of M/s Bio Rad Laboratories India Pvt. Ltd. for setting up of unit in the Biotechnology SEZ of M/s. Mayar Infrastructure Development Pvt. Ltd. at Vill- Rahka and Nimoth, Tehsil Sohna, Gurugram (Haryana).

It was brought to the notice of the Approval Committee that M/s Bio Rad Laboratories India Pvt. Ltd. had submitted a proposal for setting up a unit over an area of 421.56 Sqmt. (4536 Sqft) Super built-up area at Wing A, First floor, Bioport Building in the Biotechnology SEZ of M/s. Mayar Infrastructure Development Pvt. Ltd. at Vill- Rahka and Nimoth, Tehsil Sohna, Gurugram (Haryana) with projected exports of Rs.978.40 lakhs and the cumulative NFE of Rs. 807.90 Lakhs over a period of five years. It was also informed that the applicant has proposed investment of Rs.149.40 lakhs towards imported capital goods; Rs. 8.40 lakhs towards Indigenous capital goods and other cost of project shall be met from Promoter's Contribution. It was further informed that the SEZ

developer has given provisional offer for allotment of proposed space to the applicant. It was informed that the proposed authorized operation mentioned by the applicant in Para V of Form-F, are as under:-

"Chemistry is often called the central science because it touches on so many other scientific disciplines like biology and biotechnology. Production of spectra libraries of organic chemical compound in the lab. These libraries are being used by biotech and pharma industries for the R&D of new drug, protein and many biochemical materials and structure determination".

14.1. Further, it was informed that the validity of the formal approval granted to proposal of M/s. Mayar Infrastructure Development Pvt. Ltd. for setting up of Biotechnology sector specific SEZ at Village Rahka & Nimoth, Tehsil Sohna, Distt. Gurgaon (Haryana) was valid upto 13.07.2018. It was informed that the proposal of the developer for extension of formal approval was placed before the Board of Approval in its 83rd meeting held on 19.06.2018. The Board, after deliberations, decided to recommend the proposal for approval of Hon'ble CIM in relaxation of the provisions of Rule 5(7) of SEZ Rules, 2006. Further, it was informed that vide DOC letter dated 27.07.2018 its was informed that the recommendation of the BoA in respect of Item No. 83.8(i) of the minutes of meeting held on 19.06.2018 has not been approved by the Competent Authority. It was informed that in this regard, the developer had represented before DC, NSEZ as well as in DOC. It was further informed that the representation of the developer along with recommendation of DC, NSEZ for extension of formal approval for a period of one year i.e. upto 13.07.2019 has been forwarded to DOC vide this office letter dated 18.10.2018 for consideration by the Board of Approval. The matter is listed in the BoA agenda at item No. 85.1(i) and is scheduled to be considered in the ensuing BoA meeting on 02.11.2018.

14.2. Mr. Deepak Dixit, Associate General Counsel, Mr. Navneet Gupta, CFO & Mr. Himanshu Dubey, Asstt. Manager appeared before the Approval Committee on behalf of the applicant unit and explained the proposal. Besides, Mr. O.S. Pandey, Sr. VP-Corporate Affairs & Mr. Deepak Gupta, Sr. Executive- Project & Admn. also appeared before the Approval Committee on behalf of SEZ Developer M/s. Mayar Infrastructure Development Pvt. Ltd.. The representatives of the applicant explained the proposed activities in detail. It was informed by them that the authorised operation of the proposed SEZ unit shall be 'Production of spectra libraries of organic chemical compound in the lab' and clarified that it will be a service activity and not any physical items to be manufactured. The representative of the unit informed that they have HSN Code of the proposed activity. Further, the representative of the SEZ Developer clarified that they have not yet handed over the proposed space to the applicant company.



14.3. After due deliberations, Approval Committee approved the proposal to undertake service activity namely 'Production of spectra libraries of organic chemical compound in the lab', subject to extension of validity of formal approval of the SEZ Developer by the Board of Approval. The Approval Committee directed the representative of the applicant to submit a brief write-up on the proposed activity and HSN Code of the final product.

15. Proposal of M/s. Xceedance Consulting India Pvt. Ltd. (Unit-I) for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana)

It was brought to the notice of Approval Committee that M/s. Xceedance Consulting India Pvt. Ltd. (Unit-I) had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana). It was informed to the Committee that presently unit has been operating over an area of 28875 Sqft. on 4th floor, Building No.6 and the unit has requested for addition 26551 Sqft. at 10th floor, Building No.7 of SEZ. It was informed that the SEZ developer has given provisional offer for allotment of proposed additional space to the unit. However, it was informed that the developer is yet to get the Occupancy Certificate in respect of Building No.7.

15.1. It was also informed that the unit has submitted revised projections, as given below, on account of proposed expansion of unit:-

(Rs. in lakhs)

Particulars (for five years)	Existing Projection	Revised Projection
Projected FOB value of exports	25012.00	25012.06
Foreign Exchange Outgo	2866.63	2949.13
NFE	22145.37	22062.93
Imported CG	1615.63	1698.13
Indigenous CG	633.03	1446.26

15.2. Mr. Shailendra Pratap Singh, Head-Legal & Compliance appeared before the Approval Committee on behalf of the unit and explained the proposal.

15.3. After due deliberations, the Approval Committee approved the proposed expansion of area and revised projections of the unit subject to the condition that unit shall commence operation from 10th floor, Building No.7 only after receipt of Occupancy Certificate in respect of Building No.7 by the SEZ Developer.

16. Approval of Building Plan of 66KV. Sub-station in the processing area of IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Vill. Gwal Pahari, Distt. Gurugram (Haryana).

It was brought to the notice of the Approval Committee that District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide Memo No. SEZ-40-(Loose)\AD(RA)\2018\30862 dated 31.10.2018 had forwarded its recommendation on the approval of building plan of 66KV Sub-station in IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Vill. Gwal Pahari, Distt. Gurugram (Haryana). It was informed that DTP (HQ) has recommended that the building plans may be approved with the conditions mentioned in his aforesaid Memo dt. 31.10.2018. It was further informed that two sets of certified building plans have also been received with Memo dt. 31.10.2018.

16.1. After due deliberations, the Approval Committee approved the building plan of 66KV Sub-station in IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Vill. Gwal Pahari, Distt. Gurugram (Haryana), on the basis of recommendation received from District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide Memo No. SEZ-40-(Loose)\AD(RA)\2018\30862 dated 31.10.2018 subject to the terms & conditions mentioned in aforesaid Memo dt. 31.10.2018.

Meeting ended with a vote of thanks to the Chair.



(S. S. Shukla)

Joint Development Commissioner



(Dr. L.B. Singhal)
Development Commissioner