भारत सरकार
वाणिज्य और उद्योग मंत्रालय
काल्पनिक लिखित
विनियम आयुक्त का कार्यालय
नोएडा विशेष आर्थिक क्षेत्र
गोवा-दादरी रोड, फेज-2, नोएडा - 201305
सिला- गोवा मुंड मंत्र (उत्तर प्रदेश)

फ.सं. 10/274/2009-एस.आई.जेडेसी/  

1. निदेशक (एस.आई.जेडेसी), वाणिज्य भिक्षा, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली - 110001।
2. अतिरिक्त महानिदेशक निदेशक व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विभाग, इंडियस्थ्राई भवन, आई पी एसटेट, नई दिल्ली - 110002।
3. नील आयुक्त, सीआई शुल्क (नियंत्रण), न्यू स्ट्रॉटस हाउस, नविक आईसीआई एसटेट, नई दिल्ली - 110037।
4. नील आयुक्त, केंद्रीय कर एवं उत्पाद शुल्क, एस सी ओ नं 407 & 408, विदेश- 8, पंचकुट्टा (हरीयाणा)।
5. आयुक्त, आयकर, एयरस्पेसआईसीआई (विलिंग), 40 फ्लोर, उद्योग विहार, फेज-5, गुरुग्राम (हरीयाणा)।
6. आयुक्त, आयकर, असेंट रक्षक - II, सी जी ओ कॉम्पलेक्स, एनएप्ले 4, फरीदाबाद, (हरीयाणा)।
7. उपाध्यक्ष (आई एफ - 1), वृद्धयुग प्रभाव, आर्थिक मामलों का विभाग, वित्त अंशाधीय, भारत सरकार, तुम्बीय तल, जीयन तीप विलिंग संस्थान मंडल, नई दिल्ली।
8. नीदेशक, उद्योग एवं वाणिज्य भिक्षा, हरियाणा सरकार, 30 बेज भवन, सेक्टर 17, चंडीगढ़।
9. प्रबंध निदेशक, हरियाणा राज्य औपचारिक विकास निगम, हरियाणा सरकार, ग्लोट एंड सी -13 व 14, सेक्टर 6 पंचकुटा, (हरीयाणा)।
10. सीईएम टाउन प्लांटर, टाउन एन्ड कॉम्पैलेक्स प्लांटिंग (एच ब्यू), एस सी ओ : 71-75, सेक्टर 17C, चंडीगढ़।
11. संयुक्त निदेशक, जिला उद्योग केंद्र, ग्लोट मीं 2, आई दी जी, गुरुग्राम (हरीयाणा)।
12. संयुक्त निदेशक, जिला उद्योग केंद्र, कोल्हापुर चौक, फरीदाबाद (हरीयाणा)।
13. संयुक्त निदेशक, जिला उद्योग केंद्र, कोल्हापुर चौक, फरीदाबाद (हरीयाणा)।

विषय: दिनांक 03/10/2019 को अपराह 12:30 बजे प्राथमिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित हरियाणा राज्य राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यक्रम - उपरोक्त संबंधी।

महोदय,

उपरोक्त विषय के संदर्भ में 300 एल वी सिंगर, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 03/10/2019 को अपराह 12.30 बजे प्राथमिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यक्रम संलग्न है।

संन्यान: उपरोक्त

प्रतिलिपि:-
सहयोगिक विकास आयुक्त (प्रशासन) - कार्यवाह की एक प्रति हिंदी अनुवाद हेतु संलग्न है।
नोएडा विशेष आर्थिक क्षेत्र

हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्र के संबंध में अनुमोदन समिति की दिनांक 03.10.2019 को अपराह्न 12:30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा (उत्तर प्रदेश) में डॉ एल-बी-सिघ, विकास आयुक्त की अध्यक्षता में आयोजित बैठक का कार्यवाह करा।

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
4. Shri Digvijay Singh, Asstt. Director, Deptt. of Industries, Faridabad
5. Representatives of SEZ Developers / Co-developers, Special Invitee.

Besides, during the meeting i) Shri Ravi Kumar Srivastava, DDC, ii) Shri Prakash Chand Upadhyay, ADC & iii) Shri Mohan Veer Ruhella, ADC 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:-

1. दिनांक 05.09.2019 को आयोजित अनुमोदन समिति का बैठक के कार्यवाह का अनुसरण :-

The Approval Committee was informed that no reference against the decisions of the Approval Committee held on 05.09.2019 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 05.09.2019 were ratified.

2. मैं सैमसंग एसडीएस इंडिया प्राइवेट लिमिटेड का मेंआईटीपीजी डेवलपर्स प्रातिशिवोष बाजार बेरामपुर, जिला-गृहशाला (हरियाणा) स्थित इंडियान स्पार्टिक हॉटल और आईटीएस विशेष आर्थिक क्षेत्र में इकाई बनाने हेतु आवेदन।

2.1. It was brought to the notice of the Approval Committee that M/s. Samsung SDS India Private Limited has submitted a proposal for setting up of unit over area of 24500 Sqft. at Unit No.1A-GF01 on Ground floor, Block-1 Building of Phase-I in the Electronic Hardware & IT/ITES SEZ of M/s. ITPG Developers Private Limited at Village Behrampur, Gurugram (Haryana) to undertake service activities i.e. 'Computer Software Services, Remote Maintenance, Support Centres and Website services and other business services' with projected exports of Rs. 77645.17 lakhs and cumulative NFE of Rs.69880.65 lakhs over a period of five years. It was also informed that the applicant has proposed investment of Rs.7.67 lakhs towards imported capital goods; Rs.238.37 lakhs towards indigenous capital goods and the cost of project shall be met from the internal accruals. It was
further informed that applicant has submitted copy of provisional offer of space for allotment of proposed space vide letter dated 19.09.2019 issued by the SEZ developer.

2.2. It was informed that following documents / information communicated to the applicant, is awaited-

(i) Reply in respect of Para XII(ii) & (iv) of online Form-F required to be given in ‘Yes’ or ‘No’. Applicant has mentioned ‘NA’.
(ii) Breakup of proposed foreign exchange outgo of Rs.7764.52 lakhs required to be submitted.
(iii) Affidavit should be notarized.
(iv) Projected profitability statement required to be submitted.
(v) Copy of DIR-11/12 for appointment of present directors along with copy of DIR-11/12 for cessation of Mr. Jang Hwan Lee (first Director) required to be submitted.
(vi) In Board Resolution dated 03.06.2019, name of SEZ has been mentioned as ‘International Tech Park’ instead of ‘ITPG Developers Pvt. Ltd.’.
(vii) Applicant has mentioned ‘Blazer Stand’ in the proposed list of capital goods.

2.3. Shri Himanshu Goel, G.M.-Finance, Ms. Ragini Tulsian, Sr. Manager-Tax and Shri Umesh Chauhan, Manager of M/s. Samsung SDS India Private Limited appeared before the Approval Committee and explained the proposal. Besides, Shri Munish Mathur, Head-SEZ Compliance and Shri Vikas Kalia, Head-Marketing of M/s. ITPG Developers Private Limited also appeared before the Approval Committee. The representatives of M/s. Samsung SDS India Private Limited informed to the Approval Committee that the company is already doing such activities like Software Testing etc. from its DTA unit in Gurugram. The representatives assured to submit the required documents / information. The Approval Committee observed that this will be a 100% Foreign Direct Investment from Korea. On being asked, representatives informed that RBI Guidelines on FDI are being complied to. Further, the Approval Committee clarified that proposed ‘Blazer Stand’ is not a capital goods related to authorized operations of the unit, hence duty / tax exemption on procurement of ‘Blazer Stand’ may not be allowed.

2.4. After due deliberations, the Approval Committee approved the proposal, subject to submission of required documents / information by the applicant.

3. Shri Himanshu Goel, G.M.-Finance, Ms. Ragini Tulsian, Sr. Manager-Tax and Shri Umesh Chauhan, Manager of M/s. Samsung SDS India Private Limited had appeared before the Approval Committee and explained the proposal. Besides, Shri Munish Mathur, Head-SEZ Compliance and Shri Vikas Kalia, Head-Marketing of M/s. ITPG Developers Private Limited also appeared before the Approval Committee.

3.1. 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:-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name of Authorized Operation</th>
<th>S. No. at default list of Auth. Opr.</th>
<th>Estimated Cost (Rupees in)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3.2. Shri Ashok Singh, AGM appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

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

4. M/s. Ernst & Young LLP had submitted proposal for partial deletion of area of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurugram (Haryana) situated in the vicinity of the unit. It was informed to the Committee that presently the unit is operating over an area of 137601 Sqft. at 2nd, 3rd & 6th floor, Tower-B, Building No.3 and 6th & 7th floor, Tower-B, Building No.1 of SEZ and the unit has requested for deletion of 27182 Sqft. at 7th floor, Tower-B, Building No.1. It was informed that SEZ Developer vide its letter dated 27.08.2019 has given 'No Objection' for partial deletion of aforesaid area and leaving the furniture & fixtures installed therein with the Developer, post payment of applicable tax / duties on 'as is where is' basis.

4.2. Further, it was informed that out of total area of 27182 Sqft. at 7th floor, Tower-B, Building No.1 leased out to M/s. Ernst & Young LLP, an area of 2880 Sqft. has been leased to another SEZ unit namely M/s. EY Global Delivery Services India LLP to undertake authorised operations on shift basis from 09.30 PM to 06.00 PM, in terms of Para 2(a)(b) & (c) of Instruction No. 13 dated 03.06.2009. In this regard, M/s. EY Global Delivery Services India LLP has submitted separate
proposal for partial deletion of 2880 Sqft. at 7th floor, Tower-B, Building No.1, which is also part of agenda of this meeting.

4.3. It was also informed that following documents required to be submitted by the unit:-

(i) ‘NOC’ from SEZ Customs for partial deletion of area.

(ii) In projection sheet applicant has proposed decrease of Rs.851.79 lakhs from Rs.3147 lakhs already approved for imported capital goods, hence revised value of imported capital goods comes to Rs.2295.21 lakhs. Whereas, in break-up of forex outgo sheet, the value of imported CG has been mentioned as Rs.2779.53 lakhs. This need to be clarified / rectified.

(iii) As per APRs since inception, unit has made DTA sales of Rs.13898.13 lakhs during FY 2007-08 to 2017-18. Hence, unit may be asked to submit 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.

(iv) Unit had been requested vide this office email dated 13.02.2018 to submit copy of letter submitted to AD for extension of time for pending realisation alongwith a clarification regarding variation in value of pending realisation in APR 2016-17 viz-a-viz CA certificate submitted by them. However, reply from the unit is awaited. Besides, in APR 2017-18, unit has shown pending foreign exchange realisation of Rs.9076.61 lakhs. Hence, current status of pending foreign exchange realisation duly certified by CA may be requested.

(v) Copy of registered renewed lease deed in respect of 3rd & 6th floor, Tower-B, Building No.3 not submitted.

4.3. Shri Akash Goel, Assistant Director appeared before the Approval Committee on behalf of the unit and explained the proposal. On being asked about sale of services in DTA, he informed that all the DTA sales have been made against payment in foreign currency. He further informed that based on APR for FY 2018-19 submitted to this office on 27th September, all pending foreign exchange have been realized.

4.4. After due deliberations, the Approval Committee approved the proposal, subject to submission of ‘NOC’ from Specified Officer. Further, the Approval Committee directed the representative of the unit to submit details of services rendered by the unit in DTA for Rs.13898.13 lakhs during the year 2007-08 to 2017-18 along with year-wise details of realization of foreign exchange and copy of registered renewed lease deed in respect of 3rd & 6th floor, Tower-B, Building No.3.

5. M/s. EY Global Delivery Services India LLP had submitted proposal for partial deletion of area of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurugram (Haryana) sthithat AII/ AAIITIEVAD, विशेष आदित्य क्षेत्र में स्थापित इकाई के क्षेत्र में कमी का प्रस्ताव।

5.1. It was brought to the notice of the Approval Committee that M/s. EY Global Delivery Services India LLP had submitted proposal for partial deletion of area of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurugram (Haryana). It was informed to the Committee that presently the unit is operating over an area of 17340 Sqft. at 2nd, 3rd & 6th Tower B, Building No.3 and 6th & 7th floor, Tower-B, Building No.1 [on shift basis (from 09.30
AM to 6.00 PM) with another SEZ unit namely M/s. Ernst & Young LLP] and 14752 Sqft. at 11th floor, Tower-B, Building No.1 of SEZ. It was informed that the unit has requested for deletion of 2880 Sqft. at 7th floor, Tower-B, Building No.1 [where the unit is working on shift basis]. It was informed that SEZ Developer vide its letter dated 27.08.2019 has given ‘No Objection’ for partial deletion of aforesaid area.

5.2. Further, it was informed that since M/s. Ernst & Young LLP has proposed to surrender 27182 Sqft. at 7th floor, Tower-B, Building No.1, hence, M/s. EY Global Delivery Services India LLP has also surrendered 2880 Sqft. at 7th floor, Tower-B, Building No.1 which had been allotted to them to undertake authorised operations on shift basis from 09.30 PM to 06.00 PM, in terms of Para 2(a)(b) & (c) of Instruction No. 13 dated 03.06.2009.

5.3. It was also informed that following documents required to be submitted by the unit:-

(i) NOC’ from SEZ Customs for partial deletion of area is required to be submitted.

(ii) Copy of Registered lease deed in respect of ‘10379 Sqft. at 11th floor, Tower-B, Building No.1’ (expansion of area issued vide letter dated 17.08.2019), not submitted.

5.4. Shri Akash Goel, Assistant Director appeared before the Approval Committee on behalf of the unit and explained the proposal.

5.5. After due deliberations, the Approval Committee approved the proposal, subject to submission of ‘NOC’ from Specified Officer. Further, the Approval Committee directed the representative of the unit to submit copy of registered renewed lease deed in respect of 10379 Sqft. at 11th floor, Tower-B, Building No.1.

6. मैं आवासीय सर्विस इंडिया प्राइवेट लिमिटेड का मैं गुरुगंव इंडस्ट्रीज लिमिटेड की ग्राम बांडहेड्रा, सेक्टर -21, गुरुगंव (हरियाणा) में स्थित आईटी /आईटीईएस विभाग आर्थिक क्षेत्र में स्थापित इकाई के क्षेत्र में बढ़ाती एवं प्रोजेक्शन में संघड़न का प्रस्ताव |

6.1. It was brought to the notice of Approval Committee that M/s. RBS Services India Pvt. Ltd. had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurugram (Haryana). It was informed to the Committee that presently unit has been operating over an area of 184367 Sqft. at Ground floor & 6th to 11th Floor, Tower-A, Building No. 1 and 94182 Sqft. at 5th to 8th floor, Tower-A, Building No.2 of SEZ. It was informed that the unit has requested for addition of 27182 Sqft. at 7th floor, Tower-B, Building No.1 of SEZ.

6.2. It was informed that proposed additional area i.e. ‘27182 Sqft. at 7th floor, Tower-B, Building No.1’ is in possession of another unit namely M/s. Ernst & Young LLP, who has submitted application for partial deletion of said space. Further, it was informed that the SEZ Developer vide its
letter dated 10.09.2019 has given provisional offer of allotment of fully fitted-out super built-up area admeasuring 27182 Sqft. at 7th floor, Tower-B, Building No.1, subject to the condition that M/s. Ernst & Young LLP shall obtain necessary approval for surrender of aforesaid premises.

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

<table>
<thead>
<tr>
<th>Particulars (for five years)</th>
<th>Existing Projection</th>
<th>Revised Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projected FOB value of exports</td>
<td>539694.00</td>
<td>550937.00</td>
</tr>
<tr>
<td>Foreign Exchange Outgo</td>
<td>48904.00</td>
<td>50478.00</td>
</tr>
<tr>
<td>NFE Earnings</td>
<td>490790.00</td>
<td>500459.00</td>
</tr>
<tr>
<td>Imported Capital Goods</td>
<td>1926.00</td>
<td>1926.00</td>
</tr>
<tr>
<td>Indigenous Capital Goods</td>
<td>1940.00</td>
<td>1940.00</td>
</tr>
</tbody>
</table>

6.4. Shri Arvind Singhal, Team Head & Shri Sanjay Bawa of M/s. RBS Services India Pvt. Ltd. and Shri Yogesh Gupta, Director of BSR & Co. LLP appeared before the Approval Committee on behalf of the unit and explained the proposal. The representatives of the unit informed to the Approval Committee that RBS Services India Pvt. Ltd. is also operating its STPI unit located at Building No.7B, Gurugram (Haryana) and operations of the said STPI unit has been proposed to be shifted to SEZ premises for which they have proposed expansion of area of this SEZ unit by addition of ‘27182 Sqft. at 7th floor, Tower-B, Building No.1’. The representatives of the unit further informed that the company is not availing Income Tax holiday under Section 10AA of the Income Tax Act, 1961, in respect of the income of this SEZ unit.

6.5. After due deliberations, the Approval Committee approved the proposal subject to the condition that formal approval shall be issued only after completion of necessary compliances for partial deletion of area by M/s. Ernst & Young LLP and M/s. EY Global Delivery Services India LLP.

7. में आरआर आरसीएम ग्लोबल प्राइवेट लिमिटेड का केंद्र गुरगांव बन रियलटी प्रोजेक्ट्स प्राइवेट लिमिटेड की ग्राम टिकरी, सेक्टर-48, गुरुग्राम (हरियाणा) में स्थित आईटी / आईटीईसी विशेष आर्थिक क्षेत्र में स्थापित इकाई के क्षेत्र में बढ़ोतरी एवं प्रोजेक्संस में संयोग का प्रस्ताव।

7.1. It was brought to the notice of Approval Committee that M/s. R1 RCM Global Pvt. Ltd. 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 106668 Sqft. at 2nd, 3rd, 4th & 5th floor (26667 Sqft. each) in Building No. 1 and the unit has requested for addition of 28773 Sqft. on 8th floor, Building No.2 of SEZ.
7.2. It was informed that proposed additional area i.e. ‘28773 Sqft. on 8th floor, Building No.2’ was in possession of another unit namely M/s. Aon Consulting Pvt. Ltd. had applied for partial deletion of said space i.e. ‘8th floor, Building No.2’, which has been approved by the Approval Committee in its meeting held on 05.09.2019, subject to submission of ‘NOC’ from the Specified Officer. Further, it was informed that the SEZ Developer vide its letter dated 10.09.2019 has given provisional offer of allotment of proposed space, subject to the condition that Aon Consulting Pvt. Ltd. obtains the necessary approvals for surrender of said space.

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

<table>
<thead>
<tr>
<th>Particulars (for five years)</th>
<th>Existing Projection</th>
<th>Revised Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projected FOB value of exports</td>
<td>64714.00</td>
<td>85881.00</td>
</tr>
<tr>
<td>Foreign Exchange Outgo</td>
<td>2899.00</td>
<td>6436.00</td>
</tr>
<tr>
<td>NFE Earnings</td>
<td>61815.00</td>
<td>79445.00</td>
</tr>
<tr>
<td>Imported CG</td>
<td>2670.00</td>
<td>4924.00</td>
</tr>
<tr>
<td>Indigenous CG</td>
<td>2226.00</td>
<td>2832.00</td>
</tr>
</tbody>
</table>

7.4. Shri Uday Goel, AGM-Legal of M/s. R1 RCM Global Pvt. Ltd. appeared before the Approval Committee and explained the proposal.

7.5. After due deliberations, the Approval Committee approved the proposal subject to the condition that formal approval shall be issued only after completion of necessary compliance for partial deletion of area by M/s. Aon Consulting Pvt. Ltd.

8. मैंों एक्सेंबर सोसायटी में स्थित समिट्स मिलिटेड का मैंों गुरुग्राम इन्फ्रास्ट्रेक्चर समिट्स मिलिटेड की गाम इंडियारा, सेक्टर-21, गुरुग्राम (हरियाणा) स्थित आईटीई/आईटीईस विशेष आर्थिक क्षेत्र में स्थापित इकाई में केवल कर्मचारियों द्वारा उपयोग हेतु भारतीय स्टेट बैंक का एटीएम मशीन स्थापित करने के लिए अनुमोदन का अनुरोध |

8.1. It was brought to the notice of the Approval Committee that M/s. Accenture Solutions Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Gurgaon Infospaces Ltd. at Village Dundahera, Sector-21, Gurugram (Haryana) has submitted request to grant permission for installation of ‘ATM Machine’ of State Bank of India in unit’s premises, for exclusive use by the employees of unit. In this regard, the unit has furnished following documents:

(i). Copy of ‘No Objection’ dt. 06.09.2019 from SEZ Developer, M/s. Gurgaon Infospaces Ltd. for installation of ‘ATM’ in unit’s premises for exclusive use by the employees of the unit.

(ii). Letter dated 30.08.2019 from State Bank of India addressed to this office informing that State Bank of India has launched an ATM in Unit’s premises and also confirming that the bank shall not claim any direct/indirect benefit for setting up or operating / maintaining this ATM even through this falls under a SEZ.
8.2. The Committee examined the proposal and observed that proviso to Rule 11(5) of SEZ Rules, 2006 provides as under:

'The Developer may, with the prior approval of the Approval Committee, grant on lease land or built up space, for creating facilities such as canteen, public telephone booths, first aid centres, crèche and such other facilities as may be required for the exclusive use of the Unit'.

8.3. Shri Dharam Yudhishter, GM appeared before the Approval Committee on behalf of the developer and explained the proposal.

8.4. After due deliberations, Approval Committee approved the proposal, subject to the condition that no tax / duty benefit shall be available to M/s. State Bank of India to setup, operate & maintain such facility in the processing area of the SEZ and this facility shall be exclusively for the employees of its unit.

9. It was brought to the notice of the Approval Committee that M/s FIL India Business and Research Services Pvt. Ltd. is having two units in the IT/ITES SEZ of M/s Candor Gurgaon One Realty Projects Pvt. Ltd., located at Vill. Tikri, Sector-48, Gurugram (Haryana). It was informed that M/s FIL India Business and Research Services Pvt. Ltd. has submitted request to grant permission for installation of ‘ATM Machine’ of Standard Chartered Bank over an area of 25.64 Sqft. at Ground floor, Building No.9 i.e. premises of Unit-I, for exclusive use by the employees of units. In this regard, the unit has furnished following documents:-

(i). Copy of ‘No Objection’ dt.16.08.2019 of SEZ Developer, M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. for installation of ‘ATM’ in unit’s premises for exclusive use by the employees of the unit.

(ii). Copy of agreement dt.20.08.2019 executed between the unit and the bank.

(iii). Copy of Undertaking dated Nil of Standard Chartered Bank confirming that they will not take any direct/indirect benefit for under the SEZ scheme to create, operating and maintain ATM facility for the exclusive use of employees of the SEZ unit.

9.2. The Committee examined the proposal and observed that proviso to Rule 11(5) of SEZ Rules, 2006 provides as under:-
"The Developer may, with the prior approval of the Approval Committee, grant on lease land or built up space, for creating facilities such as canteen, public telephone booths, first aid centres, creche and such other facilities as may be required for the exclusive use of the Unit."

9.3 Shri Alok Loyalka, Director, Shri Sushil Varma, Manager & Shri Shipra Banal, Asstt. Manager of M/s. FIL India Business and Research Services Pvt. Ltd. appeared before the Approval Committee and explained the proposal.

9.4. After due deliberations, Approval Committee approved the proposal, subject to the condition that no tax / duty benefit shall be available to Standard Chartered Bank to setup, operate & maintain such facility in the processing area of the SEZ and this facility shall be exclusively for the employees of its units.

10. It was brought to the notice of the Approval Committee that M/s FIL India Business and Research Services Pvt. Ltd. is having two units in the IT/ITES SEZ of M/s Candor Gurgaon One Realty Projects Pvt. Ltd., located at Vill: Tikri, Sector-48, Gurugram (Haryana). It was informed that M/s FIL India Business and Research Services Pvt. Ltd. had submitted proposal to setup following facilities in the premises of the Unit-I i.e. Ground floor, Building No.9, for exclusive use by the employees of this SEZ unit:-

<table>
<thead>
<tr>
<th>Name of facility</th>
<th>Proposed area</th>
<th>Name of Vendor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cafeteria</td>
<td>9932.45 sqft at Ground Floor, Building No.9.</td>
<td>Tulip Institutional Services (P) Ltd.</td>
</tr>
<tr>
<td>Medical Room</td>
<td>714.76 sqft. at Ground Floor, Building No.9.</td>
<td>Life time Wellness Rx International Ltd. (Apollo Life)</td>
</tr>
<tr>
<td>Crèche</td>
<td>Not provided</td>
<td>Not provided</td>
</tr>
</tbody>
</table>

10.2. It was informed that SEZ Developer has given NOC dt.19.08.2019 to the unit to setup Cafeteria and Medical room, however, permission for crèche facility has not been mentioned in the said NOC.

10.3. It was informed that in terms of Rule 11(5) proviso 1 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".
10.4. Further, it was informed that Deptt. of Commerce vide letter dt. No. B-17/2/2018-SEZ-Part(1) dt.11.06.2019 has issued Instruction No. 95, wherein it has been stated that the permission for setting up cafeteria, crèche, gymnasium and similar facilities in the premises of unit for exclusive use of such units can be granted subject to following conditions:

   a) The facilities as envisaged under the proviso to Rule 11(5) of the SEZ Rules could also be created by a unit for its exclusive use subject to obtaining a NOC from the Developer as well as necessary NOCs/ clearances/approvals from the relevant statutory authorities.

   b) The unit shall not be eligible for any exemptions, drawback, concessions, or any other benefit available under Section 7 or Section 26 of SEZ Act, for creating or operating such facilities.

10.5. Shri Alok Loyalka, Director, Shri Sushil Varma, Manager & Shri Shipra Banal, Asstt. Manager of M/s. FIL India Business and Research Services Pvt. Ltd. appeared before the Approval Committee and explained the proposal. The representatives informed that the Cafeteria & Medical room are already operational in the unit's premises and they have planned to setup a Crèche facility for exclusive use by the employees of its SEZ unit. They further informed that no cooking activity is being undertaken in the unit's premises and only ready to eat food is served for consumption of the employees. Further, the Medical facility has been setup to provide first aid to the employees in case of an emergency. They further informed that neither the unit nor its vendor will avail any duty benefits/exemptions for the creation & operation of such facility.

10.6. After due deliberations, the Approval Committee approved the regularization of existing Cafeteria & Medical Centre in the unit's premises for exclusive use by its employees, subject to statutory compliance and subject to the condition that neither the unit nor its vendor(s) shall be eligible for any exemptions, drawback, concessions or any other benefits available under SEZ Act / SEZ Rules, for creation & operation of such facilities. The unit shall obtain necessary NOCs/clearances/approvals such as Fire, Health etc. from the relevant statutory authorities, if applicable, as required under Instruction No. 95 dated 11.06.2019 mentioned above. Approval Committee also granted in-principle approval for setup & operate 'Crèche' facility in unit's premises, subject to submission of 'NOC' from the SEZ Developer and further subject to statutory compliance of the conditions mentioned in Instruction No. 95 dated 11.06.2019 issued by DOC. It was further directed by the Approval Committee that Specified Officer will verify and ensure that statutory compliances are being met. The Approval Committee also directed to Specified Officer to verify whether the unit has availed any duty benefit on creation & operation of existing Cafeteria facility or not and in case availed then to effect recovery of the same.
11. It was brought to the notice of the Approval Committee that M/s SE2 Digital Service LLP has submitted proposal for regularization/continuation of existing cafeteria run by them in the premises of its unit located in the IT/ITES SEZ of M/s Candor Gurgaon One Realty Projects Pvt. Ltd., located at Vill: Tikri, Sector-48, Gurugram (Haryana). It was informed that details of existing Cafeteria submitted by the unit are as under:-

<table>
<thead>
<tr>
<th>Name of facility</th>
<th>Proposed area &amp; location</th>
<th>Name of Vendor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cafeteria</td>
<td>2600 Sqft.</td>
<td>M/s. Raj Enterprises</td>
</tr>
</tbody>
</table>

11.2. It was informed that SEZ Developer has given NOC dt. 20.08.2019 to the unit to operate Cafeteria in unit’s premises.

11.3. It was informed that in terms of Rule 11(5) proviso 1 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".

11.4. Further, it was informed that Deptt. of Commerce vide letter dt. No. B-17/2/2018-SEZ-Part(1) dt.11.06.2019 has issued Instruction No. 95, wherein it has been stated that the permission for setting up cafeteria, creche, gymnasium and similar facilities in the premises of unit for exclusive use of such units can be granted subject to following conditions:-

a) The facilities as envisaged under the proviso to Rule 11(5) of the SEZ Rules could also be created by a unit for its exclusive use subject to obtaining a NOC from the Developer as well as necessary NOCs/ clearances/ approvals from the relevant statutory authorities.

b) The unit shall not be eligible for any exemptions, drawback, concessions, or any other benefit available under Section 7 or Section 26 of SEZ Act, for creating or operating such facilities.

11.5. However, no one from the unit appeared before the Approval Committee.
11.6. After due deliberations, the Approval Committee approved the regularization of existing Cafeteria in the unit's premises for exclusive use by its employees, subject to statutory compliance and subject to submission of location of existing cafeteria and further subject to the condition that neither the unit nor its vendor(s) shall be eligible for any exemptions, drawback, concessions or any other benefits available under SEZ Act / SEZ Rules, for creation & operation of such facilities. The unit shall obtain necessary NOCs/ clearances/ approvals such as Fire, Health etc. from the relevant statutory authorities, if applicable, as required under Instruction No. 95 dated 11.06.2019 mentioned above. It was further directed by the Approval Committee that Specified Officer will verify and ensure that statutory compliances are being met. The Approval Committee also directed to Specified Officer to verify whether the unit has availed any duty benefit on creation & operation of existing Cafeteria facility or not and in case availed then to effect recovery of the same.

12. It was brought to the notice of the Approval Committee that M/s Guardian India Operations Pvt. Ltd. has submitted proposal for regularization/continuation of existing cafeteria run by them in the premises of its unit located in the IT/ITES SEZ of M/s Candor Gurgaon One Realty Projects Pvt. Ltd., located at Vill: Tikri, Sector-48, Gurugram (Haryana). It was informed that details of existing Cafeteria submitted by the unit are as under:-

<table>
<thead>
<tr>
<th>Name of facility</th>
<th>Proposed area &amp; location</th>
<th>Name of Vendor</th>
</tr>
</thead>
</table>
| Cafeteria        | 6500 Sqft. at 9th Floor, Tower- 1 | (i) M/s Morning Bite Café.  

12.1. It was informed that SEZ Developer has given NOC dt. 20.08.2019 to the unit to operate Cafeteria in unit's premises.

12.3. It was informed that in terms of Rule 11(5) proviso 1 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, crèche and such other facilities as may be required for the exclusive use of the Unit".

12.4. Further, It was informed that Deptt. of Commerce vide letter dt. No. B-17/2/2018-SEZ-Part(1) dt.11.06.2019 has issued Instruction No. 95, wherein it has been stated that the permission for setting up cafeteria, crèche, gymnasium and similar facilities in the premises of unit for exclusive use of such units can be granted subject to following conditions:-
a) The facilities as envisaged under the proviso to Rule 11(5) of the SEZ Rules could also be created by a unit for its exclusive use subject to obtaining a NOC from the Developer as well as necessary NOCs/ clearances/ approvals from the relevant statutory authorities.

b) The unit shall not be eligible for any exemptions, drawback, concessions, or any other benefit available under Section 7 or Section 26 of SEZ Act, for creating or operating such facilities.

12.5. However, no one from the unit appeared before the Approval Committee.

12.6. After due deliberations, the Approval Committee approved the regularization of existing Cafeteria in the unit’s premises for exclusive use by its employees, subject to statutory compliance and subject to the condition that neither the unit nor its vendor(s) shall be eligible for any exemptions, drawback, concessions or any other benefits available under SEZ Act / SEZ Rules, for creation & operation of such facilities. The unit shall obtain necessary NOCs/ clearances/ approvals such as Fire, Health etc. from the relevant statutory authorities, if applicable, as required under Instruction No. 95 dated 11.06.2019 mentioned above. It was further directed by the Approval Committee that Specified Officer will verify and ensure that statutory compliances are being met. The Approval Committee also directed to Specified Officer to verify whether the unit has availed any duty benefit on creation & operation of existing Cafeteria facility or not and in case availed then to effect recovery of the same.

13. It was brought to the notice of the Approval Committee that M/s OPK Infotech Pvt. Ltd. had submitted proposal for exit from SEZ Scheme in respect of its unit located in the IT/ITES SEZ of M/s DLF Cyber City Developers Ltd. at sector 24 & 25 A, DLF Phase-III, Gurugram (Haryana). It was informed that year wise Performance/NFE achievement status of unit as per APRs & verified by NSEZ CA firm, is as under:

(i) Performance/ NFE status (Block-I: from 01.07.2011 up to 30.06.2016):

<table>
<thead>
<tr>
<th>Year</th>
<th>FOB value of Export</th>
<th>NFE Earnings</th>
<th>DTA Sales</th>
<th>Pending Foreign Exchange realization</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>204.59</td>
<td>204.59</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>(01.07.2011 to 31.03.2012)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012-13</td>
<td>247.20</td>
<td>247.20</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>2013-14</td>
<td>261.48</td>
<td>261.48</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>2014-15</td>
<td>335.24</td>
<td>335.24</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>
## Performance/ NFE status (Block-II: from 01.07.2016 upto 31.05.2019):

<table>
<thead>
<tr>
<th>Year</th>
<th>FOB value of export</th>
<th>NFE Earnings</th>
<th>DTA Sales</th>
<th>Pending Foreign Exchange realization</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>463.45</td>
<td>463.45</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>2017-18</td>
<td>612.22</td>
<td>612.22</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>2018-19</td>
<td>725.69</td>
<td>725.69</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>2019-20</td>
<td>123.33</td>
<td>123.33</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Total (ii)</strong></td>
<td><strong>1924.69</strong></td>
<td><strong>1924.69</strong></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
</tr>
</tbody>
</table>

13.2. After due deliberations, the Approval Committee took note of the positive NFE of the unit in terms of Rule 54 of SEZ Rules, 2006.

14. सह-विकासकर्ता, मैकैड एब्रेस्ट्रा प्राविधि लिंि का मैकैड एब्रेस्ट्रा साइंसटर सिटी डेवलपमेंट लिमिटेड के सेक्टर 24 एवं 25A, एब्रेस्ट्रा फेज-3, गुरुग्राम (हरियाणा) स्थित आईटी / आईटीएस विशेष आर्थिक क्षेत्र में अथिकृत संचालन के लिए सामग्री की सूची के अनुसरण का प्रस्ताव।

14.1. 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 Cyber City Developers Ltd. located at Sector-24 & 25A, DLF Phase-III, Gurugram (Haryana):

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Authorized Operation</th>
<th>SI. No. at default list of Auth. Opr. as per Inst. No. 50 &amp; 54</th>
<th>Estimated Cost (Rs. in lakhs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Access Control and Monitoring System.</td>
<td>24</td>
<td>21.67</td>
</tr>
</tbody>
</table>

14.2. Shri Pitambar Sharma, Sr. Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed materials.

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

15. विकासकर्ता, मैकैड जी.पी. रियाल्टर्स प्राविधि लिंि का ग्राम बंधुत्व पुर, बंधुत्व एवं बंधुत्व, जिला गुरुग्राम (हरियाणा) स्थित इंडस्ट्रियल हाउस इंडेवेस्ट एवं आईटी / आईटीएस विशेष आर्थिक क्षेत्र में अथिकृत संचालन के लिए सामग्री की सूची के अनुसरण का प्रस्ताव।

15.1. It was brought to the notice of the Approval Committee that M/s. G.P. Realtors Private Limited, Developer had submitted proposal for approval of list of materials to carry out following
authorized operations in its Electronics Hardware & IT/ITES SEZ at Village Behrampur, Balola & Bandhwari, Distt- Gurugram (Haryana):-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Authorized Operation</th>
<th>Sl. No. at default list of Authorised Operations as per Inst. No. 50 &amp; 54</th>
<th>Estimated Cost (Rs. in lakhs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Air Conditioning of Processing area.</td>
<td>21</td>
<td>34.31</td>
</tr>
<tr>
<td>(ii)</td>
<td>Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.</td>
<td>04</td>
<td>10.35</td>
</tr>
<tr>
<td>(iii)</td>
<td>Construction of all types of building in Processing area as approved by UAC.</td>
<td>22</td>
<td>12.54</td>
</tr>
<tr>
<td>(iv)</td>
<td>Fire protection system with sprinklers, fire and smoke detectors.</td>
<td>07</td>
<td>37.47</td>
</tr>
<tr>
<td>(v)</td>
<td>Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.</td>
<td>02</td>
<td>47.77</td>
</tr>
<tr>
<td>(vi)</td>
<td>Landscaping and water bodies</td>
<td>08</td>
<td>8.00</td>
</tr>
<tr>
<td></td>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>150.44</strong></td>
</tr>
</tbody>
</table>

15.2. Shri Nilesh Ramjiyani & Shri Ashish Aggarwal, both authorized representative of the developer appeared before the Approval Committee and explained the requirement of proposed materials.

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

16. विकासकर्ता, मैं तिनों के तौर पर गुरुग्रांड ट्वू डेवलपमेंट प्रोजेक्ट्स प्राथमिकता का मैं गुरुग्रांड इंफोस्पेस लिमिटेड के राज मुख्तिसे सेक्टर-21, गुरुग्रांड (हरियाणा) में आईटी & आईटीईएस विशेष आयोजन के संबंध में अधिकृत संचालन के लिए सामग्री की सूची का अनुमोदन का प्रस्ताव दिया।

16.1. It was brought to the notice of the Approval Committee that M/s. Candor Gurgaon Two Developers & Projects Pvt. Ltd., Co-developer had submitted proposal for approval of list of materials to carry out following authorized operations in the IT/ITES SEZ of M/s. Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurugram (Haryana):-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name of Authorized Operation</th>
<th>Sl. No. at default list of Auth. Opr. as per Inst. No. 50 &amp; 54</th>
<th>Estimated cost (Rupees in lakhs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Construction of all types of building in Processing area as approved by UAC.</td>
<td>22</td>
<td>412.04</td>
</tr>
<tr>
<td>(ii)</td>
<td>Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.</td>
<td>04</td>
<td>457.03</td>
</tr>
</tbody>
</table>
stations of appropriate capacity, pipeline network etc. | 07 | 325.11
---|---|---
(iii) Fire protection system with sprinklers, fire and smoke detectors. | 21 | 253.94
(iv) Air Conditioning of processing area. | 02 | 95.58
(v) Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains, and water channels of appropriate capacity. | 03 | 144.80
(vi) Solid and liquid waste collection, treatment and disposal plants including pipelines & other necessary infrastructure for sewage and garbage disposal, sewage treatment plants. | 11 | 114.26
(vii) Security offices, police posts, etc. at entry, exit and other points within and along the periphery of the site. | 24 | 90.60
(viii) Access control and monitoring system | 05 | 27.90
(ix) Telecom and other communication facilities including internet connectivity. | Total: 1921.26

16.2. It was informed that Co-developer has proposed ‘10000 Litre Housekeeping Chemicals (Taski and others)’ at Sl. No. 4, 500 Nos. Poster (Sl. No. 26), 20000 Sq. inch Sticker (Sl. No. 29), 600 Nos. Mr. Toll (Sl. No. 46), 400 Nos. Kent Mop Set (Sl. No. 48), 200 Nos. Vim Bar (Sl. No. 86), 1200 Liter Disinfectant (Cleanzo) (Sl. No. 88), 250 Nos. Prill (Sl. No. 97), 750 Nos. Bucket (sl. No. 103, 400 nos. Kent Mop Refill (Sl. No. 104), 720 Nos. Plastic Mug (Sl. No. 105), 240 Nos. Battery Pencil Cell (Sl. No. 106), 400 Kg. Vim Powder (Sl. No. 119), 20 Nos. Apron (Sl. No. 120) in the list of materials proposed for authorized operation namely “Construction of all types of building in the Processing area as approved by UAC (Annexure-I)”. These are consumable items for housekeeping. Further, Co-developer has proposed ‘04 Nos. Golf Cart (for security)’ at Sl. No. 20 in the list of materials proposed for ‘Security offices, police posts, etc, at entry, exit and other points within and along the periphery of the site’ (Annexure-VII).

16.3. Shri Jay Kumar & Shri Amrik Singh, both authorized representative of the co-developer appeared before the Approval Committee and explained the requirement of proposed materials.

16.3. After due deliberations, Approval Committee approved the proposed list of materials except all consumable items proposed for authorized operation namely “Construction of all types of building in the Processing area as approved by UAC”(Annexure-1), as mentioned at Para 16.2 above, as well as 04 Nos. Golf Cart proposed at Sl. No. 20 in the list of materials for ‘Security offices, police posts, etc., at entry, exit and other points within and along the periphery of the site’.
17. It was brought to the notice of the Approval Committee that M/s. Mikado Realtors Pvt. Ltd., Developer had submitted proposal for approval of list of materials to carry out following authorized operations in its Electronics Hardware, IT/ITES SEZ at Village Behrampur, Distt- Gurugram (Haryana):-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Authorized Operation</th>
<th>Sl. No. at default list of Authorised Operations as per Inst. No. 50 &amp; 54</th>
<th>Estimated Cost (Rs. in lakhs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Construction of all type of buildings in processing area as approved by the UAC</td>
<td>22</td>
<td>100.00</td>
</tr>
<tr>
<td>(ii)</td>
<td>Power (including power backup facilities) for captive use only.</td>
<td>23</td>
<td>80.00</td>
</tr>
<tr>
<td></td>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>180.00</strong></td>
</tr>
</tbody>
</table>

17.2. Shri Hema Chandra Rao, Sr. Manager of M/s. Mikado Realtors Pvt. Ltd. appeared before the Approval Committee and explained the requirement of proposed materials.

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

18. It was brought to the notice of the Approval Committee that M/s Colt Technology Services India Pvt. Ltd. has submitted proposal for regularization/continuation of existing Cafeteria & Pantry Services run by them in the premises of its unit located in the IT/ITES SEZ of M/s Candor Gurgaon One Realty Projects Pvt. Ltd., located at Vill: Tikri, Sector-48, Gurugram (Haryana). It was informed that details of existing Cafeteria submitted by the unit are as under:-

<table>
<thead>
<tr>
<th>Name of facility</th>
<th>Proposed area &amp; location</th>
<th>Name of Vendor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cafeteria</td>
<td>5000 Sqft. at 3rd floor, Building No.4</td>
<td>M/s. Tulip Institutional Services Pvt. Ltd.</td>
</tr>
<tr>
<td>Pantry Services</td>
<td>150 Sqft. at 3rd floor, Building No.4</td>
<td>M/s Annapurna Food and Tuck Shop</td>
</tr>
</tbody>
</table>

18.2. It was informed that SEZ Developer has given NOC dt. 19.08.2019 to the unit to operate Cafeteria in unit's premises.
18.3. It was informed that in terms of Rule 11(5) proviso 1 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".

18.4. Further, it was informed that Deptt. of Commerce vide letter dt. No. B-17/2/2018-SEZ-Part(1) dt. 11.06.2019 has issued Instruction No. 95, wherein it has been stated that the permission for setting up cafeteria, creche, gymnasium and similar facilities in the premises of unit for exclusive use of such units can be granted subject to following conditions:

a) The facilities as envisaged under the proviso to Rule 11(5) of the SEZ Rules could also be created by a unit for its exclusive use subject to obtaining a NOC from the Developer as well as necessary NOCs/ clearances/ approvals from the relevant statutory authorities.

b) The unit shall not be eligible for any exemptions, drawback, concessions, or any other benefit available under Section 7 or Section 26 of SEZ Act, for creating or operating such facilities.

18.5. Shri Bhanu Pratap Singh, Sr. Manager & Shri Akshay Pupreja, Sr. Analyst of M/s. Colt Technology Services India Pvt. Ltd. appeared before the Approval Committee and explained the proposal. The representatives of the unit informed that they are running 'Pantry' and 'Cafeteria' for the exclusive use by its employees/personnel w.e.f. 01.08.2013 and requested to regularized the same. They further clarified that no cooking activity is being undertaken in unit's premises and only ready to eat food is served to the employees.

18.6. After due deliberations, the Approval Committee approved the regularization of existing 'Cafeteria' & 'Pantry' in unit's premises for exclusive use by its employees, subject to statutory compliance and subject to the condition that neither the unit nor its vendor(s) shall be eligible for any exemptions, drawback, concessions or any other benefits available under SEZ Act / SEZ Rules, for creation & operation of such facilities. The unit shall obtain necessary NOCs/ clearances/ approvals such as Fire, Health etc. from the relevant statutory authorities, if applicable, as required under Instruction No. 95 dated 11.06.2019 mentioned above. It was further directed by the Approval Committee that Specified Officer will verify and ensure that statutory compliances are being met. The Approval Committee also directed to Specified Officer to verify whether the unit has availed any duty benefit on creation & operation of existing Cafeteria facility or not and in case availed then to effect recovery of the same.
19. It was brought to the notice of the Approval Committee that M/s Aricent Technologies (Holdings) Ltd. (Unit-I) has submitted proposal for regularization/continuation of existing Cafeteria, Tuck shop and Gymnasium run by them in the premises of its unit located in the IT/ITES SEZ of M/s Candor Gurgaon One Realty Projects Pvt. Ltd., located at Vill: Tikri, Sector-48, Gurugram (Haryana). It was informed that details of existing Cafeteria submitted by the unit are as under:-

<table>
<thead>
<tr>
<th>Name of facility</th>
<th>Proposed area &amp; location</th>
<th>Name of Vendor</th>
</tr>
</thead>
</table>
| Cafeteria and Tuck shop | 24803 Sqft. at Ground Floor, Building No.4. | (i) M/s. Khansamas  
(ii) M/s. BikaneMala Foods Pvt. Ltd.  
(iii) M/s. Ashyan Enterprises  
(iv) M/s. Istylcheck |
| Gymnasium | 1400 Sqft. at Ground Floor, Building No.5. | M/s. Kamdhenu Health Labs Pvt. Ltd. |

19.2. It was informed that SEZ Developer has given NOC dt. 19.08.2019 to the unit to operate Cafeteria in unit’s premises.

19.3. It was informed that in terms of Rule 11(5) proviso 1 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”.

19.4. Further, it was informed that Deptt. of Commerce vide letter dt. No. B-17/2/2018-SEZ-Part(1) dt.11.06.2019 has issued Instruction No. 95, wherein it has been stated that the permission for setting up cafeteria, crèche, gymnasium and similar facilities in the premises of unit for exclusive use of such units can be granted subject to following conditions:-

- **a)** The facilities as envisaged under the proviso to Rule 11(5) of the SEZ Rules could also be created by a unit for its exclusive use subject to obtaining a NOC from the Developer as well as necessary NOCs/ clearances/ approvals from the relevant statutory authorities.

- **b)** The unit shall not be eligible for any exemptions, drawback, concessions, or any other benefit available under Section 7 or Section 26 of SEZ Act, for creating or operating such facilities.

19.5. Shri C.P.S. Bisht, Sr. Manager of M/s Aricent Technologies (Holdings) Ltd. appeared before the Approval Committee and requested to regularized the existing Cafeteria, Tuck shop and
Gymnasium. He informed that the company has not availed any duty benefit on creation & operation of these facilities. He further clarified that no cooking activity is being undertaken in unit’s premises and only ready to eat food is served to the employees.

19.6. After due deliberations, the Approval Committee decided to approve the regularization of existing Cafeteria, Tuck shop and Gymnasium in unit’s premises for exclusive use by its employees, subject to statutory compliance and subject to the condition that neither the unit nor its vendor(s) shall be eligible for any exemptions, drawback, concessions or any other benefits available under SEZ Act / SEZ Rules, for creation & operation of such facilities. The unit shall obtain necessary NOCs/ clearances/ approvals such as Fire, Health etc. from the relevant statutory authorities, if applicable, as required under Instruction No. 95 dated 11.06.2019 mentioned above. It was further directed by the Approval Committee that Specified Officer will verify and ensure that statutory compliances are being met. The Approval Committee also directed to Specified Officer to verify whether the unit has availed any duty benefit on creation & operation of existing Cafeteria facility or not and in case availed then to effect recovery of the same.

20. M/s. Kendore Gurgaon van Rishabh Projects Private Limited, Jagatpura, Ph. 10, District Jodhpur, Rajasthan (RAJASTHAN) have obtained an approval letter dated 03.09.2019 for designing and constructing a new facility for Cafeteria in the processing area of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana). It was mentioned that the developer enclosed consent letter dated 03.09.2019 of Mr. Vishal Mahajan, Authorized Signatory of M/s. Jubilant Consumer Pvt. Ltd. for setup and operation of a ‘Cafeteria’ in the processing area of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana). It was informed that the developer was not informed of the said permission letter dated 15.09.2017 and hence the same is traced.

20.1. 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. 10/108/20017-SEZ/Vol-IV/9901 dated 15.09.2017 issued by this office for allotment of built up space of 100 Sqft. at Ground floor, Tower-3 to M/s. Jubilant Consumer Pvt. Ltd. to setup & operate a ‘Cafeteria’ in the processing area of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana). It was informed that the developer enclosed consent letter dated 03.09.2019 of Mr. Vishal Mahajan, Authorized Signatory of M/s. Jubilant Consumer Pvt. Ltd. for setup and operation of a ‘Cafeteria’ in the processing area of IT/ITES SEZ at Village Tikri, Sector-48, Gurugram (Haryana). It was informed that the developer was not informed of the said permission letter dated 15.09.2017 and hence the same is traced.

20.2. Shri Jay Kumar & Shri Amrik Singh, both authorized representative of the developer appeared before the Approval Committee and requested to cancel the said permission letter.

20.3. After due deliberations, the Approval Committee decided to cancel the letter No. 10/108/20017-SEZ/Vol-IV/9901 dated 15.09.2017 issued by this office for allotment of built up space
Meeting ended with a vote of thanks to the Chair.

(Signed)

(Doctor L. Singhal)

Development Authority

(Signed)

(Es. Es. Mukht)

Syndicate Development Authority