



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-एस०ई०जेड०/

दिनांक: 13/09/2018

सेवा मे,

1. निदेशक (एस०ई०जेड०), वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली - 110001।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002
3. मुख्य आयुक्त, सीमा शुल्क (निवारक), न्यू कस्टम हाउस, नियर आईजीआई एअरपोर्ट, नई दिल्ली - 110037।
4. मुख्य आयुक्त, केन्द्रीय कर एवं उत्पाद शुल्क, एस सी ओ नं 407 & 408, सेक्टर- 8, पंचकुला (हरियाणा)।
5. आयुक्त, आयकर, एचएसआईआईडीसी बिल्डिंग, 4<sup>th</sup> फ्लोर, उद्योग विहार, फेज-5, गुडगांव (हरियाणा)।
6. आयुक्त, आयकर, सेन्ट्रल सर्कल- II, सी जी ओ कॉम्प्लेक्स, एनएच 4, फरीदाबाद, (हरियाणा)।
7. उपसचिव (आई एफ - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
8. निदेशक, उद्योग एवं वाणिज्य विभाग, हरियाणा सरकार, 30 बेज़ 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 07/09/2018 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 - एतद संबंधी।

महोदय,

उपरोक्त विषय के सन्दर्भ में डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 07/09/2018 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 07.09.2018 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. Shri Mahesh Kumar, Asstt. Commissioner, Customs, Delhi
3. Shri R.L. Meena, Asstt. DGFT, New Delhi
4. Shri Rahul, O/o. Joint Director, Deptt. of Industries, Faridabad
5. Shri Mahipal Singh, Planning Assistant, O/o. DTCP, Haryana
6. 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 Mohan Veer Ruhella, ADC & iv) Shri Prakash Chand Upadhyay 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 03.08.2018:-**

The Approval Committee was informed that no reference against the decisions of the Approval Committee held on 03/08/2018 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 03/08/2018 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:-

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)
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*Day*



(i)	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	51.50
(ii)	Air Conditioning of Processing Area (as approved by BoA)	Approved by BoA	5.50
(iii)	Construction of all types of building in processing area as approved by the ÚAC.	22	3.58
(iv)	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains, and water channels of appropriate capacity.	02	0.29
		<b>Total:</b>	<b>60.87</b>

Shri Ashok Singh, AGM appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

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

**03. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., developer for allotment of built-up space to M/s. A-Square Tuck Shop to setup & operate a 'Snacks Counter in the processing area of IT/ITES SEZ at Vill. Gwal Pahari, Tehsil Sohna, Distt. Gurgaon (Haryana).**

It was brought to the notice of the Approval Committee that M/s. ASF Insignia SEZ Pvt. Ltd. vide its letter dated 23.08.2018 has submitted proposal for allotment of built-up space of 216 Sqft (20.07 Sqmt) at Ground floor of Podium (Wind Cave 1 Building) in the processing area of IT/ITES SEZ at Village Gwal Pahari, Gurgaon (Haryana) on lease basis to M/s. A-Square Tuck Shop to setup & operate a 'Snacks Counter' for exclusive use by the employees of SEZ & units located therein. It was informed that developer had already got approval from the Approval Committee granted in its meeting held on 07.04.2017, for allotment of built-up space of 216 Sqft. at Kiosk-15-Podium (Wind Cave 1 Building) to M/s. A-Square Tuck Shop to set up & operate a 'Tuck Shop' in the processing area of SEZ, for exclusive use by the employees of SEZ & units located therein.

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'.*





Shri Ashok Singh, AGM appeared before the Approval Committee on behalf of the developer and explained the proposal. He informed that the instant proposal is for allotment of additional space to M/s. A-Square Tuck Shop to open a separate counter for selling of snacks.

After due deliberations, Approval Committee **approved** the proposal, subject to condition that no tax / duty benefit, including service tax benefits, shall be available to M/s. A-Square Tuck Shop to setup, operate & maintain such facility in the processing area of the SEZ and M/s. A-Square Tuck Shop shall not serve Cigarette & Alcoholic beverages in such facility. This facility shall be used exclusively by the employees of SEZ & units located therein. The Approval Committee directed to the representative of the developer to submit details of area approved by BoA/UAC for 'Food Courts / Restaurants etc.', total area leased out for such activities and balance area.

**04. Proposal of M/s. Kings Canyon SEZ Pvt. Ltd., Co-developer for approval of list of materials to carry on authorized operations in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Vill. Gwal Pahari, Gurgaon.**

It was brought to the notice of Approval Committee that M/s. Kings Canyon SEZ Pvt. Ltd., Co-developer of IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. 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 SEZ:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated Cost (Rupees in lakhs)
(i)	Access control and monitoring system.	24	120.61

Shri Ashok Singh, AGM appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed items.

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

**05. Proposal of M/s. Grand Canyon SEZ Pvt. Ltd., Co-developer for approval of list of materials to carry on authorized operations in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Vill. Gwal Pahari, Gurgaon.**

It was brought to the notice of Approval Committee that M/s. Grand Canyon SEZ Pvt. Ltd., Co-developer of IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. 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 SEZ:-



S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated Cost (Rupees in lakhs)
(i)	Access control and monitoring system.	24	186.86

Shri Ashok Singh, AGM appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed items.

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

**06. Proposal of M/s. Comparex India Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Gurgaon (Haryana) for change in shareholding pattern of the company.**

It was brought to the notice of the Approval Committee that M/s. Comparex India Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. ASF Insignia SEZ Pvt. Ltd. at Village Gwal Pahari, Gurgaon (Haryana) had submitted proposal for following changes in the shareholding pattern of the company:-

Shareholding pattern submitted by the unit at the time of project application			Shareholding Pattern as on 31.03.2018		
Name of shareholder	No. of shares held	% share	Name of shareholder	No. of shares hold	% share
M/s. Comparex Holding GmbH, Austria	477650	69.99%	M/s. Comparex Holding GmbH, Austria	682400	99.99%
M/s. Comparex Beteiligungsverwaltung GmbH, Austria	100	0.01	M/s. Comparex Beteiligungsverwaltung GmbH, Austria	100	0.01%
Navin Kapur	204750	30.00	-	-	-
Total:	682500	100%	Total:	682500	100%

It was informed that as per above details submitted by the unit, there has been 30% changes in shareholding of the company.

It was informed that 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"*.





It was further informed that 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.*

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.

Ms. Roma Kapur, CFO appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, the Approval Committee approved the proposal 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 safeguards prescribed in Instruction No. 89 dated 17.05.2018.





**07. Proposal of M/s. DLF Power & Services Ltd., Co-developer for approval of list of materials to carry on authorized operation in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Gurgaon (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, Sector-30, Silokhera, Gurgaon (Haryana):-

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)	<i>Engineering, Maintenance including Electrical and Mechanical Works, Heating, Ventilation &amp; 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 &amp; scrap disposal, Horticulture, Pest Control, Façade Cleaning Services.</i>	As per authorized operations approved by BoA	63.00

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

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

**08. Proposal of M/s. DLF Power & Services Ltd., Co-developer for tax/duty free procurement of 'HSD' to carry on authorized operation in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Gurgaon (Haryana)**

It was brought to the notice of Approval Committee that M/s. DLF Power & Services Ltd, Co-developer had submitted a proposal for approval of duty free import / procurement of '98 KL Diesel' to carry on following approved authorized operation in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Sector-30, Gurgaon (Haryana):-

S. No.	Name of Authorized Operation	Estimated material cost (Rs. in Lakhs)
1.	Setting up of 60 MW capacity of co-generation plant to install and commission gas turbine based power generation sets in processing area. (98 KL HSD)	Rs.41.06 Lakhs

It was informed that the Co-developer had also submitted month-wise details of Power Units supplied for entities within the SEZ during the preceding year 2017-18 and consumption of HSD for



such power generation, in terms of Power guidelines issued by DOC vide letter no. P.6/2006-SEZ(Vol-III) dated 16.02.2016, as given below:-

Period	Power supplied to entities within SEZ (KWH)	Average monthly power supplied to SEZ entities (KWH)
(01 <sup>st</sup> April 2017 to 31 <sup>st</sup> March 2018)	23619593	1968299

It was further informed that the Co-developer had mentioned that 01 Litre HSD generates approx. 3 KWH Power Units, therefore average monthly HSD requirement shall be 656 KL to generate the 1968299 KWH Power units during the FY 2018-19.

Mr. Anil Nauriyal, G.M. & Mr. Pitambar Sharma, Manager appeared before the Approval Committee on behalf of the co-developer and explained the proposal. The representatives of the co-developer informed that the said Co-developer engaged in generation power through gas turbine based power generation sets which initially require HSD as fuel while in starting process and thereafter runs on gas fuel. For this reason they have proposed minimal quantity of HSD.

After due deliberations, Approval Committee approved the proposal subject to compliance of the provisions of Para(vi) of the Guidelines for Power Generation, Transmission and Distribution in Special Economic Zone (SEZs) issued by Deptt. of Commerce, Govt. of India vide letter No. P.6/3/2006-SEZ(Vol-III) dated 16.02.2016. The Approval Committee directed the Specified Officer to ensure compliance of tax/duty free procurement of Diesel on monthly basis and power generated through DG Sets shall be supplied strictly within the SEZ only.

**09. Proposal of M/s. DLF Assets Pvt. Ltd., Co-Developer, for approval of list of materials to carry on authorized operations in the IT/ITES of M/s. DLF Ltd. at Sector 30, Silokhera, Gurgaon.**

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, Sector-30, Gurgaon (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 type building in Processing Area as approved by the Unit Approval Committee	22	168.27
(ii)	Electrical, Gas and Petroleum Natural	04	7.64

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	Gas Distribution Network including necessary Sub-Station of appropriate capacity, pipeline Network etc.		
		<b>Total</b>	<b>175.91</b>

Shri 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.

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

**10. 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 Cyber City Developers Ltd. at Sector-24 & 25A, Gurgaon (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 Cyber City Developers Ltd. at Sector-24 & 25A, DLF Phase-III, Gurgaon (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)	Air conditioning of processing area	21	6.78
(ii)	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary Sub-Station of appropriate capacity, pipeline Network etc.	04	0.99
(iii)	Access Control and Monitoring System	24	2.47
		<b>Total</b>	<b>10.24</b>

Shri 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.

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

**11. Proposal of M/s. G.P. Realtors Pvt. Ltd. (IREO) to 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 two proposals 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)
Proposal-I			
1.	Landscaping and water bodies	08	36.00
Proposal-II			
(i)	Air conditioning of processing area	21	381.96
(ii)	Construction of all type building in Processing Area as approved by the Unit Approval Committee	22	60.14
(iii)	Fire Protection System with Sprinklers, Fire and Smoke Detectors	07	39.02
<b>Total:</b>			<b>481.12</b>
<b>Grand Total:</b>			<b>517.12</b>

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

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

**12. M/s. Accenture Solutions Pvt. Ltd. – Proposal 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, Gurgaon (Haryana).**

It was brought to the notice of Approval Committee that M/s. Accenture Solutions 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, Gurgaon (Haryana). It was informed to the Committee that presently unit has been operating over an area of 932681 Sqft. at 2<sup>nd</sup> floor, Tower A, Building no.2, 8<sup>th</sup> & 11<sup>th</sup> floor, Tower-B, Building No.1, Ground to 5<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> floor, Tower-A, Building No. 6, Ground & 1<sup>st</sup> floor, Tower-B, Building No.6, Ground to 8<sup>th</sup> floor, Building No.7 and 6<sup>th</sup> floor to 9<sup>th</sup> floor, Tower-A, Building No. 8 and the unit has requested for addition 54472 Sqft. at 2<sup>nd</sup> & 3<sup>rd</sup> floor (27236 Sqft. each), Tower-B, Building No.2 of SEZ. It was informed that the SEZ developer has given provisional offer for allotment of proposed additional space to the unit. It was also informed that the unit has submitted revised projections, as given below, on account of proposed expansion of unit:-

Particulars (for five years)	(Rs. in lakhs)	
	Existing Projection	Revised Projection
Projected FOB value of exports	679910.00	695087.00

*Ray*



Foreign Exchange Outgo	45551.00	46856.00
NFE	634359.00	648231.00
Imported CG	7562.00	8109.00
Indigenous CG	3321.00	4211.00

It was informed that in projection sheet the unit has mentioned existing approved value of imported capital goods of Rs. 8180 lakhs instead of Rs.7562 lakhs.

It was further informed that as directed by the Approval Committee in its meeting held on 04.05.2018 and w.r.t. this office letter dated 23.05.2018, the unit vide its letter dated 30.05.2018 & subsequent letter dated 03.08.2018 had submitted details of services rendered in DTA during the year 2014-15 to 2016-17 and informed that the details of DTA invoices would primarily consist of services and small portion of it are related to sales of obsolete assets. It was informed that the unit has confirmed that the all the services rendered in DTA has been realized in foreign currency only as per provisions specified under Section 2(z) of SEZ Act, 2005.

Shri Dharam Yudhishter, General Manager appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, the Approval Committee approved the proposed expansion of area and revised projections of the unit. The Approval Committee also took note of the details of DTA sales submitted by the unit.

**13. Proposal of M/s. G.P. Realtors 1 Pvt. Ltd., a unit in the Electronic Hardware & IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. at Village Behrampur, Distt- Gurugram (Haryana) for change in shareholding pattern of the company pursuant to the approval of the composite Scheme of Agreement by the Hon'ble National Company Law Tribunal (NCLT), Chandigarh Bench vide Order dated 11.07.2018 and change of name to 'ITPG Developers Pvt. Ltd.'**

It was brought to the notice of the Approval Committee that M/s. G.P. Realtors 1 Pvt. Ltd., a Power Plant unit in the Electronics Hardware & IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. at Village Behrampur, Distt-Gurgaon (Haryana) submitted proposal for change in shareholding pattern of the company pursuant to the approval of the composite Scheme of Arrangement by the Hon'ble National Company Law Tribunal (NCLT), Chandigarh Bench vide Order dated 11.07.2018 and Change of name from M/s. G.P. Realtors 1 Pvt. Ltd. to 'ITPG Developers Pvt. Ltd.'. Details of changes in shareholding pattern of the company are as under:-



**Minutes of the Approval Committee meeting of  
SEZs in Haryana held on 07.09.2018 at NSEZ, Noida**

Existing shareholding pattern of M/s. G.P. Realtors 1 Pvt. Ltd., as on 03.08.2018			Proposed shareholding pattern pursuant to the composite scheme of arrangement filed before the Hon'ble NCLT		
Name of Shareholder	Nos. of shares	% of shares	Name of Shareholder	Nos. of shares	% of shares
G.P. Realtors Pvt. Ltd.	7669999	99.99998%	Daisu Ltd. (Earlier known as AZCO Ltd.) (including shares held by its nominee M/s. IREO Management I Ltd.)	107359360	100%
Sharad Agrawal (Nominee of G.P. Realtors Pvt. Ltd.)	1	0.00001%	-	-	-
Total :	7670000	100%	Total :	107359360	100%

It was further informed that at the time of project application i.e. as on 10.01.2017, the shareholding pattern of the company was as under:-

Shareholding pattern of M/s. G.P. Realtors 1 Pvt. Ltd. at the time of project application as on 10.01.2017		
Name of Shareholder	Nos. of shares	% of shares
G.P. Realtors Pvt. Ltd.	19999	99.995%
Sharad Agrawal (Nominee of G.P. Realtors Pvt. Ltd.)	1	0.005%
Total :	20000	100%

It was informed that copy of fresh Certificate of Incorporation issued by ROC for change of name from M/s. G.P. Realtors 1 Pvt. Ltd. to "ITPG Developers Pvt. Ltd." required to be submitted.

The Approval Committee observed that there has been a 100% change in shareholding of the company.

It was informed that 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"*.

It was further informed that 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.

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.

Mr. Minish Mathur & Mr. Dinesh Sikka appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, the Approval Committee approved the proposal 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 safeguards prescribed in Instruction No. 89 dated 17.05.2018 and submission of certificate of incorporation consequent upon change of name of company.

14. **Proposal of M/s. G.P. Realtors Pvt. Ltd. (Ascendas) for grant of Occupancy Certificate in respect of Block-2 of Phase-1 of the Electronic Hardware, IT/ITES SEZ at Village Behrampur, Distt- Gurgaon (Haryana).**



It was brought to the notice of the Approval Committee that the proposal of M/s. G.P. Realtors Pvt. Ltd. for grant of Occupancy Certificate in respect of Block-2 of Phase-1 of the Electronic Hardware, IT/ITES SEZ at Village Behrampur, Distt- Gurgaon (Haryana) was forwarded vide this office letter dated 07.06.2018 to Sr. Town Planner, O/o. DTCP Haryana, Chandigarh for their examination & comments. It was informed that with reference to this office letter dated 07.06.2018, District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh vide Memo No. SEZ-66-Vol-I/SD(BS)/2018/24713 dated 23.08.2018 has forwarded its comments along with one set of coloured copy of the as-built drawings duly verified by DTP, Gurugram for consideration of Occupancy Certificate for Block-2 of Phase-1 in the processing area of the said SEZ. DTP (HQ) has informed that the site reports has been taken from DTP(P), Gurgaon and STP, Gurgaon Circle has reported that the applicant has raised the construction at site in variation from the approved building plans of Block-2 of Phase-1 of SEZ. DTP(HQ) has mentioned that the details of the variation raised at site from the approved building plans and composition amount thereof as per composition policy is as under:-

S. No.	Violation / Variations	Area	Rate of composition	Amount (Rupees)
1.	Construction raised without getting plan sanctioned and the construction so made conform to the laws/zoning.	414.795 Sqm.	Rs.216/- per Sqm	89596.00
2.	Scrutiny fee of construction added during the course of construction	414.795 Sqm.	Rs.10/- per sqm.	4148.00
3.	DPC Certificate not taken	4044.750 Sqm. Or 43537.689 Sqft.	Rs.1/- per Sqft.	43538.00
4.	Gate and Boundary wall not as per standard design	1 No.	Rs.1000/- per sqft	1000.00
5.	Variation in the height of boundary wall	1 No.	Rs.1000/- each	1000.00
6.	Internal changes	134.909 Sqm. or 1452.160 Sqft.	Rs.5/- per Sqft.	7261.00
7.	Position change in Door / Window	131 Nos.	Rs.100/- each	13100.0
8.	Changes in elevation	1 Block	Rs.10000/- each Block.	10000.00
Total (Rs.):				169643.00
Deposited (Rs.):				173839.00
Excess (Rs.):				4196.00

It was informed that DTP (HQ) had further mentioned that the above said violations are compoundable violations and the developer has deposited the above said composition charges. DTP (HQ) has further mentioned that provisions of internal and external public health services at site is to be certified by the developer itself as the cost of the development works was self-estimated by the developer. It was further informed that DTP (HQ) had recommended that the matter may be placed before the Approval Committee for its consideration subject to compliance of the terms & conditions of their Memo dated 23.08.2018.





During the meeting, Shri Mahipal Singh, representative of O/o. DTP(P), Gurugram informed O/o. DTCP Haryana, Chandigarh has recommended the grant of Occupancy Certificate to the developer.

After due deliberations, Approval Committee approved the proposal for issuance of Occupancy Certificate in respect of Block-2 of Phase-1 of the said SEZ, subject to terms & conditions mentioned in the Memo No. SEZ-66-Vol-I/SD(BS)/2018/24713 dated 23.08.2018 of District Town Planner (HQ), O/o. DTCP Haryana, Chandigarh.

**15. Intimation of M/s. Alight HR Services India Pvt. Ltd., a unit in the IT/ITES SEZ of M/s. Candor of Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana) for proposed changes in ownership by way transfer of shareholding of the company- Regarding.**

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 of Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana) had submitted proposal for changes in ownership by way transfer of shareholding of the company. The details of existing & proposed shareholding pattern of the company, are as under:-

Existing Shareholding pattern (as approved by BoA and communicated to unit vide this office letter dated 24.08.2017)			Proposed Shareholding Pattern as of completion of SPA		
Name of shareholder	No. of shares held	% share	Name of shareholder	No. of shares held	% share
Tempo (Mauritius) Holdco	7009998	99.99%	Wipro Limited	7009998	99.99%
Mr. Sandeep Aggarwal [Nominee shareholder of Tempo (Mauritius) Holdco]	02	0.01%	Jointly held by the nominee shareholder of Wipro Ltd. (as the first holder) and Wipro Ltd.	02	0.01%
Total:	7010000	100%	Total:	7010000	100%

It was informed that 100% shareholding of the company have been proposed to be transferred.

It was informed that 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”.*

It was further informed that 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.*

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.

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

- (i) Details of existing & revised Shareholding pattern of the company with exact date of changes therein duly certified by CA.*
- (ii) Copy of sale purchase agreement.*





- (iii) List of current directors of the company along with details of change in Directors, if any, duly supported with documents filed with ROC & copies of PAN Card, Passport, Form-32 / DIR-12 of new director's along with Form-32 /DIR-12 of cessation of directors.
- (iv) Copy of Regd. Lease Deed.

Mr. Pankaj Agarwal, Director, Mr. Ashan Agha, Director & Mr. Rajkumar, Manager of M/s. Wipro Ltd. appeared before the Approval Committee on behalf of the unit and explained the proposal.

After due deliberations, the Approval Committee approved the proposal 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 safeguards prescribed in Instruction No. 89 dated 17.05.2018 and further subject to submission of pending documents.

**16. Clarification sought by Assistant Commissioner, CGST (Audit) regarding exemption on 'Car parking charges' service from payment of services tax in respect of IT/ITES SEZ of M/s Gurgaon Infospace Ltd, Gurugram (Haryana)**

It was brought to the notice of the Approval Committee that a letter dt. 24.05.2018 had been received from Shri Mohan Swaroop, Assistant Commissioner, CGST (Audit), Circle-8, Audit-I Commissionerate, New Delhi informing that the CGST Audit-1 Delhi Officers conducted audit of M/s Gurgaon Infospace Ltd., Developer of SEZ situated at Sector-21, Dundaheera, Gurgaon, Haryana, which has been duly approved by the Haryana Government for IT/ITES usage. It was informed that Assistant Commissioner, CGST (Audit) had mentioned that the Developer, M/s Gurgaon Infospace Ltd. in the capacity of Service Tax assessee among other charges, is also charging "Car Parking charges" separately, apart from renting of immovable property, from the tenants/units of SEZ and not paying service tax thereon, treating this as exempted service. Further, it was informed that the activity "car parking" is not mentioned anywhere and instead "Renting of immovable property" is mentioned. This issue was raised before the assessee. They have submitted that the car parking is nothing but a "bundled activity" and will fall under "renting of immovable property" and thus exempted from service tax. It was informed that the Assistant Commissioner had requested this office to clarify/advise whether "Car parking Charges" being charged separately are exempted from payment of service tax like the service tax on "renting of immovable property" for IT/ITES SEZ to enable their office to proceed further on this issue.

It was informed that "Renting of immovable property services" is one of the 66 Nos. of default services which have been approval by UAC to SEZ Developer/Co-developer and units located in Haryana.





It was further informed that comments in this regard were sought from the Specified Officer of the said SEZ. It was informed that Specified Officer vide his letter dated 03.07.2018 had informed that M/s. Gurgaon Infospace Ltd., Developer has confirmed that the company leases office spaces developed by it to the tenants which are SEZ units. As an integral part of its renting activities, the company provides designated parking slots to the tenants for parking of the cars / vehicles belonging to the tenants or its employees within the premises. SEZ Laws confer exemption from Service Tax on services which gets covered under the ambit of "Authorised Operations". Specified Officer clarified that the Notification No. 9/2009 Service Tax dated 03.03.2009 of Service Tax may be read along with Instruction No. 50 dated 15.03.2010 which defines "Parking including Multi-level car parking (automated / manual)" as authorized operation under SEZ.

The Approval Committee observed that "Parking including Multi-level car parking (automated / manual)" is a default authorized operation as per Instruction No. 50 dated 15.03.2010 issued by DOC. The car parking space is essential requirement for the employee of SEZ units. The developer rented the built-up space and car parking space to SEZ Units as an attached service activity.

After due deliberations, the Approval Committee directed to forward clarification to Assistant Commissioner, CGST (Audit), New Delhi clarifying that "Parking including Multi-level car parking (automated / manual)" is a default authorized operation as per Instruction No. 50 dated 15.03.2010 issued by DOC and Car parking space is associated with the built-up space rented out by the developer to SEZ Units. Hence the same may be considered under the "Renting of immovable property services" which is one of the 66 Nos. of default services issued by this office for use in authorized operations by SEZ Developer/Co-developer and units located therein.

**17. Proposal of M/s. Jones Lang Lasalle Property Consultants (India) Pvt. Ltd. for continuation of Unit's Login IDs / location at both SEZs in SEZ Online System during the transition period of shifting of its unit from DLF Cyber City Developers Ltd. IT/ITES SEZ, Gurgaon to DLF Ltd. IT/ITES SEZ at Village Silokhera, Gurgaon (Haryana).**

It was brought to the notice of the Approval Committee that M/s. Jones Lang LaSalle Property Consultants (India) Pvt. Ltd. had been recently granted approval by DOC for transfer of unit from DLF Cyber City Developers Ltd. IT/ITES SEZ, Sector-24 & 25A, Gurugram to DLF Ltd. IT/ITES SEZ, Village Silokhera, Sector-30, Gurugram, which had been conveyed to the unit vide this office letter dated 18.05.2018. It was informed that the unit vide Request ID 181800000340 submitted request for Unit Regularization in respect of its new location at M/s. DLF Ltd. IT/ITES SEZ Gurgaon (Haryana) at SEZ Online System in addition to its already active login in respect of old location in DLF Cyber City Developers Ltd. IT/ITES SEZ, Sector-24 & 25A, Gurgaon (Haryana). It was informed that the unit had requested to keep active both of its unit's Login IDs / location in SEZ Online

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System, till Oct'2018 for completion of shifting process. Further, it was informed that the Development Commissioner, NSEZ had allowed to keep active Unit's Login IDs / location in both SEZs at SEZ Online System, for a period upto Oct' 2018, to facilitate the shifting of unit .

It was further informed that since there is no laid down specific procedure for post approval for such transition time, this office vide letter dated 12.04.2016 had requested DOC to issue necessary guidelines / instructions in the matter. The necessary guidelines / instructions are awaited and another letter based on instant case has been written to DOC to expedite issuance of guidelines / instructions in the matter.

After due deliberations, the Approval Committee took note of the approval of DC, NSEZ to keep active Unit's Login IDs / location in both SEZs at SEZ Online System, for a period upto Oct' 2018, to facilitate the shifting of unit.

**18. Proposal of M/s. Gurgaon Infospace Ltd. for allotment of space to M/s. Godfrey Phillips India Ltd. to setup & operate a 'Food & beverages Store' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana).**

It was informed that the Approval Committee in its meeting held on 06.07.2018 had deferred that proposal of M/s. Gurgaon Infospace Ltd., Developer for allotment of built-up space of 848.41 Sqft. (78.82 Sqmt) to M/s. Godfrey Phillips India Ltd., to setup & operate a 'Food & Beverages Store' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana) and directed the Specified Officer to visit the Amenity Blocks of SEZ to inspect whether any other unauthorized food court vendor has been operating therein and submit a factual report to this office. Approval Committee had also directed that it may also be ascertained as to whether any other original allottee has entered into the agreement of subletting of space with other vendor. It was further informed that the Approval Committee had also directed to issue a show cause notice to the Developer for allowing six other unauthorized vendors / firms to work from the SEZ under the permission dt. 03.07.2015 granted to M/s Kwals Hospitality and concealing this fact from the UAC at the time of consideration of cancellation proposal of the said permission dt. 03.07.2015.

It was informed that the Specified Officer vide letter dated 30.08.2018 had submitted his report informing that he had visited the Amenity Blocks of Gurgaon Infospace Ltd. along with Sh. Surender Chalia, Authorised Officer, Sh. Abhishek Arora & Sh. Amrik Singh, Representatives of developer, on 23.08.2018 and found that as per Hon'ble Court Order Dt.



16.05.2018, M/s. Live Wok is working in the food court area. Further, it was verified from existing original allottees, that they are operating their own brands / franchise brands & have not subletted any space to any other vendor. He further reported that the space earmarked for M/s. Godfrey Philips India Ltd. by developer is also lying vacant in another amenity block.

It was further informed that the developer vide its letter dated 27.08.2018 had submitted its reply to this office letter dated 27.07.2018 stating that the non-intimation of the appointment of the sub-operators was neither intentional nor deliberate but solely due to the reasons mentioned above. The developer had requested to condone such lapse, if any, on account of non-intimation about sub-operators operating from food court operated by Kwals and undertaken that they will ensure that such types of lapses will not recur in future.

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

After due deliberations, the Approval Committee approved the proposal for allotment of built-up space of 848.41 Sqft. (78.82 Sqmt) to M/s. Godfrey Phillips India Ltd., to setup & operate a 'Food & Beverages Store' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana), subject to the condition that no tax / duty benefit shall be available to M/s. Godfrey Phillips India Ltd. to setup, operate & maintain such facility in the processing area of the SEZ and M/s. Godfrey Phillips India Ltd. shall not serve Cigarette & Alcoholic beverages in such facility. This facility shall be used exclusively by the employees of SEZ & units located therein.

**19. Proposal of M/s. Gurgaon Infospace Ltd., Developer for cancellation of the permission letter dated 23.12.2011 granted for allotment of space to M/s. The Food Planet to setup & operate a food restaurant namely 'Al-Kabab' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana)**

It was informed that the Approval Committee in its meeting held on 06.07.2018 had deferred that proposal of M/s. Gurgaon Infospace Ltd., Developer for cancellation of the permission letter dated 23.12.2011 granted for allotment of 1542 Sqft built-up space to M/s. The Food Planet to setup & operate a food restaurant namely 'Al-Kabab' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana) and directed the Specified Officer to visit the Amenity Blocks of SEZ to inspect whether any other unauthorized food court vendor has been operating therein and submit a factual report to this office. Approval Committee had also directed



that it may also be ascertained as to whether any other original allottee has entered into the agreement of subletting of space with other vendor.

It was informed that the Specified Office vide letter dated 30.08.2018 had submitted his report informing that he had visited the Amenity Blocks of Gurgaon Infospace Ltd. along with Sh. Surender Chalia, Authorised Officer, Sh. Abhishek Arora & Sh. Amrik Singh, Representatives of developer, on 23.08.2018 and found that as per Hon'ble Court Order Dt. 16.05.2018, M/s. Live Wok is working in the food court area. Further, it was verified from existing original allottees, that they are operating their own brands / franchise brands & have not subletted any space to any other vendor. He further reported that the restaurant namely 'Al Kabab' is not operating in the said SEZ & that premises is lying vacant.

Mr. Jay Kumar, Head-SEZ Compliance & Mr. Amrik Singh, AGM-SEZ appeared before the Approval Committee on behalf of the developer and explained the proposal. The representative of the developer informed that they have taken possession of the premises allotted to M/s. The Food Planet on the basis of Order dated. 10.01.2018 passed by Hon'ble Additional District Judge-cum-Judge, Special Commercial Court, Gurugram. The representative further informed that the matter is still sub-judice.

The Approval Committee, after due deliberations, decided to defer the proposal as the matter is still sub judice.

**20. Proposal of M/s. Gurgaon Infospace Ltd., Developer for cancellation of the permission letter dated 29.12.2016 granted to them for allotment of space to M/s. Flavorsome Foods to setup & operate a 'Restaurant' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana)**

It was brought to the notice of Approval Committee that the Developer, M/s. Gurgaon Infospace Ltd. had submitted a proposal for cancellation of the permission letter dated 29.12.2016 issued by this office for allotment of 667 sqft built-up area at Unit No. 5, block-4A (Amenity Block-II) to M/s. Flavorsome Foods to setup & operate a 'Restaurant' in the processing area of IT/ITES SEZ at Village Dundahera, Sector-21, Gurgaon (Haryana). It was informed that the developer had surrendered the original permission letters dated 29.12.2016 issued to M/s. Gurgaon Infospace Ltd.. It was further informed that the developer had also enclosed a consent letter dated 14.07.2018 of Mr. Kunal Sawhney, Partner of M/s. Flavorsome Foods addressed to DC, NSEZ giving their consent for cancellation of said approval. It was further informed that the developer has enclosed another letter dated 26.07.2018 of M/s. Flavorsome Foods informing that the said original letter has been misplaced by them. M/s. Flavorsome Foods has undertaken to submit the same as and when the same is traced. M/s. Flavorsome Foods has further undertaken that in event of occurrence of any

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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.

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.

After due deliberations, the Approval Committee **decided to cancel** the letter dated 29.12.2016 issued for allotment of 667 sqft built-up area at Unit No. 5, block-4A (Amenity Block-II) to M/s. Flavorsome Foods to setup & operate a 'Restaurant' in the processing area of IT/ITES SEZ at Village Dundahera, Sector-21, Gurgaon (Haryana).

Meeting ended with a vote of thanks to the Chair.



**(S. S. Shukla)**  
**Joint Development Commissioner**



**(Dr. L.B. Singhal)**  
**Development Commissioner**