कार्यालय 10/173/2007-सेज/  
दिनांक: 10/01/2019

सेवा में:

1. निदेशक, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली-110001।
2. अधिकृत महानिदेशक विक्रेता व्यवसाय, वाणिज्य एवं उद्योग मंत्रालय, "प्रबंध, इंद्रधनुष भवन, आई पी एसटेट, नई दिल्ली-110002।
3. आयुक्त, सीमा शुल्क, नोएडा सीमा शुल्क आयुक्तालय, इंजनरिंग कंटेनर डिपो, तरिपता, दादरी, गौतम बुध नगर, उत्तर प्रदेश-201306।
4. आयुक्त, सेंट्रलजीएस्टी (नोएडा- प्रथम), सी. - 56/42, सेक्टर - 62, नोएडा, जिला- गौतम बुध नगर, (उत्तर प्रदेश)।
5. आयुक्त, सेंट्रलजीएस्टी (नोएडा-द्वितिया), फॉर्मेल वन होटल, वेमेस बिजनेस पार्क, प्लांट नं. 3, जोलेज पार्क -3, डेटर नोएडा, जिला- गौतम बुध नगर, (उत्तर प्रदेश)।
6. आयुक्त, आयुक्त, ए. 2 डी, आयुक्त भवन, सेक्टर 24, नोएडा।
7. उपसचिव (आई एक - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, गृहीत तत्त्व, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
8. मुख्य कार्यकारी अधिकारी, न्यू ओंसला आधुनिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नोएडा。
9. मुख्य कार्यकारी अधिकारी, यूजर नोएडा आधुनिक विकास प्राधिकरण, प्लांट नं 01, नोएडा पार्क- 4, यूजर नोएडा, गौतम बुध नगर, (उत्तर प्रदेश)।
10. महासचिव, जिला सुरक्षा केंद्र, कलेक्टर के पास, सुरजपुर, यूजर नोएडा।
11. उपाध्यक्ष, बुलंदशहर खुजील विकास प्राधिकरण, अलिबाबा जी टी रोड, भारत वाणिज्यिक बोर्ड, खुजील- 203131 (उत्तर प्रदेश)।
12. संस्थापक विश्वेश आर्थिक क्षेत्र विकासकर्ता।

विषय: दिनांक 04/01/2019 को पूर्वानुमान 11.00 बजे सम्मेलन होंगे, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित नोएडा, यूजर नोएडा एवं खुजील (उत्तर प्रदेश) में स्थित विदिशा विशेष आर्थिक क्षेत्र की अनुमोदन समिति बैठक का कार्यवाह - परामर्श संबंधी।

महोदय,

उपरोक्त विषय के संदर्भ में 350 एक बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 04/01/2019 को पूर्वानुमान 11.00 बजे सम्मेलन होंगे, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित आयोजित नोएडा, यूजर नोएडा एवं खुजील (उत्तर प्रदेश) में स्थित विदिशा विशेष आर्थिक क्षेत्र की अनुमोदन समिति बैठक का कार्यवाह संगठन है।

भवदीय,

(राजेश कुमार)
उप विकास आयुक्त
Noida Special Economic Zone

Minutes of meeting of the Approval Committee of Private SEZs located in Noida, Greater Noida & Khurja (Uttar Pradesh) held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, Noida SEZ at 11:00 AM on 04.01.2019 in the Conference Hall of NSEZ.

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

(i) Shri S. S. Shukla, Joint Development Commissioner, NSEZ.
(ii) Shri Rajesh Sharma, Asstt. Commissioner (Customs), Noida.
(iii) Shri S.K. Srivastava, Asstt. Commissioner, CGST, Noida-II.
(v) Shri R.L. Meena, Asstt. DGFT, O/o of Addl. DGFT, New Delhi.
(vi) Ms. Durgesh Nandini, Income Tax Officer, Noida
(vii) Mr. Vaibhav Gupta, Sr. Manager (A), GNIDA
(viii) Representative of SEZ Developers concerned, Special Invitee.

Besides, during the meeting i) Md. Salik Parwaiz, Specified Officer, ii) Shri Rajesh Kumar, DDC, iii) Shri Mohan Veer Ruhella, ADC & iv) Shri Prakash Chand Upadhyay, OSD to DC were also present to assist the Approval Committee.

At the outset, the Chairman welcomed the participants. After brief introduction, each items included in the agenda were taken up for deliberation one by one. After detailed deliberations amongst the members of the Approval Committee as well as interaction with the applicants / representatives of the developers / units, the following decisions were taken:-

1. Ratification of Minutes of last meeting of the Approval Committee held on 07.12.2018:-

The Approval Committee was informed that no reference against the decisions of the Approval Committee held on 07.12.2018 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 07.12.2018 were ratified.

2. Proposal of M/s. Xavient Software Solutions India Pvt. Ltd. (Unit-II) for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.).

2.1. It was brought to the notice of Approval Committee that M/s. Xavient Software Solutions India Pvt. Ltd. (Unit-II) had applied for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.). It was informed to the Committee that presently unit has been occupied an area of 18910 Sqft. at 5th floor, Building No. 5 & 27966 Sqft. at 5th floor, Building No.6. It was informed that the unit has requested for addition of 61388 Sqft. at Upper Ground floor (30473 Sqft.) & 4th floor (30915 Sqft.), Building No.6 of SEZ. It was informed that the SEZ developer has given provisional offer for allotment of proposed additional space to the unit.
2.2. 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>20905.70</td>
<td>34537.01</td>
</tr>
<tr>
<td>Foreign Exchange Outgo</td>
<td>1600.00</td>
<td>3200.00</td>
</tr>
<tr>
<td>NFE</td>
<td>19305.70</td>
<td>31337.01</td>
</tr>
<tr>
<td>Imported CG</td>
<td>800.00</td>
<td>1600.00</td>
</tr>
<tr>
<td>Indigenous CG</td>
<td>400.00</td>
<td>1600.00</td>
</tr>
</tbody>
</table>

(Rs. in lakhs)

2.3. Further, it was informed that acceptance of terms & conditions / revised BLUT in respect of this office letter dated 17.10.2018 (reg. expansion of area & revision in projections) is awaited from the unit.

2.4. Mr. Ashish Jain, Director appeared before the Approval Committee on behalf of the unit and explained the proposal.

2.5. After due deliberations, the Approval Committee approved the proposed expansion of area and revised projections of the unit. The Approval Committee directed the representative of the unit to execute BLUT in respect of approval for expansion of area & revision in projections. The representative of the unit assured for submission of the same.

3. Proposal of M/s. Tata Consultancy Services Ltd. for enhancement in the value of imported & indigenous capital goods and revision in projections of the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.).

3.1. It was brought to the notice of the Approval Committee that M/s. Tata Consultancy Services Limited had submitted a proposal for enhancement in the value of imported & indigenous capital goods and revision in projections of the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P.), as given below:

<table>
<thead>
<tr>
<th>Particulars (for 5 years)</th>
<th>Existing Projections</th>
<th>Revised Projections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projected FOB value of exports</td>
<td>306590.00</td>
<td>370453.00</td>
</tr>
<tr>
<td>Foreign Exchange Outgo</td>
<td>76647.98</td>
<td>118375.60</td>
</tr>
<tr>
<td>NFE</td>
<td>229942.02</td>
<td>252077.40</td>
</tr>
<tr>
<td>Imported Capital Goods</td>
<td>752.00</td>
<td>2495.00</td>
</tr>
<tr>
<td>Indigenous Capital Goods</td>
<td>321.00</td>
<td>430.00</td>
</tr>
</tbody>
</table>

(Rs. in lakhs)

3.2. Mr. Devender Sharma, Sr. Manager appeared before the Approval Committee on behalf of the unit and explained the proposal. He informed to the Approval Committee that they have sent copy of renewed registered lease deed in respect of 4th to 7th floor, Building No.B2, through email to this office.
3.3. After due deliberations, the Approval Committee approved the proposal subject to receipt of renewed lease deed.

4. **Proposal of M/s. Artha Infratech Pvt. Ltd., Developer for extension in the validity period of the approval of layout plan & building plan in respect of Tower-3 & Tower-5 in its Electronic Hardware & Software including IT/ITES SEZ at Plot No. 21, Sector-Techzone IV, Greater Noida (Uttar Pradesh).**

4.1. It was brought to the notice of the Approval Committee that M/s. Artha Infratech Pvt. Ltd., Developer vide its letter dated 10.12.2018 had submitted request for extension in the validity period of the approval of layout plan & building plan in respect of Tower-3 & Tower-5 in its Electronic Hardware & Software including IT/ITES SEZ at Plot No. 21, Sector-Techzone IV, Greater Noida (Uttar Pradesh).

It was informed that the layout plan & building plan in respect of Tower-5 had been approved by the Approval Committee in its meeting held on 15.02.2012 which had been conveyed to the developer vide this office letter dated 23.03.2012 with the validity period of two years from the date of approval by the Approval Committee i.e. upto 14.02.2014. It was further informed that the layout plan & building plan in respect of Tower-3 had been approved by the Approval Committee in its meeting held on 20.03.2014, which had been conveyed to the developer vide this office letter dated 19.05.2014 with the validity period of two years from the date of approval by the Approval Committee i.e. upto 19.03.2016. Further, it was informed that the Approval Committee in its meeting held on 07.07.2017 had decided to issue amendment in the letter dated 19.05.2014 regarding validity period of building plan approval of Tower-3 for 5 years instead of 2 years. Accordingly, the said building plan shall remain valid upto 19.03.2019.

4.2. It was informed that the developer had requested to extend the validity for further terms of 5 years in respect of Tower-3 & Tower-5, so that they can start the construction of these towers.

4.3. It was informed that the request submitted by the developer had been forwarded vide this office letter dated 24.12.2018 to CEO, Greater Noida Industrial Development Authority (GNIDA) for their comments and with the request to depute their officer from concerned Planning Deptt. for attending the meeting of the Approval Committee with their comments.

4.4. Mr. Vaibhav Gupta, Sr. Manager (A), Greater Noida Industrial Development Authority (GNIDA) clarified as under:

(i) That the validity period of whole SEZ map shall be valid for the period of 5 years.

(ii) He clarified that since the powers for approval of layout plan/building plan had been delegated to the Approval Committee and earlier approval of building plan had been granted by the Approval Committee, the extension in building plan has to be granted by the
Approval Committee, subject to the payment of applicable fees as per building bylaws of GNIDA.

(iii) As regards the payment of charges for extension of building plan, he informed that the charges for extension in the validity period of approval of the map is Rs.3/- per Sq.m. if the developer applied before its expiry and Rs.30/- per Sq.m. if developer applied after its expiry. He further clarified that extension in the validity period of maps in respect of Tower No.3 & 5 may be granted after deposit of 10% of applicable fee, which shall be calculated on total proposed built-up area in SEZ.

(iv) He further clarified that requisite fees for extension in validity period of layout plan/building plan has to be deposited by the developer in the office of Development Commissioner, NSEZ.

4.5. Shri S.K. Gupta, Director, Shri Sudeep Gupta, Director & Shri Shagun Gupta, Director appeared before the Approval Committee on behalf of the developer.

4.6. After due deliberations, keeping in view comments of the representative of GNIDA, the Approval Committee decided to grant in-principle approval for extension in the validity period of the approval of building plans in respect of Tower No.3 & 5, subject to deposit of requisite fee in favour of DC, NSEZ, as per building byelaws of GNIDA as may be informed by GNIDA along with the evidence of deposit of fees. The Approval Committee directed the representative of GNIDA to intimate amount/details of fee to be deposited by the developer, to this office in writing with a copy to the developer. The representative of GNIDA assured to provide the same within the next week.

5. **Proposal of M/s. CFM Aircraft Engine Support South Asia Private Limited for setting up a unit in the Free Trade & Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. at Village-Ibrahimpur, Junaidpur urf Mauipur, Khurja Distt- Bulandshahr (U.P.).**

5.1. It was brought to the notice of the Approval Committee that M/s. CFM Aircraft Engine Support South Asia Private Limited had submitted a proposal for setting up a unit over an area of 10000 Sqft. (929 Sqmt.) in the Free Trade & Warehousing Zone of M/s. Arshiya Northern FTWZ Ltd. located at Village Ibrahimpur, Junaidpur urf Mauipur, Distt- Bulandshahr (U.P.) to undertake “Warehousing, Trading with or without labeling, packing or re-packing without any processing, Assembly of Completely Knocked Down or Semi Knocked Down kits for the items as per item list attached with the application, except restricted & prohibited items”. It was informed that the applicant had enclosed list of following 05 Nos. of Exim Code and their items description:-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Exim Code</th>
<th>Item Description</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>8411</td>
<td>Turbo-Jets, Turbo-Propellers and other Gas Turbines</td>
<td>Free</td>
</tr>
<tr>
<td>(ii)</td>
<td>8412</td>
<td>Other Engines and Motors</td>
<td>Free</td>
</tr>
<tr>
<td>(iii)</td>
<td>8803</td>
<td>Parts of Goods of Heading Number 8801 Or 8802</td>
<td>Free</td>
</tr>
<tr>
<td>(iv)</td>
<td>8204</td>
<td>Hand-Operated Spanners and Wrenches (including Torque Meter Wrenches but not including Tap Wrenches);</td>
<td>Free</td>
</tr>
</tbody>
</table>
5.2. It was informed to the Approval Committee that the unit had projected exports of Rs. 2818.95 Lakhs and the cumulative NFE of Rs.274.26 Lakhs over a period of five years. It was also informed that the cost of project shall be met from the internal accruals. It was further informed that the SEZ developer, as required under Rule 18(2) of SEZ Rules, 2006, has given provisional offer for allotment of 10000 Sqft. (929 Sq.mt.) space to the applicant.

5.3. It was also informed that the following discrepancies were observed in the application in the first instance:-

(i) Applicant has submitted list of 06 present directors of the company. However, details of only 02 Directors have been mentioned in Para-V of Form-F.
(ii) Details of shareholding in the paid-up capital mentioned in Para X(1)(ii) of Form-F do not match with investment details submitted separately. Besides, Paid up capital details given wrongly in Para X 1(i).
(iii) Copies of Passport / Residential address proof & PAN Card of the directors namely Mr. Cyrille Poetsch, Mr. Nakul Gupta, Mr. Michel Mignot & Mr. Shannon Lee Korson required to be submitted.
(iv) Breakup of proposed forex outgo of Rs.2544.69 lakhs required to be submitted.
(v) Proposed NFE projections in Project Report should be in INR in lakhs. Besides, projected FOB value & NFE given in USD do not match with Export & NFE projections given in Para XI of Form-F.
(vi) In projected P&L Statement, year-wise forex revenue mentioned by the applicant does not match with the export projections given in Form-F.
(vii) Complete copy of Audited Balance Sheet for FY 2015-16 required to be submitted.
(viii) Current Shareholding pattern of the company duly certified by Chartered Accountant required to be submitted.
(ix) Copies of Form-32/DIR-11/12 in respect of appointment of Directors namely Mr. Stephene Lauret, Mr. Cyrille Poetsch, Mr. Nakul Gupta, Mr. Michel Mignot & Mr. Shannon Lee Korson required to be submitted.
(x) As per Project Report applicant has another SEZ unit in Hyderabad, however in Para XI (ii) of Form-F, declaration / details not given.
(xi) Signature of Mr. Karthigeyan Ramaswamy on details of Income Tax is not matching at all with his signature on other documents, hence fresh details with complete signature needs to be given.

5.4. Mr. R. Karthigeyan, Managing Director & Mr. Daniel Charibaas, Director of CFM SA, appeared before the Approval Committee on behalf of the applicant and explained the proposal. The representative of the applicant informed that M/s. CFM Aircraft Engine Support South Asia Pvt. Ltd. (CFMAESSA) is established in India in September, 2006 as wholly owned subsidiary of CFM International SA. CFM International SA is a 50:50 joint venture between Safran Aircraft Engine, France and GE, USA. CFM International SA develop, produce and sell new advanced technology LEAP aero engine and the world bestselling CFM56 aero engines, which are used in Airbus-
319/320/321, Boeing 737-800/MAX aircraft platforms. The representative of the applicant further informed that CFMAESSA is operating an SEZ Unit in VSEZ Zone, at Hyderabad from 2009 and is delivering Engine Maintenance Training to mechanics and engineers and in about 8 years of operation has a positive NFE of INR 2784.58 lakhs. Further, the representative of the applicant informed that the proposed unit in Arshiya FTWZ, Khurja is proposed to be setup for Engine Warehousing and engine lease pooling activities. The proposed unit will be holding goods on behalf of the foreign supplier and shall lease out the aero engines to various airlines operating in India and neighbouring countries, in accordance with provisions of Rule 18 (5) of SEZ Rule, 2006. Customers would be charged lease charges, as per contract terms, in convertible foreign currency. On completion of the lease terms, the engines would be returned back to FTWZ Unit. Further, the representative of the unit informed that the proposed unit do not intend to carry out any MRO Services. They will be done just minor upkeep activities. The proposed unit would be carrying out the following activities from the FTWZ:-

- Warehousing
- Leasing
- Receiving inspection (to check potential damages during transportation)
- General visual inspection of engine assembly
- Full boroscopic inspection.

5.5. After due deliberations, the Approval Committee approved the proposal to undertake authorized activities strictly in accordance with Rule 18(5) of SEZ Rules, 2006 read with Instruction No. 49 dated 10.03.2010, as follows, subject to submission of requisite documents:-

"Warehousing, Trading with or without labeling, packing or re-packing without any processing, Assembly of Completely Knocked Down or Semi Knocked Down kits for the items as per the list attached except 'Restricted' & 'Prohibited' items.

5.6. The Approval Committee further decided that this approval is subject to the following terms & conditions:-

(i). The scope of authorized operations of the unit will be strictly as per Rule 18(5) of SEZ Rules, 2006 read with Instruction No. 49 dated 10.03.2010.

(ii). No export / import of any items will be allowed, which comes under Prohibited/Restricted items under prevalent Import policy given in latest ITC(HS) Classification or any other law and/or covered under SCOMET list as per DGFT Notifications / Public Notice / Instructions issued from time-to-time.

(iii). Unit shall obtain necessary NOC from the concerned departments, whenever required as per Import Policy of DGFT.
(iv). All transactions shall only be in foreign currency in terms of proviso to Rule 18(5) of SEZ Rules, 2006.

(v). Unit shall submit copy of Registered Lease Deed executed with FTWZ Developer within six months of issue of Letter of Approval in terms of Rule 18(2)(ii) of SEZ Rules, 2006.

6. M/s. Steria (India) Ltd., unit in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida – Details of DTA Sales submitted by the unit.

6.1. It was brought to the notice of Approval Committee that while considering of the proposal of the unit for merger of LOA in its meeting held on 01.11.2018, the Committee had directed the unit to submit details of services Rs.2468.11 lakhs rendered in DTA during the year 2010-11 to 2017-18 by its merged units.

6.2. It was informed that the unit vide its letter dated 12.12.2018 had submitted breakup details of services rendered in DTA of Rs.2468.11 lakhs, as given below:-

<table>
<thead>
<tr>
<th>Services rendered in DTA by merged SEZ unit</th>
<th>DTA sales proceeds received in Foreign Currency</th>
<th>DTA sales proceeds received in INR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rs. 2468.11 lakhs</td>
<td>Rs. 875.59 lakhs</td>
<td>Rs. 1592.52 lakhs</td>
</tr>
</tbody>
</table>

6.3. The Approval Committee clarified that as per Section 2(z)(iii) of SEZ Act, 2005, “Services means such tradable services which earn foreign exchange” and SEZ unit is required to comply with the definition of “services” given in Section 2(z) of SEZ Act, 2005. Hence, the services rendered in Domestic Tariff Area by the unit are not as per the provisions of SEZ Act as the unit has rendered services in Domestic Tariff Area amounting to Rs.1592.52 lakhs against payment in INR instead of free foreign exchange.

6.4. Ms. Vandana Arun, Legal Director appeared before the Approval Committee on behalf of the unit and admitted that the unit has rendered services in DTA against payment in INR. She pleaded that the said DTA sale in INR is very small comparing their overall turnover of Rs.600 Cr. (approx.). She requested that lenient view may be taken as the said DTA sale in INR was made due to lack of knowledge about Rule 2(z) and in future no DTA sale would be made in INR.

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

6.6. In view of the above, after due deliberations, the Development Commissioner in consultation with the members of the Approval Committee imposed a penalty of Rs.1,59,252/- (i.e. @0.1% of Rs.1592.52 lakhs) towards services rendered in DTA against payment in INR, on the unit in terms of
section 11(4) of Foreign Trade (Development & Regulation) Act, 1992, as amended and regularized the services rendered in DTA against payment in INR instead of free foreign exchange.

7. **M/s. Genpact India Pvt. Ltd. (unit-II), unit in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida – Details of DTA Sales submitted by the unit.**

7.1. It was informed that while considering the proposal of M/s. Genpact India Pvt. Ltd. (Unit-II) for expansion of area & revision in projections of the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No. 20 & 21, Sector-135, Noida (U.P), the Approval Committee in its meeting held on 07.12.2018 had directed the unit to submit details of services Rs.797 lakhs rendered in DTA during the year 2016-17 to 2017-18. Approval Committee further directed that the reply received from the unit may be placed before the next Approval Committee meeting.

7.2. It was informed that the unit vide its letter dated 13.12.2018 had submitted details of services of Rs.797 lakhs rendered in DTA during the year 2015-16 to 2017-18. It was informed that as per details submitted by the unit, the services had been rendered in DTA to M/s. Mondelez India Foods Private Limited during the FY 2016-17 & 2017-18 against payment in USD and no DTA sale in INR had been shown during this period.

7.3. Shri Shiv Singh, AVP appeared before the Approval Committee on behalf of the unit and informed that all the payments against the service rendered by the unit in DTA had been received in foreign exchange.

7.4. After due deliberations, the Approval Committee took note of the information on DTA sales submitted by the unit.

8. **Proposals of M/s. Oxygen Business Park Pvt. Ltd., Developer for allotment of built-up space to 10 different facility providers/vendors to setup & operate ‘Food Court’ in the processing area of IT/ITES SEZ at Plot No. 7, Sector-144, Noida.**

8.1. It was brought to the notice of the Approval Committee that M/s. Oxygen Business Park Pvt. Ltd., Developer had submitted 10 proposals for allotment of built-up space to following 10 different facility providers/vendors to setup & operate ‘Food Court’ in the processing area of IT/ITES SEZ at Plot No. 7, Sector-144, Noida:-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name of Service provider / Vendor</th>
<th>Location &amp; area proposed to be allotted</th>
<th>Purpose for allotment of space</th>
<th>Discrepancies / Documents required to be submitted / Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>M/s. Thallwada Foods</td>
<td>1988 Sqft. built-up</td>
<td>Food Court</td>
<td>(i). Copy of MOA.</td>
</tr>
<tr>
<td>Private Limited</td>
<td>space (Kiosk No. FC-03) at Podium floor</td>
<td>facility</td>
<td>Observations: Applicant service provider have already registered itself under GST on 09.08.2018 showing the SEZ address as its principal place of business.</td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td>----------------------------------------</td>
<td>----------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
</tbody>
</table>
| (ii) M/s. Mohana Enterprises | 1393 Sqft. built-up space (Kiosk No. FC-07) at Podium floor | Food Court facility. | (i). Copy of PAN Card of company.  
(ii). Copy of Articles of Association.  
(iii). Visible copy of Aadhaar Card of Mr. Rajul Mehrotra.  
(iv). In Board Resolution dt. 20.08.2018 company has mentioned allotment of Kiosk No.3, Café 2 at Podium, whereas in covering letter the developer has requested allotment of Kiosk No. 09. |
| (iii) M/s. Foodiana Enterprises | 1340 Sqft. built-up space (Kiosk No. FC-08) at Podium floor | Food Court facility. | (i). Copy of Articles of Association. |
| (iv) M/s. Kimmaaya Beverages Pvt. Ltd. | 1393 Sqft. built-up space (Kiosk No. FC-09) at Podium floor | Food Court facility. | (i). Board Resoulation in favour of Mr. Siddharth Khemani, Director.  
(ii). Copy of PAN Card & address proof of Ms. Sakshi Aggarwal, Director. |
| (v) M/s. Kannu Ki Chai Pvt. Ltd. | 2001 Sqft. built-up space (Kiosk No. FC-10) at Podium floor | Food Court facility. | (i). Board Resoulation in favour of Mr. Siddharth Khemani, Director.  
(ii). Copy of PAN Card & address proof of Ms. Sakshi Aggarwal, Director. |
| (vi) M/s. Not Just Grubs Pvt. Ltd. | 2005 Sqft. built-up space (Kiosk No. FC-11) at Podium floor | Food Court facility. | (i). Board Resoulation in favour of Mr. Siddharth Khemani, Director.  
(ii). Copy of PAN Card & address proof of Ms. Sakshi Aggarwal, Director.  
Observations:  
(i) Applicant service provider has shown additional place of business as ‘HCL SEZ Building, Sector-126, Noida’. However, as per records, M/s. HCL Technologies Ltd., Developer has not obtain approval from UAC for allotment of space to M/s. Not Just Grubs Pvt. Ltd. to provide such facility. This is being |
 Minutes of Approval Committee meeting of SEZs in Noida, Gr. Noida & Khurja held on 04.01.2019 at NSEZ, Noida

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(vii)</td>
<td>M/s. One World Retail</td>
<td>2168 Sqft. built-up space (Kiosk No. FC-12) at Podium floor</td>
<td>Food Court facility.</td>
</tr>
<tr>
<td>(viii)</td>
<td>M/s. Bercos Melody House</td>
<td>2241 Sqft. built-up space (Kiosk No. FC-13) at Podium floor</td>
<td>Food Court facility.</td>
</tr>
<tr>
<td>(ix)</td>
<td>M/s. Dex Retail Pvt. Ltd.</td>
<td>2241 Sqft. built-up space (Kiosk No. FC-14) at Podium floor</td>
<td>Food Court facility.</td>
</tr>
<tr>
<td>(x)</td>
<td>M/s. Maxwell Food &amp; Beverages India</td>
<td>2277 Sqft. built-up space (Kiosk No. FC-15) at Podium floor</td>
<td>Food Court facility.</td>
</tr>
</tbody>
</table>

8.2. It was informed that following documents / information also required from the developer:-

(i). Developer needs to submit copy of approved building plan & Occupancy Certificate in respect of 'Podium floor', wherein these 'Food Courts' have been proposed to be setup.

(ii). In all Provisional Offer for space, the developer has mentioned 'Letter of Provisional offer of availability of "Retail Space", which needs to be clarified.

8.3. Shri Sunny Ahuja, Manager-Finance & Shri L.D. Sharma, Asstt. Manager appeared before the Approval Committee on behalf of the developer. The informed that around 16000 people are working in the SEZ. On being asked, the representative of the developer informed that 'Podium floor' wherein 'Food Courts' are proposed to be setup, is a separate building located in common area which is constructed in Phase-II of construction activity of SEZ. He further informed that the existing 'Food Court' in Phase-I is to be shifted in this 'Podium floor'. The representative of the developer further informed that some of the existing facility provider/vendor approved by the Approval Committee in the past to setup their 'Food court / canteen' will also continue their operations in newly constructed food court in 'Podium floor'. However, representatives of the developer were not able to inform exact name and number of such facility provider/vendor. Further, on being asked as to whether specific approval of BoA to setup 'Food Court' in the processing area of SEZ was obtained by them, the representative of the developer shown their unawareness about obtaining such approval from the BoA. Further, the Approval Committee clarified that the provisional offer of space shall be for the specific purpose i.e. for 'Food court' and not for 'Retail Space'.

8.4. After due deliberations, the Approval Committee deferred the proposal and directed the representative of the developer to submit copy of approval, if any, obtained from the BoA for
construction of ‘Food Court’ in the Processing area of SEZ along with complete information showing area-wise details of existing facility provider/vendor operating in SEZ, facility provider/vendor proposed to be discontinued and new facility provider/vendor being proposed for allotment of space. The Approval Committee also directed the representative of the developer to submit i) copy of Occupancy Certificate of ‘Podium floor’ along with revised provisional offer of space and other requisite documents and ii) ‘NOC’ from the companies which are going out.

9. **Proposal of M/s. HCL Technologies Ltd., developer for approval of list of materials to carry on authorized operations in their IT/ITES SEZ at Plot No. 3A, 3B & 2C, Sector- 126, Noida (U.P.).**

9.1. It was brought to the notice of the Approval Committee that M/s. HCL Technologies Ltd., Developer of IT/ITES SEZ at Plot No. 3A, 3B & 2C, Sector- 126, Noida (U.P) had submitted proposal for approval of list of materials to carry on following default 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. 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>613.64</td>
</tr>
<tr>
<td>ii)</td>
<td>Power (including power backup facilities) for captive use only.</td>
<td>23</td>
<td>655.22</td>
</tr>
<tr>
<td>iii)</td>
<td>Air Conditioning of Processing area.</td>
<td>21</td>
<td>99.38</td>
</tr>
<tr>
<td>iv)</td>
<td>Telecom and other communication facilities including internet connectivity.</td>
<td>05</td>
<td>29.26</td>
</tr>
<tr>
<td>v)</td>
<td>Common Data Centre with inter-connectivity.</td>
<td>13</td>
<td>32.73</td>
</tr>
<tr>
<td>vi)</td>
<td>Access Control and Monitoring System</td>
<td>24</td>
<td>504.47</td>
</tr>
<tr>
<td>vii)</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>26.50</td>
</tr>
<tr>
<td></td>
<td><strong>Total:</strong></td>
<td><strong>1961.20</strong></td>
<td></td>
</tr>
</tbody>
</table>

9.2. Mr. D.K. Sharma, General Manager- Commercial, Mr. Rohit Aneja, Director-Projects & Mr. Subhash Chandra, Dy. Manager appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items.

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

10. **Proposal of M/s. Trustone Wegmans Developers Pvt. Ltd., Co-developer for approval of list of materials to carry on authorized operation in IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector- Techzone-IV, Greater Noida.**

10.1. It was brought to the notice of the Approval Committee that M/s. Trustone Wegmans Developers Pvt. Ltd., Co-developer of Electronics Hardware & Software including IT/ITES SEZ of M/s.
Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone-IV, Greater Noida, had submitted proposal for approval of list of materials to carry on following default authorized operations:-

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Name of Authorized Operations</th>
<th>Sl.No at default list of materials as per Inst. No.50 and 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 Unit Approval Committee.</td>
<td>22</td>
<td>493.46</td>
</tr>
<tr>
<td>(ii).</td>
<td>Solid and liquid waste collection, treatment and disposal plants including pipelines &amp; other necessary infrastructure for sewage and garbage disposal, sewage treatment plants.</td>
<td>3</td>
<td>85.36</td>
</tr>
<tr>
<td>(iii).</td>
<td>Cafeteria / Canteen for staff in processing area.</td>
<td>27</td>
<td>295.26</td>
</tr>
<tr>
<td>(iv).</td>
<td>Air Conditioning of Processing area.</td>
<td>21</td>
<td>51.66</td>
</tr>
<tr>
<td>(v).</td>
<td>Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.</td>
<td>04</td>
<td>114.36</td>
</tr>
<tr>
<td>(vi).</td>
<td>Telecom and other communication facilities including internet connectivity.</td>
<td>05</td>
<td>132.01</td>
</tr>
<tr>
<td>(vii).</td>
<td>Fire protection system with sprinklers, fire and smoke detectors.</td>
<td>07</td>
<td>113.31</td>
</tr>
<tr>
<td></td>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>1285.42</strong></td>
</tr>
</tbody>
</table>

10.2. Shri S.K. Gupta, Director, Shri Sudeep Gupta, Director & Shri Shagun Gupta, Director appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed materials.

10.3. As regards, items proposed by the Co-developer under authorized operation namely “Cafeteria / Canteen for staff in processing area (Annexure-III)”, the Approval Committee clarified that duty exemption shall be available to the developer / co-developer on the materials required only for construction of such facility.

10.3. After due deliberations, Approval Committee **approved** the proposed list of materials except all electrical and consumable items proposed under authorized operation namely “Cafeteria / Canteen for staff in processing area (Annexure-III)” and ‘Television’ proposed at Sl. No. 6 under authorized operation namely “Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.”(Annexure-V). The Approval Committee directed the representative of the Co-developer to submit revised list of materials for “Cafeteria / Canteen for staff in processing area” excluding all electrical and consumable items.
11. Proposal of M/s. In2IT Technologies Pvt. Ltd. for setting up its 2nd unit in the Electronic Hardware & Software including IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector-Techzone IV, Greater Noida (U.P) to undertake service activities namely “IT Enabled Services through remote management from offshore management center” with projected exports of Rs.14164 lakhs and the cumulative NFE of Rs. 13897 Lakhs over a period of five years. It was also informed that the applicant has proposed investment of Rs.217 lakhs towards imported capital goods; Rs.50 lakhs towards Indigenous capital goods and other cost of project shall be met from the internal accruals. It was informed to the Approval Committee that the applicant has submitted copy of provisional offer letter dated 28.12.2018 issued by M/s. Trustone Wegmans Developers Pvt. Ltd., Co-developer and copy of Term Sheet dated 13.12.2018 for allotment of proposed space.

11.2. It was also informed that the following discrepancies were observed in the application in the first instance:-

(i) Requirement of Raw materials, components, consumables etc. for Rs.72 lakhs mentioned at Para VII(b) may be clarified being unit proposed to be setup for service activities. List of proposed RM etc. also required to be submitted.

(ii) Requirement of land (Factory & Offices) of 2229.67 Sqmt. required to be removed from Para VIII (1) as Co-developer has given provisional offer of space for built-up space for 24000 Sqft. (2229.67 Sqmt.).

(iii) At Col. X(3) of Form- F, applicant has mentioned Marketing Collaboration Name & Description as ‘Marketing Strock by Back Agreement’ and ‘Transfer Pricing Agreement’. The same needs to be elaborated.

(iv) In Part-II of Form- F, applicant has mentioned name of sub-contractor as ‘Artha SEZ, Tower-2, Plot No. 21, Sector-Techzone-IV, Greater Noida’ and Sub-contractor type ‘Other SEZ Unit’. This need to be clarified.

(v) Breakup of proposed forex outgo of Rs.267 lakhs required to be given.


(vii) Separate list of imported & indigenous capital goods required to be given.

(viii) Bio-data / profile of directors incorporating their background, professional qualification and experience etc. required to be given.

(ix) Value in Para VII need to be given in normal INR and not in lakhs.

(x) Equity / shareholding details in Para X (1) not given.
11.3. Shri Baljeet Singh, G.M-Services & Shri B. Nagarajan, V.P. appeared before the Approval Committee on behalf of applicant unit and explained the proposal.

3.3. After due deliberations, the Approval Committee approved the proposal subject to submission of requisite documents / information. The Approval Committee also directed the representatives of the applicant unit to submit revised NFE calculations including the value of proposed indigenous inputs in proposed outgo, as per recent amendment in Rules 53 issued vide DOC’s Notification No. G.S.R. 909(E) dated 19.09.2018.

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

(S. S. Shukla)  
Joint Development Commissioner

(Dr. L.B. Singhal)  
Development Commissioner
# LIST OF GOODS

<table>
<thead>
<tr>
<th>SL No</th>
<th>Section</th>
<th>Chapter</th>
<th>Heading Code</th>
<th>Heading Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>16</td>
<td>84</td>
<td>8411</td>
<td>Turbojets, Turbo Propellers and other Gas Turbines</td>
</tr>
<tr>
<td>2</td>
<td>16</td>
<td>84</td>
<td>8412</td>
<td>Other Engines and Motors</td>
</tr>
<tr>
<td>3</td>
<td>17</td>
<td>88</td>
<td>8803</td>
<td>Parts of Goods of Heading 8801 or 8802</td>
</tr>
<tr>
<td>4</td>
<td>15</td>
<td>82</td>
<td>8204</td>
<td>Hand operated spanners and wrenches (including torque meter wrenches but not including tap wrenches), interchangeable spanner sockets with or without handles</td>
</tr>
<tr>
<td>5</td>
<td>15</td>
<td>82</td>
<td>8206</td>
<td>Tools of Two or more of the headings 8202 to 8205 put up in sets for retail sale</td>
</tr>
</tbody>
</table>

for CFM Aircraft Engine Support South Asia Pvt Ltd

Karthikeyan RAMASWAMY
Managing Director

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