

NOIDA SPECIAL ECONOMIC ZONE

Meeting Of Unit Approval Committee: 25.05.2009

SEZ : Aachvis Softech Pvt. Ltd.

Agenda Item No. 1:

Ratification of Minutes of meeting of UAC held on 17.03.2009.

Agenda Item No. 2:

Proposal of M/s. Aachvis Softech Pvt. Ltd., developer, for approval of list of services required to carry on authorized operations of their IT/ITES Special Economic Zone at Plot No. 7, Sector – 144, Noida.

The Developer, M/s. Aachvis Softech Pvt. Ltd., has been granted LOA No. F.2/719/2006-SEZ dated 07.02.2008 by the DOC for setting up of IT/ITES Special Economic Zone. DOC has notified 10.0498 hectares area of this SEZ at Plot No.7, Sector – 144, Noida vide Gazette Notification S.O. No. 1150(E) dated 15.09.2008. The developer has executed Bond-cum-LUT for Rs. 222.31 lacs, which has already been accepted by DC and Specified Officer.

The Developer has submitted proposal for approval of list of services (27 services) required by them to carry on authorized operation namely 'Built Up Processing Area Not Less Than Minimum Prescribed' in the SEZ duly certified by a chartered engineer (details enclosed).

In terms of Sub Rule (2) of Rule 12 of the SEZ Rules, 2006, the developer shall make an application, after obtaining approval for the authorized operation under rule 9 OR by default authorized operations (approved by DOC vide letter dated 26.06.2007), to the Development Commissioner along with the list of goods and services, including machinery, equipments and construction materials required for the authorized operations, duly certified by a Chartered Engineer for approval by the Approval Committee.

In terms of notification no. 09/2009-Service Tax dated 03.03.2009, Ministry of Finance has exempted a developer or unit in a SEZ by way of refund of service tax paid in relation to the authorized operation. This exemption by way of refund from the Jurisdictional Assistant Commissioner of Central Excise or Deputy Commissioner of Central Excise as the case may be has been provided to SEZ developers/units from the whole of service tax leviable on the taxable services whether or not the said taxable services are provided inside the SEZ. However, Rule 31 of the SEZ Rules, 2006 speaks for the exemption (not refund of service tax paid) from payment of service tax on taxable services under Section 65 of the Finance Act, 1994 (32 of 1994) rendered by any service provider to a Developer or a Unit (including a Unit under construction) for the authorized operations in a Special Economic Zone.

The proposal of the developer for approval of list of services is placed before the Unit Approval Committee for consideration in terms of Rule 12 (2) of the SEZ Rules, 2006.
