



फा० सं० 10/06/2022 - SEZ/

सेवा में,
(ई मेल के माध्यम से)

3431
15/04/2024

भारत सरकार
वाणिज्य एवं उद्योग मंत्रालय
वाणिज्य विभाग
विकास आयुक्त का कार्यालय
नोएडा-दादरी रोड, फेज-2, नोएडा - 201305 (उत्तर प्रदेश)
दूरभाष (जोन कार्यालय): 0120 - 2567268-70 (3 लाइन), फैक्स: 2562314,
2567276

ईमेल <dc@nsez.gov.in>: वेबसाइट: www.nsez.gov.in

दिनांक: 12/04/2024

1. निदेशक, वाणिज्य विभाग, वाणिज्य एवं उधोग मंत्रालय, भारत सरकार, उधोग भवन, नई दिल्ली 110001-।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उधोग मंत्रालय, ए विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002।
3. आयुक्त, सीमा शुल्क, नोएडा सीमा शुल्क आयुक्तालय, इनलैंड कंटेनर डिपो, तिलपता, दादरी, गौतम बुध नगर, उत्तर प्रदेश - 201306.
4. प्रधान आयुक्त, आयकर, प्लाट सं- ए-2 डी, आयकर भवन, सेक्टर - 24, नोएडा।
5. उपसचिव आई एफ 1 - , वैकिंग प्रभाग, आर्थिक मामलों का विभाग, वित मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप विलिंग संसद मार्ग, नई दिल्ली।
6. मुख्य कार्यकारी अधिकारी, न्यू ओखला और्धोगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर 6 - , नोएडा (उत्तर प्रदेश)।
7. मुख्य कार्यकारी अधिकारी, ग्रेटर नोएडा और्धोगिक विकास प्राधिकरण, प्लाट नं 01, नॉलेज पार्क 4 - , ग्रेटर नोएडा, गौतम बुध नगर, (उत्तर प्रदेश)।
8. महाप्रबंधक, जिला उधोग केंद्र, कलेक्ट्रेट के पास, सूरजपुर, ग्रेटर नोएडा (उत्तर प्रदेश)।
9. उपाध्यक्ष, बुलन्दशहर खुर्जा विकास प्राधिकरण, कालिन्दी कुञ्ज, जी टी रोड, खुर्जा - 203131 (उत्तर प्रदेश)।
10. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता।

विषय: नोएडा, ग्रेटर नोएडा और खुर्जा में स्थित निजी विशेष आर्थिक क्षेत्रों के संबंध में श्री ए० विपिन मैनन, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में अनुमोदन समिति की दिनांक 04/04/2024 को पूर्वाह्न 10:30 बजे आयोजित बैठक का कार्यवृत - एतद संबंधी।

महोदय,

उपरोक्त विषय के सन्दर्भ में नोएडा, ग्रेटर नोएडा और खुर्जा में स्थित निजी विशेष आर्थिक क्षेत्रों के संबंध में श्री ए० विपिन मैनन, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में अनुमोदन समिति की दिनांक 04/04/2024 को पूर्वाह्न 10:30 बजे आयोजित बैठक का कार्यवृत संलग्न है।

संलग्नक : उपरोक्त

प्रतिलिपि:-

1. सम्बंधित निर्दिष्ट अधिकारी।

भवदीय,

योगी
15/04/2024

(प्रकाश चंद उपाध्याय)

सहायक विकास आयुक्त

NOIDA SPECIAL ECONOMIC ZONE

Minutes of the Approval Committee meeting in respect of SEZs located in Noida, Greater Noida & Khurja (Uttar Pradesh), held under the Chairmanship of Shri A. Bipin Menon, Development Commissioner, NSEZ at 10.30 AM on 04.04.2024.

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

1. Shri Surender Malik, Joint Development Commissioner, NSEZ.
2. Shri Mayank Jain, Assistant Manager, Department of Industries, Noida.
3. Shri Jagdish Chander, Assistant DGFT, O/o DGFT, CLA, New Delhi.
4. Shri Vishambar Jha, Income Tax Officer, Noida.

Besides, during the meeting (i). Shri Amit Gupta, Specified Officer (ii) Shri Gya Prasad, DDC, (iii). Shri Prakash Chand Upadhyay, ADC and (iv) Shri Sunil Gulyani, Stenographer / Dealing Hand were also present to assist the Approval Committee. It was informed that the quorum was available and the meeting could proceed.

At the outset, the Chairman welcomed the participants. After a brief introduction, the agenda was taken up sequentially. 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 unanimously:-

1. Ratification of the Minutes of the Approval Committee meeting held on 07.03.2024:-

As no reference in respect of the decisions of the Approval Committee held on 07.03.2024 was received from any of the members of the Approval Committee or trade, the Minutes of the Meeting held on 07.03.2024 were ratified.

Item No. 2. Proposal for approval of list of materials:

2.1: M/s. HCL Technologies Limited, Developer

2.1.1. Shri Vinod Singh, Associate Director of M/s. HCL Technologies Limited, Developer joined the meeting through video conferencing and explained the requirement of proposed materials.

2.1.2. The Approval Committee discussed the proposal in detail and after due deliberations approved the list of materials proposed by M/s. HCL Technologies Ltd, Developer to carry on following authorized operations in its IT/ITES SEZ at Plot No. 3A, 3B & 2C, Sector-126, Noida (Uttar Pradesh):-

S. No.	Authorized Operation	Sl. No. at default list of Autho.Opr. as per Inst. No. 50 & 54	Estimated Cost (Rs. in lakhs)
i.	Fire protection system with sprinklers, fire and smoke detectors.	07	81.41

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ii.	Roads with Street lighting, Signals and Signage.	01	0.45
iii.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	67.02
iv.	Telecom and other communication facilities including internet connectivity.	05	189.20
v.	Air Conditioning of processing area	21	102.12
vi.	Access control and monitoring system	24	26.94
		Total:	467.14

2.1.3. This approval is subject to the condition that the Specified Officer shall ensure that procurement of products 'Restricted / Prohibited' for import shall not be allowed.

2.2: M/s. Coforge Limited, Developer

2.2.1. Shri Mukesh Chauhan, Div. Manager & Shri Nikhil Rathod, Group Manager of M/s. Coforge Limited joined the meeting through video conferencing and explained the requirement of proposed materials.

2.2.2. The Approval Committee discussed the proposal in detail and after due deliberations the Committee approved the list of materials proposed by of M/s. Coforge Limited, Developer to carry on following authorized operations in its IT/ITES SEZ at Plot No. TZ 02 & 2A, Sector-Techzone, Greater Noida (Uttar Pradesh):-

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.	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	66.09
ii.	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	1.25
iii.	Security offices, police posts, etc, at entry, exit and other points within and along the periphery of the site.	11	0.50
iv.	Telecom and other communication facilities including internet connectivity.	05	250.00
		Total:	317.84

2.2.3. This approval is subject to the condition that the Specified Officer shall ensure that procurement of products 'Restricted / Prohibited' for import shall not be



allowed.

Item No. 3. Intimation for change in Directors:

3.1: M/s. Coforge Limited, SEZ Developer and Unit-I, II, III & IV.

3.1.1. Shri Mukesh Chauhan, Div. Manager & Shri Nikhil Rathod, Group Manager of M/s. Coforge Limited joined the meeting through video conferencing and explained the proposal.

3.1.2. The Approval Committee discussed the proposal in detail and after due deliberations, took note of the following changes in Directors of M/s. Coforge Limited, Developer of the IT/ITES SEZ at Plot No. TZ-02 & 2A, Techzone, Gr. Noida (Uttar Pradesh) and four units of M/s. Coforge Limited located in this SEZ, in terms of Instruction No. 109 dated 18.10.2021 issued by DOC, subject to compliance of terms & conditions prescribed therein:-

Previous Directors	Current directors
1. Mr. Basab Pradhan	1. Mr. Basab Pradhan
2. Mr. Sudhir Singh	2. Mr. Sudhir Singh
3. Mr. Hari Gopalkrishnan	3. Mr. Hari Gopalkrishnan
4. Mr. Patric John Cardes	4. Mr. Patric John Cardes
5. Mr. Ashwani Puri	5. Mr. Ashwani Puri
6. Ms. Mary Beth Boucher	6. Ms. Mary Beth Boucher
	7. Mr. Anil Kumar Chanana
	8. Mr. Durgesh Kumar Singh

3.1.3. This is subject to submission of copies of Passport / residential address proof and PAN Card of newly appointed directors namely Mr. Anil Kumar Chanana & Mr. Durgesh Kumar Singh.

3.2: M/s. Wipro Limited, SEZ Developer and Unit-I, II, III & IV.

3.2.2. The Approval Committee discussed the proposal in detail and after due deliberations, took note of the following changes in Directors of M/s. Wipro Limited, Developer of the IT/ITES SEZ at Plot No 2, 3 & 4, Knowledge Park-IV, Greater Noida (U.P.), and their four units. This is in terms of Instruction No. 109 dated 18.10.2021 issued by DOC, subject to compliance of terms & conditions prescribed therein:-

Previous Directors	Current Directors
1. Mr. Rishad A Premji	1. Mr. Rishad A Premji
2. Mr. Azim Hasham Premji	2. Mr. Azim Hasham Premji
3. Mr. M.K. Sharma	3. Dr. Patrick John Ennis
4. Mr. William Arthur Owens	4. Mr. Patrick Lucien Andre Dupuis
5. Mrs. Ireneeta Vittal	5. Mr. Thierry Delaporte
6. Dr. Patrick John Ennis	6. Mr. Deepak Madhav Satwalekar
7. Mr. Patrick Lucien Andre Dupuis	7. Mr. Kannan Narayanan Srinivasa
8. Mr. Thierry Delaporte	8. Ms. Tulsi Naidu
9. Mr. Deepak Madhav Satwalekar	9. Ms. Paivi Rekonen

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Item No. 4: Warehousing of sensitive goods in FTWZ unit:

4.1: M/s. Arshiya 3PL Services Limited:

4.1.1. Shri Roshan Lal, Senior Manager-Regulatory of M/s. Arshiya 3PL Services Private Limited joined the meeting through video conferencing and explained the matter. He informed that they have already submitted reply to the Show Cause Notice dated 12.03.2024 and also given their representation during PH held on 22.03.2024. He informed that nothing to be added in their reply.

4.1.2 A personal hearing was given to the unit by the Development Commissioner on 22.03.24 and by the UAC on 04.04.24.

4.1.3 On the issue of the power of the UAC to remove products from those in the LOA, the UAC examined Sections 14,15, and 16 of the SEZ Act as well as Rules 18 and 19 of the SEZ Rules. It noted the arguments of the unit as well as the internal legal opinion. Some of the relevant aspects which were duly considered on the power of the UAC to amend a goods in the LOA were Section 14 (1)(c) on monitoring of the utilisation of goods, Section 16 on cancellation of LOA and Rule 19(2) on change in the item of manufacture. A view was taken that cancellation of an LOA is a harsh measure and removal of some sensitive goods is a more trade facilitatory measure which allows the unit to function. Therefore, under the ambit of monitoring, it was felt that the UAC had the power to remove sensitive goods.

4.1.4 Secondly, on the issue of sensitivity, the UAC noted the quality concerns, possibility of diversion during the long inland transport, lack of economic rationale in incurring such high freight cost, sensitivity of goods as manifested by investigation carried out by agencies, import value below which some goods are prohibited with attendant difficulty in valuation due to volatility in prices, possibility of trading in precious metals and their products and informal meetings in the Department of Commerce to discuss FTWZs based on concerns raised by Department of Revenue.

4.1.5: In the light of this, the UAC reiterated and upheld its decision of removing specific sensitive products from the LOA of the unit.

4.2: M/s. Srikaram Prescience Private Limited:

4.2.1. Shri R. Ramanathan, Director and Shri Sunit Wadhwa, Authorised Representative of M/s. Srikaram Prescience Private Limited joined the meeting through video conferencing and explained the matter.

4.2.2 A personal hearing was given to the unit by Development Commissioner on 22.03.24 and by the UAC on 04.04.24.

4.2.3 On the issue of the power of the UAC to remove products from those in the LOA, the UAC examined Sections 14,15, and 16 of the SEZ Act as well as Rules 18 and 19 of the SEZ Rules. It noted the arguments of the unit as well as the internal legal opinion. Some of the relevant aspects which were duly considered on



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4.2.4 Secondly, on the issue of sensitivity, the UAC noted the quality concerns, possibility of diversion during the long inland transport, lack of economic rationale in incurring such high freight cost, sensitivity of goods as manifested by investigation carried out by agencies, import value below which some goods are prohibited with attendant difficulty in valuation due to volatility in prices, possibility of trading in precious metals and their products and informal meetings in the Department of Commerce to discuss FTWZs based on concerns raised by Department of Revenue.

4.2.5 In the light of this, the UAC reiterated and upheld its decision of removing specific sensitive products from the LOA of the unit.

4.3: M/s. Margo Impex Private Limited:

4.3.1. No One from the unit appeared before the Approval Committee

4.3.2 A personal hearing was given to the unit by Development Commissioner on 22.3.24 and an opportunity was provided by UAC on 4.4.24.

4.3.3 On the issue of the power of the UAC to remove products from those in the LOA, the UAC examined Sections 14,15, and 16 of the SEZ Act as well as Rules 18 and 19 of the SEZ Rules. It noted the arguments of the unit as well as the internal legal opinion. Some of the relevant aspects which were duly considered on the power of the UAC to amend a goods in the LOA were Section 14 (1)(c) on monitoring of the utilisation of goods, Section 16 on cancellation of LOA and Rule 19(2) on change in the item of manufacture. A view was taken that cancellation of an LOA is a harsh measure and removal of some sensitive goods is a more trade facilitatory measure which allows the unit to function. Therefore, under the ambit of monitoring, it was felt that the UAC had the power to remove sensitive goods.

4.3.4 Secondly, on the issue of sensitivity, the UAC noted the quality concerns, possibility of diversion during the long inland transport, lack of economic rationale in incurring such high freight cost, sensitivity of goods as manifested by investigation carried out by agencies, import value below which some goods are prohibited with attendant difficulty in valuation due to volatility in prices, possibility of trading in precious metals and their products and informal meetings in the Department of Commerce to discuss FTWZs based on concerns raised by Department of Revenue.

4.3.5 In the light of this, the UAC reiterated and upheld its decision of removing specific sensitive products from the LOA of the unit.

Item No. 5: Miscellaneous matters:



5.1: M/s. Optum Global Solutions (India) Pvt. Ltd - Endorsement of self-supply invoices.

5.1.1. Shri Rakesh Dubey, Senior Manager and Ms. Ekta Gupta, Consultant of M/s. Optum Global Solutions (India) Private Limited appeared before the Approval Committee and explained the proposal. The representatives informed that these invoices pertain to the period October 2020 onwards regarding services procured by Unit in Oxygen SEZ, Noida from SEZ Unit in ITPG SEZ, Gurugram. They further informed that the supplies to SEZs were required to have endorsement from Specified/Authorized Officer. They informed that before they shifted their headquarter from an STPI unit to SEZ unit, they used to get such self-service invoices endorsed. However, since they have shifted their HQ to an SEZ, the supplies from the HQ to their various branches (which are units in other SEZs), are not getting endorsed. The issuance of self-service invoices is mandatory requirement under GST law. Further, if such invoices are not getting endorsed then the refund of accumulated ITC of the unit's HQ would get stuck. This would discourage other such entities in shifting their HQ to SEZs and block the working capital of those who have already shifted. Therefore, getting such invoices endorsed would appear reasonable.

5.1.2. The Committee observed that there is statutory gap in the SEZ Rules, which restricts the Customs officers in endorsing such invoices. The only option of getting SEZ to SEZ service approved/endorsed by them, is through the procedure prescribed under Rule 30(15) of SEZ Rules also appeared genuine. In the absence of any clarity, divergent positions were being taken by Customs Officers in various SEZ/Zones, which may also not be desirable.

5.1.3. The Approval Committee discussed the proposal in detail and after due deliberations, the Committee decided to forward the matter to DOC with a recommendation and request to suitably incorporate the provisions for endorsement of SEZ to SEZ service supplies in SEZ Rules. Meanwhile, DOC may kindly issue clarification/instructions, enabling the Specified/Authorized Officers to endorse such invoices.

Item No. 6: Proposal for expansion of area of the SEZ unit:

6.1: M/s. Teleperformance Global Business Private Limited

6.1.2. The Approval Committee discussed the proposal in detail and after due deliberations, approved the proposal of M/s. Teleperformance Global Business Private Limited for addition of 'Incubation Space of 34953 Sqft. at 10th floor, Tower-9'. This was for its unit located in the Seaview Developers Pvt. Ltd. IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida (Uttar Pradesh).

6.2: M/s. R1 RCM Global Private Limited

6.2.1. Ms. Shweta Khurana, Associate Director and Shri Vimal Sharma, AGM of M/s. R1 RCM Global Private Limited joined the meeting through video conferencing and explained the proposal.

6.2.2. The Approval Committee discussed the proposal in detail and after due deliberations, approved the proposal of M/s. R1RCM Global Private Limited for expansion of area by addition of '24644 Square feet area at 7th floor, Building No.8' and revision in projections, as given below, in its unit located in the Seaview Developers Pvt. Ltd. IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida (Uttar Pradesh):-

(Rs. in lakhs)

Particulars (for 5 years)	Existing Projections	Revised projections
Projected exports	121010.79	173247.21
Foreign Exchange Outgo	4018.30	7049.49
NFE Earnings	116992.49	166197.72
Imported Capital Goods	1132.95	1748.69
Indigenous Capital Goods	2736.53	4400.37
Imported input services	2885.35	5300.80
Indigenous input services	31252.00	20844.41

6.2.3. This approval is subject to submission of the list of imported input services of Rs.5300.80 lakhs giving description as per default list of 67 services.

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

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(Surender Malik)
Joint Development Commissioner


(A. Bipin Menon)
Development Commissioner