



GOVERNMENT OF INDIA
MIN. OF COMMERCE & INDUSTRY, DEPTT. OF COMMERCE
OFFICE OF THE DEVELOPMENT COMMISSIONER
NOIDA SPECIAL ECONOMIC ZONE
NOIDA DADRI ROAD, PHASE-II, NOIDA-201305
DISTT. GAUTAM BUDH NAGAR (UP)

फा. स.10/173/2007-सेज/

दिनांक: 10/08/2016

सेवा मे ,

1. निदेशक, 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. आयुक्त, केंद्रीय उत्पाद शुल्क (नोएडा- प्रथम), सी - 56/42, सेक्टर - 62, नोएडा।
4. आयुक्त, केंद्रीय उत्पाद शुल्क (नोएडा- द्वितीय), फॉर्मूला- एक होटल, वेगमॅस बिजनेस पार्क, प्लॉट नं. 3, नॉलेज पार्क -3, ग्रेटर नोएडा।
5. आयुक्त, आयकर, ए 2 डी, आयकर भवन, सेक्टर 24, नोएडा ।
6. उपसचिव (आई एफ - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
7. मुख्य कार्यकारी अधिकारी, न्यू ओखला औद्योगिक विकास प्राधिकरण, मुख्य प्रशासनिक भवन, सेक्टर - 6, नोएडा।
8. मुख्य कार्यकारी अधिकारी, ग्रेटर नोएडा औद्योगिक विकास प्राधिकरण, 169 चितवन एस्टेट, सेक्टर गामा - द्वितीय, ग्रेटर नोएडा, गौतम बुद्ध नगर, (उत्तर प्रदेश) ।
9. महाप्रबंधक, जिला उद्योग केंद्र, कलेक्ट्रेट के पास, सूरजपुर, ग्रेटर नोएडा ।
10. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता ।

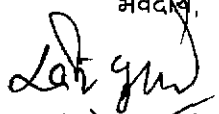
विषय: दिनांक 05/08/2016 को पूर्वाह्न 11.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित नोएडा एवं ग्रेटर नोएडा (उत्तर प्रदेश) में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

मुझे उपरोक्त विषय का सन्दर्भ लेने और डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 05/08/2016 को पूर्वाह्न 11.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित आयोजित नोएडा, एवं ग्रेटर नोएडा (उत्तर प्रदेश) में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त प्रेषित का निर्देश हुआ है

इसे विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र, नोएडा का अनुमोदन प्राप्त है ।

संलग्नक : उपरोक्त

भवदीय,

(राकेश कुमार)
उप विकास आयुक्त

प्रतिलिपि:

1. संयुक्त सचिव, वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली -110001—सूचनार्थ ।
2. विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र, नोएडा - सूचनार्थ ।

उप विकास आयुक्त

NOIDA SPECIAL ECONOMIC ZONE

Minutes of the meeting of the Approval Committee of Private SEZs located in Noida & Greater Noida (Uttar Pradesh) held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, Noida SEZ at 11:30 AM on 05.08.2016 in the Conference Hall of NSEZ.

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

1. Shri S. S. Shukla, JDC, NSEZ
2. Shri Rohit Indora, Asstt. Commissioner, Central Excise Noida-I.
3. Shri Chintan Raghuvanshi, Asstt. Commissioner, Central Excise, Noida-II.
4. Dr. Sukhbir Singh Badhal, Assistant DGFT.
5. Ms. Sandhaya Maurya, Income Tax Officer, Noida
6. Representative of SEZ Developers.

2. Besides, during the meeting i) Shri Rakesh Kumar, DDC, NSEZ, ii) Shri A.K. Srivastava, Specified Officer, iii) Shri Prakash Chand Upadhyay, ADC were also present to assist the Approval Committee.

3. At the outset, DC, NSEZ 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 Approval Committee as well as interaction with the applicants / representatives of the developers / units, the following decisions were taken:-

(i) Ratification of Minutes of last meeting of the Approval Committee:-

It was informed that no reference against the decisions of the Approval Committee held on 01.07.2016 has been received from any of the members of the Committee or Trade and accordingly, Minutes of the meeting held on 01.07.2016 were ratified.

(ii) Item wise decisions on proposals included in agenda are as under:



1. Proposal of M/s. P.L.G Incubation Services Pvt. Ltd.,- Co-developer for approval of list of material to carry on default authorized operation in IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd., at Plot No. 21, Sector- Techzone IV, Greater Noida-Reg

It was brought to the notice of the Approval Committee that M/s. P.L.G Incubation Services Pvt. Ltd, Co-developer of IT/ITES SEZ at Plot No. 21, Sector-Techzone IV, Greater Noida (U.P) has submitted a proposal for approval of a list of material to carry on following default authorized operations:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. As per Inst. No. 50 and 54	Estimated value (Rs. in lacs)
1.	Air conditioning of processing area	21	242.81
2.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	2	9.50
		Total:	252.31

Shri S.K. Gupta, Chairman-Cum-Managing Director appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed material.

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

2. Proposal of M/s. Seaview Developers Private Limited, Developer for approval of list of material to carry on default authorized operation in IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida.

It was brought to the notice of the Approval Committee that M/s. Seaview Developers Private Limited, Developer of IT/ITES SEZ at Plot No. 20 & 21, Sector-135, Noida, had submitted proposal for approval of a list of material to carry on following default authorized operations:-

S. No.	Authorized Operation	Sl. No. at default list of Authorised Operation as per Inst. No. 50 & 54	Estimated Cost (Rs in Lacs)
1.	Construction of all type of buildings in processing area as approved by UAC	22	2932.26
2.	Electrical, Gas and Petroleum Natural Gas Distribution Network including	4	133.80

	necessary sub stations of appropriate capacity, pipeline network etc.		
3.	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity	2	72.43
4.	Fire protection system with sprinklers, fire and smoke detectors	7	212.77
		Total :	3351.26

Shri Jay Kumar, Head SEZ Compliance appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed material. He informed that item "Electrical Transformer with accessories" listed at S. No.1 under authorized operation 'Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.' is not related to the power generation.

After due deliberations, the Committee **approved** the proposed list of material subject to submission of capacity of 'PVC Tank' proposed at Sl. No. 19 under 'Construction of all types of building in processing area'.

3. Review of performance & sale of services in DTA by M/s. GloablLogic India Private Limited located in IT/ITES SEZ of M/s. Oxygen Business Park Private Ltd at Plot No.7, Sector-144, Noida (U.P).

It was brought to the notice of the Approval Committee that M/s. GlobalLogic India Private Limited had been granted LOA No. 10/342/2010-SEZ/8572 dated 22.11.2010 for setting up of a unit in the IT/ITES SEZ of M/s. Oxygen Business Park Ltd. at Plot No. 7, Sector-144, Noida (U.P) to carry on authorized operation namely 'Computer software and IT/ IT Enabled Services (ITES)'. The unit had commenced its operation w.e.f. 31.07.2011 and had completed its five years of operation in SEZ on 30.07.2016.

It was further informed that in terms of Rule 19(6) of SEZ Rules, 2006, LOA of the unit had been renewed for a further period of five years i.e. upto 30.07.2021. The performance of the unit during last five years of operation are as under:-



(Rs. in Lacs)

Year	FOB value of Export	Total outflow	Cumulative NFE (2 - 3)	Foreign Exchange Realization Pending
1.	2.	3.	4.	5.
2011-12	10159.62	216.46	9943.16	--
2012-13	16036.98	262.03	15774.95	--
2013-14	12394.26	429.60	11964.66	--
2014-15	16109.52	531.69	15577.83	--
2015-16	16808.02	6550.89	10257.13	
Total	71508.40	1689.17	63517.73	Nil

It is also brought to the notice of Approval Committee that as per the APRs submitted by the unit, it had been observed that the unit had provided services in DTA to the tune of Rs.11670.71 lakhs during the period 2011-12 to 2015-16, against payment in INR.

Shri CPS Bisht, Sr. Manager- Finance & Shri Ashutosh Gupta, Sr. Manager-Tax appeared before the Approval Committee on behalf of the unit. The representatives of the unit admitted the mistake on their part and requested to regularize the DTA sale permission. Further, they assured that such lapse will not recur in future.

It was informed to them that as per section 11(4) of the Foreign Trade (Development & Regulation) Act, there is a penalty provision to settle the cases where a person admits any contravention. The authorized representatives consented to settle the case as per section 11(4) of the FT(D&R) Act, 1992.

In view of above, DC, NSEZ on the recommendation of the Approval Committee imposed a penalty of Rs. 10,000/- on the unit in terms of section 11(4) of FT(D&R) Act, 1992.

After due deliberation, Approval Committee **took note of the performance/ positive NFE achievement by the unit,** in terms of Rule 54 of SEZ Rules, 2006. Approval Committee also regularized the sale of services in DTA made by the unit subject to deposit of penalty amount of Rs. 10,000/- by the unit in terms of section 11(4) of FT(D&R) Act, 1992.



4. Review of development work of IT/ITES SEZ undertaken by M/s. Ansal IT City & Parks, developer and M/s. Earth Iconic Infrastructure Pvt. Ltd. at Plot No. TZ-06, Sector-Techzone, Greater Noida

It was brought to the notice of the Approval Committee that developer vide its email dated 04.08.2016 has informed that the authorized representative of the developer is out of station and will not be able to attend the Approval Committee meeting on 05.08.2016.

After due deliberation, the committee decided to **defer** the case for next Approval Committee meeting.

Supplementary Agenda Items:

1. Proposal of M/s. HCL Technologies Ltd., developer for approval of list of material to carry on authorized operation in their IT/ITES SEZ at Plot No. 3A & B Sector-126, Noida.

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 & B, Sector-126, Noida (U.P) has submitted a proposal for approval of a list of material to carry on following default authorized operations:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. As per Inst. No. 50 and 54	Estimated value (Rs. in lacs)
1.	Construction of all type of buildings in processing area as approved by the Unit Approval Committee	22	465.51
2.	Power (including power back up facilities) for captive use only	23	54.03
3.	Air conditioning of processing area	21	288.69
4.	Fire protection system with sprinklers, fire and smoke detectors	7	20.65
5.	Access control and Monitoring system	24	96.34
6.	Cafeteria/Canteen for staff in processing area	27	5.13
		Total	930.35

Shri Sunil Agarwal, AVP, Shri D.K. Sharma, GM, Shri Rajesh Oberoi, AGM & Shri Subhash Chandra, Dy. Manager appeared before the Approval Committee on behalf of the



developer further explained that items proposed under the authorized operation namely 'Power (including power backup facilities) for captive use only' are not required for power generation and these items are electrical items which are required to be used as electrical fittings inside the building. It was further informed by them that the item listed at 44(V) of 'Air Conditioning of processing area' has been inadvertently mentioned which may be deleted.

After due deliberations, Approval Committee **approved** the proposed list of material subject to submission of revised list of material incorporating unit of measurement of items sub-listed under S.No.32 & 33 deleting the item listed at 44(V) under authorized operation 'Air Conditioning of processing area'.

2. Proposal of M/s. NIIT Technologies Ltd., developer for approval of list of material to carry on default authorized operation in IT/ITES at Plot No. TZ-2 & 2A, Sector-Techzone, Greater Noida (U.P)

It was brought to the notice of Approval Committee that M/s. NIIT Technologies Limited, Developer of IT/ITES SEZ at Plot No. TZ-2 & 2A, Sector-Techzone, Greater Noida (U.P) had submitted a proposal for approval of a list of material to carry on following default authorized operations in SEZ:-

S. No.	Authorized Operation	Sl. No. at default list of materials as per Inst. No. 50 & 54	Estimated Cost (Rs in Lacs)
1.	Construction of all type of building in processing area	22	145.20
2.	Electrical, Gas and Petroleum natural gas distribution network including necessary sub-stations of appropriate capacity, pipeline network etc.	4	10.00
3.	Access Control and Monitoring Systems	24	5.00
4.	Air conditioning of processing area	21	66.96
5.	Telecom and other communications facilities including internet connectivity	5	161.40
		Total :	388.56

Shri Devendra Gupta, Senior V.P & Shri Mukesh Chauhan, GM, appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed material. The representatives of the developer clarified that 'Moterize Screen' & Cyclorama / screen' are required for Conference Room.

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



3. Proposal of M/s. IBM India Pvt. Ltd. for setup of a unit in M/s. Artha Infratech Pvt. Ltd. IT/ITES SEZ at Plot No. 21, Sector- Techzone-IV, Greater Noida

It was brought to the notice of the Approval Committee that M/s. IBM India Pvt. Ltd. has submitted a proposal for setting up a new unit in IT/ITES SEZ of M/s. Artha Infratech Pvt. Ltd. at Plot No. 21, Sector- Techzone IV, Greater Noida (U.P) to undertake the IT/ITES services with projected exports of Rs. 226267.64 Lacs and NFE of Rs.141879.15 Lacs over a period of five years. It was informed that the proposed investment of Rs. 18173.00 Lacs towards imported capital goods, Rs. 3635.00 Lacs towards indigenous capital goods and other cost of project shall be met from internal accruals of the company.

It was also informed that the following shortcomings were also observed in the application in the first instance which had been communicated to the applicant:-

1. In instant application, the applicant has mentioned to set up a **second unit** in Artha SEZ, which appears to be a typing error made by the applicant as the applicant does not have any existing unit in said SEZ.
2. State of Reg. office address mentioned in Column I and undertaking part of Form F is incorrect.
3. In offer of space, the developer has offer built up area admeasuring 113053 sq. ft entire 1st floor to 4th Floor of tower 4, whereas the applicant has mentioned requirement of land admeasuring area of 10507.00 sq mts. in Form-F.
4. List of indigenous & imported capital goods needs to be submitted.
5. Copies of PAN Card of all directors not submitted.
6. Undertaking to fulfill the applicable environmental and pollution control norms not submitted.
7. Residential address proof of director namely Mrs. Vinitha Narayanan is required to be submitted as copy of her passport does not contain residential addresses. Though, copy of her mobile bill for Jan, 2013 has been submitted as residential proof.
8. Residential address given in Passport of Mr. Rajesh Nambiar does not match with his residential address mentioned in Form-F. Validity of his passport is also expired.
9. In breakup of foreign exchange outgo the applicant has mentioned 'Actual' outgo in 1st, 2nd year & 'Actual unaudited' in 3rd year. This needs to be clarified / corrected by the applicant.
10. Details of information pertaining to Income Tax Deptt. is required to be submitted in prescribed format.



11. Specific services proposed under IT/ITES not provided.

Shri Pramod Abraham, Asstt. Controller & Shri Stanley Sebestian, Manager, appeared before the Approval Committee on the behalf of the applicant and explained the proposal. Further, it was informed by them that in the meantime they have submitted the required documents.

After due deliberations, the Committee **approved the proposal** subject to submission of pending documents/clarification from the applicant.

4. **Proposal of M/s. Genpact India Pvt. Ltd. for installation of HDFC Bank ATM in SEZ unit located in M/s. Seaview Developers Private Limited for exclusively use of employee of the unit.**

It was brought to the notice of the Approval Committee that M/s. Genpact India Private Limited has submitted a proposal for installation of HDFC Bank ATM in the premises of its SEZ unit located in M/s. Seaview Developers Private Limited at Plot No.20 & 21, Sector-135, Noida (U.P) for exclusively use by employees of SEZ unit. It was informed that the unit has submitted the NOC from the developer for installation of ATM in unit's premises.

It was also informed that the following shortcomings have been observed in the application, which had been communicated to the unit vide email dated 02.08.2016:-

1. An undertaking from HDFC Bank to the effect that they shall not take any Direct/Indirect tax benefits under SEZ scheme to create, maintain and operate their business with the SEZ. They shall take all necessary approvals/permission/ licences from State Government or Central Government before starting a business or after starting their business as and when applicable to create, maintain and operate their business with in the SEZ. They shall maintain proper record of the goods purchased or sold as per relevant provisions of the revenue departments of the State or Central Government as the case may be for working within the SEZ and shall produce before such authority as and when required by them.
2. Copy of Memorandum which may have been signed between the unit & bank for installation of ATM.
3. Exact location where ATM would be installed.



Shri Shiv Singh, AVP, appeared before the committee and informed that in order to enhance their employees experience at their SEZ unit, particularly during the non-banking hours, they would like to install an ATM machine in their SEZ unit for fulfilling their employees banking needs in non-banking hours. In this regard, they have received non-rental proposal from HDFC bank for installation of ATM in SEZ unit. They also ensured to submit the pending documents/clarification at the earliest.

After due deliberations, Approval Committee approved the proposal subject to submission of pending documents by the unit. *ATM will be used only for SEZ & no duty free benefit will be availed,*

5. Ratification of revised/correct break up of foreign exchange outgo submitted by M/s. Cognizant Technology Solutions India Pvt. Ltd.

It was brought to the notice of the Approval Committee in its meeting held on 07.08.2015 had approved the proposal of M/s. Cognizant Technology Solutions India Private Limited for expansion of area & revision in projection of the unit located in the IT/ITES SEZ of M/s. Seaview Developers Pvt. Ltd. at Plot No.20 & 21, Secotr-135, Noida, subject to submission of revised break-up of foreign exchange outgo of Rs. 11395 lakhs. Accordingly, decision of approval committee was communicated to the unit vide this office letter dated 12.08.2015 and unit had been requested to submit the revised/correct breakup of foreign exchange outgo of Rs. 11395 lakhs.

It was informed that the unit vide its letter received in this office on 21.07.2016 had submitted breakup of forex outgo of Rs 11933 lacs instead of Rs.11395 lacs and had stated that the forex outgo of Rs 11395 lacs was erroneously mentioned by them in the said proposal. It was further informed that due to change in the value of forex outgo, the projected NFE of the unit is also being changed, as details given below:-

(Rs. in lacs)

S.No.	Particulars	Projection approved by Approval Committee held on 03.08.2015	Projection as per revised forex outgo breakup submitted by the unit
1.	Projected FOB value of exports	86793.00	86793.00
2.	Foreign exchange outgo	11395.00	11933.00
3.	NFE (1)-(2) over a period of 5 years	75398.00	74860.00
4.	Imported CG	3400.00	3401.00

hsh

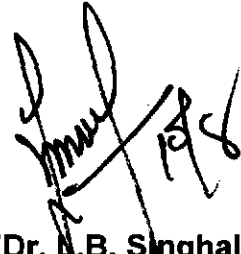
After due deliberations, the Approval Committee **took note of the above changes in forex outgo & NFE projections of the unit.**

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



(S. S. Shukla)

Joint Development Commissioner



(Dr. L.B. Singhal)

Development Commissioner