



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: 10/05/2016

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 06.05.2016 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,

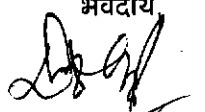
मुझे उपरोक्त विषय का सन्दर्भ लेने और डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 06.05.2016 को पूर्वाह्न 11.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित आयोजित नोएडा, एवं ग्रेटर नोएडा (उत्तर प्रदेश) में स्थित निजी विशेष आर्थिक क्षेत्रों 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

प्रतिलिपि:

विकास आयुक्त - सूचनार्थ ।

भवदीय

(राकेश कुमार)

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 06/05/2016 in the Conference Hall of NSEZ.

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

1. Shri D.D. Mangal, Dy. Commissioner, Central Excise, Noida-I
2. Shri A.K. Agarwal, Asstt. Commissioner, Central Excise, Noida-II
3. Shri Rajiv Kumar Soni, Asstt. DGFT, CLA, New Delhi
4. Shri Shishir Kumar, Asstt. Commissioner, DIC, Noida
5. Ms. Sandhya 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 and iv) Shri H.K. Rathi, Authorised Officer 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 the 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 meeting held on 01/04/2016 has been received from any of the members of the Committee or Trade and accordingly, Minutes of the meeting held on 01/04/2016 were ratified.

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

1. **Proposal of M/s. Aachvis IT SEZ Infra Pvt. Ltd., Co-developer for approval of list of goods to carry on authorized operation in the IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. (Formerly known as Aachvis Softech Pvt. Ltd.) at Plot No. 7, Sector-144, Noida.**

It was brought to the notice of the Approval Committee that M/s. Aachvis IT SEZ Infra Pvt. Ltd., Co-developer of IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. located at

Plot No. 7, Sector-144, Noida had submitted a 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 the Unit Approval Committee	22	266.43
2.	Air conditioning of processing area	21	31.85
		Total :	298.28

The Approval Committee observed that the proposed items namely 'Table/Bench various size and capacities' & 'Chairs, Stools various size and capacities' are not related with the proposed authorised operation 'Construction of all type of buildings in processing area as approved by the Unit Approval Committee'.

Shri Pradeep Sharma, DGM & Shri Sunny Ahuja, Manager- Finance, appeared before the Approval Committee and explained the requirement of proposed material. Shri Sharma informed to the Approval Committee that they are in process to revamping of existing cafeteria and the proposed 'Table/Bench' & 'Chairs, Stools' are required for cafeteria.

It was informed by the Approval Committee to the representative of M/s. Aachvis IT SEZ Infra Pvt. Ltd. that there is a separate authorised operation for 'Cafeteria/Canteen for staff in processing area' at Sl. No. 27 of Instruction No. 50 dated 15.03.2010 issued by DOC and items related to cafeteria/canteen may be applied under said authorized operation.

After due deliberations, the Approval Committee **approved** the proposal except items proposed at Sl. No. 11 & 12 under 'Construction of all type of buildings in processing area as approved by the Unit Approval Committee'.

2. Proposal of M/s. Aachvis IT SEZ Infra Pvt. Ltd., Co-developer for approval of list of Services under Notification 12/2013ST dated 01.07.2013 to carry on authorized operation in the IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. (Formerly known as Aachvis Softech Pvt. Ltd.) at Plot No. 7, Sector-144, Noida.

It was brought to the notice of UAC that M/s. Aachvis IT SEZ Infra Pvt. Ltd., Co-developer of IT/ITES SEZ of M/s. Oxygen Business Park Pvt. Ltd. located at Plot No. 7, Sector-144, Noida had submitted a proposal for approval of service namely 'Event Management' to carry on authorized operations in SEZ.

It was informed that in description of service, the co-developer has mentioned that service provided in relation to planning, promotion, organization, or presentation of any arts, entertainment, business, sports, **marriage**, or any other event and includes any consultation provided in this regards. Further, the co-developer has not provided the justification for the above service in its authorized operation.

Shri Pradeep Sharma, DGM & Shri Sunny Ahuja, Manager- Finance, appeared before the Approval Committee. On being asked by the Approval Committee about the justification for proposed service, the representatives of the co-developer could not give any justification for requirement of proposed service in relation to the authorised operations approved by BoA in respect of co-developer.

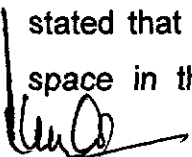
After due deliberations, the Approval Committee **deferred** the proposal and directed the representative of the co-developer to submit proper justification for requirement of 'Event Management Service' in relation to the authorised operations approved by BoA in respect of co-developer.

3. **Intimation for change in registered office submitted by M/s. Oxygen Business Park Pvt. Ltd., developer, M/s. Aachvis IT SEZ Infra Pvt. Ltd., Co-developer and M/s. Standard IT Web Solutions Private Limited, Co-developer of IT/ITES SEZ at Plot No. 7, Sector-144, Noida.**

It was brought to the notice of the Approval Committee developer, M/s. Oxygen Business Parks Pvt. Ltd. and its two co-developers namely M/s. Aachvis IT SEZ Infra Pvt. Ltd. & M/s. Standard IT Web Solutions Private Limited vide their letters dated 23.03.2016 have submitted intimation to this office for change of their registered office from C-23, Greater Kailash Enclave, Part-I, New Delhi-48 to Plot No.7, Sector-144, Noida, U.P i.e. location of said SEZ. It was informed that the developer and both co-developers have submitted following documents:-

- Copy of Form INC-22
- Copy of Board Resolution
- Copy of order of Regional Director, Ministry of Corporate Affairs

It was informed that Specified Officer of SEZ vide his letter dated 28.03.2016 had stated that as per provisions of Sub Rule (5) of Rule 11 of SEZ Rules, 2006, any built up space in the SEZ can only be leased to valid LOA holder with the approval of the



Development commissioner. Further, the office of the Developer and co-developer in a SEZ or notified area may create complications at the time of issuance of Form A1, for claiming Service Tax exemption due to not having registration under Service Tax.

Shri Pradeep Sharma, DGM & Shri Sunny Ahuja, Manager- Finance, appeared before the Approval Committee on behalf of developer & co-developers and informed that earlier the registered office was located at Delhi and they were facing some co-ordination issues with SEZ clients therefore they have now shifted the registered office at SEZ location.

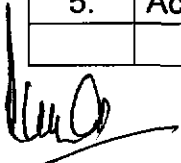
The Approval Committee clarified that the Sub Rule (5) of Rule 11 of SEZ Rules, 2006 specifies only the allotment of land / built up space to other units & other facility providers. It implies that the developer / co-developer are not required approval for use of land / built up space by itself.

After due deliberation, the Approval Committee decided to take note of the change of registered office of the developer & co-developers on records.

4. 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 Approval Committee that M/s. HCL Technologies Ltd., developer of IT/ITES SEZ located at Plot No. 3A&B, Sector-126, Noida had 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	313.80
2.	Power (including power back up facilities) for captive use only	23	198.07
3.	Air conditioning of processing area	21	466.42
4.	Fire protection system with sprinklers, fire and smoke detectors	7	341.48
5.	Access control and Monitoring system	24	1261.09
	Total		2580.86



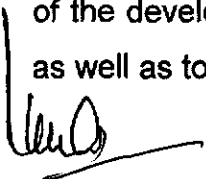
It was informed that on examination of the proposal following discrepancies have been found:-

1. S.No. of list of material listed in Annexure II, III & V are not correct.
2. In Annexure I (for construction of all type of building in processing area as approved by the Unit Approval Committee), list of material listed at S.No. 5 to 30 needs to be clarified by the developer. Besides items do not seem to be well covered under the said category.
3. In Annexure III (Air conditioning of processing area), use of material listed at Sno.12 for air conditioning system needs to be clarified by developer.
4. In Annexure V (Access control and Monitoring system), developer has mentioned two distinct material at Sno.9 &10, which needs to be clarified by the developer.
5. The developer had neither submitted the (Quarterly Progress Report) QPR for the period of October 2015 to December 2015 nor (Half yearly Progress Report) HPR for the period of April 2015 to September 2015.

Shri Sunil Agarwal, AVP appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed material. It was informed by them that the items proposed at S.No. 5 to 30 for 'Construction of all type of building in processing area as approved by the Unit Approval Committee' are required for in house cafeteria of units. Further, It was explained by them 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 they have now submitted Quarterly & Half yearly reports to the Specified Officer.

It was clarified by the Approval Committee that there is a separate authorised operation for 'Cafeteria/Canteen for staff in processing area' at Sl. No. 27 of Instruction No. 50 dated 15.03.2010 issued by DOC and items related to cafeteria/canteen may be applied under said authorized operation.

After due deliberations, the Approval Committee approved the proposal except items proposed at Sl.No. 5 to 30 under 'Construction of all type of buildings in processing area as approved by the Approval Committee'. The Approval Committee directed the representative of the developer to ensure timely submission of Quarterly & Half yearly report to DC office as well as to Specified Officer . The Approval Committee also directed the representative of



the developer to ensure that details of goods and services proposed for consideration by the Approval Committee should be meticulously prepared by applicant keeping in view the relevant category of related authorized operation.

5. Proposal of M/s. Seaview Developers Ltd., developer for approval of list of material to carry on authorized operation in their IT/ITES SEZ at Plot No. 20 & 21 Sector- 135, Noida.

It was brought to the notice of Approval Committee that M/s. Seaview Developers Ltd., developer of IT/ITES SEZ located at Plot No. 20 & 21, Sector-135, Noida had submitted a 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 the Unit Approval Committee	22	8.86
Total :			8.86

It was informed that annexure of list of material has not been signed by the authorized signatory of the developer.

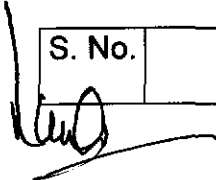
Shri Jay Kumar, Head-SEZ Compliance & Shri Amrik Singh, Sr. Manager appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed material. It was informed by them that absence of signature happened inadvertently and authorized signatory will sign the list and they will also ensure that such mistakes do not recur.

After due deliberations, the Approval Committee approved the proposal.

Supplementary agenda item:

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 Approval Committee that M/s. HCL Technologies Ltd., developer of IT/ITES SEZ located at Plot No. 3A&B, Sector-126, Noida had submitted a proposal for approval of a list of material to carry on following default authorized operations:-

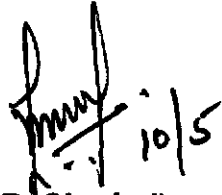
S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr.	Estimated value (Rs. in lacs)
			

		As per Inst. No. 50 and 54	
1.	Cafeteria/Canteen for staff in processing area	27	392.50

Shri Sunil Agarwal, AVP appeared before the Approval Committee on behalf of the developer. He informed that these are catering items and required for existing cafeteria / canteen in SEZ.

After due deliberations, the Approval Committee **approved** the proposal.

The meeting ended with vote of thanks to the Chair.


(Dr. L.B. Singhal)
Development Commissioner