

**SEEPZ SPECIAL ECONOMIC ZONE
ANDHERI (EAST), MUMBAI.**

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AGENDA FOR

**MEETING OF THE APPROVAL COMMITTEE FOR
SECTOR SPECIFIC SPECIAL ECONOMIC ZONE FOR
IT/ITES AT PUNE OF M/s. QUBIX BUSINESS PARK PVT.
LTD.-SEZ**

Via Video Conferencing

DATE : 30.05.2023

TIME : 04.00 P.M.

**MEETING OF THE APPROVAL COMMITTEE FOR
SECTOR SPECIFIC SPECIAL ECONOMIC ZONE FOR
IT/ITES AT PUNE, UNDER THE CHAIRMANSHIP OF
DEVELOPMENT COMMISSIONER, SEEPZ-SEZ ON
30.05.2023**

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Agenda Item No.	Subject
Agenda Item No. 01 :-	Confirmation of the Minutes of the meeting held on 25.04.2023
Agenda Item No. 02 :-	Application for Approval of Revision in Projections on account of Addition of Area submitted by M/s. CRISIL Ltd.
Agenda Item No. 03 :-	Application for Approval of Revision in Projections on account of Addition of Area submitted by M/s. Allygram System and Technologies Pvt Ltd
Agenda Item No. 04 :-	Monitoring of Performance of M/s. LTIMindtree Ltd.
Agenda Item No. 05 :-	Application for change of Name, Change in Shareholding pattern and Change in Board of Directors submitted by M/s. EMC Software and Services India Pvt Ltd.

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Minutes of the 122nd Meeting of the Approval Committee held under the Chairmanship of Zonal Development Commissioner SEEPZ-SEZ, Mumbai for Sector Specific Special Economic Zone for IT/ITES of Qubix Business Park Pvt. Ltd.-SEZ, Pune, held on **25.04.2023** via video conferencing.

	Name of the SEZ	M/s. Qubix Business Park Pvt Ltd SEZ
2	Sector	IT/ITES
3	Meeting No.	122nd
4	Date	25.04.2023

Members present

Sr	Name and Designation (S/Shri.)	Department
1	Smt. Mital S. Hiremath Joint Development Commissioner	Pune Cluster-SEZ, Pune
2	Smt. Bhumiika Saini, DCIT, Nashik	Nominee of Income Tax, Pune
3	Dr. Dileeraj Dabhole, Dy. DGFT	Nominee of DGFT, Pune
4	Smt. Sunita Jagtap, Superintendent	Nominee of Customs, Pune

Special Invitee

Sr	Name and Designation	Department
1	Shri B. Ajay Kumar Specified Officer	M/s. Qubix Business Park Pvt. Ltd. SEZ

Agenda Item No.01: Confirmation of Minutes of the 121st meeting held on 21.03.2023

After deliberation, the Committee confirmed the minutes of the 121st Approval Committee meeting held on 21.03.2023.

Agenda Item No.02: Monitoring of Performance of M/s. HCL Technologies Limited

After deliberation, the committee noted the performance of the unit for the 5 years of 1st block period i.e., 2017-18 to 2021-22.

The unit has achieved cumulative NFE of Rs. 731970.66 lakhs i.e., 73.73% and employment of 283 employees, in the FY 2021-22.

Agenda Item No.03: Monitoring of Performance for M/s. LTIMindtree Ltd.

After deliberation, the committee noted the performance of the unit for the 5 years of 1st block period i.e., 2017-18 to 2021-22.

The unit has achieved cumulative NFE of Rs. 35162.37 lakhs i.e., 94.53% and employment of 570 employees, in the FY 2021-22.

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Agenda Item No.04: Application for Approval of Change in Board of Directors and shareholding pattern submitted by M/s Tata Technologies Ltd. (LOA No. SEEPZ/SEZ/NTPL-SEZ/TTL/39/2014-15/11233 DATED 10.09.2014)

After deliberation, the Committee Approved the proposal of the M/s. Tata Technologies Ltd. for Change in Board of Directors, in terms of Instruction No. 109 dated 18.10.2021, issued by MOC&I, as detailed below:

Approved list of Directors:

Sr.	Name of the Director
1	Mr. Warren Harris
2	Mr. P.B.Balaji
3	Mr. Ajoyendra Mukerjee
4	Ms. Aarthi Sivanandh
5	Ms. Usha Sangwan
6	Mr. Nagaraj Ijari
7	Mr. Shailesh Chandra

Approved equity share capital:

Category	Number of equity shares held	Percentage of holding
Tata Motors Limited.	30,30,06,000	74.69
Other Tata Entities	5,93,65,630	14.63
Directors/Employees/Associates/Others	4,32,96,900	10.68
Total	40,56,68,530	100.00

The approval is subject to the conditions as laid down in Instruction No. 109 dated 18.10.2021, as applicable, issued by MOC&I:

- Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;
- Fulfilment of all eligibility criteria applicable, including security clearances etc. by the altered entity and its constituents;
- Applicability of and compliance with all Revenue/Company Affairs/SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT&R), CBDT, Department of Revenue and to the jurisdictional Authority.
- The assessing officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer in ownerships etc. as may be applicable and

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eligibility for deduction under relevant sections of the Income Tax Act, 1961.

- vi. The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii. The applicant shall furnish details of PAN and jurisdictional assessing office of the unit to CBDT.
- viii. The applicant shall be recognized by the new name or such arrangement in all the records.

Agenda Item No. 05 :- Application for Approval of Change in Board of Directors and shareholding pattern submitted by M/s Tata Technologies Ltd. (LOA No. SEEPZ/SEZ/FIPL-SEZ/CSIPL/16/2012-13/10989 DATED 103.08.2012)

After deliberation, the Committee Approved the proposal of the M/s. Tata Technologies Ltd. for Change in Board of Directors, in terms of Instruction No. 109 dated 18.10.2021, issued by MOC&I, as detailed below:

Approved list of Directors:

Sr.	Name of the Director
1	Mr. Warren Harris
2	Mr. P.B. Balaji
3	Mr. Ajoyendra Mukerjee
4	Ms. Aarthi Sivanandh
5	Ms. Usha Sangwan
6	Mr. Nagaraj Ijari
7	Mr. Shailesh Chandra

Approved equity share capital:

Category	Number of equity shares held	Percentage of holding
Tata Motors Limited.	30,30,06,000	74.69
Other Tata Entities	5,93,65,630	14.63
Directors/Employees/Associates/Others	4,32,96,900	10.68
Total	40,56,68,530	100.00

The approval is subject to the conditions as laid down in Instruction No. 109 dated 18.10.2021, as applicable, issued by MOC&I:

- i. Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;
- ii. Fulfilment of all eligibility criteria applicable, including security clearances etc. by the altered entity and its constituents;

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- iii. Applicability of and compliance with all Revenue/Company Affairs/SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- iv. Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT&R), CBDT, Department of Revenue and to the jurisdictional Authority.
- v. The assessing officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer in ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- vi. The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii. The applicant shall furnish details of PAN and jurisdictional assessing office of the unit to CBDT.
- viii. The applicant shall be recognized by the new name or such arrangement in all the records.

Agenda Item No. 06 :- Application for Approval of Change in Board of Directors and shareholding pattern submitted by M/s Tata Technologies Ltd. (LOA No. SEEPZ/SEZ/TTL/07/2011-12/482 DATED 11.01.2011)

After deliberation, the Committee Approved the proposal of the M/s. Tata Technologies Ltd. for Change in Board of Directors, in terms of Instruction No. 109 dated 18.10.2021, issued by MOC&I, as detailed below:

Approved list of Directors:

Sr.	Name of the Director
1	Mr. Warren Harris
2	Mr. P.B.Balaji
3	Mr.Ajoyendra Mukerjee
4	Ms.Aarthi Sivanandh
5	Ms. Usha Sangwan
6	Mr. Nagaraj Ijari
7	Mr. Shailesh Chandra

Approved equity share capital:

Category	Number of equity shares held	Percentage of holding
Tata Motors Limited.	30,30,06,000	74.69
Other Tata Entities	5,93,65,630	14.63
Directors/Employees/Associates/Others	4,32,96,900	10.68

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Total	40,56,68,530	100.00
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The approval is subject to the conditions as laid down in Instruction No. 109 dated 18.10.2021, as applicable, issued by MOC&I:

- i. Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;
- ii. Fulfilment of all eligibility criteria applicable, including security clearances etc. by the altered entity and its constituents;
- iii. Applicability of and compliance with all Revenue/Company Affairs/SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- iv. Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT&R), CBDT, Department of Revenue and to the jurisdictional Authority.
- v. The assessing officer shall have the right to assess the taxability of the gain/loss arising out of the transfer of equity or merger, demerger, amalgamation, transfer in ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- vi. The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii. The applicant shall furnish details of PAN and jurisdictional assessing office of the unit to CBDT.
- viii. The applicant shall be recognized by the new name or such arrangement in all the records.

Meeting ended with a vote of thanks to the Chair.

Signed by Shri. Shyam
 Jagannathan, IAS)
 Chairman cum Development
 Commissioner
 Reason: Approval
 Email-dcseepz-mah@nic.in

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GOVT.OF INDIA,
OFFICE OF THE ZONAL DEVELOPMENT COMMISSIONER,
SEEPZ-SEZ (PUNE CLUSTER)

AGENDA NOTE FOR CONSIDERATION OF THE APPROVAL COMMITTEE

a) Proposal: -

- Application filed by M/s. CRISIL Ltd., an IT/ITES unit located in Qubix Business Park Pvt. Ltd.- SEZ for Revision in projections on account of addition in operational area.

b) Specific Issue on which decision of UAC is required: -

Approval of the UAC for

- 1) Revision in projections, in terms of Rule 19(2) of SEZ Rules, 2006 on account of addition in operational area admeasuring 1,628.31 Sq.Mtr. to the existing area of 3,944.48 Sq.Mtr.

(i) Revision in Projection:

Projections of Investment and Employment:

Sr.No	Item	Existing Projection		Total Revised Projection	
1.	Employment	Men	Women	Men	Women
		410	190	500	200
	TOTAL		600	700	
2.	Investment-Plant and Machinery/Capital Goods (Rs. in lakhs)				
i.	Indigenous	3048.09		3537.67	
ii.	Imported	489.00		523.23	
	Total	3537.09		4060.90	
3.	Services				
i.	Indigenous Services	4441.36		39580.99	
ii.	Imported Services	12831.01		10040.22	
	Total	17272.37		49621.21	

Approved Projection:

(Rs. In Lakhs)

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Sr.No	Particulars	2021-22	2022-23	2023-24	2024-25	2025-26	Total
1.	FOB Value of exports	10803.35	11343.51	11910.69	12506.22	13131.53	59695.30
2.	Foreign Exchange outgo	2316.23	2478.36	2651.85	2837.48	3036.10	13320.02
3.	Net Foreign Exchange	8487.12	8865.15	9258.84	9668.74	10095.43	46375.28

Proposed Projection:

(Rs. In Lakhs)

Sr.No	Particulars	2021-22	2022-23	2023-24	2024-25	2025-26	Total
1.	FOB Value of exports	10936.02	14189.40	12506.22	13131.53	13788.11	64551.30
2.	Foreign Exchange outgo	696.26	744.99	2837.48	3036.10	3248.63	10563.45
3.	Net Foreign Exchange	10239.76	13444.41	9668.75	10095.43	10539.48	53987.84

(ii) Location / area proposed to be added :

Existing address and area	Area proposed to be added	Total area after addition
1 st Floor, IT-3 Building, Qubix Business Park Pvt Ltd. SEZ	Ground Floor IT-3 Building, Qubix Business Park Pvt Ltd. SEZ	1 st and Ground Floor, IT-3 Building, Qubix Business Park Pvt Ltd. SEZ
Admeasuring area of 3,944.48 Sq.Mtr.	Admeasuring area of 1,628.31 Sq.Mtr.	Admeasuring area of 5,572.79 Sq.Mtr.

c) Relevant Provisions: -

As per First Proviso to Rule 19(2) of SEZ Rules,2006

“PROVIDED that the Approval Committee may also approve proposals for broad banding, diversification, enhancement of capacity of production, change in the items of manufacture or service activity, if it meets the requirements of rule 18”

d) Other Information: -

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- M/s. CRISIL Ltd. Bearing LOA No. SEEPZ/FIPL-SEZ/CL/14/2011-12/6158 Dated 29.04.2011. located at 1st Floor, IT-3 Building, Qubix Business Park Pvt Ltd. SEZ, RGIP, Hinjewadi, Phase-I, Pune-411 057.
- Date of Commencement: 01.06.2011
- LOA is valid upto: 31.05.2026
- **Reason for addition in area:**
The unit has submitted that due to increasing trend in international market, there is projection of 5% increase in business due to which there is revision in their export projection. Considering the increasing demand there is need for additional area and employees to cater to the demand.
- The unit has submitted the following documents with the application:
 - i. Copies of LOAs issued till date
 - ii. Copy of Board Resolutions
 - iii. Letter of Intent dated 13.03.2023 duly signed by Developer
 - iv. Floor plan of the of the proposed additional area

e) ADC Scrutiny report: -

- There is an increase in the area by 41.28%;
- Increase in Export Revenue by 8.13%;
- Increase in Investment in Indigenous Services by 791.19% and
- Increase in Employment by 16.66%
- UAC may like to consider the proposal of the unit for Revision in Projection on account of addition in Operational Area, in terms of Rule 19(2) of SEZ Rules, 2006.

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GOVT.OF INDIA,
OFFICE OF THE ZONAL DEVELOPMENT COMMISSIONER,
SEEPZ-SEZ (PUNE CLUSTER)

AGENDA NOTE FOR CONSIDERATION OF THE UNIT APPROVAL
COMMITTEE

a) Proposal: -

- Request by M/s. Allygram Systems and Technologies Pvt. Ltd., an IT/ITES unit located in Qubix Business Park Pvt. Ltd.- SEZ for revision in projections on account of addition of area to the existing operational area.

b) Specific Issue on which decision of Approval Committee is required for : -

- 1) Revision in projection in terms of Rule 19(2) of SEZ Rules, 2006 on account of addition of area admeasuring 8,273.00 Sq. Ft. to the existing operational area of 8,000.00 Sq. Ft.

(i) Revision in Projection:

Projections of Investment and Employment:

Sr.No	Item	Existing Projection		Total Revised Projection	
1.	Employment	Men	Women	Men	Women
		77	14	100	22
	TOTAL		91	122	
2.	Investment-Plant and Machinery/Capital Goods (Rs. in lakhs)				
i.	Indigenous	649.60		708.51	
ii.	Imported	404.60		418.35	
	Total	1054.20		1126.86	
3.	Services				
i.	Indigenous Services	0		103.51	
ii.	Imported Services	0		100.00	
	Total	0.00		203.51	

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Approved Projection:

(Rs. In Lakhs)

Sr.No	Particulars	1 st year	2 nd year	3 rd year	4 th year	5 th year	Total
1.	FOB Value of exports	249.15	1630.20	2623.52	2702.22	2783.29	9988.38
2.	Foreign Exchange outgo	183.20	279.60	269.60	222.80	217.80	1173.00
3.	Net Foreign Exchange	65.95	1350.60	2353.92	2497.42	2565.49	8815.38

Proposed Projection:

(Rs. In Lakhs)

Sr.No	Particulars	2018-19 (actuals As per APR)	2019-20 (actuals As per APR)	2020-21 (actuals As per APR)	2021-22 (actuals As per APR)	5 year (revised) (upto Dec., 2023)	Total
1.	FOB Value of exports	225.83	1651.69	2553.22	2916.43	3319.45	10666.62
2.	Foreign Exchange outgo	126.06	38.79	22.50	326.40	403.60	917.35
3.	Net Foreign Exchange	99.77	1612.90	2530.72	2590.03	2915.85	9749.27

(ii) Location / area proposed to be added :

Existing address and area	Area proposed to be added	Total area after addition
Office No. 4B, Ground Floor, Bldg. No. IT 8, Flagship Developers Pvt. Ltd., Qubix Business Park Pvt Ltd. SEZ, Plot No. 2, Blue Ridge Township, Near RGIP-Phase-I, Hinjewadi, Pune-411057	Unit No. 3, Ground Floor, Bldg. No. IT 8, VITP Pvt. Ltd., Qubix Business Park Pvt Ltd. SEZ, Plot No. 2, Blue Ridge Township, Near RGIP-Phase-I, Hinjewadi, Pune-411057	Office No. 4B, & Unit No. 3, Ground Floor, Bldg. No. IT 8, VITP Pvt. Ltd., Qubix Business Park Pvt Ltd. SEZ, Plot No. 2, Blue Ridge Township, Near RGIP-Phase-I, Hinjewadi, Pune-411057
Admeasuring area of 8,000.00 Sq. ft.	Admeasuring area of 8,273.00 Sq.ft.	Admeasuring area of 16,273.00 Sq.ft.

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c) Relevant Provisions: -

As per First Proviso to Rule 19(2) of SEZ Rules, 2006

“PROVIDED that the Approval Committee may also approve proposals for broad banding, diversification, enhancement of capacity of production, change in the items of manufacture or service activity, if it meets the requirements of rule 18”

d) Other Information: -

- M/s. Allygram Systems & Technologies Pvt. Ltd. bearing LOA No. SEEPZ-SEZ/QBPPL-SEZ/ASTPL/71/2018-19/218 Dated 06.09.2018. located at Office No. 4B, Ground Floor, Bldg. No. IT 8, Flagship Developers Pvt. Ltd., Qubix Business Park Pvt Ltd. SEZ, Plot No. 2, Blue Ridge Township, Near RGIP-Phase-I, Hinjewadi, Pune-411057.
- Date of Commencement: 10.12.2018
- LOA is valid upto: 09.12.2023
- **Reason for additional area:**
The unit has submitted that considering new client projects in hand, their requirement for office space and additional manpower will be increased and hence their management has decided to obtain the additional space admeasuring to 8,273 Sq.ft. at Unit No. 3 ,Ground Floor, IT8 Building.
- The unit has submitted the following documents with the application:
 - i. Copies of LOAs issued till date
 - ii. Copy of Board Resolutions
 - iii. Letter of Intent dated 18.04.2023 duly signed by Developer

e) ADC Scrutiny report: -

- There is an increase in the area by 103.41%;
- Increase in Export Revenue by 6.79%;
- Increase in Employment by 34.06%
- UAC may like to consider the proposal of the unit for revision in projection on account of addition of area to the existing operational area in terms of Rule 19(2) of SEZ Rules, 2006.

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GOVT. OF INDIA,
OFFICE OF THE ZONAL DEVELOPMENT COMMISSIONER,
SEEPZ – SEZ (PUNE CLUSTER)

AGENDA NOTE FOR CONSIDERATION OF THE APPROVAL COMMITTEE

a) Proposal:

Monitoring of the performance of M/s. LTIMindtree Ltd., an IT/ITES unit located in Qubix Business Park Pvt. Ltd. RGIP, Pune, for FY 2017-18 and FY 2018-19 to 2022-23.

b) Specific Issue on which decision of UAC is required:

Monitoring of the performance of the unit for two block periods

- (i) Last year i.e. FY 2017-18 of 1st Block period (i.e. 2013-14 to 2017-18)
- (ii) 4 years i.e. FY 2018-19 to 2021-22 of 2nd Block period (i.e. 2018-19 to 2022-23)

in terms of Rule 54 of SEZ Rules, 2006

The details of the export projections for 1st & 2nd block period, is as detailed below:

(I) Performance as compared to projections for 5 years of 1st Block period FY 2013-14 to FY 2017-18

(i) Approved Projections

	2013-14 (actuals)	2014-15 (actuals)	2015-16 (actuals)	2016-17 (actuals)	2017-18 (projected)
FOB Value of Exports	108	698	558	6028	2575.00
FE Outgo	167	23	4	0	1282.00
NFE achieved	85.74	753.23	1274.80	7162.35	1293.00

(ii) Performance as compared to projections: FY 2017-18 (Rs. In Lacs)

Year	Export		F.E. OUTGO				
	Projected	Actual	Raw Material (Goods/Services)		C.G. import		Other outflow
			Projecte d	Actual	Projected	Actual	
2017-18	2575.00	5638.17	0.00	0.00	1028.00	0.15	393.11
Total	2575.00	5638.17	0.00	0.00	1028.00	0.15	393.11

(iii) Cumulative NFE achieved: FY 2017-18 (Rs. in Lacs)

Year	Cumulative NFE Achieved	Cumulative % NFE Achieved
2017-18	12388.62	95.06

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(II) Performance as compared to projections for 4 years of 2nd Block period FY 2018-19 to FY 2021-22

(i) Approved Projections

	2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
FOB Value of Exports	5964.19	6065.28	6257.74	6386.41	6435.16	31108.78
FE Outgo	447.31	454.90	469.33	478.98	482.64	2333.16
NFE	5516.88	5610.38	5788.41	5907.43	5952.52	28775.62

(ii) Performance as compared to projections: (Rs. In Lacs)

Year	Export		F.E. OUTGO				
	Projected	Actual	Raw Material (Goods/Services)		C.G. import		Other outflow
			Projecte d	Actual	Projecte d	Actual	
2018-19	5964.19	8406.54	0	0.00	777.72	0.00	481.70
2019-20	6065.28	6412.82		0.00		-8.73	464.58
2020-21	6257.74	13438.60		0.00		3.390	610.47
2021-22	6386.41	17752.14		0.00		74.58	871.97
Total	24673.62	46010.10	0.00	0.00	777.72	69.24	2428.72

(iii) Cumulative NFE achieved: FY 2018-19 to FY 2021-22 (Rs. in Lacs)

Year	Cumulative NFE Achieved	Cumulative % NFE Achieved
2018-19	7905.76	94.04
2019-20	13835.79	93.36
2020-21	26645.36	94.29
2021-22	43499.52	94.54

(iv) Employment Achievement (Direct): FY 2021-22

The Unit has achieved employment of 835 employees (Men-542, Women-293)
Up to 4th years i.e. FY 2021-22 of the 2nd block period

(d) Relevant provisions:

Rule 54 of SEZ Rules, **2006** *“Performance of the Unit shall be monitored by the Approval Committee as per the guidelines given in Annexure appended*

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to these rules”**(e) Other Information:**

LOA No. & Date	SEEPZ-SEZ/FIPL-SEZ/LTIL/17/2011-12 dated 18.10.2011.
Location of Unit	4 th Floor, IT-6 Building, Qubix Business Park Pvt. Ltd., SEZ, Sr. No. 154/6, Rajiv Gandhi Infotech Park, Phase-I, Pune Hinjewadi 411 057
Validity of LOA	24.04.2028
Item(s) of manufacture/ Services	IT/ITES
Date of commencement of production	25.04.2013
Execution of BLUT	08.06.2020
Outstanding Rent dues	NA
Labour Dues	NA
Validity of Lease Agreement	-
Pending CRA Objection, if any	NA
Pending Show Cause Notice/ Eviction Order/Recovery Notice/ Recovery Order issued, if any	NA
No. of employees as on 31.03.2022	835(Male:542, Female:293)
Area allotted (in sq.ft.)	-
Area available for each employee per sq.ft. basis (area / no. of employees)	-
Investment till date	Building NA
	Plant & Machinery NA
Quantity and value of goods exported under Rule 34 (unutilized goods)	NA
Value Addition during the monitoring period	NA
Whether all the APRs being considered now has been filed well within the time limit, or otherwise. If no, details of the Year along with no of days delayed to be given.	Yes

- The Specified Officer vide his report dated 28.04.2023 has reported that SEZ Unit has submitted the following

(a) Details of year-wise export as per the prescribed format:

From the year 2017-18 to 2021-2022			(Rs. In Lakhs)	
Year/Period	Figures as per APR (In Lakh)	Figures as per Softex/SB / Customs Records (In	Difference if any (In Lakhs)	Reason for Difference/Remarks

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		Lakhs)		
(1)	(2)	(3)	(4)	(5)
2017-18	5638.17	5504.07	134.10	<p>The SEZ unit has provided onsite services for Rs. 63.02 lakhs which is not included in the softex amount.</p> <p>Rs. 71.08 difference is on account of rate exchange variation.</p>
2018-19	8406.54	8199.21	207.33	<p>The SEZ unit has provided onsite services for Rs. 222.26 lakhs which is not included in the softex amount.</p> <p>Rs. 63.23 lakh difference is on account of exchange rate.</p> <p>Unit has issued credit note of Rs. 78.16 lakhs.</p>
2019-20	6412.82	6615.16	-202.34	<p>Onsite services provided for Rs. 370.51 lakh.</p> <p>Rs. 76.63 lakh difference on account of exchange rate variation.</p> <p>Credit Note issued for Rs.649.48 lakh.</p>
2020-21	13438.60	12819.68	618.92	<p>The SEZ unit has provided onsite services for Rs. 524.47 lakhs which is not included in the softex amount.</p>

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				Rs. 135.30 lakh difference is on account of exchange rate. Unit has issued credit note of Rs. 40.85 lakhs.
2021-22	17752.14	17267.56	484.58	The SEZ unit has provided onsite services for Rs. 269.36 lakhs which is not included in the softex amount. Rs. 236.02 lakh difference is on account of exchange rate. Unit has issued credit note of Rs. 20.80 lakhs.

(a) Import

- (i) (Capital Goods including procurement done on IUT (from SEZ, EOU, STPI, EHTP) basis.

(Rs. In Lakhs)

Year/Period	Figures as per APR (In Lakhs)	Figures as per Customs Records / Bond Register (In Lakhs)	Difference if any	Reason for Difference/Remark
2017-18	0.15	0.15	0	NA
2018-19	0	0	0	NA
2019-20	0	0	0	NA
2020-21	3.41	3.41	0	NA
2021-22	74.57	74.57	0	NA

- (ii) Import of Raw material

(Rs. In Lakhs)

Year/Period	Figures as per APR (RM Imported)	Figures as per Customs Records / Bond Register	Difference if any	Reason for Difference/Remark
2017-18	0	0	0	0
2018-19	0	0	0	0
2019-20	0	0	0	0
2020-21	0	0	0	0
2021-22	0	0	0	0

(b) BLUT

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1	Value of BLUT Executed (Duty foregone) (including for CG / Raw Material / Services) Value of Additional BLUT executed TOTAL value of BLUT Executed :	BLUT F. No. SEEPZ-SEZ/FIPL/LTIL/17/2011-12 dated 06/01/2012 BLUT Amount Rs. 380 Lakh. BLUT F. No. SEEPZ-SEZ/FIPL/LTIL/17/2016-17 dated 24/01/2019 BLUT Amount Rs. 325 Lakh. BLUT F. No. SEEPZ-SEZ/FIPL/LTIL/17/2016-17 dated 08/06/2020 BLUT Amount Rs. 504 Lakh. TOTAL BLUT Rs. 1209 lakh		
2	Total Duty Foregone on goods & services procured Category Wise: Year Wise:.	Year wise	Goods Imported & indigenous	Services Imported & Indigenous
		2017-18	1.80	24.12
		2018-19	9.57	41.93
		2019-20	0.33	39.04
		2020-21	2.16	41.13
		2021-22	135.21	62.37
		Total	149	208.59
3	Has the Unit procured goods and or services without having sufficient balance in their BLUT. If yes, Month & Year when the BLUT was exhausted Details of the consignments and Total value of Goods procured without having sufficient or nil balance in BLUT	No		
(a)	Employment made as on date (as on end of block period / year upto which monitoring is being done)	Men -542 Women-293 <hr/> Total 835		
(b)	Details of pending Foreign Remittance beyond Permissible period, if any (As on 31/03/22) To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained.	No Foreign Remittance is pending beyond prescribed period.		
(c)	Whether all softex has been filed for the said period. If no, details thereof. SO to also check whether unit has obtained Softex condonation from DC office / RBI and if approved, whether they have filed such pending Softex.	Yes. All the softex during the period under consideration have been filed and the same have been approved.		
(d)	Whether all Softex has been	All softex has been certified.		

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	certified, if so till which month has the same been certified. If not, provide details of the Softex and reasons for pendency.																						
(e)	Whether unit has filed any request for Cancellation of Softex	No																					
(f)	Whether any Services provided in DTA / SEZ/EOU/STPI etc. against payment in INR in r/o IT/ITES Unit during the period. If yes, details thereof (year wise details to be provided)	No																					
(g)	SO to verify and certify whether the unit has updated the BLUT ledger Module in SEZ Online.	They have not updated BLUT online.																					
(h)	Has the unit cleared any Capital Goods procured duty free in DTA against payment of Duty, or otherwise. Full details to be provided along with value of assets and duty discharged	Details of goods (E Waste) cleared in DTA is as under; (In Lakhs) <table border="1"> <thead> <tr> <th>Year</th><th>Value</th><th>Duty</th></tr> </thead> <tbody> <tr> <td>2017-18</td><td>0</td><td>0</td></tr> <tr> <td>2018-19</td><td>0</td><td>0</td></tr> <tr> <td>2019-20</td><td>3.92</td><td>1.12</td></tr> <tr> <td>2020-21</td><td>0.96</td><td>0.29</td></tr> <tr> <td>2021-22</td><td>2.08</td><td>0.71</td></tr> <tr> <td>Total</td><td>6.96</td><td>2.12</td></tr> </tbody> </table>	Year	Value	Duty	2017-18	0	0	2018-19	0	0	2019-20	3.92	1.12	2020-21	0.96	0.29	2021-22	2.08	0.71	Total	6.96	2.12
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Total	6.96	2.12																					
(i)	Is the unit sharing any of their infrastructures with other units or are utilizing infrastructure of another unit in the same or other SEZ. If so, details thereof, including the details of the unit with whom the sharing is being made, and the payment terms. If approval for sharing of common infrastructure has been obtained from UAC / DC office, the date of UAC / Approval letter to be indicated.	No																					
(j)	Whether all DSPF for services procured during the said monitoring period under consideration has been filed by the unit and whether the same has been processed for approval by the SO Office.	DSPF has been filed upto Dec. 22																					
(k)	Whether unit has filed all DTA procurement w.r.t. the goods procured by them during the monitoring period for the relevant period. If no, details thereof	Yes																					
(l)	Details of the request IDs pending for OOC in respect of DTA	No																					

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	procurement on the date of submission of monitoring report	
(m)	Has the unit set up any cafeteria / canteen / food court in unit premises. If yes, whether permission from UAC / DC office has been issued, or otherwise office has been issued, or otherwise Whether unit has availed any duty paid goods / services for setting up such facility ? If yes, whether unit has discharged such duty / tax benefit availed ? details to be given including amount of duty / tax recovered or yet to be recovered	No
(n)	Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring	No

(f) ADC's observations:

- The Unit has achieved export revenue of Rs. 5638.17 Lacs as against projected export of Rs. 2575.00 Lacs i.e. 218.95% for last year i.e. FY 2017-18 of 1st Block period of 5 years (i.e. 2013-14 to 2017-18)
- The Unit has achieved export of Rs. 46010.10 Lacs as against projected export of Rs. 24673.62 Lacs in 4 years i.e. from FY 2018-19 to 2021-22 of 2nd Block period of 5 years (i.e. 2018-19 to 2022-23) i.e. 186.47 %
- Approval Committee may like to monitor the performance of the Unit for monitoring of last year i.e. FY 2017-18 of 1st Block period of 5 years (i.e. 2013-14 to 2017-18) & 4 years i.e. FY 2018-19 to 2021-22 of 2nd Block period (i.e. 2018-19 to 2022-23), in terms of Rule 54 of SEZ Rules, 2006.

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GOVT. OF INDIA,
OFFICE OF THE ZONAL DEVELOPMENT COMMISSIONER,
SEEPZ – SEZ (PUNE CLUSTER)

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a) **Proposal: -**

Application submitted by M/s. EMC Software and Services India Pvt Ltd IT/ITES units located in Qubix Business Park Pvt Ltd.- SEZ for Change of name of the unit from M/s. EMC Software and Services India Pvt. Ltd to M/s. Dell International Services India Pvt. Ltd., Change in Shareholding pattern and Directors in accordance with NCLT Order dated 16.03.2023 in terms of Instruction No. 109 of MOC&I.

b) **Specific Issue on which decision is required :**

Approval for Change of name of the unit from M/s. EMC Software and Services India Pvt. Ltd to M/s. Dell International Services India Pvt. Ltd. Change in Shareholding pattern and Directors in accordance with NCLT Order dated 16.03.2023 in terms of Instruction No. 109 of MOC&I.

c) **Relevant provisions of Instruction No. 109 :**

“Reorganisation including change of shareholding pattern, business transfer arrangements, court approved, mergers and demergers, change of constitution, change of Directors etc. may be undertaken by the Unit Approval Committee (UAC) concerned subject to condition that the Developer/Co-Developer/Unit shall not opt out or exit out of the SEZ and continues to operate as a going concern. All liabilities of the Developer/Co-Developer/Unit shall remain unchanged on such reorganization”.

d. **Background of the case :**

(i) On the basis of Order for Amalgamation from National Company Law Tribunal, Special Bench, Bengaluru, Order No. CP(CAA) No. 32/BB/2022 dated 16.03.2023, amalgamation of M/s EMC IT Solutions India Pvt. Ltd. (the Transferor Companies) **with** M/s Dell International Services Pvt. Ltd. (Transferee Co.) and their respective shareholders has been carried out.

(ii) Pursuant to the above amalgamation the name of the unit has been changed from M/s EMC Software and Services India Pvt. Ltd. to M/s Dell International Services India Pvt. Ltd. and the shareholding pattern of the unit has changed as detailed below

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Pre-merger Shareholding Pattern :**EMC SOFTWARE SERVICES INDIA PVT LTD**

Name of Shareholders	Class of Shares	No. of Shares held	Paid up Share Capital	Percentage of holding
Dell international Services India Pvt Ltd.	Equity Shares of Rs. 10/- each	11,72,135	117,21,350	99.99813
EMC Corporation	Equity Shares of Rs. 10/- each	22	220	0.00187
Total		11,72,157	117,21,570	100

Post-merger Shareholding Pattern:**DELL INTERNATIONAL SERVICES INDIA PVT LTD**

Name of Shareholders	Class of Shares	No. of Shares held	Paid up Share Capital	Percentage of holding
Dell Global B.V.	Equity shares of Rs.2 each	7,23,03,644	14,46,07,288	62.99543
Dell International LLC	Equity shares of Rs.2 each	3,62,00,126	7,24,00,252	31.53980
Dell international Holdings VIII B.V.	Equity shares of Rs.2 each	16	32	0.00001
Dell Marketing L.P.	Equity shares of Rs.2 each	26,179	52,358	0.02281
Dell Marketing Corporation	Equity shares of Rs.2 each	62,46,056	1,24,92,112	5.44195
Total		11,47,76,021	22,95,52,042	100

Upon amalgamation the Directors of the Company will be as under :

Sr. No.	Name of the Director	Designation	Date of Appointment
1	Alok Ohrie	Whole Time Director	09.04.2017
2	Mahadevan Subash	Whole Time Director	21.07.2016
3	Kiran Prasad Hegde	Whole Time Director	13.05.2021
4	Kimberly Billings Erlanson	Director	13.06.2019
5	Carol Michelle Mann Adams	Director	08.02.2022

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d) Other Information: -

- M/s. EMC Software and Services India Pvt Ltd, located at 9th Floor, IT-8 Building, 8th& 9th Floor in IT-9 Building and in between space of IT-9,S.No 154/6, Qubix Business Park Pvt Ltd.-SEZ, RGIP, Hinjewadi, Phase-I, Pune 411057 issued LOA No. SEEPZ/NTPL-SEZ/ESASIPL/37/2014-15/4466 dated 10.04.2014
- DCP: 01.06.2014
- Valid up to: 31.05.2024
- Units have submitted following documents:
 - NCLT Order dated 16.03.2023
 - Copy of PAN Card of M/s. Dell International Services India Pvt Ltd
 - Pre-Merger and Post-merger Shareholding pattern duly signed by Company Secretary
 - Post-Merger List of Directors
 - Copy of GSTIN Certificate in name of M/s. Dell International Services India Pvt Ltd.
 - Copy of IEC in Name of M/s. Dell International Services India Pvt. Ltd.

d) ADC's Recommendations:

- Approval Committee may like to consider the proposal of Unit for Change in Name of the Unit from M/s. EMC Software and Services India Pvt Ltd. to M/s. Dell International Services India Pvt Ltd, Change in Shareholding pattern and Directors in accordance with NCLT Special Bench Bengaluru Order dated 16.03.2023, in terms of Instruction no. 109 issued by MOC&I.
