

**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. THE MANJARI STUD FARM  
PVT. LTD.-SEZ.**

Via Video Conferencing

DATE : 25.04.2023

TIME : 03.30 P.M.

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**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  
25.04.2023**

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<b>Agenda Item No.</b>	<b>Subject</b>
<b>Agenda Item No. 01 :-</b>	Confirmation of the Minutes of the meeting held on 21.02.2023
<b>Agenda Item No. 02 :-</b>	Application for Approval of Transfer of Assets to the Developer on payment of applicable duty/taxes submitted by M/s. Accenture Solutions Pvt Ltd.

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Minutes of the 90 <sup>th</sup> Meeting of the Approval Committee meeting held under the Chairmanship of Zonal Development Commissioner SEEPZ-SEZ, Mumbai for Sector Specific Special Economic Zone for IT/ITES of M/s. The Manjari Stud Farm-SEZ, Pune held on 21.02.2023 via video conferencing.		
1	Name of the SEZ	M/s. The Manjari Stud Farm Pvt. Ltd.-SEZ
2	Sector	IT/ITES
3	Meeting No.	90 <sup>th</sup>
4	Date	21.02.2023

**Members present**

Sr	Name and Designation (S/Shri.)	Department
1	Smt. Mital Hiremath Joint Development Commissioner	Pune Cluster SEZ, Pune
2	Smt. Pradnya R. Gholap, DCIT (TDS) Pune	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. The Manjari Stud Farm Pvt. Ltd.-SEZ

**Agenda Item No. 01: Confirmation of the Minutes of the 89<sup>th</sup> Meeting held on 31.01.2023**

After deliberation, the Committee confirmed the minutes of the 89<sup>th</sup> Approval Committee meeting held on 31.01.2023

**Agenda Item No.02: Application for Revision in Projection of Indigenous Capital Goods submitted M/s. Accenture Solutions Pvt Ltd.**

After deliberation, the committee approved the proposal of the M/s. Accenture Solutions Pvt Ltd. for Revision in Projection of Indigenous Capital Goods, in terms of Rule 19(2) of SEZ Rules, 2006, as detailed below:

Approved Revised Projections:

Sr. No.	Particulars	Existing Projections	Revised Projection
1	Investment -Plant and Machinery/ Capital Goods		
a.	Indigenous Capital Goods	2314.62	7500.56
	Total	2314.62	7500.56

Meeting ended with a vote of thanks to the Chair.

Signed by Shri. Shyam  
Jagannathan  
Date: 26-02-2023 11:44:43  
(Shyam Jagannathan, IAS)  
Reason: Approved  
Chairman-cum- Development  
Commissioner  
E-Mail- dcseepz-mah@nic.in

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GOVT.OF INDIA,  
OFFICE OF THE ZONAL DEVELOPMENT COMMISSIONER,  
SEEPZ-SEZ (PUNE CLUSTER),  
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AGENDA NOTE FOR CONSIDERATION OF THE UNIT APPROVAL  
COMMITTEE  
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a) **Proposal: -**

Application submitted by M/s. Accenture Solutions Pvt Ltd. an IT/ITES unit located at The Manjri Stud Farm Pvt Ltd – SEZ, for Transfer of Assets to Developer on payment of applicable duties/taxes.

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

Approval of the UAC for transfer of Assets to Developer on payment of applicable duties/taxes.

c) **Rule Position**

Rule 12, 38,49, 74 of SEZ Rules, 2006.

d) **Facts of the request :**

- The unit had requested for surrendering part of the Premises i.e. admeasuring 1,91,612.50 Sq. ft. of chargeable area situated Ground and 1<sup>st</sup> Floor of Bldg.4 Block B and C, The Manjri Stud Farm Pvt Ltd.-SEZ out of admeasuring area of 4,80,310 Sq.ft
- Vide letter dated 06.04.2023 unit has submitted application for transfer of Assets to Developer on payment of applicable duties/taxes.

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e) **Previous decision :**

As per the minutes of the UAC meeting held on 26.06.2021 of SEZ Pune Cluster, request of M/s. Eaton Technologies Pvt Ltd, M/s. SunGaurd Availability Services (India) Pvt Ltd and M/s. Amdocs BPO Pvt Ltd. for transferring assets/capital goods to Developer was considered on the basis of recommendations of the Committee formed by the Development Commissioner under chairmanship of the Jt. Development Commissioner to look into the Rule position/process followed, view and problems faced by the unit and other issues.

f) **Committee's decision:**

The Committee after detailed discussion came to a conclusion that SEZ Act / Rules is a liberal policy to encourage Trade & Industry to increase their export

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and bring in more foreign exchange into India. As a result the provisions laid down in the Act and Rules, are more aligned for granting duty exemptions and similar benefits to the trade which also includes provisions / checks for safeguard revenue/ to refrain from taking undue advantages of the policy. Taking into consideration the above, the committee held that:

1. Rule 49 prescribes depreciation method for calculation of duty on capital goods used in SEZ, however, the same does not mandate that the goods has to be removed into DTA nor does it debar the unit to keep such duty paid goods in their premises.
2. Rule 74 w.r.t. exit from SEZ scheme, also does not mandate for removal of goods out of SEZ on payment of applicable duty or tax and as such, a unit or developer can keep the duty free goods as well as duty paid goods in their premises.
3. In case a unit is exiting from SEZ under Rule 74, they can avail the depreciation as laid down in Rule 49, there is no provision in SEZ Rules, which compels a unit to remove the duty/tax paid capital goods into DTA. As such, the unit is free to either sell it to the developer or leave the goods as it is.
4. The unit / developer is free to procure goods required for their authorized operations either on payment of duty / tax or after availing duty /tax exemption.
5. That if the unit intends to transfer such goods to the developer or another unit without payment of duty, the conditions of Rule 38 needs to be followed. However, Rule 38 does not debar a unit to transfer the duty paid goods to any other unit or developer ; that once duty is paid on the goods , they are free to transfer as there is no provision in SEZ Rule which disallow such transfer
6. There is no provision in SEZ Rules for partial deletion or surrender of area, however, the same be considered as partial exit from SEZ as the unit is surrendering the area, hence, in similar terms as per Rule 74 applicable at the time of exit, in case of partial deletion / surrender of area, once duty/tax is discharged by the unit, it would be immaterial if the unit leaves behind the capital goods or removes in DTA or hands over the same to the developer/ co-developer, as the case may be.

**g) Reasons for transfer of Assets:**

The unit had requested for deletion of area due to Project realignment and efficiency of operations. Hence the unit intended to surrender the partial area.

**h) Other information:**

- LOA No. SEEPZ-SEZ/MSF-SEZ/ASPL/13/2014-15/14707 Dtd. 16.12.2014
- Date of Commencement: 09.04.2015
- LOA Valid upto 08.04.2025

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- Location : Ground and 1<sup>st</sup> floor, Building No. 4, Block B & C, 1<sup>st</sup> to 6<sup>th</sup> floor, Block 5, Building – A and 6<sup>th</sup> floor Building 5B, The Manjiri Stud Farm Pvt Ltd – SEZ, SP Infocity, S No 209, Next to Satyaouram Society, Pune Saswad Road, Phursungi, Taluka Havelli, Pune 412 308.
- Letter has been issued to the Specified Officer, the Manjiri Stud Farm Pvt. Ltd – SEZ on 11.04.2023 for Assessment of Goods to be transferred to the Developer and further issuance of No Dues Certificate.

i) **ADC Scrutiny report: -**

- As the unit intends to transfer the capital goods / fixed assets to the Developer after payment of applicable duty, there is no loss to the government exchequer.
- Since, the Committee was formed with reference to the points raised by the unit / SO observation, and considering that the Committee had opined that there is no provision for debarring any unit for transferring of duty paid goods to developer in an event of partial deletion of area, the request of the unit for transfer of assets to developer on payment of applicable duties/taxes may be considered by the UAC for appropriate decision, as deemed fit.
- Approval if granted, may be subject to the condition of issuance of 'No Dues Certificate' from the Specified Officer.

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