

**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. MAGARPATTA TOWNSHIP
DEVELOPMENT AND CONSTRUCTION COMPANY LTD.-
SEZ, HADAPSAR, PUNE.**

Via Video Conferencing

DATE : 27.06.2023

TIME : 03.30 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
27.06.2023**

INDEX

Agenda Item No.	Subject
Agenda Item No. 01: -	Confirmation of the Minutes of the meeting held on 30.05.2023
Agenda Item No. 02: -	Monitoring of Performance for M/s. Tata Elxsi Ltd.
Agenda Item No. 03 :-	Application for Approval of Change in Board of Directors submitted by M/s. BNY Mellon International Operations (India) Pvt Ltd.

I/2127/2023

Minutes of the 101 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 Magarpatta Township Development and Construction Co. Ltd.-SEZ, Village Hadapsar, Tal. Haveli, Dist. Pune 411013, held on 30.05.2023 via video conference		
1	Name of the SEZ	Magarpatta Township Development And Construction Co. Ltd.-SEZ
2	Sector	IT/ITES
3	Meeting No.	101
4	Date	30.05.2023

Members present

Sr	Name and Designation (S/Shri.)	Department
1	Smt. Mital S. 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	MIDC- Magarpatta Township Development and Construction Co. Ltd -SEZ

Agenda Item No. 01: Confirmation of the Minutes of the 100th meeting held on 25.04.2023

After deliberation, the Committee confirmed the minutes of the 100th meeting of Approval Committee held on 25.04.2023

Agenda Item No.02 Application for Approval of for regularization of Cafeteria in the SEZ Unit-premises.

After deliberation, Committee approved the proposal of the Unit for regularizing cafeteria, as per Instruction No 95 dated 11-06-2019, as detailed below:

Details of location and area allocated for Cafeteria:

Service providers	Location	Area
M/s Pune Meals	4 th Floor, Building B7, Magarpatta City-SEZ	3036.75 sq.ft

The approval is subject to the following conditions:

I/2127/2023

1. The Unit will not be eligible for any exemptions for any tax and duties benefit, drawback, concessions or any other benefit available under Section 7 or Section 26 of the SEZ Act for creating or operating such facilities.
2. The Unit shall adhere all the statutory compliances such as Fire NOC, FSSAI approval and other clearances as required for setting up / running of such facility.
3. The facility will be for exclusive use of the employees of the SEZ-Unit in the Unit's premises.
4. No live cooking to be carried out in the Cafeteria.

Agenda Item No.03: Monitoring of Performance of M/s. Springer Nature Technology & Publishing Solutions Pvt. Ltd. (LOA – 25).

After deliberation, the committee noted the performance of the unit for 1 year i.e. F.Y. 2022-23 of 2nd Block Year of 5 Year (2018-19 to 2022-23).

The unit has achieved cumulative NFE of Rs. 11403.66 i.e. 99.93% and achieved employment of 113 employees in 2nd Bloc period of 5 years.

Meeting ended with a vote of thanks to the Chair.

Signed by Shri. Shyam
(Shyam Jagannathan, IAS)
Date: 05-06-2023 20:48:05
Chairman-cum- Development Commissioner
Reason: Approved
E-Mail- dcseepz-mah@nic.in

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. Tata Elxsi Ltd. an IT/ITES unit located in Magarpatta City-SEZ, Pune, for the period from 2017-18 i.e., last year of the 1st block period and period from FY 2018-19 to FY 2021-22 of 2nd Block period.

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

Monitoring of the performance of the unit for

- i. the period from 2017-18 i.e., last year of the 1st block period and;
 - ii. for the period from FY 2018-19 to FY 2021-22 of 2nd Block period.
- in terms of Rule 54 of SEZ Rules, 2006.

c) Relevant provisions: -

As per 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 to these rules”.

I. Approved export Projections for 1st Block Period: (Rs. in Lacs)

	2013-14	2014-15	2015-16	2016-17	2017-18	Total
FOB Export	296.00	1336.00	2457.00	3113.00	3273.00	10475.00
FE Outgo	236.00	442.00	582.00	523.00	553.00	2336.00
NFE	60.00	894.00	1875.00	2590.00	2720.00	8139.00

(A) Performance as compared to projections: for 2017-18 (Rs. In Lacs)

Year	Export		F.E. OUTGO				
	Projected	Actual	Raw Material (Goods/Services)		C.G. import		Other outflow
			Projecte d	Actua l	Projecte d	Actual	Actual
2017-18	3273.00	2707.71	0.00	0.00	435.00	26.80	87.60
Total	3273.00	2707.71	0.00	0.00	435.00	26.80	87.60

(B) Cumulative NFE Achieved (Rs. In Lakhs)

Year	Cumulative NFE achieved	Cumulative NFE in %
2017-18	10448.03	97.25%

II. Approved export Projections for 2nd Block Period: (Rs. in Lacs)

	2018-19	2019-20	2020-21	2021-22	2022-23	Total
FOB Export	3000.00	3300.00	3700.00	4000.00	4400.00	18400.00
FE Outgo	450.00	495.00	555.00	600.00	660.00	2760.00
NFE	2550.00	2805.00	3145.00	3400.00	3740.00	15640.00

(C) 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	Actua l	Projecte d	Actual	
2018-19	3000.00	4474.31	0.00	0.00	500.00	19.25	176.68
2019-20	3300.00	6863.89		0.00		70.43	214.13
2020-21	3700.00	8325.27		0.00		160.12	269.07
2021-22	4000.00	7,501.13		0.00		174.57	349.33
Total	14000.00	27164.60	0.00	0.00	500.00	424.37	1009.21

(D) Cumulative NFE Achieved (Rs. In Lakhs)

Year	Cumulative NFE achieved	Cumulative NFE in %
2018-19	4258.36	95.17%
2019-20	10861.81	95.80%
2020-21	18855.68	95.89%
2021-22	25927.70	95.45%

(E) Other Information:

LOA No. & Date	SEEPZ-SEZ/MTDCCL-SEZ/TEL/24/2012-13/1158 dated 27.08.2012
Location of Unit	Wing A, Level-2, Tower 9, Magarpatta Township Development Construction Company Ltd-SEZ, Hadapsar, Haveli, Pune-411013
Validity of LOA	26.05.2023
Item(s) of manufacture/ Services	IT/ITES
Date of commencement of production	27.05.2013
Execution of BLUT	
Outstanding Rent dues	NA
Labour Dues	NA
Validity of Lease Agreement	
Pending CRA Objection, if any	NA
Pending Show Cause Notice/ Eviction	NA

Order/Recovery Notice/ Recovery Order issued, if any		
a) No. of employees as on FY 2021-22		205 employees (Men-160, women-45)
Area allotted (in sq.ft.)		21,959 Sq.ft. (2040 Sq.Mtr)
Area available for each employee per sq.ft. basis (area / no. of employees)		91.11sq.ft.
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 letter dated 21.06.2023 has reported as under:

A. EXPORT DETAILS

(Rs. in Lacs)

Year/Period	Figures reported in APR (FOB Value)	Figures as per Softex/Customs Records	Difference if any	Reason for Difference/Remark
17-18	2707.71	2707.53	0.18	Difference due to fluctuation in Exchange rate
18-19	4474.31	4442.40	31.91	Difference due to fluctuation in Exchange rate
19-20	6863.89	6754.82	25.06	Reimbursement Expenses in connection with project, shown in APR but not reflecting in NSDL
			84.01	Difference due to fluctuation in Exchange rate
20-21	8325.27	8198.35	13.90	Reimbursement Expenses in connection with project, shown in APR but not reflecting in NSDL
			114.07	Difference due to fluctuation in

				Exchange rate
21-22	7501.13	7437.49	12.60	Reimbursement Expenses in connection with project, shown in APR but not reflecting in NSDL
			51.04	Difference due to fluctuation in Exchange rate

B. IMPORT DETAILS

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

(Rs. In Lacs)				
Year/Period	Figures reported in revised APR	Figures as per NSDL/Customs Records	Difference if any	Reason for Difference/Remark
17-18	26.80	26.80	0.00	-
18-19	19.25	19.25	0.00	-
19-20	70.43	70.43	0.00	-
20-21	160.12	180.15	-20.03	Amount of invoice no. 5400843949 under BE no. 10001001 dated 19-03-2021 remained to be included in APR.
21-22	174.57	174.57	0.00	-

C. BLUT DETAILS

C. BLUT DETAILS						
1	Value of BLUT Executed (Duty foregone) (including for CG / Raw Material / Services)	Details submitted in				
	Value of Additional BLUT executed	BLUT for Rs. 66,09,437/- executed on 17.09.2012.				
	- Year: Date of acceptance	Additional BLUT for Rs. 94,11,794/- executed on 21.01.2016.				
	- BLUT amount:	Additional BLUT for Rs. 6,69,70,000/- executed on 20.07.22.				
	TOTAL value of BLUT Executed	TOTAL BLUT Rs. 8,29,91,231/-				
2	Total Duty Foregone on goods & services procured (Category-wise BLUT value utilized separately for imported and indigenous goods and services) This should be based on BLUT worksheet which provides for					
		Year	Import	Indigenous Goods Duty Foregone	Indigenous Services Duty Foregone	Total
		17-18	6.31	2.18	26.34	8.49

	estimated value and duty foregone separately for each category of procurement.	18-19	3.70	8.16	31.43	11.86
		19-20	12.91	29.36	45.13	74.4
		20-21	46.22	23.44	62.78	132.44
		21-22	38.55	3.42	98.07	140.04
3	Balance in BLUT at the end of each F.Y. 1st Year in each category and overall basis 5th Year 10th Year, as the case may be	Further, in view of the clarification issued by the Ministry of Commerce and Industry vide No. K43013(18)/2/2022-SEZ dated 15-02-2023, as regard to Rule 22 (1) (iv) (iv) (d) of the SEZ Rules, 2006, there shall be no debit and credit from the BLUT amount, as such balance of BLUT could not be ascertained.				
4	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	However, it is to confirm that the unit has not exceeded the amount of duty involved for the activities provided in Rule 22 (1) (iii) (a to d) of the SEZ Rules, 2006, than the amount of duty involved in TOTAL BLUTs executed by the unit, at any given time.				
(i)	Employment made as on date (as on end of block period / year up to which monitoring is being done)	Year	Men	Women	Total	
		17-18	95	57	152	
		18-19	136	85	221	
		19-20	167	105	272	
		20-21	160	81	241	
		21-22	160	45	205	
(j)	Details of pending Foreign Remittance beyond Permissible period, if any (as on 31.03.2022)	There is no remittance pending beyond permissible period				
	To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained					
(k)	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	Softex has been filed till Mar-22.				

	have filed such pending Softex.	
(l)	Whether all Softex has been certified, if so till which month has the same been certified. If not, provide details of the Softex and reasons for pendency.	All the Softex filed have been certified for the period from 17-18 to 21-22
(m)	Whether unit has filed any request for Cancellation of Softex	No
(n)	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 such case noticed.
(o)	SO to verify and certify whether the unit has updated the BLUT ledger Module in SEZ Online.	Up-loading of the BLUT Module on SEZ online Portal Kept in abeyance as per office order No. 02/2023 dated 16-03-2023.
(p)	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	17-18 – Nil 18-19 – Nil 19-20- DTA sale of E Scrap of 65 AH BATTERY vide request ID no. 262000203172 dt 27-01-2020. Duty Paid Rs. 27588/- on 04-02.2020 20-21- Nil 21-22 -Nil
(q)	Is the unit sharing any of their infrastructure 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
(r)	Whether all DSPF for services procured during the said monitoring period	DSPF for services procured during the period of Oct-2019 to Mar-22 has been filed and processed.

	under consideration has been filed by the unit and whether the same has been processed for approval by the SO Office.	
(s)	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	As per the record, DTA filed on SEZ Online System, by the unit, have been processed and approved till date.
(t)	Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report	As per the record on SEZ Online, no Out of Charge is pending.
(u)	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	Cafeteria/Pantry set up, has been noticed in an area of 704 sq ft. in the unit but no cooking activities are being carried out. No Permission from UAC/DC office has been taken in terms of instruction no. 95. On pointing out the unit has agreed to pay applicable duty along with the interest on the goods used in cafeteria, which were initially procured duty free. As regards to duties on the services used for cafeteria area, unit has submitted undertaking under that they will pay the same after due clarification from the BOA and ministry.
(v)	Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring	No such case noticed

ADC's observations:

- The unit has achieved export of Rs. 2707.71 lakhs against the Projected export of Rs. 3273.00 lakhs in the FY 2017-18 of 1st Block period i.e., 82.72%

- The unit has achieved NFE of Rs. 10448.03 lakhs i.e, 97.25% on cumulative basis in the FY 2017-18 i.e., last year of 1st block period.
- The unit has achieved export of Rs. 27164.60 lakhs against the Projected export of Rs. 14000.00 lakhs in the period of FY 2018-19 to 2021-22 of 2nd Block period i.e., 194.03%
- The unit has achieved NFE of Rs. 25927.70 lakhs i.e, 95.45% on cumulative basis.
- As per the SO Report the unit has achieved employment of 205 employees (Men-160, women-45) in FY 2021-22.
- Further, the specified Officer in his report has submitted that, the unit is running / had set up cafeteria/ pantry in area of 704sq.ft. without obtaining permission from UAC/DC office. However, there is no cooking activity is involved. On pointing out the same the unit has agreed to pay applicable duty along with the interest on the goods used in cafeteria, which were initially procured duty free.
- As regards to duties on the services used for cafeteria area unit has submitted undertaking under that they will pay the same after due clarification from the BOA and ministry.
- Approval Committee may like to monitor the performance of the Unit for the period from 2017-18 i.e., last year of the 1st block period and for the period from FY 2018-19 to FY 2021-22 of 2nd Block period, in terms of Rule 54 of SEZ Rules, 2006.

I/2237/2023

1

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. BNY Mellon International Operations (India) Pvt.Ltd. IT/ITES unit located in Magarpatta-SEZ for Change in the Board of Director.

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

-Approval of the Approval Committee for Change in Board of Directors,in terms of Instruction No. 109 dated 18.10.2021, as detailed below:

Existing List of Board of Directors:

Sr. No.	Name of the Director	Designation	Date of Cessation
1.	Sudish Panicker Lambodara	Managing Director	-
2.	Nitin Chandel	Director	-
3.	Francis Jos G Braeckevelt	Director	-
4.	Joanne Elisabeth Cash	Director	-
5.	Janet Menezes	Additional Director	-

Proposed List of Board of Directors:

Sr. No.	Name of the Director	Designation	Date of Appointment
1.	Sudesh Panicker Lambodara	Managing Director	-
2.	Nitin Chandel	Director	-
3.	Francis Jos G Braeckevelt	Director	-
4.	Joanne Elisabeth Cash	Director	-
5.	Janet Menezes	Additional Director	-
6.	Rajiv Batnagar	Director Appointed	20 th March 2023

c) **Relevant provisions: -**

As per para (i) of Instruction no. 109, dated 18.10.2021,

“Reorganization including change of name, 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 the condition that the Developer/Co-developer/ Unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a

I/2237/2023

2

going concern. All liabilities of the Developer/Co-Developer/Unit shall remain unchanged on such reorganization.” ...

d) Other Information: -

- M/s. BNY Mellon International Operations (India Pvt.Ltd is granted LOA NOSEEPZ/MTDCCL-SEZ/BMIOPL/2022-23 Dated 26.08.2022 is located at Level-7, Tower 9 Magarpatta SEZ-, Hadapsar, Pune-4110113.
- DCP: Not yet commenced
- LOA valid till: 25.08.2023
- The Unit has submitted following documents:
 - Online Application
 - List of Existing and Proposed Directors
 - Form DIR 12 for Appointment of Directors with ROC along with its challan
 - Copy of all LOAs
 - Undertaking in terms of Instruction no. 109
 - Copy of Passport of the New Director

d) ADC's Recommendations:

- Approval Committee may like to consider the proposal of Unit for Change in Board of Directors.,in terms of Instruction no. 109 issued by MOC&I.
