

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. KRC INFRASTRUCTURE &
PROJECTS PVT. LTD. AND GERA DEVELOPMENT
PVT. LTD.**

DATE : 18.12.2023

TIME : 11:30 P.M.

VENUE : SEEPZ, SEZ OFFICE, PUNE

**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
18.12.2023**

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Agenda Item No.	Subject
Agenda Item No. 01: -	Confirmation of the Minutes of the meeting held on 19.10.2023
Agenda Item No. 02: -	Monitoring of Performance for M/s Barclays Global Service Centre Pvt Ltd
Agenda Item No. 03:-	Application for Approval of Change in the Name of Company from DISYS India Technologies Pvt Ltd to Dexian India Services Private Limited

Minutes of the 35th 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 M/s. KRC Infrastructure and Projects Pvt. Ltd. & GERA Resorts Pvt. Ltd.-SEZ, Pune, held on 19.10.2023

1	Name of the SEZ	M/s. KRC Infrastructure and Projects Pvt. Ltd. & GERA Resorts Pvt. Ltd.
2	Sector	IT/ITES
3	Meeting No.	35 th
4	Date	19.10.2023

Members present

Sr.	Name and Designation (S/Shri.)	Department
1	Smt. Mital Hiremath Joint Development Commissioner	Pune Cluster SEZ, Pune
2	Mr. Sandeep Sathe, DCIT-Circle 4, Pune	Nominee of Income Tax, Pune
3	Shri. Krishna Das Nair, FTDO	Nominee of DGFT, Pune
4	Smt. Malathi Nair Superintendent	Nominee of Customs, Pune

Special Invitee

Sr	Name and Designation	Department
1	Shri Satbir Sharma Specified Officer	M/s. The Manjri Stud Farm Pvt. Ltd.-SEZ

Agenda Item No.01: Confirmation of Minutes of the 34nd meeting held on 21.09.2023

After deliberation, the Committee confirmed the minutes of the 34th Approval Committee meeting held on 21.09.2023.

Agenda Item No.02: Application for Approval of Broad Banding of Additional Services without revision in projections by M/s. BP Business Solutions India Pvt. Ltd.

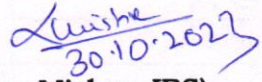
During the discussion, the unit was asked reasons for non revision in projection. The unit informed the Committee that the additional services for which permission has been sought is being done on exploratory and trial basis. Their projections may change once the approval is received from their clients.

After deliberation the Committee approved the proposal of the Unit for Broad Banding of Additional Services without revision in projection in the existing LOA as authorized operations, in terms of Rule 19(2) of SEZ Rules, 2006 as detailed below:

Approved additional Authorized Operations

- To provide of routine engineering operations in the support of business, such as:
- Technical data administration, management of data bases and tools; and
- Planning and scheduling of routine maintenance and engineering activities; Operations metrics and analytics reporting execution

Meeting ended with a vote of thanks to the Chair.


(Rajesh Kumar Mishra, IRS)
Chairman-cum- Development
Commissioner

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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. Barclays Global Service Centre Pvt. Ltd, an IT/ITES unit located at KRC Infrastructure and Projects Pvt Ltd and Gera Developments Pvt. Ltd., S.NO. 65, Kharadi, Pune- 411014 for the following period:

1st Block Period i.e. for FY 2013-14 to FY 2017-18 &

2nd Block period i.e. FY 2018-19 to FY 2022-23

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

Monitoring of the performance of the unit for 1st Block period i.e. FY 2013-14 to FY 2017-18 and 2nd Block i.e. FY 2018-19 to FY 2022-23 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. Performance as compared to projections: 1st Block FY 2013-14 to FY 2017-18

Approved Projections

(Rs. in

Crores)

	2013-14	2014-15	2015-16	2016-17	2017-18	Total
FOB Value of Exports	82.41	233.13	441.71	651.01	929.58	2306.24
FE Outgo	29.12	45.25	2.74	28.36	71.31	176.78
NFE	53.29	187.88	438.97	622.68	858.27	2163.11

Performance as compared to projections:

(Rs. in Crores)

Year	Export		F.E. OUTGO				
	Projected	Actual	Raw Material (Goods/Services)		C.G. import		Other outflow
			Projected	Actual	Projected	Actual	
2013-14	21.32	82.41	0	0	130.38	35.44	0.13

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2014-15	257.32	233.13	0	0		46.97	0.44
2015-16	515.91	441.71	0	0		0.70	2.04
2016-17	651.04	673.86	0	0		4.96	7.38
2017-18	929.58	971.93	0	0		37.46	108.82
Total	2375.17	2403.05	0	0	130.38	125.53	118.80

Cumulative NFE achieved:

(Rs. in Crores)

Year	Cumulative NFE Achieved	Cumulative % NFE Achieved
2013-14	78.74	95.55%
2014-15	303.19	96.09%
2015-16	734.56	97.00%
2016-17	1392.23	97.28%
2017-18	2242.79	93.33%

II. Performance as compared to projections: 2nd Block i.e. FY 2018-19 to FY 2022-23

Approved Projections

(Rs. in

Crores)

	2018-19	2019-20	2020-21	2021-22	2022-23	Total
FOB Value of Exports	1055.80	1569.23	2565.12	4322.39	5148.84	14611.38
FE Outgo	179.02	269.00	164.31	271.05	320.44	1303.82
NFE	876.78	1300.23	2400.81	4051.34	4828.40	13440.56

Performance as compared to projections:

(Rs. in Crores)

Year	Export		F.E. OUTGO				
	Projected	Actual	Raw Material (Goods/Services)		C.G. import		Other outflow
			Projected	Actual	Projected	Actual	
2018-19	1055.80	1055.80	0	0	182.37	1.29	167.49
2019-20	1569.23	1580.25	0	0		182.31	239.89
2020-21	2565.12	2220.25	0	0		89.23	333.91

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2021-22	4322.39	3988.24	0	0		4.99	921.20
2022-23	5148.84	5167.16	0	0		1.26	785.25
Total	14661.39	14011.71	0	0	182.37	279.08	2447.74

Cumulative NFE achieved: (Rs. in Crores)

Year	Cumulative NFE Achieved	Cumulative % NFE Achieved
2018-19	875.63	82.93%
2019-20	2185.08	82.89%
2020-21	4031.59	83.02%
2021-22	7058.29	79.80%
2022-23	11399.75	81.36%

(III) Employment Achievement (Direct): FY 2022-23

The Unit has achieved employment of 13891 employees (Men-9110, Women-4781) as on 31.03.2023 .

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 to these rules”***

e. Other Information:

LOA No. & Date	SEEPZ-SEZ/EKIPL-SEZ/ BTCIPL/19/2012-13/2459 dated 20.02.2013
Location of Unit	5 th to 12 th Floor, G2 Building, KRC Infrastructure and Projects Pvt Ltd and Gera Developments Pvt. Ltd., S.NO. 65, Kharadi, Pune - 411014
Validity of LOA	05.05.2028
Item(s) of manufacture/ Services	IT & ITES
Date of commencement of production	06.05.2013
Execution of BLUT	673.63 Crores
Outstanding Rent dues	NA
Labour Dues	NA
Validity of Lease Agreement	10 years

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Pending CRA Objection, if any	NA
Pending Show Cause Notice/ Eviction Order/Recovery Notice/ Recovery Order issued, if any	NA
Projected employment for the block period No. of employees as on 31.03.2023	Projected 13800 Employees as on 31.03.2023 13891 (Male 9110,Female 4781)
Area allotted (in sq.ft.)	10,97,454 Sq.ft.
Area available for each employee per sq.ft. basis (area / no. of employees)	79 Sq. Ft.
Investment till date	Building
	Plant & Machinery
	383.20 Cr
	11126.39
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 Officers vide letter dated 14.12.2023 has submitted APR verification report for the period FY 2013-14 to FY 2022-23, in the prescribed which is as detailed below;

Based on the information/documents submitted by the SEZ Unit and the data of the unit available online, the APR verification report for the period **First Block (Period FY 2013-14 to FY 2017-18) and Second Block (Period FY 2018-19 to FY 2022-23)** in the prescribed format is as under :

Background of the unit –

- The unit was earlier located in EON Kharadi (P3 unit) from May 2013.
- A new unit was set up in KRC - Gera SEZ in October 2018. The commencement of operations of the said unit was filed in September 2019. (P4 unit)
- The unit in EON Kharadi (P3 unit) was relocated to KRC - Gera SEZ and approval was received in October 2018. However, the actual movement started after April 2019.
- Both the units located in KRC-Gera SEZ were merged and the final approval was received in FY 2020-21. The LoA of P3 unit was older and hence continued. The LoA of P4 unit was deactivated by SEZ online due to which the Unit filed the APRs as below.

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Year	Filing of APRs Manually/ online on NSDL
FY 2013-14	Filed manually (NSDL functionality was not available)
FY 2014-15	Filed online on NSDL - 242300035364
FY 2015-16	Filed online on NSDL - 242300035106
FY 2016-17	Filed online on NSDL - 242300036134
FY 2017-18	Filed online on NSDL - 242300036156
FY 2018-19	Filed online on NSDL - 242300036160
FY 2019-20 – Pune 3	Filed online on NSDL - 242300036171
FY 2019-20 – Pune 4	Filed manually (As P4 unit was merged into P3, the LOA and SEZ online was deactivated. Hence, revised APR was filed manually.)
FY 2020-21 – Pune 3	Filed online on NSDL - 242300036182
FY 2020-21 – Pune 4	Filed manually (As P4 unit was merged into P3, the LOA and SEZ online was deactivated. Hence, revised APR was filed manually.)
FY 2021-22	Filed online on NSDL – 242300036193
FY 2022-23	Filed online on NSDL – 242300018752

Export :-

(INR. In
Crores)

Year/Period	Figures as per APR	Figures as per SOFTEX filed	Difference if any (2-3)	Reason for Difference/Remar
First Block (Period FY 2013-14 to FY 2017-18)				

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FY 2013-14	82.41	54.32	28.09	- Difference of INR 28.09 is on account of statutory adjustments made in the financials for the year FY 2013-2014. Such adjustments have been made to give effect to the transfer pricing adjustments made at the time of closure of the books of accounts. Transfer pricing provisions as prescribed under the Income-Tax Act are applicable when services are provided to related parties.
FY 2014-15	233.13	236.99	-3.86	- Difference of INR 3.86 is on account of statutory adjustments made for the year FY 2014-2015
FY 2015-16	441.71	444.94	-3.23	- Difference of INR 0.60 is on account of credit note issued during the year FY 2015-2016 for which no SOFTEX has been filed - Difference of INR 2.63 is on account of statutory adjustments amounting to made for the year FY 2015-2016.

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FY 2016-17	673.86	661.26	12.60	- Difference to the extent of INR 7.78 is on account of statutory adjustments made for the FY 2016-17 - Difference to the extent of INR 3.56 is due to DTA sales for which remittance has been received in foreign currency. The same has been reported as per Rule 53 of the SEZ rules. - INR 1.24 is on account of credit notes issued for which no SOFTEX has been filed
FY 2017-18	971.93	973.44	-1.50 (3.34-4.84=-1.50)	- Difference to the extent of INR 3.34 is due to DTA sales for which remittance has been received in foreign currency. The same has been reported as per Rule 53 of the SEZ rules. - Difference to the extent of INR 4.84 is on account of credit notes issued during the year FY 2017-18 for which no SOFTEX has been filed
Second Block (Period FY 2018-19 to FY 2022-23)				
Year/Period	Figures as per APR (revised)	Figures as per Bond register	Difference if any (2-3)	Reason for Difference/Remark

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FY 2018-19	1055.80	1073.68	-17.87	- Difference to the extent of INR 17.87 is on account of credit notes issued during the year FY 2022-23 for which no SOFTEX has been filed
FY 2019-20	1310.01	1353.53	43.53	- Difference to the extent of INR 10.76 is due to DTA sales for which remittance has been received in foreign currency. The same has been reported as per Rule 53 of the SEZ rules. - Difference to the extent of INR 54.30 is on account of credit notes issued during the year FY 2019-20 for which no SOFTEX has been filed
FY 2020-21	1071.87	1101.09	-29.22	- Difference to the extent of INR 29.22 is on account of credit notes issued during the year FY 2020-21 for which no SOFTEX has been filed

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FY 2021-22	3988.24	4005.64	-17.40	- Difference to the extent of INR 17.43 is on account of credit notes issued during the year FY 2022-23 for which no SOFTEX has been filed - Difference to the extent of INR 0.03 is due to DTA sales for which remittance has been received in foreign currency. The same has been reported as per Rule 53 of the SEZ rules.
FY 2022-23	5167.16	5169.51	-2.35	- Difference to the extent of INR 2.64 on account of credit notes issued during the year FY 2022-23 for which no SOFTEX has been filed - Difference to the extent of INR 0.30 is due to DTA sales for which remittance has been received in foreign currency. The same has been reported as per Rule 53 of the SEZ rules.
Pune 4 Unit – Exports for the Financial year 2019-20 and 2020-21				
Year/Period	Figures as per APR (revised)	Figures as per Bond register	Difference if any (2-3)	Reason for Difference/Remark

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FY 2019-20	270.24	272.28	2.04	- Difference to the extent of INR 2.30 on account of credit notes issued during the year FY 2019-20 for which no SOFTEX has been filed - Difference to the extent of INR 0.26 is due to DTA sales for which remittance has been received in foreign currency. The same has been reported as per Rule 53 of the SEZ rules.
FY 2020-21	1148.37	2052.73	-904.36	- Difference to the extent of INR 904.42 on account of credit notes issued during the year FY 2020-21 for which no SOFTEX has been filed - Difference to the extent of INR 0.06 is due to DTA sales for which remittance has been received in foreign currency. The same has been reported as per Rule 53 of the SEZ rules.

b. Import :-

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

(INR

In Crores)

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Year/Period	Figures as per APR (Revised)	Figures as per Customs Records / Bond Register	Difference if any	Reason for Difference / Remark
First Block (Period FY 2013-14 to FY 2017-18)				
FY 2013-14	35.44	35.44	0	No difference
FY 2014-15	46.97	46.97	0	No difference
FY 2015-16	0.70	0.70	0	No difference
FY 2016-17	4.96	4.96	0	No difference
FY 2017-18	37.46	37.46	0	No difference
Second Block (Period FY 2018-19 to FY 2022-23)				
FY 2018-19	1.29	1.29	0	No difference
FY 2019-20	87.84	87.84	0	No difference
FY 2020-21	0.41	0.41	0	No difference
FY 2021-22	4.99	4.99	0	No difference
FY 2022-23	1.26	1.26	0	No difference
Pune 4 Unit – Details of capital goods including procurement done on IUT (from SEZ, EOU, STPI, EHTP) basis for the FY 2019-20 and FY 2020-21				
Year/Period	Figures as per APR (Revised)	Figures as per Customs Records / Bond Register	Difference if any	Reason for Difference / Remark
FY 2019-20	94.47	94.47	0	No difference
FY 2020-21	88.82	88.82	0	No difference

(b) Import

- i. Raw material – The unit has not imported any raw materials during the period FY 2013-14 to FY 2022-23

c. BLUT

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(Rs. In

Lakhs)

1	<p>Value of BLUT Executed (Duty foregone) (including for CG / Raw Material / Services)</p> <p>Value of Additional BLUT executed</p> <p>Year: date of acceptance</p> <p>- BLUT Amount</p> <p>Total value BLUT Executed</p>	<p>Bond executed at time of setup of SEZ unit having LOA number SEEPZ-SEZ/EKIPL-SEZ/BTCIPL/19/2012-13/2459 dated 21 February 2013 = 1,213.98 Lakhs</p> <p>Additional Bond relating to addition of space and revision of projection for our LOA number SEEPZ-SEZ/EKIPL-SEZ/BTCIPL/19/2012-13/2459 dated 21 February 2013 executed for 25 July 2014 = 2,279.27 Lakhs</p> <p>Additional Bond relating to addition of space and revision of projection for our LOA number SEEPZ-SEZ/EKIPL-SEZ/BTCIPL/19/2012-13/2459 dated 21 February 2013 executed on 16 November 2016 = 693.40 Lakhs</p> <p>Additional Bond relating to addition of space and revision of projection for our LOA number SEEPZ-SEZ/EKIPL-SEZ/BTCIPL/19/2012-13/2459 dated 21 February 2013 executed on 24 January 2017 = 1,892.51 Lakhs</p> <p>Additional Bond relating to relocation of our Pune unit containing LOA Number SEEPZ-SEZ/EKIPL-SEZ/BTCIPL/19/2012-13/2459 dated 21 February 2013 executed on 04 April 2019 = 16,673.75 Lakhs</p> <p>Additional Bond after Merger of Unit Pune 4 into Pune 3 having LOA Number SEEPZ-SEZ/EKIPL-SEZ/BTCIPL/19/2012-13/2459 dated 21 February 2013 = 44,611 Lakhs</p>
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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 estimated value and duty foregone separately for each category of procurement.	(In crore)		
		Financial Year	Goods Imported & Indigenous goods	Services
		2013 - 2014	8.73	-
		2014 - 2015	12.54	-
		2015 - 2016	0.23	-
		2016 - 2017	0.72	-
		2017 - 2018	10.41	-
		2018 - 2019	1.18	19.18
		2019 - 2020	86.65	71.93
		2020 - 2021	44.14	69.13
		2021 - 2022	18.85	77.89
		2022 -2023	11.17	102.63
		Total	194.62	340.78
		Please note that in the above table the unit has considered consumption of Pune 3 Unit having LOA number SEEPZ-SEZ/EKIPL-SEZ/BTCIPL/19/2012-13/2459 dated 21 February 2013 and Pune 4 containing LOA Number SEEPZ-SEZ/KRC/BGSCPL/01/2018-19/422 dated 11 October 2018 as the Pune 4 unit was merged in Pune 3 Unit in Financial Year 2020-2021 vide approval no. SEEPZ-SEZ/EKIPL-SEZ/BTCIPL/19/2016-17/VOL-V/310 dated 30 March 2021.		

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3	<p>Has the Unit procured goods and or services without having sufficient balance in their BLUT.</p> <p>If yes, Month & Year when the BLUT was exhausted</p> <p>Details of the consignments and Total value of Goods procured without having sufficient or nil balance in BLUT</p>	No
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(d)	Year-wise employment details	Financial Year	Men	Women	Total
		2013 - 2014	929	138	1067
		2014 - 2015	905	194	1099
		2015 - 2016	1411	295	1706
		2016 - 2017	2085	559	2644
		2017 - 2018	2442	616	3058
		2018 - 2019	3530	1120	4650
		2019 - 2020	2542	859	3401
		2020 - 2021	2615	854	3469
		2021 - 2022	8881	3862	12743
		2022 - 2023	9110	4781	13891
(e)	<p>Details of pending Foreign Remittance beyond Permissible period, if any (as on.....)</p> <p>To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained.</p>	<p>NIL</p> <p>From Financial Year 2013-2014 to Financial 2022-2023, the unit has received all foreign remittances are the same has been received within the permissible period.</p> <p>Further, as on date there are no pending foreign remittances.</p>			

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(f)	<p>Whether all softex has been filed for the said period. If no, details thereof.</p> <p>SO to also check whether unit has obtained Softex Condonation from DC office / RBI and if approved, whether they have filed such pending Softex.</p>	<p>As per the Units submission it is Yes. It is informed that the SOTEX forms filed for the following periods are not found online:</p> <ol style="list-style-type: none"> 1. July 2019 to July 2020; 2. December 2020 to July 2021; and 3. September 2021 to October 2021; <p>Other than above all SOTEX forms have been filed within the prescribed time period from FY 2013-14 till FY 2022-23</p>
(g)	<p>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.</p>	<p>The unit has submitted all SOTEX forms till date. However, the SOTEX forms filed for the following periods are not found online:</p> <ol style="list-style-type: none"> 4. July 2019 to July 2020; 5. December 2020 to July 2021; and 6. September 2021 to October 2021; <p>The Unit submitted that the request IDs generated on the SEZ online portal for these SOTEX forms which are pending with a user ID which is not currently active. The same have not been allocated to the login ID of this office. Accordingly, the unit has reached out to the SEZ online team (NSDL) to re-allocate these request IDs.</p>
(h)	<p>Whether unit has filed any request for Cancellation of Softex</p>	<p>There were no transactions within the monitoring period for which softex cancellation request has been submitted.</p>

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(i)	Whether any Services provided in DTA / SEZ/EOU/STPI etc. against payment in INR in r/o IT/ITES Unit during the period.	The unit has given below year wise summary of services provided to DTA units (INR in crores)		
	If yes, details thereof (year wise details to be provided)	Financial Year	Taxable Value	Duty in Rs.
		2013 - 2014	-	-
		2014 - 2015	-	-
		2015 - 2016	-	-
		2016 - 2017	0.63	0.11
		2017 - 2018	-	-
		2018 - 2019	-	-
		2019 - 2020	-	-
		2020 - 2021	-	-
		2021 - 2022	-	-
		2022 - 2023	-	-
(j)	Has the unit cleared any Capital Goods procured duty free in DTA against payment of Duty, or otherwise.	The unit has given below a year wise summary of duty paid against goods cleared within the monitoring period		
	Full details to be provided along with value of assets and duty discharged	Financial Year	Taxable Value (INR in crores)	
		2013 – 2014	-	
		2014 – 2015	-	
		2015 – 2016	-	
		2016 – 2017	-	
		2017 - 2018	-	
		2018 – 2019	-	
		2019 - 2020	-	
		2020 - 2021	-	
		2021 - 2022	-	
		2022 - 2023	3.29	

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(k)	<p>Is the unit sharing any of their infrastructures with other units or are utilizing infrastructure of another unit in the same or other SEZ.</p> <p>If so, details thereof, including the details of the unit with whom the sharing is being made, and the payment terms</p> <p>If approval for sharing of common infrastructure has been obtained from UAC / DC office, the date of UAC / Approval letter to be indicated</p>	NO.
(l)	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.	NO. The unit has not yet started filing DSPFs on online NSDL portal. In view of this they have been communicated by this office to file the DSPFs for services procured during the monitoring period. The Unit has assured for filing of the same on the SEZ online portal and will complete the same as soon as possible.
(m)	<p>Whether unit has filed all DTA procurement forms w.r.t. the goods procured by them during the monitoring period for the relevant period.</p> <p>If no, details thereof</p>	The unit has filed all DTA procurements on SEZ online portal for the monitoring period and there are no pending DTA procurements which are to be reported.
(n)	Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report	Currently, the unit does not have any OOC pending for DTA procurements.

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(o)	<p>Has the unit set up any cafeteria / canteen / food court in unit premises.</p> <p>If yes, whether permission from UAC / DC office has been issued, or otherwise office has been issued, or otherwise</p> <p>Whether unit has availed any duty paid goods / services for setting up such facility?</p> <p>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</p>	<p>The SEZ unit has taken approval for setting up a cafeteria / canteen / food court in their premises vide approval no. SEEPZ-SEZ/NEWSEZ/KRC/BGSCPL/01/2018-19/1369 dated 08 April 2019.</p> <p>The unit has availed duty paid goods for setting up the cafeteria in their premises.</p> <p>Further, post approval no invoices are received from the cafeteria vendor, the vendor is appointed by BGSC free of charge and vendor directly charges to employees of BGSC for services provided to them.</p>
(p)	<p>Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring</p>	<p>No.</p>

ADC's observations:

- The Unit has achieved export revenue of **Rs. 2403.05 Crores** as against projected export of **Rs. 2375.17 Crores (which is 101.17%)** and achieved cumulative NFE of **Rs. 2242.79 Crores** which is **93.33 %** in 1st block period i.e. during FY 2013-14 to FY 2017-18.
- The Unit has achieved export revenue of **Rs. 14011.71 Crores** as against the projected export of **Rs. 14661.39 (which is 95.57 %)** Crores and achieved cumulative positive NFE of **Rs. 11399.75 Crores** which is **81.36%** in 2nd Block period i.e. in FY 2018-19 to FY 2022-23.

The Unit has achieved employment of 13891 employees (Men-9110, Women-4781) as on 31.03.2023

- The Unit has not filed DSPF for the services procured during the monitoring period. The Unit has assured for filing of the same on the SEZ online portal and will complete the same as soon as possible.

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- It is observed that the unit has provided services in DTA against the payments received in INR as detailed below:

Year	DTA Sale in INR Amount in Crores
2016-17	0.63

As per Section 2(z) of SEZ Act, 2005, the definition of Services is given as below:

“Services means such tradable services which, -

- Are covered under the General Agreement on Trade in Services annexed as IB to the Agreement establishing the World Trade Organisation concluded at Martrakesh on the 15th day of April 1994 ;***
 - May be prescribed by the Central Government for the purpose of this Act ; and***
 - Earn foreign exchange ;***
- As the unit has been granted LOA for providing IT/ITES Services from their SEZ Unit, and since the services provided by them to DTA against INR does not classify as a ‘Service’ as per definition as given in Section 2(z) of SEZ Act, 2005, the unit has violated the provisions of the SEZ Acts / Rules.

As per Rule 54(2) of SEZ Rules, 2006

“(2) In Case the Approval Committee comes to the conclusion that a Unit has not achieved positive Net Foreign Exchange Earning, or stipulated Value Addition as specified in rule 53 or failed to abide by any of the term and conditions of the Letter of Approval or Bond-cum-Legal Undertaking, without prejudice to the action that may be taken under any other law for the time being in force, the said Unit shall be liable for penal action under the provisions of the Foreign Trade Development and Regulation) Act, 1992.”

- The Unit has received payment in INR instead of Foreign Currency, hence contravened the provision of Section 2(z)(iii) of SEZ Act, 2005. If agreed by the Approval Committee, SCN may be issued.
- Unit has not correctly mentioned the import data for FY 2022-23 and hence needs to revise their APR.
- Approval Committee may monitor the performance of the Unit, in terms of Rule 54 of SEZ Rules, 2006 for the following period 1st Block Period i.e FY 2013-14 to FY 2017-18 and 2nd Block i.e. FY 2018-19 to 2022-23

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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: -**

Applications submitted by M/s. DISYS India Technologies Pvt. Ltd. located at M/s. KRC Infrastructure and Project Pvt. Ltd. and M/s. Gera Resort Pvt. Ltd. for Change in Name of Company and appointment of one Director.

b. **Specific Issue on which decision of Approval committee is required: -**

Approval of the Unit Approval Committee for Change in Name of SEZ Unit and appointment of one Director in terms of Instruction No. 109 dated 18.10.2021, as detailed below:

Change in Name of SEZ Unit:

Name before Change	Name After Change
M/s. DISYS India Technologies Pvt. Ltd.	M/s. Dexian India Service Pvt. Ltd

List of Directors as on 14.12.2023.

Sr. No.	Name of the Director	Designation	DIN	Date of Appointment
1.	Kumar Rajagopalan	Director	03119315	25.11.2021
2.	Mahfuz Ahmed	Director	03544568	25.11.2021
3.	Maruf Ahmed	Director	03612830	25.11.2021
4.	Nath Nirmal Nath	Director	05102262	18.08.2023

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

d. **Other Information: -**

- The Developer was granted Formal Approval Letter No. SEEPZ-SEZ/NEW-SEZ/KRC-SEZ/DITPL/08/2022-23 Dated 12.07.2022

The Unit has submitted following documents:

1. Certificate of Incorporation pursuant to change of name from Ministry of Corporate Affairs date 18.09.2023.

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2. Copy of LOA
3. Copy of Ministry of corporate affairs certificate
4. Copy of Board Resolution
5. DIR-12 in r/o newly appointed Director Mr. Nath Nirmal Nath
6. Copy Master Data of the Company
7. Copy of List of Directors as on 14.12.2023

Reason for the change in name of Company:

The Unit has informed that, the reason for the change of name of the Company is a global re-branding exercise

Further, they wish to state that this is only a name change and there is no Merger, amalgamation, or de-amalgamation of the company. Unit also stated that there is no change in the shareholding pattern.

In addition to Change in Name of the Company, the Unit has also stated that Mr. Nirmal Nath has been appointed as a Director of the Company with effect from 18th of August 2023.

e. ADC's Recommendations:

- Approval Committee may consider the proposal of Developer for Change in Name of the company and appointment of one Director, in terms of Instruction no. 109 issued by MOC&I.
