

SEEPZ SPECIAL ECONOMIC ZONE

ANDHERI (EAST), MUMBAI.

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SUPPLYMENTARY AGENDA FOR

**MEETING OF THE APPROVAL COMMITTEE FOR SECTOR SPECIFIC
SPECIAL ECONOMIC ZONE FOR IT/ITES OF M/s. MINDSPACE BUSINESS
PARKS PRIVATE LIMITED.**

VENUE : Conference Hall, 2nd Floor, The Office of the Development
Commissioner, SEEPZ-SEZ, Andheri (East), Mumbai.

DATE : Wednesday, 20th December, 2023.

TIME : 11:30 A.M.

Meeting of the Approval Committee for Sector Specific Special Economic Zone for IT/ITES of M/s. Mindspace Business Parks Private Limited - SEZ under the Chairmanship of Development Commissioner, SEEPZ-SEZ on Wednesday, 20th December, 2023.

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Agenda Item No.	Subject
Agenda Item No. 01 : -	Monitoring Performance of APR for the period 2018-2019 to 2022-2023 - <u>M/s. CitiusTech Healthcare Technology Private Limited.</u>

GOVERNMENT OF INDIA
OFFICE OF THE DEVELOPMENT COMMISSIONER,
SEEPZ SPECIAL ECONOMIC ZONE,
ANDHERI (EAST), MUMBAI

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a. Proposal :-

Approval for Monitoring of the performance of M/s. CitiusTech Healthcare Technology Private Limited located in Mindspace-SEZ for the period 2018-19 to 2022-23.

b. Specific Issue on which decision is required :-

Monitoring of the performance of the unit for FY 2018-19 to 2022-23 in terms of Rule 54 of SEZ Rules, 2006.

c. Relevant provision of SEZ, Act, 2005 & Rules:

In terms of 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.”

d. Other Information :

LOA No. & Date	SEEPZ/NEW-SEZ/MINDSPACE/AIROLI/60/CHTPL/2018-19/22226 Dated 06.09.2018.
Validity of LOA	19.11.2023. (Expired)
Item(s) of manufacture/ Services	Research and Development Services, Computer Software Services, Information Technology Enabled Services such as Back – office operations, Call Centres, Content Development or Animation, Data Processing, Engineering and Design.
Date of commencement of production	20.11.2018
Execution of BLUT	
a. BLUT for Goods	Rs. 9.86 Crore
b. BLUT for Services	Rs. 11.76 Crores
Outstanding Rent dues	N.A.
Labour Dues	N.A.
Validity of Lease Agreement	19.11.2023.
Pending CRA Objection, if any	N.A.

Pending Show Cause Notice/ Eviction Order/Recovery Notice/ Recovery Order issued, if any		N.A.
a) Projected employment for the block period	Men (As on 31.03.2023)	Women (As on 31.03.2023)
	246	134
b) No. of employees as on 31.03.2023	Men (Projected)	Women (Projected)
	392	168
Area allotted (in sq. ft.)		101952.00 sq. ft.
Area available for each employee per sq. ft. basis (area / no. of employees)		268.29 Sq.ft.
Investment till date	Building	0.00
	Plant & Machinery	Rs. 44.62 Cr.
	TOTAL	Rs. 44.62 Cr.
Per Sq. ft. Export during the FY		1.82 Lakhs per Sq.ft.
Quantity and value of goods exported under Rule 34		N.A.
(Unutilized goods)		N.A.
Value Addition during the monitoring period		Nil
Whether all the APRs being considered now has been filed well within the time limit, or otherwise.		Yes
If no, details of the Year along with no of days delayed to be given.		N.A

A. (I) APPROVED Projections for FY 2018-19 to 2022 - 23

(Rs. in Crores)

	1st Year FY 2017 - 18	2nd Year FY 2018 - 19	3rd Year FY 2019 - 20	4th Year FY 2020 - 21	5th Year FY 2021 - 22	Total
FOB value of export	7.02	54.29	91.73	102.96	102.96	358.96
FE Outgo	3.44	3.36	2.96	3.06	3.92	16.74
NFE	3.58	50.92	88.77	99.90	99.04	342.22

(II) Performance as compared to projections during the block period 2018-19 to 2022 - 23

(Rs. in Crores)

Financial Year	Export		F.E. OUTGO			
			Raw Material	C.G. import		Other outflow
	Projected	Actual	(Goods/Services)			

			Projected	Actual	Projected	Actual	Actual
2018 - 19	7.02	0.71	NA	NA	3.44	1.02	0.04
2019 - 20	54.29	57.57	NA	NA	3.36	4.09	6.42
2020 - 21	91.73	147.19	NA	NA	2.96	0.44	0.50
2021 - 22	102.96	170.09	NA	NA	3.06	0.00	1.90
2022 - 23	102.96	185.63	NA	NA	3.92	0.07	0.04
Total	358.96	561.19	NA	NA	16.74	5.62	8.9

(III) Cumulative NFE achieved during the block period FY 2018 - 19 to 2022 - 23.
(Rs. in Crores)

Year	Cumulative NFE Projection	Cumulative NFE Achieved	Cumulative % NFE Achieved
2018 - 19	3.58	0.56	15.75%
2019 - 20	54.50	51.13	93.81%
2020 - 21	143.28	197.18	137.63%
2021 - 22	243.18	364.74	149.99%
2022 - 23	342.22	549.94	160.70%

(IV) Whether the Unit achieved Positive NFE :- YES

(V) Reconciliation of Export & Import data

a. EXPORT

(Rs. in Crores)

Year/Period	Figures reported in APR (FOB Value)	Figures as per Softex/Trade Data	Difference if any	Reason for Difference/Remark
2018 - 19	0.71	0.71	0	NA
2019 - 20	57.57	57.57	0	NA
2020 - 21	147.19	147.13	0.06	Difference of is due to Accounts Exchange Rate Variation.
2021 - 22	170.09	170.47	-0.37	Difference of is due to Accounts Exchange Rate Variation.
2022 - 23	185.63	186.59	-0.96	Difference of is due to Accounts Exchange Rate Variation.
	561.19	562.47	-1.27	

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

(Rs. in Crores)

Year/Period	Figures as per APR	Figures as per Trade Data	Difference if any	Reasons for difference
2018 - 19	1.02	1.02	0	NA

2019 - 20	4.82	4.09	-0.72	The difference of Rs. 60.27 lakhs is due to duplicate filling of bill of entry and balance of Rs. 11.98 lakhs due to Accounts exchange rate variation.
2020 - 21	6.29	5.56	-0.74	In the APR cumulative value of imports we have shown.
2021 - 22	6.29	5.56	-0.74	
2022 - 23	6.36	5.62	-0.74	

As regards to the difference in FY 2019-20, the unit had submitted a clarification letter dated 01.12.2023 (Copy enclosed for perusal) wherein they have stated that they have processed SEZ bill of entry no. 3000001 dt. 02.01.2020 vide Request id no. 351900214315 for purchase of goods from office 2000 Solutions Pvt. Ltd. vide their Invoice no. CI/2019-20/005 dt. 16.12.2019 and by mistake, they have processed a duplicate SEZ bill entry no. 3000371 dt. 27.12.2019 vide their request ID no. 351900211386 for against the same Invoice no. CI/2019-20/005 dt. 16.12.2019. They also confirm that the said material has been entered into SEZ premises on dated 02.01.2020 against BOE no. 3000001 dt. 02.01.2020.

Further, Unit stated that due to Covid-19 the cancellation of the duplicate bill of entry was skipped by them. Now they have started the bill of entry cancellation process and meanwhile they have requested to monitoring of their APRs for further renewal of LOA.

(VI) Bond cum Legal Undertaking (BLUT)

(Rs. in Crores)

Year	Opening Balance/BLUT value executed on 20.11.2018		Additional Bond executed on 27.11.2020		Additional Bond executed on 06.09.2023		Utilization		Closing Balance	
	Bond Amount Rs. 4.46 Crore		Bond Amount: Rs. 12.26 Crore		Bond Amount: Rs. 4.90 Crore		Goods	Services	Goods	Services
	Goods	Services	Goods	Services	Goods	Services				
18-19	4.46	-	-	-	-	-	0.18	0.00	4.28	(0.00)
19-20	4.28	(0.00)	-	-	-	-	1.83	4.85	2.45	(4.85)
20-21	2.45	(4.85)	5.40	6.86	-	-	0.89	0.30	6.96	1.72
21-22	6.96	1.72	-	-	-	-	1.08	0.91	5.87	0.81
22-23	5.87	0.81	-	-	-	4.90	1.55	3.24	4.32	2.46

(VII)	Details of pending Foreign Remittance beyond Permissible period, if any	N.A
	To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained.	N.A
(VIII)	Whether all Softex has been filed for the said period. If no, details thereof.	Yes
(a)	SO to also check whether unit has obtained Softex condonation from DC office / RBI and if approved, whether	

	they have filed such pending Softex.		
(b)	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.	Unit declared that Softex for following months are not yet certified	
		Month	Request ID
		Sept., 2019	141900259314
		Jun, 2020	142000184465
		Aug., 2020	142000249860
		Sept., 2022	142200298166
Accordingly, The unit has submitted clarification letter dated 29.11.2023 declaring that these request status are shown as “Request under processing at DC” in SEZ online portal and they are in process to get these softex request IDs certification. (Copy enclosed for perusal)			
(c)	Whether unit has filed any request for Cancellation of Softex	No	
(IX)	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	
(X)	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	
(XI)	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.	Yes.	
(XII)	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.	

(XIII)	Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report	N.A
(XIV)	<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-free 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>	No
(XV)	Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring	No

The Unit has submitted below mentioned details of extract of their GSTR-2A Return from 01.07.2017 to 31.03.2023 for their Unit 3:

(Rs. in Crore)						
Sr. No.		2018-19	2019-20	2020-21	2021-22	2022-23
1	Imported Goods procured under Exemption	0	0	0	0	0
2	Imported Goods procured under payment	0	0	0	0	0
3	Indigenous Goods procured under Exemption (Zero rated)	0.03	0.71	0.59	0.09	2.01
4	Indigenous Goods procured under Duty payment including personal use & canteen	0	0.01	0	0	0.03
5	Imported services procured under Exemption	0	0	0	0	0
6	Indigenous Goods procured under Exemption (Zero rated)	0.31	4.28	0.46	0.63	1.32
7	Indigenous Services procured under Duty payment including personal use & canteen	0	0	0.01	0.90	0.01
Total		0.34	5.00	1.06	1.62	3.37

Further, they declared that they have single GST registration for Maharashtra based units and declared as under:-

1. The said Unit have total three SEZ units located at Mindspace Business Parks Pvt. Ltd. – SEZ
2. They have bifurcated GSTR-2A data based on our Books of Accounts maintained by us Unit- wise separately.

They had submitted GSTR-2A year wise reconciliation with NSDL FY – 2018-19 to FY 2022-23 along with all the three Units.

For the year 2018-2019

(Rs. in Crore)					
Sr. No.	Detailed Required	GSTR-2A	NSDL	Difference, if any	Justification for difference
1	Imported Goods procured under Exemption	0.18	0.18	-	NA
2	Imported Goods procured under payment	-	-	-	NA
3	Indigenous Goods procured under Exemption (Zero rated)	0.03	-	(0.03)	Next year they have filed DTAP of these invoices
4	Indigenous Goods procured under Duty payment including persona use & canteen	-	-	-	NA
5	Imported services procured under exemption	-	-	-	NA
6	Indigenous services procured under Exemption (Zero rated)	0.13	-	(0.13)	As DSPF Module started w.e.f. October, 2019 hence DSPF for the same is not yet filed.
7	Indigenous services procured under Duty payment including personal use & canteen	-	-	-	NA

For the year 2019-2020

(Rs. in Crore)					
Sr. No.	Detailed Required	GSTR-2A	NSDL	Difference, if any	Justification for difference
1	Imported Goods procured under Exemption	0.68	0.68	-	NA
2	Imported Goods procured under payment	-	-	-	NA
3	Indigenous Goods procured under Exemption (Zero rated)	0.03	0.16	0.13	They have filled pending goods invoice in this year

4	Indigenous Goods procured under Duty payment including persona use & canteen	0.01	-	(0.01)	As this is No Benefit procurement hence DTA procurement was not filed.
5	Imported services procured under exemption	-	-	-	NA
6	Indigenous services procured under Exemption (Zero rated)	4.26	4.85	0.59	Last FY 18-19 services invoices was also filed in this year.
7	Indigenous services procured under Duty payment including personal use & canteen	-		-	NA

For the year 2020-2021

(Rs. in Crore)

Sr. No.	Detailed Required	GSTR-2A	NSDL	Difference, if any	Justification for difference
1	Imported Goods procured under Exemption	0.11	0.11	-	NA
2	Imported Goods procured under payment	-	-	-	-
3	Indigenous Goods procured under Exemption (Zero rated)	0.59	0.75	0.16	For last year pending goods invoices they have filled due to that the difference shows excess
4	Indigenous Goods procured under Duty payment including personal use & canteen	-	-	-	NA
5	Imported services procured under exemption	-	-	-	NA
6	Indigenous services procured under Exemption (Zero rated)	0.46	0.30	(0.16)	They are under process to file DSPF form for the pending service invoices
7	Indigenous services procured under Duty payment including personal use & canteen	0.01	-	(0.01)	As the same is no benefit procurement of services hence, DSPF not filed for the same.

For the year 2021-2022**(Rs. in Crore)**

Sr. No.	Detailed Required	GSTR-2A	NSDL	Difference, if any	Justification for difference
1	Imported Goods procured under Exemption	-	-	-	NA
2	Imported Goods procured under payment	-	-	-	NA
3	Indigenous Goods procured under Exemption (Zero rated)	0.09	1.08	0.99	DTA files as per material received and the previous period goods invoices also filled
4	Indigenous Goods procured under Duty payment including personal use & canteen	-	-	-	NA
5	Imported services procured under exemption	-	-	-	NA
6	Indigenous services procured under Exemption (Zero rated)	0.63	0.91	0.28	DSPF is pending for proceeding for various invoices
7	Indigenous services procured under Duty payment including personal use & canteen	0.90		(0.90)	As the same is no benefit procurement of services hence, DSPF not filed for the same.

For the year 2022-2023**(Rs. in Crore)**

Sr. No.	Detailed Required	GSTR-2A	NSDL	Difference, if any	Justification for difference
1	Imported Goods procured under Exemption	0.004	0.004-	-	NA
2	Imported Goods procured under payment	-	-	-	NA
3	Indigenous Goods procured under Exemption (Zero rated)	2.01	1.97	(0.04)	NA
4	Indigenous Goods procured under Duty payment including personal use & canteen	0.03		(0.03)	As this is no benefir procurement hence DTA procurement was not filed.
5	Imported services procured under exemption	-	-	-	NA

6	Indigenous services procured under Exemption (Zero rated)	1.32	3.24	1.92	They have filled pending DSPF invoices of previous years due to that there is difference of Rs. 1.92 Cr.
7	Indigenous services procured under Duty payment including personal use & canteen	0.01	-	(0.01)	As the same is no benefir procurement of services hence, DSPF not filed for the same.

Hence, the Unit explanation for discrepancy in the Export data & Import data appears to be correct for the years FY 2018-19 to 2022-23. Accordingly, based on APRs submitted by the unit, performance has been monitored in terms of Rule 53 of SEZ Rules, 2006.

(XVI) Observations:

- The Unit has achieved (cumulative) export revenue of **Rs. 54994.02 Lakhs** as against projected export of **Rs. 34221.91 Lakhs** i. e. **160.70 %** during the period from **2018 – 2019 to 2022 - 2023**.
- The unit has achieved positive NFE during the block period.
- ~~Unit has achieved value additions of __% duty the FY.~~ (Not applicable, as the said unit is IT/ITES Unit).
- All the APRs have been filed within the stipulated time period / ~~Unit has failed to file APR for the period _____ within the stipulated time period. [strike out whichever is not applicable].~~
- UAC may like to monitor the performance of the Unit for the period **FY 2018 – 2019 to 2022 - 2023** in terms of Rule 54 of SEZ Rules, 2006.

The Unit has achieved Positive NFE against their projected Export & NFE for the block period of **FY 2018 – 19 to 2022 – 23** as per information submitted by the Unit.

(e) ADC's Recommendation :

- APR submitted by the unit for the year 2018-19 to 2022-23.
- The unit has achieved Positive NFE of **Rs. 549.94 Crores** on cumulative basis during the year 2018-19 to 2022-23 as per S.O. report.
- Recommended to Approval Committee for monitoring as per Rule 54 of SEZ Rules,

2006.
