

**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 MIDC-SEZ**

DATE : 29.02.2024

TIME : 12:00 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
29.02.2024**

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Agenda Item No.	Subject
Agenda Item No. 01: -	Confirmation of the Minutes of the meeting held on 09.02.2024
Agenda Item No. 02: -	Monitoring of Performance for Capgemini Technology Services India Ltd. (Unit-3)

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Minutes of the 129th 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 MIDC-SEZ, Pune held on 09.02.2024 via video conferencing.

1	Name of the SEZ	M/s MIDC - SEZ, PUNE
2	Sector	IT/ITES
3	Meeting No.	129 th
4	Date	09.02.2024

Members present

Sr	Name and Designation (S/Shri.)	Department
1	Smt. Mital Hiremath Joint Development Commissioner	Pune Cluster SEZ, Pune
2	Smt. Bharati Ahuja Asst. Commissioner, IT	Nominee of Income Tax, Pune
3	Dr. Dileeraj Dabhole, Dy. DGFT	Nominee of DGFT, Pune
4	Smt. Leena Malathi Nair Superintendent	Nominee of Customs, Pune

Special Invitee

Sr	Name and Designation	Department
1	Shri Satbir Sharma Specified Officer	MIDC-SEZ, Pune.

Agenda Item No.01: Confirmation of the Minutes of the 128th meeting held on 18.12.2023

After deliberation, the Committee confirmed the minutes of the 128th meeting of Approval Committee held on 18.12.2023

Agenda Item No. 02: Monitoring of Performance for M/s. Fulcrum Digital Pvt Ltd.,

The performance of the unit for the FY 2018-19 to 2021-22 was placed before the Approval Committee for Monitoring purpose.

The Unit has achieved cumulative export revenue of Rs. 234.40 Crores as against projected export of Rs. 142.23 Crores (which is 164.80% of projected export) and achieved cumulative NFE of 229.65 Crores which is 97.97% in first 4 years of 2nd Block Period i.e. during (FY 2018-19 to 2021-22)

After deliberation, the Approval committee noted the performance of M/s. Fulcrum Digital Pvt Ltd., for 4 years i.e., 2018-19 – 2021-22 in terms of Rule 54

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of SEZ Rules, 2006.

Agenda Item No. 3 : Application for Approval for Extension of LOA submitted by M/s. Xcaliber Infotech Pvt Ltd.

After deliberation, the committee approved the proposal of the Unit for Extension of LOA for one Year to complete the Construction of the Building within the time frame/period.

The Unit representative has informed the committee that 40% of construction will be completed within 1 year and rest will be completed in the next year. Further, the representative has also informed that after the construction of SEZ Unit is over, their DTA Unit will be shifted to the SEZ Unit.

Agenda Item No. 4 : Application for approval of List of Material, submitted by M/s. MIDC (Developer) :

The Committee has pointed out that the Developer has submitted the end goals of construction and not the list of material. To avoid the delay in construction of the project, after deliberation, the Committee approved the list of material in terms of Rule 12(2) of SEZ Rules, submitted by the Developer of Rs. 7,44,918.00 (Rs. 0.07 Crores) duly certified by the Chartered Engineer Amit Bokawat, (Registration No. 1474545) dated 22.12.2023 for the authorized operation for development of their SEZ. The Committee has advised the JDC to obtain the list of material from the Developer.

Agenda Item No. 5 : Application for approval of List of Material, submitted by M/s. MIDC (Developer) :

After deliberation, the Committee approved the list of materials in terms of Rule 12(2) of SEZ Rules, submitted by the Developer of Rs. 28,15,970.00 duly certified by the Chartered Engineer Amit Bokawat, (Registration No. 1474545) dated 09.01.2024 for the authorized operation for development of their SEZ.

Agenda Item No. 6 : Application for approval of List of Material, submitted by M/s. Nxtra Data Ltd. (Co-Developer) :

After deliberation, the Committee approved the list of materials in terms of Rule 12(2) of SEZ Rules, submitted by the Co-Developer of Rs. 11,96,67,454.00 duly certified by the Chartered Engineer Makarand Kulkarni, (Registration No. 093577-0) dated 13.12.2023 for the authorized operation for development of their SEZ.

Agenda Item No. 7 : Application for approval of List of Material, submitted by M/s. Nxtra Data Ltd. (Co-Developer) :

After deliberation, Committee approved the list of materials in terms of Rule 12(2) of SEZ Rules, submitted by the Co-Developer of Rs. 91,74,128.00 (Rs. 0.91 Crores)

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duly certified by the Chartered Engineer Makarand Kulkarni, (Registration No. 093577-0) dated 24.01.2024 for the authorized operation for development of their SEZ.

Agenda Item No.08: Application for Installation of rooftop Non-Conventional Solar Power Panel for Captive Consumption by M/s Tata Consultancy Services Ltd.

After deliberation, Committee approved the proposal of M/s. Tata Consultancy Services Ltd. for setting up of rooftop Non-Conventional Solar Panel for captive consumption, in terms of Office Memorandum dated 07-06-2021 issued in addendum to Power Guidelines dated 16.02.2016, issued by MOC&I. The details of the approved proposal as detailed below:

1	Name of the Vendor of Solar Power Plant	M/s Kirloskar Solar Technologies Pvt Ltd.
2	Vendor-Service	Engineering, Procurement, Commissioning of Complete Solar Power Plant.
3	Capacity	264 KWP
4	Annual Generation in capacity	2,59,573 kWP/Year
5	Tax - 13.80%	Tax amount : Rs. 18,63,000/-
6	Total cost of the Rooftop Solar Power including GST	Rs. 1,35,00,000/-

The approval is subject to the following conditions:

- The Unit will not be eligible for any exemptions, drawback, concessions or any other benefit available under Section 7 or Section 26 of the SEZ Act for creating or operating such facilities.
- The unit will have to fulfill any conditions / safeguards laid down by the State Government / Electricity department, from time to time
- The non-conventional solar power generated will be used only for captive consumption and will not be sold outside
- Such Captive generating power plants shall comply with all rules, regulations and technical standards framed under the Electricity Act, 2003 as amended from time to time.
- Captive generation power plants with capacity 500 KW and above has to be registered with Central Electricity Authority. They will register with Central Electricity Authority if power generation capacity exceeds 500 KW.

Agenda Item No.09: Application for Installation of rooftop Non-Conventional Solar Power Panel for Captive Consumption by M/s Tudip Technologies Pvt Ltd.

After deliberation, the Committee approved the proposal of M/s Tudip Technologies Pvt Ltd. for setting up of rooftop Non-Conventional Solar Panel for captive consumption, in terms of Office Memorandum dated 07-06-2021 issued in addendum to Power Guidelines dated 16.02.2016, issued by MOC&I. The details of the approved proposal as detailed below:

1	Name of the Vendor of Solar Power Plant	Shree Solar Tech
2	Vendor-Service	Design, Supply, Installation & Commissioning of Rooftop Solar power

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3	Capacity	138.24 KW
4	Annual Generation in capacity	166000 KWH
5	Tax - 13.80%	INR 9,09,978/-
6	Total cost of the Rooftop Solar Power including GST	INR 75,04,027/-

The approval is subject to the following conditions:

- The Unit will not be eligible for any exemptions, drawback, concessions or any other benefit available under Section 7 or Section 26 of the SEZ Act for creating or operating such facilities.
- The unit will have to fulfill any conditions / safeguards laid down by the State Government / Electricity department, from time to time
- The non-conventional solar power generated will be used only for captive consumption and will not be sold outside
- Such Captive generating power plants shall comply with all rules, regulations and technical standards framed under the Electricity Act, 2003 as amended from time to time.
- Captive generation power plants with capacity 500 KW and above has to be registered with Central Electricity Authority. They will register with Central Electricity Authority if power generation capacity exceeds 500 KW.

Agenda Item No. 10 : Application for approval of change in Directors submitted by M/s Nxtra Data Ltd., (Unit)

After deliberation, the Committee approved the proposal of the unit for change in Board of Directors, in terms of Instruction No. 109 dated 18.10.2021 issued by MOCI, as detailed below:

Approved List of Board of Directors:

Sr. No.	Name of the Director	Designation
1.	Neeraj Bhardwaj	Director
2.	Kapil Modi	Director
3.	Ashish Arora	Director
4	Harjeet Singh Kohli	Director
5	Rajesh Shrinivas Tapadia	Director
6	Ms Vani Venkatesh	Director
7	Gary Joseph Wojtaszek	Director
8	Ganapathi S Lakshminarayanan	Director

The approval is subject to the conditions as laid down in Instruction No. 109, 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;

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- c. Applicability of and compliance with all Revenue/Company Affairs/SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- d. 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.
- e. 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.
- f. The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- g. The applicant shall furnish details of PAN and jurisdictional assessing office of the unit to CBDT.
- h. The applicant shall be recognized by the new name or such arrangement in all the records.

Agenda Item No. 11 : Application for approval of change in Directors submitted by M/s M/s Nxtra Data Ltd., (Co-Developer)

After deliberation, the committee approved the proposal of the unit for change in Board of Directors, in terms of Instruction No. 109 dated 18.10.2021 issued by MOCI, as detailed below:

Approved List of Board of Directors:

Sr. No.	Name of the Director	Designation
1.	Neeraj Bhardwaj	Director
2.	Kapil Modi	Director
3.	Ashish Arora	Director
4	Harjeet Singh Kohli	Director
5	Rajesh Shrinivas Tapadia	Director
6	Ms Vani Venkatesh	Director
7	Gary Joseph Wojtaszek	Director
8	Ganapathi S Lakshminarayanan	Director

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

- a. Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;
- b. Fulfilment of all eligibility criteria applicable, including security clearances etc. by the altered entity and its constituents;
- c. Applicability of and compliance with all Revenue/Company Affairs/SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- d. 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

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Authority.

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

Agenda Item No. 12 : Application for Approval of Change in Shareholding Pattern submitted by M/s. Tata Technologies Limited.

After deliberation, the cCmmittee approved the proposal of Change in Shareholding Pattern submitted by M/s. Tata Technologies Limited in terms of Instruction No. 109 dated 18.10.2021, as detailed below:

Approved Shareholding Pattern:

Sr. No.	Name of Shareholders	No. of Shares	Percentage (%) of paid up Capital
01	Tata Motors Limited	21,65,69,816	53.38
02	Other Tata Group Entities	4,47,90,352	11.04
03	Public	14,43,08,362	35.58
	TOTAL	40,56,68,530	100.00

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

- a. Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity;
- b. Fulfilment of all eligibility criteria applicable, including security clearances etc. by the altered entity and its constituents;
- c. Applicability of and compliance with all Revenue/Company Affairs/SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- d. 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.
- e. 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.
- f. The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

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- g. The applicant shall furnish details of PAN and jurisdictional assessing office of the unit to CBDT.
- h. 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.


19.02.2024

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

**4GOVT. 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. Capgemini Technology Services India Ltd (Unit No. 3) for 5 years of 1st Block (FY 2018-19 to FY 2022-23)

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

Monitoring of performance for the period 2018-19 to 2022-23 (5 years of 1st block period) under Rule 54 of SEZ Rules, 2006

The details of the export projections are as detailed below:

c. Approved export Projections for Ist Block Period: (Rs. in Crores)

Year	1	2	3	4	5	Total
FOB Value of Exports	936.00	982.80	1031.94	1083.54	1137.71	5171.99
FE Outgo	31.42	31.42	21.62	11.81	11.81	108.08
NFE achieved	904.58	951.38	1010.32	1071.73	1125.90	5063.91

d. Performance as compared to projections: FY 2018-19 to 2022-23

(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	936.00	2.68		0	86.36	11.53	0.03
2019-20	982.80	40.05		0		7.53	0.92
2020-21	1031.94	165.22		0		44.40	0.17
2021-22	1083.54	289.64		0		59.13	0.12
2022-23	1137.71	578.38				58.19	0.23
Total :	5171.99	1075.97	0	0	86.36	181.78	1.47

Cumulative NFE achieved: FY 2018-19 to 2022-23 (Rs. in Crores)

Year	Cumulative NFE Achieved	Cumulative % NFE Achieved
2018-19	1.50	56.09 %
2019-20	38.73	90.63 %

2020-21	199.34	95.86 %
2021-22	482.95	97.06 %
2022-23	1055.28	98.08 %

Employment Achievement (Direct): FY 2018-19 to 2021-22

The Unit has achieved employment of 1915 employees (Men – 1103, Women – 812) as on 31.03.2022

e. Other Information:

LOA No. & Date		SEEPZ-SEZ/MIDC-SEZ/ICS/48/2014-15/17 dated 27.04.2018.
Location of Unit		Plot No. 14, MIDC-SEZ, RGIP, Phase III, Hinjewadi, Pune 411057.
Validity of LOA		04.09.2023
Item(s) of manufacture/ Services		IT/ITES
Date of commencement of production		05.09.2018.
Execution of BLUT		69.87 Crores
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
a. No. of employees as on 31.03.2023		1915 (Men – 1103, Women – 812)
Area allotted (in sq.ft.)		1027953 Sq. Ft.
Area available for each employee per sq. ft. basis (area / no. of employees)		536 Sq. Ft.
Investment till date	Building	70.85Crores
	Plant & Machinery	67.34 Crores
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.		Yes
If no, details of the Year along with no of days delayed to be given.		

The Specified Officer has submitted a report vide letter dated 30.01.2024 & 26.02.2024 in the prescribed format along with point-wise reply to the

discrepancies as follows:-

a. Export

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

From the year 2018-2019 to 2022-23

(Rs. In Crores)

Year/Period	Figures as per APR	Figures as per Softex/ SB / Customs Records	Difference if any	Reason for Difference/Remark
(1)	(2)	(3)	(4)	(5)
FY 2018-19	2.68	2.24	0.44	Onsite amount – 0.42 not considered in Softex, Exchange Rate difference of 0.02.
2019-20	40.04	40.20	(-) 0.16	Exchange Rate Difference of (-) 0.16.
2020-21	165.22	165.05	0.17	Exchange rate Difference of 0.18 & Credit Notes of (-) 0.01.
2021-22	289.64	289.73	(-) 0.09	Exchange Rate Difference of 0.13 & Credit Notes of (-) 0.22.
2022-23	578.38	577.83	0.55	Exchange Rate Difference of 0.55

b. Import

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

Year/Period	Figures as per APR (RM Imported)	Figures as per Customs Records / Bond Register	Difference if any	Reason for Difference/Remark
2018-19	11.53	11.53	NIL	NIL
2019-20	7.53	7.53	NIL	NIL
2020-21	25.33	25.33	NIL	NIL
2021-22	14.72	14.72	NIL	NIL
2022-23	0.18	0.18	NIL	NIL

c. BLUT

(Rs. In Crores)

1	Value of BLUT Executed (Duty foregone) (including for CG / Raw Material / Services) Value of Additional BLUT executed TOTAL Duty value of BLUT Executed in Lakhs:	Rs. 69.87 Crores.
2	Total Duty Foregone on goods & services procured Category Wise:	

Year Wise			
F.Y.	Goods	Services	Total
	Imp. & Ind.		
2018-19	11.53	0.14	11.67
2019-20	20.24	1.21	21.45
2020-21	14.71	0.46	15.17
2021-22	15.42	3.33	18.75
2022-23	0.48	1.63	2.21

3	<p>Has the Unit procured goods and or services without having sufficient balance in their BLUT.</p> <p>If yes,</p> <p>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)	Employment made as on date- (as on end of block period / year up to which monitoring is being done)	<p>As on 31.03.2023</p> <p>Men - 1103</p> <p>Women – 812</p> <p>Total - 1915</p>
(e)	<p>Details of pending Foreign Remittance beyond Permissible period, if any</p> <p>(as on.....)</p> <p>To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained.</p>	NO.
(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>	Yes
(g)	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.	Yes, Softex Certified upto March,2023 for the Monitoring period 2018-19 to 2022-23.

(h)	Whether unit has filed any request for Cancellation of Softex	NO
(i)	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.
(j)	Whether the Unit has updated the BLUT Ledger Module in SEZ Online.	As per Office Order No. 02/2023 dated 16.03.2023, Uploading of BLUT online is kept in abeyance.
(k)	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	No.
(l)	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.
(m)	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.
(n)	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
(o)	Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report	No.
(p)	Has the unit set up any cafeteria / canteen / food court in unit premises.	

	<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>	No.
(q)	Whether any violation of any of the provision of law has been noticed/observed by Specified Officer during the period under monitoring.	Nil

f. 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”***

ADC’s observations:

- The Unit has achieved cumulative export revenue of Rs. 1075.97 Crores as against projected export of Rs. 5171.99 Crores (which is 20.80% of projected export) and achieved cumulative NFE of 1055.28 Crores which is 98.08% in 5 years of 1st Block Period i.e. during (FY 2018-19 to 2022-23)
- The unit has achieved Employment of 1915 employees (Men – 1103, Women – 812) as on 31.03.2023.
- The Unit has not filed any DSPF for services procured during the said monitoring period under consideration.
- Approval Committee may like to monitor the performance of the Unit for FY 2018-19 to 2022-23 (5 years of 1st Block period).
