

Minutes of the 77th Meeting of the Approval Committee for Sector Specific Special Economic Zone of M/s. Mindspace Business Parks Pvt. Ltd. – SEZ, at Airoli, under the Chairmanship of Development Commissioner, SEEPZ-SEZ held on 27th December, 2018 at BFC Building, SEEPZ-SEZ, Mumbai – 400 096.

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1. Name of the SEZ : M/s. Mindspace Business Parks Pvt. Ltd.
2. Sector : IT/ITES.
3. Meeting no : 77th
4. Date : 27th December, 2018

Members Present:

1. Shri. V. P. Shukla : Member
Jt. Development Commissioner
SEEPZ-SEZ
2. Shri. D. A. Bhusari : Nominee of the Commissioner of CGST,
Asstt. Commissioner Navi Mumbai
3. Shri. Deepak Jhulani : Nominee of the Additional DGFT,
Asstt. DGFT Mumbai
4. Shri. M. H. Hingorani : Nominee of Commissioner of Customs.
Asstt. Commissioner Customs Mumbai
5. Shri. B. S. Mangat : Nomine of the GST
Deputy Commissioner
6. Shri. Sanjay Nanawane : Nominee of MPCB, Mumbai.
Field Officer

Special Invitee:-

1. Shri. Pravin Chandra : Jt. Development Commissioner,
(PUNE-CLUSTER)

Agenda Item No. 1: Confirmation of Minutes of the 76th meeting held on 30.11.2018.

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The Minutes of the 76th Meeting held on 30.11.2018 were confirmed.

Agenda Item No. 02: Proposal of M/s. L&T Technology Services Limited for Monitoring Performance of the unit over a period of 5 years i.e. 2013-14 to 2017-18.

While deliberation, the representative of the unit stated that as there is some error in respect of import of CG in their APRs therefore they intend to revise the same. The Committee directed that after rectifying the error, unit may resubmit the APRs to Development Commissioner office. The Committee deferred the proposal.

Supplementary Agenda Item No. 01: Approval of List of Goods Mindspace Business Parks Pvt. Ltd. - SEZ.

The representative of the Developer informed the Committee that MERC has granted them Deemed Distribution License for Distribution of power within their SEZ. As per the MERC regulation 2016 the entities who are not able to fulfil the renewable energy obligation by way of captive generation, can fulfil the same by way of procurement of renewable energy Certificate, issued for Renewable Energy Generation, within and outside Maharashtra.

It is also informed to the Committee that, Since, they do not generate the required quantum of Solar Power in their SEZ, they are purchasing Renewable Energy Certificate from the Power Exchange to fulfil their Renewable purchase Obligation and abiding with the Government regulation. Power supply is not under the ambit of GST, but Tax Research Unit of Deptt. Of Revenue, Ministry of Finance under Sr. No. 7 of the Circular No. 46/20/2018-GST dated 6th June 2018-has clarified that these Renewable Energy Certificate are classified as goods under heading 4907 and attract 12% GST.

The Committee noted that MERC vide its regulation has imposed various conditions on the obligated entity (Distribution Licensee) inter-alia procurement of Renewable Energy Certificate for the purpose of fulfillment RPO target.

The Committee also noted that the Ministry of Finance, Deptt. of Revenue, Tax Research Unit vide circular No. 46/20/2018-GST dated 6th June, 2018 has clarified that other than Duty Credit Scrip's are classifiable under heading 4907 and will attract 12% GST.

The Ministry of Commerce and Industry, Deptt. Of Commerce (SEZ Section has issued instruction No. 50 dated 15th march, 2010has issued consolidated list of default authorized operation which can be under taken by the Developer/Co-Developer. Sr. No. 23 provides Power (including power back up facilities) for captive use only as authorized operation.

Rule 10 of SEZ Rule 2006 provides that "The Approval Committee may permit goods and services to carry on the operations authorized under rule 9: Provided that for the Special Economic Zones set up by the Central Government, the goods and services required for the authorized operations may be approved by the Board."

After deliberation, the Committee approved the List of Goods (Indigenous Procurement) i.e. Renewable Energy Certificate by Developer required for their authorized operations i.e. Power (including power back up facilities) for captive use in processing area at estimated cost of **Rs.5,90,37,000/- (Rs. Five Crore Nintey Lakhs Thirty Seven Thousand Only)** duly certified by Chartered Engineer Shri. Santosh K. Singh, Reg. No. M118968/3 Dated. 18.09.2001 in terms of Rule 10 of SEZ Rules, 2006 read with Rule 12(2) of SEZ Rules 2006 & as per Instruction No. 50, Sr. No. 23 issued by MOC&I dated 15.03.2010.

The meeting ended with the vote of thanks to the Chair.



**Chairperson-cum-
Development Commissioner**

