

**GOVT. OF INDIA
DEVELOPMENT COMMISSIONER,
SEEPZ SPECIAL ECONOMIC ZONE,
ANDHERI (EAST), MUMBAI**

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a) Proposal: -

Application of M/s. Mindspace Business Parks Pvt. Ltd. - SEZ for approval of removing the condition of only pre-cooked food to be served by service providers in their SEZ premises.

b) Specific Issue on which decision is required: -

For removing the condition of only pre-cooked food to be served by service providers in their SEZ premises.

c) Relevant provisions of SEZ Act, 2005 & Rules, 2006/Instruction/Notification :

1. Rule 11(5) of SEZ Rules, 2006 -

“The Developer may, with the prior approval of the Approval Committee, grant on lease land or built up space, for creating facilities such as canteen, public telephones booths, first aid centres, crèche and such other facilities as may be required for exclusive use of the unit ”

2. MOC&I Instruction No. 50, Sr. No. 27, vide letter No. F.5/1/2010-SEZ dated 15.03.2010.

d) Other Information: -

M/s. Minspace Business Parks Pvt. Ltd.-SEZ has been granted Formal Approval No. F. 2/94/2005-EPZ Dated 23.10.2006 as Developer in Sector Specific Special Economic Zone for IT/ITES at Airoli, District Thane Maharashtra.

As per direction of UAC meeting held on 05.02.2020, the Inspection of M/s. Mindspace-SEZ (Developer) w.r.t. Fire NOC has been carried on dated 09.03.2020 by DC-SEEPZ office and the same is attached for reference.

Further, following are the points:

1. The Approval Committee meeting held on 02.01.2020 has approved the proposal of M/s. Mindspace Business Parks Pvt. Ltd. for leasing out build up space to 2 service providers for running, operating and managing Food & Beverages kiosks for the welfare of the employees, with a condition that the said service providers shall serve pre-cooked food and no cooking of food shall be allowed in the said premises.
2. The Developer vide letter dated 27.01.2020 has stated that they have necessary approval from the Fire Authorities and requested to kindly remove the condition of only pre-cooked food to be served and allow cooking of the food to be served to the occupants of their SEZ.
3. The proposal of the developer for removing the condition of only pre-cooked food to be served by services providers was placed before the Approval Committee meeting held on 05.02.2020 and the Committee decided the inspection of proposed area for leasing out build up space to service providers for running, operating and managing Food & Beverages kiosks for the welfare of the employees.
4. The Inspection of M/s. Mindspace-SEZ (Developer) w.r.t. Fire NOC has been carried on dated 09.03.2020 by DC-SEEPZ office.

The Details of Service Providers are as follows:

Sr. No.	Service Provider	Location	Area	Brand	Scope	Documents Enclosed
1.	M/s. Grace Foods.	Ground Floor, Club House, M/s. Mindspace Business Parks Pvt. Ltd. - IT/ITES-SEZ.	85 Sq. Ft. Carpet Area	Ferns and Petals	Providing of Services for running, managing and operating a Food and Beverages outlet under the brand / trade name "Ferns and Petals".	- Provisional Offer - Map - Fire NOC
2.	M/s. Shreena thji Foods.	Ground Floor, Club House, M/s. Mindspace Business Parks Pvt. Ltd. - IT/ITES-SEZ.	85 Sq. Ft. Carpet Area	Hasty and Tasty	Providing of Services for running, managing and operating a Food and Beverages outlet under the brand / trade name "Hasty Tasty".	- Provisional Offer - Map - Fire NOC

e) ADC Recommendation :

1. As per the Inspection report w.r.t. Fire NOC and in terms of Rule 11(5) of SEZ Rules, 2006 & MOC&I Instruction No. 50, Sr. No. 27, vide letter No. F.5/1/2010-SEZ, dated 15.03.2010, the proposal of M/s. Minspace Business Parks Pvt. Ltd.-SEZ (Developer) for removing the condition of only pre-cooked food to be served by service providers in their SEZ premises is placed before the Approval Committee Meeting for consideration.

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

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a) Proposal :-

Monitoring Performance of the unit M/s. Sutherland Global Services Pvt. Ltd. located at Mindspace-SEZ - SEZ over a period of 5 years (1st Block Period) i.e. 2014-15 to 2018-19.

b) Specific Issue on which decision is required :-

Monitoring Performance of the unit M/s. Sutherland Global Services Pvt. Ltd. over a period of 5 years (1st Block Period) i.e. 2014-15 to 2018-19.

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

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 :

Name of the unit	M/s. Sutherland Global Services Pvt. Ltd.
Located at	Unit No. 701, 6 th Office Level, Building No. 09, M/s. Mindspace Business Parks Pvt. Ltd. – SEZ, Thane-Belapur Road, Airoli, Navi Mumbai – 400 708.
LOP No. & Date	LOA No. SEEPZ/NEW-SEZ/SERENE-THANE/46/2014-15/10942 Dated 04.09.2014
Item (s) of manufacture	Back Office Operation including IT Enabled Voice Services, Business Process Outsourcing & IT Enabled Services.
Date of Commencement of production	01.03.2015

The unit vide letter dated 06.12.2019 has requested for renewal of LOA for the further period of 5 years (2nd Block Period) i.e. 01.03.2020 to 29.02.2025.

The unit has submitted Annual Performance Report for the years 2014-15 to 2018-19 duly certified by the Chartered Accountant & Authorized signatory. The performance of the unit has been monitored from 2014-15 to 2018-19 on cumulative basis.

The Specified Officer vide letters dated 10.08.2017, 29.05.2018 and 26.02.2020 has submitted verification report for the years 2014-15 to 2018-19 and stated that the Unit has achieved positive NFE throughout the consideration period i.e. 2014-15 to 2018-19 as per data submitted by the Unit and NSDL.

The specified officer has submitted summary of the data retrieved from the NSDL & APRs submitted by the unit:

F.Y.	Export-FOB value			NFE (Rs. In Lakhs)			
	APR Data	NSDL Data	Projected Export	Projected NFE	NFE as per APR	Year Wise %	Cumulative NFE
2016-17	2502.26	2502.26	6849.25	6849.25	2502.00	36.52%	2502.00
2017-18	2748.09	2748.09	7534.17	7534.17	2712.13	35.99%	5214.13
2018-19	6265.02	6265.02	8287.59	8287.59	6236.58	75.25%	11450.71
Total	11515.37	11515.37	22671.01	22671.01	11450.71		50.50%

The Specified Officer has also stated that, as per export retrieved from NSDL and data for the year 2016-17 to 2018-19 provided by the unit along data with supporting documents no discrepancy has been found.

However, there is some discrepancy in the data submitted by the unit for Import made by the unit for the year 2017-18 vis-à-vis data retrieved from NSDL.

Unit has given the explanation on discrepancy of financial year 2017-18 as mentioned below:

Sr. No.	Financial Year	Reason for Discrepancy
		1. Unit has informed that the Import data and Zone Data

1	2017-18	received from NSDL data is correct & regretted discrepancy. 2. Unit has wrongly considered cumulative total value of Import from F.Y. 2014-15 to 2017-18 of Capital Goods imported instead mentioning the total of Capital Goods Imported during the F.Y. 2017-18.
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Hence, the unit explanation for discrepancy in the Import data appears to be correct to the year 2017-18. The unit has submitted that they are going to file revised APR for the FY 2017-18 with correct figure.

Further, the Specified Officer has also stated that, though the unit has achieved only 50.50% the Projected Export/NFE till data as mentioned above. They have achieved positive NFE for the year 2016-17, 2017-18 and 2018-19 as per APR and NSDL data. Vide letter dated 24.02.2020 the unit has submitted that they could not achieve Projected NFE as they could not get the anticipated business.

Further, the Specified Officer has also stated that, the Unit has submitted Bond Balance Statement from inception till date for Unit operated from Mindspace- SEZ. Details of Bond Consumption are as below:

(Rs. In Lakhs)	BLUT executed of Bond (Rs.)	Utilization of Bond	Balance
2014-15	238.56	94.91	143.65
2015-16	143.65	1.36	142.29
2016-17	142.29	4.1	138.19
2017-18	138.19	2.72	135.47
2018-19	135.47	0.00	135.47

As per APR submitted by the unit, performance of the unit is monitored on cumulative basis which is as under:

(Figs. In Lakhs)

Year	NFE Achieved	% NFE Achieved
2014-15 to 2014-15	-116.83	-114.69%
2014-15 to 2015-16	1316.78	83.03%
2014-15 to 2016-17	3768.25	92.17%
2014-15 to 2017-18	6429.58	94.05%
2014-15 to 2018-19	12615.36	96.29%

The performance of the unit from 2014-15 to 2018-19 year-wise is indicated below.

(Figs. in Lakhs)

निर्यात Export			आयात Import CG/RM.				
वर्ष Year	प्रोजेक्टेड Projected	वास्तविक Actual	वर्ष Year	प्रोजेक्टेड Projected		वास्तविक Actual	
				CG	RM	CG	RM
2014-15	4566.26	101.86	2014-15			250.07	0.00
2015-16	5022.88	1484.14	2015-16	1128.01 (For 5years)	0.00	255.23	0.00
2016-17	6849.25	2502.26	2016-17			2.68	0.00
2017-18	7534.17	2748.09	2017-18			270.82	0.00
2018-19	8287.59	6265.02	2018-19			13.57	0.00
कुल TOTAL	32260.15	13101.37	कुल TOTAL			1128.01	0.00

A copy of details of calculations of NFE achieved on cumulative basis is enclosed.

The unit has achieved positive NFE i.e. **Rs. 12615.36/- lakhs** on cumulative basis during the block period of 2014-15 to 2018-19.

ADC Recommendation:

- The APRs submitted by the unit for the years from 2014-15 to 2018-19 has been monitored by this office and unit has achieved positive NFE of **Rs. 12615.36/- lakhs** on cumulative basis.
- Recommended to Approval Committee for monitoring as per Rule 54 of SEZ Rules, 2006.
