

Minutes of the 105th Meeting of the Approval Committee for Sector Specific Special Economic Zone of M/s. Mindspace Business Parks Pvt. Ltd. - SEZ, at Airoli, Mumbai, under the Chairmanship of Development Commissioner, SEEPZ-SEZ held on 28.04.2022 on Video Conferencing through Cisco WEBEX application.

1. Name of the SEZ : M/s. Mindspace Business Parks Pvt. Ltd.
 2. Sector : IT/ITES
 3. Meeting no : 105th
 4. Date : 28.04.2022

Members Present:

Sr. No.	Name of Members	Designation	Organization
1	Shri. C. P. S. Chauhan	Jt. Development Commissioner,	SEEPZ-SEZ.
2	Shri. Premchandran Nair	Dy. DGFT	Nominee of the DGFT, Mumbai.
3	Smt. Kirti Deshmukh	Deputy Director Inspector	Nominee of Directorate of Industries, Mumbai.
4	Shri. Kirit Gandhi	Asstt. Commissioner, Customs	Nominee of Commissioner of Customs, General, Air Cargo, Sahar.
5	Shri. Indrajeet Deshmukh	Field Officer	Nominee of MPCB, Mumbai.

Special Invitee:-

Shri. R.K. Jain : Specified Officer, Capgemini -SEZ.

Shri. Praveen Kumar, Authorised Officer/ADC I/c (SEEPZ SEZ & New SEZ); Shri. Ranjit Rawool, Authorised Officer/ADC I/c (New SEZ); Smt. Bridget Joe, EA to Development Commissioner/Estate Manager, Smt. Kiran Vanker, ADC (New SEZ) and Smt. Rekha Nair, Assistant also attended for assistance and smooth functioning of the meeting.

Agenda Item No. 01: Confirmation of Minutes of the 104^h meeting held on 30.03.2022.

 The Minutes of the 104th Meeting held on 30.03.2022 were confirmed with consenses.

[Handwritten Signature]
 20/5/22

Agenda Item No. 02: Approval for action against the Unit under Rule 54 (2) of SEZ Rules 2006 for violation of Section 30 (a) of the SEZ AC 2005 and Rule 22, Rule 34, Rule 36, Rule 47 (1) & Rule 51 of SEZ Rules 2006.

Specified Officer has observed that various Unit's issues laptops/IT Systems to their employees for Work from Home during Covid-19 pandemic and the said employees either resigns or leaves the organization and does not return the laptops/IT systems provided to them during the lockdown period. On preliminary scrutiny it is seen that Unit has not taken any action on recovery of IT assets issued to their employees. Unit has conveyed that they are ready to pay the duty amount of the un-returned equipment. It is seen that the equipments sent out of SEZ to DTA is treated as import and the Unit has thus failed to bring back the goods within the stipulated period as prescribed in Rule 51 (4) of the SEZ Rules 2006 thereby violating the provisions of the SEZ Act 2005 & SEZ Rules 2006, thus liable for penal action under FTDR Act, 1992.

Committee was also brought to the notice that there are various circumstances under which the Units are reporting lost/not accounted for of the IT equipment/theft of the IT equipment from the SEZ Unit/theft during transit/employee not traceable etc.

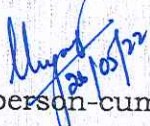
In the case of M/s. Inventurus Knowledge Solutions Pvt. Ltd.-MBPPL-SEZ, Airoli, Navi Mumbai, the Unit issued laptops/IT Systems to their employees for work from home during Covid-19 pandemic. The said employees resigned and left the organization and didn't return laptops/IT Systems provided to them during lockdown. Preliminary scrutiny of the documents suggest that the Unit has not taken any action regarding recovery of IT assets issued to their employees. The unit stated that they are ready to pay the duty amount of the above said un-returned equipment.

Decision : Committee observed that the import of old and used IT equipments is restricted for import. Import is permissible only against an Import authorization/import licence issued by DGFT and subject to compliance of the conditions laid down in RCR and permission/NOC from MOEF&CC. Hence, such cases are prima-facie violation of various provisions of the foreign Trade Policy, the Hazardous and Other Wastes Management and Transboundary Movement Rules) 2016 issued under the Environment (Protection) Act, 1992 read with Rule 54 (2) of the SEZ Rules. Committee held the view that such cases may be dealt with by Development Commissioner on case to case basis keeping in view the facts and circumstances of each case whether the same is bonafide or otherwise. The decision of the Development Commissioner will be required to be submitted before the Approval Committee for ratification.

Further, the Unit Approval Committee in its meeting held on 28.04.2022 directed

for issuance of Show Cause Notice to M/s Inventurus Knowledge Solutions Private Limited, having registered address at 801, Building No 5&6, 8th Floor, Mindspace Business Park (SEZ), Thane-Belapur Road, Airoli, Navi Mumbai-400708 for the said violation.

Meeting ended with the vote of thanks to the Chair


Chairperson-cum-
Development Commissioner

10/10/21