

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 ENGINEERING AT
VILLAGE PHALTAN, DISTRICT SATARA OF MAHARASHTRA
INDUSTRIAL DEVELOPMENT CORPORATION.**

VENUE : Tieto India Pvt. Ltd., Wing - I, Cluster D, 5th Floor,
EON Kharadi Infrastructure Pvt. Ltd.-SEZ, EON Free
Zone, MIDC Kharadi Knowledge Park, Plot No. 1,
S.No.77, Pune - 411 014.

DATE : 26th May, 2017.

TIME : 1.00 P.M. (onwards)

MEETING OF THE APPROVAL COMMITTEE FOR SECTOR SPECIFIC SPECIAL ECONOMIC ZONE FOR ENGINEERING AT VILLAGE PHALTAN, DISTRICT SATARA OF MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION UNDER THE CHAIRMANSHIP OF DEVELOPMENT COMMISSIONER, SEEPZ-SEZ ON 26th MAY, 2017.

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Agenda Item No.	Subject
Agenda item No. 01: -	Confirmation of Minutes of the meeting held on 23.09.2016.
Agenda item No. 02: -	Application for additional List of Services - M/s. Cummins Technologies India Pvt. Ltd - MIDC Phaltan - SEZ.

Minutes of the 15th Meeting of the Approval Committee held under the Chairmanship of Development Commissioner for Sector Specific Special Economic Zone for Engineering at Village, Phaltan, Dist. Satara of M/s. Maharashtra Industrial Development Corporation held on 23.09.2016.

1. Name of the SEZ : M/s. Maharashtra Industrial Development Corporation, Satara.
2. Sector : Engineering.
3. Meeting no : 15
4. Date : 23.09.2016

Members Present: -

1. Shri. V. P. Shukla, Jt. Development Commissioner SEEPZ-SEZ : Member.
2. Shri. Anil S. Kanase, Additional DGFT, Mumbai : Nominee of Additional Director of Foreign Trade, Mumbai.
3. Shri. Shailesh Kumar, Income Tax Officer, : Nominee of the Commissioner of Income Tax PCIT - I, Pune.
4. Shri. V.C. Khole, Additional Commissioner of Services Tax. : Nominee of Additional Commissioner of Services Tax - I, Pune.
5. Shri. V. D. Shetiya, Jt. Director of Industries (MRR) : Nominee of the Development Commissioner (Industries).
6. Shri. R. B. Andhale, Sub Regional Officer, MPCB : Nominee of MPCB, Mumbai.

Special Invitee

7. Shri. A. A. Shaikh, Sr. Authorized Officer. MIDC, Satara - SEZ.

Agenda Item No. 1: Confirmation of Minutes of the meeting held on 17.06.2016.

The Minutes of the 14th Meeting held on 17.06.2016 were confirmed.

Agenda Item No. 2: Approval for Duty free Import of 5 Gen-sets for Testing, Training, Development & Validation Purpose for SEZ Unit. - M/s. Cummins Technologies India Pvt. Ltd.

The Committee noted that the unit vide their letter dated 31.08.2016 has requested for Duty free Import of 5 Gen-sets for Testing, Training, Development & Validation Purpose for SEZ Unit.

After deliberation, the Committee decided that duty free Gen-sets cannot be permitted because it is not a part of Authorized Operations.

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


Chairperson cum
Development Commissioner

**GOVT. OF INDIA
OFFICE OF THE DEVELOPMENT COMMISSIONER,
MINISTRY OF COMMERCE & INDUSTRY,
SEEPZ (SPECIAL ECONOMIC ZONE)
MUMBAI**

AGENDA NOTE FOR CONSIDERATION OF UNIT APPROVAL COMMITTEE

a) Proposal: -

Application for Additional List of services required for Authorized Operations received from **M/s. Cummins Technologies India Pvt. Ltd** – MIDC Phaltan - SEZ.

b) Specific Issue on which decision of UAC is required: -

Approval for additional services not covered under default List of Services as approved by MoC&I.

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

The application of the unit covered in terms of Rule 10 of SEZ Rules, 2006 and Notification No. 12/2013-ST dated 01.07.2013.

d) Other Information: -

The unit has requested for additional list of service as stated under:-

Sr. No.	List of Services	Justification
1.	Auction Services.	This service is for DTA sale of scrap. In the SEZ there is a tender process to sell scrap into DTA. The Unit has taken service from Auction service provider, which is being billed with service tax.
2.	Transport of goods by Coastal Shipping/ Ocean Freight services.	The unit has huge import purchase via OCEAN through various freight service providers.
3.	Other Taxable Services- Other than listed.	The said service is for employee's recovery of transport deduction, Notice pay, Relocated, etc. which liable to service tax. Therefore exemption is required.

A copy of letter dated 31.03.2017 is enclosed.

The proposal of the unit is placed before the Approval Committee for consideration.



F.No:- CTIPL/SEZ/MIDC-PHALTAN/New Service/Reply Dt. 31.03.2017

To
Office of the Development Commissioner
SEEPZ SPECIAL ECONOMIC ZONE
Ministry of Commerce & Industry Andheri (East) Mumbai-400096.

**Sub: Request for Approval of New Services SEZ online Request
ID:-421700066362**

**Ref: Your Letter No. SEEPZ-SEZ/NEWSEZ/MIDC-PHALTAN/01/2010-
11/VOL-III/07018 DATED April 06, 2017.**

Dear Sir,

With reference to above mentioned subject, we have submitted application for additional service for our authorized operation. You are therefore requested to justify for added additional service. Which justification given below.

Extend the list by adding following services required for authorized operation:

- 1. Auction Services.** - This service, we are using for DTA sale of scrap. In our SEZ Unit we have tender process to sale scrap into DTA. In the same we have taking service from Auction service provider, which they are billing us with service tax. And said service is not in our approved service List.
- 2. Transport of Goods by Coastal Shipping/ OCEAN freight services.** -

We have huge import purchase via OCEAN through various freight service providers. please refer Notification No. 1/2017-Service Tax dated 12 January 2017 (view here: 1, 2, 3), prepaid Ocean Freight and allied charges (FREIGHT charges) which were earlier exempted from the Service Tax (S. Tax), will now be taxable. This change is effective from 22 January 2017. The Tax on the Inbound Prepaid Freight Charges will be calculated at 30% of the FREIGHT charges. In view of the abatement, the effective Tax rates (22 January 2017 onwards) for Service provider. The India Outbound Prepaid and Collect FREIGHT Charges will continue to be exempted, as of now.

Phaltan High Horsepower Plant, SEZ Unit
Division of Cummins Technologies India Private Limited
(Formerly known as Cummins Technologies India Limited)
Plot No. B3/1, MIDC SEZ-Phaltan
Village Nandal-Surwadi
Taluka Phaltan, Dist. Satara 415522
Maharashtra (India)
Phone +91 2166 305800
cumminsindia.com
ctipl@cummins.com

Registered Office
Cummins Technologies India Private Limited, Cummins India Office Campus
Tower A, 2nd, 4th and 8th Floor, Survey No. 21, Balewadi, Pune 411 045, Maharashtra, India
CIN : U29113PN1994FTC139153



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3. **Packaging activity services-** As per definition and scope of service "packaging activity" means packaging of goods including pouch filling, bottling, labelling or imprinting of the package, but does not include any packaging activity that amounts to 'manufacture' within the meaning of clause (f) of section 2 of the Central Excise Act, 1944 (1 of 1944) Liable to pay Service tax since the said service which they are billing us with Service tax. Also this service we are using for our "Final Product packaging activity."
 4. **Convention Service:** As per definition and scope of service "Convention" means a formal meeting or assembly which is not open to the general public, and does not include a meeting or assembly the principal purpose of which is to provide any type of amusement, entertainment or recreation; (Section 65(32) of the Finance Act, 1994). The said service we are using for our employee who their attend convention outside of SEZ unit, which they are billing with service tax.
 5. **SEZ Online Services:** - The said service we are using from NSDL service provider where we have taking AMC. Also said service was not in our approval list since we are using SEZ online service for our day to day transaction in SEZ unit.
 6. **Other Taxable Services - Other than Listed:** - The said service we are using for employee recovery of deduction transport, Notice pay, Relocation, etc. Which liable to pay service tax on deducted amount. Need exemption since this service not listed into service tax category other than 119 service.


Hope you are satisfy with our justification for added service into our approved service list.

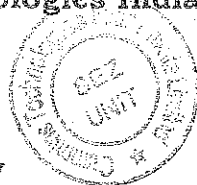
Kindly honor our request to include above services in our existing Service List.

Thanking you, we remain,

Yours faithfully,

For Cummins Technologies India Private Limited (SEZ Unit),


Authorized Signatory
SUNIL N. SHETTY



Phaltan High Horsepower Plant, SEZ Unit
Division of Cummins Technologies India Private Limited
(Formerly known as Cummins Technologies India Limited)
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