

Minutes of the 69<sup>th</sup> 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 M/s. Embassy Pune TechZone Pvt. Ltd.-SEZ, Pune, held on 26.10.2021 via video conferencing.

1	Name of the SEZ	<b>M/s. Embassy Pune TechZone Pvt. Ltd.-SEZ</b>
2	Sector	IT/ITES
3	Meeting No.	69 <sup>th</sup>
4	Date	<b>26.10.2021</b>

#### Members present

Sr	Name and Designation (S/Shri.)	Department
1	Pravin Chandra Joint Development Commissioner	Pune Cluster-SEZ, Pune
2	Ratnakar Shelake DCIT-TDS	Nominee of Income Tax, Pune
3	Krishnadas Nair, Foreign Trade Development Officer	Nominee of DGFT, Pune
4	Ms. Savani Kulkarni Superintendent	Nominee of Customs, Pune

#### Special Invitee

Sr	Name and Designation	Department
1	Shri B. Ajay Kumar Specified Officer	Pune Cluster-SEZ, Pune

#### **Agenda Item No.01: Confirmation of Minutes of the 68<sup>th</sup> meeting held on 29.09.2021**

After deliberation, the Committee confirmed the minutes of the 68<sup>th</sup> Approval Committee meeting held on 29.09.2021.

#### **Agenda Item No.02: Approval for Enhancement of Projection submitted by M/s. Kyndryl Solutions Pvt. Ltd.**

The Committee enquired with the Unit representative for reasons for enhancement of Capital Goods limit within a short period of issuance of LOA on 27.8.2021. The Unit representative explained that they had (1) erred while projecting while applying at the time of new unit application, (2) As the assets were transferred from M/s. IBM India Pvt. Ltd. as per business transfer arrangement, these assets are already old and they have to replenish the same in third year of their operation and (3) they have to refurbish their Office in order to follow Covid Compliant. They could not visualised these factors while setting up of new unit.

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27/10/21



After deliberation, the Committee approved the proposal of the unit for Enhancement of Indigenous and Imported of capital goods as detailed below, in terms of Rule 19(2) of SEZ Rules, 2006,

**Revised Projections:**

Sr.No	Particulars	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	Total
1.	FOB Value of exports	16857.04	16857.04	16857.04	17531.32	18232.57	<b>86335.01</b>
2.	Foreign Exchange outgo	5103.97	5150.83	5197.69	5448.71	5709.77	<b>26610.98</b>
3.	Net Foreign Exchange	11753.07	11706.21	11659.35	12082.61	12522.80	<b>59724.03</b>
4.	<b>Investment- Plant &amp; Machinery/ Capital Goods</b>						
i.	Indigenous						2687.81
ii.	Imported						2913.67
	<b>Total</b>						<b>5601.54</b>
5.	<b>Employment (Men-728, Women-164)</b>						<b>892</b>

**Agenda Item No.03:Monitoring of Performance for M/s. Nitor InfotechPvt. Ltd. (Unit-I)**

After deliberation, Committee monitored the performance of the Unit in terms of Rule 54 of SEZ Rules, 2006 and noted that the unit has achieved positive NFE of **Rs 8493.95**Lacs on cumulative basis with an employment of **164**employees during 1<sup>st</sup> block period i.e. F.Y 2016-17 to F.Y 2019-20 (out of 2016-17 to 2020-21).

The Committee directed the unit to revise the APR in SEZ online system w.e.t. the revised APR filed for the period 2018-19 and 2019-20.

Further, the Committee noted that, the unit has provided "Services" in Domestic Tariff Area (DTA) against payment in INR as detailed below:

Year	Amount in Lakhs
2017-18	87.15
2018-19	4.62
<b>Total</b>	<b>91.77</b>

The unit representative agreed to the fact that they had provided services in DTA against payment received in INR during the two Financial years. Further, the unit representative explained that they have discontinued the business with the client and have stopped billing in INR.

*[Signature]*  
27/1/21

Since providing of "Services" in DTA against INR does not qualify as 'Services' as per definition given in Section 2(z) of the SEZ Act, 2005, Unit has violated the provisions of SEZ Act & Rules and hence Committee after deliberation, directed that action be initiated against the unit for violation of various provision of SEZ Act / Rules and under FT (D&R) Act, 1992, by the Development Commissioner.

**Agenda Item No.04:Monitoring of Performance for M/s. NitorInfotechPvt. Ltd. (Unit-II)**

After deliberation, Committee monitored the performance of the Unit in terms of Rule 54 of SEZ Rules, 2006 and noted that the unit has achieved positive NFE of **Rs. 4806.22** Lacs on cumulative basis with an employment of **219** employees during 1<sup>st</sup> block period i.e. F.Y 2016-17 to F.Y 2019-20 (out of 2016-17 to 2020-21).

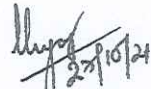
Further, the Committee noted that, the unit has provided "Services" in Domestic Tariff Area (DTA) against payment in INR as detailed below:

Year	Amount in Lakhs
2017-18	65.53
<b>Total</b>	<b>65.53</b>

The unit representative agreed to the fact that they had provided services in DTA against payment received in INR during the two Financial years. Further, the unit representative explained that they have discontinued the business with the client and have stopped billing in INR.

Since providing of "Services" in DTA against INR does not qualify as 'Services' as per definition given in Section 2(z) of the SEZ Act, 2005, Unit has violated the provisions of SEZ Act & Rules and hence Committee after deliberation, directed that action be initiated against the unit for violation of various provision of SEZ Act / Rules and under FT (D&R) Act, 1992, by the Development Commissioner.

Meeting ended with a vote of thanks to the Chair.

  
**(Shyam Jagannathan, IAS)**  
**Chairman-cum- Development**  
**Commissioner**

