

**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 IT/ITES AT  
POWAI, MUMBAI OF M/S. HIRANANDANI BUILDERS.**

**VENUE :** Conference Hall, 2<sup>nd</sup> Floor, SEEPZ Service Centre,  
Andheri (East), Mumbai – 400 096.

**DATE :** 14<sup>th</sup> September, 2015

**TIME :** 12:40 P.M.

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**MEETING OF THE APPROVAL COMMITTEE FOR SECTOR SPECIFIC SPECIAL ECONOMIC ZONE FOR IT/ITES AT POWAI, MUMBAI OF M/S. HIRANANDANI BUILDERS, UNDER THE CHAIRMANSHIP OF DEVELOPMENT COMMISSIONER, SEEPZ-SEZ ON 14<sup>TH</sup> SEPTEMBER, 2015**

**INDEX**

<b>Agenda Item No.</b>	<b>Subject</b>
<b>Agenda item No. 01 : -</b>	Confirmation of minutes of the meeting held on 08.07.2015.
<b>Agenda item No. 02 : -</b>	Approval of setting up of a new unit – M/s. Alexion Business Services Pvt. Ltd.
<b>Agenda item No. 03 : -</b>	Approval for amendment in LOA for inclusion of additional clause – M/s. GPRO Services India Pvt. Ltd.

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**Minutes of the Meeting of the Approval Committee held under the Chairmanship of Development Commissioner for Sector Specific Special Economic Zone for IT/ITES at Powai, Mumbai of M/s. Hiranandani Builders held on 08.07.2015**

1. Name of the SEZ : M/s. Hiranandani Builders.  
2. Sector : IT/ITES.  
3. Meeting No. : 25  
4. Date : 8.07.2015.

**Present:**

1. Shri. P. S. Raman : Member  
Joint Development Commissioner  
SEEPZ-SEZ.  
2. Smt. S. R. Motwani : Nominee of Additional  
Dy. DGFT  
DGFT, Mumbai.  
3. Shri. Sukhwinder Singh : Nominee of the Commissioner of  
Asst. Commissioner, Central Excise, Central Excise, Navi Mumbai.  
Belapur.  
4. Shri. D. S. Kanpillewar : Nominee of Commissioner of  
Income Tax Officer, 15(1)(3) Income Tax, CIT-15,  
Mumbai.  
Mumbai.  
5. Shri. K. S. More : Nominee of the  
Industries Inspector Development Commissioner  
(Industries).  
6. Shri. Mangesh Patil : Nominee of the Developer  
Officer.  
Hiranandani-SEZ.

**Special Invitees:**

7. Shri. K. K. Srivastav  
Specified Officer,  
Hiranandani - SEZ.  
8. Shri. V. P. Shukla  
Deputy Development Commissioner  
SEEPZ-SEZ

**Agenda Item No.01: Confirmation of Minutes of the meeting held on 18.03.2015.**

The Minutes of the 24<sup>th</sup> Meeting held on 18.03.2015 were confirmed.

**Contd.....2/-**

**Agenda Item No.02: Approval of additional list of Service for authorized operations – M/s. GE India Industrial Pvt. Ltd**

The representative of the unit did not attend the meeting, therefore the Committee deferred the proposal.

**Supplementary Agenda Item No.03: Approval of list of Sub Contractors.- M/s. TATA Consulting Engineers Ltd.**

After deliberation, the Committee approved the proposal of M/s. TATA Consulting Engineers Ltd. for testing and validation of Engineering Designs as per provisions under Rule 51 of SEZ Rules, 2006.

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

  
Chairperson - cum -  
Development Commissioner

Draft

PART A

Request ID 111500002843

Name of DC DC SEEPZ SEZ  
Mumbai

Name of SEZ Hiranandani Builders

Name of unit ALEXION BUSINESS  
SERVICES PVT LTD

Submission Date 24/07/2015

Sr.No.	Description	Values	Remarks
1.	Name of Proposed Unit	ALEXION BUSINESS SERVICES PVT LTD	
2.	IEC Number	0311052479	
3.	PAN	AAJCA7983Q	
4.	Type of Firm (Proprietary/Partnership Firm / Pvt. Ltd. /Ltd. Co.)	Private Limited Company	
5.	Promoter(s)/Shareholder(s) / Directors	AMIT MATHUR,JEFFREY MICHAEL FRYER,MICHAEL VINCENT GRECO JUNIOR	
6.	Nature of Industrial Undertaking (Whether small / medium / large scale)	Large Scale	
7.	Sector of activity	Electronics And Software	
8.	Registered Office Address	9th Floor, Platina, Regus, Bandra Kurla Complex,BI ock G. Plot C59,,Bandra (E),Mumbai- 400051,Maharash tra,India	
9.	Address of the proposed unit		3rd Floor, Unit No. 301, Hiranandani Builders - SEZ, Kensington, A-Wing, Hiranandani Business Park, Powai, Mumbai - 400 076.
10.	Area in Sq. Mtrs.	3289.69	
11.	Tenure of lease of premises		
12.	Proposed Item of Manufacturing (Description of Item(s))	Information Technology & Information Technology Enabled Services, Back office data and information processing, software development and support, Knowledge process Outsourcing, Finance and Accounts data processing	

		F.E. Outgo	4595.95	7659.92	
		NFE	42916.71	71527.85	
18.	Employment Details	<b>Men</b>	<b>Women</b>	<b>Total</b>	
		300	100	400	
19.	Marketing Details furnished				

**SCOPE:-**

The applicant in its application stated that they are expanding to India to support projects in Information Technology, Finance and Accounting streams, as well as multi-dimensional projects across various regions throughout the world. They will provide following services (but not restricted to) to Alexion's organizations throughout the world :

- 1) data and information processing and software training center using the information technology systems and related controls designated by the Recipient Company.
- 2) IT enabled services and training using the information technology systems and related controls designated by the Recipient Company.
- 3) Accounting and finance support, including budgets, forecasting, foreign exchange management and other related activities.

For marketing of it's services from the proposed SEZ unit, they will use their existing lead management group, sales and pre sales teams who have global exposure and who travel across the globe to get the business as they are an existing company in the field of IT/ITES Services.

The applicant has envisaged export turnover of Rs. 47,512.96 lakhs, NFE of Rs. 42916.71 lakhs employment generation of 400 persons over a period of 5 years. The applicant has envisaged over a period.

The proposal of the applicant is placed before the Approval Committee for consideration in terms of 18 & 19 of SEZ Rules, 2006, as amended.

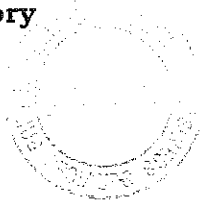
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<b>LIST OF IMPORTED CAPITAL GOODS</b>	
<b>Sr. No.</b>	<b>Particulars</b>
1	Desktops
2	Laptops
3	Servers
4	Switches
5	Networking Equipment's
6	UPS System
7	Teleconferencing Equipment's
8	Audio Video Equipment's
9	Security System
10	CCTV Camera
11	Modular Furniture & Fit outs
12	Chairs
13	Air-conditioning Equipment's
14	LCD Displays
15	Software
16	Data Centre
17	Fax Machine
18	Racks for Server
19	Testing Equipment's
20	Printer/Scanner/Photocopier
21	Fire Alarm System
22	LAN Cabling
23	Electrical Switchboard
24	Electrical Cables
25	Electrical Equipment's
26	Building Materials

**For Alexion Business Services Pvt Ltd**



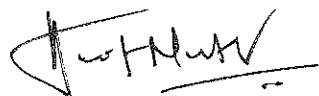
**Authorized Signatory**





<b>LIST OF INDIGENOUS CAPITAL GOODS</b>	
<b>Sr. No.</b>	<b>Particulars</b>
1	Desktops
2	Laptops
3	Servers
4	Switches
5	Networking Equipment's
6	UPS System
7	Teleconferencing Equipment's
8	Audio Video Equipment's
9	Security System
10	CCTV Camera
11	Modular Furniture & Fit outs
12	Chairs
13	Air-conditioning Equipment's
14	LCD Displays
15	Software
16	Data Centre
17	Fax Machine
18	Racks for Server
19	Printer/Scanner/Photocopier
20	Fire Alarm System
21	LAN Cabling
22	Electrical Switchboard
23	Electrical Cables
24	Electrical Equipment's
25	Building Materials

**For Alexion Business Services Pvt Ltd**

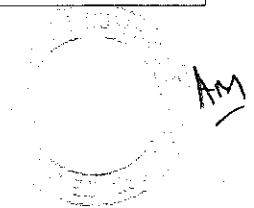


**Authorized Signatory**

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LETTER OR INTENT

Sr. No.	Particulars	Terms and conditions								
1. 1	Date	4th August 2015.								
2.	Type of agreement	Lease Agreement (To be executed within 15 days from the receipt of Letter of Approval from the SEZ Committee.)								
3.	Lessor	<b>Hiranandani Builders</b>								
4.	Lessee	<b>Alexion Business Services Pvt. Ltd.</b>								
5.	Nature of the business to be carried from the lease Premises	IT/ITES only								
6.	Description of Premises :-	<table border="0"> <tr> <td><b>Floor</b></td> <td><b>Unit No</b></td> <td><b>Built Up Area</b></td> <td><b>Carpet Area:</b></td> </tr> <tr> <td>3<sup>rd</sup></td> <td>301</td> <td>35,410 sq.ft.</td> <td>24787 sq.ft.</td> </tr> </table> <p>Kensington A wing, Hiranandani Business Park, Powai, Mumbai - 400076.</p>	<b>Floor</b>	<b>Unit No</b>	<b>Built Up Area</b>	<b>Carpet Area:</b>	3 <sup>rd</sup>	301	35,410 sq.ft.	24787 sq.ft.
<b>Floor</b>	<b>Unit No</b>	<b>Built Up Area</b>	<b>Carpet Area:</b>							
3 <sup>rd</sup>	301	35,410 sq.ft.	24787 sq.ft.							
7.	Nature of Premises	Bare shell / Unfurnished								
8.	Efficiency	Approximately upto 70% of built up area.								
9.	Lease Rental	Rs. 104/- per sq.ft. per month on built area plus service tax as applicable inclusive of Maintenance charges and present & future Property Taxes). Payment of lease rental shall be subject to TDS deductions as applicable.								
10.	Car Parking	One car park per 1,000 sq.ft on built up area free of cost.  Additional car park over and above the ratio, shall be charged at Rs.3,500/- per car park per month, subject to availability. (Service tax as applicable).								
11.	Payment of Lease Rent	Lease rental shall be paid in advance on or before 5th of every month. An interest of 18% per annum shall be charged for any delay beyond the payment dates. Payment of lease rental shall be subject to TDS deductions as applicable.								



In the event, the provisions contained in this letter of intent does not culminate into a formal lease agreement for any reasons whatsoever, this letter of intent shall not have any binding effect on either of the parties and shall stand terminated automatically without any action from either parties and Lessor shall immediately refund the 2 months' IFRSD paid by Lessee at the time of signing the LOI.

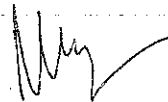
**AGREED AND ACCEPTED:**

Lessee:  
Alexion Business Services Pvt. Ltd.

Lessor:  
Hiranandani Builders



Name: Amit Mathur  
Designation: Senior Director  
Date: 4<sup>th</sup> August 2015



Name: MANISH GUPTA  
Designation: SENIOR VICE PRESIDENT  
Date: 4<sup>th</sup> AUGUST 2015



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

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**AGENDA NOTE FOR CONSIDERATION OF UNIT APPROVAL COMMITTEE**

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**a) Proposal: -**

Application of M/s. GPRO Services India Pvt. Ltd., Hiranandani-SEZ, for inclusion of additional clause to LOA.

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

Amendment in LOA for inclusion of additional clause i.e., "receipt of consideration for services in India in free foreign exchange"

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

RBI Circular No. 46, dated 23.10.2012.

**d) Other Information: -**

M/s. GPRO Services India Pvt. Ltd. has been granted Letter of Approval No. **SEEPZ/NEW-SEZ/HIRA-MUM/23/2014-15, Dated 16.12.2014** for carrying out authorized operations namely, IT Enabled Services. The unit has stated that they have commenced their production activity w.e.f. **16.03.2015**.

The unit vide letter dated **04.07.2015** requested for inclusion of additional clause i.e., "receipt of consideration for services in India in free foreign exchange" in their LOA.

**Contd.....2/-**

Copy of their application dated **04.07.2015** is enclosed (Annexure-A).

The unit has referred the provisions contained in Para 2 of Circular No. 46, dated 23.10.2012 of RBI (Annexure-B), which reads as follows:

It has been decided to allow Ads to sell foreign exchange to a unit in the DTA for making payment in foreign exchange to a unit in the SEZ for the services rendered by it (i.e. a unit in SEZ) to a DTA unit. ***It may, however, be ensured that there is an enabling provision of supplying these goods / services by the SEZ unit to the DTA unit and for payment in foreign exchange for such goods / services to the SEZ unit, in the LoA issued to the SEZ unit by the DC of the SEZ.***

In this connection, it is stated that in terms of Rule 47(1) of SEZ Rules, the unit can sell goods and service in DTA on payment of custom duties under section 30.

Further, the Rule 53(k) of SEZ Rules, 2006 also provides for export of services by services units including services rendered within Special Economic Zone or services rendered in the Domestic Tariff Area and paid for in free foreign exchange or such services rendered in Indian Rupees which are otherwise considered as having been paid for in free foreign exchange by the Reserve Bank of India.

**Contd.....3/-**

The proposal of the unit for inclusion of additional clause i.e., "receipt of consideration for services in India in free foreign exchange" in their LOA is submitted before the UAC for consideration.

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04 July 2015

To,

The Development Commissioner,  
SEEPZ SEZ, Govt. of India,  
Ministry of Commerce & Industry,  
Central Road, Andheri - East  
Mumbai - 400096

Dear Sir,

**Sub: Amendment in LOA for inclusion of additional clause: "receipt of consideration for services in India in free foreign exchange".**

**Name of Company: GPRO Services India Pvt. Ltd.**

**Ref: SEEPZ/NEW-SEZ/HIRA-MUM/23/2014-15/14740 dated 16 December 2014**

We, **GPRO SERVICES INDIA PRIVATE LIMITED** ('the Company'), have applied for setting up an SEZ unit at Hiranandani SEZ. We have been issued Letter of Approval (LOA No. SEEPZ/NEW-SEZ/HIRA-MUM/23/2014-15/14740 dated 16 December 2014) to provide Informational Technology Services.

The Company further applied for amendment in LOA for inclusion of the following services to its customers

- IT Enabled Managerial Services
- Procurement Support Services to Indian Companies

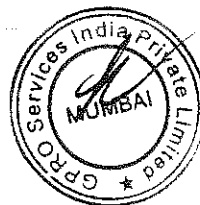
In this connection, we have been issued Letter dated 2 June 2015 granting permission to provide the above services. The letter is enclosed herewith as '**Exhibit-A**'

The definition of term 'service' under SEZ law states that services should earn free foreign exchange. An extract of the definition is as follows:

*"Services" means such tradable services which,-*

- are covered under the General Agreement on Trade in Services annexed as IB to the Agreement establishing the World Trade Organisation concluded at Marrakes on the 15th day of April, 1994;*
- may be prescribed by the Central Government for the purposes of this Act; and*
- earn foreign exchange"*

SIIS  
14.7.15



Furthermore, considering the fact that SEZ law requires that a service provider should receive consideration for provision of services in free foreign exchange, the Reserve Bank of India (RBI) has issued a Circular permitting the Indian service provider to pay amount in free foreign exchange to SEZ unit. However, the above permission is subject to the condition that the Letter of Approval (LOA) issued to SEZ unit should clearly states that SEZ unit is entitled to receive consideration in free foreign exchange. An extract of the above Notification is as follows:

*"For the provision of services to the DTA unit/ Domestic Customers, the Company shall receive the payment in foreign exchange from the Exchange Earners Foreign Currency account of the DTA Customer"*

A copy of the above Circular is enclosed as '**Exhibit-B**'.

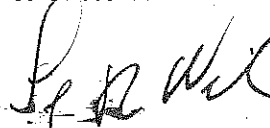
Thus, for a SEZ unit providing services to Indian customer, it is imperative on the part of the SEZ unit to receive consideration for services from Indian customer in free foreign exchange.

The Letter of Approval issued to our Company does not specifically state the above fact and thus, we hereby request you to please assist us in this case and issue the amended Letter of Approval, permitting to receive amount in free foreign exchange from Indian customer.

Thanking You,

Yours truly,

For GPRO SERVICES INDIA PRIVATE LIMITED

  
\_\_\_\_\_  
Authorised Signatory



Encl: As above