

**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 PUNE OF M/S. EMBASSY PUNE TECHZONE
PVT. LTD.-SEZ**

DATE : 15.10.2024

TIME : 11:00 A.M.

**MEETING OF THE APPROVAL COMMITTEE FOR
SECTOR SPECIFIC SPECIAL ECONOMIC ZONE FOR
IT/ITES AT PUNE, UNDER THE CHAIRMANSHIP OF
DEVELOPMENT COMMISSIONER, SEEPZ-SEZ ON
15.10.2024**

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Agenda Item No. 02: -	Action taken report for the Minutes of the meeting held on 05.07.2024
Agenda Item No. 03: -	Application for approval of leasing out built up space for to vendor for setting up canteen facility in SEZ premises. Submitted by M/s. Embassy Pune TechZone Pvt Ltd (Developer)
Agenda Item No. 04: -	Application for approval of regularization of pantry and cafeteria along with existing food vendor. Submitted by M/s. Mercedes-Benz Research and Development India Pvt. Ltd
Agenda Item No. 05: -	Application for change in board of directors Submitted by M/s. Mercedes-Benz Research and Development India Pvt. Ltd

I/4581/2024

मेसर्स एम्बेसी पुणे टेकजोन प्राइवेट लिमिटेड-एसईजेड के आईटी-आईटीईएस सेक्टर के विशिष्ट विशेष आर्थिक क्षेत्र के लिए क्षेत्रीय विकास आयुक्त सीपज़-एसईजेड, मुंबई की अध्यक्षता में 05.07.2024 को आयोजित अनुमोदन समिति की 96 वीं बैठक का विवरण।		
1	सेज़ का नाम	मेसर्स. एम्बेसी पुणे टेकज़ोन प्रा. लिमिटेड-एसईजेड
2	सेक्टर	आईटी/आईटीईएस
3	बैठक क्र	96 वीं
4	तारीख	05.07.2024

उपस्थित सदस्य

क्रमांक न.	नाम और पदनाम (एस/श्री.)	विभाग
1	श्रीमती मितल हिरेमठ संयुक्त विकास आयुक्त पुणे	पुणे क्लस्टर एसईजेड, पुणे
2	श्री. कृष्णदास नायर, एफटीडीओ,	पुणे डीजीएफटी विभाग से नामित
3	श्रीमती अर्चना परब सहायक आयुक्त, आयकर विभाग	आयकर विभाग से नामित
4	श्रीमती सुनीता जगताप, अधीक्षक	सीमा शुल्क विभाग पुणे से नामित

विशेष आमंत्रित

क्र.	नाम एवं पदनाम (श्री/ श्रीमती)	विभाग
1	श्री सतबीर शर्मा विनिर्दिष्ट अधिकारी	सीपज़-एसईजेड, पुणे क्लस्टर

एजेंडा आइटम नंबर 01: दिनांक 30.05.2024 को आयोजित 95 वीं बैठक के कार्यवृत्त की पुष्टि

विचार-विमर्श के बाद, समिति ने 30.05.2024 को आयोजित 95 वीं अनुमोदन समिति की बैठक के कार्यवृत्त की पुष्टि की।

I/4581/2024

एजेंडा आइटम नंबर 02: मेसर्स कैल्सॉफ्ट प्राइवेट लिमिटेड के परफॉर्मेंस का मोनिट्रिंग।

विचार-विमर्श के बाद, समिति ने एसईजेड नियम, 2006 के नियम 54 के अनुसार, पहली ब्लॉक अवधि के वित्त वर्ष 2019-20 से 2022-23 तक, यानि 4 वर्ष के लिए यूनिट के परफॉर्मेंस को नोट किया।

- यूनिट ने पहली ब्लॉक अवधि के वित्त वर्ष 2022-23 में संचयी आधार पर 197.12 करोड़ रुपये के अनुमानित निर्यात के मुकाबले 147.77 करोड़ रुपये का निर्यात हासिल किया है।

यूनिट ने पहली ब्लॉक अवधि के वित्त वर्ष 2022-23 में संचयी आधार पर 139.44 करोड़ रुपये यानी•

94.36% का सकारात्मक एन.एफ.ई (नेट विदेशी मूल्य) हासिल किया है।

- यूनिट ने 206 कर्मचारियों (पुरुष-147, महिला-59) को रोजगार दिया।

इसके अलावा, समिति ने पाया है कि, यूनिट ने नीचे बताए अनुसार डीटीए बिक्री की है और आईएनआर में भुगतान प्राप्त किया है।

(Rs. In Crores)

Financial Year	DTA sales Value
2019-20	2.95
2020-21	19.03
2021-22	24.67
2022-23	25.35
Total	72.00

एसईजेड अधिनियम, 2005 की धारा 2 (जेड) में दी गई परिभाषा के अनुसार आईएनआर के मुकाबले डीटीए में "सेवाएं" प्रदान करना 'सेवाओं' के रूप में योग्य नहीं है, यूनिट ने एसईजेड अधिनियम और नियमों के प्रावधानों का उल्लंघन किया है और इसलिए समिति ने विचार-विमर्श के बाद, एसईजेड अधिनियम/नियमों के प्रावधानों के उल्लंघन और विदेशी व्यापार (विकास और विनियमन) अधिनियम, 1992 के तहत इकाई के खिलाफ कार्रवाई शुरू करने का निर्देश दिया गया।

इसके अलावा, इकाई को भविष्य में इस समान एसईजेड अधिनियम/नियमों का उल्लंघन नहीं करने के संबंध में वचन पत्र प्रस्तुत करने का निर्देश दिया गया है।

अध्यक्ष को धन्यवाद ज्ञापन के साथ बैठक समाप्त हुई।

Minutes of the 96th Meeting of the Approval Committee held under the

I/4581/2024

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 05.07.2024.

1	Name of the SEZ	M/s. Embassy Pune TechZone Pvt. Ltd.-SEZ
2	Sector	IT/ITES
3	Meeting No.	96 th
4	Date	05.07.2024

Members present

Sr	Name and Designation (S/Shri.)	Department
1	Smt. Mital Hiremath Joint Development Commissioner	Pune Cluster SEZ, Pune
2	Shri. Krishnadas Nair FTDO	Nominee of DGFT, Pune
3	Smt. Archana Parab Asst. Commissioner, IT	Nominee of Income Tax, Pune
4	Smt. Sunita Jagtap Superintendent	Nominee of Customs, Pune

Special Invitee

Sr	Name and Designation	Department
1	Shri Satbir Sharma, Specified Officer	SEEPZ-SEZ, Pune Cluster

Agenda Item No.01: Confirmation of Minutes of the 95th meeting held on 30.05.2024

After deliberation, the Committee confirmed the minutes of the 95th Approval Committee meeting held on 30.05.2024

Agenda Item No. 02: Monitoring of Performance for M/s. CalSoft Pvt Ltd.

After deliberation, the committee noted the performance of the unit for 4 years i.e., from FY 2019-20 to 2022-23 of 1st Block period, in terms of Rule 54 of SEZ Rules, 2006. As detailed below:

- The unit has achieved export of Rs.147.77 Cr against the projected export of Rs. 197.12 Cr in FY 2022-23 on cumulative basis.
- The unit has achieved NFE of Rs. 139.44 Cr i.e, 94.36% in FY year 2022-23 on cumulative basis.
- The unit has achieved employment of 206 employees (Men-147, Women-59)

Further, the committee has observed that, the unit has made DTA sale as detailed below and received payment in INR.:

(Rs. In Crores)

I/4581/2024

Financial Year	DTA sales Value
2019-20	2.95
2020-21	19.03
2021-22	24.67
2022-23	25.35
Total	72.00

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 to initiate action against the unit for violation of provisions of SEZ Act / Rules and under Foreign Trade (Development and Regulation) Act, 1992.

Further, the unit has been directed to submit the undertaking regarding, not violating same SEZ Act/ Rules in future.

Meeting ended with a vote of thanks to the Chair.

(ज्ञानेश्वर बी. पाटील, आईएएस)
(Dnyaneshwar B. Patil, IAS)
अध्यक्ष एवं विकास आयुक्त
Chairman-cum- Development
Commissioner

**ACTION TAKEN REPORT FOR THE APPROVAL
COMMITTEE MEETING HELD ON 05.07.2024 IN
RESPECT OF M/S. EMBASSY PUNE TECHZONE PVT
LTD-SEZ APPROVED ON 11.07.2024**

Name of the Unit	Subject	Action Taken
M/s. Calsoft Pvt Ltd.	Monitoring of Performance	Approval Letter issued to the unit on 16.07.2024

**GOVT. OF INDIA,
OFFICE OF THE DEVELOPMENT COMMISSIONER,
SEEPZ-SEZ (PUNE CLUSTER)

AGENDA NOTE FOR CONSIDERATION OF THE APPROVAL COMMITTEE

a. Proposal:

Proposal dated 23.08.2024 submitted on 26.08.2024 by M/s. Embassy Pune TechZone Pvt. Ltd-SEZ (Developer). located Hinjewadi, Pune-411 057, for approval to lease out the built-up space to vendor for setting up canteen facility in SEZ premises.

b. Specific issue on which decision of Approval Committee is required:

- Approval of the committee to lease out the built-up space to vendor for setting up canteen facility in SEZ premises, as detailed below, in terms of Rule 11 (5) of SEZ Rules, 2006, as detailed below:

Name of the Vendor	Activity	Location	Area.
M/s. Devyani International Ltd	To operate and provide the food facility	1 st Floor, RIO Grande, Food Court building, Embassy Pune TechZone Pvt Ltd-SEZ	150 Sq.ft.

c. Relevant Provision:

As per Rule 11 (5) of SEZ Rules, 2006

“(5) The land or Build up space in the processing area or Free Trade and Warehousing Zone shall be given on lease only to the entrepreneurs holding valid Letter of Approval issued under Rule 19 and [the lease period shall not be less than five years but notwithstanding any other condition in the lease deed, the lease rights would cease to exist in case of the expiry or cancellation of the Letter of Approval:]

PROVIDED that 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 telephone booths, first aid centres, creche and such other facilities as may be required for the exclusive use of the Unit.

d. Other information:

- M/s. Embassy Pune TechZone Pvt. Ltd., located at Plot No.03, Rajiv Gandhi Infotech Park, Phase-II, Hinjewadi, Pune-411 057 India has been granted Formal Approval bears No. F.2/365/2006-SEZ dated 25.06.2007

- Further, The Developer has submitted that:
 - The services will be utilized by the employees of the units and developer in SEZ premises.
 - A retail operator/ vendor will not avail any direct or indirect tax benefits available under the SEZ scheme.
 - There will be live cooking in above mentioned premises.
 - All necessary licenses and safety measures will be adhered to as required by authorities.

- The Developer has enclosed following document:
 - Online Application No. 422400269723
 - Letter of Intent dated 22.07.2024
 - Embassy Pune TechZone Pvt Ltd. Space availability confirmation letters dated 23.08.2024
 - Copy of Fire NOC Approval dated 09.02.2019
 - Copy of Form B dated 01.07.2024
 - FSSAI license dated 20.03.2024

e. ADC's observation:

- The approval committee may kindly consider the proposal of the Developer for approval to lease out the built up space to vendor for setting up canteen facility in SEZ premises, in terms of Rule 11 (5) of SEZ Rules, 2006.

**GOVT. OF INDIA,
OFFICE OF THE ZONAL DEVELOPMENT COMMISSIONER,
SEEPZ – SEZ (PUNE CLUSTER)

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a. Proposal: -

Proposal dated 13.08.2024 submitted by M/s. Mercedes-Benz Research and Development India Pvt. Ltd. an IT/ITES unit located in M/s. Embassy Pune TechZone Pvt. Ltd- SEZ for regularization of pantry and cafeteria along with existing food vendor.

b. Specific Issue on which decision of Approval Committee is required: -

Approval of the Committee for regularization of pantry and cafeteria along with existing food vendor, in terms of para 3 of Instruction No.95 dated 11.06.2019, as detailed below:

Location	Cafeteria/Pantry	Area (Sq.ft.)
7 th Floor, Wing-A & B Building	Cafeteria	11500
Congo, Block 1.3, Pune Embassy Pune TechZone Pvt Ltd-SEZ	Pantry	700

c. Relevant provisions: -

As per para 3 of Instruction No.95 dated 11.06.2019

‘3. The issue was examined in this department and with the approval of competent authority, it is conveyed that the same could be allowed subject to the following conditions. The facilities as envisaged under the proviso to Rule 11(5) of the SEZ Rules could also be created by a Unit for its exclusive use subject to obtaining a NOC from the Developer as well as necessary NOCs/ clearances/approvals from the relevant statutory authorities. The units shall not be eligible for any exemptions, drawback, concessions or any other benefits available under Section 7 or Section 26 of SEZ Act, for creating or operating such facilities.

d. Other Information: -

- **M/s. Mercedes-Benz Research and Development India Pvt Ltd.** has been granted LOA No. SEEPZ-SEZ/PEPPL-SEZ/MBRDIPL/18/2014-15/5297 dated 25.03.2015
- Location of the Unit: 4th to 6th Floor, Wing B, 7th Floor Wing A & B, Building Congo, Block 1.3, Embassy Pune TechZone Pvt Ltd-SEZ, Rajiv Gandhi Infotech Park, Hinjewadi, Phase-II, Pune-411057
- Date of commencement of authorized operation: 01.07.2015
- LOA valid up to: 30.06.2025
- In support of the above unit has submitted the following documents:
 - SEZ online application
 - Floor layout with highlighted area at 7th Floor
 - Fire NOC in name of the unit dated 23.08.2024
 - Photograph of Cafeteria set up at 7th Floor,
 - NOC from the Developer
 - Undertaking for not availing any duty benefit for said cafeteria under SEZ Act and

Rules .

- Further, vide letter dated 10.09.2024 the specified officer has submitted as following:
 1. The SEZ Unit have already set up the Cafeteria in SEZ unit on the 6th Floor, however, due to change in floor plan, their management has proposed to move the Cafeteria from 6th floor to 7th Floor. In this regard, they have not availed any exemptions for the equipment located in the Cafeteria. List of all such equipment located in the Cafeteria along with details of procurement of the same is also attached herewith for ready reference
 2. There is no live cooking activity carried out in the Cafeteria premises.
 3. The Unit is using electric food heating equipment like Microwave Oven and Bain-Marie to serve hot and healthy food to the employees
 4. The SEZ Unit have already setup the Cafeteria in SEZ Unit on the 6th Floor, however, due to change in floor plan, their management has proposed to move the Cafeteria from 6th floor to 7th Floor.
 5. The SEZ Unit have not procured any duty-free goods for the equipment installed at Cafeteria
 6. Details of Invoices for procurement of duty paid goods along with value and duty involved is attached herewith in **Annexure-1**.
 7. The unit has not taken any duty-free Services for the Cafeteria.
 8. Details of invoices for procurement of duty paid Services along with value and duty involved is attached herewith in **Annexure-2**.

ADC's observation:

- The approval committee may kindly consider the proposal for regularization of pantry and cafeteria along with existing food vendor, in terms of para 3 of Instruction No.95 dated 11.06.2019 issued by MOC&I

**GOVT. OF INDIA,
OFFICE OF THE ZONAL DEVELOPMENT COMMISSIONER,
SEEPZ - SEZ (PUNE CLUSTER)**

**AGENDA NOTE FOR CONSIDERATION OF APPROVAL
COMMITTEE**

a. Proposal:

Proposal dated 12.09.2024 submitted by M/s. Mercedes-Benz Research and Development India Pvt. Ltd., located at Embassy Pune TechZone Pvt. Ltd.-SEZ, for approval of Change in Board of Directors.

b. Specific Issue on which decision of Approval Committee is required:

Approval of the committee for Change in Board of Directors in terms of Instruction No.109 dated 18.10.2021, issued by MOC&I. as detailed below:

List of existing Board of Directors:

Sr. No	Name of Directors	Designation	Appointment Date
1.	Manu Ramachandra Saale	CEO and Managing Director	03.03.2012
2.	Mahesh Nandkumar Medhekar	Wholetime Director	05.12.2017
3.	Torsten Eder	Director	23.09.2022
4.	Sven Magnus Obsterg	Director	23.09.2022
5.	Ulf Nestler	Director	03.08.2023

Proposed list of Board of Directors:

Sr. No	Name of Directors	Designation	Appointment Date
1.	Manu Ramachandra Saale	CEO and Managing Director	03.03.2012
2	Mahesh Nandkumar Medhekar	Wholetime Director	05.12.2017
3.	Torsten Eder	Director	23.09.2022
4.	Sven Magnus Obsterg	Director	23.09.2022
5.	Ulf Nestler	Director	03.08.2023
6.	Katrin Leh-mann	Director	26.06.2024

c. Relevant provisions:

Instruction no. 109 dated 18.10.2021 issued in supersession of Instruction No. 89

& 90 dated 17.05.2018, 03.08.2018 respectively, issued by SEZ Section, Department of Commerce and Industry, Government of India,

*“Reorganization including change of name, change of shareholding pattern, business transfer arrangements, court approved mergers and demergers, change of constitution, **change of Directors**, etc., **may be undertaken by the Unit Approval Committee (UAC) concerned subject to the condition that the Developer / Co-Developer / Unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the Developer / Co-Developer / Unit shall remain unchanged on such re-organization.**”*

d. Other Information:

- M/s. Mercedes-Benz Research and Development India Pvt. Ltd. Company was granted LOA No.SEEPZ-SEZ/PEPPL-SEZ/MBRDIPL/18/2014-15/5297 dated 25.03.2015
- Location: 4th to 6th Floor, Wing B, Congo Building, Block 1.3, Embassy Pune TechZone Pvt. Ltd.-SEZ, Plot No. 03, RGIP, Hinjewadi, Phase-II, Pune-411 057
- DCP: 01.07.2015
- LOA valid upto: 30.06.2025
- **Reason for change in Board of Directors.:** The unit has informed that, Katrin Leh-mann has been appointed as Director on 26.06.2024, hence there is a change in Board of Directors. The Unit has submitted the following documents with the application:
 - Undertaking for following terms and conditions of Instruction No. 109
 - DIR-12 of Katrin Lehman

e. ADC observation:

- The approval committee may kindly consider the proposal for change in Board of directors, in terms of Instruction No. 109 dated 18.10.2021, issued by MOC&I
