

**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. MAGARPATTA TOWNSHIP
DEVELOPMENT AND CONSTRUCTION COMPANY LTD.-
SEZ, HADAPSAR, PUNE.**

Via Video Conferencing

DATE : 30.05.2023

TIME : 04.00 P.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
30.05.2023**

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Agenda Item No.	Subject
Agenda Item No. 01 :-	Confirmation of the Minutes of the meeting held on 25.04.2023
Agenda Item No. 02 :-	Application for Approval of regularization of Cafeteria in SEZ unit premises submitted by M/s. Danfoss Technologies Pvt Ltd.
Agenda Item No. 03 :-	Monitoring of Performance of M/s. Springer Nature Technology and Publishing Solutions Pvt Ltd.(LOA-25)

I/1974/2023

Minutes of the 100 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 Magarpatta Township Development and Construction Co. Ltd.-SEZ, Village Hadapsar, Tal. Haveli, Dist. Pune 411013, held on 25 .04.2023 via video conference		
1	Name of the SEZ	Magarpatta Township Development And Construction Co. Ltd.-SEZ
2	Sector	IT/ITES
3	Meeting No.	100
4	Date	25.04.2023

Members present

Sr	Name and Designation (S/Shri.)	Department
1	Smt. Mital S. Hiremath Joint Development Commissioner	Pune Cluster-SEZ, Pune
2	Smt. Bhumika Saini DCIT, Nashik	Nominee of Income Tax, Pune
3	Dr. Dileeraj Dabhole Dy. DGFT	Nominee of DGFT, Pune
4	Smt. Sunita Jagtap Superintendent	Nominee of Customs, Pune

Special Invitee

Sr	Name and Designation	Department
1	Shri B. Ajay Kumar Specified Officer	Magarpatta Township Development and Construction Co. Ltd –SEZ

Agenda Item No. 01: Confirmation of the Minutes of the 99th meeting held on 21.03.2023

After deliberation, the Committee confirmed the minutes of the 99th meeting of Approval Committee held on 21.03.2023

Agenda Item No.02: Monitoring of Performance of M/s. Entrata India Pvt. Ltd.

After deliberation, the committee noted the performance of the unit for the 2nd year i.e., 2022-23 of 3rd block period.

The unit has achieved cumulative NFE of Rs. 21820.72 lakhs i.e., 99.47% and employment of 160 employees, in the FY 2022-23.

I/1974/2023

Agenda Item No.03: Monitoring of Performance of M/s. Springer Nature Technology & Publishing Solutions Pvt. Ltd. (LOA – 17).

After deliberation, the committee noted the performance of the unit for 2nd year i.e FY 2022-23 of 3rd Block period of (out of 5 years Block period i.e. 2021-22 to 2025-26) . The unit has achieved cumulative NFE of Rs. 4051.79 lakhs i.e., 98.14% and employment of 270 employees, in 2 years out of 5 years of the 3rd Block period.

Agenda Item No.04: Monitoring of Performance of M/s. Springer Nature Technology & Publishing Solutions Pvt. Ltd. (LOA – 25).

As there was some technical issues in the agenda presented, After deliberation, the committee directed to take monitoring of performance of the unit in next UAC .

Agenda Item No.05: Monitoring of Performance of M/s. Springer Nature Technology & Publishing Solutions Pvt. Ltd. (LOA – 26).

After deliberation, the committee noted the performance of the unit for one year i.e. F.Y. 2022-23 of 2nd Block Period of 5 Years i.e. (FY 2018-19 to 2022-23).

The unit has achieved cumulative NFE of Rs. 62077.85 i.e. 99.00% and achieved employment of 952 employees in 2nd Block period of 5 years.

Meeting ended with a vote of thanks to the Chair.

Signed by Shri. Shyam
Jagannathan

(Shyam Jagannathan, IAS)

Chairman-cum- Development Commissioner

E-Mail- dcseepz-mah@nic.in

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

AGENDA NOTE FOR CONSIDERATION OF THE APPROVAL COMMITTEE

a) Proposal:

Proposal submitted by M/s. Danfoss Technologies Pvt. Ltd., an IT/ITES Unit located at Magarpatta City-SEZ, for regularization of Cafeteria in the SEZ Unit-premises

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

Approval for regularization of cafeteria as per Instruction No 95 dated 11-06-2019, as detailed below:

Details of location and area allocated for Cafeteria:

Location	Area
4 th Floor, Building B7, Magarpatta City-SEZ	3036.75 sq.ft

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 condition

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 benefit available under Section 7 or Section 26 of the SEZ Act, for creating or operating such facilities”.

d) Report submitted by the Specified Officer:

The Specified Officer vide his report dated 18.05.2023 submitted that the floor was taken over by M/s Danfoss Technologies from M/s Eaton India Innovation and during the transfer of assets M/s Eaton India Innovation Center LLP, has paid the duties i.e. 14,70,478/- IGST and interest of Rs.1,47,233/- for the goods and services utilized in the cafeteria area. Further, the unit vide letter dated 18.05.2023 has informed that they have not procured or used any duty free goods and services in the cafeteria of 3036.75 Sq.ft. However, regarding IGST payable on the rent portion, the issue will be dealt after the receipt of clarification from the MOC&I.

e) Other information:

- The unit was issued LOA No. SEEPZ/MTDCL-SEZ/DTPL/40/2020-21Dtd. 17.02.2021 located at Building B4, Magarpatta City-SEZ, Village Hadapsar, Tal- Haveli, Dist. Pune 411013
- Date of commencement: 02.08.2021
- LOA valid up to: 01.08.2026
- The unit has submitted that:
 - The Food Court services will be utilized by all the employees of the Units the vendor will bring only precooked food which are ready to serve. In some of cases preheating will be done on electric induction.
 - The unit has undertaken that, they will not avail any tax/duty benefits under the SEZ Act and Rules made thereunder.
 -
- The unit has submitted following documents:
 - Fire NOC issued by Office of the Chief Fire officer, PMC in the name of Developer for Tower B7, 4th Floor, Magarpatta City.
 - The unit has submitted Form B certificate in the name of Unit for Tower B7, 4th Floor.
- The Unit has not submitted the specific fire NOC in the name of the unit and accordingly they were asked to submit the same vide this office letter dated 03.02.2023. The unit in their reply has submitted that, they had visited Pune Municipal Corporation office for specific Fire NOC in the name of the Danfoss. However, officials from office of Pune Municipal Corporation informed that NOC is issued in the name of the owner only, so they are not eligible to apply for specific Fire NOC. Fire NOC in the name of Magarpatta is valid document.

The above issue was taken up by this office with PMC Fire Department and they have vide letter dated 18.05.2023 informed that ***“if the cafeteria or canteen has cooking facilities, it is mandatory to install a Kitchen Suppression System for the protection of cooking equipment and kitchen area for the purpose of this use separate No-Objection certificate from the Fire Department is required to be obtained. However, if the cafeteria or canteen does not have cooking facilities and only pre-cooked food is served there is no need for a separate no-objection certificate from fire brigade for the use of such canteen, as it is expected that the entire building must have obtained a Final No-Objection certificate as per the Maharashtra Fire Prevention and Life Safety Act, 2006. In both the cases it is important that the fire fighting system provided in the building should be kept in good working condition and Form-B should be submitted to the fire department from the license agency twice in a year as per the provisions of Maharashtra Fire Act, 2006”***.

f) ADC's Observations:

- The unit had setup the said Cafeteria on 04.03.2016 prior to issuance of Instruction No. 95. Now, based on the said instruction, they intend to regularize the said facility.
- The unit has clarified that vendor will bring only precooked food which are ready to serve.
- Regarding IGST payable on the rent portion, the issue will be dealt after the receipt of clarification from the MOC&I
- Approval Committee may like to consider the proposal of the Unit for regularization of Cafeteria, in the Unit premises, in terms of Instruction No. 95 issued by MOC&I.

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

AGENDA NOTE FOR CONSIDERATION OF THE UNIT APPROVAL COMMITTEE

a) Proposal:

Monitoring of the performance of M/s. Springer Nature Technology and Publishing Solutions Pvt. Ltd., (Unit-II) an IT/ITES unit located in Magarpatta City-SEZ, Pune, for FY 2022-23 of the 2nd Block Period .

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

Monitoring of the performance of the unit for FY 2022-23 of the 2nd Block Period (Out of 5 years block period of FY 2018-19 to FY 2022-23) in terms of Rule 54 of SEZ Rules, 2006

2nd Block period i.e. FY 2022-23 (5th Year out of 5 years Block Period i.e. FY 2018-19 to FY 2022-23)

The details of the export projections for 2ND block period, is as detailed below:

(i) Approved Projections

	2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
FOB Value of Exports	1146.00	1355.00	1547.00	1733.00	1945.00	7729.39
FE Outgo	10	10	10	10	10	50.00
NFE	1136.00	1345.00	1537.00	1723.00	1935.00	7679.39

(I) Performance as compared to projections: FY 2022-23

(Rs. In Lacs)

Year	Export		F.E. OUTGO				
	Projected	Actual	Raw Material (Goods/Service s)		C.G. import		Other outflow
			Project ed	Actu al	Project ed	Actual	Actual
2022-23	1945.00	3616.17	0.00	0.00	50.00	0.00	0.00
Total	1945.00	3616.17	0.00	0.00	50.00	0.00	0.00

(II) Cumulative NFE achieved: FY 2022-23

(Rs. in Lacs)

Year	Cumulative NFE Achieved	Cumulative % NFE Achieved
2022-23	11403.66	99.93%

(III) Employment Achievement (Direct): FY 2022-23

The Unit has achieved employment of 113 employees (Men-79 Women-34) during 2nd block period of FY 2018-19 to FY 2022-23.

- The Specified Officer vide his report dated 24.04.2023 has reported the following:

A. EXPORT DETAILS

(Rs. In Lacs)

Year/Period	Figures reported in APR (FOB Value)	Figures as per Softex/Customs Records	Difference if any	Reason for Difference/Remark
2022-23	3616.17	3,606.69	9.47	1) Amount of Rs 3.56 remained to be mentioned in filed APR, which has been wrongly included in Unit I APR. Actual amount should have been 3619.73 instead of 3616.17 2) Credit Note Rs. 6.04 raised due to excess pricing. 3) Fluctuation in Exchange Rate Rs. 19.07 (3 minus 1+2-) = Diff of 9.48

For the excess amount mentioned above of Rs 3.56 lakhs, revise APR is being filed by the unit.

B. IMPORT DETAILS

(Capital Goods including procurement done on IUT (from SEZ, EOU, STPI, EHTP) basis.

(Rs. In Lacs)

Year/Period	Figures reported in APR (FOB Value)	Figures as per NSDL/Customs Records	Difference if any	Reason for Difference/Remark
2022-23	00	00	00	00

C. BLUT DETAILS

1	<p>Value of BLUT Executed (Duty foregone) (including for CG / Raw Material / Services)</p> <p>Value of Additional BLUT executed</p> <p>- Year: Date of acceptance</p> <p>- BLUT amount:</p> <p>TOTAL value of BLUT Executed</p>	<p>Details submitted in</p> <p>BLUT Executed Rs. 46,32,918 Dated 13th March 2013</p> <p>Additional BLUT Rs. 24,80,000 Dated : 04th April 2019</p> <p>Additional BLUT Rs. 56,70,000 Dated : 14th February 2023</p> <p>TOTAL BLUT Rs. 1,27,82,918</p>														
2	<p>Total Duty Foregone on goods & services procured (Category-wise BLUT value utilized separately for imported and indigenous goods and services) This should be based on BLUT worksheet which provides for estimated value and duty foregone separately for each category of procurement.</p>	<table><tr><th>Year</th><th>Import</th><th>Indigenous Goods Duty Forgone</th><th>Indigenous Services Duty Forgone</th><th>Total</th></tr><tr><td>2022-23</td><td>0.00</td><td>0.00</td><td>12.10</td><td>12.10</td></tr></table>					Year	Import	Indigenous Goods Duty Forgone	Indigenous Services Duty Forgone	Total	2022-23	0.00	0.00	12.10	12.10
Year	Import	Indigenous Goods Duty Forgone	Indigenous Services Duty Forgone	Total												
2022-23	0.00	0.00	12.10	12.10												
3	<p>Balance in BLUT at the end of each F.Y.</p> <p>1st Year in each category and overall basis</p> <p>....</p> <p>5th Year</p> <p>10th Year, as the case may be</p>	<p>Further, in view of the clarification issued by the Ministry of Commerce and Industry vide No. K43013(18)/2/2022-SEZ dated 15-02-2023, as regard to Rule 22 (1) (iv) (iv) (d) of the SEZ Rules, 2006, there shall be no debit and credit from the BLUT amount, as such balance of BLUT could not be ascertained.</p>														
4	<p>Has the Unit procured goods and or services without having sufficient balance in their BLUT?</p> <p>If yes,</p> <p>Month & Year when the BLUT was exhausted</p> <p>Details of the consignments and Total value of Goods procured without having sufficient or nil balance in BLUT</p>	<p>However, it is to confirm that the unit has not exceeded the amount of duty involved for the activities provided in Rule 22 (1) (iii) (a to d) of the SEZ Rules, 2006, than the amount of duty involved in TOTAL BLUTs executed by the unit, at any given time.</p>														
(i)	<p>Employment made as on date (as on end of block period / year up to which monitoring is being done)</p>	<table><tr><th>Year</th><th>Men</th><th>Women</th><th>Total</th></tr><tr><td>2022-23</td><td>79</td><td>34</td><td>113</td></tr></table>					Year	Men	Women	Total	2022-23	79	34	113		
Year	Men	Women	Total													
2022-23	79	34	113													
(j)	<p>Details of pending Foreign Remittance beyond Permissible period, if any (as on 31.03.2022)</p>	<p>There is no remittance pending beyond permissible period</p>														

	To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained	
(k)	<p>Whether all softex has been filed for the said period. If no, details thereof.</p> <p>SO to also check whether unit has obtained Softex condonation from DC office / RBI and if approved, whether they have filed such pending Softex.</p>	No, Softex Forms has been pending for filing. I.e. for the period of 2022-23
(l)	Whether all Softex has been certified, if so till which month has the same been certified. If not, provide details of the Softex and reasons for pendency.	All the Softex Forms till March, 2023 has been certified.
(m)	Whether unit has filed any request for Cancellation of Softex	No
(n)	Whether any Services provided in DTA / SEZ/EOU/STPI etc. against payment in INR in r/o IT/ITES Unit during the period. If yes, details thereof (year wise details to be provided)	No such case noticed.
(o)	SO to verify and certify whether the unit has updated the BLUT ledger Module in SEZ Online.	Up-loading of the BLUT Module on SEZ online Portal Kept in abeyance as per office order No. 02/2023 dated 16-03-2023.
(p)	<p>Has the unit cleared any Capital Goods procured duty free in DTA against payment of Duty, or otherwise?</p> <p>Full details to be provided along with value of assets and duty discharged</p>	No such case noticed.
(q)	<p>Is the unit sharing any of their infrastructure with other units or are utilizing infrastructure of another unit in the same or other SEZ?</p> <p>If so, details thereof, including the details of the unit with whom the sharing is being made, and the payment terms</p> <p>If approval for sharing of common infrastructure has been obtained from UAC / DC office, the date of UAC / Approval letter to be indicated</p>	No

(r)	Whether all DSPF for services procured during the said monitoring period under consideration has been filed by the unit and whether the same has been processed for approval by the SO Office.	DSPF for services procured during the period of 2022-23 except March 23, which are being filed of total 4 invoices involving duty amount of Rs 1,14,092/-
(s)	Whether unit has filed all DTA procurement w.r.t. the goods procured by them during the monitoring period for the relevant period. If no, details thereof	As per the record, DTA filed on SEZ Online System, by the unit, have been processed and approved till date.
(t)	Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report	As per the record on SEZ Online, no Out of Charge is pending.
(u)	Has the unit set up any cafeteria / canteen / food court in unit premises? If yes, whether permission from UAC / DC office has been issued, or otherwise office has been issued, or otherwise Whether unit has availed any duty paid goods / services for setting up such facility? If yes, whether unit has discharged such duty / tax benefit availed? details to be given including amount of duty / tax recovered or yet to be recovered	Cafeteria/Pantry set up, has been noticed in the unit but no cooking activities are being carried out. No Permission from UAC/DC office has been taken. Unit has procured goods duty free i.e. Chairs from DTA, for which unit is ready to pay Applicable duties.
(v)	Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring	No such case noticed

(d) Relevant provisions:

Rule 54 of SEZ Rules, **2006 “Performance of the Unit shall be monitored by the Approval Committee as per the guidelines given in Annexure appended to these rules”**

(e) Other Information:

- LOA No. SEEPZ-SEZ/MTDCCL-SEZ/CPSPL/25/2012-13 dated 21.12.2012
- Location: Wing B, Part Level , Tower IX, Magarpatta City-SEZ, Village Hadapsar, Tal. Haveli, Dist. Pune 411014
- Date of Commencement of Production: 06.06.2013
- Validity of LOA: 05.06.2023

- Existing Block Period - FY 2018-19 to FY 2022-23

(f) ADC's observations:

- The unit has achieved export revenue of Rs. **3616.17** Lacs as against projected export of Rs. **1945.00** Lacs in 5th year of the 2nd Block period.
- The unit has achieved Cumulative NFE of Rs. **11403.66** lakhs i.e. **99.93%** in 5th year of 2nd Block period i.e for the FY 2022-23
- UAC may like to monitor the performance of the Unit for FY 2022-23 i.e 5th year of the 2nd Block period (Out of 5 years block period of FY 2018-19 to FY 2022-23) in terms of Rule 54 of SEZ Rules, 2006.
