

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 OF M/s. CAPGEMINI
TECHNOLOGY SERVICES INDIA LIMITED.**

SOURCE : Video Conferencing through Cisco WEBEX application.

DATE : Wednesday, 23rd August, 2023

TIME : 12:30 P.M.

Meeting of the Approval Committee for Sector Specific Special Economic Zone for IT/ITES of M/s. Capgemini Technology Services India Limited - SEZ under the Chairmanship of Development Commissioner, SEEPZ-SEZ on Thursday, 23rd August, 2023.

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Agenda Item No.	Subject
Agenda Item No. 01 : -	Confirmation of minutes of the meeting held on 31.03.2023.
Agenda Item No. 02 : -	Monitoring Performance of APR for the period 2018-2019 to 2021-2022 - <u>M/s. Capgemini Technology Services India Limited-SEZ</u>

Minutes of the 31st Meeting of the Approval Committee for Sector Specific Special Economic Zone of M/s. Capgemini Technology Services India Limited - SEZ, at Powai, Mumbai, under the Chairmanship of Development Commissioner, SEEPZ-SEZ held on 31.03.2023 on Video Conferencing through Cisco WEBEX application.

1. Name of the SEZ : M/s. Capgemini Technology Services India Limited
 2. Sector : IT/ITES
 3. Meeting no : 31st
 4. Date : 31.03.2023

Members Present:

Sr. No.	Name of Members	Designation	Organization
1	Shri. C. P. S. Chauhan	Jt. Development Commissioner,	SEEPZ-SEZ.
2	Shri. Harmesh Lal	Joint Commissioner Income Tax	Nominee of Income Tax office, Kautilya Bhawan, Bandra, Mumbai.
3	Shri. Himanshu Dhar Pandey	Dy. DGFT	Nominee of the DGFT, Mumbai.
4	Smt. Kirti Deshmukh	Deputy Director Industries	Nominee of Directorate of Industries, Mumbai.
5	Shri. M. Prabhakar	Asstt. Commissioner, Customs	Nominee of Commissioner of Customs, General, Air Cargo, Sahar.

Special Invitee:-

Shri. R.K. Jain : Specified Officer, Capgemini-SEZ.

Shri. Haresh K. Dahilkar, ADC (New SEZ); Dr. Vijaykumar Rohidas Londhe, ADC (New SEZ); Shri. Hanish Rathi, ADC (New SEZ), Smt. Bridget Joe, EA to Development Commissioner/Estate Manager/(SEEPZ-SEZ); Kiran K. Vanker ADC, (EOU); Shri. Ravindra Kumar, Assistant and Smt. Rekha Nair, Assistant also attended for assistance and smooth functioning of the meeting.

Agenda Item No. 01: Confirmation of Minutes of the 30th meeting held on 28.04.2022.

The Minutes of the 57th Meeting held on 28.04.2022 were confirmed with consensus.

Agenda Item No. 02 : Approval w.r.t. List of goods amounting to Rs. 55,35,000/- required for Authorized Operations.

The Developer requested for the approval of List of Goods vide letter dated 14.02.2023 duly certified by Chartered Engineer Mr. Rajendra S. Tambi, Registration No. AM/08/080806 dated 28.01.2023, amounting of Rs. 55,35,000 /- required to carry on default authorized operations.

The Specified Officer, Capgemini - SEZ vide letter dated 16.02.2023 has verified the above said list of goods and stated that the said goods are found fit for authorized operations.

Decision:- After deliberation, the Committee **approved** the proposal of M/s. Capgemini Technology Services India Limited Developer for list of goods amounting of Rs. 55,35,000/- required to carry on default authorized operations in terms of Rule 12(2) of SEZ Rules, 2006 and as per Instruction No. 50 issued by MOC&I dated 15.03.2010.

Meeting ended with the vote of thanks to the Chair.

Signed by Shri. Shyam
Jagannathan
Date: 18-04-2023 06:04:31
~~Chairperson~~
Development Commissioner

<u>Action taken for the UAC Meeting held on 28.04.2022</u>			
Name of SEZ	Name of Unit	Subject	Action Taken
Capgemini-SEZ	M/s. Capgemini Technology Services India Limited.	Approval for List of Goods required for authorised operation.	Approval letter issued to the unit on 02.05.2023

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

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a. Proposal :-

Approval for Monitoring of the performance of M/s. Capgemini Technology Services India Limited located in Capgemini-SEZ for the block period FY 2018-2019 to 2021-2022.

b. Specific Issue on which decision is required :-

Monitoring of the performance of the unit for FY 2018-2019 to 2021-2022 in terms of Rule 54 of SEZ Rules, 2006.

c. Relevant provision of SEZ, Act, 2005 & Rules:

In terms of 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.”

d. Other Information :

LOA No. & Date	SEEPZ-SEZ/NEWSEZ/CTSIL-CAPGEMINI/03/2017-18 dated 06.03.2018.
Validity of LOA	14.06.2023
Item(s) of manufacture/ Services	IT & IT Enabled Services
Date of commencement of production	15.06.2018
Execution of BLUT	
a. BLUT for Goods	Yes, Provided by Unit
b. BLUT for Services	Not executed by Unit
Outstanding Rent dues	NA.
Labour Dues	NA.
Validity of Lease Agreement	NA (being owned SEZ campus)
Pending CRA Objection, if any	N.A
Pending Show Cause Notice/ Eviction Order/Recovery Notice/ Recovery Order issued, if any	N.A
a. Projected employment for the block period	6,912
b. No. of employees as on 31.03.2022	3,723 (based on MPR of March, 2022)
Area allotted (in sq. ft.)	485440 sq. ft.

Area available for each employee per sq. ft. basis (area / no. of employees)		130.39 per sq.ft.
Investment till date	Building	6982.31
	Plant & Machinery	5909.39
	TOTAL	12891.70
Per Sq. ft. Export during the FY		6.45 (Rs. In Lakhs)
Quantity and value of goods exported under Rule 34 (Unutilized goods)		N.A.
Value Addition during the monitoring period		N.A.
Whether all the APRs being considered now has been filed well within the time limit, or otherwise. If no, details of the Year along with no of days delayed to be given.		N.A.

A. (I) APPROVED Projections for FY 2018-2019 to FY 2021- 2022 (1st term)
(Rs. in lakhs)

	1 st Year (2018-19)	2 nd Year (2019-20)	3 rd Year (2020-21)	4 th Year (2021-22)	5 th Year (2022-23)	Total
FOB value of export	16,949.00	44,857.00	62,448.00	65,380.00	65,380.00	2,55,014.00
FE Outgo	4,525.00	5,486.00	7,7415.00	8,846.00	8,846.00	35,448.00
NFE	12,424.00	39,371.00	54,703.00	56,534.00	56,534.00	2,19,566.00

B. (I) Revised APPROVED Projections for FY 2018-2019 to FY 2022- 2023 (1st term)
(Rs. in lakhs)

	1 st Year (2018-19)	2 nd Year (2019-20)	3 rd Year (2020-21)	4 th Year (2021-22)	5 th Year (2022-23)	Total
FOB value of export	16,949.00	60,061.00	82,051.00	85,716.00	85,716.00	3,14,528.00
FE Outgo	4,525.00	8,533.00	10,732.00	11,733.00	12,233.00	44,052.00
NFE	12,424.00	51,528.00	71,319.00	73,983.00	73,484.00	2,70,476.00

(II) Performance as compared to projections during the block period FY 2018-19 to FY 2021-22

(Rs. in lakhs)

Financial Year	Export		F.E. OUTGO				
			Raw Material		C.G. import		Other outflow
	Projected	Actual	(Goods/Services)				
			Projected	Actual	Projected	Actual	Actual
2018-19	16,949.00	991.55	0.00	0.00	0.00	788.27	81.64
2019-20	60,061.00	17,774.142	0.00	0.00	0.00	884.75	188.67
2020-21	82,051.00	50,488.44	0.00	0.00	0.00	984.42	342.16
2021-22	85,716.00	64,856.64	0.00	0.00	0.00	2,680.58	554.15
Total	2,44,777	134111.05	0.00	0.00	0.00	5338.02	1166.62

(III) Cumulative NFE achieved during the block period FY 2019-20 to 2021-22.

(Rs. in lakhs)

Year	Cumulative NFE Projection	Cumulative NFE Achieved	Cumulative % NFE Achieved
2018-19	12,424.00	1,414.97	11.38 %
2019-20	51,528.00	18,924.53	36.72 %
2020-21	71,319.00	68,998.06	96.74 %
2021-22	73,983.00	1,32,707.10	179.37 %

(IV) Whether the Unit achieved Positive NFE :- YES

(V) Reconciliation of Export & Import data

a. EXPORT

(Rs.in lakhs)

Year/Period	Figures reported in APR (FOB Value)	Figures as per Softex/ Trade Data	Difference if any	Reason for Difference/Remark
2018-19	1,496.61	991.55	505.06	The difference is due to onsite Invoices value which were not considered in Softex filling
2019-20	17,698.23	17,774.42	-76.19	F.Y. 2019-20 was shown variation because of fluctuation in exchange rates.
2020-21	50,415.69	50,488.44	-72.75	F.Y. 2021-22 was shown variation because of fluctuation in exchange rates.
2021-22	64,263.19	64,856.64	-593.45	Further, for the F.Y. 2021-22 they wish to inform that the variation in the data of NSDL and Softex form is on account of credit notes of (Rs. -603.36 Lakhs) which were not adjusted against the invoices

			Further (Rs. -9.91 lakhs) is due to Exchange Fluctuation. Therefore, the total difference is Rs. 603.36 Lakhs – 9.91 Lakhs = 593.45 Lakhs.
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b. IMPORT (Capital Goods including procurement done on IUT (from SEZ, EOU, STPI, EHTP) basis.

(Rs. In Lakhs)

Year/Period	Figures as per APR	Figures as per Import (including of IUT from SEZ, EOU, STPI, EHTP)/ Trade Data	Difference if any	Reasons for difference
2018-19	788.27	790.59	2.32	Unit has wrongly shown the zone-to-zone entry of Rs. 2.31 lakhs as IUT out.
2019-20	1,625.76	918.74	707.02	F.Y. 2019-20, unit has shown the cumulative figure of import i.e., 704.38 Lakhs of (F.Y. 2018-19) + 887.37 lakhs Assessable Value of (F.Y. 2019-20) + Zone to Zone Transfer 34 Lakhs = 1625.76 Lakhs. Further, NSDL has considered the CIF value of Import whereas, unit has considered the Ass. Value of import.
2020-21	2,610.69	1,013.06	1,597.62	For the F.Y. 2020-21 is concerned, unit has shown the cumulative figure of import i.e., Rs. 704.38 Lakhs of (F.Y. 2018-19) + 887.37 lakhs Assessable Value of (F.Y. 2019-20) + 998.93 lakhs Assessable Value (F.Y. 2020-21) + Zone to Zone Transfer of Rs. 20.01 Lakhs = 2610.69 Lakhs. The two IUT shipment of Rs. 8.63 lakhs were miss out to capture in the APR from unit in the Zone to Zone.

2021-22	4824.46	2,795.79	2028.67	<p>For the F.Y. 2021-22 is concerned, unit has shown the cumulative figure of import i.e., Rs. 704.38 Lakhs of (F.Y. 2018-19) + 887.37 lakhs Assessable Value of (F.Y. 2019-20) + 998.93 lakhs Assessable Value + 2021.76 Lakhs Assessable Value (F. Y. 2020-21) + Zone to Zone Transfer of Rs. 212.01 Lakhs = 4824.46 Lakhs.</p> <p>The diff is due to unit has shown the IUT i.e. Rs. 116.80 separately in the Z to Z instead of import column. Further, NSDL data is consisting of one of zone to zone entry of F.Y. 2020-21 for which BOE was filed in the month of March 2021 whereas, it has been considered in the current F.Y. i.e. of Rs. 20.00 Lakhs.</p>
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Further, above table they are submitting Figures as per Import (including of iUT (from SEZ, EOU, STPI, EHTP) in APR are as under:-

FY	Figures as per Import (including of IUT (from SEZ, EOU, STPI, EHTP)	Cum. Value (19-20)	Cum. Value (2020-21)	Cum. Value (21-22)	Z to Z	APR
2018-19	788.27					788.27
2019-20	887.37	704.38			34.00	1625.75
2020-21	998.93	704.38	887.37		20.01	2610.69
2021-22	2021.76	704.38	887.37	998.93	212.01	4824.45

(VI) Bond cum Legal Undertaking (BLUT)

(Rs. In Lakhs)

i	Total Bond-Cum Legal Undertaking	01 Nos
ii	Remaining Value of BLUT given by entity at the start of the Financial Year. (2020-21)	16,247.91 9in Lakhs)
iii	Value of Additional Bond-cum-Legal Undertaking (BLUT) executed during the Financial Year.	0.00 (In Lakhs)
iv	The duty forgone on Goods/ Services imported or procured during the Financial Year (should include the GST foregone on DTA procured goods/services)	392.11 (In Lakhs)

v	Remaining Value of BLUT as at the end of the Financial Year [(ii) + (iii) - (iv)].	15,855.80 (In Lakhs)
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(VII)	Details of pending Foreign Remittance beyond Permissible period, if any To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained.	NA
(VIII)	Whether all Softex has been filed for the said period. If no, details thereof.	Yes
(a)	SO to also check whether unit has obtained Softex condonation from DC office / RBI and if approved, whether they have filed such pending Softex.	
(b)	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.	Yes
(c)	Whether unit has filed any request for Cancellation of Softex	No.
(IX)	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.
(X)	Is the Unit sharing any of their infrastructures with other units or are utilizing infrastructure of another unit in the same or other SEZ. If so, details thereof, including the details of the unit with whom the sharing is being made, and the payment terms If approval for sharing of common infrastructure has been obtained from UAC / DC office, the date of UAC / Approval letter to be indicated	Yes, SEZ Developer had obtained "No Objection" from Ministry of Commerce & Industry, Department of Commerce, SEZ Division vide Letter ref. No.K-43016(11)/7 /2021-SEZ Dated 22.09.2022
(XI)	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.	No, SEZ Unit has not submitted all DSPF however they have declared that its under process of submission and they will complete further Customs endorsement

		procedure at the earliest.
(XII)	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	Yes.
(XIII)	Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report	NA
(XIV)	<p>Has the unit set up any cafeteria / canteen / food court in unit premises.</p> <p>If yes, whether permission from UAC / DC office has been issued, or otherwise office has been issued, or otherwise</p> <p>Whether unit has availed any duty-free goods / services for setting up such facility?</p> <p>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</p>	<p>Yes, as SEZ Developer had conveyed to office of the Development Commissioner against Letter Ref No. SEEPZ-SEZ/NEWSEZ/INTRNS /225/2009-1/VOL-II Dated 03.05.2018 as per Rule 11 (5) and they had also obtained approval vide ref no. MIDC/Fire/A85204 Dated 13.03.2018 from Chief Fire Officer & Fire Advisor, MIDC, Mumbai.</p> <p>No, they have not availed of duty exemption for setting up such facility.</p>
(XV)	Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring	NA

Further, as regards to details of value of goods and services filed in GSTR-2A in GST Return. The Unit declare that they have multiple SEZ Units in Maharashtra for which a common GST Number has been allotted by the department. In view of this common GSTR-2A report is getting generated for all SEZ Units based in Maharashtra, whereas NSDL data can be fetched Unit wise.

(XVI) Observations:

- The Unit has achieved cumulative export revenue of **Rs. 1,32,707.10 Lakhs** as against projected cumulative export of **Rs. 73,983.00 Lakhs** i. e. **179.37 %** during the period from **FY 2018-19 to FY 2021-22**.
- The unit has achieved positive NFE during the block period.
- ~~Unit has achieved value additions of ___% duty the FY.~~ (Not applicable, as the said Unit is IT/ITES Unit).

- All the APRs have been filed within the stipulated time period.
- UAC may like to monitor the performance of the Unit for the period **2018-2019 to 2021-2022** in terms of Rule 54 of SEZ Rules, 2006.

The Unit has achieved Positive NFE against their projected Export & NFE during the block period of **FY 2018-2019 to 2021-22** as per information submitted by the Unit. Accordingly, Agenda Note for consideration of the Unit Approval Committee is submitted for perusal.

(e) ADC's Recommendation:

- APR submitted by the unit for the **FY 2018-2019 to 2021-22**.
- The unit has achieved Positive NFE on cumulative basis during the FY 2018-2019 to 2021-22 as per S.O. report.
- Recommended to Approval Committee for monitoring as per Rule 54 of SEZ Rules, 2006.
