

सीपज़ विशेष आर्थिक क्षेत्र
SEEPZ SPECIAL ECONOMIC ZONE

अंधेरी (पूर्व), मुंबई
ANDHERI (EAST), MUMBAI.

कार्यसूची के लिए
AGENDA FOR

मेसर्स फेस्टस प्रॉपर्टीज प्राइवेट लिमिटेड के आईटी/आईटीईएस के लिए सेक्टर विशिष्ट विशेष आर्थिक क्षेत्र के लिए अनुमोदन समिति की बैठक।

MEETING OF THE APPROVAL COMMITTEE FOR SECTOR SPECIFIC SPECIAL ECONOMIC ZONE FOR IT/ITES OF M/s. FESTUS PROPERTIES PRIVATE LIMITED.

स्थल : सम्मेलन कक्ष, दूसरी मंजिल, विकास आयुक्त का कार्यालय, सीपज़-सेज़,
अंधेरी (पूर्व), मुंबई।

VENUE : Conference Hall, 2nd Floor, the Office of the Development
Commissioner, SEEPZ-SEZ, Andheri (East), Mumbai.

दिनांक : सोमवार, 03 मार्च, 2025

DATE : Monday, 03rd March, 2025

समय : मध्याह्न 12:00 बजे

TIME : 12:00 PM.

सोमवार, दिनांक 03 मार्च, 2025 को विकास आयुक्त, सीपज़-सेज़ की अध्यक्षता में मेसर्स फेस्टस प्रॉपर्टीज प्राइवेट लिमिटेड-सेज़ के आईटी/आईटीईएस के लिए क्षेत्र विशिष्ट विशेष आर्थिक क्षेत्र के लिए अनुमोदन समिति की बैठक।

Meeting of the Approval Committee for Sector Specific Special Economic Zone for IT/ITES of M/s. Festus Properties Private Limited - SEZ under the Chairmanship of Development Commissioner, SEEPZ-SEZ on Monday, 03rd March, 2025.

सूचकांक / INDEX

कार्यसूची मद सं. Agenda Item No.	विषय Subject
कार्यसूची मद सं. 01 Agenda Item No. 01 : -	दिनांक 30.01.2025 को आयोजित बैठक के कार्यवृत्त की पुष्टि। Confirmation of minutes of the meeting held on 30.01.2025.
कार्यसूची मद सं. 02 Agenda Item No. 02 : -	मेसर्स एल एंड टी हाइड्रोकार्बन लिमिटेड के वित्त वर्ष 2019-20 से वित्त वर्ष 2023-24 के लिए प्रदर्शन की निगरानी। Monitoring performance for the FY 2019-20 to FY 2023-24 of M/s. L & T Hydrocarbon Ltd.
कार्यसूची मद सं. 03 Agenda Item No. 03 : -	मेसर्स टाटा कंसल्टेंसी सर्विसेज लिमिटेड (यूनिट-II) (एलओए-13) के वित्तीय वर्ष 2022-23 के लिए प्रदर्शन की निगरानी। Monitoring performance for the FY 2022-23 of M/s. Tata Consultancy Services Limited (Unit-II) (LOA-13)
कार्यसूची मद सं. 04 Agenda Item No. 04 : -	मेसर्स टाटा कंसल्टेंसी सर्विसेज लिमिटेड (यूनिट-IV) के दूसरे ब्लॉक के 5 ^{वें} वर्ष यानी वित्त वर्ष 2019-20 और तीसरे ब्लॉक अवधि के पहले से चौथे वर्ष यानी वित्त वर्ष 2020-21 से वित्त वर्ष 2023-24 के लिए प्रदर्शन की निगरानी करना। Monitoring performance for the 5 th year of 2 nd Block i.e. FY 2019-20 and 1 st to 4 th year of 3 rd Block period i.e. FY 2020-21 to FY 2023-24 of M/s. Tata Consultancy Services Ltd (Unit-IV).

विकास आयुक्त, सीपज़-सेज़ की अध्यक्षता में दिनांक 30.01.2025 को द्वितीय तल, सीपज़ सेवा केंद्र, सीपज़-सेज़, मुंबई में मेसर्स फेस्टस प्रॉपर्टीज़ प्राइवेट लिमिटेड-सेज़, पवई, मुंबई के सेक्टर विशिष्ट विशेष आर्थिक क्षेत्र के लिए आयोजित अनुमोदन समिति की 74वीं बैठक का कार्यवृत्त Minutes of 74th Meeting of the Approval Committee for Sector Specific Special Economic Zone of M/s. Festus Properties Pvt. Ltd-SEZ, at Powai, Mumbai, under the Chairmanship of Development Commissioner, SEEPZ-SEZ held on 30.01.2025, at Second Floor, SEEPZ Service Centre, SEEPZ-SEZ, Mumbai .

1. सेज़ का नाम : मेसर्स फेस्टस प्रॉपर्टीज़ प्राइवेट लिमिटेड – सेज़
Name of the SEZ : M/s. Festus Properties Private Limited - SEZ
2. सेक्टर : आईटी/आईटीईएस
Sector : IT/ITES
3. मीटिंग नंबर : 74 वीं
Meeting no : 74th
4. दिनांक : 30.01.2025
Date : 30.01.2025

उपस्थित सदस्य/Members Present:

क्र. Sr. No.	सदस्यों का नाम Name of Members	पद का नाम Designation	संगठन Organization
1	श्रीमती मितल एस. हिरेमठ Smt. Mital S. hiremath	संयुक्त विकास आयुक्त, Jt. Development Commissioner	सीपज़-सेज़ SEEPZ-SEZ
2	श्री लीडर पणिकर Shri. Leider Panicker	संयुक्त आयुक्त आयकर Joint Commissioner Income Tax	आयकर आयुक्त कार्यालय, मुंबई के नामिती Nominee of Commissioner of Income Tax office, Mumbai
3	श्री हिमांशु धर पांडे Shri. Himanshu Dhar Pandey	उप निदेशक डीजीएफटी Deputy Director DGFT	अतिरिक्त डीजीएफटी, मुंबई के नामित Nominee of the Additional DGFT, Mumbai
4	श्रीमती मीरा रामकृष्ण Smt. Meera Ramkrishan	सहायक आयुक्त, सीमा शुल्क Asstt. Commissioner of Customs	सीमा शुल्क आयुक्त, जनरल, एयर कार्गो, सहार के नामिती Nominee of Commissioner of Customs, General, Air Cargo, Sahar
5	श्री जय मनोज शाह Shri Jay Manoj Shah	उप विकास आयुक्त, Dy. Development Commissioner	सीपज़-सेज़ SEEPZ-SEZ
6	श्री बालासाहेब बोराडे Shri Balasaheb Borade	विनिर्दिष्ट अधिकारी Specified Officer	फेस्टस-सेज़ Festus –SEZ

श्रीमती ब्रिजिट जो, वि.आ.का.स. (न्यू सेज़), श्री हनीश राठी, एडीसी (न्यू सेज़) और श्री जी. एस. भंडारी, एडीसी (न्यू सेज़) बैठक में सहायता और सुचारू संचालन के लिए शामिल हुए

Smt. Bridget Joe, EA to DC (New SEZ), Shri. Hanish Rathi, ADC (New SEZ) and Shri. G.S. Bhandari, ADC (New SEZ) also attended for assistance and smooth functioning of the meeting.

कार्यसूची मद संख्या 01 : दिनांक 28.10.2024 को आयोजित 73वीं बैठक के कार्यवृत्त की पुष्टि

Agenda Item No. 01: Confirmation of Minutes of the 73rd meeting held on 28.10.2024.

दिनांक 28.10.2024 को आयोजित 73वीं बैठक के कार्यवृत्त की सर्वसम्मति से पुष्टि की गई

The Minutes of the 73rd Meeting held on 28.10.2024 were confirmed with consensus.

कार्यसूची मद संख्या 02 : मेसर्स फेस्टस प्रॉपर्टीज प्राइवेट लिमिटेड-सेज़ में स्थित मेसर्स जीई ऑयल एंड गैस इंडिया प्राइवेट लिमिटेड का उनके एसईजेड यूनिट नंबर 401, ए विंग, केंसिंग्टन, आईटी/आईटीईएस-एसईजेड, पवई, मुंबई-400076 में कैफेटेरिया संचालित करने की अनुमति के लिए आवेदन

इकाई ने सेज़ नियम, 2006 के नियम 11(5) और दिनांक 11.06.2019 के निर्देश संख्या 95 के पैरा 3 के प्रावधानों के तहत कैफेटेरिया संचालित करने की अनुमति के लिए आवेदन प्रस्तुत किया था

नेर्णय:- विचार-विमर्श के बाद, समिति ने मेसर्स जीई ऑयल एंड गैस इंडिया प्राइवेट लिमिटेड के अपने सेज़ में कैफेटेरिया संचालित करने के प्रस्ताव को स्थगित कर दिया, क्योंकि आवेदक का प्रतिनिधि उपस्थित नहीं थे

अध्यक्ष को धन्यवाद ज्ञापन के साथ बैठक समाप्त हुई

Agenda Item No 02 : Application of **M/s. GE Oil & Gas India Private Limited** located at M/s. Festus Properties Private Limited-SEZ for permission to Operate Cafeteria in their SEZ Unit No. 401, A Wing, Kensington, IT/ITES-SEZ, Powai, Mumbai-400076.

The unit had submitted an application for permission to Operate a Cafeteria under the provisions of Rule 11(5) of SEZ Rules, 2006 and Para 3 of Instruction No. 95 dated 11.06.2019.

Decision :- After deliberations, the Committee **deferred** the proposal of M/s. GE Oil & Gas India Private Limited to Operate a Cafeteria in their SEZ, as the representative of the applicant was not present.

Meeting concluded with a vote of thanks to the Chair.

(ज्ञानेश्वर भा. पाटील, आईएएस)
अध्यक्ष-सह-विकास आयुक्त,
सीपज़-सेज़

Digitally signed by Dnyaneshwar Bhalchandra Patil
Date: 2025.02.11 17:36:11 IST

दिनांक 30.01.2025 को आयोजित यूएसी बैठक के लिए की गई कार्रवाई
Action taken for the UAC Meeting held on 30.01.2025

सेज़ का नाम/ Name of SEZ	इकाई का नाम/ Name of Unit	विषय/ Subject	की गई कार्रवाई/ Action Taken
Festus-SEZ	M/s. GE Oil & Gas India Private Limited	Application of M/s. GE Oil & Gas India Private Limited located at M/s. Festus Properties Private Limited-SEZ for permission to Operate Cafeteria in their SEZ Unit No. 401, A Wing, Kensington, IT/ITES-SEZ, Powai, Mumbai-400076.	Email dated 17.02.2025 has been issued to unit.

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

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a. Proposal :

Monitoring of the performance of M/s. L & T Hydrocarbon Ltd. an IT/ITES unit located at Unit No. 1103/1104, 11th Floor, Kensington, Powai, Mumbai-400076 for 1st to 5th year i.e. 2019-20 to 2023-24 of 1st Block period (FY 2019-20 to 2023-24).

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

Monitoring of the performance of the unit for 1st to 5th year i.e. FY 2019-20 to 2023-24 of 1st Block period, in terms of Rule 54 of SEZ Rules, 2006.

c. Relevant provisions of SEZ Act, 2005 & Rules, 2006/Instruction/Notification :-

As per Rule 54 of SEZ Rules, 2006

“Performance of the Unit shall be monitored by the Approval Committee as per guidelines given in Annexure appended to these rules”.

d. Other Information: -

d. Other Information:

i. Approved Projections: (1st Block Period) (Rs. in Cr.)

	2019-20	2020-21	2021-22	2022-23	2023-24	Total
FOB Value of Exports	35.00	39.90	45.50	721.26	464.22	1305.88
FE Outgo	0.66	0.03	0.03	0.03	37.99	38.74
NFE	34.34	39.87	45.47	721.26	426.22	1267.16

Performance as compared to projections: For FY 2020-21 to 2024-25

(Rs. in Cr.)

Year	Export	FE OUTGO		
		Raw Material (Goods/Services)	C.G. import/IUT	Other Outflow

	Projected	Actual	Projected	Actual	Projected	Actual	Actual
2019-20	35.00	174.75	0.00	0.00	5.00	0.003	0.00
2020-21	39.90	38.06	0.00	0.00		0.00	0.00
2021-22	45.50	25.29	0.00	0.00		0.00	0.00
2022-23	721.26	721.26	0.00	0.00		0.00	27.53
2023-24	464.22	546.71	0.00	0.00		2.01	21.68
Total	1305.88	1506.07	0.00	0.00	5.00	2.013	49.21

Cumulative NFE achieved : (Rs. in Cr.)

Year	Projected Cumulative NFE	Cumulative As per calculation	Cumulative NFE Achieved (As per APR)	Cumulative % NFE Achieved
2019-20	34.34	174.75	174.75	508.88%
2020-21	74.21	212.81	212.81	286.77%
2021-22	119.68	238.10	238.10	198.95%
2022-23	840.94	931.83	931.84	110.81%
2023-24	1267.16	1,454.85	1456.66	114.95%

Other Information:

LOA No. & Date	SEEPZ-SEZ/NEW-SEZ/FESTUS-MUM/01/ 2019-20/16856, Dated 22.07.2019
Location of Unit	Unit No. 1103/1104, 11 th Floor, Kensington, Powai, Mumbai-400076
Validity of LOA	16.03.2025
Item(s) of manufacture/ Services	Information Technology Products, Software/IT Services & IT Enabled
Date of commencement of production	17.03.2020
Execution of BLUT	Yes
Validity of Lease Agreement	Yes (Valid upto 30.11.2026)
Pending CRA Objection, if any	No
Pending Show Cause Notice/ Eviction Order/Recovery Notice/ Recovery Order issued, if any	No

Employment for the block period	As per projection
	Man: 509 Woman: 83 Total: 592
	As on 31st March 2024: (As per Specified Officer reports)
	Man: 407 Woman: 64 Total: 471

Area allotted (in sq. ft.)	2,27,244 Sq. Ft.
-----------------------------------	------------------

	(Area Sq. Ft./No. of Employees)
--	---------------------------------

Area available for each employee per sq.ft. basis (area / no. of employees)	
	482.47

	Building	19-20	20-21	21-22	22-23	23-24
		0.00	0.00	0.00	0.00	0.00
	Plant & Machinery	328.18	333.23	320.28	506.02	2437.28

Investment till date (Rs. In Lakhs)						
	TOTAL	328.18	333.23	320.28	506.02	2437.28
Quantity and value of goods exported under Rule 34 (unutilized goods)	N.A.					

	N.A.
<p>Whether all the APRs being considered now has been filed well within the time limit, or otherwise.</p> <p>If no, details of the Year along with no of days delayed to be given.</p>	Yes

The Specified Officer report vide letter dated 18.02.2025 has submitted reported as detailed below:

a. Details of year-wise export as per the prescribed format:-

From the year 2019-20 to 2023-24

(Rs. In Crore)

Year/Period	Figures as per APR		Figures as per Softex/SB/Customs Records (INR)		Difference if any		Reason for Difference
	INR	USD	INR	USD	INR (6)=(2)-(4)	USD (7)=(3)-(5)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
2019-20	174.75	2.41	181.49	2.41	(6.74)	0.00	The difference is due to Exchange Rate variation.
2020-21	38.06	0.52	38.06	0.52	0.00	0.00	NA
2021-22	25.29	0.34	25.29	0.34	0.00	0.00	NA
2022-23	721.26	9.15	726.96	9.15	(5.70)	0.00	The difference is due to Exchange Rate variation.
2023-24	546.71	6.65	548.67	6.65	(1.96)	0.00	The difference is due to Exchange Rate variation.

b. Import

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

From the year 2019-2020 to 2023-2024

(Rs. In Crore)

Year/Period	Figures as per APR		Figures as per Softex/SB/Customs Records (INR)		Difference if any		Reason for Difference
	INR	USD	INR	USD	INR (6)=(2)-(4)	USD (7)=(3)-(5)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
2019-20	0.003	0.00	0.003	0.00	0.00	0.00	NA
2020-21	0.00	0.00	0.00	0.00	0.00	0.00	NA
2021-22	0.00	0.00	0.00	0.00	0.00	0.00	NA
2022-23	0.00	0.00	0.00	0.00	0.00	0.00	NA
2023-24	2.01	0.02	2.01	0.02	0.00	0.00	NA

ii. Raw Material

From the year 2019-2020 to 2023-2024

Year/Period	Figures as per APR	Figures as per SEZ Online/Customs Records	Difference if any	Reason for Difference/Remarks
2019-20	0.00	0.00	Nil	NA
2020-21	0.00	0.00	Nil	NA
2021-22	0.00	0.00	Nil	NA
2022-23	0.00	0.00	Nil	NA

2023-24	0.00	0.00	Nil	NA
---------	------	------	-----	----

c. BLUT

1.	<p>Value of BLUT Executed (Duty foregone) including for CG/Raw Material/Services)</p> <p>Total Duty value of BLUT Executed in Crore:</p>	<p>F. No. SEEPZ-SEZ/NEW-SEZ/FESTUS-MUM/01/19-20/1965, dated 07.10.2019</p> <p>Rs. 14.03 Crore</p> <p>F.No. SEEPZ-SEZ/NEW-SEZ/FESUTS-MUM/01/19-20/06463, dated 22.05.2023</p> <p>Rs. 16.38 Crore</p> <p>Total: Rs. 30.41 Crore</p>																						
	<p>Total Duty Foregone on goods & services procured Category Wise:</p> <p>Year Wise</p>	<p>(Rs. In Crore)</p> <table border="1"> <thead> <tr> <th rowspan="2">F.Y.</th> <th>Goods</th> <th rowspan="2">Services</th> </tr> <tr> <th>Imp. & Ind.</th> </tr> </thead> <tbody> <tr> <td>2019-20</td> <td>0.47</td> <td>0.52</td> </tr> <tr> <td>2020-21</td> <td>0.11</td> <td>1.34</td> </tr> <tr> <td>2021-22</td> <td>0.37</td> <td>1.62</td> </tr> <tr> <td>2022-23</td> <td>0.14</td> <td>11.20</td> </tr> <tr> <td>2023-24</td> <td>1.58</td> <td>-</td> </tr> <tr> <td>Total</td> <td>2.67</td> <td>14.67</td> </tr> </tbody> </table>	F.Y.	Goods	Services	Imp. & Ind.	2019-20	0.47	0.52	2020-21	0.11	1.34	2021-22	0.37	1.62	2022-23	0.14	11.20	2023-24	1.58	-	Total	2.67	14.67
F.Y.	Goods	Services																						
	Imp. & Ind.																							
2019-20	0.47	0.52																						
2020-21	0.11	1.34																						
2021-22	0.37	1.62																						
2022-23	0.14	11.20																						
2023-24	1.58	-																						
Total	2.67	14.67																						
3	<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>No</p>																						

(d)	Employment made as on date (as on end of block period / year up to which monitoring is being done)	<p>As per projection</p> <p>Man: 509</p> <p>Woman: 83</p> <p>Total: 592</p> <p>As on 31st March 2024:</p> <p>Man: 407</p> <p>Woman: 64</p> <p>Total: 471</p>
(e)	<p>Details of pending Foreign Remittance beyond Permissible period, if any</p> <p>(as on 31.03.2024)</p> <p>To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained.</p>	They undertake that no foreign remittance beyond the permissible period is pending for realization.
(f)	<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 filling. All the Softex Forms of any particular month on which they have raise invoices are already filed.
(g)	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 March, 2024 has been certified. Except Months of March-2021, September-2023.
(h)	Whether unit has filed any request for Cancellation of Softex	No
(i)	<p>Whether any Services provided in DTA/SEZ/EOU/STPI etc. against payment in INR in r/o IT/ITES Unit during the period.</p> <p>If yes, details thereof (year wise details to be provided)</p>	They have not provided any services in DTA/SEZ/EOU/STPI etc. against payment in INR during the reporting period.
(j)	SO to verify and certify whether the unit has updated the BLUT ledger Module in SEZ Online.	NA
(k)	<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.

(l)	<p>Is the unit sharing any of their infrastructures 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
(m)	<p>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.</p>	They have regularly filed DSPF Form for all the services procured and they have working on pendency of Services invoices the same will be process soon.
(n)	<p>Whether unit has filed all DTA procurement w.r.t. the goods procured by them during the monitoring period for the relevant period.</p> <p>If no, details thereof</p>	They have filed all the DTA Procurement w.r.t. the goods procured by them during the monitoring period for the relevant period.
(o)	<p>Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report</p>	No any Request ID is pending for OOC.
(p)	<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>	They have not set-up cafeteria /canteen / food court in their unit premises.
(q)	<p>Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring</p>	No.

Further, Preventive/Authorised Officer stated that, the above figures are based on the details furnished by the SEZ unit and data available on SEZ Online. These may be records for the purpose of monitoring of Performance of SEZ unit for the period 2019-20 to 2023-24 of M/s. L & T Hydrocarbon Engineering Ltd., Festus-SEZ, Powai, Mumbai.

Findings

1.	This is 5 years performance security i.e. 2019-20 to 2023-24 of the 1 st block period.-												
2.	The unit has achieved export revenue of Rs. 174.75/- Crore as against projected export of Rs. 35.00/- Crore i.e.499.29% during the period for FY 2019-20.												
3.	The unit has achieved export revenue of Rs. 38.06/- Crore as against projected export of Rs. 39.90/- Crore i.e.95.39% during the period for FY 2020-21.												
4.	The unit has achieved export revenue of Rs. 25.29/- Crore as against projected export of Rs. 45.50/- Crore i.e.55.58% during the period for FY 2021-22.												
5.	The unit has achieved export revenue of Rs. 721.26/- Crore as against projected export of Rs. 721.26/- Crore i.e.100% during the period for FY 2022-23.												
6.	The unit has achieved export revenue of Rs. 546.71/- Crore as against projected export of Rs. 464.22/- Crore i.e.117.77s% during the period for FY 2023-24.												
7.	Cumulative Net Foreign Exchange Rs. 174.75/- Crore is positive for FY 2019-20 as per APR.												
8.	Cumulative Net Foreign Exchange Rs. 212.81/- Crore is positive for FY 2020-21 as per APR.												
9.	Cumulative Net Foreign Exchange Rs. 238.10/- Crore is positive for FY 2021-22 as per APR.												
10.	Cumulative Net Foreign Exchange Rs. 931.84/- Crore is positive for FY 2022-23 as per APR.												
11.	Cumulative Net Foreign Exchange Rs. 1456.66/- Crore is positive for FY 2023-24 as per APR.												
12.	There is no CRA pending.												
13.	There is no SCN pending.												
14.	The APR for the FY 2019-20 to 2023-24 has filed within prescribed time. <table border="1" data-bbox="172 1070 647 1319"> <thead> <tr> <th>F.Y.</th> <th>Submission Date</th> </tr> </thead> <tbody> <tr> <td>2019-20</td> <td>28.12.2021</td> </tr> <tr> <td>2020-21</td> <td>28.12.2021</td> </tr> <tr> <td>2021-22</td> <td>28.09.2022</td> </tr> <tr> <td>2022-23</td> <td>29.09.2023</td> </tr> <tr> <td>2023-24</td> <td>27.09.2024</td> </tr> </tbody> </table> <p>*As per letter dated 29.06.2021 of MoC&I, SEZ Division, instructed that Filing of Annual Performance Reports (APR) by SEZ units extended to till 31st December, 2021.</p>	F.Y.	Submission Date	2019-20	28.12.2021	2020-21	28.12.2021	2021-22	28.09.2022	2022-23	29.09.2023	2023-24	27.09.2024
F.Y.	Submission Date												
2019-20	28.12.2021												
2020-21	28.12.2021												
2021-22	28.09.2022												
2022-23	29.09.2023												
2023-24	27.09.2024												

e. Recommendation:

The proposal of the unit based on the FSR in terms of Rule 54 of SEZ Rules, 2006 is submitted to the Approval Committee for consideration.

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

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a. Proposal :

Monitoring performance of the respective unit as specified in FSRs.

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

Monitoring performance for the FY 2022-23 of M/s. Tata Consultancy Services Limited (Unit-II) (LOA-13)

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

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: -

FINAL SCRUTINY REPORT

Name of the Unit: - M/s. Tata Consultancy Services Limited (Unit-II) (LOA-13)

Unit Address: Unit 1, 2, 3 & 4 Floors, B-Wing, Kensington IT/ITES, M/s Festus Properties Pvt. Ltd.- SEZ, Powai, Mumbai – 400076

Block period: - 2019-20 to 2023-24

Financial Year: - 2022-23 (4th Year)

Details of Previous Monitoring:-

The proposal of monitoring of the APR for the period 2019-20 to 2021-22 was placed in the 58th Approval Committee Meeting held on 30.12.2022, wherein the Committee noted the monitoring performance of the Unit for the period 2019-20 to 2021-22, as the unit had achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules 2006 and directed the Specified Officer, Festus-SEZ to re-examine all the observations mentioned in their report and again submit the same before the ensuing AC meeting for ratification. The Committee also directed the Specified Officer, Festus-SEZ to submit the DSPF Report within 10 days.

Sr. No.	Directions of the Approval Committee	Action taken if any
1	Specified Officer, Festus-SEZ to re-examine all the observations mentioned in their report and again submit the same before the ensuing AC meeting for ratification.	Letters were issued on 17.05.2024, 26.06.2024, 09.07.2024, 23.07.2024 & 26.08.2024 to Specified Officer, Festus-SEZ conveying the directions of the Approval Committee. However, report not received till date, thereafter the observations in monitoring agenda were perusal by this office, scrutiny of the same as the following:

i) Specified Officer, Festus-SEZ to submit the DSPF Report within 10 days.

DSPF report submitted by unit to this office on 26.07.2024.

Year	Pending	Approved
2021-22	-	Yes
2023-24	-	Yes
2024-25	-	Yes
2022-23 to 2024-25	Pending for approval	-

Note:- Above details are as per DSPF data submitted by Unit.

DSPF report submitted by unit to this office on 26.07.2024 and same forwarded to Specified Officer, Festus-SEZ vide letter 26.08.2024 for comments/observations and requested to resubmit the report to UAC for ratification.

SO, Festus-SEZ has informed vide letter dated 05.09.2024, that "M/s. TCS had filed the DSPF for the period from 2019-20 to 2020-21 and same has been approved in the NSDL."

This office issued letter dated 12.12.2024 to Specified Officer, Festus-SEZ for submit the pending DSPF reports of FY 2021-22, 2022-23, 2023-24 and 2024-25.

<p>ii) 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>SO, Festus-SEZ has informed vide letter dated 05.09.2024, that "Cafeteria of M/s. TCS has been regularized by the UAC in the 60th meeting dated 27.02.2023."</p>
---	--

(A): Observation on APR

(I) APPROVED Projections

(Rs. in Lakhs)

	2019-20	2020-21	2021-22	2022-23	2023-24 (Unit ii+iii)	Total
FOB value of export	47000	51900	54300	55900	141800.00	4,36,200.00
FE Outgo	580	580	380	380	560.00	2880.00
NFE	46420	51320	53920	55520	141240.00	4,33,320.00

Note:-Data for the F.Y. 2023-24 is combined for unit II & III, as units were merged in AC meeting dated 28.07.2023.

(II) Performance as compared to projections during the F.Y. 2022-23

(Rs. in Lakhs)

Year	Export		F.E. OUTGO						
	Projected	Actual (As per APR)	Raw Material (Goods/Services)			C.G. import			Other outflow
			Projected	Actual (As per APR)	As per NSDL Data	Projected	Actual (As per APR)	As per NSDL Data	Actual (As per APR)
2019-20	47000	105168.85	0.00	0.00	0.00	550.00	318.67	318.02	6255.95
2020-21	51900	91357.47	0.00	0.00	0.00	550.00	61.12	61.12	11285.49
2021-22	54300	118738.54	0.00	0.00	0.00	300.00	1258.66	1258.36	25756.14
2022-23	55900	129597.19	0.00	0.00	0.00	250.00	1243.92	90.22	74965.91
Total	209100	444862.05	0.00	0.00	0.00	1650.00	2882.37	1727.72	118263.49

(III) Cumulative NFE achieved during the block period 2019-20 to 2022-23.

(Rs. in Lakhs)

(A) Cumulative NFE achieved as per APR

Year	Cumulative Projections NFE	Cumulative NFE Achieved As per APR (Coloumn 9)	Cumulative % NFE Achieved
2019-20	46420	98795.94	212.83
2020-21	97740	178740.76	182.88
2021-22	151660	271600.02	179.09
2022-23	207180	325988.19	157.34

(B) NFE for scrutiny period:-

(Rs. in Lakhs)

Year	FOB value of export	FE Outgo	Calculated NFE (As per Scrutiny)	NFE (As per APR)	Cumulative NFE (As per APR)	Cumulative Projected NFE
As per APR FY 2019-20	105168.85	6372.91	98795.94	98795.94	98795.94	46420
As per APR FY 2020-21	91357.47	11412.70	79944.82	79944.82	178740.76	97740
As per APR FY 2021-22	118738.54	25879.30	92859.27	92859.27	271600.02	151660
As per APR FY 2022-23	129597.19	75090.30	54506.89	54506.89	325988.19	207180

(IV) Whether the Unit achieved Positive NFE : Yes

(D) Other Information:

LOA No. & Date	<ol style="list-style-type: none">1. SEEPZ-SEZ/NEW-SEZ/HIRA-MUM/13/LOA-13/2008-09/4200 dated 12.06.2008 (Original LOA)2. SEEPZ-SEZ/NEW-SEZ/HIRA-MUM/11/2011-12/9589 dated 24.07.2024 (Renewed LOA)3. SEEPZ-SEZ/NEW-SEZ/HIRA-MUM/13/LOA-13/2008-09/4200/19932 dated 10.05.2019 (Renewed LOA)
Validity of LOA	12.07.2029
Item(s) of manufacture/ Services	Information Technology Products, Software/IT Services & IT enabled
Date of commencement of production	13.07.2009
Execution of BLUT	Yes
Pending CRA Objection, if any	No
Pending Show Cause Notice/ Eviction Order/Recovery Notice/ Recovery Order issued, if any	Yes, <ol style="list-style-type: none">1. The Approval Committee in its meeting held on 28.07.2024 has approved TCS unit III (LOA-15) into TCS Unit-II (LOA-13) with revised projection for further period 1 year.2. The Specified Officer, Festus-SEZ vide letter dated 16.07.2024 forwarded the draft SCN i.r.o M/s TCS Ltd. (I, II, III, IV) and same copy endorsed to this office and informed that M/s. TCS Ltd. (I, II, III & IV), Festus SEZ had erroneously availed IGST duty exemption/benefits in respect of items that were not covered in the Letter of Approval (LOA) and Bond-Cum-Legal-Undertaking (BLUT) also informed that, as per CBEC Circular No 11/2017-Customs dated 31.03.2017, draft demand/show cause notice were prepared and forwarded for adjudication nad necessary action in the matter.

3. Order No.02, dated 03.09.2024 issued by DC sir regarding TCS has erroneously availed IGST duty exemption/benefits in respect of items that were not covered in the Letter of Approval (LOA) and Bond-Cum-Legal-Undertaking (BLUT).

4. Commissioner of Customs (General), ACC/Mumbai has issued the Order-In-Original dated 29.10.2024 to M/s. Tata Consultancy Pvt. Ltd. and copy endorsed to this office i.r.o. M/s. Tata Consultancy Pvt. Ltd. (I,II,III & IV) has erroneously availed IGST duty exemption benefit in respect of items not covered in the Letter of Approval (LOA) and Bond-cum-Legal-Undertaking (BLUT).

It is noticed that, they have mentioned in point No. 24 that, *"I find that the Development Commissioner has failed to notice that, the Rule 27(2) of the Special Economic Zones (SEZ) Rules, 2006 provides the Development Commissioner right to grant exemptions but subject to the conditions as prescribed or specified in the Letter of Approval. In this case the items were procured which were not covered by the Letter of Approval (LOA) without payment of IGST claiming unavailable exemption and therefore, the said items as considered the Development Commissioner cannot be made eligible for retrospective effect for duty free procurement as I find that Authorized operations has to be specified in the Letter of Approval, clearly specifying the items of manufacture or particulars of service activity, including trading or warehousing as per Rule 19 of SEZ Rules."*

In this connection, This office has clarified vide letter dated 29.01.2025 that, As per Rule 27(2) of the Special Economic Zones (SEZ) Rules, 2006, *"In case of any doubt as to whether any goods or services are required by a Unit or Developer for authorized operations or not, it shall be decided by the Development Commissioner"* this office

	has issued Order No.02, dated 03.09.2024 and Corrigendum to Order No. 02/2024, Dated 04.11.2024 and inform that, There is no matter arise to grant exemption with retrospective effect. The Order was passed to clarify the eligibility of the goods & services used by the unit in terms of Rule 27(2) of SEZ Rules, 2006.	
a. Projected employment for the block period	Men –1386, Women –594 Total – 1980	
b. No. of employees as on 31.03.2023	2384	
Area allotted (in sq. ft.)	205176 Sq. Ft.	
Area available for each employee per sq.ft. basis (area / no. of employees)	86.06 Sq. Ft per employee	
Investment till date	Building	Rs.3267.08 Lakhs
	Plant & Machinery	Rs.3015.80 Lakhs
	TOTAL	Rs.6228.88 Lakhs
Per Sq. ft. Export during the FY	Rs. 63163.91 per Sq. Ft. (Export/sq.ft. *1lack)	
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.	Yes	

(E) Reconciliation of Export & Import data.

a. EXPORT

(Rs. in lakhs)

Year/Period	Figures reported in APR (FOB Value)	Figures as per Trade Data (NSDL)	Difference if any	Reason for Difference/Remark
2022-23	129597.19	128930.20	666.99	As per unit letter dated 09.12.2024, " Difference due to Ex. Rate. "

b. **IMPORT**

(Rs. In Lakhs)

Year/ Period	Import	Figures as per APR	Figures as per Trade Data (NSDL)	Difference if any	Reasons for difference
2022-23	Raw Material	0.00	0.00	0.00	-

c. **IMPORT**

(Rs. In Lakhs)

Year/ Period	Import	Figures as per APR	Figures as per Trade Data (NSDL)	Difference if any	Reasons for difference
2022-23	Capital Goods	1243.92	90.22	1153.7	As per APR B(i) the figures are of 10 years, hence the difference

(F) **Bond cum Legal Undertaking (BLUT)**

(Rs. In Lakhs)

i	Total Bond-Cum Legal Undertaking	465,864,000
ii	Remaining Value of BLUT given by entity at the start of the Financial Year.	429,422,671
iii	Value of Additional Bond-cum-Legal Undertaking (BLUT) executed during the Financial Year.	NIL
iv	The duty forgone on Goods/ Services imported or procured during the Financial Year (should include the GST foregone on DTA procured goods/services)	60,67789.64
v	Remaining Value of BLUT as at the end of the Financial Year [(ii) + (iii)- (iv)].	423,354,881.35

(G)	<p>Details of pending Foreign Remittance beyond Permissible period, if any</p> <p>To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained.</p>	<p>Yes – 1 case valued at Rs. 193.46 Lakhs. (As per APR 2022-23 submitted by the unit).</p> <p>(As per unit's reply – "Only 5 invoices value USD 1.2 million are outstanding and they have taken approval from their AD Bank for extension of period.")</p>
------------	--	--

(H) (a)	Whether all softex has been filed for the said period. If no, details thereof. SO to also check whether unit has obtained Softex condonation from DC office / RBI and if approved, whether they have filed such pending Softex.	Yes.
(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, All SOFTEX has been filed and certified by Hira SEZ
(c)	Whether unit has filed any request for Cancellation of Softex	Yes, made application for canellation of softex no due to Miss match in amount Request ID – 142400241524 Softex No. S23S00130834 Invoice No. MHFI423088243 Dated Dec-2022")
(I)	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)	NIL
(J)	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	No. Unit is not sharing any of their infrastructure
(K)	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.	Yes, It is filed. There are 1065 Invoice-Request ID 89 value Rs. 19.87 Crs, Pending for approval with SEZ Office.
(L)	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
(M)	Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report	No

(N)	<p>Has the unit set up any cafeteria / canteen / food court in unit premises.</p> <p>a. If yes, whether permission from UAC / DC office has been issued, or otherwise office has been issued, or otherwise</p> <p>b. Whether unit has availed any duty free goods / services for setting up such facility?</p> <p>c. c) 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</p> <p>They are in the final stage of regularization and will put up documentation in a week's time.</p> <p>Yes, for certain items they have availed duty which they will pay and regularize.</p> <p>They will surrender duty</p>
(O)	<p>Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring</p>	<p>The Specified Officer, Festus-SEZ vide letter dated 16.07.2024 forwarded the draft SCN i.r.o M/s TCS Ltd. (I, II, III, IV) and same copy endorsed to this office and informed that M/s. TCS Ltd. (I, II, III & IV), Festus SEZ had erroneously availed IGST duty exemption/benefits in respect of items that were not covered in the Letter of Approval (LOA) and Bond-Cum-Legal-Undertaking (BLUT) also informed that, as per CBEC Circular No 11/2017-Customs dated 31.03.2017, draft demand/show caus notice were prepared and forwarded for adjudication nad necessary action in the matter.</p> <p>(As per Unit's reply "No")</p>

Findings

1.	<p>This is the 4th year monitoring i.e. FY 2022-23 of the block period 2019-20 to 2023-24.</p> <p>APR prior to this FY 2019-20 to 2021-22 has been monitoring by 58th Approval Committee meeting held on 30.12.2022 wherein the Committee noted the monitoring performance of the Unit for the period 2019-20 to 2021-22, as the unit had achieved positive NFE on cumulative basis in terms of Rule 54 of SEZ Rules 2006 and directed the Specified Officer, Festus-SEZ to re-examine all the observations mentioned in their report and again submit the same before the ensuing AC meeting for ratification. The Committee also directed the Specified Officer, Festus-SEZ to submit the DSPF Report within 10 days.</p>																		
2.	<p>Action in respect of the 58th Approval Committee meeting held on 30.12.2022, has also been initiated by this office w.r.t. Letters were issued on 17.05.2024, 26.06.2024, 09.07.2024 & 23.07.2024 to Specified Officer, Festus-SEZ conveying the directions of the Approval Committee.</p> <p>Specified Officer, Festus-SEZ has informed vide letter dated 05.09.2024, that "M/s. TCS had filed the DSPF for the period from 2019-20 to 2020-21 and same has been approved in the NSDL and Cafeteria of M/s. TCS has been regularized by the UAC in the 60th meeting dated 27.02.2023."</p>																		
3.	The unit has achieved export revenue of Rs. 129597.19/- Lakhs as against projected export of Rs. 55900.00/- i.e. 231.83% during the period for FY 2022-23.																		
4.	Net Foreign Exchange Rs. 325988.19 Lakh is positive.																		
5.	Pendency Foreign Currency Realisation is 1 Case Rs.193.46 for the FY 2022-23.																		
6.	Others FE outflow as per APR Rs.74965.91 Lakhs.																		
	<table border="1"> <thead> <tr> <th>Remarks</th> <th>Lacs</th> </tr> </thead> <tbody> <tr> <td>Communication - Telephone and I Net Expenses</td> <td>540.25</td> </tr> <tr> <td>Business Expenses - Airfare Expenses, Hotel, VISA etc</td> <td>1141.63</td> </tr> <tr> <td>Marketing Expenses</td> <td>12848.53</td> </tr> <tr> <td>Project Expense</td> <td>12883.81</td> </tr> <tr> <td>Repairs and Maintenance</td> <td>2.08</td> </tr> <tr> <td>Salaries & Wages etc</td> <td>31286.59</td> </tr> <tr> <td>Staff welfare and other expenses</td> <td>16262.99</td> </tr> <tr> <td>Total</td> <td>74965.88</td> </tr> </tbody> </table>	Remarks	Lacs	Communication - Telephone and I Net Expenses	540.25	Business Expenses - Airfare Expenses, Hotel, VISA etc	1141.63	Marketing Expenses	12848.53	Project Expense	12883.81	Repairs and Maintenance	2.08	Salaries & Wages etc	31286.59	Staff welfare and other expenses	16262.99	Total	74965.88
Remarks	Lacs																		
Communication - Telephone and I Net Expenses	540.25																		
Business Expenses - Airfare Expenses, Hotel, VISA etc	1141.63																		
Marketing Expenses	12848.53																		
Project Expense	12883.81																		
Repairs and Maintenance	2.08																		
Salaries & Wages etc	31286.59																		
Staff welfare and other expenses	16262.99																		
Total	74965.88																		
7.	Registered agreement valid for the period 01.04.2024 to 31.03.2039.																		
8.	SCN is pending with Commissioner of Customs (G).																		
9.	The APR for the FY 2022-23 has been filed within prescribed time & submitted on 07.07.2023.																		

e. **Recommendation:**

The proposal of the unit based on the FSR in terms of Rule 54 of SEZ Rules, 2006 is submitted to

the Approval Committee for consideration.

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

AGENDA NOTE FOR CONSIDERATION OF APPROVAL COMMITTEE

a. Proposal :

Monitoring of the performance of M/s. Tata Consultancy Services Ltd (Unit-IV) an IT/ITES unit located at 9th, 10th, 11th, 12th & 13th Floor, Kensington, B Wing, Powai, Mumbai-400 076 for 5th year of 2nd Block i.e. FY 2019-20 and 1st to 4th year of 3rd Block period i.e. FY 2020-21 to FY 2023-24.

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

Monitoring of the performance of the unit for 5th year of 2nd block i.e. FY 2019-20 and 1st to 4th year of 3rd Block period i.e. FY 2020-21 to FY 2023-24, in terms of Rule 54 of SEZ Rules, 2006.

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

As per Rule 54 of SEZ Rules, 2006

“Performance of the Unit shall be monitored by the Approval Committee as per guidelines given in Annexure appended to these rules”.

d. Other Information: -

Approved Projections: (2nd Block Period) (Rs. in Lakhs.)

	2015-16	2016-17	2017-18	2018-19	2019-20	Total
FOB Value of Exports	41000.00	43000.00	46000.00	49000.00	50000.00	229000.00
FE Outgo	1150.00	950.00	650.00	450.00	350.00	3550.00
NFE	39850.00	42050.00	45350.00	48550.00	49650.00	225450.00

Approved Projections: (3rd Block Period) (Rs. in Lakhs.)

	2020-21	2021-22	2022-23	2023-24	2024-25	Total
FOB Value of Exports	87100.00	90900.00	103000.00	104400.00	105900.00	491300.00
FE Outgo	1150.00	950.00	650.00	450.00	450.00	3550.00
NFE	85950.00	89950.00	102350.00	103950.00	105550.00	487750.00

e. Performance as compared to projections:

a. FY 2019-20 for 2nd block.

(Rs. in Lakhs)

Year	Export		FE OUTGO				
			Raw Material (Goods/Services)		C.G. import		Other Outflow
	Projected	Actual	Projected	Actual	Projected	Actual	Actual
2015-16	41000.00	87386.00	N.A.	N.A.	2800.00	1487.00	0.00
2016-17	43000.00	94331.00				16.00	0.00
2017-18	46000.00	93254.27				119.96	414.83
2018-19	49000.00	107922.17				119.17	2658.72
2019-20	50000.00	95561.82				81.50	13043.45
Total	229000.00	478455.26				1823.63	16117.00

b. FY 2020-21 to 2023-24 for 3rd block. (Rs. in Lakhs)

Year	Export		FE OUTGO				
			Raw Material (Goods/Services)		C.G. import		Other Outflow
	Projected	Actual	Projected	Actual	Projected	Actual	Actual
2020-21	87100.00	91132.44	NA	NA	1000	20.52	7954.62
2021-22	90900.00	85551.07			800	2.41	18451.36
2022-23	103000.00	119689.27			500	0.00	60641.32
2023-24	104400.00	156599.41			300	7.22	65617.11
Total	385400.00	452972.19			2600	30.15	152664.41

c. Cumulative NFE achieved :

i. FY 2019-20 for 2nd block. (Rs. in Lakhs)

Year	Cumulative Projections NFE	Cumulative NFE Achieved As per APR (Column 9)	Cumulative % NFE Achieved
2015-16	39850.00	335245.00	841.27 %
2016-17	81900.00	268869.44	328.29 %
2017-18	127250.00	361378.78	283.99 %
2018-19	175800.00	466300.00	265.24 %
2019-20	225450.00	82295.14	36.50 %

ii. FY 2020-21 to 2023-24 for 3rd block

Year	Cumulative Projections NFE	Cumulative NFE Achieved As per APR (Column 9)	Cumulative % NFE Achieved
2020-21	85950.00	165335.69	192.36 %
2021-22	175900.00	232361.24	132.10 %
2022-23	278250.00	291310.24	104.69 %
2023-24	382200.00	382157.86	99.99 %

Other Information:

LOA No. & Date	<p>1. SEZ/HIRA-MUM/(15)/LOA-15/2009-10/25/5224, Dated 30.07.2009</p> <p>2. SEEPZ-SEZ/NEW-SEZ/HIRA-MUM/13/2010-11/3398, Dated 25.02.2025</p> <p>3. SEEPZ-SEZ/NEWSEZ/HIRA-MUM/12/2010-11/10312, Dated 07.09.2020</p>
Location of Unit	Unit at 9 th , 10 th , 11 th , 12 th & 13 th Floor, Kensington, B Wing, Powai, Mumbai-400 076
Validity of LOA	31.03.2025
Item(s) of manufacture/ Services	Information Technology Products, Software/IT Services & IT Enabled
Date of commencement of production	01.04.2010
Execution of BLUT	Yes
Validity of Lease Agreement	Yes
Pending CRA Objection, if any	-
Pending Show Cause Notice/ Eviction Order/Recovery Notice/ Recovery Order issued, if any	<p>Yes,</p> <p>1. The Approval Committee in its meeting held on 28.07.2024 has approved TCS unit III (LOA-15) into TCS Unit-II (LOA-13) with revised projection for further period 1 year.</p>

2. The Specified Officer, Festus-SEZ vide letter dated 16.07.2024 forwarded the draft SCN i.r.o M/s TCS Ltd. (I, II, III, IV) and same copy endorsed to this office and informed that M/s. TCS Ltd. (I, II, III & IV), Festus SEZ had erroneously availed IGST duty exemption/benefits in respect of items that were not covered in the Letter of Approval (LOA) and Bond-Cum-Legal-Undertaking (BLUT) also informed that, as per CBEC Circular No 11/2017-Customs dated 31.03.2017, draft demand/show cause notice were prepared and forwarded for adjudication nad necessary action in the matter.
3. Order No.02, dated 03.09.2024 issued by DC sir regarding TCS has erroneously availed IGST duty exemption/benefits in respect of items that were not covered in the Letter of Approval (LOA) and Bond-Cum-Legal-Undertaking (BLUT).
4. Commissioner of Customs (General), ACC/Mumbai has issued the Order-In-Original dated 29.10.2024 to M/s. Tata Consultancy Pvt. Ltd. and copy endorsed to this office i.r.o. M/s. Tata Consultancy Pvt. Ltd. (I,II,III & IV) has erroneously availed IGST duty exemption benefit in respect of items not covered in the Letter of Approval (LOA) and Bond-cum-Legal-Undertaking (BLUT).

It is noticed that, they have mentioned in point No. 24 that, *"I find that the Development Commissioner has failed to notice that, the Rule 27(2) of the Special Economic Zones (SEZ) Rules, 2006 provides the Development Commissioner right to grant exemptions but subject to the conditions as prescribed or specified in the Letter of Approval. In this case the items were procured which were not covered by the Letter of Approval (LOA) without payment of IGST claiming unavailable exemption and therefore, the said items as considered the*

Development Commissioner cannot be made eligible for retrospective effect for duty free procurement as I find that Authorized operations has to be specified in the Letter of Approval, clearly specifying the items of manufacture or particulars of service activity, including trading or warehousing as per Rule 19 of SEZ Rules. ”

In this connection, This office has clarified vide letter dated 29.01.2025 that, As per Rule 27(2) of the Special Economic Zones (SEZ) Rules, 2006, *“In case of any doubt as to whether any goods or services are required by a Unit or Developer for authorized operations or not, it shall be decided by the Development Commissioner”* this office has issued Order No.02, dated 03.09.2024 and Corrigendum to Order No. 02/2024, Dated 04.11.2024 and inform that, There is no matter arise to grant exemption with retrospective effect. The Order was passed to clarify the eligibility of the goods & services used by the unit in terms of Rule 27(2) of SEZ Rules, 2006.

Projected Employment for the block period	Men – 2100 Women – 1600 Total - 3700				
Area allotted (in sq. ft.)	267330 Sq. Ft.				
	(Area Sq. Ft./No. of Employees)				
Area available for each employee per sq.ft. basis (area / no. of employees)	108.01 Sq. Ft.				
	<table border="1"> <tr> <td data-bbox="370 1451 938 1543">Building</td> <td data-bbox="938 1451 1410 1543">8160.64</td> </tr> <tr> <td data-bbox="370 1543 938 1588">Plant & Machinery</td> <td data-bbox="938 1543 1410 1588">3525.34</td> </tr> </table>	Building	8160.64	Plant & Machinery	3525.34
Building	8160.64				
Plant & Machinery	3525.34				

Investment date (Rs. Lakhs)	till In		
		TOTAL	11,685.98
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.			Yes
If no, details of the Year along with no of days delayed to be given.			

The Specified Officer report vide letter dated 24.02.2025 has submitted reported as detailed below:

A. EXPORT-

(Rs. in Lakhs and USD in Millions)

Year/Period	Figures as per APR		Figures as per Softex/SB / Customs Records (INR)		Difference if any		Reason for Difference/Remark in INR as conveyed by the unit
	INR	USD	INR	USD	INR	USD	
(1)	(2)	(3)	(4)	(5)	(6) = (2) – (4)	(7) = (3) – (5)	(8)
2019-20	95,561.82	126.68	53259.38	70.60	42302.44	55.44	i) Ex. Rate Difference ii) Credit notes are issued for each year by the supplier which are included in the FOB value but not in the trade data. iii) the unit Considers
	Onsite +offsite		offsite				
2020-21	91,132.44	120.81	32054.58	44.00	59077.42	76.81	
	Onsite +offsite		offsite				

2021-22	85,551.67 Onsite +offsite	113.61	41581.47 offsite	55.22	43970.2	58.39	offsite & onsite whereas the figures as per Softex is offsite data
2022-23	Export_119698 Offsite50,396.45 Onsite69,292.82	206.56	57811.90	70.31	61877.37	75.24	i)Export figure include offsite and onsite ii)Ex. Rate Difference iii)Credit notes are issued for each year by the Customer which are included in the FOB value but not in the trade data iiii) Consider Data from May-2022 to Apr- 23
2023-24	Export_156599 Offsite60,320.21 Onsite96,279.19	190.44	57913.14	70.43	98685.86	120.01	i)Export figures include offsite and onsite ii)Ex. Rate Difference iii)Credit notes are issued for each year by the Customer which are included in the FOB value but not in the trade data iiii) Consider Data from May-2023 to Apr- 24

B. IMPORT

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

(Rs. In Lakhs and USD in Millions)

Year/ Period	Figures as per APR		Figures as per Softex/SB / Customs Records (INR)		Difference if any		Reason for Difference/Remark in INR as conveyed by the unit
	INR	USD	INR	USD	INR	USD	
(1)	(2)	(3)	(4)	(5)	(6) = (2) – (4)	(7) = (3) – (5)	(8)
2019-20	81.50	0.1076	81.50	0.1076	Nil	Nil	

2020-21	20.52	0.0280	20.52	0.0280	Nil	Nil	
2021-22	2.41	0.0032	2.41	0.0032	Nil	Nil	
2022-23	0.0	0.00	0.0	0.00	Nil	Nil	
2023-24	7.22	0.00859	7.22	0.00859	Nil	Nil	

(ii) Raw material

(Rs. In Crores and USD in Millions)

Year/Period	Figures as per APR		Figures as per Softex/SB Customs Records (INR)		Difference if any		Reason for Difference/Remark in INR as conveyed by the unit
	INR	USD	INR	USD	INR	USD	
(1)	(2)	(3)	(4)	(5)	(6) = (2) – (4)	(7) = (3) – (5)	(8)
2019-20	N.A	N.A					
2020-21	N.A	N.A					
2021-22	N.A	N.A					
2022-23	N.A	N.A					
2023-24	N.A	N.A					

C. BLUT

1	<p>Value of BLUT Executed (Duty foregone) (including for CG / Raw Material / Services)</p> <p>Value of Additional BLUT executed</p> <ul style="list-style-type: none"> • Year: • BLUT amount: <ul style="list-style-type: none"> • Year: • BLUT amount: <p>TOTAL value of BLUT Executed: in Lakhs</p>	<p>157248000</p> <p>Nil</p> <p>1572.48</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 border="1"> <thead> <tr> <th>FY</th> <th>Goods (Imported & Indigenous)[Rs. in Lakhs]</th> <th>Services [Rs. in Lakhs]</th> </tr> </thead> <tbody> <tr> <td>2019-2020</td> <td>-</td> <td>-</td> </tr> <tr> <td>2020-2021</td> <td>52.9</td> <td>-</td> </tr> <tr> <td>2021-2022</td> <td>31.1</td> <td>-</td> </tr> <tr> <td>2022-2023</td> <td>1.977</td> <td>-</td> </tr> <tr> <td>2023-2024</td> <td>36.41</td> <td>292.92</td> </tr> <tr> <td>Total</td> <td>122.387</td> <td>250.805</td> </tr> </tbody> </table>	FY	Goods (Imported & Indigenous)[Rs. in Lakhs]	Services [Rs. in Lakhs]	2019-2020	-	-	2020-2021	52.9	-	2021-2022	31.1	-	2022-2023	1.977	-	2023-2024	36.41	292.92	Total	122.387	250.805		
FY	Goods (Imported & Indigenous)[Rs. in Lakhs]	Services [Rs. in Lakhs]																							
2019-2020	-	-																							
2020-2021	52.9	-																							
2021-2022	31.1	-																							
2022-2023	1.977	-																							
2023-2024	36.41	292.92																							
Total	122.387	250.805																							
3	<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>No, we have sufficient balance in BLUT</p>																							
(d)	<p>Employment made as on date</p> <p>(As on end of block period / year up to which monitoring is being done) (March 2024)</p>	<table border="1"> <thead> <tr> <th>Gender</th> <th>As per the LOA (Form F)</th> <th>As on 31-03-2024</th> </tr> </thead> <tbody> <tr> <td>Men</td> <td>2100</td> <td>1618</td> </tr> <tr> <td>Women</td> <td>1600</td> <td>857</td> </tr> <tr> <td>Total</td> <td>3700</td> <td>2475</td> </tr> </tbody> </table>	Gender	As per the LOA (Form F)	As on 31-03-2024	Men	2100	1618	Women	1600	857	Total	3700	2475											
Gender	As per the LOA (Form F)	As on 31-03-2024																							
Men	2100	1618																							
Women	1600	857																							
Total	3700	2475																							

(e)	<p>Details of pending Foreign Remittance beyond Permissible period, if any (As on 31stMarch, 2024)</p> <p>To cross-check the same and verify whether necessary permission from AD Bank / RBI has been obtained.</p>	<p>110 cases pending As on 31st March, 2024 and also they have taken extension letter for pending Foreign Remittance beyond Permissible period.</p>
(f)	<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>	<p>Yes all Softex have been filled</p>
(g)	<p>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.</p>	<p>Yes, till Jan_2025_Certified</p>
(h)	<p>Whether unit has filed any request for Cancellation of Softex</p>	<p>No</p>
(i)	<p>Whether any Services provided in DTA / SEZ/EOU/STPI etc. against payment in INR in r/o IT/ITES Unit during the period.</p> <p>If yes, details thereof (year wise details to be provided)</p>	<p>No</p>
(j)	<p>SO to verify and certify whether the unit has updated the BLUT ledger Module in SEZ Online.</p>	
(k)	<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>	<p>Nil</p>

(l)	<p>Is the unit sharing any of their infrastructures 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>	N. A
(m)	<p>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.</p>	They have filed 1006 DSPF invoices, however 256 are approved and 752 are pending for approval
(n)	<p>Whether unit has filed all DTA procurement w.r.t. the goods procured by them during the monitoring period for the relevant period.</p> <p>If no, details thereof</p>	N. A
(o)	<p>Details of the request IDs pending for OOC in respect of DTA procurement on the date of submission of monitoring report</p>	N. A
(p)	<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 paid 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>	N.A
(q)	<p>Whether any violation of any of the provisions of law has been noticed / observed by the Specified Officer during the period under monitoring</p>	N. A

Further, Specified Officer, Festus-SEZ has informed that, the above figures are based on the details furnished by the SEZ unit and data available on SEZ Online. These may be taken on records for the purpose of monitoring of Performance of SEZ unit for the period 2019-20 to 2023-24 of M/s. Tata Consultancy Services Ltd. (Unit -IV), Festus SEZ, Powai Mumbai.

Findings

1.	This is 5 th year performance scrutiny i.e. 2019-20 of the 2 nd block period and 1 st to 4 th years performance scrutiny i.e. 2020-21 to 2023-24 of the 3 rd block period.-												
2.	The unit has achieved export revenue of Rs. 95561.82/- Lakhs as against projected export of Rs. 50000.00/- Lakhs i.e.191.12% during the period for FY 2019-20.												
3.	The unit has achieved export revenue of Rs. 91132.44/- Lakhs as against projected export of Rs. 87100.00/- Lakhs i.e.104.63% during the period for FY 2020-21.												
4.	The unit has achieved export revenue of Rs. 85551.07/- Lakhs as against projected export of Rs. 90900.00/- Lakhs i.e.94.12% during the period for FY 2021-22.												
5.	The unit has achieved export revenue of Rs. 119689.27/- Lakhs as against projected export of Rs. 103000.00/- Lakhs i.e.116.20% during the period for FY 2022-23.												
6.	The unit has achieved export revenue of Rs. 156599.41/- Lakhs as against projected export of Rs. 104400.00/- Lakhs i.e.150% during the period for FY 2023-24.												
7.	There is no CRA pending.												
8.	SCN is pending.												
9.	The APR for the FY 2019-20 to 2023-24 has filed withing prescribed time. <table border="1" data-bbox="177 1296 655 1563"> <thead> <tr> <th>F.Y.</th> <th>Submission Date</th> </tr> </thead> <tbody> <tr> <td>2019-20</td> <td>28.12.2020</td> </tr> <tr> <td>2020-21</td> <td>20.09.2021</td> </tr> <tr> <td>2021-22</td> <td>27.06.2022</td> </tr> <tr> <td>2022-23</td> <td>07.07.2023</td> </tr> <tr> <td>2023-24</td> <td>03.07.2024</td> </tr> </tbody> </table>	F.Y.	Submission Date	2019-20	28.12.2020	2020-21	20.09.2021	2021-22	27.06.2022	2022-23	07.07.2023	2023-24	03.07.2024
F.Y.	Submission Date												
2019-20	28.12.2020												
2020-21	20.09.2021												
2021-22	27.06.2022												
2022-23	07.07.2023												
2023-24	03.07.2024												
10.	It is observed that, <ol style="list-style-type: none"> 1. Unit has wrongly mentioned “period reporting on APR” from FY 2019-20 to 2023-24. 2. Unit has wrongly mentioned figures in Coloumn No.4(B) (vi) in the APR for the period 2019-20. 3. Unit has wrongly mentioned figures in Coloumn No.4(B) in the APR for the period 2020-21 to 2023-24. 												

e. **Recommendation:**

The proposal of the unit based on the FSR in terms of Rule 54 of SEZ Rules, 2006 is submitted to the Approval Committee for consideration.
