

Supplementary Agenda for the 70th meeting of the Board of Approval to be held on 28th April, 2016, in the Room No. 47, Udyog Bhawan, New Delhi

Item No. 70.10 Requests for extension of validity of formal approvals

(i) **Request of M/s. SNP Infrastructure Private Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Zamin Pallvaram village, Tambatam Taluk, Kanchipuram District, Tamil Nadu, beyond 24th June, 2016.**

Name of the developer: M/s. SNP Infrastructure Private Limited

Sector : IT/ITES

Location: Zamin Pallavaram village, Chinglepet Taluk, Kanchipuram District, Tamil Nadu

Extension: The developer has been granted five extensions, validity period of which is upto 24th June, 2016.

Basic facts: Formal approval to the developer was granted on 25th June, 2007. The SEZ stands notified as on date.

The developer has requested for further extension so as to implement the project.

Progress & Expenditure incurred during 2015-16

S. No.	Work	Expenditure
1.	Excavation for block No V	Rs. 4.5 crores
2.	Basement for Block No. IV	Rs. 4.0 crores
3.	Construction of 500 M Retaining wall	Rs. 1.5 crores
4.	Payment made to consultants	Rs. 0.4 crores
	Total	Rs. 10.4 crores

Expenditure already made in the project till 2015:-

- (a) Land cost 27.51 acres - Rs. 300 crores
(b) Construction cost till 2015 - Rs. 120 crores

Total expenditure till now (Rs. 420+Rs.10.4) Rs. 430.4 crores.

DC MEPZ has recommended the proposal for extension of validity of formal approval.

The request of the developer is placed before the BoA for consideration.

(ii) Request for further extension of LoA from M/s Nagaland Industrial Development Corporation Limited, for setting up a sector specific SEZ for Agro and Food Processing at Dimapur, Nagaland, beyond 11th October, 2014

Name of the developer: M/s. Nagaland Industrial Development Corporation Limited

Sector : Agro and Food Processing

Location: Dimapur, Nagaland

Extension: The developer has been granted four extensions, validity period of which was upto 11th October, 2014.

Basic facts: Formal approval to the developer was granted on 12th October, 2007. The SEZ stands notified as on date.

The developer has requested for further extension so as to implement the project.

Status of implementation of the project:

(i)	Site Development for industrial plots	100%
(ii)	Boundary walls	100%
(iii)	Administrative Block	100%
(iv)	Guest House	100%
(v)	Electrification	80%
(vi)	Internal roads	100%
(vii)	Water pipes	75%
(viii)	Water treatment plant	Under progress
(ix)	C.E.T.P	Under Progress
(x)	Cold storage	Under progress
(xi)	Residential block	100%
(xii)	Factory shed (3 nos)	100%
(xiii)	Standard design factory (2 no)	100%

DC FSEZ has recommended the proposal for further extension of two years from the date of expiring i.e. up to October 12, 2016 as this is the only sector specific SEZ in the NER in the Agro and Food Processing sector.

The request of the developer is accordingly placed before BoA for its consideration.

(iii) Request of M/s. Mikado Realtors Pvt. Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware, IT/ITES at Village Behrampur, Distt Gurgaon, Haryana, beyond 29th October, 2011.

Name of the developer: M/s. Mikado Realtors Pvt. Ltd.

Sector : Electronic Hardware, IT/ITES

Location: Village Behrampur, Distt Gurgaon, Haryana

Extension: The extensions of validity period was upto 29th October, 2011.

Basic facts: Formal approval to the developer was granted on 30th October, 2008. The SEZ stands notified as on date.

The developer has requested for further extension so as to implement the project.

The developer has made following investments/plans:

Investment made till date

- | | | |
|--|---|----------------------------------|
| (a) Land cost (9.34 acre) | - | Rs. 13.00 crores |
| (b) Lease rent of land on lease (16.469 acre): | | Rs. 25,35,127/- as on 31.12.2015 |
| (c) Others infrastructure cost - | | Rs. 1.5 crore |

BoA in its 68th meeting had granted approval for revival of the formal approval of the said SEZ, in supersession of its decision taken in the meeting of the BoA held on 19.05.2015. The initial validity period of formal approval dated 31.10.2008 was upto 29.10.2011.

The developer had earlier informed that M/s. Tata Realty & Infrastructure Ltd. will be the developer of the project and shall be responsible for development of the SEZ and Standard Chartered Real Estate Investment (Singapore) VII Private Limited will be the FDI investment partner in the SEZ. The developer had further mentioned that eventually Tata Realty & Infrastructure Ltd. and Standard Chartered Real Estate Investment (Singapore) VII Private Limited will acquire the company from M3M. It had been informed by the developer that the acquisition of Mikado Realtors Pvt. Ltd. is planned to be done within 36 months of obtaining approvals for revival of SEZ from Ministry of Commerce and they will seek requisite approval for share transfer when such process is initiated.

Further it may be mentioned that Senior Town Planner, Haryana has been requested has been requested to intimate whether the notified land of the said SEZ is falling under the area of National Conservation Zone (NCZ) or not.

DC NSEZ has recommended the proposal for extension of validity of formal approval for a period of one year.

The request of the developer is placed before the BoA for consideration.

Item No. 70.11 : Requests for extension of LoP beyond 3rd Year onwards

(i) Request of M/s. Tatva Chintan Pharma Chem Pvt. Ltd., a unit in the multi product SEZ being developed by M/s. Dahej SEZ at Bharuch, Gujarat for extension of LoP beyond 22nd May 2016

The above mentioned unit was granted LoP on 23rd May, 2011 for manufacture and export of "Quaternary Ammonium, Phosphonium, Pyridinium Salts; Quaternary Ammonium Hydroxides; Electrolytes; Super Capacitors". The unit was granted three extensions, the validity of which is upto 22nd May, 2015.

- LoP issued: 23rd May, 2011 for manufacture and export of “Quaternary Ammonium, Phosphonium, Pyridinium Salts; Quaternary Ammonium Hydroxides; Electrolytes; Super Capacitors”
- Extensions: 4 (four) up to 22nd May, 2016
- Request: For further extension.

The unit has requested for further extension so as to implement the project.

The unit has made the following investment/plans:-

- The unit has invested Rs. 10.50 crores (as on 04.04.2016) on various head like land, building and advance payment for machinery & other.
- Incremental Investment made by the unit is Rs. 4.5 crores from the date of last extension
- The unit has given assurance to start the production activity within six months i.e. 22.11.2016.

DC Dahej has recommended the proposal of extension for six months.

The request is placed before BoA for its consideration.

Item No. 70.12 : Miscellaneous Cases

(i) Request of M/s. Unitech Hi-tech Structures Developers Ltd., a developer in sector specific SEZ for IT/ITES at Rajarhat Dist. North 24 Parganas, Kolkata, West Bengal for change of name from M/s. Unitech Hi-Tech Structures Pvt. Ltd. to Candor Kolkata One Hi-Tech Structures Pvt. Ltd.

The above mentioned SEZ was granted formal approval on 9th August, 2007. The SEZ was notified on 28th November, 2007 over an area of 19.58 hectares. The SEZ is operational as on date.

The developer has informed that the name of the company has changed from Unitech Hi-Tech Structures Pvt. Ltd. to Candor Kolkata One Hi-Tech Structures Pvt. Ltd.

Existing shareholding pattern

S. No.	Name of shareholder	No. of shares	% Shareholding (approx)
1.	Myna Holdings Ltd., Mauritius (an indirect wholly owned subsidiary of Brookfield)	51381	60.00
2.	BSREP India office Holdings Pte. Ltd., Singapore (an affiliate of Brookfield Group, New York)	30832	36.00
3.	Maxlon Ltd., Cyprus	3426	4.00
	Total	85639	100.00

The current proposal for change in its shareholding pattern is as under:-

S. No.	Name of shareholder	No. of shares	% Shareholding (approx)
1.	BSREP India Office Holdings V Ptd. Ltd.	85633	99.99
2.	BSREP Moon C1L.P.	1	0.0012
3.	BSREP Moon C2 L.P.	1	0.0012
4.	BSREP Moon C3 L.P.	1	0.0012
5.	BSREP Moon C4 L.P.	1	0.0012
6.	BSREP Moon C5 L.P.	1	0.0012
7.	BSREP Moon C6 L.P.	1	0.0012
	Total	85639	100

Change of name from Unitech Hi-Tech Structures Pvt. Ltd. to Candor Kolkata One Hi-Tech Structures Pvt. Ltd. has been approved by Registrar of Companies, New Delhi on 27th January, 2016.

DC FSEZ has recommended the proposal.

The request of the developer is submitted for consideration of BoA.

(ii) Request of M/s. Adhikaar Datapro Systems Pvt. Ltd., a unit in NSEZ for change of Directors and shareholding of the company.

The above mentioned unit was granted LoP on 20.01.2011 for manufacturing & trading of (i) Biometric Devices/Terminals, (ii) Automatic Fingerprint identification Systems/Fingerprint, (iii) Scanner, (iv) Magnetic and optical Readers and Scanners, (v) Image Capture Device, and (vi) Smart Card Reader. The unit is functional as on date. The LOA is valid up to 08.01.2017.

The unit has submitted a proposal for change in its shareholding pattern as under:-

Name of shareholder	Shareholding prior to change in Directors (No. of shares)	Shareholding after change in Directors (No of shares)
Smt. Gauri Shriya	42000 (84%)	--
Shri Alok Mukherjee	8000 (16%)	--
Smart Chip Pvt. Ltd.	--	49900 (99.80%)
Syscom Corporation Pvt. Ltd.	--	100 (0.20%)
Total	50000 (100%)	50000 (100%)

With a view to promote the ease of doing business in India and that restructuring of entity/ business is a fairly common occurrence, **BOA in its 69th meeting held on 23.02.2016 decided that provisions of Rule 74A shall not apply to SEZ Units that do not exit or opt out of the SEZ Scheme by transferring its assets and liabilities to another person and the SEZ Unit continues to operate as a going concern in the situations mentioned above. The UACs concerned, may consider such requests under Rule 19(2) of the SEZ Rules, 2006.**

In so far as Business Transfer Agreement is concerned, it was explained that certain acquisitions happen globally as a result of Business Transfer Agreement which result in transfer of the SEZ unit of the Indian company on a going concern basis to the acquirer. **The BOA decided that such cases resulting in change of ownership would be decided on merits by the Board of Approvals on a case to case basis.**

The unit is not opting out from the SEZ and there is a 100% change in shareholding & as such the proposal is not covered under the powers delegated to the UAC as per the clarification issued by 69th BoA held on 23.02.2016.

DC NSEZ has recommended the proposal.

The request of the unit is submitted for consideration of BoA.

(iii) Request of M/s. Ford Motor Private Limited (FMPL) for co-developer in the sector specific SEZ for IT/ITES at Sholinganallur village, Tambaram Taluk, Kancheepuram District, Tamil Nadu, being developed by M/s. Electronics Corporation of Tamil Nadu Limited (ELCOT).

The proposal of M/s. Ford Motor Private Limited (FMPL) for co-developer status in the sector specific SEZ for IT/ITES at Sholinganallur village, Tambaram Taluk, Kancheepuram District, Tamil Nadu, being developed by M/s. Electronics Corporation of Tamil Nadu Limited (ELCOT) was approved by the 69th BoA held on 23rd February, 2016, subject to standard terms and conditions as per SEZ Act and Rules provided that the lease period is reduced to a period of 30 years (Renewable).

The Co-developer (FMPL) has entered the lease deed agreement on 17th February, 2016 into with the developer (ELCOT) for period of 99 years. The lease shall pay Rs. 1 per year. The Lessee has paid a land lease deposit of Rs. 13,07,00,000/- per acre aggregating to Rs. 365,96,00,000/-. Further, the co-developer has requested the State Government for the removing the condition stipulated by the BoA for reducing the lease period 30 years instead of 99 years.

The FMPL has now requested that it may be allowed for co-developer status of 99 years instead of 30 years as had been approved by BoA in its 65th meeting held on 19th May, 2015 i.r.o. SEZ projects located in the State of Kerala only and in all other cases, the lease period will continue to be a period not exceeding 30 years (Renewable) so that it is co-terminus with land lease period. The proposal has been recommended by the Govt. of Tamil Nadu.

The request of the proposal is submitted for consideration of BoA.

(iii) Proposal of M/s. Indiabulls Infrastructure Co. Limited, a co-developer in multi product SEZ at Sinner MIDC, Nasik, Maharashtra being developed by M/s. Indiabulls Industrial Infrastructure Ltd. for change of name and shareholding pattern of the co-developer from M/s. indiabulls Infrastructure co. Limited to M/s. IIC Limited.

M/s. Indiabulls Infrastructure Co. Limited was granted co-developer status on 16.06.2010 for providing infrastructure facilities in the SEZ.

The co-developer has informed that change of name and shareholding pattern of the co-developer from M/s. Indiabulls Infrastructure co. Limited to M/s. IIC Limited

Shareholding pattern of IIC Limited (as on December 18, 2015)

S. No.	Name	Total No of Equity Shares of Rs. 10 each	%
1.	Rajiv Rattan	62,500	0.43
2.	Corus Power Limited	37,08,736	25.28
3.	Priapus Developers Private Limited (PDPL)	22,40,426	15.27
4.	Ashkit Power and Infrastructure Limited	72,96,374	47.71
5.	Ellery Mining Private Limited	13,65,442	9.31
6.	Mr. Rahul Gochhwal (as a nominee of PDPL)	1	0.00
7.	Mr. Hitnder Kumar (as a nominee of PDPL)	1	0.00
	Total	1,46,73,480	100.00

Shareholding Pattern of Indiabulls Infrastructure Company Limited (as on June 20, 2011)

S. No.	Name	Total No of Equity Shares of Rs. 10 each	%
1.	Mr. Sameer Gehlaut	24,998	0.98
2.	Mr. Rajiv Rattan	12,499	0.49
3.	Mr. Saurabh K Mittal	12,499	0.49
4.	Mr. Suresh Kumar Jain (as nominee of Sameer Gehlaut)	1	0.00
5.	Mr. Ashok Kumar Sharma (as nominee of Sameer Gehlaut)	1	0.00
6.	Mr. Hitnder Kumar (as nominee of Rajiv Rattan)	1	0.00
7.	Mr. Satish Chand (as nominee of Saurabh K Mittal)	12,50,000	49.02
8.	Inuus Infrastructure Private Limited	6,25,000	24.51
9.	Hespera Realty Private Limited	6,25,000	24.51
10.	Priapus Developers Private Limited	6,25,000	24.51
	Total	25,50,000	100.00

Change of name of the co-developer from Indiabulls Infrastructure Co. Limited to IIC Limited has been approved by Registrar of Companies, NCT of Delhi and Haryana on 11th March, 2010.

No reason for the delay on sending the proposal has been given.

DC SEEPZ has recommended the proposal.

The request of the developer is submitted for consideration of BoA.

(iv) Application of M/s Reliance Defence Ltd. for issue of Industrial Licences for Defence Products.

The proposal under consideration is the issuance of Industrial Licences to M/s Reliance Defence Ltd. an SEZ unit, for manufacturing of defence products as detailed below:-

S.No.	Name of Company	Ebiz Appln. No.	Location	Items of manufacture	Proposed Annual Capacity
1.	M/s Reliance Land Systems Ltd.	GV 2375	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of: <ul style="list-style-type: none"> • Ground Vehicles including Tanks, Armoured Vehicles, Infantry Combat Vehicles, Armoured Personnel Carrier. • All wheeled drive vehicles fitted with components to provide ballistic protection level III and above. • Amphibious vehicles for military use. 	100 150 50
2.	M/s Reliance Land Systems Ltd.	ZG 8110	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of all types of ammunition and fuses.	500
3.	M/s Reliance Land Systems Ltd.	GL 8981	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of small arms including revolvers, shot gun, light machine gun, pistols.	500
4.	M/s Reliance SED Ltd.	RP 4362	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of Directed Energy Weapon, Laser for target destruction, High Velocity Kinetic Energy Weapon system and related equipment, Particle beam system for destruction of target.	400
5.	M/s Reliance Land Systems Ltd.	MI 4875	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of Heavy weapons (Artillery guns, AD Guns, Mortars, Rocket Launchers) of all calibers.	100
6.	M/s Reliance Unmanned Systems Ltd.	EQ 1032	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of Remotely Piloted Vehicle (RPVs), unmanned lighter than air vehicle.	100
7.	M/s Reliance SED Ltd.	EY 5946	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of Electronic Warfare Systems including Electronic Equipments used for Electronic Counter Measure (ECM) and Electronic Counter Counter Measure (ECCM).	100
8.	M/s Reliance Land Systems Ltd.	UY 9986	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of Explosive devices like Bombs, Mines, Rockets, Propellant/Charge Systems, combustible cases for charges, sub munitions including bomblets, minelets, Terminally guided projectiles and Cargo Projectiles.	500
9.	M/s Reliance SED Ltd.	YM 1722	Pithampur (SEZ), Akolia, Dhar, M.P	Manufacture of Radar Equipment (Radars, Jammers including Weapon Locating Radars)	100
10.	M/s Reliance Naval Systems Ltd.	YO 0871	Mihan (SEZ), Nagpur	Design, Development and manufacture of underwater weapons: <ul style="list-style-type: none"> • Torpedos/Rockets/AUV • Launchers/Ground Control & Support Equipments. 	100 50
11.	M/s Reliance Naval Systems	GE 9890	Mihan (SEZ), Nagpur	Manufacture of Hull Mounted Sonar, Towed Array Sonar and Mine Warfare	8

	Ltd.				Systems.	
12.	M/s Reliance Naval Systems Ltd.	OI 4314	Mihan Nagpur (SEZ),		<ul style="list-style-type: none"> Design, Development and manufacture of Electro-optical Systems. Design and Development of C4I Systems. 	616 12
13.	M/s Reliance SED Ltd.	IW 7274	Mihan Nagpur (SEZ),		Manufacture of Recorders & Image Processing, Image Intensifier, Infrared, Imaging Radar Sensor Equipments.	100
14.	M/s Reliance SED Ltd.	GJ 0716	Mihan Nagpur (SEZ),		Manufacture of Communication systems for Land, Naval and Airborne Platforms.	200
15.	M/s Reliance SED Ltd.	RS 1900	Mihan Nagpur (SEZ),		Design, Development and Manufacture of C4I Systems for Aviation, Naval and Land Systems.	4
16.	M/s Reliance Defence Technologies Pvt. Ltd.	XU 5697	Mihan Nagpur (SEZ),		Manufacture/Assembly/Integration of Electronic fuses and associated sub-systems.	100000

2. The comments of the following Departments/State Governments recommending the proposal are as under:-

(1) Department of Defence Production.	Recommended, subject to standard terms & conditions of licensing and the extant FDI Policy Guidelines applicable to defence sector. The company is to follow the security guidelines for Category 'A' mentioned in DDP Security Manual.
(2) Ministry of Home Affairs (MHA).	The MHA has forwarded a copy of its O.M dated 15.12.2015 addressed to the DIPP in which it had conveyed security clearance in respect of the above entities with respect of core national security parameters. It has however flagged three inputs for assessment of economic security considerations which may be perused at Annexure-1
(3) State Government of Maharashtra	Recommended subject to the conditions that:- (i) The units have to work under the jurisdiction of all Laws of State & Central Govt. and any other clearances required from State/Central Government Departments and all Laws/Acts/Rules/Permissions required before making preliminary steps to implement the project and at the time of commencement of production. (ii) The unit has to give employment of 80 % of laocal persons in the above project before taking the Preliminary steps to implement the project and also at the time of Commencement of Production.
(4) State Government of Madhya Pradesh	Recommended.

Comments have not been received from MSME & DGCA.

Recommendations of Development Commissioner:- DC SEEPZ SEZ & DC ISEZ have recommended the proposal.

Based on the above, the proposals of M/s Reliance Defence Ltd. for grant of Industrial Licences for manufacturing of defence products as detailed above is placed before the BoA for a decision.

Item No. 70.13: Cancellation of Formal Approvals

Sr. No.	Name of the Developer/co-developer	Sector	Date of formal approval	Zone	Remarks
1.	M/s. Lanco Solar Pvt. Ltd. (Vill. Ramdaspur, Cuttack, Odisha)	Solar PV	31.12.2009	FSEZ	<p>The formal approval granted to the developer has expired on 31.12.2014</p> <p>DC FSEZ sent a letter to Govt. of Odisha for their recommendation but till date no reply has been received. The developer has also informed that that they are not able to implement their project due to Wild Life Clearance is long pending with State Wild Life Clearance Board/State Govt. and without their clearance they are not authorized to take any steps in this regard vide mail dated 19.02.2015. In spite of DC, FSEZ's repeated reminders/correspondence with the industry department, Govt. of Odisha and the SEZ developer regarding the status of SEZ, no reply has been received till date.</p> <p>DC has recommended for cancellation of formal approval.</p>

Item No. 70.14 : Cancellation of In-principle approval

Sr. No.	Name of the Developer/co-developer	Sector	Date of In-principle approval	Zone	Remarks
1.	M/s. Posco India Pvt. Ltd. (Jagatsinghpur District, Odisha)	Multi Product	26.10.2006	FSEZ	<p>The in-principle approval granted to the developer has expired on 24.10.2014.</p> <p>The developer has not made any application for further extension. Further, the matter was also sent to Odisha Govt. for ascertaining the status of the case but no reply has been received from the Govt. of Odisha, IDCO and developer.</p> <p>DC FSEZ has recommended for cancellation of in-principle approval.</p>

Item No. 70.15 : Appeals before BoA

(i) Appeal of M/s. Shahtootwale Industries Ltd., a unit in Noida SEZ against order of the UAC dated 18th August, 2015.

The proposal had was come up before the 67th BoA meeting held on 9th October, 2015. The BOA, after deliberations, directed the appellant to submit audited financial statements of SEZ and DTA units to the DC and directed DC, NSEZ to carry out formal inspection of the Unit and submit a detail report on investments made in the unit, plant and machinery installed in the said Unit alongwith the performance of the Unit since grant of initial LoP. BOA accordingly deferred decision on the appeal.

Accordingly, a Committee was constituted by DC NSEZ and visited plot no. 53, NSEZ on 20.10.2015 which submitted the findings of the committee as under:-

“The unit was locked Shri Basant Kumar, Manager of the unit was called to open the lock so as to visit their unit to collect information for onward submission to BoA. It was also observed that no machine was in “operational mode”. The representative of unit was asked to produce relevant registers/documents etc. so as to ascertain the date of installation of plant & machinery. He said that no record is available in the Unit. The unit vide letter & email dated 30.10.2015 was requested to ensure their presence on 02.11.2015 with relevant documents. However, no one turned up from the unit on 02.11.2015 and hence the relevant details regarding date of installation of plant & machinery could be ascertained.

The unit vide its letter dated 05.11.2015 has requested DC NSEZ to grant them two weeks time to submit all information. The unit vide DC letter dated 23.12.2015 again asked to submit dully audited balance sheet of the company separately i.r.o. NSEZ unit and DTA unit and record of plant and machinery installed in NSEZ unit. The unit vide its letter dated 06.01.2016 has submitted copies of balance sheet for the year 2003 to 2004, 2005 to 2006 to 2011 to 2012 in the name of M/s. Design Products Ltd. and balance sheet for the year 2014-15 in the name of M/s. Shahtootwale Industries Ltd. The unit has further stated that they had export order to be shipped in May/June 2015. However as their LoA was not valid, they had to export it from their DTA unit. Besides, it has been further stated that details of plant & machinery are available in book of accounts of FY 2007-08. Details of plant & machinery were not found enclosed except value of plant & machinery including office equipments to the tune of Rs. 185 lakhs.

The Committee did not find the point-wise report/reply furnished by the Unit is satisfactory and complete (**Annexure-2**). At present lease rent of Rs.11,41,205/-(upto March, 2016) is outstanding against the unit in respect of plot No. 53, NSEZ.

The appellant vide letter dated 05.04.2016 has filed the instant appeal against the above rejection and requested to place the request before the BoA for personal hearing (**Annexure -3**)

The appeal is placed before the BoA for consideration.
