

Supplementary Agenda for the 54th meeting of the Board of Approval to be held on 14th September 2012 at 10.30 A.M. in the Room No. 47, Udyog Bhawan

Item No.54.19: Request of M/s. Smart City (Kochi) Infrastructure Private Limited for addition of land in the sector specific SEZ for IT/ITES at Kanayanoor Taluk, Ernakulam District, Kerala

The above mentioned SEZ was notified on 1st March, 2011 over an area of 53.1809 hectares. The developer has requested to add a part of land admeasuring 46.3773 hectares to the already notified SEZ, thereby making the total area of the SEZ as 99.5582 hectares.

The proposal by the developer involves annexing of two different pieces of land separated by a water body with the existing notified SEZ [**map at annexure – 1**]. This proposal was earlier considered in the Board of Approval (BoA) for SEZs in its meeting on 22nd July, 2011 and subsequently on 28th November, 2011.

The State Government and the developer have submitted that the land proposed to be added is connected with the notified SEZ by an existing road and bridge. Additional bridges are proposed to be constructed in the next 2-3 years to take care of the growth in traffic as the project progresses. It has been requested that the additional land of 46.3773 hectares be notified immediately without insisting on the construction of new bridges since as per Rule 7(2) proviso of the SEZ Rules, 2006 the BoA is empowered to relax the conditions regarding contiguity on a case to case basis on merits.

The Developer has undertaken to ensure, to the satisfaction of the Revenue department, that the additional land areas would be properly bonded and would be made fully secured in conformity with the requirements of the SEZ Act and Rules, pending creation of infrastructure ensuring contiguity between these land parcels. Moreover, since it is a case of an IT/ITES SEZ, perhaps the revenue concerns in terms of leakage of dutiable goods are significantly less as compared to a manufacturing SEZ.

State Government has submitted that Kerala is a small State with the high percentage of fertile land and has a number of water bodies. This makes the scope for developing large SEZs extremely limited. State Government has on a number of occasions reiterated that this project is of special importance to the State of Kerala and, therefore requires special consideration which may not be cited as a precedent given the special set of circumstances of the instant case.

The request of the developer for addition of area admeasuring 46.3773 hectares by relaxing contiguity is placed before BoA for consideration.

Item No. 54.20: Requests for Authorized Operations

(i) Request of M/s. SEZ Biotech Services Private Limited for authorized operations in sector specific SEZ for Biotechnology at Manjari Budruk, Taluka Haveli, District Pune, Maharashtra

The above mentioned SEZ was notified on 29th March, 2012 over an area of 11.50675 hectares. The developer has requested for the following authorized operations in the **Processing/Non-processing area:-**

In the Processing area:-

S. No.	Name of the authorized activity	Quantum requested
1.	Power Generation 20MW (including power back up facilities)	20 MW
2.	Cold storage 2° to 8° C -20° C	8365 sqm 5580 sqm
3.	Generation and distribution of Raw Steam	45 Tons/Hour
4.	Generation and distribution of Pure Steam	30 Tons/Hour
5.	Generation and distribution of Compressed Air	2005 Feet/Min.
6.	Purification and Distribution of purified water	60 Cubic meter/Hour
7.	Storage and distribution of potable water	20000 cubic meter
8.	Generation and distribution of distilled water	36000 ltrs/Hour
9.	Generation and distribution of Hot water	72000 KW/Hour
10.	Storage and distribution of Nitrogen gas + other gases	205 sqm.
11.	Housekeeping services and sterile environment maintenance services	Numerous

In the non-Processing area:-

S. No.	Name of the authorized activity	Quantum requested (in sqm)
1.	First aid post, or 20 bedded clinic/poly clinic/pharmacy/medical centre, one hospital up to 50 bed	9295

DC SEEPZ has recommended the request for placing before the Board. The request is placed before the BoA for consideration.

(ii) Request of M/s. Unitech Realty Projects Limited for authorized operations in sector specific SEZ for IT/ITES at Tikri, Gurgaon, Haryana

The above mentioned SEZ was notified on 9th January, 2008 over an area of 10.041 hectares. The developer has requested for the following authorized operations in the **Non-processing area:-**

S. No.	Proposed activity	Quantum
1.	IT-ITES Office Space	54859.20 sqm
2.	Commercial Office Space	1450 sqm

3.	Power (incl. power back up facilities)	5 MW
4.	Parking incl. ML car parking	As per actual requirement
5.	Food services incl. cafeteria	150 sqm
6.	Drip and micro irrigation system	As per actual requirement
	Total	56459.20

The request was considered in the BoA meeting held on 6th July, 2012 and was deferred. The minutes are as under:-

“The Board noted that the developer has requested for construction of 54859.20 sqm of IT/ITES office space in the non-processing area. DoR pointed out that there is no apparent justification for IT/ITES office space in the non-processing area of an IT/ITES SEZ as the same is liable to be commercially exploited by entities outside the SEZ. Since the non-processing area is primarily meant to accommodate infrastructural facilities for supporting the units in the processing area. DoR sought further clarification on the matter before it could be approved by the BoA. The Board, therefore, deferred the request and sought a report from DC, NSEZ on the nature of the authorized operations requested by the developer after examining all the above issues, for further consideration of the Board”.

A report dated 31.08.2012 from DC NSEZ has been received [Annexure – 2]. Accordingly, the request is placed before the BoA for consideration.

(iii) Request of M/s. ASF Insignia SEZ Private Limited for authorized operations in the sector specific SEZ for IT/ITES at Gurgaon, Haryana

The above mentioned SEZ stands notified over an area of 19.3037 hectares. The developer has also requested for the following authorized operation in the **non-processing area**:-

S. No.	Authorized operations	Quantum requested
1.	IT/ITES office space	37500 sqm.

The request was considered in the BoA meeting held on 6th July, 2012 and was deferred. The relevant extracts of the minutes are as under:-

*“However the request for construction of 37500 sqm of IT/ITES office space in the non-processing area was **deferred** by BoA as the DoR observed that there is no apparent justification for IT/ITES office space in the non-processing area of an IT/ITES SEZ as the same is liable to be commercially exploited by entities outside the SEZ. The Board also observed that the non-processing area is to accommodate infrastructural facilities for supporting the units in the processing area. DoR sought further clarification on the matter before it could be approved by the BoA. The Board, therefore, deferred the request and sought a report from DC, NSEZ on the nature of the authorized operations requested by the developer after examining all the above issues, for further consideration of the Board”.*

A report dated 31.08.2012 from DC NSEZ has been received [Annexure – 3]. Accordingly, the request is placed before the BoA for consideration.

(iv) Request of M/s. GHI Finlease and Investments Limited for authorized operations in sector specific SEZ for IT/ITES at Bhondsi, Tehsil Sohna, District Gurgaon, Haryana

(Note: Consideration of this item is subject to grant of further extension of the formal approval to the developer beyond 24th August, 2012, which is also under consideration vide item no. 54.8 (xv) of the main agenda)

The above mentioned SEZ was notified on 3rd December, 2007 over an area of 12.936 hectares. The developer has requested for the following authorized operations in the **Processing area/Non-processing area:-**

In the processing area:-

S. No.	Name of the authorized activity	No. of units	Area per unit (in sqm)	Total area (in sqm)
1.	IT Offices	220	714.005	157081
2.	Multipurpose Hall	1	3000	3000
3.	Cafeteria/Food Court/Restaurant	1	2000	2000
4.	Medical Centre	1	200	200
5.	Banks/ATM's	10	50	500
6.	DC/Customs/Public Office	1	500	500
7.	Recreational (Club & Gym	1	2000	2000
8.	Administration/State Management	1	1000	1000

In the Non-processing area:-

S. No.	Name of the authorized activity	No. of units	Area per unit (in sqm) as per FSI/FAR norms as applicable	Total area (in sqm)
(1)	(2)	(3)	(4)	(5)
1.	Commercial offices & shopping	340	25	8500
	Service Apartments	120	66.666	8000
2.	Residential	278 units 216 units 96 units	95 mtrs each 125 mtrs each 140 mtrs each	66850
3.	Club	2	750	1500
4.	Medical Centre	1	500	500
4.	School	1	3000	3000

The request was considered in the BoA meeting held on 6th July, 2012 and was deferred. The minutes are as under:-

“The Board noted that the developer has requested for residential space over an area of 66850 sqm. DoR observed that there is no apparent justification for construction of such huge residential space in the non-processing area of the SEZ and the same is liable to be commercially exploited by entities outside the SEZ. The Board, therefore, deferred the request and sought a report from DC, NSEZ on the nature of the authorized operations requested by the developer after examining all the above issues, for further consideration of the Board”.

A report dated 31.08.2012 from DC NSEZ has been received [Annexure – 4]. Accordingly, the request is placed before the BoA for consideration.

Item No. 54.21: Request of M/s. Torrent Energy Limited for approval for taking out 508 mm dia MS Effluent pipeline from their project site in Dahej SEZ to GIDC disposal point outside SEZ area

DC Dahej SEZ has informed that M/s. Torrent Energy Limited (TEL), a co-developer in the Dahej SEZ has sought permission/approval for taking out 508 mm dia MS Effluent pipeline from their project site in Dahej SEZ to GIDC disposal point outside SEZ area. TEL has stated that during operation of power plant, the effluent is generated on continuous basis, which is within the norms prescribed by Gujarat Pollution Control Board and required to be disposed off outside the Dahej SEZ through Effluent Pipeline. The developer has also given approval for laying the pipeline. The co-developer has stated that the pipeline of 508 mm diameter being laid is exclusively for the purpose of disposal of effluent. Further, effluent being the non-revenue item, duties and taxes are not applicable. DC Dahej SEZ has recommended the request.

The request is placed before the BoA for consideration.

Item No. 54.22: Requests for grant of third extension of in-principle approval.

S. No.	Name of the Developer	Sector and area	Location of the SEZ	Percentage of land in possession of developer as on expiry of validity of in-principle approval
1.	M/s. Maharaja Multitrade Private Limited	Multi Services, 106.755 hectares	Village Taloshi, Taluka Igatpuri, District Nasik, Maharashtra	In-principle approval was granted vide LoA dated 18 th June 2009. The developer has also granted two extensions. The validity of the last extension is up to 17 th June, 212. The developer has now requested for further extension stating that it has acquired approx 20 hectares of land. Further, process of purchase of balance land is in process. The developer needs more time to complete the land acquisition and has, therefore, requested for further extension of the validity of in-principle approval. The recommendation of DC SEEPZ is awaited.

Item No. 54.23: Request of M/s. Arihant Worldwide Limited for setting up a unit in FSEZ

DC FSEZ has informed that M/s. Arihant Worldwide Limited has submitted an application for setting up a unit in FSEZ, West Bengal for warehousing service setting up operation & maintenance of the unit. The proposal was considered in the UAC meeting held on 24.8.2012. The committee noted that Falta SEZ is a multi product Government SEZ and has no provision for FTWZ. This type of application should ideally be made to a FTWZ. Therefore, the committee decided to refer the proposal for BoA. A detailed proposal as received from DC FSEZ is at **Annexure -5**.

The proposal is placed before the BoA for consideration.

Item No. 54.24: Requests for change of name/transfer of equity

(i) Request of M/s. Three C Facility Management Private Limited, a co-developer for changing the share holding pattern of the company

M/s. Three C Facility Management Private Limited is a co-developer in the IT/ITES SEZ at Noida, Uttar Pradesh being developed by M/s. Aachvis Softech Private Limited. The co-developer has informed that the present shareholding pattern of the company is:-

S. No.	Name	Shareholding percentage
1	Three C Universal Developers Private Limited	99.99
2.	Mr. Surpreet Singh Suri (<i>as a nominee of Three C Universal Developers Private Limited</i>)	0.01
	Total	100.00

It is been stated that the shareholders of the co-developer propose to sell their entire shareholding pattern in the co-developer to the Purchasers (Viz Shri Supreet Singh Suri, Shri Nirmal Singh & Shri Vidur Bharadwaj) who are also directors in the company. It has been stated that the purchasers are the promoters of the 3C Group of Companies. The shareholding pattern of the co-developer and how its control flows into the hands of the 3 purchasers has been given at **Annexure-6**. It has been proposed to restructure the shareholding of the co-developer and give direct shareholding to the promoters. The co-developer has, therefore, requested for changing the shareholding pattern of the company as under:-

S. No.	Name	Shareholding percentage
1	Supreet Singh Suri	33.333
2.	Nirmal Singh	33.333
3.	Vidur Bharadwaj	33.333
	Total	100

The co-developer has also undertaken to pay the long term capital gains arising out of the proposed transaction. The request of the developer alongwith the undertaking is at **Annexure- 7**. The comments of DC, NSEZ on the request are awaited.

The proposal is placed before BoA for consideration.
