

Minutes of the 62nd meeting of the Board of Approval for SEZ held on 24th July 2014 to consider proposals for setting up Special Economic Zones and other miscellaneous proposals

The Sixty Second (62nd) meeting of the Board of Approval (BoA) for Special Economic Zones (SEZ) was held on 24th July, 2014 under the Chairmanship of Shri Rajeev Kher, Secretary, Department of Commerce, at 10.30 A.M. in Room No. 47, Udyog Bhawan, New Delhi, to consider proposals in respect of notified/approved SEZs. The list of participants is annexed (**Annexure-1**).

2. Addressing the members of Board of Approval, the Chairman informed that so far 565 formal approvals have been granted for setting up of SEZs out of which 388 SEZs stand notified. He further informed that as on 31.03.2014, over Rs. 2,96,663 crores have been invested in the SEZs and employment to 12,83,309 persons is being provided in the SEZs. During the financial year 2013-14, total exports to the tune of Rs. 4,94,077 crores were made from the SEZs, registering a growth of about 4% over the exports for the year 2012-13.

Item No. 62.1: Requests for extension of validity of formal approvals

BoA in its meeting held on 14th September, 2012, examining similar cases observed as under: -

*“The Board advised the Development Commissioners to recommend the requests for extension of formal approval beyond 5th year and onwards only after satisfying that the developer has taken sufficient steps towards operationalisation of the project and further extension is based on justifiable reasons. Board also observed that extensions may not be granted as a matter of routine unless some progress has been made on ground by the developers. **The Board, therefore, after deliberations, extended the validity of the formal approval to the requests for extensions beyond fifth years for a period of one year and those beyond sixth year for a period of 6 months from the date of expiry of last extension**”.*

(i) Request of M/s. DLF Info Park (Pune) Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Rajiv Gandhi Infotech Park, Phase II, Pune, Maharashtra, beyond 26th June, 2014

The Board after deliberations extended the validity of the formal approval up to 26th June, 2015.

(ii) Request of M/s. Inspira Infra (Aurangabad) Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Non-conventional energy including solar energy equipment at Plot No. C-22, MIDC, Five Star Industrial Area, Shendre District, Aurangabad, Maharashtra, beyond 8th May, 2014

The Board noted that the progress made by the developer since the last extension is not satisfactory. The Board, after deliberations, **rejected** the proposal of further extension.

(iii) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of multi product at Dronagiri, Navi Mumbai, Maharashtra, beyond 29th July 2014

The Board after deliberations extended the validity of the formal approval up to 29th July, 2015.

(iv) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Kalamboli, Navi Mumbai, Maharashtra, beyond 25th July 2014

The Board after deliberations extended the validity of the formal approval up to 25th July, 2015.

(v) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Gems & Jewellery at Ulwe, District Raigad, Maharashtra, beyond 26th February 2014

The Board after deliberations extended the validity of the formal approval up to 26th February, 2015.

(vi) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Kalamboli, Navi Mumbai, Maharashtra, beyond 25th July 2014

The Board after deliberations extended the validity of the formal approval up to 25th July, 2015.

(vii) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Ulwe, District Raigad, Maharashtra, beyond 26th February 2014

The Board after deliberations extended the validity of the formal approval up to 26th February, 2015.

(viii) Request of M/s. Indiabulls Industrial Infrastructure Limited for further extension of the validity period of formal approval, granted for setting up of multi product SEZ at village Sinnar, District Nashik, Maharashtra, beyond 24th June, 2014

The Board after deliberations extended the validity of the formal approval up to 24th June, 2015.

(ix) Request of M/s. Gopalan Enterprises (India) Private Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Mahadevapura & Kaggadaspura, K.R. Puram, Whitefield, Bangalore, Karnataka, beyond 2nd July, 2014

The Board after deliberations extended the validity of the formal approval up to 2nd July, 2015.

(x) Request of M/s. Gulf Oil Corporation Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES/BPO/Electronic Hardware at Kattigenahalli and Venkatala villages, Yelahanka Hobli, Bangalore, Karnataka, beyond 17th June, 2014

The Board after deliberations extended the validity of the formal approval up to 17th June, 2015.

(xi) Request of M/s. Karle Infra Private Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES/BPO at Nagavara Village, Bangalore North Taluk, Karnataka, beyond 18th June, 2014

The Board after deliberations extended the validity of the formal approval for up to 18th June, 2015.

(xii) Request of M/s. Parsvnath Infra Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Aluva Taluk, Ernakulam, beyond 30th June, 2014

The Board after deliberations extended the validity of the formal approval up to 30th June, 2015.

(xiii) Request of M/s. IG3 Infra Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Textiles at Uthukuli Village, Perundurai Taluk, Erode District, Tamil Nadu beyond 30th May 2014

The Board after deliberations extended the validity of the formal approval up to 31st December, 2014.

(xiv) Request of Electronics Corporation of Tamil Nadu (ELCOT) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Hosur-Viswanathapuram, Tamil Nadu, beyond 8th May, 2014

The Board after deliberations extended the validity of the formal approval up to 8th May, 2015.

(xv) Request of M/s. Jay Gee Hitech Infraventures Pvt. Ltd. for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Venkadu village, Sriperumbudur Taluk, Kancheepuram District, Tamil Nadu, beyond 9th February, 2012

The Board after deliberations extended the validity of the formal approval up to 9th February, 2015.

(xvi) Request of M/s. Foxconn India Developer Private Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware & Software including ITES at Sriperumbudur, Tamil Nadu, beyond 25th July, 2013

The Board after deliberations extended the validity of the formal approval up to 25th July, 2015.

(xvii) Request of Andhra Pradesh Industrial Infrastructure Corporation Limited (APIIC Ltd.) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Karakapatla village, Mulugu Mandal, Medak District, Andhra Pradesh beyond 25th April 2014

The Board after deliberations extended the validity of the formal approval up to 25th April, 2015.

(xviii) Request of M/s. Dr. Fresh Health Care Pvt. Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Ghamroj, Tehsil Sohna, Gurgaon-Sohna Road, Gurgaon, Haryana, beyond 25th June 2014

The Board after deliberations extended the validity of the formal approval up to 25th June, 2015.

(xix) Request of M/s. G.P. Realtors Private Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware and IT/ITES at village Ghata, Behrampur and Balola, District Gurgaon, Haryana, beyond 25th July, 2013

The Board after deliberations extended the validity of the formal approval up to 25th January, 2015.

(xx) Request of M/s. MPAKVN (Jabalpur) Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Agro and Agro based products at village Umariya Dungariya, Shahpura, Distt. Jabalpur, Madhya Pradesh, beyond 13th January 2013

The Board after deliberations extended the validity of the formal approval up to 13th January, 2015.

(xxi) Request for further extension of LoA from M/s. Dishman Infrastructure Ltd. for setting up of Pharmaceuticals & Fine Chemicals SEZ at Villages Kalyangadh and Gangad, Taluka Bavla, District Ahmedabad, Gujarat beyond 16th April 2014

The Board after deliberations extended the validity of the formal approval up to 16th April, 2015.

(xxii) Request of M/s. Calica Construction and Impex Pvt. Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Ognaj, Taluka Dascroi, District Ahmedabad, Gujarat, beyond 6th May, 2014

The Board after deliberations extended the validity of the formal approval up to 6th May, 2015.

(xxiii) Request of M/s Kandla Port Trust, developer of multi product SEZ at Kandla and Tuna, Gujarat for further extension of the validity period of formal approval, beyond 6th May 2014

The Board after deliberations extended the validity of the formal approval up to 6th May, 2015.

(xxiv) Request for further extension of formal approval from M/s Ganesh Housing Corporation Ltd., for setting up an IT/ITES SEZ at Village Ognaj, Taluka Dascroi, District Ahmedabad, Gujarat, beyond 19th June, 2014

The Board after deliberations extended the validity of the formal approval up to 19th December, 2014.

(xxv) Request for further extension of formal approval from M/s. HBS Pharma SEZ Pvt. Ltd. for setting up of Pharmaceutical SEZ at GIDC, Panoli Industrial Estate, Panoli, District Bharuch, Gujarat beyond 16th June, 2014

The Board after deliberations extended the validity of the formal approval up to 16th June, 2015.

(xxvi) Request of M/s. Gopalpur Special Economic Zone Ltd. for further extension of validity period of its formal approval for setting up a multi product SEZ at Gopalpur, District Ganjam, Odisha beyond 17th June, 2014

The Board after deliberations extended the validity of the formal approval up to 17th December, 2014. The Board also directed the developer to ensure that the land is transferred in their name during that period.

(xxvii) Request of M/s. H.N. Company for extension of the validity period of formal approval, granted for setting up of Multi Product SEZ at Dimapur, Nagaland beyond 30th July 2013

The Board after deliberations extended the validity of the formal approval up to 30th July, 2015.

Item No. 62.2 : Requests for extension of LoP beyond 3rd Year onwards

(i) Request of M/s. Marsons Industries Pvt. Ltd., a unit in the sector specific SEZ for Engineering SEZ being developed by M/s. Mahindra World City (Jaipur) Ltd. at village Kalwara, Tehsil Sanganer, Distt. Jaipur, Rajasthan for extension of Letter of Permission (LOP) beyond 12th March, 2014

The Board after deliberations extended the validity of the LoP up to 12th March, 2015.

(ii) Request of M/s. Girnar Software (SEZ) Pvt. Ltd., a unit in the sector specific SEZ for IT/ITES SEZ being developed by M/s. Mahindra World City (Jaipur) Ltd. at village Kalwara, Tehsil Sanganer, Distt. Jaipur, Rajasthan for extension of Letter of Permission (LOP) beyond 29th March, 2014

The Board after deliberations extended the validity of the LoP up to 29th March, 2015.

(iii) Request of M/s. Meghmani Unichem LLP, a unit in Dahej SEZ for extension of Letter of Permission (LOP) beyond 30th June 2014

The Board after deliberations extended the validity of the LoP up to 31st December, 2014.

(iv) Request of M/s ONGC Petro additions Limited (OPaL), a unit in multi-product SEZ developed by Dahej SEZ at Bharuch Gujarat for extension of validity period of its LoP beyond 15th October, 2014

The Board after deliberations extended the validity of the LoP up to 15th October, 2015.

(v) Request of M/s. Ramdev Chemical Industries, a unit in the multi product SEZ being developed by M/s. Dahej SEZ at Bharuch, Gujarat for extension of Letter of Permission (LOP) beyond 31st March, 2014

The Board after deliberations extended the validity of the LoP up to 31st March, 2015.

(vi) Request of M/s. Oil and Natural Gas Corporation (ONGC) Ltd., C2-C3 plants, a unit in the multi product SEZ being developed by M/s. Dahej SEZ at Bharuch, Gujarat for extension of Letter of Permission (LOP) beyond 5th August, 2014

The Board after deliberations extended the validity of the LoP up to 31st March, 2015.

(vii) Request of M/s. Godrej & Boyce Manufacturing Company Limited, a unit in the multi product SEZ being developed by M/s. Dahej SEZ at Bharuch, Gujarat for extension of LoP beyond 29th May 2014

The Board after deliberations extended the validity of the LoP up to 29th May, 2015.

(viii) Request of M/s. Avesta Engineering Pvt. Ltd., a unit in the multi product SEZ being developed by M/s. Adani Port and SEZ at Mundra, Kutch, Gujarat for extension of Letter of Permission (LOP) beyond 12th March, 2014

The Board after deliberations extended the validity of the LoP up to 12th March, 2015.

(ix) Request of M/s Adani Wilmar Limited, a unit in Adani Port & Special Economic Zone SEZ for manufacturing/processing and trading of pulses at Munda, Kutch, Gujarat for extension of validity period of its LoP beyond 22nd May, 2014

The Board after deliberations extended the validity of the LoP up to 22nd May, 2015.

(x) Request of M/s Sterling Biotech Ltd., a unit in Sterling SEZ at Bharuch, Gujarat for extension of validity period of its LoP beyond 30th September, 2014

The Board after deliberations extended the validity of the LoP up to 30th September, 2015.

(xi) Request of M/s. Hangers Plus (India) Pvt. Ltd., a unit in Mahindra World City SEZ, Chennai, Tamil Nadu for extension of LoP beyond 31st March, 2014

The Board after deliberations extended the validity of the LoP up to 31st March, 2015.

(xii) Request of M/s P&J Cretechem (P) Ltd., a unit in multi product SEZ developed by Dahej at Bharuch Gujarat for extension of validity period of its LoP beyond 31st March, 2014

The Board after deliberations extended the validity of the LoP up to 31st March, 2015.

(xiii) Request of M/s JK Infotech Pvt. Ltd., a unit in MIDC SEZ at Rajiv Gandhi Infotech Park, Hinjewadi, Phase-III, Pune, Maharashtra for extension of validity period of its LoP beyond 16th July, 2014

The Board after deliberations extended the validity of the LoP up to 16th July, 2015.

(xiv) Request of M/s Trio Technologies, a unit MIDC SEZ at Rajiv Gandhi Infotech Park, Hinjewadi, Phase-III, Pune, Maharashtra for extension of validity period of its LoP beyond 1st February, 2014

The Board after deliberations extended the validity of the LoP up to 1st February, 2015.

(xv) Request of M/s iGate Global Solutions Limited, a unit in MIDC at Rajiv Gandhi Infotech Park, Hinjewadi, Phase-III, Pune, Maharashtra for extension of validity period of its LoP beyond 4th August, 2014

The Board after deliberations extended the validity of the LoP up to 4th August, 2015.

(xvi) Request of M/s Allied Digital Services Limited, a unit in MIDC at Plot No. 22/1, Rajiv Gandhi Infotech Park, Hinjewadi, Phase-III, Pune, Maharashtra for extension of validity period of its LoP beyond 01st September, 2013

The Board after deliberations extended the validity of the LoP up to 1st September, 2015.

(xvii) Request of M/s Allied Digital Services Limited, a unit in MIDC at Plot No. 13/5, Rajiv Gandhi Infotech Park, Hinjewadi, Phase-III, Pune, Maharashtra for extension of validity period of its LoP beyond 01st September, 2013

The Board after deliberations extended the validity of the LoP up to 1st September, 2015.

(xviii) Request of M/s Yash Technologies Pvt. Ltd., a unit in MIDC at Plot No. 23/1, Rajiv Gandhi Infotech Park, Hinjewadi, Phase-III, Pune, Maharashtra for extension of validity period of its LoP beyond 10th November 2013

The Board after deliberations extended the validity of the LoP up to 10th November, 2014.

(xix) Request of M/s Artura Pharmaceuticals Pvt. Ltd., a unit in M/s. Sri City SEZ at Chittoor District, Andhra Pradesh for extension of validity period of its LoP beyond 4th July 2014

The Board after deliberations extended the validity of the LoP up to 4th July, 2015.

Item No. 62.3 : Cases for ratification by the BoA

(i) Request of M/s. Lupin Ltd., a unit in Indore SEZ, for extension of Letter of Permission (LoP) beyond 12th June, 2014

The Board after deliberations ratified the proposal for extension of validity period of LoP up to 12th June, 2015.

Item No. 62.4 : Requests for co-developer

Approvals for co-developers are subject to the condition that particular terms and conditions of lease agreement/co-developer agreement will not have any bearing on the treatment of the income by way of lease rentals/down payment/premium etc., for the purposes of assessment under the prevalent Income Tax Act and Rules. The Assessing Officer, will have the right to examine the taxability of these amounts under the SEZ Act and Income Tax Act as applicable. This is applicable to all cases of co-developers approved by the BoA in this meeting. The decisions of the BoA on the proposals are as under:-

(i) Request of M/s. GSPC LNG Ltd. for co-developer in the multi product SEZ at Mundra, Kutch, Gujarat, being developed by M/s. Adani Port and Special Economic Zone Ltd alongwith specific authorized operations.

The Board discussed the business plan of the Developer and noted that out of 5 MMTPA of LNG, 3.8 MMTPA shall be supplied to SEZ units in M/s Adani Ports and SEZ Ltd., other SEZs/SEZ units and the remaining 1.2 MMTPA of LNG shall be supplied to other units, which are likely to come up in Adani Ports and SEZ Ltd and other SEZs.

After deliberations, the Board approved the proposal of M/s GSPC LNG Ltd. for development, operation and maintenance of specific infrastructure facilities i.e. LNG Terminal, storage and re-gasification facilities and related facilities, over an area of 28 hectares. The Board also approved the proposal for following specific authorized operations in the processing area of the SEZ:

1. LNG Receiving Terminal
 - (a) Jetty Platform
 - (b) Breasting and Mooring Dolphins
 - (c) Approach Trestle (including roadways & piping)

2. LNG Storage Tanks Re-gasification facilities

The approval is subject to the following conditions:-

- (i) The approval is only for creation of infrastructure facilities in the above-mentioned area.
- (ii) M/s. GSPC LNG Limited shall import the LNG as a unit after approval in the UAC, regasify it and supply / operate it with all applicable NFE obligations.

(ii) Request of M/s. Trans Asian Shipping Services Pvt. Ltd. for co-developer in the sector specific SEZ for IT/ITES at Infopark SEZ (Phase-II), Kunnathunadu Taluk, Ernakulam District, Kerala, being developed by Infopark, Kerala.

After deliberations, the Board **approved** the request of M/s. Trans Asian Shipping Services Pvt. Ltd. for providing infrastructure facilities and development of IT sector industry, over an area of 2.06 acres, in accordance with the co-developer agreement entered into with the developer.

(iii) Request of M/s. RMZ Developers Pvt. Ltd. for co-developer in the sector specific SEZ for IT/ITES at Rajiv Gandhi Infotech Park, Phase III, Hinjewadi, Pune, Maharashtra, being developed by M/s. Maharashtra Industrial Development Corporation

After deliberations, the Board **approved** the request of M/s. RMZ Developers Pvt. Ltd. for construction of building and related infrastructure for IT/ITES units, development of space for IT/ITES units, in accordance with the co-developer agreement entered into with the developer.

Item No. 62.5 : Requests for Authorized Operations

(i) Proposal of M/s. Indiabulls Realtech Limited, co-developer in the multi product SEZ at Village Gulvanch and Musalgaon, Taluka Sinner, Dist. Nashik, Maharashtra being developed by M/s. Indiabulls Industrial Infrastructure Limited, for approval of authorized operation in the non-processing area of the SEZ

The Board noted that the progress made by the co-developer is not satisfactory. The Board, after deliberations, decided to reject the proposal.

(ii) Proposal of M/s. Indian Oil Corporation Limited, co-developer in the port based SEZ at Puthuvyppeen, Ernakulam, Kerala, being developed by M/s. Cochin Port Trust, for approval of authorized operations to be undertaken

After deliberations, the Board approved the proposal of M/s Indian Oil Corporation Limited subject to the following conditions:-

- (i) The approval is only for creation of infrastructure facilities in the above-mentioned area.
- (ii) M/s. Indian Oil Corporation Limited shall import the LPG as a unit after approval in the UAC, regasify it and supply / operate it with all applicable NFE obligations

(iii) Proposal of M/s. Indian Oil Corporation Limited, co-developer in the port based SEZ at Puthuvypeen, Ernakulam, Kerala, being developed by M/s. Cochin Port Trust, for approval of additional activity of development of Multi User Liquid Terminal (MULT)

After deliberations, the Board approved the proposal of M/s Indian Oil Corporation Limited subject to the following conditions:-

- (i) The approval is only for creation of infrastructure facilities in the above-mentioned area.
- (ii) M/s. Indian Oil Corporation Limited shall import the LPG as a unit after approval in the UAC, regasify it and supply / operate it with all applicable NFE obligations

Item No. 62.6 : Proposals for setting up of SEZs

(i) Proposal of M/s. Adani Ports and Special Economic Zone Ltd. (APSEZL), for setting up of Multi Product SEZ at Mundra Taluka, District Kutch, Gujarat, over an area of 1856.5335 hectares.

The Board noted that the Developer is in possession of the land, which is contiguous and vacant. The State Government has also recommended the proposal. Representative of MHA informed to the Board that they have accorded security clearance to the proposal. However, the Board noted that there are certain issues relating to independent access to the proposed SEZ and security, which needed to be further clarified. Therefore, the Board, after deliberations, decided to defer the proposal.

Item No. 62.7 : Miscellaneous Cases

(i) Request for permission to use Railway track & siding, Material Handling equipment of Coal Handling System of Thermal power plant being set up by M/s. Indiabulls Realtech Ltd. (IRL) and installation of Clinker Handling System by Eurotas Infrastructure Limited (EIL) in the non-processing area of Multi Product SEZ at Village Sinnar, Dist. Nashik, Maharashtra being developed by M/s. Indiabulls Industrial Infrastructure Ltd.

After deliberations, the board decided to defer the proposal

(ii) Request of M/s. DLF Info Park (Pune) Ltd., developer of sector specific Special Economic Zone for IT/ITES at Rajiv Gandhi Infotech Park, Phase II, Pune – 57, for relaxation on the condition of contiguity

After deliberations, the board decided not to approve the proposal for relaxation of contiguity. The Board also directed the developer may come up with the proposal for notification of the SEZ and come up for addition of area to this SEZ after underpass / flyover is established for the contiguity.

(iii) Request of M/s. TAL Manufacturing Solutions Limited, a unit in MIHAN SEZ at Nagpur for custom Duty Waiver for Aerospace programs

The Board noted that there are no provisions in the SEZ Act and Rules to allow custom duty waiver for supplies made to DTA unit. The Board, after deliberations, decided to reject the proposal.

(iv) Request of M/s. Uni-Design Elite Jewellery Pvt. Ltd., a unit in SEEPZ SEZ for permission to procure Mother of Pearls, a restricted item under ITC (HS) classification

The Board after deliberations decided to **approve** the request of the unit for permission to procure Mother of Pearls, a restricted item under ITC (HS) classification, subject to the condition that the unit will obtain necessary Environment and other Clearances before procuring such items.

(v) Request of M/s. Uni-Design Jewellery Pvt. Ltd. (Unit-I), a unit in SEEPZ SEZ for permission to procure Mother of Pearls, a restricted item under ITC (HS) classification

The Board after deliberations decided to **approve** the request of the unit for permission to procure Mother of Pearls, a restricted item under ITC (HS) classification, subject to the condition that the unit will obtain necessary Environment and other Clearances before procuring such items.

(vi) Request of M/s. Uni-Design Jewellery Pvt. Ltd. (Unit-II), a unit in SEEPZ SEZ for permission to procure Mother of Pearls, a restricted item under ITC (HS) classification

The Board after deliberations decided to **approve** the request of the unit for permission to procure Mother of Pearls, a restricted item under ITC (HS) classification, subject to the condition that the unit will obtain necessary Environment and other Clearances before procuring such items.

(vii) Request of M/s. Uni-Design Jewellery Pvt. Ltd. (Unit-III), a unit in SEEPZ SEZ for permission to procure Mother of Pearls, a restricted item under ITC (HS) classification

The Board after deliberations decided to **approve** the request of the unit for permission to procure Mother of Pearls, a restricted item under ITC (HS) classification, subject to the condition that the unit will obtain necessary Environment and other Clearances before procuring such items.

(viii) Request of M/s. Quest SEZ Development Private Limited, developer of sector specific SEZ for manufacture of precision engineering products at Belgaum, Karnataka for the name change to M/s. Aequs SEZ Private Limited

The Board **approved** the proposal of M/s. Quest SEZ Development Private Limited for change of name of the developer from M/s. Quest SEZ Development Private Limited to M/s. Quest Global SEZ Private Limited and subsequently from M/s. Quest Global SEZ Private Limited to M/s. Aequs SEZ Private Limited, subject to each entity independently fulfilling the following conditions:

- (i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered developer entity;
- (ii) Fulfillment of all eligibility criteria applicable to developers, including security clearances etc., by the altered developer entity and its constituents;
- (iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- (iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.
- (v) The Assessing Officer shall have the right to examine and assess the taxability and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- (vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

(ix) Request from M/s MAS GMR Aero Technic Limited, a unit in M/s. GMR Hyderabad Aviation SEZ Limited, SEZ in Andhra Pradesh for merger of M/s. MAS GMR Aerospace Engineering Company Limited, co-developer and M/s. MAS GMR Aero Technic Pvt. Limited (unit)

The Board, after deliberations, decided to approve the proposal subject to each entity independently fulfilling the following conditions:

- (i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered co-developer/unit entity;
- (ii) Fulfillment of all eligibility criteria applicable to co-developer/unit, including security clearances etc., by the altered co-developer entity and its constituents;
- (iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- (iv) Full financial details relating to the transfer of equity shall be furnished immediately to the Member (IT) CBDT, Department of Revenue.
- (v) The assessing officer under the Income Tax Act, 1961, shall have the right to assess the taxability of the amount arising out of the transfer of equity.
- (vi) The applicants shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- (vii) The decision will not interfere with the income tax assessment of both the entities.
- (viii) Despite merger, benefit calculation will be allowed only for the balance period.
- (ix) The applicants shall maintain separate books of accounts for its co-developer function distinct from its SEZ unit.

(x) Request of M/s. MAS GMR Aerospace Engineering Company Limited (co-developer) of M/s. GMR Hyderabad Aviation SEZ Limited, (Developer) in an Existing Airport at Mamidipalli village, Shamshabad Mandal, Ranga Reddy District, Andhra Pradesh for approval of change in shareholding pattern and company's name

The Board after deliberations decided to approve the proposal subject to each entity independently fulfilling the following conditions:

- (i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered co-developer entity;
- (ii) Fulfillment of all eligibility criteria applicable to co-developers, including security clearances etc., by the altered co-developer entity and its constituents;
- (iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- (iv) Full financial details relating to the transfer of equity shall be furnished immediately to the Member (IT) CBDT, Department of Revenue.
- (v) The assessing officer under the Income Tax Act, 1961, shall have the right to assess the taxability of the amount arising out of the transfer of equity.
- (vi) The applicants shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

(xi) Proposal of M/s. Sundew Properties Private Ltd., developer of IT/ITES SEZ at Madhapur Village, Ranga Reddy District, Andhra Pradesh for change of name to M/s. Sundew Properties Ltd.

The Board, after deliberations, decided to **approve** the proposal of M/s. Sundew Properties Private Ltd. for change in the name of the developer from M/s. Sundew Properties Private Ltd. to M/s. Sundew Properties Ltd., subject to following conditions:

- (i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered developer entity;
- (ii) Fulfillment of all eligibility criteria applicable to developers, including security clearances etc., by the altered developer entity and its constituents;
- (iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- (iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.
- (v) The Assessing Officer shall have the right to examine and assess the taxability and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- (vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

(xii) Proposal of M/s. Synefra Engineering & Construction Ltd., developer of sector specific SEZs for Hi-tech Engineering Products and related services at (i) Coimbatore, Tamil Nadu (ii) Udupi, Karnataka and (iii) Vadodara, Gujarat for change of name from M/s. Synefra Engineering & Construction Ltd. to M/s. Aspen Infrastructures Ltd.

The Board, after deliberations, decided to **approve** the proposal of M/s. Synefra Engineering & Construction Ltd. for change in the name of the developer to M/s. Aspen Infrastructures Ltd. located at (i) Coimbatore, Tamil Nadu (ii) Udupi, Karnataka and (iii) Vadodara, Gujarat subject to following conditions:

- (i) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered developer entity;

- (ii) Fulfillment of all eligibility criteria applicable to developers, including security clearances etc., by the altered developer entity and its constituents;
- (iii) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- (iv) Full financial details relating to change in equity/merger, demerger, amalgamation or transfer in ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.
- (v) The Assessing Officer shall have the right to examine and assess the taxability and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- (vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

(xiii) Appeal of M/s. Biomedical Life Sciences Pvt. Ltd., a unit in pharmaceutical SEZ developed by M/s. Zydus Infrastructure Pvt. Ltd. at Ahmedabad, Gujarat against order of DC KASEZ

The Board noted that the DC KASEZ had directed the developer to handover the plot to the unit. However, the developer has allotted the said plot to M/s. Cadila Healthcare Ltd. without intimating the O/o DC KASEZ and without the unit applying for LoP, which is in contravention to the SEZ Act and Rules. The Board, after deliberations, directed DC KASEZ to issue Show Cause notice to the developer for initiating punitive action, including cancellation of formal approval, for violating the provisions of SEZ Act and Rules.

(xiv) Request of M/s. Arshiya Northern FTWZ Ltd., developer of sector specific SEZ for FTWZ at village Ibrahimpur, Junaidpur urf Maujpur, Tehsil Khurja, Distt. Bulandshar, Uttar Pradesh for change in sector alongwith broad banding

The Board noted that the developer has requested for deferment of their proposal. The Board accordingly decided to defer the proposal.

(xv) Request of M/s. Pipavav Defence and Offshore Engineering Co. Ltd. a unit M/s. E-Complex SEZ at Pipavav, Amreli, Gujarat for import of restricted navigation items

The proposal was withdrawn based on the request of the DC KASEZ.

(xvi) Request of M/s. G.P. Realtors Pvt. Ltd., developer of sector specific SEZ for IT/ITES at Village Behrampur, Badhwari & Balola, District Gurgaon, Haryana for increase in area of its SEZ

The Board, after deliberations, **approved** the request of G.P. Realtors Pvt. Ltd. for addition of 3.38430 hectares to the existing SEZ thereby making the total area of the SEZ as 25.12123 hectares, subject to the contiguity of the land in the SEZ being maintained.

(xvii) Request of M/s. Plastolene Polymers Pvt. Ltd. a unit in FSEZ for further renewal of LoP.

The Board, after deliberations, decided to restore the capacity of the unit as indicated in the LoP prior to the notification of the SEZ Act and Rules.

Item No. 62.8 : Cancellation of Formal Approvals

The Board examined the 43 cases of the agenda for cancellation of formal approval. The Board noted that in the 14 cases relating to Deccan Infrastructure and Land Holdings Ltd. and one case relating to M/s. AP Markfed, the DC VSEZ has requested that the proposals for cancellation may be deferred in view of the scenario arising out of bifurcation of State of Andhra Pradesh and creation of new State of Telengana. Therefore, these 15 cases may not be cancelled. In the case of M/s. Xansa (India) SEZ Development Pvt. Ltd., DC MEPZ informed the Board that the developer is likely to initiate steps for making the SEZ operational shortly. The Board, accordingly, decided that the following 16 cases may not be cancelled at this stage:-

Sr. No.	Name of the Developer	Sector	Date of formal approval	Zone
1.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Chinnakondur, Choutuppal, Nalgonda Distt.)	Pharmaceutical Products including medical devices	30.10.2008	VSEZ
2.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Akuthotapally, Amangal, Mahboobnagar)	Textile, Apparel, Garments, Fashion Acc.	25.06.2008	VSEZ
3.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Mudhvin, Mahboobnagar)	Engineering (Agriculture, Livestock and related)	25.06.2008	VSEZ
4.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Dasarlapally, Mulugu Mandal, Medak Distt.)	Biotech	25.06.2008	VSEZ
5.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Mamidipally, Shamshabad, R.R. Dist)	FTWZ	25.06.2008	VSEZ
6.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Amangal, Mahboobnagar)	FTWZ	25.06.2008	VSEZ
7.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Amangal, Mahboobnagar Distt.)	Gems & Jewellery	25.06.2008	VSEZ
8.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Bhongir, Nalgonda)	Light Engineering	30.10.2008	VSEZ
9.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Kommadiyill, Madhurawada, Visakhapatnam)	IT/ITES	30.10.2008	VSEZ
10.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Kukatpally, R.R. Distt.)	IT/ITES	03.07.2008	VSEZ
11.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Shamshabad, Hyderabad)	IT/ITES	03.07.2008	VSEZ
12.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Bachupally, Qutbullapur, R.R. Dist)	IT/ITES	03.07.2008	VSEZ
13.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Koheda, Hayathnagar, R.R. Dist.)	IT/ITES	03.07.2008	VSEZ
14.	M/s. Deccan Infrastructure and Land Holdings Ltd.(Paradesipalem, Madhurawada, Visakhapatnam)	IT/ITES	08.09.2008	VSEZ
15.	M/s. AP Markfed (Karimnagar)	IT/ITES	08.02.2008	VSEZ
16.	M/s Xansa (India) SEZ Development Pvt. Ltd. (Chennai, Tamilnadu)	IT/ITES	17.01.2006	MEPZ

The Board noted that the progress made by the following developers is not satisfactory. The Board, after deliberations, decided to cancel the formal approval in 27 cases granted to the following developers. The approval is subject to the DC furnishing a certificate in the prescribed format certifying that the developer has not availed any tax/duty benefits under SEZ Act/Rules or has refunded any such benefits availed by it and subject to the State Govt. furnishing it's no objection certificate to the proposal.

Sr. No.	Name of the Developer	Sector	Date of formal approval	Zone
1.	M/s. Enfield Realtors Ltd. (Kanksa, Panagarh, Burdwan, West Bengal)	Non-conventional energy including Solar Energy Equipment / Cell	23.05.2007	FSEZ
2.	M/s. Enfield Exports Ltd. (Kanksa, Panagarh, Burdwan, West Bengal)	Non-conventional energy including Solar Energy Equipment / Cell	23.08.2006	FSEZ
3.	M/s. Enfield Energy Ltd. (Kanska, Panagarh, Dist. Burdwan, West Bengal)	Non-conventional Energy including solar energy equipment cell	26.06.2008	FSEZ
4.	M/s. Capstone Developer Pvt. Ltd. (24, Parganas(S), West Bengal)	IT/ITES	30.10.2008	FSEZ
5.	M/s. Essel Infraprojects Ltd. (Gorai-manori-Uttan Region, Mumbai)	Multi-Services	30.10.2008	SEEPZ
6.	M/s. RNA Builders (Village Tivri and Rjawali, Taluka Vasai, Dist. Thane)	IT/ITES	26.11.2007	SEEPZ
7.	M/s. AEC Marketing Pvt. Ltd. (Village Morkhal Silvassa, Dadra and Nagar Haveli)	Gems & Jewellery	22.04.2008	SEEPZ
8.	M/s. Royal Palms India Pvt. Ltd. (Survey No. 169, Aarey Milk Colony, Goregaon (East), Mumbai)	Gems & Jewellery	26.06.2007	SEEPZ
9.	M/s. Marathon Prachin Infrastructure Pvt. Ltd. (Panvel, Distt. Raigad)	Multi Services	15.11.2006	SEEPZ
10.	M/s. Bombay Industrial Corporation (Mahul, Chembur, Distt. Mumbai)	IT/ITES	19.06.2007	SEEPZ
11.	M/s. Reliance Infocom Infrastructure Pvt. Ltd. (Dhirubhai Ambani Knowledge City, Koper Khairne, Navi Mumbai)	IT/ITES	26.07.2007	SEEPZ
12.	M/s. Pride Infrastructure Pvt. Ltd. (Charoli, Budruk, Taluka Haveli, Pune)	Electronic Hardware and Software including IT/ITES	25.10.2007	SEEPZ
13.	M/s. Rajiv Gandhi IT Park Co-op Society Ltd. (Girnar Paithan Road, Distt. Aurangabad)	IT/ITES	30.10.2008	SEEPZ
14.	M/s. Kirti Infrastructure Pvt. Ltd. (Village Lohagaon, Taluka Haveli, Distt. Pune)	IT/ITES	27.02.2009	SEEPZ
15.	M/s. Siddhivinayak Knowledge City Developers Pvt. Ltd. (Village Bhonsari, Taluka Haveli, District Pune)	Electronic Hardware and Software including IT/ITES	19.06.2007	SEEPZ
16.	M/s. Jindal Photo Limited (Igatpuri Nasik, Maharashtra)	IT/ITES	25.06.2007	SEEPZ
17.	M/s. Dosti Enterprises (Thane)	IT	18.06.2007	SEEPZ
18.	M/s. City Parks Pvt. Ltd. (Haveli, Distt. Pune)	IT/ITES	06.11.2006	SEEPZ
19.	M/s. Ferrani Hotels Pvt. Ltd. (Malad, Mumbai, Maharashtra)	IT/ITES	30.07.2007	SEEPZ
20.	M/s. NEPC India Ltd.		08.05.2008	MEPZ
21.	M/s. Best and Crompton Engineering Ltd.		26.06.2008	MEPZ
22.	M/s. Emaar MGF Land Ltd.		26.02.2009	MEPZ
23.	M/s. GVK Perambalur SEZ Pvt. Ltd.		10.02.2009	MEPZ
24.	M/s. Kovai Hills Township Pvt. Ltd.		05.12.2007	MEPZ
25.	M/s. SAIL Salem SEZ Pvt. Ltd.		26.06.2008	MEPZ
26.	M/s. Tamil Nadu Industrial Development Corporation (TIDCO) at Kancheepuram		25.06.2007	MEPZ

27.	M/s. Anush Infrastructure Pvt. Ltd. (Panaiyur Village, Kanchipuram Distt., Tamilnadu	IT/ITES		MEPZ
-----	--	---------	--	------

Item No. 62.9 : Appeals before BoA

(i) Appeal of M/s. Robinson International Pvt. Ltd., a unit in FSEZ against order dated 2nd April, 2014 of the Development Commissioner FSEZ/UAC

The Board heard the appellant and after examining the matter, directed the DC FSEZ to renew the LoP of the unit. The Board also directed that the unit shall clear the pending rental and other dues within a period of next six months i.e. up to 24th January, 2015.

(ii) Appeal of M/s. Ektara Exports Pvt. Ltd., a unit under FSEZ against order dated 25th February, 2014 of the Development Commissioner FSEZ/UAC

The Board heard the appellant and after examining the matter decided to reject the appeal.

(iii) Appeal of M/s. Ellenbarrie Exim Ltd., a unit under FSEZ against order dated 25th February, 2014 of the Development Commissioner FSEZ/UAC

The Board heard the appellant and after examining the matter decided to reject the appeal.

(iv) Appeal of M/s. Tata Consultancy Services, a unit in NSEZ against order dated 2nd April, 2014 of the UAC

The Board heard the appellant and after examining the matter directed the DC NSEZ to complete the exit formalities in time bound manner subject to fulfilment of conditions of exit by the unit. The Board rejected the appeal of the unit for transfer of building to M/s. Aqua Pools & Spas.

(v) Appeal of M/s. Aqua Pools & Spas, a unit in NSEZ against order dated 2nd April, 2014 of the UAC

The Board after examining the matter decided to reject the appeal of the unit for transfer of building from M/s. Tata Consultancy Services to M/s. Aqua Pools & Spas.

(vi) Appeal of M/s. Lakshman Overseas, a unit in NSEZ against SEZ Authority decision taken in meeting on 20.03.2014

The Board heard the appellant and after examining the matter directed DC NSEZ to restore the LoP of the unit for manufacturing activities subject to clearing all pending dues by the unit as determined by NSEZ Authority.

(vii) Appeal of M/s. Lingo Impex, a unit under NSEZ against the decision of the UAC taken in its meeting on 20.01.2014

The Board heard the appellant after examining the matter decided to allow the appellant to undertake trading activities for Shredding and Recycling of Computer peripherals/Components only for 100% exports.

(viii) Appeal of M/s. eglobal Recyclers Limited for setting up a unit in Sterling SEZ against decision of the UAC taken in its meeting held in February 2014

The Board heard the appellant and after examining the matter decided to approve the proposal for setting up of a unit by M/s. eglobal Recyclers Limited in Sterling SEZ, subject to the condition that the unit will carry out 100% exports.

(ix) Appeal of M/s. Varsha Corporation Ltd. against the decision of the UAC of M/s Arshiya International Limited, Raigad, Maharashtra taken in its meeting on 07th February, 2014

The Board heard the appellant. The Board noted that the unit has proposed they will not be engaging in DTA sales, and that the proposal is covered under Rule 18(4)(c) of the SEZ Rules 2006. The Board, after deliberations, decided to approve the proposal for setting up of a unit by M/s. Varsha Corporation Ltd. for trading of worn/used clothing and other worn articles, with a condition that the unit will carry out 100% exports.

(x) Appeal of M/s. TRIL Infopark Limited, developer of sector specific SEZ for IT/SEZ Ramanujan IT City, Rajiv Gandhi Salai (OMR), Taramani, Chennai, Tamilnadu against the decision of the UAC taken in its meeting on 02nd May, 2014

The Board heard the appellant and after examining the matter decided to approve the proposal of the developer for inclusion of the following additional activities/utilities as authorized operations to be performed in the processing area, subject to the condition that the authorized operations granted hereunder shall be available for use of the SEZ only and no tax benefits/exemptions shall be allowed to the developer for such activities:-

- (i) Convenient Store
- (ii) Grooming Saloon
- (iii) NBFC
- (iv) Telecom Service Provider
- (v) Car Rentals
- (vi) Solar Panel Supply Installation

Annexure - 1

List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 24th July, 2014 under the Chairmanship of Commerce Secretary, Department of Commerce

1. Shri Rajeev Kher, Chairman, BoA & Commerce Secretary, Department of Commerce.
2. Smt. Mala Srivastava, Member (Customs & EP), CBEC, Department of Revenue
3. Shri Ram Tirath, DGEP, Department of Revenue, Ministry of Finance
4. Shri Muruganandam, Joint Secretary, Ministry of Shipping
5. Shri Krishna Pratap Singh, Additional DGEP, CBEC, Department of Revenue.
6. Shri Jitendra Kumar, Additional DGEP, CBEC, Department of Revenue.
7. Dr. L. B. Singhal, Additional DGFT, Dte. General of Foreign Trade
8. Ms. Deepshikha Sharma, Deputy Secretary (ITA-1), CBDT, Department of Revenue, Ministry of Finance
9. Shri Dinesh Kumar, Deputy Secretary, Ministry of Shipping
10. Shri P.K. Gupta, DGM, Ministry of Home Affairs
11. Shri R.D. Meena, Research Assistant, TCPO, Ministry of Urban Development
12. Dr. S.K. Sahoo, Office of Development Commissioner (MSME), Ministry of MSME, Nirman Bhawan.
13. Shri A.K. Pathania, SIO, DGEP, Department of Revenue
14. Shri S.K. Tomar, Seed Officer (QC), DAC, Shastri Bhawan, New Delhi
15. Shri Ajay Kumar, RA, TCPO, E, Block, Vikas Bhawan, I.P. Estate, New Delhi
16. Smt. Reetha S Prabha, O/o RC, Government of Kerala
17. Shri R.C. Dahra, Consultant, Department of Industries and Commerce, Government of Haryana

LIST OF DEVELOPMENT COMMISSIONERS

18. Shri S. Kishore, Development Commissioner, VSEZ
19. Shri Sanjeev Nandwani, Development Commissioner, Falta, Kolkata
20. Shri N.P.S. Monga, Development Commissioner, SEEPZ SEZ
21. Dr. Safeena AN, Development Commissioner, CSEZ
22. Shri A.K. Choudhary, Development Commissioner, MEPZ
23. Shri Vijay Shewale, Development Commissioner, KASEZ
24. Shri K.L. Sharma, Development Commissioner, Sterling SEZ, Gujarat
25. Smt. Lata Shukla, Development Commissioner, Mundra SEZ
26. Shri A.K. Rathore, Joint Development Commissioner, ISEZ, Indore, Madhya Pradesh.
27. Shri Rakesh Kumar, Deputy Development Commissioner, Noida SEZ

LIST OF PARTICIPANTS OF DEPARTMENT OF COMMERCE

28. Shri Rajeev Arora, Joint Secretary, Department of Commerce
29. Shri Madhup Vyas, Director, Department of Commerce
30. Shri S.S. Kumar, Under Secretary, Department of Commerce
31. Shri Kabiraj Sabar, Under Secretary, Department of Commerce
32. Shri Vinod Kumar, Section Officer, Department of Commerce
33. Shri R.K. Dutta, Section Officer, Department of Commerce