

## **Minutes of the 57<sup>th</sup> meeting of the SEZ Board of Approval held on 15<sup>th</sup> March 2013 to consider proposals for setting up Special Economic Zones and other miscellaneous proposals**

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The fifty seventh (57<sup>th</sup>) meeting of the SEZ Board of Approval (BoA) was held on 15.03.2013 under the chairmanship of Shri S.R. Rao, Secretary, Department of Commerce, at 03.30 P.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 Board of Approval members, the Chairman informed that so far 577 formal approvals have been granted for setting up of SEZs out of which presently 385 SEZs stand notified. He further informed that as on 13.03.2013, over Rs. 2,38,990.18 crores have been invested in the SEZs and direct employment of 10,19,146 persons has been generated in the SEZs. During the financial year 2011-12, total exports to the tune of Rs. 3,64,477.73 crores have been made from the SEZs, registering a growth of about 15.39% over the exports for the year 2010-11. Exports in the current financial year, up to 31.12.2012, have been to the tune of Rs. 3,53,194.90 crores registering a growth of about 35.34% over the exports of the corresponding period of FY 2011-12.

### **Item No. 57.1: Proposals for setting up of SEZs**

(i) **Proposal of M/s. UP Electronics Corporation Limited, for setting up of a sector specific Special Economic Zone for IT & Electronics at Chuck Gajaria Farm, Sultanpur Road, Lucknow, Uttar Pradesh, over an area of 40 hectares.**

The Board noted that the Developer was in possession of the land. The Government of Uttar Pradesh had also recommended the proposal for formal approval vide their letter dated 21.02.2013. Accordingly, the Board decided to grant **formal approval** to the proposal of M/s. UP Electronics Corporation Limited, for setting up of a sector specific Special Economic Zone for IT & Electronics at Chuck Gajaria Farm, Sultanpur Road, Lucknow, Uttar Pradesh, over an area of 40 hectares.

### **Item No.57.2: Requests for co-developer**

All BoA sanctioned approvals to 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 the cases of co-developers approved by the BoA in this meeting. The Board further directed that proposals for grant of co-developer status should be accompanied by lease deed/draft lease deed which must inter-alia contain the details of financial transactions/arrangements between developer and proposed co-developer. The decisions of the BoA on the proposals are as under:-

(i) **Application for co-developer status from M/s. Vessel Warehousing Pvt. Ltd. for setting up operations in J. Matadee Free Trade Zone Pvt. Ltd., an FTWZ at Mannur and Valarpuram Villages, Sriperumbudur, Tamil Nadu**

After deliberations, the Board approved the request of M/s. Vessel Warehousing Pvt. Ltd. for becoming a co-developer in the above mentioned FTWZ, for:

- (i) Development of additional warehouses including design, development management and construction
- (ii) Operation, maintenance of customization and expansion of existing warehouse
- (iii) Provision of all infrastructure facilities including sewage, road, lighting and water supply

within the proposed co-developer area of 19.77 acres in accordance with the co-developer agreement entered into with the developer.

**(ii) Request of M/s. Kings Canyon Insignia SEZ Private Limited for co-developer in the sector specific SEZ for IT/ITES at village Gwal Pahari, Tehsil Sohna, District Gurgaon, Haryana, being developed by M/s. ASF Insignia SEZ Private Limited (formerly M/s Canton Buildwell Private Limited)**

After deliberations, the Board **approved** the request of M/s. Kings Canyon Insignia SEZ Private Limited for becoming a co-developer in the above mentioned SEZ, for development and/or operation and maintenance of infrastructure over 741036 sq. ft. built up area and over land area of 3.648 acres, in the processing area, in accordance with the co-developer agreement entered into with the developer, subject to the condition that this approval will be applicable to such infrastructure which is/will be built by the co-developer after seeking approval of the Board.

**Item No. 57.3: Requests for Authorized Operations**

**(i) Proposal of M/s. Dr. Reddy's Laboratories Limited, a sector specific SEZ for Pharmaceuticals at Devunipalavalsa, Ranasthalam Mandal, Srikakulam District, Andhra Pradesh for providing a second entry/exit gate in the SEZ**

After deliberations, the Board approved the request of developer for providing second gate on the north side of the zone for complete materials movement including coal/ash/rice husk/HSD in the Processing area, subject to the condition that any additional cost so incurred on any extra manpower, material etc. will be borne by the developer.

**(ii) Proposal of M/s. Sri City (P) Ltd., a multi product SEZ at Satyavedu Mandal, Chittoor District, Andhra Pradesh for approval of authorized operation viz construction of 100 room hotel (3-4 star category in stages) in the non-processing area of the SEZ**

After deliberations, the Board approved the following authorized operations 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)/capacity in MW
(1)	(2)	(3)	(4)	(5)
1.	3 or 4 star hotel	100 rooms in stages	30 sqm. room + 30 sqm. (commercial area, Restaurant, Business centre etc)	6000

The above approval would be subject to the condition that the above authorized operations shall be available for use of the SEZ only.

**(iii) Proposal of M/s. L&T Shipbuilding Ltd. a sector specific SEZ for Heavy Engineering at Kattupalli village, Ponneri Taluk, Thiruvallu District, Tamil Nadu for approval of authorized operations**

After deliberations, the Board approved the following authorized operations 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)/capacity in MW
(1)	(2)	(3)	(4)	(5)
1.	Residential Complex (1&2 BHK in G+8) with car park	100	100	10000
2.	Residential Complex (Transit house and GET Hostel in G+5) with service area	100	60	6000
3.	Medical/Health Centre	1	800	800
4.	Residential Complex (Ship crew Officer's Hostel) in G+7	25	116	2900
5.	Residential Complex (Ship crew Officer's Accommodation) G+2	18	66	1200

The above approval would be subject to the condition that the above authorized operations shall be available for use of the SEZ only.

**Item No. 57.4: Requests for increase/decrease in area**

**(i) Request of M/s. Flextronics Technologies India Pvt. Ltd. in sector specific SEZ for Electronic Hardware and related services at Sriperumbudur, Tamil Nadu for de-notification of a portion of land in the SEZ**

After deliberation, the Board decided to approve the request of M/s. Flextronics Technologies India Pvt. Ltd. for partial de-notification of an area of 25.07 hectares from the SEZ thereby making the total area of the SEZ as 76.14 hectares. The approval is subject to the DC furnishing a certificate in the prescribed format certifying inter alia that the contiguity of the SEZ is maintained, the developer has either not availed or has refunded all the tax/duty benefits availed under SEZ Act/Rules in respect of the area to be de-notified, the State Govt has no objection to the de-notification proposal etc.

**(ii) Request of M/s. Combine Realty Private Limited, a co-developer in the sector specific SEZ for IT/ITES at village Ognaj, Taluka Dascroi, District Ahmedabad being developed by M/s. Calica Construction & Impex Private Limited for increase in area of its operations**

The representative of Gujarat Government expressed certain reservations on the proposal. After deliberations, the Board deferred the request of the co-developer and directed that Govt of Gujarat may communicate its comments to DoC which will then decide the proposal on file.

**Item No. 57.5: Requests for de-notification**

**(i) Request from M/s L&T Chennai Projects Private Limited, Chennai (developer of L&T Arun Excello IT SEZ Pvt. Limited ) for de-notification of the sector specific SEZ for IT/ITES at Vallencheri village, Guduvancherry Post, Chengalpet Taluk, Kancheepuram District, Tamil Nadu, notified over an area of 11.09 hectares**

The Board was informed that the proposal has been **withdrawn** by the developer.

**(ii) Request from M/s Welspun Anjar SEZ Limited, a sector specific SEZ for Textiles & garments at Anjar, Gujarat, for de-notification of its SEZ notified over an area of 109-59-07 hectares.**

After deliberations, the Board decided to approve the request of M/s. Welspun Anjar SEZ Limited for de-notification of the sector specific SEZ for Textiles & Garments at Anjar, Gujarat, notified over an area of 109-59-07 hectares. The approval is subject to the DC furnishing a certificate in the prescribed format certifying inter alia that the developer has either not availed or has refunded all the tax/duty benefits availed under SEZ Act/Rules in respect of the area to be de-notified, there are either no units in the SEZ or the same have been debonded, the State Govt has no objection to the de-notification proposal etc.

Chairman of the Board directed that in all such cases information must invariably be sent to CBDT and CBEC for taking necessary action.

**Item No. 57.6: Requests for withdrawal of formal approval**

**(i) Withdrawal of formal approval granted to M/s. Best on Health Ltd. for setting up of sector specific SEZ for Biotech at Gurgaon, Haryana**

The Board decided to **approve** the request of M/s. Best on Health Ltd. for withdrawal of formal approval granted to them for setting up of sector specific SEZ for Biotech at Gurgaon, Haryana, over an area of 40.78 hectares. 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, the State Govt has no objection to the proposal etc.

**(ii) Withdrawal of formal approval granted to Maharashtra Industrial Development Corporation for setting up of sector specific SEZ for Engineering at Chakan, District Pune, Maharashtra**

The Board decided to **approve** the request of Maharashtra Industrial Development Corporation for full withdrawal of formal approval granted to them for setting up of sector specific SEZ for Engineering at Chakan, District Pune, Maharashtra, over an area of 100 hectares. 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, the State Govt has no objection to the proposal etc.

**(Item No.57.7) Requests for Extension of Formal Approvals**

**Item No.57.7.1: Request for first extension of validity of formal approvals beyond 3<sup>rd</sup> year.**

**(i) Request for extension of LoA beyond 3<sup>rd</sup> year from M/s. Bengal Shriram Hitech City Private Limited for setting up an IT/ITES SEZ at Uttarpara, Kolkata, West Bengal**

Development Commissioner, Falta SEZ submitted that the proposal for extension of validity of LOA for a period beyond 13<sup>th</sup> July, 2013 cannot be supported. The Board after deliberations rejected the request of the developer for further extension of the validity of the LoA.

**Item No.57.7.2: Requests for extension of validity of formal approvals beyond 3<sup>rd</sup> year.**

**(i) Request for further extension of LoA from M/s. Cognizant Technology Solutions India Pvt. Limited for setting up an IT/ITES SEZ at Adibatla Village, Ibrahimpatnam Mandal, Ranga Reddy District, Andhra Pradesh**

Has been omitted as it is mentioned at Item No. 57.7.3 (iv)

**Item No.57.7.3: Requests for extension of validity of formal approvals beyond 5<sup>th</sup> & 6<sup>th</sup> year**

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

*“The Board advised the Development Commissioners to recommend the requests for extension of formal approval beyond 5<sup>th</sup> 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 Andhra Pradesh Industrial Infrastructure Corporation Limited (APIIC) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Madikonda village, Hanamkonda Mandal, Warangal District, Andhra Pradesh, beyond 25<sup>th</sup> June, 2012 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 25<sup>th</sup> June, 2013.

**(ii) Request of M/s. Perfect IT SEZ Pvt. Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at**

**Plot No. 6, Sector – 144, Noida, Uttar Pradesh, beyond 31<sup>st</sup> October, 2012 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 31<sup>st</sup> October, 2013.

**(iii) Request of M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotech at village Karkapatla, Mandal Mulugu, District Medak, Andhra Pradesh, beyond 21<sup>st</sup> August, 2012 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 21<sup>st</sup> August, 2013, subject to condition that the developer should start construction within this period.

**(iv) Request for further extension of LoA from M/s. Cognizant Technology Solutions India Pvt. Limited for setting up an IT/ITES SEZ at Adibatla Village, Ibrahimpatnam Mandal, Ranga Reddy District, Andhra Pradesh beyond 6<sup>th</sup> January 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 6<sup>th</sup> January, 2014.

**(v) Request for further extension of LoA from M.P. Audyogik Kendra Vikas Nigam (Jabalpur) Ltd. for setting up a sector specific SEZ for Mineral and Mineral based Industry at village Hargarh, Tehsil Sehora, Distt. Jabalpur, Madhya Pradesh beyond 16<sup>th</sup> March, 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 16<sup>th</sup> March, 2014.

**(vi) Request for further extension of LoA from M/s. Beneficent Knowledge Parks & Properties Limited for setting up a multi services SEZ at Parigi and Serikokum Villages, Parigi Mandal, C. Kodigepalli village, Madakasara Mandal, Anantapur District, Andhra Pradesh, beyond 4<sup>th</sup> February 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 4<sup>th</sup> February, 2014.

**(vii) Request for further extension of LoA from Gujarat Industrial Development Corporation (GIDC) for setting up an IT/ITES SEZ at Gandhinagar-Sarkhej, Highway, Gandhinagar, Gujarat, beyond 6<sup>th</sup> January 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 6<sup>th</sup> January, 2014.

**(viii) Request for further extension of LoA from M/s Ganesh Infrastructure Pvt. Ltd., for setting up an IT/ITES SEZ at Village Ognaj, Taluka Dascroi, District Ahmedabad, Gujarat, beyond 19<sup>th</sup> December 2012 (beyond 6<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 19<sup>th</sup> December, 2013.

**(ix) 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 11<sup>th</sup> October, 2012 (beyond 6<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 11<sup>th</sup> October, 2013.

**(x) Request for further extension of LoA from M/s Calica Construction Pvt. Ltd., for setting up an IT/ITES SEZ at Village Ognaj, Taluka Dascroi, District Ahmedabad, Gujarat, beyond 6<sup>th</sup> November 2012 (beyond 6<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 6<sup>th</sup> November, 2013.

**(xi) Request for further extension of LoA from M/s Kerala Industrial Development Corporation (KINFRA) , for setting up a sector specific SEZ for Electronics Industries at Village Thrikkakkara, Ernakulam District, Kerala, beyond 20<sup>th</sup> February 2013 (beyond 6<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 20<sup>th</sup> February, 2014.

**(xii) Request for further extension of LoA from M/s. Cochin Port Trust for setting up of a port based SEZ at Puthuvypeen, Cochin, Kerala, beyond 17<sup>th</sup> April, 2013 (beyond 6<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 17<sup>th</sup> April, 2014.

**(xiii) Request for further extension of LoA from M/s. Hyderabad Metropolitan Development Authority for setting up of an IT/ITES SEZ at Kokapet village, Serilingampally Mandal, Ranga Reddy District, Andhra Pradesh, beyond 22<sup>nd</sup> October, 2012 (beyond 6<sup>th</sup> year)**

The Board after deliberations extended the validity of the formal approval for one year up to 22<sup>nd</sup> October, 2013.

#### **Item No. 57.7.4 Extension of LoA (beyond 7<sup>th</sup> Year)**

**(i) Request of M/s. Adityapur Industrial Area Development Authority for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Automobiles/Auto Components at Adityapur, Jharkhand, beyond 13<sup>th</sup> December 2012 (beyond 7<sup>th</sup> year)**

The Board after deliberations extended the validity of the In-principle approval for one year up to 13<sup>th</sup> December, 2013.

#### **Item No. 57.8 Extension of LoP**

##### **Item No. 57.8.1 Requests for extension of LoP beyond 3<sup>rd</sup> Year**

**(in cases where two-third activities are not complete)**

- (i) Request of M/s. Hindustan Polyamides & fibres Ltd., a unit in Dahej SEZ at Bharuch, Gujarat for extension of Letter of Permission (LOP) beyond 5<sup>th</sup> January 2013 (beyond 3<sup>rd</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 5<sup>th</sup> January, 2014.

- (ii) Request of M/s. Alstom Bharat Forge Power Ltd., a unit of MPSEZ at Mundra, Kutch, Gujarat for extension of Letter of Permission (LOP) beyond 2<sup>nd</sup> February 2013 (beyond 3<sup>rd</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 2<sup>nd</sup> February, 2014.

- (iii) Request of M/s. Kalyani Alstom Power Ltd., a unit of MPSEZ at Mundra, Kutch, Gujarat for extension of Letter of Permission (LOP) beyond 2<sup>nd</sup> February 2013 (beyond 3<sup>rd</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 2<sup>nd</sup> February, 2014.

**Item No. 57.8.2 Requests for extension of LoP beyond 4<sup>th</sup> Year**

- (i) Request of M/s. Zydus Technologies Ltd, a unit in the sector specific SEZ for Pharmaceuticals being developed by M/s. Zydus Pharma SEZ at Ahmedabad, Gujarat for extension of Letter of Permission (LOP) beyond 28<sup>th</sup> June 2013 (beyond 4<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 28<sup>th</sup> June, 2014.

- (ii) 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 31<sup>st</sup> March, 2013 (beyond 4<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 31<sup>st</sup> March, 2014.

- (iii) Request of M/s. Gujarat Dyestuff 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 30<sup>th</sup> November, 2012 (beyond 4<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 30<sup>th</sup> November, 2013.

- (iv) Request of M/s. Sterling Vinnyal Additives LLP,, 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 5<sup>th</sup> January, 2013 (beyond 4<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 5<sup>th</sup> January, 2014.

**(v) Request of M/s. Marsons Industries Pvt. Ltd., a unit in the sector specific SEZ for Light 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 12<sup>th</sup> March, 2013 (beyond 4<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 12<sup>th</sup> March, 2014.

**(vi) Request of M/s. Sun Pharmaceuticals Industries Ltd, 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 15<sup>th</sup> December, 2012 (beyond 4<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP for one year up to 15<sup>th</sup> December, 2013.

#### **Item No. 57.8.3 Requests for extension of LoP beyond 5th Year**

**(i) Request of M/s. XL Energy Limited., a unit in sector specific SEZ for Semiconductors being developed by M/s FAB City SPV (India) Pvt. Limited at Raviryal / Srinagar Villages, Maheswaram Mandal, Ranga Reddy District, Andhra Pradesh for extension of Letter of Permission (LOP) beyond 27<sup>th</sup> March, 2013 (beyond 5th year)**

The Board after deliberations extended the validity of the LoP for six months up to 27<sup>th</sup> September, 2013.

**(ii) Request of M/s. Fulcrum Worldwide Software Pvt Ltd., a unit in sector specific SEZ for IT /ITES being developed by MIDC at Plot No. 14, Rajiv Gandhi Infotech Parck, Hinjewadi, District, Pune, Maharashtra for extension of Letter of Permission (LOP) beyond 27<sup>th</sup> February, 2013 (beyond 5th year)**

The Board after deliberations extended the validity of the LoP for six months up to 27<sup>th</sup> August, 2013.

**(iii) Request of M/s. Vigor Laboratories, a unit in Indore SEZ for extension of Letter of Permission (LOP) beyond 21<sup>st</sup> January, 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP for six months up to 21<sup>st</sup> July, 2013.

**(iv) Request of M/s. IGate Patni Computer System Ltd., a unit in MIDC IT / ITES SEZ at Pune, Maharashtra for extension of Letter of Permission (LOP) beyond 4<sup>th</sup> February, 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP by six months up to 4<sup>th</sup> August, 2013.

**(v) Request of M/s. ONGC, a unit in Dahej SEZ for extension of Letter of Permission (LOP) beyond 4<sup>th</sup> February, 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP by six months up to 5<sup>th</sup> August, 2013.

**(vi) Request of M/s. Zeon Solution Private Limited, a unit in MADC SEZ, Nagpur for extension of Letter of Permission (LOP) beyond 5<sup>th</sup> February, 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP by six months up to 5<sup>th</sup> August, 2013.

**(vii) Request of M/s. Nagarro Software Pvt. Ltd, a unit in Mahindra World City (Jaipur) Ltd at Jaipur, Rajasthan for extension of Letter of Permission (LOP) beyond 31<sup>st</sup> March, 2013 (beyond 5<sup>th</sup> year)**

The Board after deliberations extended the validity of the LoP by six months up to 30<sup>th</sup> September, 2013.

**Item No. 57.8.4 Miscellaneous Cases of LoP extension**

**(i) Request from DC FALTA for extension of LoP of following Plastic reprocessing units in FALTA SEZ beyond 31<sup>st</sup> December, 2012:**

1. M/s Precision Polyplast Pvt. Ltd.
2. M/s Bavaria Poly Pvt. Ltd. which is now M/s Kalpena Industries Ltd.
3. M/s Amarnath Enviroplast Ltd.
4. M/s Alps overseas Pvt. Ltd.

The Board after deliberations decided that the validity of the LoPs of all plastic reprocessing units will be valid only upto 30<sup>th</sup> June, 2013, subject to finalization of policy on plastic reprocessing units by DoC, whichever is earlier. In order to ensure uniformity of treatment to all similar units, it was decided that this decision would be applicable to all plastic reprocessing units, including those which have been granted extension of validity of LOPs beyond 30<sup>th</sup> June, 2013.

**(ii) Request from DC FALTA for extension of LoP of M/s Gujarat Textiles for manufacture and export of textile reprocessing units beyond 31<sup>st</sup> March, 2013.**

The Board after deliberations decided that the validity of the LoPs of all worn and used clothing reprocessing units will be valid only upto 30<sup>th</sup> June, 2013, subject to finalization of policy on worn and used clothing reprocessing units by DoC, whichever is earlier. In order to ensure uniformity of treatment to all similar units, it was decided that this decision would be applicable to all worn and used clothing reprocessing units, including those which have been granted extension of validity of LOPs beyond 30<sup>th</sup> June, 2013.

**(iii) Request from DC MEPZ for extension of scrap based re-cycling unit M/s SEZ Recycling a recycling unit in Mahindra World City for the 2<sup>nd</sup> five year period from 24<sup>th</sup> March, 2013 to 23<sup>rd</sup> March, 2018.**

The Board after deliberations decided that DoC would seek necessary clarifications in this regard from DC, MEPZ and take a suitable decision after necessary examination, on file.

**Item No. 57.9 Miscellaneous Cases**

**(i) Request from M/s Mayar Infrastructure Development Pvt. Ltd. for merger of its two notified Biotech sector specific SEZs located Gurgaon (Haryana):**

The representative of DoR objected to the above proposal and sought that the developer may first be asked to establish contiguity by construction of overbridge / underpass and only after such measures have been taken that the proposal be approved. The Board after deliberations accordingly approved the proposal, subject to the above condition.

**(ii) Proposal of M/s. Maharashtra Airport Development Company Ltd. (MADC) for approval of three permanent gates and one aircraft entry gate in MIHAN SEZ, a multi product SEZ at Nagpur, Maharashtra**

The Board after deliberations approved the above proposal subject to the condition that any additional cost so incurred on any extra man power, material etc. will be borne by the developer.

**(iii) Proposal of M/s. Satyam Computer Services Limited, unit in M/s. DLF Commercial Developers Limited, IT/ITES SEZ at Gachibowli village, Serilingampally Manadal, Ranga Reddy District, Andhra Pradesh for change of location of their SEZ to M/s. Satyam Computer Services Limited, IT/ITES SEZ at Madhapur Village, Serilingampally Mandal, Ranga Reddy District, Andhra Pradesh**

BoA after deliberation approved the proposal of M/s. Satyam Computer Services Limited, unit in M/s. DLF Commercial Developers Limited, IT/ITES SEZ at Gachibowli village, Serilingampally Manadal, Ranga Reddy District, Andhra Pradesh for change of location of their SEZ to M/s. Satyam Computer Services Limited, IT/ITES SEZ at Madhapur Village, Serilingampally Mandal, Ranga Reddy District, Andhra Pradesh subject to condition that the assessing office under the Income Tax Act, 1961, shall have the right to assess the tax liability arising out of the transfer of the unit and also subject to the condition that duty/tax benefits availed in respect of items utilized for setting up/running of the unit, and which are not being shifted, being repaid.

**(iv) Request of M/s. Neopro Technologies Pvt. Ltd. (Formerly known as M/s. Flagship Infrastructure Pvt. Ltd.) an IT / ITES SEZ located at Pune, Maharashtra, for grant of permission to 100% sale of shares of the company to M/s. Infrastructure Development Finance Company (IDFC)**

The Board after deliberations **approved** the above proposal, subject to 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 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 applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

**(v) Request of M/s. Venture Automotive Tooling India Pvt. Ltd., a unit in Sri City Multi Product SEZ for grant of permission to undertake job work from Domestic Tariff Area Units to utilize the surplus capacity by units located in SEZs**

The Board observed that the unit has requested permission to undertake job work from DTA unit for domestic market for reasons which include keeping the work force engaged, utilization of its idle capacity etc. BoA after deliberations decided that the proposal **cannot be accepted.**

**(vi) Proposal of M/s. GMR Hyderabad Aviation SEZ Limited, SEZ for Aviation sector at Mamidipalli village, Shamshabad Mandal, Ranga Reddy District, Andhra Pradesh for usage of Air Side Gate (Second Gate) which require frequent entry into and exit of aircraft from the airport.**

The Board after deliberations **approved** the above proposal, subject to the condition that any additional cost so incurred on any extra man power, material etc. will be borne by the developer.

**(vii) Proposal of M/s. Latasha Exports Limited for setting up of a unit in VSEZ for manufacture of (i) L.C. Ferro Chrome (ii) F.C. manganese (iii) Ferro Molybdenum and (iv) Ferro Titanium**

The Board observed that the raw materials proposed to be imported by the unit are in the category of restricted items for export. Accordingly, after deliberations, the Board **deferred** the above proposal for seeking further comments of M/o Mines and DGFT in this regard.

**(viii) Request from M/s Reliance Industries Limited for permission to install a pipe rack through SEZ connecting DTA Refinery and up-coming C2 Complex of M/s Reliance Industries Limited**

The Board after deliberations observed that the proposal relates to transport of gas from a DTA unit to another DTA unit for which purpose a request by grant of right of way (ROW) is being sought through the notified RIL SEZ. The ROW has been sought on the grounds of it being the shortest route and an alternate route, besides being longer would cause project delay, technical problems and higher cost. The issue had been considered by the UAC who had not approved the project.

After deliberations, the Board decided to **defer** the matter to allow for further examination of the issues involved by DoC.

**(ix) Request from M/s Vikas Telecom Limited, developer of IT/ITES SEZ at Bangalore, Karnataka for approval to change its shareholding**

The Board after deliberations **approved** the above proposal, subject to the following conditions:-

- (vii) Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered developer entity;
- (viii) Fulfillment of all eligibility criteria applicable to developers, including security clearances etc., by the altered developer entity and its constituents;
- (ix) Applicability of and compliance with all Revenue / Company Affairs /SEBI etc. rules which regulate issues like capital gains, equity change, transfer, taxability etc.
- (x) Full financial details relating to the transfer of equity shall be furnished immediately to the Member (IT) CBDT, Department of Revenue.
- (xi) 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.
- (xii) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.

**(x) Request for de-notification for developer M/s. Bata India Limited and co-developer M/s. Riverbank Holdings Pvt. Ltd. for sector specific IT/ITES SEZ at Bata Nagar, West Bengal**

The Board noted that in its meeting held on 8<sup>th</sup> June, 2010, BoA had approved the de-notification request by the developer M/s. Bata India Ltd. After deliberations BoA approved the request for de-notification for co-developer M/s. Riverbank Holdings Pvt. Ltd. for sector specific IT/ITES SEZ at Bata Nagar, West Bengal

**(xi) Re-consideration to the request of M/s. Mumbai Futuristic Economic Zone Pvt. Ltd. (Formerly Quippo Infrastructure Equipment Ltd.) for Engineering SEZ at Alibag, Raigad, Maharashtra for grant of third extension of in-principle approval.**

The Board after taking in to consideration the recommendation of the Development Commissioner, SEEPZ SEZ with regard to the commitment of the developer to develop the said project within 6 months, decided to approve the request for extension of validity of LOA for a further period of six months from the date of BoA meeting i.e. up to 15<sup>th</sup> September, 2013, subject to the condition that no further extension would be allowed.

**Item No. 57.10: Appeals before BoA**

**(i) Appeal of M/s. Consolidated Cobalt Chemicals Limited, a unit in KASEZ against rejection of its application for inclusion of export trading of urea in its existing LoP by the 53<sup>rd</sup> UAC meeting held on 19.10.2012**

The Board noted that the applicant has sought adjournment of his appeal as his representative is unable to attend the hearing. The matter was accordingly **deferred**.

The meeting ended with a vote of thanks to the Chair.

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**Annexure - 1**

**List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 15<sup>th</sup> March, 2013 under the Chairmanship of Commerce Secretary, Department of Commerce**

1. Shri S. R. Rao, Chairman BOA & Secretary, Department of Commerce.
2. Shri A.K. Pujari, DGFT, Director General of Foreign Trade
3. Shri Ram Tirath, DGEP, Department of Revenue, Ministry of Finance
4. Dr. L. B. Singhal, Additional DGFT, Director General of Foreign Trade
5. Ms. Deepshikha Sharma, Deputy Secretary (ITA 1), CBDT, Department of Revenue, Ministry of Finance
6. Shri G. Manjunath Gouda, Resident Director, Karnataka Udyog Mitra Karnataka Bhavan – 3, Khelgaon Marg, New Delhi
7. Shri Shivendra Singh, Secretary, AIADA, Government of Jharkhand
8. Shri O.P. Kapoor, Deputy DG, EPCES
9. Shri Hardyat Sehrawat, Joint Director Industries, Department of Industries, Government of Haryana
10. Shri O.P. Sharma, Joint Industrial Adviser, Department of Chemical & Petrochemical, Ministry of Chemicals and Fertilizer, New Delhi
11. Shri Nilesh Shukla, Deputy Director, Government of Gujarat
12. Shri P.K. Gupta, DGM (LS-I), Ministry of Home Affairs.
13. Dr. S.K. Sahoo, Office of Development Commissioner (MSME), Ministry of MSME, Nirman Bhawan.
14. Shri T.A. Khan, (RO), TCPO, Ministry of Urban Development, E-Block, Vikas Bhawan, New Delhi
15. Shri R.D. Meena, Research Assistant, TCPO, Ministry of Urban Development

**LIST OF DEVELOPMENT COMMISSIONERS**

16. Shri Sanjeev Nandwani, Development Commissioner, Falta, Kolkata
17. Shri Jayant Misra, Development Commissioner, Noida SEZ, Uttar Pradesh
18. Shri N.P.S. Monga, Development Commissioner, SEEPZ SEZ
19. Dr. Safeena AN, Development Commissioner, Cochin SEZ
20. Shri Vijay N. Shewale, Development Commissioner, Surat SEZ, Surat
21. Shri Mahendra Jain, Development Commissioner, NMSEZ and KASEZ
22. Shri S. Kishore, Development Commissioner, APSEZ
23. Shri K.L. Sharma, Development Commissioner, Sterling SEZ, Gujarat
24. Smt. Lata Shukla, Development Commissioner, Mundra SEZ
25. Shri Ved Prakash, Development Commissioner, Mihan SEZ
26. Shri Anil Bamba, Development Commissioner, Sricity SEZ
27. Shri. S.N. Patil, Joint Development Commissioner, Dahej SEZ
28. Shri A.K. Rathore, Joint Development Commissioner, ISEZ, Indore, Madhya Pradesh.

**LIST OF PARTICIPANTS OF DEPARTMENT OF COMMERCE**

29. Shri Madhusudan Prasad, Additional Secretary, Department of Commerce
30. Shri Rajeev Arora, Joint Secretary, Department of Commerce.
31. Shri Sanjeet Singh, Director, Department of Commerce
32. Shri Kabiraj Sabar, Under Secretary, Department of Commerce
33. Shri S.S. Kumar, Under Secretary, Department of Commerce
34. Shri Pankaj Gangwar, Section Officer, Department of Commerce
35. Shri R.K. Dutta, Section Officer, Department of Commerce.