

**Agenda for the 65th meeting of the Board of Approval to be held on
19th May 2015, in the Room No. 47, Udyog Bhawan, New Delhi**

Item No. 65.1: 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. Uralungal Labour Contract Co Operative Society Limited (ULCCS Ltd.) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Nellikode Village, Kozhikode, Kerala, beyond 30th June 2015

Name of the developer: M/s. Uralungal Labour Contract Co Operative Society Limited (ULCCS Ltd.)

Location: Nellikode Village, Kozhikode, Kerala

Basic facts: Formal approval to the developer was granted on 31st December, 2009. The SEZ stands notified as on date. The developer has been granted three extensions, validity period of which is upto 30th June, 2015.

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

The developer has made following investments/plans.

- (i) Investment of Rs. 220 crores has been made
- (ii) All the works (Civil, External Façade, MEP works) of one 7 storey building, with a built up area of 4.82 lakhs sq.ft. is completed.
- (iii) Three basement floors for parking area, underground sumps for water storage etc has also been completed. Interior and landscape works are in final stage.
- (iv) Commissioning of utilities like Diesel Generators, Chillers, Lifts, Transformers, and WTP has also been completed.
- (v) Land development work for commencing construction of building–2 is in progress.
- (vi) Boundary wall is almost complete and Road works are also in the finishing stage.
- (vii) All external, mechanical, electrical, plumbing, glazing, interior and landscape works has also been completed.

- (viii) One unit, viz. M/s. Mentor Performance Rating Private Limited has already taken 6062 sq.ft. of area and is expected to commence export by the month of September, 2015.

DC CSEZ has recommended the proposal for extension by **six months**.

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

(ii) Request of M/s. Karnataka Industrial Areas Development Board (KIADB) for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Mangalore, Karnataka, beyond 26th June 2015

Name of the developer: M/s. Karnataka Industrial Areas Development Board (KIADB)

Location: Mangalore, Karnataka

Basic facts: Formal approval to the developer was granted on 26th June, 2006. The SEZ stands notified as on date. The developer has been granted six extensions validity period of which is upto 26th June, 2015.

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

The developer has made following investments/plans.

- (i) The power infrastructure works in the SEZ area are fully completed
- (ii) 95% road works are completed and balance 5% of road works are under progress
- (iii) Construction of compound wall is almost completed except 2.27% which is expected to be completed shortly.
- (iv) 95% of water supply works are to be completed and balance 5% work is under brisk progress.
- (v) An investment of Rs. 30.87 crores has been made on developmental works by February, 2015.
- (vi) The co-developer has completed six floors of IT park building. The balance work is expected to be completed by May, 2015.

DC CSEZ has recommended the proposal for extension by one year.

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

(iii) Request from M/s. Bagmane Developers Private Limited (BDPL) (SEZ-I), developer of IT/ITES SEZ at Mahadevapura K.R. Puram, Bangalore, Karnataka for extension of validity of formal approval, beyond 30th June, 2015

Name of the developer: M/s. Bagmane Developers Private Limited (BDPL) (SEZ-I)

Location: Mahadevapura K.R. Puram, Bangalore, Karnataka

Basic facts: Formal approval to the developer was granted on 26th October, 2006. The SEZ is yet to be notified. The developer has been granted six extensions validity period of which is upto 30th June, 2015.

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

The developer has made following investments/plans.

- (i) Completed the acquisition process for land. Land has been acquired between various dates in the years 2009-2014.
- (ii) The total cost of land is Rs. 100 crores (Approx.)
- (iii) The developer would be able to complete the development of 100,000 sqm on this extent of land.
- (iv) The developer has initiated the process with State Govt. to obtain necessary approval to notify the land as SEZ and further would initiate with Govt. of India upon receipt of the approval for the extension and commence the development process.

The reasons for seeking extension has been mentioned as delay in land acquisition process due to litigation and other commercial differences with the parties who had agreed to transfer land. Currently, the developer has already initiated the process of notifying land with State Government.

DC has recommended the proposal for extension by one year.

The proposal is placed before BoA for consideration.

(iv) 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, 2015

Name of the developer: M/s. Gulf Oil Corporation Limited

Location: Kattigenahalli and Venkatala villages, Yelahanka Hobli, Bangalore, Karnataka

Basic facts: Formal approval to the developer was granted on 18th June, 2009. The SEZ stands notified as on date. The developer has been granted three extensions of the formal approval, the validity of which is up to 17th June, 2015.

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

The developer has made following investments/plans.

- (i) Out of the proposed investment of Rs. 940 crores, investment of Rs. 173.53 crores have been made.
- (ii) Civil work has been completed for phase I
- (iii) Electrical works has been completed for the first block
- (iv) MEP works like lifts erection, chiller erection, DG installation, fire protection system, HVAC systems, PHE works are completed for the first block

- (v) Civil finishes work, façade works and common facility works are under progress
- (vi) Phase I of the project (14.52 lakh sq.ft) is expected to be completed by September, 2015.
- (vii) The expected time of completion of 1st phase is September, 2015.

DC CSEZ has recommended the proposal for extension of validity of formal approval by one year.

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

(v) Request of M/s. Vedanta Aluminium Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Manufacture and Export of Aluminium at village Bhurkamunda & Bhagkipalli Tehsil & District Jharsuguda, Orissa beyond 22nd May, 2015

Name of the developer: Vedanta Aluminium Limited

Location: village Bhurkamunda & Bhagkipalli Tehsil & District Jharsuguda, Orissa

Basic facts: Formal approval was granted vide LoA dated 23rd May, 2007. The SEZ stands notified as on date. The developer has been granted five extensions the validity of which will expire on 22nd May, 2015

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

The developer has made following investments/plans.

- (i) 95% of project has been completed. Balanced job expected to be completed within 22.05.2016.

DC FSEZ has recommended the proposal for extension up to 22nd May, 2016.

The request is placed before BoA for consideration

(vi) 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 2015

Name of the developer: M/s. Kandla Port Trust

Location: Kandla and Tuna, Gujarat

Basic facts: Kandla Port Trust (KPT) was granted formal approval on 7th May, 2007. The SEZ is yet to be notified. The developer has been granted for five extensions, the validity of which has expired on 6th May, 2015.

The developer has requested for further extension so as to complete his project

The developer has stated that issuance of notification has been delayed due to non-receipt of certification by District Revenue Authorities has regard to ownership of land stating that Kandla Port has legal possession and irrevocable rights to develop the said SEZ and the said area is free from all encumbrances. Concurrence of Government of Gujarat for setting of port based SEZ at Kandla and Tuna Area is awaited.

DC KASEZ has recommended the proposal for extension of formal approval, as the said SEZ is likely to get Government of Gujarat NOC (**Annexure-1**).

The request is placed before BoA for consideration.

(vii) Request of M/s. SNP Infrastructure Private Limited for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Zamin Pallvaram village, Chinglepet Taluk, Kanchipuram District, Tamil Nadu, beyond 24th June, 2012

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

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

Basic facts: Formal approval to the developer was granted on 25th June, 2007. The SEZ stands notified as on date. The developer has been granted two extensions of the formal approval, the validity of which was up to 24th June, 2012.

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

The developer has made following investments/plans.

- (i) Total investment of Rs. 100 crores on the project. Developer has proposed investment of Rs. 1000 crores up to June 2017.
- (ii) No investment made since last extension.
- (iii) The developer had applied for denotifying the SEZ in July 2009 and later withdrawn their request and applied for extension of Formal approval.
- (iv) DC has informed that the developer is serious in implementing the project and has obtained various NOC/approvals from State Govt. and Central Govt. agencies.
- (v) The developer is in advance stage of negotiation with "FORD" to implement their project for allotting 1.5 million sq.ft. of SEZ space and 1 lakh sq.ft. of R&D space.
- (vi) The project is likely to start in June, 2015.

DC MEPZ has recommended the proposal for extension of validity of formal approval upto 24th June, 2017.

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

(viii) Request of M/s. Velankani Technology Park (P) Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware and Software including ITES at Sriperumbudure, Chennai, Tamil Nadu, beyond 22nd May 2014

Name of the developer: Velankani Technology Park (P) Ltd.

Location: Sriperumbudure, Chennai, Tamil Nadu

Basic facts: Formal approval to the developer was granted on 23rd May, 2007. The SEZ stands notified as on date. The developer has been granted four extensions validity period of which has expired on 22nd May, 2014.

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

The developer has made following investments/plans.

- (i) Total investment of Rs. 154.7 crores on the project.
- (ii) Rs. 2.70 crores invested since last extension.
- (iii) The developer has also submitted details of MoU made with international property consultants for developing the SEZ
- (iv) Construction of 1.5 lakh sq.ft. of building is nearing completion and the basic infrastructure work is completed.

DC MEPZ has recommended the proposal for extension of validity of formal approval upto 22nd May, 2016.

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

(ix) Request of M/s. Nagarjuna Oil Corporation Ltd., for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceuticals and Petroleum at Kayalattu Village, Cuddalore, Tamil Nadu, beyond 26th February 2015

Name of the developer: M/s. Nagarjuna Oil Corporation Ltd.

Location: Kayalattu Village, Cuddalore, Tamil Nadu

Basic facts: The developer was granted formal approval for setting up the above mentioned SEZ, vide LoA dated 27th February, 2009. The SEZ is yet to be notified. The developer has already been granted three extensions. The validity of the last extension was up to 26th February, 2015.

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

The developer has stated that the reason for delay in implementation of the SEZ project is the delay in commissioning of their refinery plant (which is outside the proposed SEZ area and on which their proposed SEZ for petrochemicals and petroleum is dependent on supply of input material). They have also stated that they had commenced their refinery project in 2009 with an investment of Rs. 6500 crores and that the commissioning of the

refinery was severely affected by cyclone “Thane” in 2011, leading to delay in implementation of the refinery project and consequent delay in setting up of the SEZ project and meeting the time schedules. The developer has further stated that their refinery plant is 60% complete and likely to be commissioned by the first quarter of 2017. So far they have invested Rs. 7800 crores towards the project. To overcome resultant time and cost overruns, the developer is trying their best to complete the project with additional infusion of equity. The discussions with new investors are in the final stages. The SEZ project will be completed by December, 2017.

DC MEPZ has recommended the proposal for extension of formal approval up to 25.02.2017.

The request is placed before BoA for its consideration.

(x) Request of M/s. Ascendant Estates 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 Bhondsi, Tehsil Sohna, Gurgaon, Haryana, beyond 5th November, 2014

Name of the developer: M/s. Ascendant Estates Pvt. Ltd.

Location: Village Bhondsi, Tehsil Sohna, Gurgaon, Haryana

Basic facts: Formal approval to the developer was granted on 6th November, 2006. The SEZ stands notified as on date. The developer has been granted five extensions validity period of which has expired on 5th November, 2014.

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

The developer has made following investments/plans.

- (i) Total land is 12.5975 hectares [(6.4275 hectares (owned) and 6.1700 hectares (leased)]
- (ii) The cost of land is Rs. 8 crores (approx)
- (iii) The date of acquisition of land is between 01.10.2007 to 14.01.2008
- (iv) Investment of Rs. 30 crores on the project
- (v) Fencing of the land
- (vi) Development of land & approach road in order to go ahead with the project work immediately
- (vii) Application submitted for approval of Master Plan.
- (viii) Application submitted for demarcation of PA/NPA.

DC NSEZ has **NOT recommended** to the request for extension.

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

(xi) Request of M/s. G.P. Realtors Pvt. Ltd. for further extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware & IT/ITES at Village Ghata, Behrampur and Balola, Gurgaon, Haryana, beyond 25th January, 2015

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

Location: Village Ghata, Behrampur and Balola, Gurgaon, Haryana

Basic facts: The developer was granted formal approval for setting up the above mentioned SEZ, vide LoA dated 26th July, 2007. The SEZ stands notified as on date. The developer has already been granted five extensions. The validity of the last extension was up to 25th January, 2015.

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

The developer has made following investments/plans.

- (i) Investment of Rs. 175.38 crores on land
- (ii) Rs. 40 crores on other infrastructure related activities
- (iii) Boundary wall construction done on 8430 running ft. at site
- (iv) Leveling on area measuring site 52 acres
- (v) Seeting work done on whole site
- (vi) Demarcation and topographical survey on 25,8093 hectares
- (vii) They have resolved all takseem cases and land issues
- (viii) Aravali NOC obtained from office of Deputy Commissioner, Gurgaon
- (ix) Obtained NOC from forest department
- (x) Purchased 4.1 acres land to get access from 60 meter road

DC NSEZ has recommended to the request for extension by one year.

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

(xii) Request for further extension of LoA from M/s. Mayar Infrastructure Development Pvt. Ltd. for setting up of Biotechnology SEZ at village Rahaka & Nimoth District Gurgaon, Haryana beyond 13th July, 2015

Name of the developer: M/s. Mayar Infrastructure Development Pvt. Ltd.

Location: village Rahaka & Nimoth District Gurgaon, Haryana

Basic facts: Formal approval to the developer was granted on 14th July, 2008. The SEZ stands notified as on date. The developer has been granted four extensions validity of which is upto 13th July, 2015.

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

The developer has made following investments/plans.

- (i) Investment of Rs. 51.30 crores on land

- (ii) Other investment Rs. 178.98 crores
- (iii) Incremental investment made is Rs. 17.81 crores
- (iv) Works related to boundary wall, Public Health Engineering, Custom House, Security Gate, Electrical Distribution, High Side (MEP), Surveillance and visitor management system, streets lighting and building constructions has already been completed in 2013.

Physical progress since last extension:

- (i) STP has been installed, tested and commissioned, ETP will be commissioned once unit will commence their manufacturing/operation, All lifts have been installed, landscaping work has been completed, Interior works of ground floor completed, False ceiling platform installed, Fire work completed
- (ii) Centralized AC work 90% completed, 100% power back up in place

DC NSEZ has recommended the case for further extension by one year.

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

(xiii) 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, 2015

Name of the developer: M/s. Indiabulls Industrial Infrastructure Limited

Location: village Sinnar, District Nashik, Maharashtra

Basic facts: The developer was granted formal approval for setting up the above mentioned SEZ on 25th June, 2007. The SEZ stands notified as on date. The developer has been granted five extensions of the formal approval, the validity of which is up to 24th June, 2015.

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

The developer has made following investments/plans.

- (i) An investment of over Rs. 7076.50 cores for power plant and Rs. 101.81 crores for other infrastructure has already been made
- (ii) Investment of Rs. 14.93 crores in CSR activities.
- (iii) Master plan for the Phase-I development has been submitted to the competent authorities
- (iv) Have taken up various promotional activities EEPC award function in 2011.
- (v) 8 MLD fresh water has been made available
- (vi) Construction power of 4.5 MVA has already been made available on the project site.
- (vii) Telecom and Broad band connectivity has been established
- (viii) Three LoAs have been issued by DC, however, units have not started their business because of non environmental clearance from MoEF

DC SEEPZ has recommended the proposal for extension for a period of one year.

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

(xiv) 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 2015

Name of the developer: M/s. Navi Mumbai SEZ Private Limited

Location: Ulwe, District Raigad, Maharashtra

Basic facts: The developer was granted formal approval for the above-mentioned SEZ on 27th February, 2009. The SEZ stands notified as on date. The developer has been granted three extensions of the formal approval, the validity of which was up to 26th February, 2015.

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

The developer has made following investments/plans.

- (i) Investment of Rs. 313.40 crores up to January, 2015
- (ii) Construction of Boundary wall 7.56 kms completed
- (iii) Construction of Custom bonded area with Customs office of 1130 sqm. completed
- (iv) Project proposed to be completed by 2019

DC SEEPZ has recommended the proposal for extension.

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

(xv) 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 2015

Name of the developer: M/s. Navi Mumbai SEZ Private Limited

Location: Ulwe, District Raigad, Maharashtra

Basic facts: The developer was granted formal approval for setting up of Gems & Jewellery SEZ at Ulwe, District Raigad, Maharashtra on 27th February, 2009. The SEZ stands notified as on date. The developer has been granted three extensions of the formal approval, the validity of which was up to 26th February, 2015.

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

The developer has made following investments/plans.

- (i) Investment of Rs. 92.32 crores up to January, 2015
- (ii) Construction of Boundary wall completed
- (iii) Construction of Custom bonded area with Customs office of 1130 sqm. completed
- (iv) Project proposed to be completed by 2019

DC SEEPZ has recommended the proposal for fourth extension.

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

(xvi) 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, 2015

Name of the developer: M/s. DLF Info Park (Pune) Ltd.

Location: Rajiv Gandhi Infotech Park, Phase II, Pune, Maharashtra

Basic facts: The developer was granted formal approval for setting up the above mentioned SEZ on 27th June, 2008. The SEZ stands notified as on date. The developer has been granted four extensions of the formal approval, the validity of which is up to 26th June, 2015.

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

The developer has made following investments/plans.

- (i) Investment Rs. 21997.30 lacs on land development of the SEZ site and construction of Buildings
- (ii) As directed by BoA developer has applied for notifying part area of the SEZ covered under formal approval.
- (iii) Part area admeasuring 7.27 hectares notified on 27.10.2014.
- (iv) The process of developing the underpass/flyover to establish contiguity at the cost of approximately 55 lacs is going on.

DC SEEPZ has recommended the proposal for extension for a period of one year.

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

Item No. 65.2 : Requests for extension of validity of in-principle approval

(i) Request of M/s. Venkatesh Coke & Power Ltd. for extension of the validity of in-principle approval, granted for setting up of Free Trade Warehousing Zone (FTWZ) at Athipattu, Nandiambakkam and Puludivakkam villages, Ponneri Taluk, Thiruvallur Dist, Tamil Nadu, beyond 12.05.2015

In-principle approval was granted to the developer on 13.05.2014 over an area of 48.56 hectares. The validity of last extension is up to 12th May, 2015.

- (i) An expenditure of Rs. 5.5 crores has already been incurred towards pre-operative expenses since 13.05.2014
- (ii) 48.56 hectares of land has been acquired by the developer.
- (iii) A proposal has been made by the developer to the District Collector for exchanging Government land measuring 6.26.5 hectares with an equal measurement of land belonging to developer to ensure contiguity

DC MEPZ has recommended the proposal for extension of in-principle for a period of one year up to 12.05.2016.

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

Item No. 65.3 : Requests for extension of LoP beyond 3rd Year onwards

- As per Rule 18(1) of the SEZ Rules, the approval Committee may approve or reject a proposal for setting up of Unit in a Special Economic Zone.
- Cases for consideration of extension of Letter of Permission (LoP)s i.r.o units in SEZs are governed by Rule 19(4) of SEZ Rules.
- Rule 19(4) states that an LoP shall be valid for one year. First Proviso grants power to DCs for extending the LoP not exceeding 2 years. Second Proviso grants further power to DCs for extending the LoP for one more year but subject to the condition that two-thirds of activities including construction, relating to the setting up of the Unit is complete and a Chartered Engineer's certificate to this effect is submitted by the entrepreneur.
- Extensions beyond 3rd year (*in cases where two-third activities are not complete*) and 4th year are granted by BoA.
- BoA can extend the validity for a period of one year at a time.
- There is no time limit up to which the Board can extend the validity.

(i) Request of M/s. Indofil Industries Limited, a unit in the multi product SEZ being developed by M/s. Dahej SEZ at Bharuch, Gujarat for extension of LoP beyond 13th March 2015

The above mentioned unit was granted LoP on 14th March, 2012 for manufacture and export of "Fungicide, Insecticide, Herbicide technical". The unit was granted two extensions, the validity of which is upto 13th March, 2015.

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

The unit has made the following investment/plans:-

- (i) Investment made till date is Rs. 16.19 crores on land, building and pre-operative expenses
- (ii) Incremental investment made is Rs. 5.59 crore from the date of last extension granted in 2014
- (iii) Completed boundary wall, ground clearing, soil investigation, 50% of internal roads and 10% of other civil/infrastructure facilities like Administration canteen, Security cabin, RM & FG warehouse, UG water tank and buildings for 3 set-ups.
- (iv) Environmental Clearance from MoEF, Delhi obtained on 19th March, 2015

DC Dahej SEZ has recommended the proposal for extension of LoP by one year.

The request is placed before BoA for its consideration.

(ii) Request of M/s. Anushakti Specialities LLP, a unit in the multi product SEZ being developed by M/s. Dahej SEZ at Bharuch, Gujarat for extension of LoP beyond 13th March 2015

The above mentioned unit was granted LoP on 14th March, 2012 for manufacture and export of "2-Methyl-6Ethyl Aniline and other Ethylation Product, Chloro Aniline, Dichloro aniline and other Hydrogenation products, Mono Chlorobenzene and other chlorination

products & By Product AI (OH)A1203". The unit was granted two extensions, the validity of which was upto 13th March, 2015.

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

The unit has made the following investment/plans:-

- (i) Investment made till date is Rs. 11 crores on land, building, pre-operative expenses
- (ii) Incremental investment is Rs. 4 crores from the date of last extension in 2014
- (iii) Completed development work of plot and Infra Structure. DG and Production Building civil work up to Plinth Levels is completed and further civil work is in progress from the date of last extension granted in 2014.
- (iv) Committed to complete the project by November 2015 and making the plant operational by 15th December 2015

DC Dahej SEZ has recommended the proposal for extension of LoP by one year.

The request is placed before BoA for its consideration.

(iii) 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 2015

The above mentioned unit was granted LoP on 30th May, 2007 for manufacture and export of "Critical equipments for process industries like Columns, Reactors, Vessels Heat-Exchangers, Trays & Tower internals, Reactor Internals, Waste Heat Boilers". The unit was granted seven extensions, the validity of which is upto 29th May, 2015.

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

The unit has made the following investment/plans:-

- (i) Invested Rs. 113.87 crore as on 26.03.2015 on land, building, machinery equipment and other infrastructure
- (ii) Investment of Rs. 37.62 crores made since last extension in 2014
- (iii) Boundary wall completed
- (iv) Construction work being done round the clock. They have informed that substantial development will be made on the site by the time LoP expires on 29th May, 2015.
- (v) All necessary clearance from GPCB and DSI obtained.
- (vi) The unit is planning to commenced production by April, 2016 subject to permission from GMB for construction of Ro-Ro jetty by April, 2016.

DC Dahej SEZ has recommended the proposal for extension of LoP by one year.

The request is placed before BoA for its consideration.

(iv) Request of M/s. Tatva Chintan Pharma Chem Pvt. Ltd., a unit in the multi product SEZ being developed by M/s. Dahej SEZ at Bharuch, Gujarat for extension of LoP beyond 22nd May 2015

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

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

The unit has made the following investment/plans:-

- (i) Investment made till date is Rs. 5 crores on land, building and infrastructure
- (ii) Incremental investment made is Rs. 2.50 crore from the date of last extension granted in 2014
- (iii) Completed construction of boundary wall and footwork of building up to plinth level is completed
- (iv) Received Environmental Clearance from GPCB in April 2014
- (v) Project delay due to unexpected delay in obtaining NOC from GPCB

DC Dahej SEZ has recommended the proposal for extension of LoP by one year.

The request is placed before BoA for its consideration.

(v) 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, 2015

The above mentioned unit was granted LoP on 26th Sept., 2008 for manufacture and export of Sigunit P1, Magnesium Silicate, Hydroalcite and Aluminum Hydroxide. The unit has been granted six extensions validity of which was upto 31st March, 2015.

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

The unit has made the following investment/plans:-

- (i) Investment made till date Rs. 3.33 crores on various activities like land, building, pre-operative expenses.
- (ii) They have further committed and issued purchase orders worth more than Rs. 4 crore
- (iii) Incremental investment made by them for the SEZ project is Rs. 82 lakhs from the date of last extension granted in 2014.
- (iv) They have completed construction of boundary wall and completed piling activities since last extension. They have also got all the necessary clearances from all the civil architect structural drawing have been made ready and most of the equipment specification have been finalized
- (v) All the necessary GPCB and DSI clearance have been obtained.
- (vi) They have issued purchase orders worth Rs. 4 crores for plant and machinery

DC Dahej SEZ has recommended the request of extension of LoP by one year

The request is placed before BoA for its consideration.

(vi) Request of M/s. Sajjan Specialty Ltd., a unit in Dahej SEZ for extension of Letter of Permission (LoP) beyond 08th November, 2014

The above mentioned unit was granted LoP on 9th November, 2010 for manufacture and export of various Organic Chemicals. The unit has been granted three extensions, the validity of which was upto 8th November, 2014. The proposal was deferred in the 64th BoA meeting held on 20th February, 2015. The minutes reproduced are as under:-

“The Board noted that the progress made by the unit is not satisfactory. The Board, after deliberations, decided to defer the proposal and directed DC Dahej SEZ to furnish a detailed report in the matter.”

DC has reported that the Unit has submitted an undertaking / affidavit alongwith their application giving schedule of their work as below:-

- (i) Revised proposed investment is Rs. 74 crore for phase-I and FOB value of exports in first five years shall be Rs. 248.30 crores.
- (ii) The unit have made total investment of Rs. 11.35 crore, on various activities like land and infrastructure including incremental investment of Rs. 1.35 crores from the date of last extension in 2014
- (iii) Civil work: As soon as plot is developed and made suitable for industrial activities they shall commence the civil work and they expect to complete the same by December, 2015.
- (iv) They have started land filling work of the plot and have completed 40000 cubic meter of land filling. The work for the same is in progress
- (v) Production: They shall commence their regular production after trial runs and ensuring compliance of statutory provisions by March, 2017

DC has reported that the unit has not yet started civil construction work. However, the unit has informed that civil work up to plinth level is proposed to be completed before monsoon.

DC Dahej SEZ has recommended the request of extension of LoP for one year.

The request is placed before BoA for its consideration.

(vii) 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, 2015

The above mentioned unit was granted LoP for setting up a unit in the above mentioned SEZ on 13th March, 2009. The unit has been granted five extensions validity of which was up to 12th March, 2015.

The unit has requested for further extension of the validity of the LoP beyond 12th March, 2015.

The unit has informed that all the necessary capital goods/testing equipments have been purchased/imported and brought in their factory premises. The machineries shall be installed after obtaining electricity connection from JVVNL in the first week of April, 2015. The unit has further informed that they have some export orders in hand received from United Kingdom.

DC NSEZ has recommended the proposal for extension of LoP for **six months**.

The request is placed before BoA for its consideration.

(viii) Request of M/s. KPIT Technologies Limited, a unit in MIDC SEZ for extension of Letter of Permission (LoP) beyond 28th June, 2013

The above mentioned unit was granted LoP on 29th June, 2011 for IT/ITES/IT Software Development, Maintenance consultancy testing and business process outsourcing. The unit has been granted one extension, the validity of which was up to 28th June, 2013.

The unit has requested for further extension from 28.06.2013 to 27.06.2016.

The unit has made the following investment/plans:-

- (i) Investment of Rs. 21 crores on land and Rs. 76 lacs towards other developments such as architect fees, fire fees, consultant fees etc.
- (ii) Applied for Environmental Clearance which is likely to be obtained by March, 2015
- (iii) Physical work can be commenced only after MIDC approval which is pending for LoP extension.

DC SEEPZ SEZ has recommended the request of extension of LoP by one year in terms of the provisions of Rule 19(4) of SEZ Rules 2006.

The request is placed before BoA for its consideration.

(ix) 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 2014

The above mentioned unit was granted LoP on 10th November, 2010. The unit has been granted three extensions, validity of which was up to 10th November, 2014.

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

The unit has made the following investment/plans:-

- (i) Invested Rs. 6.21 crores towards implementation of the project including an investment of Rs. 3.25 crores after third extension.
- (ii) Possession received from MIDC
- (iii) Architect and structural engineer appointed
- (iv) Building plan submitted
- (v) Applied for approval for high rise building for civil aviation

The matter was deliberated upon in 64th BoA meeting held on 20th February, 2015. BoA rejected the proposal.

The unit has applied for re-consideration of their request which has been recommended by the DC SEEPZ.

The request is placed before BoA for its re-consideration.

(x) Request of M/s Hospira Healthcare India Pvt. Ltd., a unit in Ramky Pharmacity India Limited SEZ for manufacture of Injectables Formulations at Parawada, Visakhapatnam District, Andhra Pradesh for extension of validity period of its LoP beyond 25th June 2015

The above mentioned unit was granted LoP on 25th June, 2010 for manufacture of Injectables formulations. The unit has been granted four extensions validity of which is upto 25th June, 2015.

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

The unit has made the following investment/plans:-

- (i) Investment of Rs. 1650 crores has been made so far on the creation of the facility.
- (ii) The unit has completed all the civil works and installation of plant and equipment substantially.
- (iii) The warehouse complex is under final stages of completion with reference to internal installations.
- (iv) At present, trial batches are in continuous process in Line-I & 2 first stage, inspection by USFDA is over.
- (v) The unit was also impacted by Hud-Hud Cyclone resulting in additional delay in inspection by USFDA.

DC, VSEZ, has recommended the proposal for extension of validity of LoP by another one year in terms of the provisions of Rule 19(4) of SEZ Rules 2006.

The request is placed before BoA for its consideration.

(xi) Request of M/s Dr. Reddy's Laboratories Limited - FTO, a unit in Dr. Reddy's Laboratories SEZ for manufacture of Pharmaceuticals & APIs at Devunipatavalsa village, Ranasthalam Mandal, Srikakulam District, Andhra Pradesh for extension of validity period of its LoP beyond 18th April, 2015

The above mentioned unit was granted LoP on 19th April, 2010 for manufacture of Tablets/Capsules. The unit was granted four extensions, the validity of which is upto 18th April, 2015.

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

The unit has made the following investment/plans:-

- (i) Investment is Rs. 219.21 crores as on 31.12.2014

- (ii) Completed all the civil works and completed erection and installation of plant and equipment for the first phase
- (iii) Trial batches are in progress continuously for the last one year for bringing stabilization in the process and to meet the standards of USFDA for filing DMFs.
- (iv) Employee strength of 295 as on 31.12.2014
- (v) After approval of USFDA, the company is expecting to go for commercial batches in the second/third quarter of 1500

DC has recommended the request of extension of LoP up to 18.04.2016 in terms of the provisions of Rule 19(4) of SEZ Rules, 2006.

The request is placed before BoA for its consideration.

Item No. 65.4 : Requests for co-developer

(i) Request of M/s. Infoparks Kerala for co-developer in the sector specific SEZ for IT/ITES at Muringur Thekkumuri Village, Koratty Panchayathu, Mukundapuram Taluk, Thrissur District, Kerala, being developed by M/s. Kerala State IT Infrastructure Ltd.

The above mentioned SEZ stands notified over an area of 7.4909 hectares.

M/s. Infoparks Kerala has submitted a proposal for becoming a co-developer in the aforesaid SEZ for construction of 3.3 lakh sqft IT building and utility building, construction of roads, drain, cable trench, ground water sump and sewage treatment plant for the building, over an area of 2.4282 hectares.

Co-developer agreement dated 9th February, 2015 entered into with the developer has been provided. Lease Deed dated 9th February, 2015 has also been provided. Lease period is 90 years. The lease premium payable is down payment of Rs. 1.00 crore per acre till the formulation of pricing policy to facilitate Infopark Kerala to have co-developer status.

DC CSEZ has recommended the proposal.

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

(ii) Request of M/s. MSEZ Power Limited for co-developer in Multi Product SEZ at Baikampady, Mangalore, Karnataka, being developed by M/s. Mangalore SEZ Ltd.

The above mentioned SEZ stands notified over an area of 655.50 hectares.

M/s. MSEZ Power Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ to carry on the power distribution activities to the units in the SEZ Zone. The co-developer has informed that the power will be procured from Bangalore Electric Supply Company (BESCOM). The power distribution activities are currently being perused by the developer itself and upon receipt of the required co-developer approval further activities will be carried out by the proposed co-developer MSEZPL.

Draft Co-developer agreement has been provided.

DC CSEZ has recommended the proposal.

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

(iii) Request of M/s. Thefra Technopark Pvt. Ltd. for co-developer in the sector specific SEZ for IT/ITES at Kakkanad, Village, Ernakulam District, Kerala, being developed by M/s. SmartCity (Kochi) Infrastructure Pvt. Ltd.

The above mentioned SEZ stands notified over an area of 93.9165 hectares.

M/s. Thefra Technopark Pvt. Ltd. has submitted a proposal for becoming a co-developer in the aforesaid SEZ for IT/ITES and supporting facilities/food court, Recreational facilities, fitness facilities, business centre etc for IT, BPO and other services, over an area of 6.28 acres.

Co-developer agreement dated 1st February, 2015 entered into with the developer has been provided. Draft Sub-Lease Deed has also been provided. Lease period is _____ years. An aggregate amount of Rs. 6,90,58,000 shall be paid by lessee as Advanced/Lumpsum rental. In addition, the lessee shall pay fixed an amount of Rs. 1 lakh per acre as maintenance charges. It is agreed that the first calendar year will commence from July 1, 2017 and the said operational and maintenance charge shall be Rs. 4,00,000 per acre, subject to escalation not exceeding 15% every 3 years.

DC CSEZ has recommended the proposal.

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

(iv) Request of M/s. Sands Infrabuild Pvt. Ltd. for co-developer in the sector specific SEZ for IT/ITES at Kakkanad, Village, Ernakulam District, Kerala, being developed by M/s. SmartCity (Kochi) Infrastructure Pvt. Ltd.

The above mentioned SEZ stands notified over an area of 93.9165 hectares.

M/s. Sands Infrabuild Pvt. Ltd. has submitted a proposal for becoming a co-developer in the aforesaid SEZ for IT/ITES infrastructure development, operation and maintenance of buildings and supportive infrastructure projects, over an area of 12.74 acres.

Co-developer agreement dated 2nd April, 2015 entered into with the developer has been provided. Draft Sub-Lease Deed has also been provided. Lease period is 95 years. An aggregate amount of Rs. 17,83,60,000, subject to deducting taxes if applicable, being the 'Lease Charges', shall be paid by the Lessee as Advance/Lumpsum rental. The said aggregate amount is received on lease execution date, which is acknowledged to the account of the co-developer as per terms of article of this agreement. The lessee shall also pay fixed annual amount of Rs. 1,00,000 per acre as lease maintenance charges, subject to deducting taxes as applicable. The lessee shall also pay charges per acre per year towards operation and maintenance of the SEZ which will be determined year to year. It is agreed that the first calendar year will commence from April 1, 2017 and the said operational and maintenance charge shall be Rs. 4,00,000 per acre, subject to deducting taxes

DC CSEZ has recommended the proposal.

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

(v) Request of M/s. Volupia Developers Pvt. Ltd. for co-developer in Multi Services SEZ at Ratanpur, District Gandhinagar, Gujarat, being developed by M/s. GIFT SEZ Ltd.

The above mentioned SEZ stands notified over an area of 105.43.86 hectares.

M/s. Volupia Developers Pvt. Ltd. has submitted a proposal for becoming a co-developer in the aforesaid SEZ to develop, maintain and operate office building for units to undertake export of services in the processing area, over a built up area of 2,50,000 sq.ft.

Co-developer agreement dated 8th April, 2015 entered into with the developer has been provided. Draft Agreement to Lease-Cum-Development Agreement has also been provided. On execution of the lease deed for a period of 99 years which will reckon from the effective date of agreement. The lease rent shall be calculated @ Rs. 10 per sqm. from the date of execution of lease deed. The annual maintenance charges will be Rs. 5 per sqm. of BUA per annum to the developer.

It is mentioned here that a proposal from the co-developer for construction and development of commercial building in processing area, over an area of 2,50,000 sq.ft. was considered in the 64th BoA meeting held on 20th February, 2015, which was rejected by the BoA.

However, the instant proposal from the co-developer is to develop, maintain and operate office building for units to undertake export of services in the processing area, over a built up area of 2,50,000 sq.ft.

DC KASEZ has recommended the proposal.

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

(vi) Request of M/s. Mundra Solar Technopark Pvt. Ltd. for co-developer in the multi product SEZ at Mundra, Kutch, Gujarat, being developed by M/s. Adani Ports and Special Economic Zone Ltd.

The above mentioned SEZ stands notified over an area of 6456.3349 hectares.

M/s. Mundra Solar Technopark Pvt. Ltd. has submitted a proposal for becoming a co-developer in the aforesaid SEZ to develop, operate and maintain Electronics Manufacturing Cluster (EMC) and related infrastructure facilities & services for electronic products including solar energy equipments, its ancillaries etc, over an area of 207.20 hectares.

Co-developer agreement dated 9th April, 2015 entered into with the developer has been provided. Draft Lease Deed has also been provided. Lease period is 30 years. The annual lease rent of Rs. 200/- per square meter payable annually. Annual lease rent shall be paid in advance without any deductions and shall be escalated every three years at the rate of 20%.

The Lessee shall pay SEZ maintenance charges at the rate of 18/- per square meter for maintenance and upkeep of all the infrastructure facilities provided around the land. The lessor reserves the right of upward revision of maintenance charge with a maximum

frequency of once a year unless a requirement for refurbishment due to damages to infrastructure caused by natural or manmade factor arises.

DC APSEZ has recommended the proposal with the condition that DC, APSEZL and Specified Officer at APSEZL will ensure that there is no double advantages to the co-developer/developer from DeitY and under the provisions of SEZ Act and Rules.

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

(vii) Request of M/s. Wipro Limited for co-developer in the sector specific SEZ for IT/ITES at Thenmelpakkam village, Chengalpattu, Kancheepuram District, Tamil Nadu, being developed by M/s. Mahindra World City Developers Limited

The above mentioned SEZ stands notified over an area of 1343 acres (543.4928 hectares).

M/s. Wipro Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for site development, boundary wall, roads, installation of water supply & sanitation & sewage system, power distribution system, Telecom facilities, air-conditioning system, warehouse, welfare centre including first aid centre and crèche & employee business stay facilities, cafeteria, fuel storage, software development/office bldg. and other activity as may be required in processing area, over an area of 90.19 acres (36.50 hectares).

Co-developer agreement dated 22nd April, 2015 entered into with the developer has been provided. Lease Deed has not been provided.

DC MEPZ has recommended the proposal

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

(viii) Request of M/s. Wipro Limited for co-developer in the sector specific SEZ for IT/ITES at Coimbatore, Tamil Nadu, being developed by M/s. Electronics Corporation of Tamil Nadu Limited (ELCOT)

The above mentioned SEZ stands notified over an area of 11.76 hectares.

M/s. Wipro Limited has submitted a proposal for becoming a co-developer in the aforesaid SEZ for site development, boundary wall, roads, installation of water supply & sanitation & sewage system, power distribution system, Telecom facilities, air-conditioning system, warehouse, welfare centre including first aid centre and crèche & employee business stay facilities, cafeteria, fuel storage, software development/office bldg. and other activity as may be required in processing area, over an area of 9.50 acres (3.84451 hectares).

Co-developer agreement dated 22nd April, 2015 entered into with the developer has been provided. . Lease Deed dated 13th March, 2008 has also been provided. Lease period is 90 years. The Lessee shall pay a sum of Rs. 1/- per year throughout the lease period as rent and service charges at the end of each year.

DC MEPZ has recommended the proposal

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

Item No. 65.5 : Proposals for setting up of SEZs

S. No	Name of the Developer	Location	Sector	Area (in ha)	Land Possession	SGR	Status of application
(i)	M/s. Infosys Limited	Gokul Village, within the limits of Hobli, Hubli Taluk, District Dharward, Near Airport Hubli, Karnataka	IT/ITES	17.422	Yes	Yes (15.09.2014)	New

DC CSEZ's has recommended the proposal.

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

S. No	Name of the Developer	Location	Sector	Area (in ha)	Land Possession	SGR	Status of application
(ii)	M/s. Mantri Developers Private Limited	Nanakramguda village, Gachibowli, Serilingampally Mandal, Ranga Reddy District, Telangana	Electronic Hardware and Software including IT/ITES	1.0504	Yes	Yes (30.04.2015)	New

DC VSEZ has forwarded the proposal.

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

Item No. 65.6 : Miscellaneous Cases

(i) Request of M/s. Manyata Promoters Pvt. Ltd., developer of sector specific SEZ for IT/ITES in Karnataka for change in shareholding pattern

The above mentioned SEZ was granted formal approval on 16th June, 2006. The SEZ was notified on 16th November, 2006 over an area of 20.2017 hectares.

The present shareholding pattern of M/s. Manyata Promoters Pvt. Ltd. is as under:-

S. No.	Name of shareholder	% Shareholding (approx)
1.	Reddy Veeranna	27
2.	R Suguna	0.26
3.	Pune Dynasty Projects Private Limited (PDPPL)	35.77
4.	BRE Mauritius Investments Limited (BRE)	36.97
	Total	100

PDPPL, one of the shareholders approached the Hon'ble High Court of Karnataka for demerger and transfer of their commercial property development business to M/s. Embassy Office Parks Private Limited (EOPPL) under a scheme of arrangement between the two. The Hon'ble High Court, vide its order dated 9th October, 2014 granted the request. Consequent

on the demerger, the shareholding pattern of M/s. Manyata Promoters Private Limited is as follows:-

S. No.	Name of shareholder	% Shareholding (approx)
1.	Reddy Veeranna	27
2.	R Suguna	0.26
3.	Embassy Office Parks Private Limited	35.77
4.	BRE Mauritius Investments Limited (BRE)	36.97
	Total	100

DC CSEZ has recommended the proposal.

The proposal is placed before BoA for its consideration.

(ii) Request of M/s. Leela Soft Pvt. Limited a co-developer in the sector specific SEZ for IT/ITES at Kochi, Kerala being developed by M/s. Infopark SEZ for change of name and transfer of 100% of equity shares

The above mentioned co-developer was granted approval on 28th November, 2006 for providing infrastructure facilities required for IT/ITES in Infopark SEZ. The total area of the co-developer is 5.05 acres.

The co-developer has requested for the following:-

- (i) Change of name from M/s. Leela Soft Pvt. Limited to M/s. Carnival Soft Pvt. Ltd.
- (ii) Transfer of 100% of equity shares to M/s. Carnival India Pvt. Limited.

The co-developer has completed the sale of its share to M/s. Asian Business Connections Private Limited. The major shares are being held by M/s. Asian Business Connections Private Limited (99.99%) and remaining are being held by Mr. Shrikant Bhasi (0.01%). As per clause 5 of trademark, the name of the company has to be changed within 90 days from the date of sale purchase agreement. Hence the name of the company has been changed from M/s. Leela Soft Pvt. Limited to M/s. Carnival Soft Pvt. Ltd. Change of name has been approved by Registrar of Companies, Mumbai on 3rd November, 2014.

DC CSEZ has recommended the proposal.

The request is placed before the BoA for consideration.

(iii) Request of M/s Torrent Energy Ltd. (co-developer in Dahej SEZ), for amalgamation/merger with M/s. Torrent Power Ltd.

M/s. Torrent Energy Ltd. was granted co-developer status on 10th October, 2008 in Dahej SEZ Ltd. at Bharuch, Gujarat for power generation upto 1500 MW and necessary transmission and distribution network in the said SEZ. In terms of the approval the co-developer is setting up a power generation plant with an installed capacity of 1200 MW. Commercial generation of power is yet to start. M/s Torrent Energy Ltd. was also issued LoP as a unit on 22.05.2009 for electricity generation and distribution with capacity of 380 MW, within Dahej SEZ processing area. Both the co-developer & unit are in the processing area of Dahej SEZ.

M/s. Torrent Energy Ltd. is a wholly owned subsidiary of M/s. Torrent Power Ltd. M/s. Torrent Energy Ltd. has submitted the proposal for amalgamation/merger with M/s. Torrent Power Ltd., with an intention of alignment of various aspects of the power business of subsidiary of M/s. Torrent Power Ltd.

The proposal was deferred in 64th BoA meeting held on 20th February, 2015. The minutes are reproduced as under:-

The Board after deliberations decided to defer the proposal and directed DC, Dahej SEZ to re-examine the proposal afresh and re-submit the same after bringing out the implications of the amalgamation on the obligations of the two entities as per the SEZ Act & Rules.

Both the Co-developer and unit of M/s.TEL are in the processing area of Dahej SEZ. M/s. Torrent Energy Ltd has 1196.85 MW (3 x 398.95 MW) Power Plant installed for Power generation in the processing area of Dahej SEZ which is technically commissioned. M/s. TEL are distribution licensee for Dahej SEZ area and has been distributing Power in Dahej SEZ area since 04.04.2010.

M/s.TEL (Co-Developer) has requested for amalgamation with M/s. Torrent Power Limited for alignment of various aspects of the Power business of Torrent group. The TEL is a public unlisted company incorporated under the provisions of the Companies Act, 1956 and is a wholly owned subsidiary of Torrent Power Limited. Along with the Torrent Energy limited (Co-Developer), M/s. Torrent Cable Limited (DTA Unit) is also proposed to be amalgamated with M/s. Torrent Power Limited.

M/s. Torrent Energy Limited has not yet received the orders from Hon'ble High Court of Gujarat for amalgamation of TEL with TPL as required under section 391 and 394 of the Company's Act, 1956. Hence, the details of amalgamation of companies like Board of Directors, Share Capital of Companies, Details of Shareholder & Stake Holders, Dividends, etc. as approved by the High Court are not available. However, M/s. TEL has submitted the following:-

- (i) We shall abide by the order & directions that may be issued by the Hon'ble High Court.
- (ii) We shall confirm with the laws of Gujarat state, as may be applicable to us.
- (iii) We shall abide by the directions/conditions imposed by the BOA/DOC.
- (iv) We undertake to comply with all Revenue/Company affairs/SEBI etc. rules which regulate issues like capital gain, equity, change, transfer, taxability etc. We shall furnish full financial details relating to change in equity/merger/amalgamation etc to the concerned authorities on demand.
- (v) We shall have seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered developer entity;
- (vi) We shall fulfill all eligibility criteria applicable to Co-developers, by the altered developer entity and its constituents;
- (vii) TEL has also stated that they will comply with any conditions which BoA/DoC may decide to impose for the grant of approval

DC Dahej SEZ has recommends consideration of the proposal for in-principle approval, subject to fulfillment of all mandatory/statutory approvals, permissions, etc from all concerned Competent Authorities/Regulatory Authorities/DoC, compliance of the decisions on the subject matter of the Board of Approval held from time to time and the final outcome of the orders/decision of the High Court of Gujarat.

The proposal is placed before BoA for its consideration.

(iv) Proposal of M/s. MPAKVN (Indore) Ltd. developer in the multi product SEZ at Indore, Madhya Pradesh for approval of authorized operation in the non-processing area of the SEZ

The above mentioned SEZ was notified on 16th June, 2006, over an area of 1113.72 hectares.

The developer has requested for approval of following specific authorized operations in the **non-processing area** of the SEZ:-

S. No.	Authorized Operations	No. of Units	Area per unit (in sqm.) as per FSI / FAR norms as applicable	Total area (in sqm.) / capacity (in MW)
1.	Restaurant	1	NA	240.18 sqm.
2.	Shops	1	NA	159.30 sqm./8 Nos
3.	Dormitory	1	NA	281.26 sqm./20 beds
4.	Sulabh Complex (Public Toilet facility)	1	NA	73.60 sqm.

DC ISEZ has recommended the proposal.

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

(v) Proposal of M/s. Larsen & Toubro Ltd. in sector specific SEZ for IT/ITES at Vadodara, Gujarat for temporary two additional access gates during construction activities

The above mentioned SEZ stands notified over an area of 10 hectares. The developer had proposed increase and decrease of the notified SEZ area, which is not yet finalized.

Meanwhile, the developer has proposed to develop new office building East Block-II opposite West Block-II without disturbing their existing operations. Thus, they have proposed to provide temporary additional two access gates to cater to the movement of men and materials for construction of new building. They intend to provide one temporary gate on the northern side and another on the eastern side of the SEZ, so that the existing operations are not hampered, and shall be a safety measure, in order to minimize risks for the existing operations due to the movement of heavy vehicles and machineries from the existing single gate.

There are four approved units in the SEZ with total investment of Rs. 274.88 crores and exports for the current year is 227.81 crores.

Presently the SEZ has only one gate which is on National Highway. The proposed gates are on side other than NH. Since, the proposed temporary two additional access gates are mainly required for movement of men and materials required for construction of the new building.

DC MEPZ has recommended the proposal.

The request is placed before the BoA for consideration.

(vi) Request of M/s. La Spirit Liquor Trading Company, KASEZ for extension of LoP and conversion of the authorized trading activity from all sorts of liquor to warehousing for worn and used clothe/waste plastic etc

M/s. La Spirit Liquor Trading Co. was approved for setting up a unit at Kandla Special Economic Zone for trading activity of all sorts of Liquor (ITC-HS 2208) vide Letter of Approval dated 24.08.2010.

The unit has requested for the following:-

- (i) Extension of LoA dated 24.08.2010 which is expired on date
- (ii) Request of the unit for conversion of the authorized trading activity from all sorts of Liquor to 'Warehousing for Worn and Used Clothes/Waste Plastic etc.

The matter is placed is before BoA because as per Rule 18(4) (c) of SEZ Rules, 2006 no proposal shall be considered for re-processing of garments of used clothing or secondary textiles interiors and other recyclable textile materials into clipping or racks or industrial wipers or shoddy wool or yarn or blankets or shawls, provided that the extension of LoA for an existing unit shall be decided by the Board (**Annexure-2**).

The matter is placed before BoA.

(vii) Request of M/s. Sarthak Warehousing & Trading Co., KASEZ to cut the material into wipers which left over during the process of their service activity

M/s. Sarthak Warehousing & Trading Co. was granted LoP on 25th June, 2010 for setting up a unit at Kandla Special Economic Zone for undertaking the warehousing service activity of old and used goods on behalf of foreign client and exports the goods. The unit has sought permission to carry out manufacturing process on behalf of overseas client i.e. to cut the material into wipers which are left over during the process of their service activity.

The matter was discussed in the UAC and it decided to forward the proposal under Rule 18(5) read with instruction no. 49 for consideration by BoA.

DC KASEZ has requested to place the proposal before BoA

The matter is placed before BoA.

(viii) Request of M/s. Ashmeer Global, KASEZ for setting up of a unit for manufacturing of Gutkha, Scented Khaini, Flavoured Chewing Tobacco & Pan Masala

M/s. Ashmeer Global has requested for setting up of a unit for manufacturing of Gutkha, Scented Khaini, Flavoured Chewing Tobacco & Pan Masala. UAC in its meeting held on 17.03.2015 has observed that as per section 2(e) of section 9 of SEZ Act, 2005 read with Sub-Rule 3 of Rule 17 of SEZ Rules, 2006, the proposals for setting up of units for Gutkha, Scented Khaini and Flavoured Chewing Tobacco Products that fall under Section 3 of the Industries (Development & Regulation) Act, 1951, do not fall within the purview of the Approval Committee and the BoA is competent authority to approve such activity.

Accordingly, DC KASEZ, has forwarded the proposal for consideration of BoA (Annexure-3).

The matter is placed before BoA

(ix) Appeal of M/s. Integrated Warehousing Kandla Project Development Pvt. Ltd. (IWKPDPL), co-developer for FTWZ at Kandla against BoA decision dated 18.09.2014

M/s. IWKPDPL, a joint venture of MMTC and IL&FS, was granted co-developer status in KASEZ for establishing an FTWZ on 15th February, 2007 over an area of 40 hectares. Since the co-developer had not taken up any development work in the SEZ and had outstanding lease rentals and user charges, the BoA in its 63rd meeting held on 18th September, 2014 had decided to cancel the co-developer status granted to M/s. IWKPDPL. However, MMTC and IL&FS have represented to reconsider the decision. MMTC in their representation informed that their business plan was approved by the MMTC Board only in March, 2013 and now, from September, 2014, they have started serious preparations. Since MMTC is a Government of India Enterprise under DoC, it was decided to review the decision of the Board in the next BoA meeting.

(x) Proposal of M/s. Tidel Park Coimbatore Ltd. a co-developer in the sector specific SEZ for IT/ITES at Vilankurichi, Coimbatore, Tamil Nadu, being developed by M/s. ELCOT SEZ for approval of authorized operation in the processing area of the SEZ

The above mentioned SEZ was notified on 16th June, 2006, over an area of 11.76 hectares out of which 9.5 acres allotted to the co-developer.

The co-developer has requested for allotment of the commercial outlets for the following authorized operations in the **processing area** of the SEZ:-

S. No.	Authorized Operations	No. of Units	Area per unit (in sqm.) as per FSI / FAR norms as applicable	Total area (in sqm.) / capacity (in MW)
1.	Insurance	1	183	
2.	Computer Store	1	226	
3.	Apparels	1	204	
4.	Xerox & Stationery	1	161	
			774	

Developer has stated that the proposed outlets are meant for exclusive use of the employees of the SEZ. There are 5000 employees working in the 16 units.

DC MEPZ has recommended the proposal.

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

(xi) Request of M/s. Dr. Fresh SEZ Phase I Private Limited, a co-developer in the sector specific SEZ for IT/ITES at village Ghamroj, Tehsil Sohna, District Gurgaon, Haryana being developed by M/s. Dr. Fresh Health Care Pvt. Ltd. for increase in area

The above mentioned co-developer was granted approval on 19th February, 2010 for developing 1.16 hectares.

Now the co-developer has requested for development of additional area of 0.634 hectares making the total area to 1.794 hectares in the processing area of SEZ.

The co-developer has furnished the copy of the addendum to the co-developer agreement signed between the developer and co-developer dated 3.02.2015 along with previous co-developer agreement dated 10.12.2009 (**Annexure-4**). The co-developer has submitted Khasra wise land details of 0.634 hectares land.

DC NSEZ has recommended the proposal.

The request is placed before the BoA for consideration.

(xii) Request of M/s. Ranbaxy Laboratories Ltd. developer for sector specific SEZ for Pharmateutical at A-41, Industrial Area, Phase-VIII-A, Mohali, Punjab, for change of name & transfer of assets & liabilities to M/s. Sun Pharmaceutical Industries Ltd. consequent to amalgamation approved by Hon'ble High Court of Punjab & Haryana and Hon'ble Court of Gujarat

The above SEZ was notified on 10.04.2007 over an area of 32.374 hectares. The SEZ is operational as on date.

The developer has submitted a proposal for change of name as well as transfer of assets and liabilities to M/s. Sun Pharmaceutical Industries Ltd. consequent to amalgamation order issued by Hon'ble High Court of Punjab and Haryana on 09.03.2015 and Hon'ble High Court of Gujarat on 14.11.2014.

DC NSEZ has recommended the proposal for consideration by BoA (**Annexure-5**).

The proposals are placed before BoA for its consideration.

(xiii) Renewal of LoP for next 5 years in respect of M/s. Plastic Processors & Exporters Private Limited, a unit in NSEZ

M/s. Plastic Processors & Exporters Private Limited is holding LoP for export production of plastic agglomerates/granules and plastic components and articles, production of silk yarn and trading activities. The LoP of the unit is due to expire on 30.11.2013

The projections of import/export and NFE for next five years furnished by the unit are as under:-

Projections of export/ NFE for next five years	FOB value of export	Rs. 40064.05 lakhs
	Forex outgo	Rs. 32710.25 lakhs
	NFE earning	Rs. 7362.80 lakhs
Projections of Indigenous requirements	Capital goods	Rs. 25 lakhs
	Raw materials, components, consumables, packing materials and spares	Rs. 125 lakhs

The unit has stated due to the regulation of Government their LoA was extended for 3 months at a time which prevented them from achieving positive NFE as they were getting very little time between the extension & expiry of LoA. It also caused problems on labour management and business planning fronts. The unit has further stated that due to uncertainty as to whether their LoA would be extended or not by the BoA after its expiry, they were unable to keep their customers/buyers intact. The unit has mentioned that since their raw material is voluminous and imported through the sea route only, it takes three to four months to reach the destination.

In the 60th meeting held on 8th November, 2013 extended the LoA validity of 28 plastic units for a period of five years. The portion of the minutes are reproduced below:-

“After deliberations, in view of the provisions of Rule 18(4) of the SEZ Rules, the Board granted in-principle approval for renewal of LoPs of the above 28 units dealing in business of recycling of plastic in SEZs for a period of five years, subject to the conditions

- (i) *All conditions stipulated as per DoC’s policy Guidelines of 17th Sept, 2013 are to be made applicable while granting such approval.*
- (ii) *Specifically as per para (x) of the above guidelines the Units in addition to meeting their NFE obligation are required to ensure that the prescribed minimum percentage of the unit’s annual turnover is physically exported out of the country. The minimum physical export levels prescribed at the end of specified periods is as follows:*

<i>Period</i>	<i>Minimum Physical Export Obligation</i>
<i>At the end of 2nd year</i>	<i>Not less than 40% of the total annual turnover</i>
<i>At the end of 4th year</i>	<i>Not less than 80% of the total annual turnover</i>
<i>At the end of 5th year</i>	<i>100% of the total annual turnover</i>

After the 5th Year, the unit will be required to continue to physically export 100% of their annual turnover.

Any violation of the above prescribed Minimum Physical Export Obligation at the end of 2nd, 4th and 5th years would lead to imposition of penalty and cancellation of the unit’s LOP.

- (iii) *As per Rule 18(4)(b) of the SEZ Rules, no approval for enhancement of the approved import quantum of plastic waste and scrap beyond the average annual import quantum of the unit since its commencement of operation shall be granted.;*
- (iv) *The authorized operations may be restricted to the unit to carry out the business of recycling of plastic.*

DC NSEZ has forwarded the request of the unit for renewal of LoA and review of its authorized operations for consideration of BoA.

The proposal is placed before BoA for its consideration.

(xiv) Request of M/s Pune Embassy Projects Pvt. Ltd., developer of sector specific SEZ for IT/ITES in Hinjewadi, Pune, Maharashtra for change in shareholding pattern

The above mentioned SEZ was granted formal approval on 25th June, 2007. The SEZ was notified on 19th November, 2007. The SEZ is operational as on date

The present shareholding pattern of M/s. Pune Embassy Projects Pvt. Ltd. is as under:-

S. No.	Name of shareholder	% Shareholding (approx)
1.	Pune Dynasty Projects Pvt. Ltd. (PDPPL)	100
	Total	100

The developer has stated that the commercial businesses of PDPPL will be transferred to Embassy Office Parks Pvt. Ltd. (EOPPL) as an effect of de-merger process and all non commercial businesses will remain with PDPPL. The same has been approved by High Court of Karnataka on 9th October, 2014. Consequent on the demerger, the shareholding pattern of M/s. Pune Embassy Projects Pvt. Ltd. will be as follows:-

S. No.	Name of shareholder	% Shareholding (approx)
1.	EOPPL and its nominee	100
	Total	100

DC SEEPZ SEZ has submitted the proposal for consideration by the BoA.

The proposal is placed before BoA for its consideration.

(xv) Request of M/s. Sunny Vista Realtors Pvt. Ltd. developer of sector specific SEZ for multi services at Panvel, Maharashtra for change of ownership to M/s. Persipina Developers Pvt. Ltd. (PDPL) and permission for Dual Use Residential Building in Non-processing area of SEZ

The above SEZ was notified on 19th February 2009 over an area of 139.83 hectares.

In the 38th BoA meeting held on 11th February, 2010 on the developer request for allowing 200,790 sqm. land for the purpose of building residential apartment consisting about 1500 units, the quantum approved by BoA was 100,395 sqm in the **non-processing area**

It is stated here that 1012 residential units have been leased by M/s. Sunny Vista Realtors Pvt. Ltd. in NPA of SEZ as on 30.09.2012 having corresponding area of 1077419 sq.ft. (100094 sqm.). It is also stated that the developer had violated the provisions of SEZ Act and Rules by leasing the residential buildings in NPA to persons outside SEZ. On being asked to provide the list of persons to whom residential property were given, the said developer argued that there has been no directions from the authority not to lease the residential apartments to persons outside the SEZ.

PDPL has now requested to consider the proposal for dual use for the residential buildings and permit dual use subject to payment of exemption/benefit of central levies.

In view of the recent notification issued by DoC dated 02.01.2015 regarding dual use of social or commercial infrastructure and other facilities in SEZ on fulfilment of conditions specified therein, M/s. PDPL has requested to consider /recommend this proposal of dual use for the residential buildings and permit the dual use subject to payment of exemption/benefit of central levies that has been claimed which shall be refunded back, as may be decided by the BoA.

DC has informed, due to failure of M/s. Sunny Vista Pvt. Ltd. to pay the interest and instalments for the land mortgaged for the SEZ the account was declared as NPA by PNB under SARFAESI Act and M/s. Persipina Developers Pvt. Ltd. were declared as successful bidder pursuant to the same under E-Auction sale by PNB.

M/s. Persipina Developers Pvt. Ltd. has now requested to notify them as a developer of SEZ i.r.o. formal approval dated 15.10.2007 granted to M/s. Sunny Vista Realtors Pvt. Ltd.

Accordingly, DC has submitted the proposals of PDPL for (i) notifying them as developer of SEZ i.r.o formal approval dated 15.10.2007 and (ii) dual use of residential buildings, for taking a view on regularization with or without penalty as may be decided by BoA.

(xvi) Request of M/s Virtusa India Pvt. Limited, co-developer in M/s. APIIC Ltd. IT/ITES SEZ at Nanakramguda Village, Serlingampally Mandal, Ranga Reddy District, Telangana for merger of their company into M/s. Virtusa Consulting Services Pvt. Ltd.

M/s. Virtusa India Pvt. Limited was granted co-developer status on 7th May, 2007.

The co-developer has requested for merger into M/s. Virtusa Consulting Services Pvt. Ltd. The co-developer has obtained the requisite approval from TSIIC permitting the change in name and constitution. Copy of the order issued by Hon'ble High Court of Andhra Pradesh, copy of form 21 filed with Registrar of Companies and undertaking as per the scheme of amalgamation.

DC VSEZ has forwarded the proposal (**Annexure-6**).

The proposal is placed before BoA for its consideration.

(xvii) Proposal of M/s Senpet (India) Ltd., an EOU under Falta SEZ for De-notification of SEZ land on which the EOU is located and swapping of private land with SEZ land.

M/s Senpet (India) Ltd. (earlier named as M/s Elque Polyester Ltd.) was granted approval by Ministry of Commerce vide LoP dated 30.09.1992 for establishment of a unit in Falta Export processing Zone for manufacture and export of PET packaging resin and its allied product. Subsequently the developed plot of land measuring an area of 6.16 acres of Falta EPZ was allotted to the unit. The company commenced production in 1997 and it operated in Falta EPZ till 2002-03.

After promulgation of SEZ Scheme, the unit opted for not operating under SEZ Scheme and applied for conversion into EOU Scheme and same was granted by MoC on 27.02.2003, taking into the fact that unit had been functioning within the terms and conditions of the LoP.

Later, the unit requested for conversion of EOU into a DTA unit by way of de-notification of the land occupied by it in Falta SEZ. The matter was rejected by UAC citing reason that under the provision of SEZ Act and Rules, there is no such scope for such de-notification of SEZ land.

Being aggrieved by the decision of UAC, unit filed W.P before Hon'ble High Court, Kolkata. Vide order dated 20.03.2015, the Court ordered the unit to make a fresh application to DC for de-notification and DC will forward such application along with his recommendation in accordance with the rule 8 of SEZ Rules, 2006 within 15 days of receipt thereof to the BoA. BoA will forward its recommendation to the Central Government within 8 weeks thereof. It is mentioned that the Central Government should take a decision in the matter within 8 weeks of receipt of the recommendation of BoA. The Customs authorities may be consulted at all or any stage.

The unit vide letter dated 06.04.2015 to DoC proposed to swap the private land (6.16 acres) adjacent to FSEZ with their current land in FSEZ where they are operating as an EOU and debond their EOU into a DTA unit.

In pursuance of the Court's order dated 20.03.2015 with respect to de-notification, DC, FSEZ has not recommended de-notification of the land area allotted to the unit on the following grounds:

- The land where unit is operating is Government land for the purpose of setting up as EPZ and had subsequently converted into SEZ and cannot be allowed to be denotified as a DTA unit.
- The subject land is only earmarked for exporting units and as such continuity of the said unit as a DTA unit without any export obligation is contrary to the intent and purpose for which the Act and Rules were created.
- The export performance of the unit concerned is dismal and employment generation has also been low.
- There has been no additional investment in the last few years, except the initial investment at the time of setting up the unit.
- Considerable amount of rental dues is pending.

- In terms of Rule 8 of SEZ Rules read with Form C6, application for de-notification may be preferred by the “Developer”. In the instant case, the Petitioner is a “Unit”.

Comments of DC have not been received on the proposal of the unit for swapping the private land with the SEZ land where they are operating. DC has intimated that in view of dismal export performance and outstanding rental dues, DC has issued SCN under FT (D&R) Act. SCN has not been adjudicated yet.

The proposal of the unit is accordingly placed before BoA for consideration.

Item No. 65.7 : Request for partial de-notification

(i) Request for de-notification of 2nd phase of SEZ for Apparel Sector at Ahmedabad over an area of 7.62 Hectares out of Notified area of 38.04 Hectares – Amendment of Rules

This is regarding insertion of necessary amendment to SEZ Rules, 2006 in order to consider the request of M/s. Gujarat Industrial Development Corporation (GIDC) for de-notification of 2nd phase of SEZ for Apparel Sector at Ahmedabad over an area of 17.62 hectares out of notified area of 38.04 hectares.

As per SEZ rules, 2006, minimum land area requirement for sector specific SEZ was 100 hectares, which was reduced to 50 hectares vide amendment notification dated 12th August, 2013. However, minimum land area requirement for in the sector specific SEZs in the Textile and Article of Textiles situated in the State of Gujarat as per column (2) of the Annexure II of SEZ rules 2006 is 38 hectares.

The proposal came up in the 32nd BoA meeting held on 23.02.2009. *The Board noted that the above mentioned SEZ was notified under Rule 5 (3) of SEZ Rules, 2006, after due confirmation from the State Government regarding the contiguity of the land. In the present proposal, the State Government of Gujarat has indicated that there is an existing road and hence it will be easy to denotify the areas identified by them. BoA held the opinion that in the first place the Government of Gujarat should have indicated clearly whether the contiguity of the SEZ is available. The issue of de-notification is being raised after a lapse of 3 years and after Government of Gujarat had indicated that there is a existing road. It may be pointed out that this SEZ was notified under Rule 5 (3) of the SEZ Rules, which prescribes the requirement of minimum area of land. As per Annexure II to Rule 5 (3) of SEZ Rules, 2006, the requirement of minimum area of land in this particular case is 38 hectares. This was done to ensure that these SEZs which do not fulfil the criteria of minimum land requirement continue to function. Hence, further reduction of land in this case is not advisable. It is preferable that Gujarat Government re-considers its decision on this issue. Accordingly, BoA decided to refer the matter back to Government of Gujarat. In case Gujarat Government reiterates its position, the matter will have to be placed before EGoM for a decision.*

Govt. of Gujarat has reiterated its earlier submitted proposal and confirmed that it stands by its decision to use the land proposed to be de-notified for the purposes stated earlier.

DC KASEZ has recommended the proposal for partial de-notification of an area of 17.62464 hectares since the land after de-notification will be used for projects involving public interest at large, long lasting infrastructure and education. Moreover, the contention of the developer that their SEZ has failed to garner business on account of present market

scenario and tax regime, bleak export scenario in the apparel sector appears to be acceptable as could be observed from the performances of Apparel SEZs of Gujarat.

Comments in the matter were sought from DGEP to which it has informed that the proposal for reduction in area has no revenue implications. Therefore, DoC may take a call on whether the minimum land area requirement for the SEZ be reduced further from 38.04 hectares to 20.4 hectares. However, reduction in area can be implemented only after amending Rule 5 of SEZ Rules, 2006.

The matter of amendment of Rule 5 of SEZ Rules 2006 has been processed separately.

Accordingly, the proposal is placed before BoA for consideration.

Item No. 65.8 : Cancellation of Formal Approvals

In terms of Rule 6(2)(a) of SEZ Rules, Formal Approval is valid for a period of three years by which time at least one unit has to commence production and the SEZ becomes operational from the date of commencement of such production. Proviso to this rule provides for extension of this Formal Approval by Board of Approval, for which the Developer will submit his application in Form C1 to the concerned DC, who shall, within 15 days forward it to the Board with his recommendations.

In the following cases, formal approval has been granted by the DoC. However, since there is no significant progress made by the Developer/co-developer, the concerned DC has proposed for cancellation of formal approval granted to the Developer. The details of cases are as under:-

Sr. No.	Name of the Developer/co-developer	Sector	Date of formal approval	Zone	Remarks
1.	M/s. Hall Marc Technopark (P) Ltd. (Coimbatore District, Tamil Nadu)	IT/ITES	27.02.2007	MEPZ	The SEZ was notified on 09.07.2009. The formal approval granted to the developer has expired on 27.02.2012. Developer was given sufficient opportunities to apply for extension, if they are serious in implementing the project. The developer has expressed their unwillingness to implement the project. It is clear that the developer is not interested in implementing the project. The developer is thus not serious in implementing/seeking extension of the approval of the BoA. DC has recommended for cancellation of formal approval.

2.	M/s. Tamilnadu Industrial Development Corporation Ltd. (Ennore, Tiruvallur District, Tamil Nadu)	Multi Product	23.07.2007	MEPZ	<p>The formal approval granted to the developer has expired on 23.07.2011. Developer was given sufficient opportunities to apply for extension, if they are serious in implementing the project. The developer has expressed their unwillingness and requested for cancellation of formal approval.</p> <p>DC has recommended for cancellation of formal approval.</p>
3.	M/s. Platinum Holdings Pvt. Ltd. (Navallur, Chennai, Tamil Nadu)	Hardware and Software	6.11.2006	MEPZ	<p>The SEZ was notified on 16.10.2008.</p> <p>The formal approval granted to the developer has expired on 5.5.2014. The developer was given sufficient opportunities to apply for extension, if they are serious in implementing the project. Instead of furnishing the steps taken by the developer and developments taken so far in the SEZ area, they have simply replied that due to the global recession, starting down of market trend pertaining to their sector and unbearable financial crunch they are not in a position to proceed further. The developer is not interested to implement the project.</p> <p>DC has recommended for cancellation of formal approval.</p>
4.	M/s. True Developers Pvt. Ltd. (Palladam Taluka, Coimbatore District, Tamil Nadu)	Electronic Hardware including IT/ITES	30.07.2007	MEPZ	<p>The SEZ was notified on 20.11.2007.</p> <p>The formal approval granted to the developer has expired on 29.07.2013. The developer was given sufficient opportunities to apply for extension, if they are serious in implementing the project. Personal hearing was also given by the Development Commissioner to the developer. Instead of furnishing steps taken by them for implementing the project, they have intimated that the present scenario is not favourable for them and not keen in implementing the project.</p>

					DC has recommended for cancellation of formal approval.
5.	M/s. KPR Developers (Coimbatore District, Tamilnadu) Ltd.	IT/ITES and Electronic Hardware	27.02.2009	MEPZ	<p>The SEZ was notified on 04.08.2009.</p> <p>The formal approval granted to the developer has expired on 26.02.2012. The developer was given sufficient opportunities to apply for extension, if they are serious in implementing the project. The developer did not respond to this office letter. The developer is not interested to implement the project.</p> <p>DC has recommended for cancellation of formal approval.</p>
6.	M/s. Haaciendaa Realtors Pvt. Ltd. (Kancheepuram District, Tamil Nadu)	IT/ITES	25.10.2008	MEPZ	<p>The SEZ was notified on 11.04.2007.</p> <p>The formal approval granted to the developer has expired on 24.10.2012. The developer was given sufficient opportunities to apply for extension, if they are interested in implementing the project. The developer has expressed their unwillingness to implement the project and it is clear that the developer is not interested in implementing the project.</p> <p>DC has recommended for cancellation of formal approval.</p>
7.	M/s. DSRK Holding (Chennai) Pvt. Ltd. (Kancheepuram District, Tamil Nadu)	IT/ITES	30.10.2008	MEPZ	<p>The formal approval granted to the developer has expired on 29.03.2012. The developer has intimated that owing to commercial considerations and unforeseen circumstances, they find it difficult to implement the project in the manner envisaged at the time of seeking approval for the project and therefore the developer voluntarily surrendered the LoA.</p> <p>In the meanwhile the developer has sold part of the SEZ to the extent of 10.01 acres to M/s. NSL SEZ (Chennai) Pvt. Ltd. When asked to explain the circumstances</p>

					<p>which forced them to sell the land the developer stated that DSRK had a free hold land area of 16.187 hectares in its possession which was approved to be developed as a SEZ by the BoA. After considering the land area sold, they are left with 12.174 hectares which forms part of the LoA. Since the SEZ was not notified they had not intimated the land sale or sought any approval for the same. They have requested DC MEPZ to condone any inadvertent omission if any on their part in this regard.</p> <p>DC has recommended for cancellation of formal approval.</p>
8.	M/s. R.C. Infosystems Pvt. Ltd. (Tech Zone, Greater Noida)	IT/ITES	27.02.2008	NSEZ	<p>The SEZ was notified on 31.12.2010.</p> <p>The formal approval granted to the developer has expired on 26.02.2011. The promoters of M/s. R.C. Infosystems Pvt. Ltd. were called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ.</p> <p>DC has recommended for cancellation of formal approval.</p>
9.	M/s. Rose View Promoters Pvt. Ltd. (IMT Manesar, Distt Gurgaon, Haryana)	IT/ITES	29.11.2010	NSEZ	<p>The formal approval granted to the developer has expired on 28.11.2013. The promoters of M/s. Rose View Promoters Pvt. Ltd. were called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval</p>

					<p>Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ.</p> <p>DC has recommended for cancellation of formal approval.</p>
10.	M/s. IVR Prime IT SEZ Pvt. Ltd. (Sector – 144, Noida, Uttar Pradesh)	IT/ITES	01.07.2008	NSEZ	<p>The SEZ was notified on 27.10.2008.</p> <p>The formal approval granted to the developer has expired on 30.6.2011. The promoters of M/s. IVR Prime IT SEZ Pvt. Ltd. were called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. The representative of the developer informed the Approval Committee that they are not interested to implement the SEZ project. The developer vide letter dated 30.01.2015 has submitted that they are not interested in continue the SEZ status of the said plot.</p> <p>DC has recommended for cancellation of formal approval.</p>
11.	M/s. Sohna Buildcon Pvt. Ltd. (Dist. Gurgaon, Haryana)	IT/ITES	14.01.2008	NSEZ	<p>The SEZ was notified on 05.02.2010.</p> <p>The formal approval granted to the developer has expired on 13.01.2011. The promoters of M/s. Sohna Buildcon Pvt. Ltd. were called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ.</p>

					DC has recommended for cancellation of formal approval.
12.	M/s. Mohan Investment and Properties Pvt. Ltd. (Badshapur, District Gurgaon, Haryana)	IT/ITES	26.07.2007	NSEZ	<p>The SEZ was notified on 04.05.2009.</p> <p>The formal approval granted to the developer has expired on 03.02.2013. The promoters of M/s. Mohan Investment and Properties Pvt. Ltd. were called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ.</p> <p>DC has recommended for cancellation of formal approval.</p>
13.	M/s. Sarv-Mangal Real Tech Pvt. Ltd. (Sector 140-A, Noida, Uttar Pradesh)	IT/ITES	18.02.2008	NSEZ	<p>The SEZ was notified on 22.10.2008.</p> <p>The formal approval granted to the developer has expired on 17.02.2012. The developer was called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ.</p> <p>DC has forwarded the proposal for necessary action for cancellation of formal approval/de-notification.</p>
14.	M/s. Sunwise Properties Pvt. Ltd. (Gurgaon, Haryana)	IT/ITES	21.04.2008	NSEZ	<p>The SEZ was notified on 24.04.2009.</p> <p>The formal approval granted to the</p>

					<p>developer has expired on 20.04.2011. The promoters of M/s. Sunwise Properties Pvt. Ltd. were called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ.</p> <p>DC has forwarded the proposal for necessary action for cancellation of formal approval/de-notification.</p>
15.	M/s. Uppal Housing Ltd. (Knowledge Park-V, Greater Noida)	IT/ITES	15.02.2008	NSEZ	<p>The SEZ was notified on 22.12.2010.</p> <p>The formal approval granted to the developer has expired on 14.02.2012. The promoters of M/s. Uppal Housing Ltd. were called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. The representative of the developer informed the Approval Committee that they are not interested to implement the SEZ Project. Accordingly, the Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ.</p> <p>DC has forwarded the proposal for necessary action for cancellation of formal approval/de-notification.</p>
16.	M/s. Mikado Realtors Pvt. Ltd. (Village Behrampur & Balola, District Gurgaon, Haryana)	IT/ITES	30.10.2008	NSEZ	<p>The SEZ was notified on 29.10.2009.</p> <p>The formal approval granted to the developer has expired on 29.10.2011. The promoters of M/s. Mikado Realtors Pvt. Ltd. were called for Personal Hearing</p>

					<p>before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ.</p> <p>DC has forwarded the proposal for necessary action for cancellation of formal approval/de-notification.</p>
17.	M/s. GHI Finlease and Investment Ltd. (Village Bhonsi, Distt. Gurgaon, Haryana)	IT/ITES	25.08.2006	NSEZ	<p>The SEZ was notified on 03.12.2007.</p> <p>The formal approval granted to the developer has expired on 24.02.2013. The promoters of M/s. GHI Finlease and Investment Ltd. were called for Personal Hearing before the Approval Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of formal LoA/de-notification of SEZ. <i>Developer has requested DC for another personal hearing as they are interested to implement the project.</i></p> <p>DC has forwarded the proposal for necessary action for cancellation of formal approval/de-notification.</p>
18.	M/s. Progressive Buildstate Pvt. Ltd. (Tehsil Sohna, Distt. Gurgaon, Haryana)	IT/ITES	01.07.2008	NSEZ	<p>The SEZ was notified on 17.11.2008.</p> <p>The formal approval granted to the developer has expired on 30.06.2011. The promoters of M/s. Progressive Buildstate Pvt. Ltd. were called for Personal Hearing before the Approval</p>

					<p>Committee meeting held on 30.01.2015 to confirm whether they are interested to implement the SEZ project or not. However, no one from the developer appeared before the Approval Committee. Accordingly, Approval Committee decided to forward the case to DoC with the request to take necessary action for cancellation of de-notification of SEZ.</p> <p>DC has forwarded the proposal for necessary action for cancellation of de-notification.</p>
19.	M/s. Township Developers India Pvt. Ltd. (Pune, Maharashtra)	Engineering	26.02.2009	SEEPZ	<p>The formal approval granted to the developer has expired on 25.02.2013. The developer vide letter dated 14.08.2014 has submitted an application for withdrawal of formal approval due to global recession and economic meltdown to Principal Secretary (Industries).</p> <p>DC has recommended for further necessary action for cancellation of formal approval.</p>
20.	M/s. APIIC Ltd. (Putlampally Village, Andhra Pradesh)	IT/ITES	30.07.2007	VSEZ	<p>The formal approval granted to the developer has expired on 29.07.2010. The developer vide letter dated 05.11.2013 has informed that there is no expected demand for their IT SEZ due to worldwide recession and decided to de-notify the SEZ to the total extent of land of 21.35 hectares.</p> <p>Since the developer is not interested to implement the SEZ, DC VSEZ has requested to cancel the approval.</p>
21.	M/s. APIIC Ltd. (Kurukalava Village, Renigunta, Andhra Pradesh)	IT/ITES	12.10.2007	VSEZ	<p>The formal approval granted to the developer has expired on 11.10.2010. The developer vide letter dated 17.10.2013 has informed that there is no expected demand for their IT SEZ due to worldwide recession and decided to de-notify the SEZ to the total extent of land of 32.57 hectares.</p>

					Since the developer has requested to de-notify the SEZ, DC VSEZ has requested to cancel the approval.
22.	M/s. Raaga Mayuri Builders Pvt. Ltd. (Tadakannapalli, Kurnool Dist., Andhra Pradesh)	IT/ITES	10.09.2008	VSEZ	The formal approval granted to the developer has expired on 09.09.2011. The developer has been advised vide letter dated 04.09.2014 to furnish the reasons for non implementation of the project, but there is no response from the developer. DC has requested to cancel the formal approval.

Item No. 65.9 : Appeals before BoA

(i) Appeal of M/s. Usha Global Corporation, a unit in Noida SEZ against order dated 17th October, 2014 of the UAC.

The Unit was issued LOA on 13.07.1989 to carry out authorized operations i.e. Brass Builder Hardware, Builder hardware in iron, zinc and steel. The unit started its activities on 01st February, 1990. The unit was functional upto the years 2006-07 (last export was made on 28.11.2006) and thereafter no business has been carried out from the allotted plot. The performance was reviewed by the UAC several times and the unit was given enough opportunities to start operation by the UAC and the Development Commissioner.

The committee also noted that the LoA has already been lapsed on 31st March, 2014 and no work has been started. Premise is lying unutilized since 2006. Therefore the UAC has cancelled LoA of the unit. The appellant has given following reasons for appeal:-

- (i) Due to global recession during 2007-2008 the appellant primary market, the US was worst hit
- (ii) USA market has started to recover and the appellant has secure new clients, and confirmed orders
- (iii) The unit is SME unit and as per guidelines of MSME and BIFR fair chance should be given.

The appellant has filed the instant appeal (**Annexure-7**) against the above rejection.

The appeal is placed before the BoA for consideration.

(ii) Appeal of M/s. Gujeswori Apparels, a unit in Noida SEZ against order dated 25th November, 2014 of the UAC

The Unit was issued LOA on 17.04.2003 for manufacturing of readymade garments. As per the APRs submitted by the unit up to 2012-13, the unit shown to have made exports worth 128.45 Lakhs and earned positive NFE of Rs. 126.77 Lakhs cumulatively as on 31st

March, 2013 since inception. However, UAC observed that during the five year block, unit has never achieved NFE one crore in a year.

There have been frequent changes of stand of the promoter on constitution of firm also. As per its request, the unit was issued "In-principle" approval for exit from the SEZ Scheme vide DC, NSEZ letter dated 05th November, 2012. However, the unit has not completed exit formalities till date and is not working in the zone since 2011-12.

Lease rent amounting to Rs. 91414/- is outstanding in respect of Plot No. 92. Besides, demand had been raised for transfer charges @ Rs. 800/- per sq. mtr. in view of change of constitution, which was not received. Therefore the UAC has cancelled LoA of the unit.

The appellant has given following reasons for appeal:-

- (i) The opportunity of personal hearing was granted to Ms. Savita Anand who is no longer the promoter hence her non appearance cannot be construed as providing opportunity of personal hearing to the appellant
- (ii) Findings of the approval committee that the unit has not completed exit formalities is not proved.
- (iii) On the date of passing of the impugned order the appellant had no amount or standing against any Department of the NSEZ.

The appellant has filed the instant appeal (**Annexure-8**) against the above decision.

The appeal is placed before the BoA for consideration.

(iii) Appeal of M/s. Backbay Clothing, a unit in Noida Special Economic Zone, U.P against order dated 22nd August, 2014 of UAC.

The Unit was issued LOA on 30.11.2005 for manufacturing of readymade garments. Unit started its activities on 24th March, 2009. The unit did not submit the Annual Performance Reports since inception i.e from 2008-09 to 2011-12 in spite of reminder from DC, NSEZ Office. The unit had been lying closed/non-functional causing disuse of precious govt. land which was allotted to the unit on subsidized lease rental in order to earn foreign exchange by way of exports from the SEZ and generate employment.

The unit effected only one export, worth Rs. 0.60 Lakh on 24th March, 2009 with equal amount of NFE earnings. No activities have been done, even after assurance given by the unit to the Committee. Therefore the UAC Committee has cancelled LoA of the unit.

The appellant has given following reasons for appeal:-

- (i) The unit is very keen in running the operations from its unit.
- (ii) At the time when LoA expired production activities were going on and the unit had orders to be executed and certain consignment were ready for shipment
- (iii) The unit has already invested an amount of Rs. 84.20 lac in the permanent structure of building.
- (iv) The order was passed without giving any opportunity of being heard.

The appellant has filed the instant appeal (**Annexure–9**) against the above decision.

The appeal is placed before the BoA for consideration.

(iv) Appeal of M/s. Asian Latex Limited, a unit in Noida Special Economic Zone, U.P against order dated 25th November, 2014 of UAC.

The unit was issued LOA on 26.11.2007 for manufacturing of latex disposal gloves of all types (non-surgical), manufacture of latex sterilized and non-sterilized surgical gloves. The unit started its activities on 05th August, 2008. The unit was functional upto the years 2010-11 and thereafter no business was carried out from the allotted plot.

The Committee further noted that the LoA has been lapsed on 04th August, 2013 and the premise is lying unutilized since 2011.

Keeping view of the non compliance with terms and conditions of LoA/SEZ Act and Rules by the unit, the UAC cancelled the LoA and imposed a fiscal penalty of Rs. 1 lakh for failure to achieve positive NFE.

The appellant has given following reasons for appeal:-

- (i) The appellant has already submitted rectified bond cum legal undertaking and basic condition of LoA has not been violated
- (ii) The appellant has made an investment of Rs. 1.67 crores and commercial production has started.
- (iii) The appellant has imported latex valued at Rs. 10.11 lakhs to manufacture gloves for export. However, due to recession no exports could be made.
- (iv) The adjudicating authority has not specified the provisions of law under which the penalty has been imposed.
- (v) The DC's order of imposing fiscal penalty of Rs. 1 lakh is not legal.
- (vi) The appellant has been paying rent regularly

The appellant has filed an appeal (**Annexure–10**) against the above decision.

The appeal is placed before the BoA for consideration.

(v) Appeal of M/s. Sona Overseas, a unit in NSEZ against order dated 25th November, 2014 of the UAC.

The Unit was issued LOA on 8.5.2003 for manufacturing of plain and studded jewellery and trading in gems and jewellery. The unit started its activities on 11th January, 2004. The unit was functional upto the years 2010-11 and thereafter no business was carried out from the allotted plot. The LoA had already been lapsed on 10th January, 2014. Premises is lying unutilized since 2011-12 and lease rent of Rs. 144427/- is outstanding towards the unit. Therefore the UAC Committee has cancelled the LoA of the unit.

The appellant has given following reasons for appeal:-

- (i) The order is too harsh and against the facts and circumstances of the case
- (ii) Letters filed by the unit have not been considered.

- (iii) Circumstances leading to non-functioning of the unit for the last two years have not been heard and considered.

Now the unit has filed an appeal before the BoA against the above order **(Annexure– 11)**.

The appeal is placed before the BoA for consideration.

(vi) Appeal of M/s. RGN Global Enterprises a unit in Jaipur SEZ against order dated 31st March, 2015 of the UAC, Jaipur SEZ.

The unit manufactures gold and silver jewellery. The UAC Committee of the Jaipur SEZ in its meeting held on 31st March, 2015, has imposed a penalty of Rs.1 lakhs on the above unit for negative NFE of Rs. 41.69 lakhs during last five years operation period.

The appellant has given following reasons for appeal:-

- (i) The unit informed that the NFE for the five years of operations remain negative only for 12 days (28.03.2014 to 08.04.2014).
- (ii) The NFE remained positive for entire tenure (09.04.2009 to 27.03.2014)
- (iii) Suffered heavily during the recession years in western markets
- (iv) Not violated the FTDR Act and terms and conditions of LoA and SEZ Act

Now the unit has filed an appeal before the BoA against the above order **(Annexure–12)**.

The appeal is placed before the BoA for consideration.

(vii) Appeal of M/s. Indo Widecom International Ltd., a unit in NSEZ against order dated 17th October, 2014 of the UAC

The Unit was issued LOA on 21.10.1997 for manufacturing of wide format fax machines. The unit started its activities on 06th October, 1998 and the LoA of the unit was valid till 30.04.2013. The Unit is lying non-functional since 2009-10. During last five years block, unit has made export of Rs. 1.02 Lacs and achieved NFE of Rs. 12000/- only.

The unit has not submitted APRs on time. APRs were submitted in March, 2012 after inordinate delay and even submitted APRs had incorrect figures.

The unit has not submitted rectified Bond-Cum-Legal-Undertaking and thus non-compliance of terms of LoA/SEZ Act/Rules.

The unit failed to pay rent and the Zone authorities had auctioned the premises of the unit. Now, unit has no building to operate. Therefore, the UAC has cancelled the LoA of the above unit.

The appellant has given following reasons for appeal:-

- (i) SCN dated 04.02.2010 was illegal and wrong which was duly replied by the unit and the issues raised by the appellant were not adjudicated by the DC

- (ii) After the wrongly locking of the premises of the appellant and illegally taking overs the documents, stocks plant machinery the appellant has suffered use loses

Now the unit has filed an appeal before the BoA against the order of UAC (Annexure –13).

The appeal is placed before the BoA for consideration.

(viii) Writ Petitions 2622/2014 filed by M/s. Ellenbarrie Exim Limited v/s Union of India & ors. before Hon’ble High Court at Calcutta

M/s. Ellenbarrie Exim Ltd. had filed an appeal against order dated 25th February, 2014 of the Development Commissioner. The DC FSEZ had cancelled the LoP issued to the unit based on the decision taken by the UAC on 10th January, 2014 due to the following reasons:-

- (i) The firm is a defaulter of rent and earlier SCN was also issued in this regard.
- (ii) The firm failed to keep all their commitments with respect to rental dues clearance as given by them
- (iii) The firm failed to realize an amount of Rs. 92,93,30,408.01 which outstanding against their unit for the half year ended 30th June, 2013 for which is a separate Show Cause Notice has been issued and proceedings underway.

Aggrieved by the decision of UAC, the unit preferred an appeal before the BoA for SEZs. The appeal was placed before the 62nd BoA meeting held on 24th July, 2014 and after examining the matter and hearing the appellant, the BoA decided to reject the appeal.

Aggrieved by the BoA’s decision, M/s. Ellenbarrie Exim Ltd. has preferred a Writ Petition No. 2622/2014 before the Hon’ble Calcutta High Court. Vide its order dated 24.02.2015, Hon’ble high Court ordered that in its view since the appeal has been rejected by a one-sentence order without giving any reason, the order passed in the appeal cannot be sustained and is, thus, set aside and quashed. In view of the same, it has been decided to give the petitioner an opportunity to be heard before the BoA for SEZs.

The appeal is placed before the BoA for consideration.

(ix) W.P. (C) No. 431/2012 filed by M/s Futuristic Trading Pvt. Ltd. before the Hon’ble High Court of Delhi

M/s. Futuristic Metal Trading Private Limited had applied for setting up a unit in the KASEZ for manufacturing activity i.e. Segregation of Imported Scrap. The application was considered by the UAC and was rejected. Aggrieved by the decision of the Approval Committee, M/s. Futuristics Metal Trading Private Limited has preferred an appeal before the BoA.

The matter was placed before the 48th meeting of BoA for SEZs held on 19.09.2011 and personal hearing was granted to the representatives of the appellants. The Board noted that the appeal is against the provision of Rule 18(4) (d) of the SEZ Rules, 2006 pertaining to

restriction that no proposal shall be considered for import of other used goods for recycling and rejected the appeal of M/s Futuristic Metal Trading Pvt. Ltd.

Aggrieved by the BoA's decision, the applicants filed Writ Petitions before the Hon'ble Court of Delhi. The matter came up for hearing on 19.01.2015 with the petitioner claiming that while passing the impugned orders, the appellant authority did not give any opportunity of hearing in the matter. The petitioner further submitted that the rejection of the permission sought by it to set up a unit in KASZ has been wrongly denied as the authorities seemed to have invoked the wrong provisions of law.

The matter was heard by the Hon'ble Court and it ordered that the Appellate authority is directed to accord a hearing to the petitioner. *The appellate authority will send an appropriate notice in that behalf to the petitioners indicating the date, time and venue. The notice will be sent in this behalf to the petitioner no later than ten (10 days from today. A decision will be taken on the appeal of the petitioner, as expeditiously as possible, though no later than six (6) weeks from today*

The appeal is placed before the BoA for consideration.

(x) W.P (C) No. 442/2012 filed by M/s Globus Metal Trading Pvt. Ltd. before the Hon'ble High Court of Delhi

M/s. Globus Metal Trading Pvt. Ltd. had applied for setting up a unit in the KASEZ for manufacturing activity i.e. Segregation of Imported Scrap. The application was considered by the UAC and was rejected. Aggrieved by the decision of the Approval Committee, M/s. Globus Metal Trading Pvt. Ltd. has preferred an appeal before the BoA.

The matter was placed before the 48th meeting of BoA for SEZs held on 19.09.2011 and personal hearing was granted to the representatives of the appellants. The Board noted that the appeal is against the provision of Rule 18(4) (d) of the SEZ Rules, 2006 pertaining to restriction that no proposal shall be considered for import of other used goods for recycling and rejected the appeal of M/s Globus Metal Trading Pvt. Ltd.

Aggrieved by the BoA's decision, the applicants filed Writ Petitions before the Hon'ble Court of Delhi. The matter came up for hearing on 19.01.2015 with the petitioner claiming that while passing the impugned orders, the appellant authority did not give any opportunity of hearing in the matter. The petitioner further submitted that the rejection of the permission sought by it to set up a unit in KASZ has been wrongly denied as the authorities seemed to have invoked the wrong provisions of law.

The matter was heard by the Hon'ble Court and it ordered that the Appellate authority is directed to accord a hearing to the petitioner. *The appellate authority will send an appropriate notice in that behalf to the petitioners indicating the date, time and venue. The notice will be sent in this behalf to the petitioner no later than ten (10 days from today. A decision will be taken on the appeal of the petitioner, as expeditiously as possible, though no later than six (6) weeks from today*

The appeal is placed before the BoA for consideration.
