

Minutes of the 41st meeting of the SEZ Board of Approval held on 13th July 2010 to consider proposals for setting up of Special Economic Zones

The forty first (41st) meeting of the SEZ Board of Approval was held on 13.07.2010 under the chairmanship of Shri Rahul Khullar, Secretary, Department of Commerce in Room No. 47, Udyog Bhawan, New Delhi to consider proposals for setting up of Special Economic Zones and other miscellaneous requests in respect of notified/approved SEZs. A list of participants is enclosed (**Annexure -1**).

2. Addressing the Board of Approval members, the Chairman informed that so far 575 formal approvals have been granted for setting up of SEZs out of which 358 have been notified. He further informed that over Rs. 1,48,489 crore have been invested in the Special Economic Zones during this short span of time and direct employment of the order of 5,03,611 persons has been generated in the Special Economic Zones. During the financial year 2009-2010, total exports of Rs. 2,20,711 crore has been made from SEZs.

Item No. 41.1: Proposals for setting up of SEZs

(A) Decisions for Formal Approvals:

1. **Request for setting up of a sector specific Special Economic Zone for IT/ITES at Taluk Kunnathunad, District Ernakulam, Kerala by M/s. Infoparks, Kerala, over an area of 12.5804 hectares (Item No. 41.1 –Sl. No. iii):**

The Board noted that the Developer was in possession of the land. The State Government has also recommended the proposal. Accordingly, the Board decided to grant **formal approval** to the proposal of M/s. Infoparks, Kerala, for setting up of a sector specific Special Economic Zone for IT/ITES at Taluk Kunnathunad, District Ernakulam, Kerala, over an area of **12.5804 hectares**.

(B) Decisions for in-principle approvals:

1. **Request for setting up of a sector specific Special Economic Zone for Electronic Hardware and Software at Navi Mumbai, Maharashtra by M/s. Videocon Industries Limited, over an area of 100 hectares (Item No. 41.1 –Sl. No. i):**

The Department of Revenue pointed out that it is not clear as to who is the applicant. Further the land is in possession of CIDCO and not with M/s. Videocon. DC SEEPZ stated that the developer is M/s. Videocon Industries Limited and M/s. CIDCO will transfer the land to the SPV as and when it is formed. After deliberations, the Board decided to grant **in-principle approval** to the proposal of M/s. Videocon Industries Limited, for setting up of a sector specific Special Economic Zone for Electronic Hardware and Software at Navi Mumbai, Maharashtra, over an area of **100 hectares**

2. **Request for setting up of a sector specific Special Economic Zone for Metal at Fatehpur (PO), Nandkumar (PS), Haldia East Mednipur, West Bengal by M/s. Coastal Ferrotech Limited, over an area of 111.28 hectares (Item No. 41.1 –Sl. No. ii):**

The Board noted that the State Government had recommended the proposal and also that the Developer was not in possession of land. After deliberations, the Board decided to grant **in-principle approval** to the proposal of M/s. Coastal Ferrotech Limited, for setting up

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of a sector specific Special Economic Zone for Ferrous & Non Ferrous Metals at Fatehpur (PO), Nandkumar (PS), Haldia East Mednipur, West Bengal, over an area of **111.28 hectares**.

Item No.41.2: Requests for co-developers

BoA sanctioned approvals to the co-developers subject to the condition that particular terms and conditions of lease agreement will not have any bearing on the treatment of the income by way of lease rentals/down payment/premium etc., for the purposes of assessment under the prevalent Income Tax Act and Rules. The Assessing Officer, will have the right to examine the taxability of these amounts under the Income Tax Act. This is applicable for all the cases for co-developers mentioned below:-

(i) Request of M/s. Phoenix Techno City Private Limited for co-developer in the sector specific SEZ for IT/ITES at Gachibowli village, Serilingampally Mandal, R.R. District, Andhra Pradesh, being developed by M/s. L&T Phoenix Infoparks Pvt. Ltd.

After deliberations, the Board decided to grant **approval** to the request of M/s. Phoenix Techno City Private Limited for co-developer for development of IT infrastructure together with relevant amenities and facilities in the leased out space of 427651 sq ft. in the above mentioned SEZ.

(ii) Request of M/s. Indiabulls Water Supply and Waste Management Services Limited for co-developer in the multi product SEZ at villages Musalgaon and Gulvanch, Taluka Sinnar, District Nasik, Maharashtra being developed by M/s. Indiabulls Industrial Infrastructure Limited

After deliberations, the Board decided to grant **approval** to the request of M/s. Indiabulls Water Supply and Waste Management Services Limited for co-developer for development of infrastructure facilities related to water supply, effluent treatment, waste management etc and related activities together with relevant amenities in the above mentioned SEZ.

Item No. 41.3: Proposal of SEEPZ Exporters Energy Saving Association (Proposed) for in-principle approval for becoming co-developer in the SEZ for sourcing and distribution of electricity in SEEPZ-SEZ at economical rate

After deliberations, the Board decided to approve, in-principle, the proposal of SEEPZ Exporters Energy Saving Association (Proposed) for becoming co-developer in the SEZ for sourcing and distribution of electricity in SEEPZ-SEZ at economical rate.

Item No. 41.4: Requests for first extension of validity of formal approvals

After deliberations, the Board decided to grant first extension of validity of formal approval in respect of each of the following 10 (Ten) developers for a period of one year beyond the expiry of the validity period:

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- (i) Request of M/s. GMR Hyderabad International Airport Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services with an International Financial Services Centre at GMR Hyderabad International Airport, Shamshabad, Hyderabad, beyond 24th June 2010
- (ii) Request of M/s. Velankani Technology Parks Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware & Software including ITES at Sriperumbudur, Chennai, Tamil Nadu, beyond 22nd May 2010
- (iii) Request of M/s. MAS Fabric Parks (India) Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Textile and Apparel at Chintavaram village, Chillakuru Mandal, Nellore District, Andhra Pradesh, beyond 25th July 2010
- (iv) Request of M/s. City Gold Realities Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Sanathal, Taluka Sanand, District Ahmedabad, Gujarat, beyond 18th June 2010
- (v) Request of M/s. Shivganga Real Estate Holders Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Sargasan, Taluka & District Gandhinagar, Gujarat, beyond 18th June 2010
- (vi) Request of M/s. RNA Builders for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Tivri and Rajawali, Taluka Vasai, District Thane, Maharashtra, beyond 25th November 2010
- (vii) Request of M/s. Rudradev Township Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Solankurini village, Madurai Taluk, Madurai District, Tamil Nadu, beyond 25th July 2010
- (viii) Request of M/s. Starex SEZ Developers Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Binola, Gurgaon, Haryana, beyond 12th December 2010
- (ix) Request of M/s. Sunny Vista Realtors Private Limited for extension of the validity of formal approval, granted for setting up of sector specific SEZ for multi services at Taluka Panvel, District Raigad, Maharashtra beyond 14th October 2010
- (x) Request of M/s. Unitech Kochi SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Kunnathundau, Taluk Morkala Desam, Ernakulam, Kerala beyond 22nd August 2009.

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Item No. 41.5: Requests for second extension of validity of formal approvals

After deliberations, the Board decided to grant second extension of validity of formal approvals in respect of each of the following 12 (Twelve) cases for a period one year beyond the expiry of the validity period. The Board also noted that in respect of SEZs in Goa while extensions are being approved, the SEZs are all subject to the outcome of the cases pending in Mumbai High Court.

- (i) Request of M/s. K. Raheja Corporation Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for multi services at Verna Industrial Area, Goa, beyond 24th October 2010
- (ii) Request of M/s. Paradigm Logistics & Distribution Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Verna Industrial Area, Goa, beyond 24th October 2010
- (iii) Request of M/s. Meditab Specialities Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceuticals at Bhut Khamb, Kerim, Ponda, Goa, beyond 22nd August 2010
- (iv) Request of M/s. Quarkcity India Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Mohali, Punjab, beyond 8th June 2010
- (v) Request of Gujarat Industrial Development Corporation for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for EHTP/IT/ITES at Gandhinagar, Gujarat, beyond 12th July 2010
- (vi) Request of M/s. Jubilant Infrastructure Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Chemicals at Bharuch, Gujarat, beyond 20th August 2010
- (vii) Request of M/s. GHI Finlease and Investment Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Bhondsi, Tehsil Sohna, District Gurgaon, Haryana, beyond 24th August 2010
- (viii) Request of M/s. Dr. Fresh Health Care Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Gurgaon, Haryana, beyond 25th June 2010
- (ix) Request of M/s. Newfound Properties and Leasing Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Juinagar, District Thane, Maharashtra, beyond 20th August 2010

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(x) Request of M/s. Stargaze Properties Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Raviriyal village, District Ranga Reddy, Andhra Pradesh, beyond 25th October 2010

(xi) Request of M/s. J.T. Holdings Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Maheshwaram Mandal, District Ranga Reddy, Andhra Pradesh, beyond 25th October 2010

(xii) Request of M/s. Brahmani Infratech Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Mamidipalli village, saroonagar Mandal, R.R. District, Andhra Pradesh, beyond 24th October 2010

Item No. 41.6: Delayed requests for extension of validity of formal approvals

After deliberations, the Board condoned the delay in seeking formal approval and decided to grant first & second extension, simultaneously, of validity of formal approvals in respect of each of the following 2 (Two) cases, thereby, extending the validity of LoAs up to 17th April 2011:

(i) Request of M/s. Cochin Port Trust for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Port based at Vallarpadam, Cochin, beyond 17th April 2009

(ii) Request of M/s. Cochin Port Trust for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Port based at Puthuvypeen, Cochin, beyond 17th April 2009

Item No. 41.7: Grant of third extension of in-principle approval.

The Board noted that earlier as per the provisions of Rule 6 (2) (b) of SEZ Rules 2006 the Board could grant extension of the validity of in-principle approval period for a further period, not exceeding two years and that the amendment in SEZ Rules, notified on 14th June 2010, has removed this limitation. Therefore, after deliberations, the BoA granted extension of one year (**third extension**) in respect of the following proposals from the date of the expiry of the last extension.

(i) M/s. Chhindwara Plus Developers Limited for setting up of multi product SEZ at Saurar Tehsil, Chhindwara District, Madhya Pradesh (beyond 30th July 2010)

(ii) M/s. Bengal SREI Infrastructure Development Limited for setting up of sector specific SEZ for Auto Components at Kharagpur, West Bengal (beyond 21st June 2010)

Item No. 41.8: Request for de-notification

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(i) Request of M/s. Essar SEZ Hazira Limited for de-notification of the notified sector specific SEZ for Engineering at Hazira, Gujarat

After deliberations, the Board decided to **approve** the request of M/s. Essar SEZ Hazira Limited for de-notification of notified sector specific SEZ for Engineering at Hazira, Gujarat, **subject to DC's certificate that the developer and the existing units have refunded all the tax/duty benefits including service tax exemption, which might have been availed under the SEZ Act/Rules. The formal notification de-notifying the SEZ will be issued only after the receipt of the DC's certificate.**

Item No. 41.9: Requests for increase/decrease in area

(i) Request of M/s. Maytas Hill County SEZ Private Limited for de-notification of a portion of land in the notified sector specific SEZ for IT/ITES at Bachupalli village, Qutbullapur Mandal, Ranga Reddy District, Andhra Pradesh

After deliberations, the Board decided to **approve** the request of M/s. Maytas Hill County SEZ Private Limited for de-notification of 8.64 hectares of land from the above mentioned SEZ measuring 29.87 ha., thereby making the total area of SEZ 21.23 hectares **subject to contiguity of the SEZ being maintained and also DC's certificate that the developer has refunded all the tax/duty benefits including service tax exemption, which might have been availed under the SEZ Act/Rules, in respect of the land being de-notified**

(ii) Request of M/s RGA Software Systems Private Limited co-developer in the IT/ITES SEZ at Bellandure Village, Varthur Hobli, Bangalore, East Taluk, Bangalore Urban District Bangalore by M/s. Primal Projects Private Limited, for increasing area of their operation.

After deliberations, the Board decided to **approve** the request of M/s. RGA Software Systems Private Limited, a co-developer in the sector specific SEZ for IT/ITES at Bellandure village, Varthur Hobli, Bangalore, East Taluk, Bangalore Urban District Bangalore developed by M/s. Primal Projects Private Limited for increasing the area of their operation by 6.17 hectares, thereby increasing total area of their operations from 6.503 hectares to 12.673 hectares.

Item No. 41.10: Request of M/s L&T Shipbuilding Limited for addition of area, in the sector specific SEZ for Heavy Engineering at Kattupalli village, Tiruvallur District, Tamil Nadu, for establishment a shipyard and port

The Board noted that the present proposal has come up on account of Board's directions that the port proposal should be submitted separately. Earlier, the Developer has already been approved a shipyard. Representative of the Department of Revenue said that while they have no reservations about supporting the proposals for the construction of the port, the issue regarding notifying area in the water. After due deliberations, the Board approved the following:

| S. No. | Description of Area | Area for port (in Ha) |
|--------|---------------------|-----------------------|
|--------|---------------------|-----------------------|

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|----|-----------------------------|--------|
| 1. | Revenue land for Minor Port | 124.13 |
| 2. | Coastal Land | 6.07 |
| 3. | Area for Jetties | 46.17 |
| | Total | 176.37 |

As regards earmarking the water area, DC MEPZ would survey the area and provide a clear report indicating the requirement to include break water body as a part of the SEZ. After the receipt of the report from the DC, the approval will be issued.

Item No. 41.11: Request of M/s. NSL SEZ (Chennai) Private Limited for withdrawal their request for de-notification of the notified sector specific SEZ for IT/ITES at Sholinganallur, Tambaram Taluk, Kancheepuram District, Tamil Nadu

The Board noted that in this case, there is already a decision taken by the Board in its meeting held on 9th April 2010 wherein it was noted that since the title of the area is to be settled and this lay within the competence of the State Government, a clear recommendation must be obtained from the State Government and placed before BoA for its consideration. In the meanwhile, the developer should not carry out any activity on the land till a final decision is taken. Accordingly, till a clear recommendation is received from the State Government, this decision will stand. However, as requested for by the developer, the decision of de-notification of this SEZ by the BoA in its meeting held on 8th June 2010 stands withdrawn.

Item No. 41.12: Requests for authorized operations

BoA considered the proposals for authorized operations and while sanctioning the approvals, they were subject to the development guidelines approved by EGoM in its meeting dated 24th October 2008, which was noted by the members of the BoA, and State Government Representatives in its meeting held on 8th December 2008. Accordingly, the DCs will ensure that the authorized operations are in line with the guidelines.

(i) Request of M/s. L&T Phoenix Infoparks Pvt. Ltd. for authorized operations in the sector specific SEZ for IT/ITES at Gachibowli village, Serilingampally Mandal, R.R. District, Andhra Pradesh

The BoA perused the proposal and after deliberations, the Board decided to **approve** the authorized operations, in the **non-processing area**, as given in the table below. The BoA also approved the request of the developer for withdrawal of its earlier approval, granted for construction of residential apartments over an area of 18432 Sqm. The BoA, however, **did not agree** to the request of the developer for construction of hotel (10000 sqm.) and Non-IT Space over an area of 10000 sqm and 40000 sqm respectively.

| Authorized operations | Quantum requested (in sqm.) | Quantum approved (in sqm.) |
|---|--------------------------------|-------------------------------|
| Service apartments | 4500 | 4500 |
| Facilities – Medical facility with 20 bed hospital, Club House, Space for | 7500 | 7500 |

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| | | |
|---|--|--|
| Banks, IT/Software training centers, Kiosks, Computer hardware show rooms, and support services offices | | |
|---|--|--|

(ii) Request of Adhishtan Investments India Private Limited for authorized operations as a co-developer in the sector specific SEZ for Textiles at Atchutapuram Mandal, Visakhapatnam, Andhra Pradesh being developed by M/s Brandix India Apparel City (Private) Limited

The BoA perused the proposal and after deliberations, the Board decided to **approve** the authorized operations, in the **non-processing area**, as given in the table:-

| Authorized operations | Quantum requested (in sqm.) | Quantum approved (in sqm.) |
|---|------------------------------------|-----------------------------------|
| Residential - Housing Hostel/Service Apartments | 33240 | 33240 |
| Facilities - Schools/Technical institution/ Educational Institution | 8,000 | 8,000 |
| Office Space/Shopping arcade/retail space/multiplex | 34480 | 34480 |
| 25 rooms budget hotel | 1500 | 1500 |
| Business/ Convention Centre | 600 (for 100 persons) | 600 (for 100 persons) |
| Golf Course with Green Belt | 3,23,748 (80 acres) | 3,23,748 (80 acres) |
| Rail Head | - | - |

(iii) Request of M/s. Topnotch Projects Private Limited for authorized operations as co-developer, in the IT/ITES SEZ at IDA Uppal Industrial Development Area, Hyderabad, Andhra Pradesh, developed by M/s. NSL SEZ (Hyderabad) Private Limited

The BoA perused the proposal and after deliberations, the Board decided to **approve** the authorized operations, in the **non-processing area**, as given in the table:-

| Authorized operations | Quantum earlier approved(in sqm.) | Additional Quantum requested for (in sqm.) | Total Quantum approved (in sqm.) |
|------------------------------|--|---|---|
| Retail | 10000 | 15000 | 25000 |
| Entertainment Zone | | | |
| Club, Gym etc. | | | |

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(iv) Request of M/s Airmid Developers Limited for enhancement in the quantum of approval for authorized operations in sector specific SEZ for IT/ITES at Sector – 106, village Pawala Khusrupur, Gurgaon, Haryana

DC, NSEZ pointed out that the Developer has requested for enhancement of quantum of authorized operations on account of the applicable FAR in Haryana. The Board, however, held that the quantities sought for are very high keeping in view the fact that Gurgaon is in the NCR. Accordingly, the Board deferred the proposal and directed that DC should rework the quantities and bring it before the Board for consideration, if warranted.

(v) Request of M/s. Maharashtra Airport Development Company Limited (MADC), developer of the multi product SEZ in Nagpur, Maharashtra, for transfer of approval in respect of authorized operations, in favour of M/s. Reatox Builders and Developers Private Limited, a co-developer in the SEZ.

Representatives of the DoR pointed out that agreement of MADC with all its co-developers have been found to contain the condition that the flats built by such co-developers would be sold by them to public and MADC has issued Power of Attorney to such co-developers for such sale. The DoR also pointed out in the present case the developer has come to transfer its authorized operations to co-developer without modification in the condition of sale of property. It is also stated that DoR does not agree to the proposal unless the condition of sale is removed from agreement between developer and co-developer, as well as from power of attorney granted by MADC. The BoA after deliberations, decided to grant approval for transfer of the following authorized operations earlier granted to the developer, in the **non-processing area**, as given in the table, in favour of the co-developer, **subject to the condition that the condition of sale is removed from agreement between developer and co-developer, as well as from power of attorney granted by MADC:-**

| S. No. | Authorized operations (in sqm) | Quantum (in sqm.) |
|--------|---|--|
| 1. | Housing Phase-I as per the plan provided by the Developer | With total no. of 2082 flats with a built-up area of 275000 sqm. |
| 2. | (i) Low income houses (ii) Convenient shopping units | (i) 180 houses with a total area of 11312 sqm. (ii) 72 with a total area of 12255 sqm |
| 3. | Club House in the housing phase-I | 2035 sqm |

Item No. 41.13: Proposal of M/s. Electro Optic Systems Division, a unit in NSEZ for allowing DTA Sale and broad-banding/elaboration of items

DC, NSEZ said that the unit will design, develop and manufacture a variety of electronic equipment including passive day / night vision devices, thermal imaging devices, fire control systems etc. which are required by the security agencies. There has been a requirement for supply of these equipments to the domestic security agencies and therefore, the condition of disallowing DTA sale may be removed from LoA. The unit will receive

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payments in hard currency for sale to the domestic security agencies. BoA approved the broad banding of the equipment and also relaxed the condition regarding disallowing domestic sale subject to the following conditions:

- (i) Each of the consignment of supply to DTA must be thoroughly examined by zone;
- (ii) While selling in the domestic area, only Government Agencies would be allowed to procure the equipments;
- (iii) All consignment will be accompanied by an authorized person of the Government procuring agency.

Item No. 41.14: Request for transfer of units from one SEZ to another

(i) Request of M/s Tech Mahindra Limit, a unit in Mahindra World City SEZ, Chennai for transfer of the unit to Shriram Properties & Infrastructure Private Limited, Chennai

Representative of DoR indicated that if it is a operational unit, they may lose out on IT exemptions as Department of Revenue may like to treat the shift as if the new unit is being set up with second hand equipment. While it was pointed out to the representative of DoR that the issue of shift of a unit from one SEZ to another is not at par with shifting of a unit from DTA to SEZ, it was also decided that DC MEPZ will further discuss the issue with the unit and once the unit clearly indicates that it is ready to shift after appreciating all the nuances, the proposal can be brought back before BoA. Till then, the proposal stands deferred.

Item No. 41.15: Request for additional gates

(i) Request of Orissa Industrial Infrastructure Development Corporation (IDCO) for approval of one additional Gate in the sector specific SEZ for IT at Bhubaneswar, Orissa

DC, FALTA indicated that an inspection of the SEZ was undertaken and a report has already been submitted. Primarily, the SEZ has two distinct Zones, one consisting of TCS, Mindtree and two other blocks which are yet to be allocated and the second Zone consisting of Wipro SEZ, DC office, STG Chip, Genpact Infrastructure Pvt. Ltd. and Perfectus Technology Solution Pvt. Ltd. The Golf Club which is in the non-processing zone actually divides the SEZ into two distinct zones. DC, FALTA also recommended setting up of the two additional gates.

Representative of the Department of Revenue said that it may be easier to have two SEZs as individually both the Zones meet the minimum area requirement. Further, the issue of the existence of a Golf Club within the SEZ requires to be looked into. After deliberations, taking into account that the SEZ in its present form had already been approved, BoA approved the installation of one additional gate along with addition of 1.66 ha. of land for construction of the additional gate.

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Item No. 41.16: Appeals before BoA

(i) Appeal of M/s. Hansen Drives Limited against order of Development Commissioner, MPEZ SEZ rejecting the request of the unit for approval of certain Input Services for their authorized operations

It was noted by the Board that there are items in the list submitted by the unit which have to be looked into by the Unit Approval Committee. Accordingly, the proposal was remanded back to the Unit Approval Committee for its consideration.

(ii) Appeal of M/s. NSL SEZ (Hyderabad) Private Limited against the decision of the BoA rejecting the request of the developer for waiver of the condition of exclusive use of residential apartments by SEZ employees

The Board was informed that in the past many cases, approvals for construction of residential apartments have been sanctioned without insisting on the condition of exclusive use of these apartments by the SEZ employees. The Board taking note of this position, however, felt that the quantity approved of 1250 units is very large and directed that DC should review the numbers and come back before the Board for its consideration.

(iii) Appeal of M/s. McIlroy Polymers Private Limited against order of Development Commissioner, Surat SEZ cancellation of extension of validity of LoP

The Board noted that the guidelines for plastic reprocessing units is under consideration and once it is finalized, this case can be considered. Till then, the appeal stands deferred.

Decisions on Additional Agenda

Item No. 41.1: Guidelines on establishing contiguity in Special Economic Zone

Item No. 41.2: Policy for setting up of units for recycling of plastics in SEZs

BoA deferred consideration of both these proposals on the request of representative of Department of Revenue.

Item No.41.3: Request for co-developer

(i) Request of M/s. MAS GMR Aerospace Engineering Company Limited for co-developer in the sector specific SEZ for Aviation sector at Mamidipalli village,

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Hyderabad, Andhra Pradesh, being developed by M/s. GMR Hyderabad International Airport Limited

It was pointed out by the representative of DoR that the Co-developer intends setting up the hangars and also all the equipments for repair/maintenance/ overhaul of aircrafts and which will be leased out to units. According to them, this is more in the nature of a unit than an infrastructure activity and accordingly, the approval may not be given to the applicant as a co-developer. BoA after deliberations, directed that DC must submit his report after discussions with the developer and the report must also include nature of business model. The Board accordingly deferred consideration of the proposal.

Decision on Second Additional Agenda

Item No. 41.1: Request for decrease in area

(i) Request of M/s. Luxor Cyber City Private Limited for de-notification of a portion of land in the notified sector specific SEZ for IT/ITES at Gurgaon, Haryana

After deliberations, the Board decided to **approve** the request of M/s. Luxor Cyber City Private Limited for de-notification of 7.904188588 hectares of land from the above mentioned SEZ, thereby making the total area of SEZ 27.07845 hectares **subject to contiguity of the SEZ being maintained and also DC's certificate that the developer has refunded all the tax/duty benefits including service tax exemption, which might have been availed under the SEZ Act/Rules, in respect of the land being de-notified**

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Annexure - 1

List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 13th July, 2010 under the Chairmanship of Commerce Secretary, Department of Commerce

1. Shri Rahul Khullar, Chairman BOA & Secretary, Department of Commerce.
2. Smt. Praveen Mahajan, Director General (DG), Department of Revenue, Ministry of Finance
3. Sh. Raman Chopra, Director (ITA), CBDT, Department of Revenue, Ministry of Finance
4. Shri Gurdeep Singh, Additional Director, Department of Revenue, Ministry of Finance
5. Dr. L. B. Singhal, DG, Export Promotion Council of EOUs and SEZs.
6. Dr. Amitabh Rajan, Principal Secretary and Resident Commissioner, Government of Maharashtra, Maharashtra Sadan, New Delhi
7. Shri N.K. Singh, Resident Commissioner, Government of Gujarat, New Delhi.
8. Shri Manjunath Gonda, Resident Director, Karnataka Udyog Mitra Karnataka Bhavan – 3, Khelgaon Marg, New Delhi
9. Shree Veerendra Singh, Dy. Director (SEZ), O/o Industries & Commerce Department, Haryana, Chandigarh
10. Shri Ajay Kumar, Secretary (IT), Government of Kerala.
11. Shri M. Pandey Director (Coordination), Ministry of Defence, New Delhi
12. Ms. Shubhra, Joint Director General of Foreign Trade, O/o DGFT
13. Ms. Valsala Hari Haran, Dy. DG, Director General of Foreign Trade
14. Shri S.S. Garg, Director, D/o Info-Tech, Ministry of Commerce & Industry
15. Shri Sudhir K. Agarwal, Assistant Director (EP&WTO), M/o MSME, O/o DC (MSME), Nirman Bhawan, New Delhi
16. Shri Anurga Sundar Das, DGM, IDCO
17. Shri S. Bachchan, Under Secretary, (IP & IC-I)
18. Dr. Rakesh, AR, TCPO Ministry of Urban Development, New Delhi.
19. Shri A.K. Dham, Liasion Officer, Government of Orissa, New Delhi

LIST OF DEVELOPMENT COMMISSIONERS

20. Shri M.S. Rao, Development Commissioner, VSEZ, Visakhapatnam, Andhra Pradesh.
21. Shri Arun Kumar Bit, Development Commissioner, Falta SEZ, Kolkata.
22. Smt. Anita Agnihotri, Development Commissioner, SEEPZ SEZ, Mumbai.
23. Shri S.C. Panda, Development Commissioner, Noida SEZ, Uttar Pradesh.
24. Shri C.J. Mathew, Development Commissioner, CSEZ, Cochin
25. Shri Vijay Shewale, Development Commissioner, Surat SEZ, Surat
26. Smt. Swarna. S., Joint Development Commissioner, MEPZ SEZ, Chennai.
27. Shri S. Kishore, Development Commissioner, AP SEZ
28. Shri K.L. Sharma, Development Commissioner, Sterling SEZ, Gujarat
29. Shri Upendra Vasishth, Development Commissioner, Reliance SEZ, Jamnagar, Gujarat
30. Shri S.N.Patil, Joint Development Commissioner, Dahej SEZ

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31. Shri A.K. Rathore, Joint Development Commissioner, ISEZ, Indore, Madhra Pradesh.
32. Shri C.V.D.Ramprasad, Director, STPI (IT/ITES), SEZ, Noida
33. Shri J.Parthasarathy, Director STPI (IT/ITES), SEZ, Chennai, Tamil Nadu
34. Shri P. Venugopal, Director STPI, DC (IT/ITES), Hyderabad, Andhra Pradesh
35. Shri S. K. Agarwal, Director STPI, DC (IT/ITES), SEZ Maharashtra
36. Shri R. Rajalakshmi, Director STPI & Development Commissioner, Bangalore, Karnataka
37. Shri P.K. Das, Director STPI & Development Commissioner, Eastern Zone, Guwahati, Assam
38. Shri Ajay Sharma, Development Commissioner (IT/ITES), SEZ, Gujarat
39. Shri K. Ramesh Kumar, Development Commissioner IT/ITES SEZ, Kerala.
40. Smt. Vandana Srivastava, Additional Director, STPI, Delhi

LIST OF PARTICIPANTS OF DEPARTMENT OF COMMERCE

41. Shri D.K. Mittal, Additional Secretary, Department of Commerce.
42. Shri T. Srinidhi, Director, Department of Commerce
43. Shri R. K. Pandey, Under Secretary, Department of Commerce
44. Shri G. Muthuraja, Under Secretary, Department of Commerce
45. Shri Vinod Kumar, Section Officer, SEZ Section, Department of Commerce
46. Shri Achint Kumar, Section Officer, SEZ Section, Department of Commerce
