

Minutes of the 40th meeting of the SEZ Board of Approval held on 8th June 2010 to consider proposals for setting up of Special Economic Zones

The 40th meeting of the SEZ Board of Approval was held on 08.06.2010 under the Chairmanship of Dr. 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 proposals in respect of notified/approved SEZs.

2. The list of participants is enclosed (**Annexure -1**).
3. Addressing the Board of Approval members, the Chairman informed that so far 578 formal approvals have been granted for setting up of SEZs out of which 353 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. 40.1: Guidelines on establishing contiguity in Special Economic Zones

BOA noted that in terms of the SEZ Rules, the Board may relax conditions regarding contiguity, however, while relaxing the contiguity in the past the Board has also been ensuring that contiguity is ensured by constructing appropriate structures. Further, no duty free material is being provided for construction of these structures. Given the nature of land acquisition and the terrain, even small SEZs have been facing problems of contiguity due to a public thoroughfare or a water channel etc. passing through their SEZs. Further, the investment on construction of structures only adds to the cost of the project and also impacts the economic viability. Accordingly, in the Board Meeting held on 9th April 2010, the Board directed that a policy in this regard be framed and placed before its consideration. The Board noted that the present proposal before it has two components (a) there will be no insistence on providing contiguity if any public utility service such as roads, water supply lines, sewerage lines, drains, canals or railway lines passing through the non-processing area of the zone and (b) if the developer wants to construct a structure to provide connectivity, the same can be approved by the Unit Approval Committee as part of the zone and would be entitled for duty free material.

During the course of the discussions, representatives from Department of Revenue indicated that as far as the first portion on non-insistence of contiguity in case public utility services as indicated pass through the non-processing area is acceptable to them in principle. As regards duty free material for providing connectivity, it was decided that BOA can consider each case on merits. DOR would subsequently confirm this position before next BOA, after due approval at appropriate levels in Department of Revenue.

Item No. 40.2: Reimbursement of duty in lieu of drawback for supplies to Private SEZ Developers/Units

The representative of Department of Revenue indicated that in respect of Government owned SEZs, the concerned Jurisdictional Customs Commissioners have been issued the cheque books for the purpose of meeting the duty drawback claims of SEZ developers / units.

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Since private SEZs have been attached to Jurisdictional Excise Commissioners, who are not Customs Commissioners, who are not authorized to issue cheques for duty drawback as they cannot operate the Head of Account of duty drawback, the problem is being faced by private SEZs / units. However, the issue has been taken up with Principal CCA of Ministry of Finance who are shortly issuing instructions regarding this matter. In the meanwhile CBEC would advise nearest Commissioners of Customs to provide cheque books for DBK etc.

Item No. 40.3: Policy for setting up of units for recycling of plastics in SEZs

It was reported to the BOA that the policy is being framed and will be placed before the BOA shortly.

Item No. 40.4: Requests for transfer of unit from one SEZ to another SEZ

BOA noted that there have been requests for shifting of units from one SEZ to another SEZ and there are no specific provisions under the SEZ Rules for these shifts and also there are no rules prohibiting the shifts. With the consolidation of SEZs, shifting of units may become more frequent and to deal with such shifts laying down guidelines have become necessary.

There could be three kinds of situations where the shifts can take place (a) the unit has not commenced any activity (b) the unit has started imports / procurement of goods but not started exports or commenced production and (c) the unit has commenced production and starting exporting. In the first two cases, there may be no difficulties in permitting the shifts subject to all the monitoring, in respect of the third case, the relevant provisions of Income Tax Act for seeking exemptions in respect of migration of goods may come into play.

Accordingly, after due deliberations, the Board decided in principle to agree to shift of units from one SEZ to another SEZ. However, each such request must be placed before the Board for its consideration.

Item No. 40.5: Request of M/s. TRIL Infopark Limited for authorized operations in the IT/ITES SEZ at Taramani, Chennai, Tamil Nadu

The Board went through the report submitted to it on this issue. It was noted that the proposed convention centre was within the city limits. There are a number of hotels coming up within 3 Km radius of the SEZ. The representative of the Department of Revenue pointed out the BoA has not been approving hotels in the IT/ITES SEZs. If this proposal is allowed, it will give rise to similar demands from other IT/ITES SEZs. Further, BoA has been consistently not approving proposals for hotels in the urban areas and this SEZ is within the city limits of Chennai in a well developed area. The representative of State Government of Tamil Nadu said that the proposed convention centre and hotel would service the entire IT corridor and it is with this intention that the plot of land allotted to TRIL carried the condition that an integrated international convention centre with hotel will be constructed by the developer. However, the Board was of the opinion that such conditions are not binding on BoA. After deliberations, the Board decided to **approve** the authorized operations, in the **non-processing area**, as given in the table:-

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S. No	Authorized Operations	Quantum requested for (in sqm)	Quantum Approved (in sqm)
1	Integrated Convention Centre (1500 seater) excluding the hotel	28126	The quantum to be assessed by DC following which the formal approval letter will be issued.

Item No. 40.6: Request of M/s. DLF Limited for rescinding this Departments notification dated 23rd February 2010 de-notifying the sector specific SEZ for IT/ITES at Action Area – II, New Kolkata Township, Rajarhat, Kolkata

It was noted by the Board that while the SEZ was de-notified on 23rd February 2010, the request for rescinding the notification was made by the developer on 23rd April 2010. The reason for the request was revival of the demand for office space going up and their getting enquiries from big IT/ITES MNCs and in Kolkata theirs is the only IT/ITES SEZ. DC, FSEZ, indicated that the construction in the SEZ is almost are complete. After discussions, the Board **approved** the proposal, **subject to the DC, submitting a report on vacancy.**

Item No. 40.7: 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 Nellikode & Pandeerakavu village, Kozhikkode District, Kerala by Kerala State Information Technology Infrastructure Limited, over an area of 10.121 hectares (Item No. 40.7 –Sl. No. ii):

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 Kerala State Information Technology Infrastructure Limited, for setting up of a sector specific Special Economic Zone for IT/ITES at Nellikode & Pandeerakavu village, Kozhikkode District, Kerala, over an area of **10.121 hectares.**

2. Request for setting up of a sector specific Special Economic Zone for IT/ITES at KIADB Industrial Area, Hebbal – Hootgally, Mysore, Karnataka by M/s. Larsen & Toubro Limited, over an area of 10 hectares (Item No. 40.7 –Sl. No. vi):

DC, indicated that there is a small building in the proposed SEZ area which is used by L&T for in house training purposes. The Board after deliberations approved the proposal of M/s. Larsen & Toubro Limited for setting up of IT/ITES at KIADB Industrial Area, Hebbal – Hootgally, Mysore, Karnataka, over an area of 10 hectares, **subject to the SEZ being notified only after meeting the condition of vacancy.**

(B) Decisions for in-principle approvals:

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1. Request for setting up of a sector specific Special Economic Zone for Pharmaceuticals bulk/APIs/formulations at Nakkapalli Mandal, Visakhapatnam District, Andhra Pradesh by M/s Drugs & Pharmaceuticals Manufactures Association, over an area of 120 hectares (Item No. 40.7 –Sl. No. i):

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 Drugs & Pharmaceuticals Manufactures Association for setting up of a sector specific Special Economic Zone for Pharmaceuticals bulk/APIs/formulations at Nakkapalli Mandal Visakhapatnam District, Andhra Pradesh, over an area of **120 hectares**.

2. Request for setting up of a multi product Special Economic Zone at Villages – Layaja, Ratadiya, Godhra, Bayath & Undoth, Taluka- Mandvi, District-Kutch, Gujarat by M/s. Sealand Ports Private Limited, over an area of 1112 hectares (Item No. 40.7 –Sl. No. iii):

The Board noted that the State Government had recommended the proposal and also that the Developer was having partial possession of the land. After deliberations, the Board decided to grant **in-principle approval** to the proposal of M/s. Sealand Ports Private Limited for setting up of a multi product Special Economic Zone at Villages – Layaja, Ratadiya, Godhra, Bayath & Undoth, Taluka- Mandvi, District-Kutch, Gujarat, over an area of **1112 hectares**.

3. Request for setting up of a Free Trade Warehousing Zone (FTWZ) at Villages – Mota Layaja, Godhara & Bayath Taluka – Mandvi, District – Kutch, Gujarat by M/s. Avash Logistic Park Private Limited, over an area of 580 hectares (Item No. 40.7 –Sl. No. iv):

The Board noted that the State Government had recommended the proposal and also that the Developer was having partial possession of the land. After deliberations, the Board decided to grant **in-principle approval** to the proposal of M/s. Avash Logistic Park Private Limited for setting up of a Free Trade Warehousing Zone (FTWZ) at Villages – Mota Layaja, Godhara & Bayath, Taluka – Mandvi, District – Kutch, Gujarat, over an area of **496 hectares**.

4. Request for setting up of a sector specific Special Economic Zone for Aluminium sector at Bargwan, District Singroli (Formerly District Sidhi), Madhya Pradesh by M/s. Hindalco Industries Limited, over an area of 2025 hectares (Item No. 40.7 –Sl. No. v):

The Board noted that the State Government had recommended the proposal and also that the Developer was having partial possession of the land. After deliberations, the Board decided to grant **in-principle approval** to the proposal of M/s. Hindalco Industries Limited for setting up of a sector specific Special Economic Zone for Aluminium sector at Bargwan, District Singroli (Formerly District Sidhi), Madhya Pradesh, over an area of **2025 hectares**.

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Item No.40.8: 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. Espire Infoserve Private Limited for co-developer in the sector specific SEZ for IT/ITES at 12/1, Sector-27D, Industrial Area, Mathura Road, Faridabad, Haryana, being developed by M/s. Espire Infrastructure Corporation Limited

After deliberations, the Board decided to grant **approval** to the request of M/s. Espire Infoserve Private Limited for co-developer for developing & constructing IT buildings in the above mentioned SEZ.

(ii) Request of M/s. E Centric Solutions Private Limited for co-developer in the sector specific SEZ for IT/ITES at Madhurwada, Andhra Pradesh, being developed by Andhra Pradesh Industrial Infrastructure Corporation (APIIC)

After deliberations, the Board decided to grant **approval** to the request of M/s. E Centric Solutions Private Limited for co-developer for development of complete infrastructure like power, water, sewerage, greenery and other common facilities over an area of 2.0234 hectares (5 acre) in the above mentioned SEZ.

(iii) Request of M/s. Prime Electric Limited for co-developer in the multi product SEZ at Naidupet and Pellakuru Mandals, Nellore District, Andhra Pradesh, being developed by Andhra Pradesh Industrial Infrastructure Corporation (APIIC)

After deliberations, the Board decided to grant **approval** to the request of M/s. Prime Electric Limited for co-developer for development of complete infrastructure over an area of 40.47 hectares (100 acres) in the above mentioned SEZ.

(iv) Request of M/s. Three C Facility Management Private Limited for co-developer in the sector specific SEZ for IT/ITES at Plot No. 7, Sector 144, Noida, Uttar Pradesh, being developed by M/s. Aachvis Softech Private Limited

After deliberations, the Board decided to grant **approval** to the request of M/s. Three C Facility Management Private Limited for co-developer for operation and maintenance of equipment, services and common areas of the SEZ.

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(v) Request of M/s. Hind Terminals (Mundra) Private Limited for co-developer in the multi product SEZ at Mundra, Kutch, Gujarat, developed by M/s. Mundra Port and Special Economic Zone Limited

The Board noted that till the entire matter regarding the CFSs functioning in the SEZ without proper authorization under the SEZ Act and Rules is resolved, the present proposal stands **deferred**.

(vi) Request of M/s. Leela Lace Holdings Private Limited for co-developer in the sector specific SEZ for IT/ITES at Pajeeru-Kairangala, Mangalore, Karnataka, developed by Karnataka Industrial Areas Development Board (KIADB)

After deliberations, the Board decided to grant **approval** to the request of M/s. Leela Lace Holdings Private Limited for co-developer for providing IT/ITES infrastructure as co-developer, over an area of 6.88 hectares in the above mentioned SEZ.

(vii) Request of M/s. Indiabulls Infrastructure Company 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 Infrastructure Company Limited for co-developer for developing various infrastructure facilities, including road, water supply, waste management, drainage, factory building, residential and commercial development, in the above mentioned SEZ.

Item No. 40.9: Request of M/s. Suyog Realtors Pvt. Ltd. for authorized operations in the IT/ITES SEZ at Nagpur, Maharashtra

The Board considered the report of DC and **approved** the following authorized operations in respect of M/s. Suyog Realtors Pvt. Ltd.

S. No.	Authorized Operations	Quantum requested (in sqm.)	Quantum approved (in sqm.)
1	Housing and residential apartment : Type A consisting of 10 Towers with total 420 Dwelling units	22260	11130
2	Housing and Residential Apartment : Type B consisting of 1 Tower with total 42 Dwelling units	2013.55	1007
3	Housing and Residential Apartments : Type C consisting of 15 Towers with total 420 Dwelling units	25210.50	12605

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Item No. 40.10: Request of M/s Mayar Infrastructure Development Pvt. Ltd. for construction of hotel in place Guest House/Service Apartments, in the sector specific SEZ for Biotechnology at Gurgaon, Haryana

The Board noted that the developer has made a request to re-consider grant of hotel keeping in view the requirement of having a world class of work stay facility. Representative of the Department of Revenue pointed out that the service apartments and guest houses already sanctioned should be adequate to meet all the requirements and the need for a hotel is not made out. DC, NSEZ, said that the SEZ is located 35 KM away from Gurgaon. The proposed hotel will not only serve the present SEZ but also another SEZ which has already been notified. After deliberations, the Board **approved** the proposal for setting up of a hotel as per the quantum indicated below:-

S. No	Authorized Operations	Quantum requested (in sqm)	Quantum Approved (in sqm)
1.	Hotel (100 rooms)	37000	10000 sqm or 55% of the floor space in the non-processing area, keeping 100% as FAR, whichever is less.

With this approval, the earlier approval for guest house/service apartments stands withdrawn. Further, a team consisting of representatives from DCs office and DoR will visit the site to satisfy that the proposal has been approved keeping in view the requirement as made out by the developer.

Item No. 40.11: Request of M/s DLF Cyber City Developers Limited for authorized operations in the IT/ITES SEZ at DLF Cyber City District, Gurgaon, Haryana

The item was **withdrawn** from the agenda and would be examined on file.

Item No. 40.12: Request of M/s. CCCL Infrastructure Limited for setting up of Food Testing Laboratory in the sector specific SEZ for Food Processing at Tuticorin District, Tamil Nadu.

Representative of DoR pointed out that the proposed food testing laboratory is in the processing area which cannot serve the DTA clients. At best, they can come up as a unit and not as an infrastructure in case they want to service the DTA clients. DC, MEPZ, suggested that till the viability is established they should not be treated as a income generating unit. In any case the food samples received from the DTA area will be analysed and only the test reports will be sent to the DTA area. They will not claim any income tax/service tax benefits. While the proposal was considered with a possible sun set clause for servicing DTA clients, DoR indicated that without clearly indicating the basis for such an approval, it will be difficult for them to concur to the proposal. Accordingly, it was decided to **defer** the proposal and examine the same on file.

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Item No. 40.13: Request of M/s. NSL SEZ (Hyderabad) Private Limited for waiver of the condition of exclusive use of residential apartments by SEZ employees

The request of the developer for waiver of the condition of exclusive use of residential apartments by SEZ employees was **not approved** by the BoA.

Item No. 40.14: Requests for withdrawal of formal approval

(i) Withdrawal of formal approval granted to M/s. Shantiniketan Infrastructure Private Limited for setting up of sector specific SEZ for Information Technology (IT) at Bolpur, Shantiniketan, West Bengal

The Board decided to **approve** the request of M/s. Shantiniketan Infrastructure Private Limited for withdrawal of formal approval granted for setting up of sector specific SEZ for Information Technology (IT) at Bolpur, Shantiniketan, West Bengal.

(ii) Withdrawal of formal approval granted to M/s. Larsen & Toubro Limited for setting up of sector specific SEZ for IT/ITES at Powai, Mumbai, Maharashtra

The Board decided to **approve** the request of M/s. Larsen & Toubro Limited for withdrawal of formal approval granted for setting up of sector specific SEZ for IT/ITES at Powai, Mumbai, Maharashtra

(iii) Withdrawal of formal approval granted to M/s. Gulf Oil Corporation Limited for setting up of sector specific SEZ for IT/ITES/BPO/Electronic Hardware at Kattigenahalli and Venkata villages, Yelahanka Hobli, Bangalore, Karnataka

The request for withdrawal of formal approval was **withdrawn** by the developer

Item No. 40.15: Requests for de-notification

(i) Request of M/s. NSL SEZ (Chennai) Private Limited for de-notification of the notified sector specific SEZ for IT/ITES at Sholinganallur, Tambaram Taluk, Kancheepuram District, Tamil Nadu

After deliberations, the Board decided to **approve** the request of M/s. NSL SEZ (Chennai) Private Limited for de-notification of notified sector specific SEZ for IT/ITES at Sholinganallur, Tambaram Taluk, Kancheepuram District, Tamil Nadu, **subject to 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.**

(ii) Request of M/s. Bata India Limited for de-notification of the notified sector specific SEZ for IT at villages Jagtala and Bangla, District South 24 Parganas, West Bengal

After deliberations, the Board decided to **approve** the request of M/s. Bata India Limited for de-notification of notified sector specific SEZ for IT at villages Jagtala and Bangla, District South 24 Parganas, West Bengal, **subject to DC's certificate that the**

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developer has refunded all the tax/duty benefits including service tax exemption, which might have been availed under the SEZ Act/Rules.

Item No. 40.16: Requests for increase/decrease in area

It was brought to the notice of the Board that the requests regarding increase/decrease in areas of SEZs need not be brought before the Board as long as the minimum area requirement is not changed. After deliberations, the Board while approving the proposals placed before it, directed that in future, requests seeking an increase/decrease up to 10% of the notified area, need not be brought before the Board as long as the changed area meets the minimum and contiguous land requirement. All other cases not falling under the above mentioned category should be brought before the Board for its consideration.

(i) Request of M/s. G.P. Realtors Private Limited for increase as well as decrease in area of the sector specific SEZ for IT/ITES at Village Behrampur, District Gurgaon, Haryana

After deliberation, the Board decided to **approve** the request of M/s G.P. Realtors Private Limited for addition & de-notification of land admeasuring 4.88156 hectares and 2.16009 hectares respectively in the SEZ thereby making the total area of the SEZ as 21.59005 hectares. The approval is also **subject to the contiguity of the SEZ being maintained and the DC's certificate that the developer has refunded all the tax/duty benefits including Service Tax exemption availed under SEZ Act in respect of the to be de-notified.**

(ii) Request of M/s. Shriram Properties & Infrastructure Private Limited for de-notification of a portion of land in the notified sector specific SEZ for IT/ITES at Perungalathur village, Chennai, Tamil Nadu

After deliberations, the Board decided to **approve** the request of M/s. Shriram Properties & Infrastructure Private Limited for de-notification of 5.03.54 hectares of land from the above mentioned SEZ, thereby making the total area of SEZ 10.61.56 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**

(iii) Request of M/s. Apache SEZ Development India Private Limited for de-notification of a portion of land in the notified sector specific SEZ for Footwear at Mambattu village, Tada Mandal, Nellore District, Andhra Pradesh

After deliberations, the Board decided to **approve** the request of M/s. Apache SEZ Development India Private Limited for de-notification of 56.4 Acres (22.825 hectares) of land from the above mentioned SEZ, thereby making the total area of SEZ **257.17 Acres** (104.0766 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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(iv) Request of M/s. Neogen Properties Private Limited for de-notification of a portion of land in the notified sector specific SEZ for Apparel at Hindupur, Dist. Anantapur, Andhra Pradesh (deferred in the BoA meeting held on 9th April 2010)

After deliberations, the Board decided to **approve** the request of M/s. Neogen Properties Private Limited for de-notification of 40.80 hectares of land from the above mentioned SEZ, thereby making the total area of SEZ 100.84 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**

(v) Request of M/s Vivo Biotech Limited for addition of area in the sector specific SEZ for Biotechnology at Medak District, Andhra Pradesh

After deliberations, the Board decided to **approve** the request of M/s. Vivo Biotech Limited for increasing the area by adding 5.26091 hectares to the already notified SEZ area of 10.926512 hectares, thereby making the total area of the SEZ to 16.18742 hectares.

(vi) 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

After deliberations, the Board decided to **approve** the request of M/s. L&T Shipbuilding for increasing the area by adding 2.5 hectares to the already notified SEZ area.

Item No. 40.17: Request for change of sector/broad-banding the sector

(i) Request of M/s. GMR Hyderabad International Airport Limited for change of sector of their formally approved SEZ at GMR Hyderabad International Airport, Shamshabad, Hyderabad from 'Airport based Multi Product' to 'Multi Services'

After deliberations, the Board decided to **approve** the request of M/s. GMR Hyderabad International Airport Limited for change of sector from "Airport based Multi Product" to "Multi Services with an International Financial Services Centre".

(ii) Request of Gujarat Industrial Infrastructure Development Corporation for change of sector of notified SEZ at Ahmedabad, Gujarat from 'Apparel' to 'Textiles & Articles of Textiles'

The representative of Government of Gujarat indicated that the notified SEZ is wholly owned enterprise of Government of Gujarat. The apparel units in this SEZ are disadvantageously placed as compared to the DTA units and the SEZ cannot be de-notified till all the units exit. Hence to provide the requisite comfort level it has been decided to request for change of sector from 'Apparel' to 'Textiles & Articles of Textiles'. It was noted by the Board that this is an Annexure – II case where the minimum area requirement is only 38 hectares and without amending the SEZ rules, the change of sector as requested for by the developer cannot be considered.

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Item No. 40.18: 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 developers for a period of one year beyond the expiry of the validity period:

- (i) Request of M/s. Reliance Haryana SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for multi services at Gurgaon, Haryana, beyond 20th June 2010
- (ii) Request of M/s. SNP Infrastructure Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Zamin Pallavaram, Chennai, Tamil Nadu, beyond 24th June 2010
- (iii) Request of M/s. Uttam Galva Steels Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Khopoli, village Devnhave, Taluka Khalapur, District Raigad, Maharashtra, beyond 25th July 2010
- (iv) Request of M/s. Nipiam Infotech Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Information Technology at Gram Nimeta, District Vadodara, Gujarat, beyond 25th July 2010
- (v) Request of M/s. Biotor Industries Limited (formerly M/s. Jayant Oils & Derivatives Limited) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Chemicals (Agro-based) at Village Vilayat, Tal. Vagra, District Bharuch, Gujarat, beyond 22nd May 2010
- (vi) Request of M/s. Unitech Reality Projects Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Tikri, Gurgaon, Haryana, beyond 29th July 2010
- (vii) Request of M/s. Unitech Infracon Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Greater Noida, Uttar Pradesh, beyond 22nd May 2010
- (viii) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES - A at Ulwe, Navi Mumbai, Maharashtra, beyond 24th October 2010
- (ix) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES - B at Ulwe, Navi Mumbai, Maharashtra, beyond 24th October 2010
- (x) Request of M/s. Navi Mumbai SEZ Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES - C at Ulwe, Navi Mumbai, Maharashtra, beyond 21st November 2010

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- (xi) Request of M/s. Canton Buildwell Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Gwal Pahari, Tehsil – Sohna, District Gurgaon, Haryana, beyond 25th July 2010
- (xii) Request of M/s. Foxconn India Developer Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/Electronic Hardware at Sriperumbudur, Tamil Nadu, beyond 25th July 2010
- (xiii) Request of Tamilnadu Industrial Development Corporation Limited for extension of the validity period of formal approval, granted for setting up of multi product SEZ at Ennore, Tiruvallur District, Tamil Nadu, beyond 22nd July 2010
- (xiv) Request of M/s. Kinfotech Software Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at KIADB Industrial Area, Mangalore Karnataka, beyond 29th July 2010.
- (xv) Request of M/s. Tata Consultancy Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Gandhinagar, Gujarat, beyond 16th December 2010.
- (xvi) Request of M/s. B.A. Tech Park Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Mangalore, Karnataka, beyond 22nd May 2010.
- (xvii) Request of M/s. Indiabulls Industrial Infrastructure Limited for extension of the validity period of formal approval, granted for setting up of Multi Product at Village Musalgoan and Gulvanch, Taluka Sinnar, District Nasik, Maharashtra, beyond 24th June 2010.
- (xviii) Request of M/s. Navayuga Legala Estates Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Serlingampally, Ranga Reddy District, Andhra Pradesh , beyond 18th June 2010.
- (xix) Request of M/s. International Biotech Park for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at Hinjewadi, Pune, Maharashtra, beyond 24th October 2009.
- (xx) Request of M/s. Enfield Exports Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Non-convectional energy including solar energy equipment/cell at Udupi Kanksa, Panagarh, Dist. Burdwan, West Bengal, beyond 22nd August 2009.

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Item No. 40.19: 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 cases for a period one year beyond the expiry of the validity period:

- (i) Request of M/s. Divyasree Infrastructure Projects Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Ballandur Amani Kane, Off Airport Road, Bangalore, Karnataka, beyond 25th October 2010
- (ii) Request of M/s. Bengal Shapoorji Developers Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at A-III, New Town, Rajarhat, Kolkata, beyond 22nd August 2010.
- (iii) Request of M/s. Selecto Systems Private Limited (*formerly M/s. Haryana Technology Park*) for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Faridabad, Haryana, beyond 15th June 2010
- (iv) Request of M/s. Luxor Cyber City Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Village Sikhopur, Tehsil Sohna, District Gurgaon, Haryana, beyond 6th April 2010
- (v) Request of M/s. Claridges SEZ Developers Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Raigad District, Maharashtra, beyond 26th June 2010
- (vi) Request of M/s. Flagship Infrastructure Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware and Software including ITES at Village Hinjewadi, Taluka Mulshi, District Pune, Maharashtra, beyond 22nd August 2010
- (vii) Request of M/s. Cognizant Technology Solutions 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 Siruseri, Kancheepuram District, Tamil Nadu, beyond 22nd August 2010
- (viii) Request of M/s. NSL SEZ (Hyderabad) Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Uppal Hyderabad, Andhra Pradesh, beyond 30th October 2010
- (ix) Request of M/s. Vatika Jaipur SEZ Developers Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Jaipur, Rajasthan, beyond 15th June 2010
- (x) Request of M/s. Bajaj Holdings & Investment Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Engineering at Wajuj, Aurangabad, Maharashtra beyond 6th April 2010

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(xi) Request of M/s. Uppal Developers Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Multi Services at Gurgaon, Haryana, beyond 2nd April 2010

(xii) Request of M/s. Bagmane Developers Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at KR Puram, Bangalore North, Karnataka, beyond 25th October 2010

Item No. 40.20: Requests for first extension of the validity period of co-developers

After deliberations, the Board decided to grant first extension of validity of formal approval to the following co-developer for a period of one year beyond the expiry of the validity period:

(i) Request of M/s. Nest Hi-Tek Park Private Limited, a co-developer in the sector specific SEZ for Electronics Industries developed by Kerala Industrial Infrastructure Development Corporation. (KINFRA) at Thrikkakara village, Kanayannur Taluk, Ernakulam District, Kerala, for extension of the validity of the LoA.

Item No. 40.21: Request for 1st extension of the validity period of in-principle approval

(i) Request of M/s. Sigrun Megaprojects Private Limited for extension of the validity of in-principle approval of the sector specific SEZ for multi services at Kandla, Gujarat

BOA granted first extension to M/s. Sigrun Megaprojects Private Limited for setting up of sector specific SEZ for multi services at Kandla, Gujarat from the date of the expiry of the last extension i.e. from 30th October 2009.

Item No. 40.22: Grant of second extension of in-principle approval.

BOA granted second extension in respect of the following proposals from the date of the expiry of the last extension.

- (i) M/s. Reliance Haryana SEZ Limited for setting up of multi product SEZ at Jhajjar District, Haryana (w.e.f. 15th February 2010)
- (ii) M/s. South Coast Infrastructure Development Company of Andhra Pradesh Limited (SCIDCAP) for setting up of sector specific SEZ for Building Materials at NH-5 between Prakasam and Nellore Districts, Andhra Pradesh (w.e.f. 26th June 2010)

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Item No. 40.23: Requests for extension of validity of LoP Plastic processing units

- (i) Request of KASEZ for Renewal/Extension of Letter of Approval in respect of Plastics Recycling Units functioning at KASEZ, Gandhidham**
- (ii) Renewal of LoP of M/s. Precision Polyplast Private Limited a unit in FSEZ**
- (iii) Renewal of LoP for next 5 years in respect of M/s. Plastic Processors & Exporters Private Limited, a unit in NSEZ**

After deliberations the Board extended validity of LoA of the above units for further period of one year from the date of expiry of last extension subject to the condition that the units shall have to abide by the final policy, with regard to units recycling plastics in SEZs, which is under finalization.

Item No. 40.24: Request of M/s. Renuka Agriventre Limited, for setting up a unit in MPSEZ, for warehousing and trading (import/export) of sugar/raw sugar

The Board after considering the proposal, decided to **defer** its decision as the commodity being considered is sensitive as far as DTA area is concerned and given the fluctuations in the international commodity market, the unit may not be viable. Accordingly, DC has to examine all aspects of the matter and present a proposal for the BoA to consider.

Item No. 40.25: Request of M/s. Maruti Exports for broad banding for granting permission to include worn/used recyclable products mix accessories i.e. belts, purses, backpacks, soft toys, hard toys

BoA indicated that this proposal requires better understanding and accordingly directed that an inspection report be submitted to it after taking into account all aspects of the matter.

Item No. 40.26: Appeals before BoA

- (i) Appeal of M/s New Tech Abrasives Limited, a unit in the ISEZ, against the order dated 23.12.2009 of the Approval Committee, ISEZ, cancelling the LoP of the unit**
- (ii) Appeal by M/s New Tech Pipes Limited, a unit in the ISEZ, against the order dated 23.12.2009 of the Approval Committee, ISEZ, cancelling the LoP of the unit**

The Board noted that both the Appeals pertained to the same firm wherein the Appeal is against the cancellation of LOP of the units. The firm challenged the action of the SEZ in the High Court which directed that BOA should decide the Appeals.

DC ISEZ said that in the Unit Approval Committee meeting held on 23rd of December 2009 and it was decided by the UAC to cancel the LOA essentially on account of the firm

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evading excise/customs duty, non-payment of VAT/CST/Entry Tax, and for theft of electricity.

The representative of the units pointed out that the LOA for both the units were cancelled only on the basis of mere allegations and without any documentary evidence. None of the allegations are correct.

The Board of Approvals, after due deliberations and in compliance of the Hon'ble High Court of Madhya Pradesh's Bench at Indore Order No. 2747/10/2010 and 2748/10/2010 remanded the cases and appeals back to the Unit Approval Committee to consider its action de novo. The Board further directed that the Unit Approval Committee, after due deliberations and after having provided adequate opportunity for the appellants to present their cases, will pass a considered Speaking Order which should be backed up by proper legal documentation. Any further follow up action, in this regard, therefore lay on the part of the Unit Approval Committee and the Development Commissioner of ISEZ.

Item No. 40.27: Contiguity Relaxation

(i) Request of M/s. Navi Mumbai SEZ Private Limited for relaxation of conditions of LoA regarding contiguity and multiple entry/exit gates

The Department of Revenue pointed out that since the issue has been taken up with the Zonal Chief Commissioner of Customs, Mumbai Zone – II, a factual report in this regard is essential. DoR, therefore, sought deferment till the report, which is expected in couple of weeks time, is received. Accordingly, the proposal was **deferred**.

Item No.40.28: Ex-post facto approval by Board of Approval

(i) Request of M/s. Hetero Drugs Limited for amendment in the LoA dated 22.12.2009 conveying approval of the Board of Approval for carrying out authorized operations as co-developer, in the non-processing area, of the sector specific SEZ for Pharmaceutical Formulations at Mahaboobnagar District, Andhra Pradesh developed by APIIC

The Board had taken note of the approval granted to the developer for carrying out authorized operation, approved vide LoA dated 22.12.2009, in the processing area of the SEZ.

(ii) Request of M/s. Lanco Solar Private Limited for deletion of the words "PV" from the present sector "Solar PV" of the SEZ at Ramdaspur Cuttack District, Orissa

The Board ratified the decision for deletion of words "PV" from the present sector "Solar PV" of the sector specific SEZ at Ramdaspur Cuttack District, Orissa.

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Decisions on Supplementary Agenda

Item No. 40.1: 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 Airmid Developers Limited for authorized operations in sector specific SEZ for IT/ITES at Sector – 106, village Pawala Khusrupur, Gurgaon, Haryana**

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:-

S. No.	Authorized operations	Quantum requested (in sqm.)	Quantum Approved (in sqm.)
1.	Housing Units/Residential (660 Dwelling units)	68627	30000
2.	Commercial/Facilities related to Technology (a) Employee Welfare facilities: such as Creche, Facility Management, Training centre, Library, Multi-activity centre (b) Service Apartments including Dining facilities, House Keeping facilities, Business Centre, Travel Desk etc.	16206	7500
3.	Commercial a) Commercial Complex/Office Space b) Public conveniences such as: Food services including cafeteria, food courts, Restaurants, coffee shops, Canteens, Catering facilities, Kitchens, Toilets & Restrooms. Basic Amenities stores, Groceries, Stationary stores, General convenience stores, Banks, ATM's Post office, Courier facilities. Health care facilities/Medical center such as Clinic, Diagnostic center, Pharmacies etc	10000	
4.	Recreational Facilities: such as Club house, Indoor/Outdoor games, Kids Activity Centre and	3499	3499

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	Gymnasium		
5.	Educational facilities: (School/Technical Institute/Educational Institute)	2000	2000

(ii) Request of M/s. Espire Infrastructure Corporation Limited for authorized operations, in the sector specific SEZ for IT/ITES at 12/1, Sector-27D, Industrial Area, Mathura Road, Faridabad, Haryana

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:-

S. No.	Proposed Operation	Quantum requested (in sqm.)	Quantum approved (in sqm.)
1.	Residential apartment	10000	10000
2.	Commercial	22000	7500
	Retail	5500	
3.	Residential apartment	10000	10000
4.	Facilities Block		
	(i) Club House	7000	7000
	(ii) Business Centre	1800	1800
	(iii) Gymnasium	1800	1800
	(iv) Bank/ATMs	1400	1400
	(v) Clinic/Medical Centre	500	500

(iii) Request of M/s. Indiabulls Realtech Limited for authorized operations, as a 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

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:-

S. No.	Authorized operations	Quantum requested for (Sqm)	Quantum approved (in sqm.)
1.	Houses for Executive & Non-Executive, GM Bungalow, Guest House and other Duplex Bungalows including lighting & electrical works, Area development, Road, drains, Boundary wall, Gate complex, community centre Club House, Health centre, Swimming Pool, Area Lighting, Sub Station, DG	100000	100000

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	set, Supply & Laying of power & telephone cable, water pump house, Water Storage tank, Water line distribution network, play ground, Horticulture, Parks and lawns, Effluent Treatment Plant & Sewage Treatment plant package for township.		
2.	Ash Utilisation and beneficiation such as brick and block making plant	2.5	2.5*

*This will be subject to the condition that the developer will not trade the bricks and blocks made out of thermal ash in the DTA area.

The request of the developer for Medical equipment furniture medicines for health centre is to be considered by Approval Committee.

(iv) Request of M/s. Myron Realtors Private Limited for authorized operations in sector specific SEZ for IT/ITES at village Santhal, Taluka, Sanand, District Ahmedabad, Gujarat

After deliberations, the Board decided to **approve** the following authorized operations in the **non-processing area** as given in the table. The final approval letter will be issued after confirmation by DC KASEZ:-

S. No.	Authorized operations	Quantum requested (in sqm)	Quantum admissible (in sqm.)	Quantum approved (in sqm.)
1.	Residential Apartments	75419.85	46613	46613
2.	Retail/Commercial Buildings	2246.59	11653.39	2246.59
3.	Facilities Buildings	475.99	19422	475.99

Item No.40.2: Request of Co-developer

(i) Request of M/s. Nucleus Software Limited for co-developer in the sector specific SEZ for IT/ITES at Jaipur, Rajasthan, developed by M/s. Mahindra World City (Jaipur) Ltd.

After deliberations, the Board decided to grant **approval** to the request of M/s. Nucleus Software Limited for co-developer for developing, operating and maintaining an area of 7.0455 hectares in the above mentioned SEZ.

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Annexure - 1

List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 8th June, 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. Sh. B. Sam Bob, Principal Secretary (Industries & Commerce Deptt.), Govt. of Hyderabad, Andhra Pradesh.
7. Shri K.R. Anjan, Principal Secretary Industries, Government of Tamil Nadu
8. Shri Ravi Inder Singh, Director, Ministry of Home Affairs
9. Shri Manjunath Gonda, Resident Director, Karnataka Dog Mitra Karnataka Bhavan – 3, Khelgaon Marg, New Delhi
10. Shree Veerendra Singh, Dy. Director (SEZ), O/o Industries & Commerce Department, Haryana, Chandigarh
11. Shri Sudhir K. Agarwal, Assistant Director (EP&WTO), M/o MSME, O/o DC (MSME), Nirman Baan, New Delhi
12. Shri D.S. Chaturvedi, Zonal Officer, MPSIDC, 122, Aurobindo Place, Hauz Khas, New Delhi – 110016
13. Shri Bhaskar Khulbe, Advisor Industry, Government of West Bengal, C-291, Defence Colony, New Delhi – 24
14. Shri Arvind Agarwal, Vice Chairman & Managing Director, Gujarat Industrial Development Corporation
15. Shri Naresh Kr. Dhiran, Town & Country Planner, TC.PO, Moud, 'E' Block, Vikas Baan, I.P. Estae, New Delhi
16. Shri R.P. Chauhan, Section Officer, M/o Overseas Indian Affairs

LIST OF DEVELOPMENT COMMISSIONERS

17. Shri Ajay Mittal, Development Commissioner, MEPZ SEZ, Chennai.
18. Smt. Maya D. Kem, Development Commissioner, MPSEZ, Mundra, Gujarat.
19. Shri M.S. Rao, Development Commissioner, VSEZ, Visakhapatnam, Andhra Pradesh.
20. Shri Arun Kumar Bit, Development Commissioner, Falta SEZ, Kolkata.
21. Smt. Anita Agnihotri, Development Commissioner, SEEPZ SEZ, Mumbai.
22. Shri S.C. Panda, Development Commissioner, Noida SEZ, Uttar Pradesh.
23. Shri C.J. Mathew, Development Commissioner, CSEZ, Cochin
24. Shri Vijay Shewale, Development Commissioner, Surat SEZ, Surat
25. Shri S. Kishore, Development Commissioner, AP SEZ
26. Shri K.L. Sharma, Development Commissioner, Sterling SEZ, Gujarat

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27. Shri Upendra Vasishth, Development Commissioner, Reliance SEZ, Jamnagar, Gujarat
28. Shri S.N.Patil, Joint Development Commissioner, Dahej SEZ
29. Shri A.K. Rathore, Joint Development Commissioner, ISEZ, Indore, Madhra Pradesh.
30. Shri C.V.D.Ramprasad, Director, STPI (IT/ITES), SEZ, Noida
31. Shri J.Parthasarathy, Director STPI (IT/ITES), SEZ, Chennai, Tamil Nadu
32. Shri P. Venugopal, Director STPI, DC (IT/ITES), Hyderabad, Andhra Pradesh
33. Shri S. K. Agarwal, Director STPI, DC (IT/ITES), SEZ Maharashtra
34. Shri R. Rajalakshmi, Director STPI & Development Commissioner, Bangalore, Karnataka
35. Shri P.K. Das, Director STPI & Development Commissioner, Eastern Zone, Guwahati, Assam
36. Shri Ajay Sharma, Development Commissioner (IT/ITES), SEZ, Gujarat
37. Shri K. Ramesh Kumar, Development Commissioner IT/ITES SEZ, Kerala.

LIST OF PARTICIPANTS OF DEPARTMENT OF COMMERCE

38. Shri D.K. Mittal, Additional Secretary, Department of Commerce.
39. Shri Anil Mukim, Joint Secretary, Department of Commerce
40. Shri T. Srinidhi, Director, Department of Commerce
41. Shri R. K. Pandey, Under Secretary, Department of Commerce
42. Shri G. Muthuraja, Under Secretary, Department of Commerce
43. Shri Vinod Kumar, Section Officer, SEZ Section, Department of Commerce
44. Shri Achint Kumar, Section Officer, SEZ Section, Department of Commerce
