

## **Minutes of the 39<sup>th</sup> meeting of the SEZ Board of Approval held on 9<sup>th</sup> April 2010 to consider proposals for setting up of Special Economic Zones**

The thirty ninth meeting of the SEZ Board of Approval was held on 09.04.2010 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 574 formal approvals have been granted for setting up of SEZs out of which 353 have been notified. He further informed that over Rs. 1,28,390 crore have been invested in the Special Economic Zones during this short span of time and direct employment of the order of 4,89,831 persons has been generated in the Special Economic Zones. During the first three quarters of the financial year 2009-10, total exports of Rs. 1,52,092 crore approximately have been made from SEZs.

### **ITEM NOS. 39.1& 39.2: Proposals for setting up of SEZs:-**

#### **(A) Decisions for Formal Approvals:**

**1. Request for setting up of a sector specific Special Economic Zone for Biotech at Kodur and Settupalli villages, Chilamathur Mandal, Ananthapur District, Andhra Pradesh by M/s Indus Gene Expressions Limited, over an area of 10.53 hectares (Item No. 39.1 –Sl. No. i):**

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** for setting up of a sector specific Special Economic Zone for **Biotech** at Kodur and Settupalli villages, Chilamathur Mandal, Ananthapur District, Andhra Pradesh by M/s Indus Gene Expressions Limited, over an area of **10.53 hectares**.

**2. Request for setting up of a sector specific Special Economic Zone for Airport Based SEZ at Angamali villages, Ernakulam, Kerala by M/s Cochin International Airport Limited, over an area of 100 hectares (Item No. 39.1 –Sl. No. ii):**

The Board noted that the Developer was in possession of the land. The State Government has also recommended the proposal. The representative of Department of Revenue brought out that the developer has proposed repair/maintenance of aircrafts from domestic tariff area. It was clarified that in respect of such repairs/maintenance, it will be treated at par with goods cleared on DTA clearance basis. Accordingly, the Board decided to grant **formal approval** for setting up of a sector specific Special Economic Zone for **Airport Based SEZ** at Angamali villages, Ernakulam, Kerala by M/s. Cochin International Airport Limited, over an area of **100 hectares**.

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**3. Request for setting up of a sector specific Special Economic Zone for Biotech and related activities at Muppireddipally village, Toopran Mandal, Medak District, Andhra Pradesh by M/s Shantha Biotechnics Limited, over an area of 10.12 hectares (Item No. 39.1 –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** for setting up of a sector specific Special Economic Zone for **Biotech and related activities** at Muppireddipally village, Toopran Mandal, Medak District, Andhra Pradesh by M/s. Shantha Biotechnics Limited, over an area of **10.12 hectares**.

**4. Request for setting up of a sector specific Special Economic Zone for Biotechnology at Turkapally village, Shameerpet Mandal, Ranga Reddy District, Andhra Pradesh by M/s. Suchirindia Infrastructure Private Limited, over an area of 13 hectares (Item No. 39.1 –Sl. No. iv):**

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** for setting up of a sector specific Special Economic Zone for **Biotechnology** at Turkapally village, Shameerpet Mandal, Ranga Reddy District, Andhra Pradesh by M/s. Suchirindia Infrastructure Private Limited, over an area of **13 hectares**.

**5. Request for setting up of a sector specific Special Economic Zone for Solar SEZ at Mahroomkala, Mahroomkurd and Chaveli villages, Rajnandgaon District, Chhattisgarh by M/s. Lanco Solar Private Limited, over an area of 101 hectares (Item No. 39.1 –Sl. No. vi):**

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** for setting up of a sector specific Special Economic Zone for Solar SEZ at Mahroomkala, Mahroomkurd and Chaveli villages, Rajnandgaon District, Chhattisgarh by M/s. Lanco Solar Private Limited, over an area of **101 hectares**.

**6. Request for conversion of in-principle approval into formal approval for setting up of a sector specific Special Economic Zone for Copper at TV Puram, Tuticorin, Tamil Nadu by M/s. Sterlite Industries (India) Limited, over an area of 128 hectares (Item No. 39.2 –Sl. No. i):**

The Board noted that the Developer was in possession of the land. The State Government has also recommended the proposal. The Board granted **formal approval** for setting up of a sector specific Special Economic Zone for Copper at TV Puram, Tuticorin, Tamil Nadu by M/s. Sterlite Industries (India) Limited, over an area of **128 hectares subject to the conditions stipulated by State Government for establishing contiguity**.

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### **(B) Decisions for Deferment:**

#### **1. Request for setting up of a sector specific Special Economic Zone for IT/ITES at KIADB Industrial Area, Hebbal – Hootagally, Mysore, Karnataka by M/s. Larsen & Toubro Limited over an area of 10 hectares (Item No. 39.1 –Sl. No. v):**

The land is in the possession of the developer and the State Government has also recommended the proposal for formal approval. The Board also noted that there are existing building structures in the proposed land - there is one small training centre for employees of L&T in the site, which the developer intends to continue to use for providing in house training facilities and there is a warehouse which is not in use. The representative of the Department of Revenue raised the issue of vacancy. The Board then decided to **defer** the proposal and directed that the developer must give an undertaking that the warehouse will be kept vacant and also provide the details of the users of the training facilities.

#### **Item No. 39.3: Additions in the list of default authorized operations**

The representative of the Department of Revenue was of the view that default authorized operations would entail the developers to completely bypass the Unit Approval Committees. It was clarified that the default authorized operations merely provide the operations which can be availed of by the developer and the Unit Approval Committee has to in any case approve the authorized operations. It was also clarified that in terms of the existing guidelines, no tax benefits can be extended to any construction activity outside the SEZ premises including water pipeline connections from the source to the SEZ. However, while ratifying the additions in the default list, the Board approved the following changes in respect of specific items mentioned:-

| <b>For</b>   | <b>Read</b>   |
|--|---|
| Warehouses   | Warehouses as approved by the Unit Approval Committee   |
| Construction of all type of buildings in processing area | Construction of all type of buildings in processing area as approved by the Unit Approval Committee |

#### **Item No.39.4: 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. Progressive Techmart IT Services 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. Progressive Techmart IT Services Private Limited for co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or

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for the purposes connected therewith, for use by the prospective units, over an area measuring 1.7015 hectares in the above SEZ.

**(ii) Request of M/s. Aachvis IT SEZ Infra 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. Aachvis IT SEZ Infra Private Limited for co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 1.4275 hectares in the above SEZ.

**(iii) Request of M/s. Multitask Information Technologies 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. Multitask Information Technologies Private Limited for co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 1.0700 hectares in the above SEZ.

**(iv) Request of M/s. Standard IT Web Solutions 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. Standard IT Web Solutions Private Limited for co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 0.5322 hectares in the above SEZ.

**(v) Request of M/s. AS Multimedia Solutions 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. AS Multimedia Solutions Private Limited for co-developer for construction and development of a Plug – N-Play Incubator Infrastructure facility for IT/ITES purposes and/or for the purposes connected therewith, for use by the prospective units, over an area measuring 1.0048 hectares in the above SEZ.

**(vi) 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**

The representative of the Department of Revenue (CBDT) indicated that the proposal is not clear. Accordingly, the Board decided to **defer** to the request of M/s. Three C Facility

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Management Private Limited for co-developer for **operation and maintenance** of equipment, services and common areas of the above SEZ.

**(vii) Request of M/s. DLF Utilities Limited for co-developer in the sector specific SEZ for IT/ITES at Rajiv Infotech Park, Plot No. 28, Hinjawadi, Ph. II, Pune, Maharashtra, being developed by M/s. DLF Akruiti Info Parks (Pune) Limited**

The representative of Department of Revenue (DGEP) said that in respect of IT/ITES SEZs the power guidelines are specific and the present proposal is not covered under the guidelines. It was pointed out to Department of Revenue that the fresh power guidelines have been referred to that department nearly three months back and they have to provide their stand point at the earliest. Accordingly, the Board decided to **defer**, the request of M/s. DLF Utilities Limited for co-developer for setting up a co-generation plant to install and commission gas turbine based power generating sets by setting up energy centres to provide electricity at a single source and generate chilled water using vapour absorption machines, in the processing of the area said SEZ, till the finalization of fresh power guidelines.

**(viii) Request of M/s. Greentech Industries (India) Private Limited for co-developer in the multi product SEZ at Dwarkapuram village, Naidupet Mandal, Nellore District, Andhra Pradesh being developed by Andhra Pradesh Industrial Infrastructure Corporation Ltd.**

After deliberations, the Board decided to grant **approval** to the request of M/s. Greentech Industries (India) Private Limited for co-developer for development of complete infrastructure over an area of 85.02 hectares in the above mentioned SEZ.

**(ix) Request of M/s. ULCCS IT Infrastructure Private Limited for co-developer in the sector specific SEZ for IT/ITES at Village Nellikode, District Kozhikkode, Kerala, being developed by M/s. Uralungal Labour Contract Co-operative Society Limited**

After deliberations, the Board decided to grant **approval** to the request of M/s. ULCCS IT Infrastructure Private Limited for co-developer for development of IT infrastructure together with relevant amenities in the above SEZ

### **Item No. 39.5: 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 24<sup>th</sup> October 2008, which was noted by the members of the BoA, and State Government Representatives in its meeting held on 8<sup>th</sup> December 2008. Accordingly, the DCs will ensure that the authorized operations are in line with the guidelines.**

The Representative of the Department of Commerce brought out that the developers are facing the problem of getting the master plan of the SEZs approved by the State Governments. Normally, after the approval of the SEZs, the concerned State Governments approve the master plan based on the approvals granted by the BoA. For more efficient operations, the Unit Approval Committees must in the first instance approve the proposed structures which can then form the basis for the master plan. However, BoA can specifically

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approve structures which need not be as per the master plan approved. A policy instruction on these lines can be framed and circulated.

### (i) Request of M/s Jubilant Infrastructure Limited for authorized operations in sector specific SEZ for chemicals in District Bharuch, Gujarat

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

| S. No. | Authorised operations  | Quantum requested for (in sqm )   | Quantum Approved (in sqm)   |
|--------|--|---|---|
| 1.     | Steam Generation Plant with Coal fired Boiler along with all necessary accessories & its Distribution System   | 8000<br>Capacity – 25 TPH   | 8000<br>Capacity – 25 TPH   |
| 2.     | Weigh Bridges with all accessories & its office cabins   | 160<br>Capacity – 4 nos. x 80 T or 100 T  | 160<br>Capacity – 4 nos. x 80 T or 100 T  |
| 3.     | High Pressure Liquid Storage Tank with all accessories   | 7200<br>Capacity – 2 nos x 60 MT (water volume)   | 7200<br>Capacity – 2 nos x 60 MT (water volume)   |
| 4.     | Incinerator Plant with all necessary equipments along with critical items and accessories for the treatment of Industrial wastes such as Solid, Liquid and Gaseous waste, etc. | 900<br>Solid waste – 1200 kg/day,<br>Liquid waste – 125 ,3/day and<br>gaseous waste – 26000 nm <sup>3</sup> /hr | 900<br>Solid waste – 1200 kg/day,<br>Liquid waste – 125 ,3/day and<br>gaseous waste – 26000 nm <sup>3</sup> /hr |
| 5.     | Liquid Storage Tanks   | 1000<br>Capacity – 2 nos x 250 m <sup>3</sup> MT  | 1000<br>Capacity – 2 nos x 250 m <sup>3</sup> MT  |
| 6.     | Liquid Storage Tanks   | 1000<br>Capacity – 2 nos x 30 m <sup>3</sup> MT   | 1000<br>Capacity – 2 nos x 30 m <sup>3</sup> MT   |

### (ii) Request of M/s. Suyog Realtors Pvt. Ltd. for authorized operations in the IT/ITES SEZ at Nagpur, Maharashtra

The BoA perused the proposal and after deliberations, the Board decided to tentatively approve the authorized operations, in the **non-processing area**, as given in the table. However, DC, will give a final report keeping in view the FAR etc. regarding the quantum that can be approved, thereafter, the formal approval can be issued.

| S. No | Authorized Operations   | Quantum requested for (in sqm ) | Quantum Approved (in sqm) |
|-------|---|---------------------------------|---------------------------|
| 1.    | Housing and residential apartments: Type A consisting of 10 Towers with total 420 | 22260                           | 11130                     |

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|    |  |          |       |
|----|--|----------|-------|
|    | Dwelling Units   |          |       |
| 2. | Housing and Residential Apartments: 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 |

**(iii) Request of M/s. DB Hospitality Pvt. Ltd. for authorized operations as co-developer in the multi product SEZ at Mundra village & Taluka, Kutch – District, Gujarat, developed by Mundra Port and Special Economic Zone 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. | Authorised operations                                     | Quantum requested for (in sqm )                         | Quantum Approved (in sqm)                               |
|--------|---|---|---|
| 1.     | Four Star Category Hotel                                  | 6688 (152 rooms with an average built up space of 44.00 | 6688 (152 rooms with an average built up space of 44.00 |
|        | <b>The Hotel will have the following support facility</b> |   |   |
| a)     | Swimming Pool   | 180   | 180   |
| b)     | Health Club   | 100   | 100   |
| c)     | Gymnasium   | 500   | 500   |
| d)     | Business Center   | 300   | 300   |
| e)     | Banquet Rooms   | 600   | 600   |
| f)     | Restaurant & Liquor Bar                                   | 500   | 500   |
| g)     | Entrance Lobby  | 380.26  | 380.26  |

**(iv) 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 BoA noted that in terms of the FAR, the maximum that can be permitted to the SEZ is 16000 sqm. Accordingly, it was decided by the Board not to approve the proposal of the developer for an area of 32000 sqm. of commercial complex/office space.

**Item No. 39.6: Request for change of sector/broad-banding the sector**

**(i) Request of M/s. Carborundum Universal Limited for change of sector of their sector specific SEZ at village Thrikkakara North, Taluka Kanayannur, Ernakulam District, Kerala from ‘Solar Photo Voltaic’ to ‘Non Conventional Energy including Solar Photovoltaic’**

After deliberations, the Board decided to **approve** the request of M/s. Carborundum Universal Limited for change of sector from “Solar Photovoltaic” to “Non-conventional Energy including Solar Photovoltaic”.

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(ii) Request of M/s. Information Technology Park Limited for inclusion of “Electronic Hardware and Software” sector in the present sector specific SEZ for IT/ITES at Bangalore, Karnataka

(iii) Request of M/s. Dr. Fresh Health Care Pvt. Ltd. for inclusion “Electronic Hardware and Software” sector in the present sector specific SEZ for IT/ITES at Gurgaon, Haryana

(iv) Request of M/s. Opto Circuits (India) Limited for inclusion “IT/ITES” sector in the present sector specific SEZ for Electronic Hardware at Nanjangud, Mysore District, Karnataka

After deliberations, the Board decided to **approve** the requests of M/s. Information Technology Park Limited M/s. Dr. Fresh Health Care Private Limited and M/s. Opto Circuits (India) Limited for change/broad banding of sector from “IT/ITES” to “Electronic Hardware and Software including IT/ITES”.

### **Item No. 39.7: Requests for increase/decrease in area**

(i) 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

DC, VSEZ informed the Board that the Government of Andhra Pradesh has sought deferment of this item. Accordingly, the item was **deferred**.

(ii) Request of M/s. Mangalore SEZ Limited for de-notification of a portion of land in the notified sector specific SEZ for Petrochemicals and Petroleum sector at Baikampady, near Dakshina Kannada District, Karnataka

After deliberations, the Board decided to **approve** the request of M/s. Mangalore SEZ Limited for de-notification of 5.64 hectares of land from the above mentioned SEZ, thereby making the total area of SEZ 581.281 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**

### **Item No. 39.8: Issues relating to specific SEZ for IT/ITES at Sholinganallur, Tambaram Taluk, Kancheepuram District, Tamil Nadu being developed by M/s. NSL SEZ (Chennai) Pvt. Ltd.**

(i) Request of M/s. NSL SEZ (Chennai) Pvt. Ltd. for de-notification as well as addition of a portion of land.



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### **(ii) High Court Madras order dated 8<sup>th</sup> March 2010 on the writ petition filed by Alamelu Mangapuram and Ganapathi Syndicate Residential Plot Owners Welfare Association, Shollinganallur**

It was brought out that the SEZ was notified in 2007 after which there has been challenges by the Alamelu Mangapuram and Ganapathi Syndicate Residential Plot Owners Welfare Association, Shollinganallur regarding an area of 13.08.4 ha. The Association has moved the Chennai High Court on the matter which is still awaiting final disposal. In the meanwhile the association made a representation/appeal, in April 2008, to the department of Commerce regarding the cancellation of the notification issued in 2007. Since, the matter was pending before the High Court, Department of Commerce indicated that till High Court provides its decision, the appeal cannot be considered. The Association went in a writ of Mandamus to the High Court on the issue of appeal and the High Court directed that the Department of Commerce must consider the appeal within 8 weeks of the decision of the High Court of 12.2.2010. The developer has sought the denotification of the disputed area of 13.08.4 ha and has requested for notifying an area of 5.72.1 ha which will ensure that he meets the minimum land requirement.

BoA 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 the appeal of the Association also stands disposed off.

### **Item No. 39.9: Request for de-notification**

#### **(i) Request of M/s. Estra IT Park Private Limited for de-notification of the notified sector specific SEZ for IT/ITES at Mount Poonamallee High Road, Iyyapanthangal, Porur, Chennai, Tamil Nadu**

After deliberations, the Board decided to **approve** the request of M/s. Estra IT Park Private Limited for de-notification of notified sector specific SEZ for IT/ITES at Mount Poonamallee High Road, Iyyapanthangal, Porur, Chennai, Tamil Nadu, over an area of 10.194 **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. Unitech Infopark Limited for de-notification of the notified sector specific SEZ for IT/ITES at Village Nallambakkam, Taluk Chengalput, Kancheepuram, Chennai, Tamil Nadu**

After deliberations, the Board decided to **approve** the request of M/s. Unitech Infopark Limited for de-notification of notified sector specific SEZ for IT/ITES at Village Nallambakkam, Taluk Chengalput, Kancheepuram, Chennai, Tamil Nadu, over an area of 10.17.5, **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. Further, the developer must also pay the cost recovery charges of the staff posted for the SEZ.**

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### **(iii) Request of M/s. Wardha Power Company Private Limited for de-notification of the notified sector specific SEZ for power at Warora, Chandrapur District, Maharashtra**

After deliberations, the Board decided to **approve** the request of M/s. Wardha Power Company Private Limited for de-notification of notified sector specific SEZ for Power at Warora, Chandrapur District, Maharashtra **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.**

### **Item No. 39.10: Withdrawal of approval**

#### **(i) Withdrawal of formal approval granted to M/s. DSK SEZ Projects (Pune) Pvt. Ltd. for setting up of sector specific SEZ for Multi Services at Village Fursungi Haveli District Pune, Maharashtra**

The Board decided to **approve** the request of M/s. DSK SEZ Projects (Pune) Private Limited for setting up of sector specific SEZ for Multi Services at Village Fursungi Haveli District Pune, Maharashtra for withdrawal of formal approval.

#### **(ii) Withdrawal of formal approval granted to M/s. Hebe Infracon Private Limited, for setting up of sector specific SEZ Electronic Hardware, Software & IT/ITES at Thirupalya and Maragandanahalli villages, Anekal Taluk, Bangalore Urban District, Karnataka**

The Board decided to **approve** the request of M/s. Hebe Infracon Private Limited for setting up of sector specific SEZ for Electronic Hardware, Software & IT/ITES at Thirupalya and Maragandanahalli villages, Anekal Taluk, Bangalore Urban District, Karnataka for withdrawal of formal approval.

### **Item No. 39.11: 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. Mangalore SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Petrochemicals and Petroleum at Baikampady, near Mangalore, Dakshina Kannada District, Karnataka, beyond 29<sup>th</sup> July 2010

(ii) Request of M/s. Opto Circuits (India) Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware Park at Nanjangud Taluk, Mysore District, Karnataka beyond 20<sup>th</sup> August 2010

(iii) Request of M/s. Gopalpur Special Economic Zone Limited for extension of the validity period of formal approval, granted for setting up of multi product SEZ at Gopalpur, District Ganjam, Orissa beyond 17<sup>th</sup> June 2010

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- (iv) Request of M/s. Mohan Investments & Properties Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Shijra Kila Bandi, village/Tehsil- Badshahpur, Dist. Gurgaon, Haryana beyond 25<sup>th</sup> July 2010
- (v) Request of M/s. True Developers Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware including IT/ITES at Arasur village, Palladam Taluk, Coimbatore, Tamil Nadu beyond 29<sup>th</sup> July 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 Ghodbunder, Mira Road, Taluka & District Thane, Maharashtra beyond 29<sup>th</sup> July 2010
- (vii) Request of M/s. Ajanta Projects (India) Ltd. for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for **Non-conventional Energy including Solar Energy equipment** at Auarangabad, Maharashtra beyond 25<sup>th</sup> July 2010
- (viii) Request of M/s. Ajanta Projects (India) Ltd. for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for **Pharmaceuticals** at Shendra, Auarangabad, Maharashtra beyond 25<sup>th</sup> July 2010
- (ix) Request of M/s. Lodha Dewellers Private Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at village Narivalli, Taluka & District Thane, Maharashtra beyond 2<sup>nd</sup> May 2010
- (x) Request of Gujarat Industrial Development Corporation for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Biotechnology at village Manjusar, District Vadodara, Gujarat beyond 22<sup>nd</sup> June 2010
- (xi) Request of M/s. HCL Technologies Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Jigani Industrial Area, Attibele Taluk, Bangalore, Karnataka, beyond 23<sup>rd</sup> August 2009.
- (xii) Request of Hyderabad Metropolitan Development Authority (HMDA) for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Kokapet village, Serilingampalli Mandal, Ranga Reddy District, Hyderabad, Andhra Pradesh beyond 22<sup>nd</sup> October 2009.
- (xiii) Request of M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Sahastra Dhara Road, Dehradun, Uttarakhand beyond 24<sup>th</sup> October 2009.
- (xiv) Request of M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Indore, Madhya Pradesh beyond 24<sup>th</sup> October 2009.
- (xv) Request of M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Sohna Road, Gurgaon, Haryana beyond 5<sup>th</sup> November 2009.

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(xvi) Request of M/s. Parsvnath SEZ Limited for extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Nedumbassery and Chengamanadu villages of Aluva Taluk in Ernakulam, Kerala beyond 25<sup>th</sup> October 2009.

### **Item No. 39.12: 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. Metro Valley Business Park Pvt. Ltd. for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Information Technology (IT) at Gurgaon, Faridabad Road, Gurgaon, Haryana, beyond 5<sup>th</sup> November 2010

(ii) Request of M/s. Hyderabad Gems SEZ Ltd. for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Gems and Jewellery at Ranga Reddy District, Andhra Pradesh, beyond 8<sup>th</sup> June 2010

(iii) Request of M/s. Orient Craft Infrastructure Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Textiles at Gurgaon, Haryana, beyond 16<sup>th</sup> August 2010

(iv) Request of M/s. Medicaps IT Park Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Information Technology (IT) at Indore, Madhya Pradesh, beyond 14<sup>th</sup> June 2010

(v) Request of M/s. Infosys Technologies Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Hebbal Industrial Area, Mysore, Karnataka, beyond 21<sup>st</sup> August 2010

(vi) Request of M/s. Ansal IT City & Parks Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at TZ-06, Tech Zone, Greater Noida, Uttar Pradesh, beyond 6<sup>th</sup> April 2010

(vii) Request of M/s. NIIT Technologies Ltd. for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Plot No. 2&2A, Sector – Tech Zone, Greater Noida, Uttar Pradesh, beyond 23<sup>rd</sup> August 2010

(viii) Request of M/s. Kakinada SEZ Limited for second extension of the validity period of formal approval, granted for setting up of Multi Product SEZ at Kakinada, East Godavari District, Andhra Pradesh, beyond 26<sup>th</sup> June 2010

(ix) Request of M/s. Kumar Builders Township Ventures Pvt. Ltd. for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Hinjewadi, Pune, Maharashtra, beyond 27<sup>th</sup> August 2010

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- (x) Request of M/s. HCL Technologies Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Noida, Uttar Pradesh, beyond 23<sup>rd</sup> August 2010
- (xi) Request of M/s. Ranbaxy Laboratories Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Pharmaceutical at Mohali, Punjab, beyond 18<sup>th</sup> June 2010
- (xii) Request of M/s. Zeus Infrastructure Private Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for IT/ITES at Mulund and Thane, Maharashtra, beyond 20<sup>th</sup> June 2010
- (xiii) Request of M/s. Somani Worsted Limited for second extension of the validity period of formal approval, granted for setting up of sector specific SEZ for Electronic Hardware and Software/ITES at Bhiwadi, District Alwar, Rajasthan, beyond 20<sup>th</sup> August 2010

### **Item No. 39.13: Requests for first extension of the validity period of co-developers**

**After deliberations, the Board decided to grant first extension of validity of formal approvals in respect of each of the following co-developers for a period of one year beyond the expiry of the validity period:**

- (i) Request of M/s. US Technology International Pvt. Ltd., a co-developer in the sector specific SEZ for IT/ITES developed by M/s. Electronics Technology Parks-Kerala at Attipra Village, Thiruvananthapuram, Kerala, for extension of the validity of the LoA.
- (ii) Request of M/s. Satyam Computer Services Ltd., a co-developer in the sector specific SEZ for IT/ITES developed by Electronics Corporation of Tamil Nadu Limited (ELCOT) at Kancheepuram, Chennai, Tamil Nadu, for extension of the validity of the LoA.

### **Item No. 39.14: Grant of second extension of in-principle approval.**

BOA granted second extension in respect of M/s LMJ Warehousing Private Limited for setting up of FTWZ at Kandla, Gujarat from the date of the expiry of the last extension i.e. from 11.01.2010.

### **Item No. 39.15: Request of DC, KASEZ for broad banding/inclusion of Cigarettes in the existing LoA of M/s. Oscar International, a unit in KASEZ**

It was noted that there is a cabinet decision prohibiting the broad banding of approvals to include cigarettes. Accordingly, BoA **rejected** the request of the unit.

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**Item No. 39.16: Request of M/s. UMA Exports Pvt. Ltd., a unit in FSEZ, for allowing international trading of pulses from SEZ**

**Item No. 39.17: Request of M/s. Prakash Overseas, for setting up Pulses Processing unit in Indore SEZ**

The Board noted that these are very sensitive products and there is requirement of clear policy for import and export of these products. Pending the availability of such policy, the Board decided to **defer** the requests of M/s. UMA Exports Pvt. Ltd. and M/s. Prakash Overseas for import, processing, trading and export of pulses.

**Item No. 39.18: Requests for condoning the delay in filing application for extension of unutilized goods**

(i) **Request of DC IT/ITES SEZ for condoning the delay in filing application for extension of unutilized goods by M/s. Wipro Limited, the developer of the sector specific SEZ for IT/ITES at Hinjawadi Pune, Maharashtra**

(ii) **Request of DC IT/ITES SEZ for condoning the delay in filing application for extension of unutilized goods by M/s. Syntel International Private Limited, the developer of the sector specific SEZ for IT/ITES at Talwade, Pune, Maharashtra**

It was noted by BoA that both these proposals fall within the competence of the Unit Approval Committee and accordingly, it was decided to remand these proposals to UAC for its consideration.

**Item No. 39.19: Request of M/s. Apollo Hospitals Enterprise Limited for authorized operations as co-developer in the manufacture and assembling of electronics, telecommunication and IT hardware and development of software, R&D services and other services in telecommunication SEZ at Sriperumbudur, Tamil Nadu developed by M/s. Nokia India Private Limited**

The representative of the State Government brought out that waiver of the conditions, that the hospital's services would be restricted to only Nokia Zone, adjoining SEZ zones and trauma cases due to accidents on the highway, is necessary as the area in which the hospital is located requires a good medical facility. Further, the hospital's viability is also affected by such restrictive conditions. The representative of Department of Revenue pointed out that the hospital is yet to be established and it is premature to relax the conditions imposed. BoA, thereafter, decided to **defer** the request of M/s. Apollo Hospitals Enterprise Limited and directed that the detailed justification be obtained from the co-developer for relaxing the conditions which should also include the reasons why a large SEZ like Nokia and other adjacent SEZs are not adequate to provide sufficient patient load.

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### **Item No. 39.20: Renewal of LoP for next 5 years in respect of M/s. Nara Exim Private Limited, a unit in Falta SEZ**

The representative of the Department of Revenue said that the policy in respect of plastic re-processing units is yet to be finalised. The representative of Department of Commerce indicated that despite having five meetings on the issue there has been no finality. BoA directed that the policy should be finalised at the earliest.

The Board, however, decided to extend the LoP of M/s. Nara Exim Private Limited upto 11.02.2014 **subject to the condition that the unit shall have to abide by the final policy in this regard.**

### **Item No. 39.21: Request for relaxation of contiguity condition in respect of the multi product SEZ at Khed, Pune, Maharashtra, proposed to be developed by M/s. Khed Economic Infrastructure Private Limited**

DC, SEEPZ, brought out that in respect of Khed SEZ the issue has been that a portion of the Other District Road (ODR) No. 36 passes through the SEZ. The developer has proposed to construct boundary wall on both sides of the portion of the ODR to ensure open access to the public and a flyover to maintain the contiguity of the SEZ. BoA accordingly, approved the relaxation of the contiguity condition in respect of the SEZ.

BoA noted that the expenditure on building flyovers on public roads puts considerable economic strain on the developer and ultimately impacts the viability of the project. Like in the case of electric transmission lines passing through the SEZs, which are not considered to affect the contiguity, the same principle could be adopted in respect of public roads, cart tracks etc. passing through the non – processing area of the SEZs. BoA accordingly, directed that a draft policy in this regard be framed and placed before it for consideration.

### **Item No. 39.22: Request of M/s. Mapletree Mauritius 2 Limited for transfer of co-developer status to its wholly owned subsidiary M/s. Pune Kharadi Development Private Limited**

The Board has noted transfer of approval granted to M/s. Mapletree Mauritius 2 Limited as a co-developer in the sector specific SEZ for IT/ITES at Pune, Maharashtra to its subsidiary M/s. Pune Kharadi Development Private Limited. The requisite taxation formalities associated with this transfer will be met by the co-developer.

### **Supplementary Agenda**

The items listed in the supplementary agenda were deferred on the request of Department of Revenue.

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### Annexure - 1

#### List of Participants for the Meeting of the Board of Approval for Special Economic Zones held on 9<sup>th</sup> April, 2010 under the Chairmanship of Commerce Secretary, Department of Commerce

1. Dr. Rahul Khullar, Chairman BOA & Secretary, Department of Commerce.
2. Shri S.K. Goel, Member (Customs) CBEC, Department of Revenue, Ministry of Finance.
3. Smt. Praveen Mahajan, Director General (DG), Department of Revenue, Ministry of Finance
4. Sh. Raman Chopra, Director (ITA), CBDT, Department of Revenue, Ministry of Finance
5. Shri Gurdeep Singh, Additional Director, Department of Revenue, Ministry of Finance
6. Shri Alkesh Sharma, Secretary (Industries), Government of Kerala
7. Shri Bidyut Swain, Commissioner of Industries, Gujarat
8. Shri Rajeev Ranjan, Principal Secretary Industries, Government of Tamil Nadu
9. Shri T.L. Satya Prakash, Director, Industries Department, Government of Haryana
10. Sh. B. Sambob, Principal Secretary (Industries & Commerce Deptt.), Govt. of Andhra Pradesh.
11. Shri D.P. Mohanty, Additional Sectary to Government of Orissa, Industries Department
12. Shri D. S. Chaturvedi, Deputy Director of Industries, Government of Madhya Pradesh.
13. Shri O.P. Sharma, Scientist E, Department of Information Technology
14. Shri Dinesh Pohadia, Dy. General Manager, RIICO, Government of Rajasthan
15. Shri A.S. Das, DGM, IDCO, Government of Orissa
16. Shri A.K. Dham, Liaison Officer, Government of Orissa
17. Shri O.P. Kapoor, Dy. DG EPCES, New Delhi
18. Ms. Valsala Hariharan, DDG, DGFT
19. Shri Teotia, Assistant, Director (WTO), O/O Development Commissioner (MSME)
20. Shri U.K. Bhardwaj, Section Officer, M/o Home Affairs

#### LIST OF DEVELOPMENT COMMISSIONERS

21. Shri Ajay Mittal, Development Commissioner, MEPZ SEZ, Chennai.
22. Smt. Maya D. Kem, Development Commissioner, MPSEZ, Mundra, Gujarat.
23. Shri M.S. Rao, Development Commissioner, VSEZ, Visakhapatnam, Andhra Pradesh.
24. Shri Arun Kumar Bit, Development Commissioner, Falta SEZ, Kolkata.
25. Shri S.C. Panda, Development Commissioner, Noida SEZ, Uttar Pradesh.
26. Shri C.J. Mathew, Development Commissioner, CSEZ, Cochin
27. Smt. Anita Agnihotri, Development Commissioner, SEEPZ SEZ, Mumbai.
28. Shri S. Kishore, Development Commissioner, AP SEZ
29. Shri K.L. Sharma, Development Commissioner, Sterling SEZ, Gujarat
30. Shri Upendra Vasishth, Development Commissioner, Reliance SEZ, Jamnagar, Gujarat
31. Shri S.N.Patil, Joint Development Commissioner, Dahej SEZ
32. Shri A.K. Rathore, Joint Development Commissioner, ISEZ, Indore, Madhra Pradesh.
33. Shri Omkar Rai, Director, STPI, Electronics Niketan, 6 CGO Complex, New Delhi.



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34. Shri C.V.D.Ramprasad, Director, STPI (IT/ITES), SEZ, Noida
35. Shri J.Parthasarathy, Director STPI (IT/ITES), SEZ, Chennai, Tamil Nadu
36. Sh. P. Venugopal, Director STPI, DC (IT/ITES), Hyderabad, Andhra Pradesh
37. Shri S. K. Agarwal, Director STPI, DC (IT/ITES), SEZ Maharashtra
38. Shri R. Rajalakshmi, Director STPI & Development Commissioner, Bangalore, Karnataka
39. Shri Ajay Sharma, DC (IT/ITES), SEZ, Gujarat
40. Shri K. Ramesh Kumar, Development Commissioner IT/ITES SEZ, Kerala.
41. Shri Manas Ranjan Panda, DC (IT/ITES), Bhubaneswar, Orissa

### **LIST OF PARTICIPANTS OF DEPARTMENT OF COMMERCE**

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

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