

Minutes of the 33rd meeting of the SEZ Board of Approval held on 2nd June 2009, at 10.30 P.M., to consider proposals for setting up of Special Economic Zones

The thirty third meeting of the SEZ Board of Approval was held on 02.06.2009 at 10.30 A.M. under the chairmanship of Shri Gopal K. Pillai, 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 (**Appendix**).

2. Addressing the Board of Approval members, the Chairman informed that so far 568 formal approvals have been granted for setting up of SEZs out of which 315 have been notified. He further informed that over Rs. 1, 08,903 crores have been invested in the Special Economic Zones during this short span of time and direct employment of the order of 3, 87,439 persons has been generated in the Special Economic Zones. Total export of Rs. 99,689 crores have been made from SEZs during the financial year 2008-09 registering a growth of about 50% over the exports made during the year 2007-08.

Item No. 33.1: Proposals for setting up of SEZs

(A) Decisions for Formal Approvals:

1. **Request for setting up of a sector specific Special Economic Zone for IT/ITES/BPO/Electronic Hardware at Kattigenahalli and Venkatala villages, Yelahanka Hobli, Bangalore by M/s. Gulf Oil Corporation Ltd. - 12 hectares (Item No. 33.1 -Sl. No. i):**

The Board noted that the Developer was in possession of land. The State Government also recommended the proposal. Accordingly, the Board decided to grant **formal approval** for setting up of a sector specific Special Economic Zone for **IT/ITES/BPO/Electronic Hardware** at Kattigenahalli and Venkatala villages, Yelahanka Hobli, Bangalore by **M/s. Gulf Oil Corporation Ltd.** over an area of **12 hectares**.

2. **Request for setting up of a sector specific Special Economic Zone for Biotechnology at Kundalahalli and Nallurahalli villages K.R. Puram Hobli, Bangalore by M/s. Gopalan Enterprises India Pvt. Ltd. - 10.95 hectares (Item No. 33.1 -Sl. No. ii):**

The Board noted that the Developer was in possession of land. The State Government has also recommended the proposal. The Representative of DoR pointed out that from the earlier map submitted by the developer, the proposed land was not contiguous. However, the representative of the State Government apprised the Board that now the land is contiguous. As per the new map submitted by the developer, the proposed land appeared to be vacant. The report of the DC also

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confirmed the same. It was further observed that MHA is yet to accord clearance. Accordingly, the Board decided to grant **formal approval** for setting up of a sector specific Special Economic Zone for **Biotechnology sector** at Kundalahalli and Nallurahalli villages K.R. Puram Hobli, Bangalore by **M/s. Gopalan Enterprises India Pvt. Ltd.** over an area of **10.95 hectares subject to contiguity being established before notification.**

3. Request for setting up of a sector specific Special Economic Zone for Biotech SEZ at Indupur, Ananthapur District, Andhra Pradesh by M/s. Real Griha Nirman Pvt. Ltd. - 28.34 hectares (Item No. 1 -Sl. No. iii):

The Board noted that the Developer was in possession of land. The State Government has also recommended the proposal. MHA is yet to accord clearance. Accordingly, the Board decided to grant **formal approval** for setting up of a sector specific Special Economic Zone for Biotech SEZ at Indupur, Ananthapur District, Andhra Pradesh by M/s. Real Griha Nirman Pvt. Ltd over an area of **28.34 hectares.**

4. Request for setting up of a sector specific Special Economic Zone for IT/ITES at Chengamanadu village, Alwye, Kerala by M/s. M. M. Tech Towers - 11.15 hectares (Item No. 33.1 -Sl. No. v):

The Board noted that the Developer was in possession of land. The State Government has also recommended the proposal. The Board further noted that in terms of Land Possession Regulations in Kerala, no individual or company can hold more than 15 acres of land as freehold land and, accordingly, the entire land is in the possession independent companies under the same management with 100% equity owned by the family members and an individual, Shri Roy M. Mathew. The directors of all the companies are same. Accordingly, the Board decided to grant **formal approval** for setting up of a sector specific Special Economic Zone for IT/ITES at Chengamanadu village, Alwye, Kerala by M/s. M. M. Tech Towers over an area of **11.15 hectares. The Board also decided that before notification the ownership must be ascertained.**

5. Request for setting up of a sector specific Special Economic Zone for IT related SEZ at Chengamanadu, Alwye, Kerala by M/s. Emaar MGF Land Ltd. - 12.17 hectares (Item No. 33.1 -Sl. No. vi):

The Board noted that the Developer was in possession of land. The State Government has also recommended the proposal. The representative of DoR pointed out that from the map it appears that a river is passing through the proposed SEZ. However, as per the map submitted by the developer, it was noted that the river was outside the proposed land. The Board further noted that in terms of Land Possession Regulations in Kerala, no individual or company can hold more than 15 acres of land as freehold land and, it was noted that the developer had registered the lands in the name of wholly owned subsidiary of Emaar MGF and had also provided the sale deeds in the name of their fully owned subsidiaries. Accordingly, the Board decided

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to grant **formal approval** for setting up of a sector specific Special Economic Zone for IT related SEZ at Chengamanadu, Alwaye, Kerala by M/s. Emaar MGF Land Ltd. over an area of **12.17 hectares subject to land being contiguous. The Board also decided that before notification the legal position in respect of such transactions and ownership & contiguity must be ascertained.**

6. Request for setting up of a sector specific Special Economic Zone for Biotechnology at Pathardi, Taluka - Chiplun, District Ratnagiri, Maharashtra by M/s. Yashrabha Enterprises - 10.36 hectares (Item No. 33.1 -Sl. No. xv):

The Board noted that the State Government had earlier recommended the proposal for in-principle approval over an area of 19.35 hectares. Since, no in-principle approvals are granted in respect of sector specific SEZs with a land requirement of 10 hectares, the proposal was deferred in the meeting of 1st May 2008. Now, the Board noted that the developer is in possession of 10.36 hectares of land. The representative of the Government of Maharashtra confirmed that the developer is in possession of 10.36 hectares of land. Accordingly, the Board decided to grant **formal approval** for setting up of a sector specific Special Economic Zone for Biotechnology sector at Pathardi, Taluka - Chiplun, District Ratnagiri, Maharashtra by M/s. Yashrabha Enterprises over an area of **10.36 hectares.**

7. Request for setting up of a sector specific Special Economic Zone for IT/ITES at Powai, Mumbai, Maharashtra by M/s. Larsen & Toubro Ltd. - 10 hectares (Item No. 33.1 -Sl. No. xvii):

The Board noted that the Developer was in possession of land. The State Government has also recommended the proposal. However, the representative of DoR pointed out that the proposed land is not vacant. However, Member Secretary, BoA, invited the attention of the Board to the recent definition of vacancy by which 'vacant' land means the land where there are no functional ports, manufacturing units, industrial activities or structures in which any commercial or economic activity is in progress. It was observed that there were three small institutions whose structures are good conditions, which the developer intended to use for providing training facilities in the non-processing area to support processing area activities. Out of these, two institutes have said to have world class facilities for in parting training. The developer had requested to allow them the continued use of these institutions for training purposes in non-processing area. They had further submitted that if this is not agreeable, then they will shift the institutions outside the SEZ by June 2011. The developer had further undertaken that no commercial operation is going on in the proposed SEZ. It was further noted that a fly over is passing above the proposed SEZ. The developer had confirmed that the area under the fly over has been taken on a 30 year lease from PWD Department, Government of Maharashtra. The representative of DC, SEEPZ confirmed that the total area of the proposed SEZ meets minimum area requirement and is in possession of the developer. Accordingly, the Board decided to grant **formal approval** for setting up of a sector specific Special Economic Zone for IT/ITES at Powai, Mumbai,

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Maharashtra by M/s. Larsen & Toubro Ltd. over an area of 10 hectares subject to contiguity and fulfilment of minimum area requirement. The Board further decided that the formal notification will be issued after DC, SEEPZ submits a report, after due inspection, of the premises where the training is conducted to ensure that the training is only for the developer without any commercial consideration, thereby meeting the requirement of vacancy. The report will be shared with CBEC as well.

8. Request for conversion of in-principle approval into formal approval for setting up of a sector specific Special Economic Zone for IT/ITES at Kalamassery, Kochi, Kerala by M/s. Sutherland Global Services Private Limited - 10.1175 hectares (Item No. 33.2 -Sl. No. i):

The Board noted that the Developer was in possession of the land. The State Government also recommended the proposal. Accordingly, the Board decided to approve the request of the developer for conversion of in-principle approval to formal approval and granted **formal approval** for setting up of a sector specific Special Economic Zone for IT/ITES at Kalamassery, Kochi, Kerala by M/s. Sutherland Global Services Private Limited over an area of 10.1175 hectares.

(B) Decisions for in-principle approvals:

1. Request for setting up of a multi product Special Economic Zone at Chillakur and Kota Mandal, Andhra Pradesh by M/s. Krishnapatnam Infratech Private Limited - 1062 hectares (Item No. 33.1 -Sl. No. iv):

The Board noted that the Developer was not in possession of land and that the State Government had recommended the proposal for grant of in principle approval. After deliberations, the Board decided to grant **in-principle approval** for setting up of a **multi product** Special Economic Zone at Chillakur and Kota Mandal, Andhra Pradesh by M/s. Krishnapatnam Infratech Private Limited over an area of 1062 hectares.

2. Request for setting up of a sector specific Special Economic Zone for Multi services at Village Taloshi, Taluka Igatpuri, District Nashik, Maharashtra by M/s. Maharaja Multitrade Pvt. Ltd. - 106.755 hectares (Item No. 33.1 -Sl. No. xvi):

The Board noted that the Developer was not in possession of land and that the State Government had recommended the proposal for grant of in principle approval. After deliberations, the Board decided to grant **in-principle approval** for setting up of a sector specific Special Economic Zone for **Multi services** sector at Village Taloshi, Taluka Igatpuri, District Nashik, Maharashtra by M/s. Maharaja Multitrade Pvt. Ltd. over an area of 106.755 hectares.

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(C) Decisions for Deferment:

1. **Request for setting up of a sector specific Special Economic Zone for Biotechnology at Eruthenpathy village, Palakkad District, Kerala by M/s. Agastya Biopharma India Limited – 10.5 hectares (Item No. 33.1 –Sl. No. vii):**

The Board noted that the Developer was in possession of land. However, the recommendation of the State Government has not been received. Accordingly, the Board decided to **defer** the proposal for setting up of a sector specific Special Economic Zone for Biotechnology at Eruthenpathy village, Palakkad District, Kerala by **M/s. Agastya Biopharma India Limited** over an area of 10.5 hectares till the recommendation of the State Government is received.

2. **Request for setting up of a sector specific Special Economic Zone for Electronic Hardware and Software including IT/ITES at Plot No. 5, Sector 143A, Noida, District Gautam Budh Nagar, Uttar Pradesh by M/s. Udaan Infotech Private Limited – 10.20 hectares (Item No. 33.1 –Sl. No. xi):**

The Board noted that the Developer is yet to acquire possession of land. The recommendation of the State Government was received only for in-principle approval. The Board further noted that no in-principle approvals are accorded to sector specific Special Economic Zones of 10 hectares. Accordingly, the Board decided to **defer** the proposal for setting up of a sector specific Special Economic Zone for Electronic Hardware and Software including IT/ITES at Plot No. 5, Sector 143A, Noida, District Gautam Budh Nagar, Uttar Pradesh by **M/s. Udaan Infotech Private Limited** over an area of 10.20 hectares till the receipt of formal possession documents from the NOIDA Authority.

3. **Request for setting up of a sector specific Special Economic Zone for Electronic Hardware and Software including IT/ITES at Greater Noida, Uttar Pradesh by M/s. V.C. Infosoft Private Limited – 10 hectares (Item No. 33.1 –Sl. No. xii):**

The Board noted that the Developer is yet to acquire possession of land. The recommendation of the State Government was received only for in-principle approval. The Board further noted that no in-principle approvals are accorded to smaller sector specific Special Economic Zones of 10 hectares. Accordingly, the Board decided to defer the proposal for setting up of a sector specific Special Economic Zone for Electronic Hardware and Software including IT/ITES at Greater Noida, Uttar Pradesh by M/s. V.C. Infosoft Private Limited over an area of 10 hectares till the receipt of formal possession documents from the NOIDA Authority.

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(C) Decisions for Rejection:

1. Request for setting up of a sector specific Special Economic Zone for Food Processing at Amritsar, Punjab by M/s. Bullion Infrastructure Private Limited - 10.5 hectares (Item No. 33.1 -Sl. No. viii):
2. Request for setting up of a sector specific Special Economic Zone for Polutry at Chhindwara District, Madhya Pradesh by M/s. VKS Farms Pvt. Ltd. - 171 hectares (Item No. 33.1 -Sl. No. ix):
3. Request for setting up of a sector specific Special Economic Zone for Polutry including Agro Food Processing at Athimarathu Valasu village, Rajamapatti PO, Palani Taluk, Dindukal District, Tamil Nadu by M/s. VKS Farms Pvt. Ltd. - 170 hectares (Item No. 33.1 -Sl. No. x):
4. Request for setting up of a sector specific Special Economic Zone for Rice Food Processing sector at Manideep, Raisen District, Madhya Pradesh by M/s. Daawat Foods Pvt. Ltd. - 10 hectares (Item No. 33.1 -Sl. No. xiii):
5. Request for setting up of a sector specific Special Economic Zone for Rice Food Processing sector at Rajpura, Amritsar, Punjab by M/s. Raghunath Agro Industries - 10 hectares (Item No. 33.1 -Sl. No. xiv):

The Board noted that all the above mentioned five cases are all similar as they relate to Agri/poultry processing sectors. In all the proposals, the developers intend having the core processing area in 10 hectares of land which is far below the existing guidelines prescribed for sector specific SEZs. The Board noted that these proposals require to be considered on merits and may have to be placed before the appropriate authority for relaxation in the SEZ Act and Rules. As that exercise will take some time, these proposals have to be rejected. They may be re-considered, as and when the issue regarding area requirement in respect of these sector specific SEZs are relaxed.

Item No. 33.3: Request of M/s. Essar SEZ Hazira Ltd regarding multiple entry gates to their SEZ

The Representative of Department of Revenue pointed out that even during the previous meeting of the BoA, they had brought out their reservations in respect of the third gate and, accordingly, BoA had agreed only for two gates. Subsequently, the developer was permitted to operate the third gate on a temporary basis. The Department of Revenue still does not agree for a third gate. After deliberations, as the issue could not be resolved at the BoA level, it was decided that Department of Commerce would place the issue before EGoM for a decision.

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Item No. 33.4: 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. Great Indian Linen and Infrastructure Co. Pvt. Limited for co-developer in the Textile SEZ at Uthukuli, Perundurai District, Tamil Nadu by M/s. ETL Infrastructure Services Limited

The Representative of Department of Revenue pointed out that the co-developer agreement submitted initially did not contain a clause regarding consideration. While the co-developer has modified the agreement by way of incorporation of an appropriate clause, it has been noted that the date of the agreement has remained the same, i.e, 24th March 2008. It was also seen that the same date has been maintained when the agreement has been modified a couple of times. The representative of the Department of Revenue wanted to be sure that non-changing of the date does not have any legal implications. The representative of Ministry of Law was of the opinion that there may not be any objection to it provided there is a clause in the original agreement that the further amendments will also be with effect from the original date of the agreement. It was decided to defer the item and request the developer to submit a fresh amended agreement.

(ii) Request of M/s. Symbiosys Technologies for co-developer in the IT/ITES SEZ at Visakhapatnam, Andhra Pradesh by Andhra Pradesh Industrial Infrastructure Corporation

(iii) Request of M/s. Mahathi Software Pvt. Ltd. for co-developer in the IT/ITES SEZ at Visakhapatnam, Andhra Pradesh by Andhra Pradesh Industrial Infrastructure Corporation

(iv) Request of M/s. Nunet Technologies Pvt. Ltd. for co-developer in the IT/ITES SEZ at Visakhapatnam, Andhra Pradesh by Andhra Pradesh Industrial Infrastructure Corporation

The Representative of the Government of Andhra Pradesh pointed out that in respect of all the three proposals, the land was provided at concessional rates with a clear undertaking from these entities that there will be no sub-leasing/renting of the land provided to them. It was pointed out to the representative to Government of Andhra Pradesh that the MoU for land between Andhra Government and these entities is not a matter under the purview of BoA. In case, Andhra Government is of the view that there are violations, they have to be separately looked into. BoA also

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noted that it was under unusual circumstances that these entities have been considered both as co-developers as also units. The representative of CBDT pointed out that the proposed co-developer is actually an existing allottee of unit and the proposed co-developer will develop the areas already allotted to him as an allottee in the SEZ. While reckoning the income tax benefits, these entities must be independent or they must either claim income tax benefits either as a unit or as a co-developer. BoA was of the view that the functions of the co-developer and the unit are different and can be accounted for separately. Accordingly, after deliberations, the Board decided to grant approval to all the three entities as co-developers in the **IT/ITES SEZ at Visakhapatnam, Andhra Pradesh by Andhra Pradesh Industrial Infrastructure Corporation as detailed below:**

M/s. Symbiosys Technologies for co-developer over an area of 2 acres (0.81 hectares)

M/s. Mahathi Software Pvt. Ltd. for co-developer over an area of 2 acres

M/s. Nunet Technologies Pvt. Ltd. for co-developer over an area of 3 acres (1.21 hectares)

(v) Request of M/s. Rathinam Arumugam Research and Educational Foundation (RARE) for co-developer in the IT/ITES SEZ at Coimbatore, Tamil Nadu set up by M/s. Span Ventures Private Limited.

The Representative of Department of Revenue sought some more time to examine the proposal. Accordingly, the Board decided to **defer** the request of M/s. Rathinam Arumugam Research and Educational Foundation (RARE) for co-developer over an area of 4.10 hectares in the IT/ITES SEZ at Coimbatore, Tamil Nadu set up by M/s. Span Ventures Private Limited.

Item No. 33.5: Request of M/s. Mundra Port and SEZ Limited for increase in power generation capacity in the SEZ for supply of power at Mundra, Kutch, Gujarat

The Representative of Department of Revenue was of the view that in view of the recommendation of the State Government, there can be no objection to further increasing power generation. After deliberations the Board decided to **approve** the request of M/s. Adani Power Limited for further increasing the power generation capacity from 2640 MW to 5200 MW in the SEZ for supply of power at Mundra, Kutch, Gujarat subject to the conditions laid down in Guidelines for Power Generation, Transmission and Distribution in Special Economic Zones issued by Department of Commerce under No. P.6/3/2006-SEZ.I dated 27th February, 2009.

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Item No. 33.6: Request 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. Gopalan Enterprises (India) Private Limited for authorized operations in the IT/ITES SEZ at Hoodi village, K.R. Puram, Bangalore

The Developer made a detailed presentation on the requirement of authorized activities. After deliberations, the Board decided to approve the authorized activities in the **non-processing** area, as given in the table:

S. No	Authorized Operations	Quantum sought (in sq mtrs)	Quantum Approved (in sq. meters)
1.	Residential Apartments	14000	140 units of 100 sq. meter
2.	Service Apartments	14000	140 units of 100 sq. meter
3.	Retail/Shopping/Office/Bank	14000	14000
4.	Food Court/Restaurant/Coffee Shop	5000	5000
5.	Entertainment	2000	2000
6.	Employees Welfare Facility-Medical Centre	1000	1000
7.	Power Generation		75 MW

The request for multiplex was not approved.

(ii) Request of M/s. Infopark for authorized operations in the IT/ITES SEZ at Kakkanad, Ernakulam, Kerala.

The Board decided to approve the authorized activities in the **processing area**, as listed below:

S. No.	Authorized Operations	Quantum sought	Quantum approved
1.	Guest House	25,000 sft.	25 Guest rooms of 1000 sq. feet each

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(iii) Request of M/s. Maharashtra Airport Development Company Limited (MADC) for authorized operations in the multi product SEZ in Nagpur, Maharashtra,

After deliberations, the Board decided to **approve** the request of M/s. Maharashtra Airport Development Company Limited (MADC) for Weigh Bridge of 100 MT capacity to be installed on 16 X 3 platform with its necessary accessories inside the main gate.

(iv) Request of M/s. Vedanta Aluminium Ltd. for authorized operations in the Aluminium SEZ at Tehsil and District Jharsuguda, Orissa

Sector specific SEZ for Aluminium at Tehsil and District Jharsuguda, Orissa by M/s. Vedanta Aluminium Ltd. was notified on 16.02.2009 over an area of 10.3092 hectares. The developer has requested for the following authorized operations in the **non-processing** area:-

S. No.	Authorized Operations	Quantum sought	Quantum approved (in sq. meters)
1.	Security offices and police posts at entry, exit and other points within and along the periphery of the site	600	600
2.	Office space and building	28000	28000
a.	Bus bays, Vehicle parking		
b.	Business and/or Convention Centre		
c.	Common Data centre with inter-connectivity & EDP		
d.	Employee welfare facilities like Creche, Medical Centre		
e.	Food services including Cafeteria, food court(s), Restaurants, coffee shops, canteens and catering facilities		
f.	Training Centre		
3.	First Aid	200	200

The request for ATMs will be considered separately depending on the Banks' requirements.

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Processing Area

S. No.	Authorized Operations	Quantum sought	Quantum approved (in sq. meters)
1.	Fire Station, Fire protection system with sprinklers, fire and smoke detectors	NIL	As per fire plan
2.	Rail head (Railway siding), Despatch Loading etc.	67000	67000
3.	Power (including power back up facilities) for individual particulars	NIL	As per electric plan

(v) Request of M/s. Adani Power Limited as co-developer in the multi product SEZ at Dist. Kutch, Gujarat, developed by M/s. Mundra Port Special Economic Zone Limited

The Board noted that the authorized operations requested for by the co-developer in the said SEZ were earlier approved by BoA. The Board further noted that these authorized operations have been requested in the processing area. Accordingly, the Board conveyed that the earlier approval is still valid for the following authorized operations:-

- (i) Fire station and fire protection system
- (ii) Amenities such as Workers' Canteen, Cafeteria, Medical Centre
- (iii) Telecom and other communication facilities including internet connectivity
- (iv) Rail Head

The co-developer withdrew the proposal for Parking including multi level car parking (automated or manual)

(vi) Request of M/s. Gopalan Enterprises (India) Pvt. Ltd. for authorized operations in the IT/ITES SEZ at Mahadevapura K.R. Puram, Bangalore

The Board decided to approve the authorized activities in the **non- processing area**, as listed below:

S. No.	Authorized Operations	Quantum sought (in sq mtrs)	Quantum Approved (in sq. meters)
1.	Service Apartments	25,000	250 units of 100 sqm. each
2.	Hospital/Employees Welfare Facility	12,000	12,000 (140 Bed

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	- Medical Centre Retail/ Shopping/ Office/Bank		Hospital)
3.	Retail Shopping/Office/Bank	25,000	25,000
4.	Food Court/Restaurant/Coffee Shop	5,000	5,000
5.	Entertainment Area	14,000	14,000
6.	Convention Hall	14,000	14,000
7.	Power	100 MW	100 MW

(vii) Request of M/s. Bhartiya International SEZ Ltd. for authorized operations in the Leather and Leather Products SEZ at Nellore District, Andhra Pradesh

The Board decided to approve the authorized activities in the **Processing as well as non-processing** area, as listed below:-

S. No.	Authorised operations	Processing area	Non-processing area	Quantum sought (in sq mtrs)	Quantum Approved (in sq. meters)
1.	Security offices and police posts at entry, exit and other points within and along the periphery of the site	✓	✓	Entry and exit security/police offices, about 15 numbers security points within park and along periphery (office space for customs and security staff not exceeding 500 sq. meters only is covered under default)	Approved
2.	Office space/Shopping arcade/ Retail space/Multiplex	✓	✓	Admin building - 1500 sq. meters Custom office - 750 sq. meters Investor	Approved

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				Service Centre - 750 sq. meters Park Mgmt & security offices - 1000 sq. meters	
3.	Housing		✓	250 managers - 50000 sq. meters 750 executives - 120500 sq. meters 7,500 workers - 168750 sq. meters	Approved. It will be developed in a phased manner.
4.	Hotel/Service apartments		✓	Hotel - 60000 sq. meters Guest House - 1000 sq. meters	Service apartment and guest house - 2000 sqm.
5.	Clinic/Medical Center/Hospital		✓	500 sq. meters	Approved
6.	School/Technical Institution/Educational Institution		✓	3500 sq. meters	Approved
7.	Parking including Multi-level car parking (automated/manual)		✓	Single level	Approved
8.	Business/Convention Centre		✓	4500 sq. meters	Approved
9.	Common Data Centre with inter-connectivity		✓	--	Approved
10.	Power (including power back up facilities)	✓	✓	4 MW back up power facility within the park	Approved
11	Access control and monitoring system	✓	✓	--	Approved
11.	Fire Station, Fire protection system with sprinklers, fire and smoke detectors	✓	✓	Fire station 250 sq. meters	Approved

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12.	Recreational facilities including club house, indoor/outdoor games and gymnasium		✓	2000 sq. meters	Approved
13.	Employee welfare facilities like Creche, Medical center and other such facilities		✓	Banks & ATMs - 250 sq. meters Post office - 350 sq. meters Creche - 250 sq. meters Library - 400 sq. meters	Approved except ATMs.
14.	Play grounds		✓	--	Approved
15.	Bus bays	✓	✓	--	Approved
16.	Food services including cafeteria, food court(s), Restaurants, coffee shops, canteens and catering facilities		✓	Common Kitchen - 500 sq. meters Decentralised canteen/cafeterias - 1000 sq. meters	Approved

The request for Hotel was not approved.

The request for ATMs will be considered separately depending on the Banks' requirements.

Item No. 33.7: Amendment in authorized operations approved in respect of sector specific SEZ for IT/ITES at Faridabad, Haryana by M/s. Selecto Systems Pvt. Ltd.

After deliberations the Board decided to **approve** Guest house and rooftop helipad on the top of multi level car parking. The Board rejected the request for 'Hotel'.

(ii) Amendment in authorized operations approved in respect of sector specific SEZ for IT/ITES at Taramani, Chennai, Tamil Nadu by M/s. TRIL Infopark Limited

After deliberations the Board decided to **reject** the request of M/s. TRIL Infopark Limited for 1500 seater Integrated Convention Centre in the **non-processing area**.

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(iii) Amendment in the approval granted to M/s. Quest SEZ Development Pvt. Ltd. for carrying out authorized operations in the non-processing area

After deliberations the Board decided to amend the **approval** granted to M/s Quest SEZ Development Private Limited for authorized operations in the sector specific SEZ for Precision Engineering Products at Belgaum, Karnataka by allowing to carry out the earlier approved authorized activities in the **processing area**, as listed below:-

S. No	Authorized Operations	Earlier approved Quantum in the non-processing area (in sq. meters)	Quantum Approved (in sq. meters)
1.	Cafeteria, food courts, Restaurants, Coffee shops and catering facilities (4 Nos.)	1000	1000
2.	Training room/Conference Hall/Auditorium (4 Nos.)	2000	2000

Item No. 33.8: Requests for change in area and location of the SEZs.

(i) Request of M/s. Asia Pacific Corporation Ltd. for change in location and increase in area of Polymer based SEZ at Bhimasar, Taluka, Anjar District, Kutch, Gujarat

After deliberations, the Board decided to approve the **request of M/s. Asia Pacific Corporation Ltd. for changing the location from Bhimasar to Kutda Taluka.** The Board further decided to approve the **request for increase in area from 101.17 Ha to 107.25 Ha for setting up of Polymer based SEZ at Kutda Taluka, Gujarat.**

Item No. 33.9: Request for increasing / decreasing area

(i) Request of M/s HCL Technologies Limited for increase in area of the IT/ITES SEZ at 3A, sector 126, Noida, Uttar Pradesh

After deliberations, the Board decided to approve the **request of M/s HCL Technologies Limited for increasing the area by adding 1.49 hectares to the already notified SEZ area of 16.91 hectares thereby making the total area of the SEZ as 18.40 hectares.**

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(ii) Request of M/s MADC for decrease in area of the notified multi product SEZ at Mihan, Nagpur, Maharashtra.

The Representative of Department of Revenue pointed out that the developer has been seeking change in the area of the notified SEZ quite frequently. After deliberations, the Board decided to **defer** the proposal with the directions to the developer that he should come back with a firm proposal.

(iii) Request of M/s Coimbatore Hi-tech Infrastructure Ltd. for increase in area in the sector specific SEZ for IT/ITES at Keeranatham village near Coimbatore, Tamil Nadu

The Board noted that the developer has not indicated the area to be increased. Accordingly, the Board decided to **defer** the proposal with the directions to the developer that he may come back with the exact area.

(iv) Request of M/s Cochin Port Trust for annexing additional land in the sector specific SEZ in a port at Vallarpadam

The representative of the Department of Revenue pointed out that there are issues regarding this SEZ which are yet to be sorted out. It was pointed out that the concerns of Department of Revenue are under the consideration of the Department of Commerce and these concerns/issues can be sorted out separately without affecting the decision on the present proposal. After deliberations, the Board decided to grant approval to the request of M/s Cochin Port Trust for annexing additional land of 31.9711 hectares to the already notified SEZ of 115.25 hectares at Vallarpadam, Puthuvypeen, thereby making the total area of the SEZ as 147.2211 **subject to contiguity being maintained and also subject to receipt of report on possession/ownership, non-encumbrance, contiguity and vacancy from the concerned Development Commissioner.**

(v) Request of M/s Shriram Properties & Infrastructure Pvt. Ltd. for de-notification of a portion of land in the notified IT/ITES SEZ at Perungalathur, Kancheepuram District, Tamil Nadu

After deliberations, the Board decided to **reject** the request of M/s Shriram Properties & Infrastructure Pvt. Ltd for de-notification of a portion of land in the notified IT/ITES SEZ at Perungalathur, Kancheepuram District, Tamil Nadu.

Item No. 33.10: Request for broad banding of sector

(i) Request of M/s. Fab City SPV (India) Ltd. for broad banding of sector by including semiconductor devices, solar photovoltaic cells & modules and solar photovoltaic thin film modules with provision to invest in the downstream or upstream vertical chain in the present sector specific SEZ for manufacturing and

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developing of semiconductor facility with FTWZ at Srinagar and Riviryal villages, Maheswaram Mandal, Ranga Reddy District, Andhra Pradesh.

After deliberations, the Board decided to **approve** the request of M/s. Fab City SPV (India) Ltd. for broad banding of sector by including '**semiconductor devices, solar photovoltaic cells & modules and solar photovoltaic thin film modules with provision to invest in the downstream or upstream vertical chain**' in the present sector specific SEZ for manufacturing and developing of semiconductor facility with FTWZ.

Item No. 33.11: Request of M/s. Tapp Semiconductor India Private Limited, co-developer in the Electronics Hardware SEZ in Sriperumbudur, Tamil Nadu by SIPCOT, to take on record the addition of eight more directors in the company and increase in capital structure and also infusion of FDI.

The Board took note of the position indicated by the co-developer..

Item No. 33.12: Renewal of LoA for next 5 years in respect of M/s. Plastic Processers & Exporter Pvt. Ltd., a unit in Noida SEZ

The Representative of Department of Revenue pointed out that the issue of renewal of letter of approvals to plastic units in SEZs was earlier discussed in the meeting of Board of Approvals held on 16th May 2008. At that time, the letter of approvals for these units were being extended taking due account of the fact that thousands of families of employees in these units are dependent on these units. Further, it was felt that in future these units should slowly be phased out after giving notice period of 3-5 years. Further, in the previous occasion, it was also decided that a policy for such units. After detailed deliberations, the Board decided to grant extension of one year, i.e., upto 31-03-10 to **M/s. Plastic Processers & Exporter Pvt. Ltd., a unit in Noida SEZ with the directions that a policy will be framed on this issue.**

Item No. 33.13: Request of M/s. Jubilant Infrastructure Limited for emergency exit gate exclusively for Col Receipts (incoming) and Fly Ash disposal (outgoing) from captive power plant in sector specific SEZ for Chemicals at Vilayat, GIDC, Bharuch, Gujarat

The Board noted that the request was not very clear. Accordingly, the Board decided to **defer** the request of M/s. Jubilant Infrastructure Limited for emergency exit gate exclusively for Col Receipts (incoming) and Fly Ash disposal (outgoing) from captive power plant in sector specific SEZ for Chemicals at Vilayat, GIDC, Bharuch, Gujarat with the directions that the developer will submit a clear proposal for the consideration of the Board.

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Item No. 33.14: Request of M/s. DLF Limited for de-notification of their sector specific SEZ for IT/ITES at Gandhinagar, Gujarat over an area of 10.12 hectares

(ii) Request of M/s. DLF Limited for de-notification of their sector specific SEZ for IT/ITES at Rai, Sonapat, Haryana over an area of 10.12 hectares

(iii) Request of M/s. DLF Limited for de-notification of their sector specific SEZ for IT/ITES at Kolkata, West Bengal over an area of 10.4813 hectares

(iv) Request of M/s. DLF Limited for de-notification of their sector specific SEZ for IT/ITES at Bhubaneswar, Orissa over an area of 10.239 hectares

The representative of Department of Revenue pointed out that there is no such provision in SEZ scheme for denotification of the SEZ even if the developer has undertaken to pay back of duty benefit taken and that Board may like to decide the issue accordingly. The opinion of the representative of Ministry of Law present in the meeting was taken on the issue and it was opined that though there is no specific provision in the SEZ Act and Rules, as per General Clauses Act, the power to notify includes power to de-notify also. DG, EPCES was of the view that units in SEZ are allowed to quit as also units under EOU. Similarly, the SEZs who may find it difficult to continue should also be allowed to quit. While under the existing SEZ Rules, there are no specific provisions for de-notifying the SEZs, suitable provisions should be made for SEZs also. BoA noted that M/s. DLF Limited is facing acute liquidity crunch and is not in a position to continue with the projects. Representative of DoR then requested for the details of functional/approved units and duty benefits availed by M/s. DLF Limited in respect of the above mentioned 4 proposals for de-notification, which were furnished as under:-

S. No.	Name of the developer	Location	Units approved	Details of Duty benefits availed
1.	DLF Limited	Bhubaneswar, Orissa	Nil	Nil
2.	DLF Limited	Gandhinagar, Gujarat	Nil	Rs. 10.72 lakhs
3.	DLF Limited	Kolkata, West Bengal	Nil	Rs. 1.80 crores
4.	DLF Limited	Rai, Sonapat, Haryana	Nil	Rs. 25.50 lakhs

After deliberations, the Board decided to grant in-principle approval for de-notification of sector specific SEZs for IT/ITES by M/s. DLF Limited at Gandhinagar, Gujarat; Rai, Sonapat, Haryana; Kolkata, West Bengal; and Bhubaneswar, Orissa subject to getting confirmation from the concerned authorities that all the benefits including customs/excise/income tax etc. that have been availed on the strength of their being an SEZ have been returned. The Government order of de-notifying these SEZs will be issued only after receiving the above confirmation. The Department of Commerce will also propose suitable provisions in the Act/Rules for denotifying SEZ.

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Item No. 33.15: Withdrawal of formal approvals

(i) **Withdrawal of formal approval granted to M/s. Mridul Infrastructure Private Limited for setting up of Textile sector at Tehsil Rajpura, District Patiala, Punjab**

(ii) **Withdrawal of formal approval granted to M/s. Vividha Infrastructure Private Limited for setting up of a sector specific SEZ for Engineer sector at Tehsil Rajpura, District Patiala, Punjab**

On the request of the representative of Government of Punjab, the Board decided to **defer** the above mentioned 2 requests.

Item No. 33.16: Grant of second extension of in-principle approval.

S. No.	Name of Developer	Sector	Location of SEZ	Percentage of land in possession of developer as on expiry of validity of in-principle approval
a.	M/s. Writers & Publishers Ltd.	Multi Product	Villages Budhania, Bada Bangarda, Indore, MP	Nil
b.	M/s. Videocon Realty and Infrastructure Ltd.	Multi Product	Gnadoli, Adgaon, District Aurangabad	Nil
c.	M/s. Indiabulls Infrastructure Development Ltd.	Multi Product	District Raigad	10%
d.	M/s. Rewas Ports Ltd.	Multi Product	Rewas District, Raigarh, Maharashtra	28.87% purchased. Balance land approved for transfer by Govt. of Maharashtra and lease deed will be executed in July 2009.

The Board noted that as per the **guidelines/norms for grant of second extension of in-principle approval which were approved in the meeting of BoA held on 15th January 2009**, the cases which do not fulfil the approved criteria will be placed before BoA for consideration. The above mentioned 4 proposals do not fulfil the approved criteria. BoA took a view that the cases where no land has been acquired may not be granted further extension. Accordingly, the Board decided to grant **extension of in-principle approval for another one year in respect of M/s.**

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Indiabulls Infrastructure Development Ltd. and M/s. Rewas Ports Ltd. The requests of the other two developers was rejected.

(ii) Request of M/s. Hindalco Industries Ltd. for grant of second extension

The Board noted that keeping in view the huge investments made by the developer in the project, the validity of in-principle approval has been extended for one year beyond the original validity on file and the matter is placed before BoA for ratification as a special case. Accordingly, the Board **ratified** the proposal.

Item No. 33.16: Request for extension of validity of formal approvals

(i) Request of M/s. NIIT Technologies Ltd. for extension of the validity period of formal approval beyond 2 years. Extension granted for one year beyond 23rd August 2010.

(ii) Request of M/s. L&T Phoenix Inforparks Pvt. Ltd. (formerly known as AP Techno Pvt. Ltd.) for extension of the validity period of formal approval beyond 2 years. Extension granted for one year beyond 15th June 2010.

(iii) Request of M/s. HCL Technologies Limited for extension of the validity period of formal approval beyond 2 years. Extension granted for one year beyond 23rd August 2010.

(iv) Request of M/s. Bengal Shapoorji Developers Private Ltd. for extension of the validity period of formal approval. Extension granted for one year beyond 23rd August 2010.

(v) Request of M/s. Karnataka Biotechnology and Information Technology Services for extension of the validity period of formal approval for 4 years. Extension granted for one year beyond 25th October 2010.

(vi) Request of M/s. Bajaj Holdings and Investment Limited for extension of the validity period of formal approval for 3 years. Extension granted for one year beyond 6th April 2010.

(vii) Request of M/s. Orient Craft Infrastructure Limited for extension of the validity period of formal approval for 2 years. Extension granted for one year beyond 16th August 2010.

(viii) Request of M/s. Adityapur Industrial Area Development Authority for extension of the validity period of formal approval beyond 3 years. Extension granted for one year beyond 13th June 2010.

(ix) Request of M/s. Serene Properties Private Limited for extension of the validity period of formal approval. Extension granted for one year beyond 30th October 2010.

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- (x) Request of M/s. New Found Properties & Leasing Private Limited for extension of the validity period of formal approval. Extension granted for one year beyond 20th August 2010.
- (xi) Request of M/s. Lanco Hills Technology Park Pvt. Ltd. for extension of the validity period of formal approval for 3 years. Extension granted for one year beyond 22nd August 2010.
- (xii) Request of M/s. Divyasree NSL Infrastructure Pvt. Ltd. for extension of the validity period of formal approval for 2 years. Extension granted for one year beyond 21st August 2010.
- (xiii) Request of M/s. CPL Infrastructure Private Limited for extension of date for six months for commencement of activities of operations for Pharmaceutical SEZ at Ahmedabad, Gujarat. Extension granted for one year beyond 15th June 2010.
- (xiv) Request of M/s. Medicaps IT SEZ Limited for extension of formal approval date for IT park at Indore, Madhya Pradesh 14th June 2010
- (xv) Request of M/s. CMC Limited for extension of formal approval date for IT park at Indore, Madhya Pradesh 26th June 2010
- (xvi) Request of M/s. Infosys Technologies Limited for extension of formal approval date for IT/ITES SEZ at Mangalore, Karnataka 26th June 2010
- (xvii) Request of M/s. Infosys Technologies Limited for extension of formal approval date for IT/ITES SEZ at Mysore, Karnataka 21st June 2010

The Board noted that these cases have already been considered on file and have been granted extension for one year and the same are placed for information of BoA. Accordingly, the Board took note of it.

Item No. 33.17: Request of M/s. Sameer Industries, a unit in KASEZ for renewal of LoP for a further period of five years.

The Board noted that the appeal made earlier by the unit was rejected in the meeting of BoA held on 2.1.2008 as the Gujarat Pollution Control Board had issued them notice to shut down their operations on 10.2.2005, for not obtaining consolidated consent and authorization from GPCB. The unit subsequently appears to have met the requirement of GPCB, who have issued an NOC to set up an industrial plant at Kandla SEZ for processing of non-ferrous metal scrap like copper etc. The Central Pollution Board has also informed the unit that non-ferrous metal scraps processing is not restricted under the Pollution Control Rules and the consent of GPCB is sufficient for the operation of the plant. After deliberations, the Board

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decided to grant extension of LoP for a further period of five years subject to the unit strictly following the pollution control norms laid out by GPCB.

Item No. 33.18: Appeal of M/s. Bindal Exports Pvt. Ltd. against the decision of the Approval Committee for rejection of the proposal for setting up of a unit in SEZ, at Sachin, Surat, Gujarat.

The Board noted that the representative of the unit was not present to represent their case. Representative of DoR pointed out that they have received reports from their field formations that the applicant has contravened a number of provisions under the Customs and Central Excise Act. These contraventions are not merely technical in nature but are of substantive nature. Hence, before giving any clearance to the firm, these charges must be investigated. Keeping in view, the position brought out by the Department of Revenue, the Board **rejected** the appeal of **M/s. Bindal Exports Pvt. Ltd.**

Item No. 33.19: Request of M/s. Navi Mumbai SEZ Pvt. Ltd. for relaxation of condition of putting barbed wire fencing of 0.6 meter over and above boundary wall of 2.40 meters

The Board noted that the developer has requested for relaxation of condition of putting barbed wire fencing of 0.6 m over and above boundary wall of 2.40 m. After deliberations, the Board took a view that a total height of 2.40 m. of boundary wall may be sufficient. The height of compound wall can either be 1.8 meters above the plinth level plus 0.6 meter barbed wire fencing or a total height of 2.40 mtrs. Accordingly, the Board decided to grant approval for relaxation of condition of putting barbed wire fencing of 0.6 meter over and above boundary wall of 2.40 meters by M/s. Navi Mumbai SEZ Pvt. Ltd. for their sector specific SEZ for multi services sector at Kalamboli -Navi Mumbai, Maharashtra.

(ii) Request of M/s. Maharashtra Airport Development Company Limited for approving boundary wall of 1.8 meters

The Board noted that the developer intends putting up a compound wall of 1.8 meters above the plinth level plus 0.6 meters of barbed wire fencing. Since this meets the requirements as prescribed, the Board approved the proposal.

In this context, the Board decided to prescribe the following norms for boundary walls:-

- A. In respect of IT/ITES SEZs, the height of the wall will be decided by the DC**
- B. In respect of other SEZs, the wall could either be 2.4 meters in height or 1.8 meters in height plus 0.6 meters of barbed wire fencing.**
- C. For any deviations, the proposals can be referred to BoA for a decision.**

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Item No. 33.20: Requests for additional gates

(i) Request of M/s. Dahej SEZ Limited for second gate

After deliberations, the Board the Board decided to grant approval to the request of M/s. Dahej SEZ Limited for second gate in their Multi product SEZ at Bharuch, Gujarat.

(ii) Request of M/s. Maharashtra Airport Development Company Limited for approval of four permanent gates and temporary gates in their Multi Product SEZ at Mihan, Nagpur, Maharashtra.

The Board noted that the developer has requested for approval of three permanent gates and 6 temporary gates in their Multi Product SEZ at Mihan, Nagpur, Maharashtra. The Board further noted that the developer has neither given any drawings indicating the placement of the additional gates nor any proper justification for their usage. Accordingly, the Board decided **not to approve** the request of M/s. Maharashtra Airport Development Company Limited for approval of four permanent gates and temporary gates in their Multi Product SEZ at Mihan, Nagpur, Maharashtra till a proper proposal is received.

Supplementary Agenda

Due to paucity of time, the supplementary agenda could not be discussed. Accordingly, the Board decided to take up the items in the supplementary agenda in its next meeting.